

# **NORTH LANARKSHIRE COUNCIL**

***Minutes of Meetings of the North Lanarkshire Council,  
Committees, Sub-Committees and Panels  
To Be Submitted to the Meeting of  
The North Lanarkshire Council  
to be held on***

***THURSDAY, 3 October 2019***

The Symbol "C" appearing against any item of business indicates that that particular item is subject to consideration and disposal by the Council. All other items have been delegated in terms of the approved Scheme of Administration and are therefore submitted for information only.



# NORTH LANARKSHIRE COUNCIL

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**Motherwell, 20 June 2019 at 4 pm.**

A Meeting of the **NORTH LANARKSHIRE COUNCIL**

**PRESENT**

Councillor Jones, Provost; Councillor Castles, Depute Provost; Councillors Anderson, D. Ashraf, J. Ashraf, Baird, Barclay, Beveridge, Bonnar, Burgess, Burrows, Cameron, Campbell, Carragher, Carson, M. Coyle, S. Coyle, Cullen, Curran, Currie, Di Mascio, Docherty, Doolan, Douglas, Duffy, Fannan, Farooq, Fisher, Fotheringham, Gaffney, Gallacher, Goldie, Goldsack, Gourlay, Graham, Hogg, Hume, C. Johnston, T. Johnston, Kelly, Kerr, Larson, Lennon, Linden, Logue, MacGregor, Magowan, Masterton, McCulloch, McKendrick, McLaren, McManus, McNally, McNeil, McPake, A. McVey, H. McVey, Morgan, O'Rourke, Pettigrew, Quigley, Reddin, Roarty, Shevlin, Stephen, Stevenson, Stocks, Stubbs, Alan Valentine, Annette Valentine, Watson, Weir, Wilson and Woods.

**CHAIR**

Councillor Jones (Provost) presided.

**IN ATTENDANCE**

The Chief Executive; Executive Director (Education and Families); Executive Director (Enterprise and Communities), Head of Financial Solutions, Head of Legal and Democratic Solutions; Head of People and Organisational Development, Head of Regulatory Services and Waste Solutions, Head of Strategic Communication, Democratic Services Manager and Consultant in Public Health Management.

**APOLOGIES**

Councillors Cochrane, Feeney and Shields

**The Provost intimated that she had received requests for two additional items of business in relation to St. Ambrose and Buchanan High Schools, which she had agreed to accept in terms of Standing Order No. 15 as she considered both to be relevant, urgent and competent, and that these items would be dealt with immediately after the declarations of interest.**

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. Councillors Carson, Douglas, T. Johnston, McManus, McPake and H. McVey, by virtue of their membership of CultureNL, declared an interest in paragraph 16 and left the meeting during consideration of this item.

Councillors Burgess, Fotheringham, Kelly, Linden and McNally, by virtue of their membership of North Lanarkshire Leisure Limited, declared an interest in paragraph 16 and left the meeting during consideration of this item.

Councillor Morgan, by virtue of the employment of a close family member within CultureNL Limited, declared an interest in paragraph 16 and left the meeting during consideration of this item.

Councillor Stubbs, by virtue of the employment of a close family member within North Lanarkshire Leisure Limited, declared an interest in paragraph 16 and left the meeting during consideration of this item.

Councillor Gourlay by virtue of her employment with North Lanarkshire Leisure Limited, declared an interest in paragraph 16 and left the meeting during consideration of this item.

**The Provost, being of the opinion that the following item of business was relevant, competent and urgent, authorised its consideration.**

**UPDATE ON ST. AMBROSE HIGH SCHOOL AND BUCHANAN HIGH SCHOOL**

2. Councillor McNally, Convener of Education and Families provided an update to Members of the Council in relation to Buchanan and St. Ambrose High Schools, Coatbridge.

Thereafter the Council heard Andrew McPherson, Head of Regulatory Services and Waste Solutions and Dr. David Cromie, Consultant in Public Health Medicine, NHS Lanarkshire provide further details in relation to the issues raised by Members of the Community, Pupils, Teachers and Parents, and Local Elected Members in relation to the schools and responded to questions from Members of the Council.

**Decided:** that the position be noted.

**The Provost, being of the opinion that the following item of business was relevant, competent and urgent, authorised its consideration.**

**NOTICE OF MOTION BY COUNCILLOR LARSON AND COUNCILLOR STUBBS**

3. There was submitted the following motion in the names of Councillor Larson and Councillor Stubbs:-

"This Council welcomes the Scottish Government's announcement of an Independent Review into the health concerns of staff and pupils at the Buchanan and St. Ambrose High School campus; notes calls for the schools and community centre to be closed while the review takes place and until it is confirmed that there is no risk to health at the site and expects North Lanarkshire Council and NHS Lanarkshire to comply with any and all requests from the Review Team."

Councillor Larson, seconded by Councillor Stubbs, then moved the terms of the Motion.

**The Provost adjourned the meeting for fifteen minutes.**

**The meeting re-convened at 5.13 pm.**

Councillor Gallacher, seconded by Councillor Wilson, moved as an amendment:-

**Add to end of Motion**

"Acknowledge concerns raised by parents that requests for their children to receive medical tests have been denied and agrees that pupils who attend the school should be able to receive the appropriate testing if desired; further agrees that should the Scottish Government commissioned review fail to reassure public confidence; the establishment of a full Independent Inquiry must be considered."

Following consultation with the Monitoring Officer, the Provost determined that in terms of Standing Order No. 31 the Amendment was not competent and the Motion stood unopposed.

**Decided:**

- (1) that the Council welcomes the Scottish Government announcement of an Independent Review into the health concerns of staff and pupils at the Buchanan and St. Ambrose High Schools Campus, and
- (2) that calls for the schools and community centre to be closed while the review took place and until it is confirmed that there is no risk to health at the site be noted, and

- (3) that it is expected that the Council and NHS Lanarkshire will comply with any and all requests from the Review Team.

Councillor Carragher, seconded by Councillor Goldie, moved in terms of Standing Order No. 56 that Standing Order No. 15 be suspended to allow a Notice of Motion on recent changes to the Council's Policy on van and trailer access to recycling centres.

Thereon, more than 40% of the Members available to participate having so requested in terms of Standing Order No. 39, the vote was taken by calling the roll.

On the roll being called 40 Members voted for the suspension of Standing Orders, as follows:-

Councillors Anderson, D. Ashraf, J. Ashraf, Baird, Barclay, Bonnar, Burgess, Cameron, Carragher, M. Coyle, S. Coyle, Cullen, Currie, Di Mascio, Douglas, Farooq, Fotheringham, Gallacher, Goldie, Goldsack, Hume, C. Johnston, T. Johnston, Kerr, Larson, Lennon, Linden, MacGregor, Magowan, Masterton, McManus, Pettigrew, Stephen, Stocks, Stubbs, Alan Valentine, Annette Valentine, Watson, Weir and Wilson.

32 Members voted for Standing Orders to be not suspended, as follows:-

Councillors Beveridge, Burrows, Campbell, Carson, Castles, Curran, Docherty, Doolan, Duffy, Fannan, Fisher, Gaffney, Gourlay, Graham, Jones, Kelly, Logue, McCulloch, McLaren, McNally, McNeil, McPake, A. McVey, H. McVey, Morgan, O'Rourke, Quigley, Reddin, Roarty, Shevlin, Stevenson and Woods.

The Motion for suspension of Standing Orders was supported by 40 votes and thus failed to obtain the necessary support of two thirds of the 72 Members present and voting.

#### **NORTH LANARKSHIRE COUNCIL**

4. There was submitted the Minute of the meeting of North Lanarkshire Council held on 4 April 2019.

**Decided:** that the Minute be approved.

#### **MINUTES PREVIOUSLY APPROVED BY COUNCIL ON 4 APRIL 2019**

5. There were submitted the Minutes of the meetings of the undernoted Committees held on the dates specified:-

Policy and Strategy	21 March 2019
Regulatory	26 March 2019
Planning	28 March 2019
Local Review Body	28 March 2019

**which were approved by Council on 4 April 2019.**

#### **MINUTES OF MEETINGS OF SUB-COMMITTEES AND PANELS FOR INFORMATION**

6. There were submitted for information the Minutes of the meetings of the undernoted Sub-Committees and Panels held on the dates specified:-

Appointments	25 March 2019
Appointments	20 May 2019
Audit and Scrutiny Panel	28 March 2019
Audit and Scrutiny Panel	16 May 2019

**Approved by the Policy and Strategy Committee at its meeting on 6 June 2019.**

Joint Consultative Committee for Local Government Employees

2 April 2019

**Approved by the Finance and Resources Committee at its meeting on 29 May 2019.**

## **MINUTES FOR APPROVAL**

7. There were submitted the Minutes of the undernoted Committees held on the dates specified:-

Civic Functions Group	15 April 2019
Special Adult Health and Social Care	17 April 2019
Regulatory	23 April 2019
Youth, Equalities and Empowerment	29 April 2019
Special Policy and Strategy	29 April 2019
Environment and Transportation	1 May 2019
Planning	2 May 2019
Local Review Body	2 May 2019
Regulatory	7 May 2019
Adult Health and Social Care	9 May 2019
Enterprise and Growth	9 May 2019
Transformation and Digitalisation	15 May 2019
Regulatory	21 May 2019
Education and Families	21 May 2019

Councillor McNally, seconded by Councillor Quigley, moved that the Minute of the meeting of the Education and Families Committee, held on 21 May 2019, be approved.

In respect of paragraph 4, "New Build St. Kevin's Primary and realignment of St. Kevin's Nursery Class to Bargeddie Primary School – Outcome of Statutory Public Consultation."

Councillor Stephen, seconded by Councillor Magowan, moved as an amendment:-

- (1) that a new primary school for St. Kevin's Primary School be provided at the old Drumpark School Site, on the condition that a safe walking routes to school assessment be undertaken and a report be brought back to the Education and Families Committee before further action is undertaken; and that thereafter on completion of the new build school all pupils from the existing St. Kevin's Primary School at that time will transfer to the new school at the new location;
- (2) the closure of St. Kevin's Primary School Nursery Class and establish this as Bargeddie Primary School Nursery Class, and
- (3) to note that the proposals would continue to be closely scrutinised beyond the statutory education consultation stage.

Thereon, more than 40% of the Members available to participate having so requested in terms of Standing Order No. 39, the vote was taken by calling the roll. On the roll being called:-

31 Members voted for the amendment as follows:-

Councillors Anderson, D. Ashraf, J. Ashraf, Baird, Barclay, Bonnar, Carragher, M. Coyle, S. Coyle, Di Mascio, Farooq, Fotheringham, Goldie, Hume, C. Johnston, T. Johnston, Kerr, Larson, Lennon, Linden, MacGregor, Magowan, Masterton, McManus, Pettigrew, Stephen, Stocks, Stubbs, Alan Valentine, Annette Valentine and Weir.

40 Members voted in favour of the motion, as follows:-

Councillors Burgess, Burrows, Cameron, Campbell, Carson, Castles, Cullen, Curran, Currie, Docherty, Doolan, Douglas, Duffy, Fannan, Fisher, Gaffney, Gallacher, Goldsack, Gourlay, Graham, Jones, Kelly, Logue, McCulloch, McLaren, McNally, McNeil, McPake, A. McVey, H. McVey, Morgan, O'Rourke, Quigley, Reddin, Roarty, Shevlin, Stevenson, Watson, Wilson and Woods.

The following 2 Members abstained:-

Councillors Beveridge and Hogg.

31 Members having voted for the amendment, 40 Members having voted for the motion and 2 Members having abstained, the motion was accordingly declared carried.

Communities and Housing	22 May 2019
Finance and Resources	29 May 2019
Regulatory	4 June 2019
Policy and Strategy	6 June 2019

**Decided:** that the terms of the Minutes be approved.

#### **MINUTES FOR APPROVAL**

8. There were submitted (tabled) the Minutes of the undernoted Committees held on the dates specified:-

Planning	13 June 2019
Local Review Body	13 June 2019
Regulatory	18 June 2019

**Decided:** that the terms of the Minutes be approved.

#### **NOTICE OF MOTION BY COUNCILLOR STUBBS AND COUNCILLOR MAGOWAN**

9. There was submitted the following motion in the names of Councillor Stubbs and Councillor Magowan, notice of which appeared on the agenda, viz:-

"This Council notes the aims of the Give Them Time Campaign, set up by parents to share experiences of applying for a further year of nursery funding for their child to defer starting P1; understands that the national survey found that only 19% of parents knew about the legal right to defer children born between September and December, compared with 80% knowing that children born in January and February can be; notes that the Council does not offer a guaranteed right to nursery funding for deferred children born between September and December and agrees that, starting with applications for the 2020/21 school year, any application to defer a child's P1 start whose birthday falls from September to February will be granted automatically, with a further one year's nursery funding provided."

Councillor Stubbs, seconded by Councillor Magowan, then moved the terms of the motion.

Councillor Wilson, seconded by Councillor Gallacher, moved as an amendment:-

#### **Add text to end of motion**

"agrees that the Local Authority will write officially to the Scottish Government to request that Ministers engage with Council about the extra funding required within its 2020/21 budget to finance all

additional nursery placements for children who have a legal right to defer the start of primary school under the terms of the Education Scotland Act (1980)."

Councillor McNally withdrew his amendment which he had intimated in accordance with Standing Order 24.

Following agreement of the proposers and seconders of the motion and the amendment first received, the following composite motion was submitted:-

"This Council notes the aims of the Give Them Time Campaign, set up by parents to share experiences of applying for a further year of nursery funding for their child to defer starting P1; understands that the national survey found that only 19% of parents knew about the legal right to defer children born between September and December, compared with 80% knowing that children born in January and February can be; notes that the Council does not offer a guaranteed right to nursery funding for deferred children born between September and December and agrees that, starting with applications for the 2020/21 school year, any application to defer a child's P1 start whose birthday falls from September to February be granted automatically, with a further one year's nursery funding provided. Agrees that the Council write to the Scottish Government to request that Ministers engage with the Council regarding the extra funding required within its 2020/21 budget to finance all additional nursery placements for children who have a legal right to defer the start of primary school under the terms of the Education Scotland Act (1980)."

**Decided:**

- (1) that the Council notes the aims of the Give Them Time Campaign, set up by parents to share experiences of applying for a further year of nursery funding for their child to defer starting P1 and understands that the national survey found that only 19% of parents knew about the legal right to defer children born between September and December, compared with 80% knowing that children born between January and February could be deferred;
- (2) that it be noted that, at present, the Council does not offer a guaranteed right to nursery funding for children born between September and December;
- (3) that starting with applications for 2020/21 school year, any application to defer the P1 start of a child whose birthday falls between September to February will be granted automatically, with a further one year's nursery funding to be provided, and
- (4) that the Council write to the Scottish Government requesting that Ministers engage with the Council regarding the extra funding required within its 2020/21 budget to finance all additional nursery placements for children who have a legal right to defer the start of primary school in terms of the Education Scotland Act (1980).

**NOTICE OF MOTION BY COUNCILLOR STUBBS AND COUNCILLOR FOTHERINGHAM**

10. There was submitted the following motion in the names of Councillor Stubbs and Councillor Fotheringham, notice of which appeared on the agenda, viz:-

"This council supports outdoor activity and therefore agrees that all 'no ball games' signs, and signs of a similar effect, with the exception of those in car parks and on roads, will be removed from council land by May 2020."

Councillor Stubbs, seconded by Councillor Fotheringham, then moved the terms of the motion.

Councillor Watson, seconded by Councillor Cameron, moved as an amendment:-

"This Council supports outdoor play and activity and agrees - where possible - to remove 'no ball games' signs, and signs of a similar effect; recognises that not all signs can be removed therefore,

requests that a report is brought to the relevant committee after a consultation - with particular attention towards health and safety, location and local resident opinion- has taken place across North Lanarkshire."

Councillor McPake withdrew his amendment which he had intimated in accordance with Standing Order 24.

On a vote being taken, 39 Members having voted for the amendment, 31 Members having voted for the motion and 1 Member having abstained, the amendment was accordingly declared carried.

**Decided:** that the Council supports outdoor play and activity and agrees, where possible, to remove "No Ball Game" signs and signs of a similar effect and recognises that not all signs can be removed, therefore requests that a report be brought to the relevant Committee after consultation, with particular attention towards health and safety, location and local resident opinion, has taken place across North Lanarkshire.

#### **NOTICE OF MOTION BY COUNCILLOR FOTHERINGHAM AND COUNCILLOR PETTIGREW**

11. There was submitted the following motion in the names of Councillor Fotheringham and Councillor Pettigrew, notice of which appeared on the agenda, viz:-

"This Council acknowledges the services of third sector and voluntary constituted organisations within North Lanarkshire; Recognises the valuable work and services being carried out in local communities; Commits to actively consulting with Voluntary Action North Lanarkshire, as the third sector interface and all other organisations, treating them as equal partners of North Lanarkshire Council."

Councillor Fotheringham, seconded by Councillor Pettigrew, then moved the terms of the motion.

Councillor Kelly, seconded by Councillor H. McVey, moved as an amendment:-

"This Council acknowledges and commends the outstanding services of third sector and voluntary constituted organisations within North Lanarkshire; Recognises the valuable work and services being carried out in local communities and to support local residents;

Acknowledges that North Lanarkshire Council already has a long history of partnership working with the Third/Voluntary Sector including both the Interface organisation Voluntary Action North Lanarkshire and individual local community organisations. The Council will continue to develop purposeful engagement of VANL and others to maximise their voice in shaping the future of North Lanarkshire.

The Council agrees that the biggest threat facing local third sector and voluntary organisations in North Lanarkshire is funding cuts due to Scottish Government budget cuts to Councils. As highlighted our third sector and voluntary organisations play a vital role in North Lanarkshire and we call on the Scottish Government to recognise this and stop cuts to local councils. The Council calls on the Scottish Government to protect vital local council budgets that include the third sector and voluntary organisations with a fair budget settlement."

On a vote being taken, 40 Members having voted for the amendment and 29 Members having voted for the motion, the amendment was accordingly declared carried.

**Decided:**

- (1) that the Council acknowledges and commends the outstanding service of Third Sector and Voluntary Sector constituted organisations within North Lanarkshire and recognises the valuable work and services being carried out in local communities and to support local residents:

- (2) that the Council acknowledges its long history of partnership working with the Third/Voluntary Sector including both the interface organisation Voluntary Action North Lanarkshire and individual local community organisations and will continue to develop the purposeful engagement of VANL and others to maximise their voice in shaping the future of North Lanarkshire, and
- (3) that the Council calls on the Scottish Government to recognise that the biggest threat facing local Third Sector and Voluntary Organisations in North Lanarkshire was funding and requests that the Scottish Government provide vital local Council budgets that include Third Sector and Voluntary Organisations with a fair budget settlement.

**NOTICE OF MOTION BY COUNCILLOR LINDEN AND COUNCILLOR J ASHRAF**

12. There was submitted the following motion in the names of Councillor Linden and Councillor J. Ashraf, notice of which appeared in the agenda, viz:-

"That North Lanarkshire Council expresses its support for the recent decision by the First Minister of Scotland to declare that there is a Climate Emergency.

North Lanarkshire Council recognises it has an important role to play in our shared commitment across Scotland to tackling Climate Change and particularly given the context of the recent publication of the UK Committee on Climate Change's report which outlines Scotland's net-zero emissions date of 2045.

Believes that North Lanarkshire is a diverse and varied Local Authority with many challenges in terms of Climate Change however believes that we need to take action locally now to help contribute to deliver towards our ambitious targets across Scotland.

Council therefore agrees to join recent calls across Scotland and indeed beyond; in declaring a climate emergency.

In doing so it instructs Council Officers to report urgently to the appropriate Council Committees on our strategic actions to help contribute to tackling climate change locally and agrees for Council to be updated accordingly on our actions as an Authority to help realise the change we need to see in order to respond to this climate emergency."

Councillor Linden, seconded by Councillor J. Ashraf, then moved the terms of the motion.

Councillor Gallacher, seconded by Councillor Douglas, moved as an amendment:-

"North Lanarkshire Council notes that the International Energy Agency (IEA) has praised the UK Government as an inspiration to other countries for our leadership on climate change and major progress on emissions reductions.

North Lanarkshire Council recognises it has an important role to play in our shared commitment across Scotland and the rest of the United Kingdom to tackling Climate Change and particularly given the context of the recent publication of the UK Committee on Climate Change report which outlines Scotland's net-zero emissions date of 2045.

Believes that North Lanarkshire is a diverse and varied Local Authority with many challenges in terms of Climate Change however, believes that we need to take action locally now to help contribute to deliver towards our ambitious targets across the United Kingdom, therefore, requests a report to be brought to the relevant Committees to highlight the Council's strategic approach."

Councillor Hogg, seconded by Councillor Beveridge, moved as a further amendment:-

“Council agree that anthropogenic fossil fuel driven climate warming has now reached an unprecedented phase which justifies a Climate Emergency being declared at local, national and international level. We accordingly declare a Climate Emergency across North Lanarkshire.

Council is aware that any further & urgent mitigation action, on top of green policies already being put into practice, require extra funding from the Scottish and British governments. Council therefore request the Chief Executive to write to the Scottish and British governments to request Climate Emergency funding to boost resilience planning and preparedness with partners such as Police Scotland and the Scottish Fire and Rescue Service as there will be a growing risk of spontaneous forest and moorland wild fires, flash flooding and catastrophic weather events. A new climate risk strategy of preparedness needs to be funded by central government.

Council seek to protect and maintain the quality of life of all our residents. To do so, we need the resources and finances to be prepared for Emergency Climate events as they unfold. Hence we further request new updated realistic policy guidelines for local councils from the Scottish and British government to protect our residents locally from the existential global threat of Climate warming. Council will seek to bring forward our own plans to reduce council carbon emissions to zero by 2030 if feasible and report progress to the appropriate committee.”

On a vote being taken in the first instance between the motion and the amendment first proposed, 6 Members having voted for the amendment first proposed, 27 Members having voted for the motion and 6 Members having abstained, the motion was accordingly declared carried.

On a further vote being taken between the motion and the amendment second proposed, 35 Members having voted for the amendment second proposed and 27 Members having voted for the motion, the amendment second proposed was accordingly declared carried.

**Decided:**

- (1) that the Council agree that anthropogenic fossil fuel driven climate warming has now reached an unprecedented phase which justifies a climate emergency to be declared at a local, national, and international level and accordingly a climate emergency across North Lanarkshire be declared;
- (2) that the Council write to the Scottish and UK Governments to request climate emergency funding to boost resilience planning and preparedness with partners such as Police Scotland and the Scottish Fire and Rescue Service as there will be a growing risk of spontaneous forest and woodland wild fires, flash flooding and catastrophic weather events, and requests that a new climate risk strategy of preparedness be funded by Central Government;
- (3) that the Council requests new updated and realistic policy guidelines for local authorities from the Scottish and UK Governments to protect residents locally from the global threat of climate warming, and
- (4) that plans be brought forward to reduce carbon emissions to zero by 2030, if feasible, and a report on the progress be submitted to the appropriate Council Committee.

**NOTICE OF MOTION BY COUNCILLOR BURGESS AND COUNCILLOR CURRIE**

13. There was submitted the following motion in the names of Councillor Burgess and Councillor Currie, notice of which appeared on the agenda, viz:-

“This Council welcomes the introduction of Frank’s Law, a new legislation that extends free personal care in Scotland to under 65’s; notes that Frank’s law was the result of a successful campaign by Amanda Kopel, after her late husband Frank Kopel was diagnosed with dementia at the age of 59; recognises the hard work undertaken by the Council Officers to implement Frank’s Law across North

Lanarkshire and agrees that the Council creates a media campaign to raise further awareness of Frank's Law, to ensure that those who are entitled to receive free personal care regardless of age."

Councillor Douglas, seconded by Councillor Watson, then moved the terms of the motion.

**Decided:**

- (1) that the Council welcomes the introduction of Frank's Law, which is new legislation that extends free personal care in Scotland to under 65s, and
- (2) that the Council recognises the hard work undertaken by Council Officers to implement Frank's Law across North Lanarkshire and agrees that a media campaign be created to raise further awareness of Frank's Law, ensuring that those, who are entitled to, will receive free personal care regardless of their age.

**NOTICE OF MOTION BY COUNCILLOR McNALLY AND COUNCILLOR C JOHNSTON**

14. There was submitted the following motion in the names of Councillor McNally and Councillor C. Johnston, notice of which appeared on the agenda, viz:-

"The Council congratulates the 48 pipers and drummers of the Novice and Juvenile Schools Pipe Bands who represented North Lanarkshire at Tartan Week celebrations in New York City in April.

The young people, aged between 11 and 18, from across North Lanarkshire, performed in the Tartan Day Parade on New York City's Sixth Avenue in front of Sir Billy Connolly, 30,000 spectators and a worldwide television audience. Furthermore, internet footage of the piper and drummers' stunning, impromptu, performance of *Scotland The Brave* and *Rowan Tree* in New York's Grand Central Station went viral, being viewed by more than 2 million people across the globe.

The young people did North Lanarkshire proud in the Big Apple and continued their successful start to the playing season by winning at the recent British Championships. The council thanks them for their hard work and wishes them all the very best in their future endeavours. The council also thanks those who helped make the trip to New York a great success, particularly, Head of Music Instruction Jim Park, Pipe Majors Ross Cowan and Darren Somerville, Drum Major Steven Nelson, all tutors and instructors, as well as the volunteers, sponsors, parents, supporters and school-based staff for their unwavering support."

Councillor McNally, seconded by Councillor C. Johnston, then moved the terms of the motion.

**Decided:**

- (1) that the Council congratulates the 48 pipers and drummers of the Novice and Juvenile Schools Pipe Bands who represented North Lanarkshire at Tartan Week celebrations in New York in April 2019;
- (2) that it be noted that the young people aged between 11 and 18, from across North Lanarkshire, performed in the Tartan Day Parade on New York City's Sixth Avenue in front of Sir Billy Connolly, 30,000 spectators and a worldwide television audience and, furthermore, internet footage of the pipers' and drummers' stunning, impromptu, performance of *Scotland The Brave* and *The Rowan Tree* in New York's Grand Central Station went viral, being viewed by more than 2 million people across the world;
- (3) that it be noted that the young people did North Lanarkshire proud in New York City and continued their successful start to the playing season by winning at the recent British Championships, and

- (4) that the Council extends its thanks to all the young people for their hard work, and wishes them all the very best in their future endeavours, and those who helped make the trip to New York a great success, particularly, Head of Music Instruction, Jim Park, Pipe Majors Ross Cowan and Darren Somerville, Drum Major Steven Nelson, all the tutors and instructors, as well as the volunteers, sponsors, parents, supporters and school-based staff, for their unwavering support.

**NOTICE OF MOTION BY COUNCILLOR KELLY AND COUNCILLOR DUFFY**

15. There was submitted the following motion in the names of Councillor Kelly and Councillor Duffy, notice of which appeared on the agenda, viz:-

“The Council welcomes the recent historic announcement regarding the Ravenscraig Infrastructure Access project by the Glasgow City Region City Deal. This will see vital new investment which will help create over 6500 jobs and around £360 million per year for our local economy. This will lead to the largest road infrastructure in the history of the council and will have substantial benefits for all North Lanarkshire residents.

The Council also welcomes the partnership work involved in this project with the agreement between the UK Government, Scottish Government and North Lanarkshire Council.

This announcement sits alongside the biggest ambition programme in a generation already announced by the Council with the fastest growing economy in Scotland, the largest council house building project in Scotland, and the new community investment fund to transform our schools and communities. North Lanarkshire is now the leading place to Live, Learn, Work, Invest and Visit.”

Councillor Kelly, seconded by Councillor Duffy, then moved the terms of the motion.

**Decided:**

- (1) that the Council welcomes the recent historic announcement regarding the Ravenscraig Infrastructure Access project by the Glasgow City Region City Deal which will see vital new investment and help create over 6,500 jobs and around £360 million per year for the local economy, leading to the largest road infrastructure in the history of the Council, and will have substantial benefits for all North Lanarkshire residents;
- (2) that the Council welcomes the partnership work involved in the project with agreement between the UK Government, Scottish Government and North Lanarkshire Council, and
- (3) that it be noted that this announcement sits alongside the biggest ambition programme in a generation, already announced by the Council, with the fastest growing economy in Scotland, the largest Council house building project in Scotland, and the new Community Investment Fund to transform schools and communities, with North Lanarkshire now the leading place to Live, Learn, Work, Invest and Visit.

**At 7.50 pm the Provost proposed that Standing Order 5 be suspended to allow the meeting to continue beyond 8 pm until 10 pm, following upon which the Provost proposed that the movers and seconders of motions and amendments be allowed to speak to their motions/amendments, which was agreed.**

**The Provost adjourned the meeting for 15 minutes.**

**The meeting re-convened at 8.05 pm.**

**NORTH LANARKSHIRE COUNCIL BEST VALUE ASSURANCE REPORT**

16. There was submitted a report by the Chief Executive (1) providing an update on the work carried out throughout 2018 and 2019 to support the best value audit process and to produce the Council's Best Value Assurance Report; (2) setting out, in section 2 of the report, the audit process which was undertaken, detailing the activity and the timescale; (3) providing details of the Audit Scotland key messages and Accounts Commission findings; (4) detailing eight recommendations identified by Audit Scotland, further details of which were enclosed in Appendix 2 to the report; (5) advising that an update on progress would be submitted to the Policy and Strategy Committee, with ongoing monitoring and scrutiny carried out by the Audit and Scrutiny Panel thereafter and (6) enclosing, in Appendix 1 to the report, the Best Value Assurance Report for North Lanarkshire prepared by Audit Scotland in May 2019.

**Decided:**

- (1) that the contents of the report and the North Lanarkshire Best Value Assurance Report 2019 be noted, and
- (2) that an update on the progress be submitted to the Policy and Strategy Committee with ongoing monitoring and scrutiny being carried out by the Audit and Scrutiny Panel thereafter.

**CAPITAL STRATEGY TO 2022/23**

17. With reference to paragraph 6 of the Minute of the meeting of the Policy and Strategy Committee held on 6 June 2019, there was submitted a report by the Head of Financial Solutions (1) advising that the Council had a statutory duty to produce a Capital Strategy; (2) presenting, in the Appendix to the report, the Council's Capital Strategy to 2022/23, the objective and aim of which was to ensure that the Council made capital expenditure and investment decisions in line with its priorities and service objectives, and that it properly took account of stewardship, value for money, prudence, sustainability and affordability; (3) outlining the approach (a) to capital funding, including the recognition of opportunities for collaborative working and alternative funding initiatives whilst also highlighting the risks that might impact upon the Council achieving its aims and objectives for capital expenditure and investment, and (b) for the allocation of limited capital finance to competing projects, the capital bind, project ranking and selection process and, thereafter, the financial monitoring processes and mechanisms, and (4) advising that the strategy highlighted the importance of good treasury management practice as an important factor in achieving the Council's aims and objectives and identifying prudential borrowing as an important funding source.

**Decided:** that the Capital Strategy to 2022/23, as set out in the Appendix to the report, be approved.

**Councillors Carson, Douglas, T. Johnston, McManus, McPake and H. McVey, prior to consideration of the following item of business, having declared an interest by virtue of their membership of CultureNL, left the meeting during consideration of this item.**

**Councillors Burgess, Fotheringham, Kelly, Linden and McNally, prior to consideration of the following item of business, having declared an interest by virtue of their membership of North Lanarkshire Leisure Limited, left the meeting during consideration of this item.**

**Councillor Morgan, prior to consideration of the following item of business, having declared an interest by virtue of the employment of a close family member with CultureNL, left the meeting during consideration of this item.**

**Councillor Stubbs, prior to consideration of the following item of business, having declared an interest by virtue of the employment of a close family member with North Lanarkshire Leisure Limited, left the meeting during consideration of this item.**

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Councillor Gourlay, prior to consideration of the following item of business, having declared an interest by virtue of her employment with North Lanarkshire Leisure Limited, left the meeting during consideration of this item.

**CULTURE AND LEISURE NORTH LANARKSHIRE LIMITED - REMOVAL OF INDEPENDENT DIRECTORS**

18. There was submitted a report by the Head of Legal and Democratic Solutions (1) seeking approval for the Council to exercise its powers as sole member under the current Articles of Association of Culture and Leisure NL Limited to remove an independent director of the company for the purpose of allowing the appointment of independent directors to the Board of the merged entity formed by the merger of Culture NL Limited and North Lanarkshire Leisure Limited; (2) intimating that, following confirmation from a Director of CultureNL Limited that he would not be applying for a position on the new Culture and Leisure North Lanarkshire Limited Board he, had advised that he did not intend to formally resign from his position prior to the anticipated merger date; (3) setting out the three options available to the Council for removing directors from office, and (4) seeking approval to remove this individual as an independent director of Culture and Leisure NL Limited.

**Decided:** that the individual be removed as an independent director of Culture and Leisure NL Limited.

**MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES, PANELS AND OUTSIDE BODIES**

19. There was submitted a report (tabled) by the Head of Legal and Democratic Solutions providing recommendations for appointments to Committees, Sub-Committees, Panels and Outside Bodies.

Councillor Logue, seconded by Councillor Kelly, moved that, in relation to Culture and Leisure NL Limited, the appointment by each political group be two Members per Group, together with one Independent Member, to reach the maximum number permitted of seven and that all other appointments, as listed, be approved.

Councillor Di Mascio, seconded by Councillor Anderson, moved as an amendment that membership of Culture and Leisure NL Limited reflect the political balance of the Council and that all other appointments, as listed, be approved.

On a vote being taken, 22 Members having voted for the amendment and 38 Members having voted for the motion, the motion was accordingly declared carried.

Thereon Councillor Di Mascio nominated Councillors Fotheringham and Linden for appointment to the Board of Culture and Leisure NL Limited.

**Decided:** that the appointment of Members to Committees, Sub-Committees, Panels and Outside Bodies, as detailed below, be implemented:-

<b>Committees</b>	<b>Appointment</b>
Communities and Housing Committee	<ul style="list-style-type: none"><li>• Councillor McLaren to replace Councillor Woods</li><li>• Councillor McManus to replace Councillor J Ashraf</li></ul>
Environment and Transportation Committee	<ul style="list-style-type: none"><li>• Councillor Reddin to replace Councillor Fannan as Vice Convener</li><li>• Councillors Duffy and Woods to replace Councillors McLaren and McNally</li><li>• Councillor McManus to replace Councillor Kerr</li></ul>

Finance and Resources Committee	<ul style="list-style-type: none"> <li>Councillor J Ashraf to replace Councillor Barclay</li> </ul>
Regulatory Committee	<ul style="list-style-type: none"> <li>Councillor J Ashraf to replace Councillor McManus</li> </ul>
Transformation and Digitalisation Committee	<ul style="list-style-type: none"> <li>Councillor Shields to replace Councillor Morgan</li> <li>Councillor Linden to replace Councillor Larson</li> </ul>
Youth, Equalities and Empowerment Committee	<ul style="list-style-type: none"> <li>Councillor Gourlay to replace Councillor Shields</li> </ul>
<b>Working Groups</b>	<b>Proposed Amendment</b>
Member/Officer Working Group on the Transport Network	<ul style="list-style-type: none"> <li>Stand down Working Group</li> </ul>

<b>Outside Bodies</b>	<b>Appointments</b>
Culture and Leisure NL Limited	<ul style="list-style-type: none"> <li>Appoint as Partner Directors:-  Councillor Beveridge Councillor Burgess Councillor Douglas Councillor Fotheringham Councillor Linden Councillor McNally, and Councillor Roarty</li> <li>Appoint as Independent Directors  David Crawford Craig Robert McCallum Gregor McKenzie Kathleen McLoughlin, and Billy Stewart</li> </ul>
Cumbernauld Locality Partnership	<ul style="list-style-type: none"> <li>Councillor Fisher to replace Councillor Fannan as Chair</li> </ul>
Cumbernauld Theatre Trust	<ul style="list-style-type: none"> <li>Councillor J Ashraf to replace Councillor Fisher</li> </ul>

**QUESTIONS RECEIVED IN TERMS OF STANDING ORDER NO.51**

20. It was noted that no questions had been submitted in terms of Standing Order No. 51.

**Motherwell, 24 June 2019 at 2.55 pm.**

A Special Meeting of the **NORTH LANARKSHIRE COUNCIL**

**PRESENT**

Councillor Jones, Provost; Councillor Castles, Depute Provost; Councillors Anderson, D. Ashraf, Baird, Barclay, Beveridge, Bonnar, Burgess, Burrows, Cameron, Campbell, Carragher, Carson, M. Coyle, S. Coyle, Cullen, Curran, Di Mascio, Docherty, Doolan, Douglas, Duffy, Fannan, Farooq, Fisher, Fotheringham, Gallacher, Goldie, Goldsack, Gourlay, Graham, C. Johnston, T. Johnston, Kelly, Kerr, Lennon, Linden, Logue, MacGregor, Masterton, McCulloch, McKendrick, McLaren, McManus, McNally, McNeil, McPake, A. McVey, H. McVey, Morgan, O'Rourke, Pettigrew, Quigley, Reddin, Roarty, Shevlin, Stevenson, Stocks, Stubbs, Alan Valentine, Watson and Wilson.

**CHAIR**

Councillor Jones (Provost) presided.

**IN ATTENDANCE**

Chief Executive; Executive Director (Education and Families); Executive Director (Enterprise and Communities); Head of Legal and Democratic Solutions; Head of Strategic Communication; Head of Planning and Regeneration; Planning and Place Manager; Planning Manager (North); Project Development Officer, and Committee Officer.

**APOLOGIES**

Councillors J. Ashraf, Cochrane, Currie, Feeney, Gaffney, Hogg, Hume, Larson, Magowan, Shields, Stephen, Annette Valentine, Weir and Woods.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. The meeting noted that there were no declarations of interest.

**PLANNING APPLICATION 18/00463/PPP - REVISION OF MIXED USE DEVELOPMENT APPROVED UNDER PLANNING PERMISSION REF: 01/00758/OUT COMPRISING RESIDENTIAL AREAS, EDUCATIONAL/COMMUNITY FACILITIES, BUSINESS AND EMPLOYMENT USES, OPEN SPACE INCLUDING TOWN PARK, HOTELS AND A NEW TOWN CENTRE INCLUDING RETAIL, LEISURE, BUSINESS AND HOUSING WITH ASSOCIATED TRANSPORT INFRASTRUCTURE AT SITE OF NEW CRAIG ROAD, MOTHERWELL**

2. Following attendance by, and participation of, all members present at the meeting of the Planning Hearings Committee held on 24 June 2019, there was submitted a report by the Head of Planning and Regeneration in relation to Planning Application 18/00463/PPP revision of mixed use development approved under planning permission Ref: 01/00758/OUT comprising residential areas, educational/community facilities, business and employment uses, open space including town park, hotels and a new town centre including retail, leisure, business and housing with associated transport infrastructure at a site off New Craig Road, Motherwell, following upon which the Council gave consideration to that planning application having regard to the report and all information including oral submissions provided at the meeting of the Planning Hearings Committee.

**Decided:** that Planning Application 18/00463/PPP revision of mixed use development approved under planning permission Ref: 01/00758/OUT comprising residential areas, educational/community facilities, business and employment uses, open space including town park, hotels and a new town centre including retail, leisure, business and housing with associated transport infrastructure at site off New Craig Road, Motherwell be granted, subject to a Section 75 Legal Agreement and the conditions contained within the report.

**Motherwell, 13 June 2019 at 10 am.**

A Meeting of the **PLANNING COMMITTEE**

**PRESENT**

Councillor Curran, Convener; Councillor A. McVey, Vice-Convener; Councillors Anderson, Bonnar, Burgess, M. Coyle, S. Coyle, Douglas, Farooq, Fotheringham, Goldsack, Graham, T. Johnston, Kelly, Logue, MacGregor, McLaren, McPake, Quigley, Reddin, Stocks, Stubbs and Watson.

**CHAIR**

Councillor Curran (Convener) presided.

**IN ATTENDANCE**

The Head of Planning and Regeneration, Planning and Place Manager, Planning Manager (North); Planning Manager (South), and Committee Officer.

**APOLOGIES**

Councillors H. McVey and Shields

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. Councillor Douglas, by virtue of the Applicant being known to him, declared an interest in paragraph 2 – Planning Application 18/01798/FUL – Eight Dwellinghouses Site off Greenhill Road, Hareshaw and left the meeting prior to consideration of this application.

**Councillor Douglas, prior to consideration of the following item of business, having declared an interest by virtue of the Applicant being known to him, left the meeting during consideration of Planning Application 18/01798/FUL – Eight Dwellinghouses at Site off Greenhill Road, Hareshaw.**

**PLANNING APPLICATIONS INDEX**

2. There was submitted a report by the Executive Director (Enterprise and Communities) detailing planning applications received.

In respect of Planning Application 19/00179/FUL – Conversion and Extension of Water Storage Structure to form a Dwellinghouse at a site off Birniehill Road, Hareshaw, Councillor Curran, seconded by Councillor A. McVey, moved that the application be refused.

Councillor M. Coyle, seconded by Councillor S. Coyle, moved, as amendment, that the application be granted.

On a vote being taken, 5 Members having voted for the amendment and 15 Members having voted for the Motion, the Motion was accordingly declared carried.

**Decided:** that the planning applications be dealt with in accordance with the Annex to this Minute.

**PLANNING AND ENFORCEMENT NOTICE APPEALS LODGED**

3. There was submitted a report by the Head of Planning and Regeneration advising of four Planning and Enforcement notice appeals which had been lodged with the Scottish Ministers.

**Decided:** that the report be noted.

**CONFIRMATION OF TREE PRESERVATION ORDER ON LAND AT AND SURROUNDING MILLCROFT MILL, MILLCROFT ROAD, CUMBERNAULD**

4. There was submitted a report by the Planning and Place Manager (1) outlining the background to the requirement to promote a Tree Preservation Order (TPO) on land at and surrounding Millcroft Mill, Millcroft Road, Cumbernauld to ensure that the trees would receive protected status, and that prior consent would be required from the Planning Authority before works to lop, top or fell the trees be undertaken; (2) indicating that one objection had been received, the main points of which were set out in Section 2.3 of the report, together with the response from the Service to each point raised within the objection, and (3) recommending that a Tree Preservation Order be confirmed for a group of trees on land at and surrounding Millcroft Mill, Millcroft Road, Cumbernauld.

**Decided:** that the confirmation of a Tree Preservation Order for a group of trees on land at and surrounding Millcroft Mill, Millcroft Road, Cumbernauld be approved.

**NORTH LANARKSHIRE LOCAL DEVELOPMENT PLAN UPDATE AND DEVELOPMENT PLAN SCHEME 2019**

5. There was submitted a report by the Planning and Place Manager (1) providing an update on the preparation of the North Lanarkshire Local Development Plan which had been the subject of consultation during February and March 2019; (2) intimating that the responses were currently being assessed in accordance with legislative requirements; (3) enclosing in Appendix 1 to the report the North Lanarkshire Local Development Plan Scheme for 2019 which had been updated to reflect the timescales for the remaining stages in the Plan process, and (4) recommending that the North Lanarkshire Local Development Plan: Development Plan Scheme 2019 be agreed.

**Decided:**

- (1) that the North Lanarkshire Local Development Plan: Development Plan Scheme 2019 be agreed, and
- (2) that the contents of the report be otherwise noted.

**ANNEX**

**Application No:** 17/01248/PPP

**Applicant:** T.O.M. Property UK LLP

**Development/Locus:** Residential Development and Associated Infrastructure (In Principle) - Land East of Main Street, Newmains

**Decision:** Grant, subject to the planning permission in principle not being issued until an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 has been concluded with the developer to secure financial contributions in respect of education provision

**Application No:** 18/00800/MSC

**Applicant:** BDW Trading Limited/Iris Strategic Land Fund Limited

**Development/Locus:** Approval of Matters Specified in Conditions Application (In Relation to Planning Permission in Principle Consent No. 12/00959/PPP): Detailed Residential Development for 580 Dwellinghouses with Associated Access Roads, Landscaping, Open Space and Infrastructure - Land to the East and West of Avenuehead Road, South of Moodiesburn, and to the North of Druncavel Road, Northeast of Mount Ellen

**Decision:** Grant, subject to the planning permission not being issued until a Legal Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 has been concluded with the developer to secure a financial contribution in respect of Affordable Housing

**Application No:** 18/00805/MSC

**Applicant:** BDW Trading Limited/Iris Strategic Land Fund Limited

**Development/Locus:** Approval of Matters Specified in Condition Application (In Relation to Planning Consent No. 12/00959/PPP): Detailed Neighbourhood Centre Development (Comprising Supermarket (3,000 sq.m.), Petrol Filling Station, Five Retail/Commercial Units, Two Family Restaurants and Healthcare Centre) with Associated Access Roads, Landscaping, Open Space and Infrastructure (Within Neighbourhood Centre Development Zone as Outlined on the Approved Indicative Masterplan) - Land to the East and West of Avenuehead Road, South of Moodiesburn, and to the North of Druncavel Road, Northeast of Mount Ellen

**Decision:** Grant

**Application No:** 18/01750/PPP

**Applicant:** Promontoria Holding (177) BV

**Development/Locus:** Cinema, Commercial Leisure, Hotel, Food/Beverage, Retail, Car Showroom and Business Incubator Uses with Associated Landscaping, Access, Parking and Infrastructure (In Principle) - Site at Castle Cary Way, Westway Retail Park, Cumbernauld

**Decision:** Grant

**Application No:** 18/01798/FUL

**Applicant:** Mr Alex Bankier

**Development/Locus:** Eight Dwellinghouses - Site off Greenhill Road, Hareshaw

**Decision:** Refuse

**NB This application was withdrawn prior to Committee consideration.**

**Application No:** 19/00161/FUL

**Applicant:** North Lanarkshire Council - Enterprise and Housing - New Supply

**Development/Locus:** One and Two Storey Houses and Cottage Flats (20 Units) with Associated Roads and Landscaping Works - Land East of Mabel Street, Motherwell

**Decision:** Grant

**Application No:** 19/00179/FUL

**Applicant:** Mr William Brown

**Development/Locus:** Conversion and Extension of Water Storage Structure to Form a Dwellinghouse - Site Off Birniehill Road, Hareshaw

**Decision:** Refuse

**Application No:** 19/00282/FUL

**Applicant:** North Lanarkshire Council - Enterprise and Housing - New Supply

**Development/Locus:** Residential Development (29 Units) - Site at Community Road, Orbiston, Bellshill

**Decision:** Grant

**Application No:** 19/00283/FUL

**Applicant:** North Lanarkshire Council - Enterprise and Housing - New Supply

**Development/Locus:** Erection of 16 One and Two Storey Dwellinghouses - Land to the East of Junction of Annieshill View/Meadowhead Road, Plains

**Decision:** Grant

**Motherwell, 13 June 2019 at 10.05 am.**

A Meeting of the **LOCAL REVIEW BODY**

**PRESENT**

Councillor Reddin, Vice-Convener; Councillors Anderson, Bonnar, Burgess, M. Coyle, S. Coyle, Curran, Douglas, Farooq, Fotheringham, Goldsack, Graham, T. Johnston, Kelly, MacGregor, McLaren, McPake, A. McVey, Quigley, Stocks, Stubbs and Watson.

**CHAIR**

Councillor Reddin (Vice-Convener) presided.

**IN ATTENDANCE**

Senior Planning Officer and Committee Officer.

**APOLOGIES**

Councillors Logue, H. McVey and Shields.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. The meeting noted that there were no declarations of interest.

**PLANNING APPLICATION 18/01670/FUL - FIVE NEW DWELLINGHOUSES INCLUDING DEMOLITION OF FARMHOUSE AND OUTBUILDINGS - STAYLEE FARM, HULKS ROAD, GREENGAIRS**

2. There were submitted (1) a Notice of Review of the decision taken by the Head of Enterprise and Place, under delegated authority, to refuse Planning Application 18/01670/FUL for the construction of five new dwellinghouses, including the demolition of the farmhouse and outbuildings at Staylee Farm, Hulks Road, Greengairs; (2) a Decision Notice and Report of Handling of the case by the appointed officer; (3) representations received from interested parties; (4) photographs and a map of the site location and (5) relevant excerpts from North Lanarkshire Local Plan NBE 3A (Green Belt) and NLC Supplementary Guidance SPG 07 – Green Belt and Scottish Planning Policy.

Thereon, having heard the Vice-Convener with regard to the request on behalf of the applicant, contained within the Notice of Review, that the review should be undertaken by way of one or more hearing sessions, and following preliminary consideration of the matter before it, the Local Review Body determined, in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, that the review documents provided sufficient information to enable it to determine the review without any further procedure.

Thereon, the Local Review Body, having discussed and given consideration to the various submissions and representations, and, in particular, with regard to policies NBE 3A (Green Belt) of the North Lanarkshire Local Plan NLC Supplementary Planning Guidance SPG 07 – Green Belt and Scottish Planning Policy, determined that the proposed dwellings were not required for any appropriate rural use, and the applicant had not demonstrated any special circumstances that required the construction of the dwellings at the Green Belt location, and the proposed development, if approved, would set an undesirable precedent for other similar proposals contrary to the Development Plan.

Councillor Anderson, seconded by Councillor Bonnar, moved that the application for planning permission be refused for the reasons previously determined by the Head of Enterprise and Place.

Councillor S. Coyle, seconded by Councillor Stubbs, moved, as an amendment, that the application for planning permission be granted.

On a vote being taken, 10 Members having voted for the amendment and 11 Members having voted for the Motion, the Motion was accordingly declared carried.

**Decided:** that the decision by the Head of Enterprise and Place to refuse Planning Application 18/01670/FUL for the construction of five new dwellinghouses including the demolition of the farmhouse and outbuildings at Staylee Farm, Hulks Road, Greengairs be refused, as it was contrary to policies NBE 3A (Green Belt) and associated Supplementary Planning Guidance SPG 07 of the North Lanarkshire Local Plan and Scottish Planning Policy and that the proposed dwellings were not required for any appropriate rural use, the applicant had not demonstrated any special circumstances that required the construction of the dwellings at this Green Belt location, and the proposed development, if approved, would set an undesirable precedent for other similar proposals contrary to the Development Plan.

**Motherwell, 18 June 2019 at 10 am.**

A Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillor Shevlin, Convener; Councillor Doolan, Vice-Convener; Councillors Barclay, Docherty, Gourlay, Kerr, Linden, McLaren, Pettigrew, Quigley and Weir.

**CHAIR**

Councillor Shevlin (Convener) presided.

**IN ATTENDANCE**

The Principal Solicitor (Licensing and Litigation) and Administrative Officer, Legal and Democratic Solutions.

**ALSO IN ATTENDANCE**

J. Waddell and Sergeant Rankin, Police Scotland.

**APOLOGY**

Councillor McKendrick.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. No Declarations were made.

It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following items on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 7A of the Act.

**HEARINGS**

The Convener exercised his discretion to vary the order of business as hereinafter minuted.

**(1) PRIVATE HIRE DRIVER'S LICENCE - NEW APPLICATION - DILLON MARTIN**

2. The Principal Solicitor advised (1) that an application by Dillon Martin for a Private Hire Driver's Licence had been received, and (2) that a late representation to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard Sergeant Rankin explain the reason for the Chief Constable's representation being submitted late.

The Committee, sufficiently satisfied that a reason had been provided to justify the late representation, proceeded to consider the application and the representation made.

The Committee then heard Sergeant Rankin outline the Chief Constable's representation to the application (both tabled), and Dillon Martin, who was accompanied by his partner Brittany Clark, speak in support of the application.

Thereafter, Dillon Martin, Brittany Clark, and the representatives of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Dillon Martin, Brittany Clark, and the representatives of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by Dillon Martin for a Private Hire Driver's Licence be granted for a period of one year.

## **(2) TAXI DRIVER'S LICENCE - NEW APPLICATION - JASON ROBERTSON**

3. The Principal Solicitor advised (1) that an application (tabled) by Jason Robertson for a Taxi Driver's Licence had been received; (2) that an objection to the application had been received from the Chief Constable, Police Scotland, and (3) that the Chief Constable wished to introduce further information.

The Committee, having enquired as to the general nature of the further information, was provided, in broad terms, with such information by Sergeant Rankin who advised why, in the Chief Constable's opinion, the further information should be disclosed.

The Committee then heard Jason Robertson's agent, Mr. Moore, Moore MacDonald, Solicitors, who considered that the details of the further information should not be disclosed.

Thereafter, Jason Robertson, Mr. Moore, and the representatives of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Jason Robertson, Mr. Moore, and the representatives of Police Scotland were then re-admitted to the meeting.

The Committee, having determined that the details of the further information should not be disclosed, heard Sergeant Rankin outline the Chief Constable's objection (tabled) to the application, and Mr. Moore speak in support of the application.

Thereafter, Jason Robertson, Mr. Moore, and the representatives of Police Scotland again withdrew from the meeting and the Committee resumed consideration of the matter.

Jason Robertson, Mr. Moore, and the representatives of Police Scotland were again re-admitted to the meeting.

Councillor Linden, seconded by Councillor McLaren, moved that the application by Jason Robertson for a Taxi Driver's Licence be granted for a period of one year.

Councillor Pettigrew, seconded by Councillor Barclay, moved, as an amendment, that the application by Jason Robertson for a Taxi Driver's Licence be granted.

On a vote being taken, 8 Members voted for the amendment and 3 Members voted for the motion. The amendment was accordingly declared carried.

**Decided:** that the application by Jason Robertson for a Taxi Driver's Licence be granted.

**(3) PRIVATE HIRE DRIVER'S LICENCE – NEW APPLICATIONS**

**(a) JAMES NISBET**

4. With reference to paragraph 6 of the Minute of the meeting of this Committee held on 21 May 2019, when consideration of the application by James Nisbet for a Private Hire Driver's Licence was continued to allow him a further opportunity to appear before the Committee to speak in respect of the application, the Principal Solicitor advised (1) that an application by James Nisbet for a Private Hire Driver's Licence had been received, and (2) that an objection to the application had been received from the Chief Constable, Police Scotland.

The Administrative Officer then indicated that James Nisbet was not in attendance.

Thereafter, the Committee resumed consideration of the matter in James Nisbet's absence.

The Committee then heard Sergeant Rankin outline the Chief Constable's objection to the application (both tabled).

Thereafter, the representatives of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

The representatives of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by James Nisbet for a Private Hire Driver's Licence be refused.

**(b) SAVIAR EDASSERY**

5. The Principal Solicitor advised (1) that an application by Saviar Edassery for a Private Hire Driver's Licence had been received; (2) that an objection to the application had been received from the Chief Constable, Police Scotland, and (3) that correspondence had been received from Saviar Edassery's agent, Mr Linden, Linden & Co. Solicitors, advising that the applicant was unable to be in attendance and had requested that consideration of the matter be continued to allow him a further opportunity to appear before the Committee to speak in respect of his application.

**Decided:** that consideration of the application by Saviar Edassery for a Private Hire Driver's Licence be continued to allow him a further opportunity to appear before the Committee to speak in respect of the application.

**(4) PRIVATE HIRE CAR LICENCE - RENEWALS**

**(a) ISOBEL TURNER**

6. The Principal Solicitor advised (1) that an application by Isobel Turner for the renewal of her Private Hire Car Licence had been received; (2) that Isobel Turner did not have a vehicle that was compliant with the Council's specification, and (3) that the matter had subsequently been dealt with under delegated powers.

**Decided:** that it be noted that the application by Isobel Turner for the renewal of her Private Hire Car Licence had been dealt with under delegated powers.

**(b) SANDRA HOLLAND**

7. The Principal Solicitor advised (1) that an application by Sandra Holland for the renewal of her Private Hire Car Licence had been received; (2) that Sandra Holland did not have a vehicle that was compliant with the Council's specification, and (3) that the matter had subsequently been dealt with under delegated powers.

**Decided:** that it be noted that the application by Sandra Holland for the renewal of her Private Hire Car Licence had been dealt with under delegated powers.

**(c) CAROLINE HARPER**

8. The Principal Solicitor advised (1) that an application by Caroline Harper for the renewal of her Private Hire Car Licence had been received; (2) that Caroline Harper did not have a vehicle that was compliant with the Council's specification, and (3) that the matter had subsequently been dealt with under delegated powers.

**Decided:** that it be noted that the application by Caroline Harper for the renewal of her Private Hire Car Licence had been dealt with under delegated powers.

**Motherwell, 10 June 2019 at 1 pm.**

A Meeting of the **APPOINTMENTS SUB-COMMITTEE**

**PRESENT**

Councillor Logue, Convener; Councillors Di Mascio, Gallacher, T. Johnston, Linden and Roarty

**ALSO PRESENT**

In accordance with Standing Order 64(A) Councillor McNally attended as a substitute for Councillor Kelly.

**CHAIR**

Councillor Logue (Convener) presided.

**IN ATTENDANCE**

The Executive Director (Education and Families); HR Business Partnership Manager, and Democratic Services Manager.

**APOLOGIES**

Councillor Kelly.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. The Sub-Committee noted that there were no declarations of interest.

**It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 7A of the Act.**

**POST OF HEAD OF EDUCATION (NORTH/CENTRAL/SOUTH)**

2. There were submitted the recruitment pack and application forms for each candidate to be interviewed in relation to the post of Head of Education (North/Central/South).

**Decided:** that candidate 3 be offered the post of Head of Education (North/Central/South).

**Motherwell, 27 June 2019 at 1 pm.**

A Meeting of the **AUDIT AND SCRUTINY PANEL**

**PRESENT**

Councillor Gallacher, Convener; Councillor Stevenson, Vice-Convener; Councillors Anderson, Burrows, Hogg, T. Johnston, Morgan, Alan Valentine and Watson.

**CHAIR**

Councillor Gallacher (Convener) presided.

**IN ATTENDANCE**

Ken Adamson, Audit and Risk Manager; Alison Gordon, Head of Children, Families and Justice Social Work Services; Elaine Kemp, Head of Financial Solutions; Fiona Whittaker, Head of People and Organisational Development; Susan Lawrie, Business Manager (Performance and Resource Allocation), Lauren Anthony, Risk and Insurance Manager; Paula Hendry, Principal Auditor; Veronica Roberts, Finance Manager, and Kirsty Brown, Committee Officer.

**ALSO IN ATTENDANCE**

Carole Grant, Senior Audit Manager, and Gillian McCreadie, Auditor (both Audit Scotland).

**APOLOGIES**

Councillors Graham and Hume.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor Anderson declared a general interest by virtue of a family member's employment with an organisation referenced at various points in the agenda, but considered the interest so remote and insignificant that it did not preclude her participation in these items.

**AUDIT AND RISK RELATED ITEMS: ACTION LOG**

2. There was submitted a report by the Audit and Risk Manager (1) advising that the purpose of the report was to enable Members to track the implementation of requests and recommendations made by the Panel in respect of audit and risk-related items in the previous 12 months, and (2) detailing, in the Appendix to the report, the current status of the audit and risk related requests and recommendations by the Panel, including when these had been addressed or were expected to be addressed.

Ken Adamson spoke to the report and, thereafter, the Panel agreed to note the report.

**During consideration of the following item, Councillor Morgan declared an interest by virtue of his appointment as the Convener of the Adult Health and Social Care Committee but considered the interest so remote and insignificant that it did not preclude his participation in this item.**

**RISK MANAGEMENT UPDATE INCLUDING DEVELOPMENT OF THE NEW CORPORATE RISK REGISTER 2019/20**

3. There was submitted a report by the Audit and Risk Manager (1) advising (a) that the Council's Risk Management Strategy, in line with good practice, required that the Corporate Risk Register (CRR) be refreshed on an annual basis, and (b) that the annual review of the CRR had been undertaken, with the process informed by The Plan for North Lanarkshire and the associated Programme of Work; (2) detailing the key changes in the CRR, including (a) the remaining risks with a changed focus or which were being merged together; (b) risks being removed from the CRR and de-escalated to Services; (c) risks being removed as 'closed' and/or no longer relevant; (d) proposed new risks, and (e) highlighting the current risks unchanged from the previous CRR; (3) intimating that the Corporate Management Team (CMT) had approved the changes to the CRR; (4) outlining areas of outstanding work being progressed by the Risk Management Team, in conjunction with the CMT, to enable the preparation of future summaries of corporate risks which would facilitate oversight and scrutiny by both the CMT and the Panel; (5) indicating that future reports to the Panel would incorporate the fully revised CRR, and (6) highlighting (a) that the Risk Management Team continued to progress implementation of the Figtree risk management system; (b) that the system had gone live for Corporate, Enterprise and Housing, and Infrastructure risks on 10 June 2019, and (c) that work was continuing in the Chief Executive, and Education and Families Services to prepare risk registers for migration onto the new system, and it was anticipated that this migration would be completed by the end of August 2019.

Ken Adamson spoke to the report and answered Member's questions. Thereafter, the Panel agreed (1) to note the proposed changes to the CRR, as outlined in Appendix 1 to the report; (2) that it be noted that (a) work was currently being progressed by Risk Management staff, working alongside Senior Management, to further develop and document the risks detailed in the report, and (b) that future reports to the Panel would incorporate the fully revised CRR, and (3) that the report be otherwise noted.

**EXTERNAL AUDIT - AUDIT SCOTLAND MANAGEMENT REPORT**

4. There was submitted a report by the Audit and Risk Manager (1) presenting the audit output produced by the Council's external auditors, Audit Scotland, since the previous meeting of the Panel in respect of the audit for the Council for the year-ending 31 March 2019; (2) providing, in the Appendix to the report, a copy of the external auditor's Interim Management Report for 2018/19, and (3) highlighting that the Interim Management Report contained an action plan, which included audit findings and responses and planned actions that had been agreed by Management.

Carole Grant, Audit Scotland, spoke to the report and answered Member's questions, and also advised the Panel that Audit Scotland was undertaking a sample check of the exit packages detailed in the Appendix to the report, and that a verbal update on the status of this work would be provided at the next meeting of the Panel, with formal feedback to be provided in the Annual Report.

Thereafter, the Panel agreed (1) that it be noted that a verbal update would be provided by Audit Scotland at the next meeting of the Panel in relation to the sample check of exit packages, as referenced in the Appendix to the report, and (2) that the report be otherwise noted.

**FOLLOW-UP OF ACTIONS PREVIOUSLY AGREED BY MANAGEMENT IN RESPONSE TO INTERNAL AND EXTERNAL AUDIT RECOMMENDATIONS**

5. There was submitted a report by the Audit and Risk Manager (1) detailing the extent to which Management had implemented actions previously committed to in response to recommendations in Internal and External Audit reports, where those actions were due to be completed by the end of March 2019; (2) advising (a) that Internal Audit had concluded that 11 of the 25 agreed actions in response to Internal Audit outputs had been completed, with a further 14 partially implemented, and

(b) that nine (eight related to Internal Audit recommendations and one related to External Audit outputs) of the 15 relevant issues not yet fully implemented required to be highlighted to the Panel; (3) providing, in Appendix 1 to the report, a detailed update on five of the eight previously agreed planned actions which had not yet been completed and were assessed by Internal Audit as having a 'Medium' residual risk; (4) intimating (a) that the three remaining issues assessed by Internal Audit as having a 'Medium' residual risk rating related to performance management and would be addressed by the new Strategic Performance Framework adopted as part of The Plan for North Lanarkshire, and (b) that there would be continued monitoring and review of progress in respect of the effective implementation of robust performance management arrangements as part of the planned work in 2019/20, and (5) highlighting that 54 of the 56 agreed actions in response to External Audit had been completed, with one further action not yet fully implemented and one remaining action being no longer relevant, further details of which were contained in Appendix 2 to the report.

Ken Adamson spoke to the report and answered Members' questions. Following discussion, the Panel requested that additional information, with a specific focus on the timescales for completion, be submitted to a future meeting of the Panel, in relation to Item 1 – Early Learning and Childcare: Extension to 1140 hours and Items 4 and 5 – Health and Social Care, as referenced in Appendix 1 to the report.

Thereafter, the Panel agreed (1) to the note the content of the report, and (2) that additional information, with a specific focus on the timescales for completion, be provided to a future meeting of the Panel, in relation to Item 1 – Early Learning and Childcare: Extension to 1140 hours and Items 4 and 5 – Health and Social Care, as referenced in Appendix 1 to the report.

## **LEARNING FROM CASE REVIEWS IN PUBLIC PROTECTION**

6. With reference to paragraph 2 of the Minute of the meeting of the Panel held on 13 December 2018, when it was agreed that a report be submitted to a future meeting of the Panel detailing how learning from case reviews was shared and implemented locally, there was submitted a report by the Head of Children, Families and Justice Social Work Services (1) advising that the framework for case reviews varied across the individual areas of public protection and covered a broad spectrum, from single agency and multi-agency reflective practice reviews or learning sessions to Initial Case Reviews (ICRs) and Significant or Serious Case Reviews (SCRs); (2) outlining (a) that national guidance supported the ICR/SCR process in the areas of Child Protection and Multi-Agency Public Protection Arrangements (MAPPA) and informed local arrangements; (b) that there was no national guidance for SCRs in Adult Protection, although there was local multi-agency guidance contained in the local adult protection procedures, and (c) that there was currently no national or local guidance in relation to reviews related to Domestic Abuse, although this could be a feature in reviews undertaken in the other strands of public protection; (3) highlighting that decisions on the commission of SCRs were made through relevant Public Protection Committees and endorsed by the North Lanarkshire Public Protection Chief Officers Group; (4) providing, in the Appendix to the report, the criteria for undertaking SCRs in Child Protection, Adult Protection and MAPPA; (5) detailing (a) that case reviews were only part of a much wider range of activity, which supported learning and continuous improvement in public protection, and (b) the arrangements at a national and local level, which supported learning from case reviews, in the area of public protection, and (6) intimating that there were a number of ongoing developments in relation to the procedures for case reviews.

Alison Gordon spoke to the report and answered Members' questions. Thereafter, the Panel agreed to note the content of the report.

## **INTERNAL AUDIT PROGRESS REPORT**

7. There was submitted a report by the Audit and Risk Manager (1) setting out an overview of Internal Audit activities; (2) outlining the results of Internal Audit outputs finalised since the last progress report
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submitted to the meeting of the Panel on 28 March 2019; (3) highlighting the most significant issues arising from recently completed audit work, and (4) providing (a) in Appendix 1 to the report, a brief summary of the scope and key findings of each substantive audit report, and (b) copies of the Internal Audit reports in relation to each substantive audit in the Executive Summaries appended to the report.

Ken Adamson spoke to the report and answered Members' questions. Councillor Anderson, on behalf of Councillor Hume, requested that all policies and procedures in the Education and Families Service be reviewed. Following discussion, the Panel agreed that the Convener would discuss this matter with Councillor Hume to establish the specific remit/focus of the requested review and, if required, contact relevant officers to agree any necessary actions.

Thereafter, the Panel agreed (1) that Internal Audit would report to future meetings of the Panel on the progress made by management in implementing agreed management actions in relation to all audit recommendations categorised as red or amber, and (2) that the report be otherwise noted.

#### **INTERNAL AUDIT STRATEGY 2019/20 TO 2021/22**

8. There was submitted a report by the Audit and Risk Manager (1) advising that the Internal Audit Strategy had been reviewed and updated in order to reflect significant Council developments, since the Panel approved the previous Internal Audit Strategy at its meeting on 30 April 2018, and (2) seeking approval of the revised and updated Internal Audit Strategy, covering the period up to 2021/22, as detailed in the Appendix to the report.

Ken Adamson spoke to the report. Thereafter, the Panel agreed to approve the revised and updated Internal Audit Strategy, covering the period up to 2021/22, as detailed in Appendix 1 to the report.

**During consideration of the following item of business, Councillor Gallacher declared an interest by virtue of her appointment as a Member of the North Lanarkshire Health and Social Care Integration Joint Board but considered the interest so remote and insignificant that it did not preclude her participation in this item.**

#### **INTERNAL AUDIT ANNUAL PLAN 2019/20**

9. There was submitted a report by the Audit and Risk Manager (1) providing (a) background and context as to how the Internal Audit planning process was undertaken, and (b) a high level overview of how Internal Audit resources would be allocated in 2019/20, and (2) seeking approval of the proposed Internal Audit Plan 2019/20 and Internal Audit assignments, as set out in Appendix 1 to the report.

Ken Adamson spoke to the report. Thereafter, the Panel agreed (1) to note the approach adopted to produce the Internal Audit Annual Plan 2019/20, and (2) to approve the Internal Audit Annual Plan 2019/20 and detailed list of Internal Audit assignments for 2019/20, as detailed in Appendix 1 to the report.

#### **ACCOUNTS COMMISSION REPORT: LOCAL GOVERNMENT IN SCOTLAND - CHALLENGES AND PERFORMANCE 2019**

10. There was submitted a report by the Audit and Risk Manager (1) presenting (a) the findings of the Accounts Commission report 'Challenges and Performance 2019', and (b) the Management assessment of, and response to, the issues raised by the Accounts Commission; (2) advising (a) that, in November 2018, the Accounts Commission published a report entitled 'Financial Overview 2017/18'; which provided a high-level independent analysis of the financial performance of councils

during 2017/18 and their financial position at the end of that financial year, and (b) that this was the second report in the series, which examined the performance of council services and the challenges facing councils; (3) highlighting the Accounts Commission's key findings and recommendations, and (4) detailing, in Appendix 1 to the report, Management's response to the key issues highlighted by the Accounts Commission, which was intended to provide assurance that the Council was aware of, and was responding appropriately to, the issues and risks identified by the Accounts Commission.

Ken Adamson spoke to the report. Thereafter, the Panel agreed to note the key findings of the Accounts Commission Report and the Management response to the issues raised by the report.

#### **INTERNAL AUDIT ANNUAL REPORT 2018/19**

11. There was submitted a report by the Audit and Risk Manager (1) providing an overview of the activities of the Internal Audit section for 2018/19; (2) highlighting the more significant issues which arose from the work undertaken by Internal Audit during the year; (3) summarising, in Appendix 2 to the report, an overview of Internal Audit activity against the 2018/19 Annual Plan and details of when each assignment had been reported to the Panel; (4) detailing, in the report and Appendix 1, the Independent Annual Opinion from the Audit and Risk Manager, which intimated (a) that reasonable assurance could be placed upon the adequacy and effectiveness of the Council's framework of governance, risk management and internal control for the year ended 31 March 2019, and (b) that a qualification had been added to the Opinion that, whilst the changes made and proposals to the Council's performance management arrangements had been positive, there was a need to ensure that planned actions designed to improve the Council's performance management arrangements (the Strategic Performance Framework) were successfully implemented in 2019/20.

Ken Adamson spoke to the report and answered Members' questions. Thereafter, the Panel agreed to note the Internal Audit Annual Report and associated Annual Opinion of the Audit and Risk Manager.

#### **ANNUAL GOVERNANCE STATEMENT 2018/19**

12. There was submitted a report by the Business Solutions Manager (1) presenting, in the Appendix to the report, the Annual Governance Statement 2018/19, which was to be included in the Unaudited Annual Accounts for 2018/19; (2) intimating (a) that the Local Authority Accounting (Scotland) Regulations 2014 required that an Annual Governance Statement be included within the Council's Annual Accounts, which would be subject to review by Audit Scotland as part of its year-end audit process, and (b) that the Statement provided an opportunity for the Council to report annually on the extent to which it complied with the Chartered Institute of Public Finance and Accountancy (CIPFA)/Society of Local Authority Chief Executives (SOLACE) Delivering Good Governance Framework 2016, including describing relevant monitoring and evaluation arrangements for governance during the year and any planned changes and/or development in the upcoming period; (3) advising (a) that the Annual Governance Statement had been prepared following the gathering of evidence from a number of different sources to ensure that it properly reflected the Council's arrangements during 2018/19, and (b) that, during the evaluation, the Senior Management Team had a range of improvement actions and/or future planned developments in relation to key governance arrangements, which were identified and highlighted in the Annual Governance Statement, and (4) indicating (a) that the results of these processes assisted the Chief Executive and the Council Leader in signing the Annual Governance Statement, and that reasonable assurance could be placed on the adequacy and effectiveness of the corporate governance statements operating in the Council, and (b) that the Council had complied with relevant corporate governance principles in all significant respects.

Susan Lawrie spoke to the report. Thereafter, the Panel agreed to note the Annual Governance Statement, which was to be included in the Unaudited Annual Accounts for 2018/19.

**DRAFT UNAUDITED ANNUAL ACCOUNTS FOR THE YEAR ENDING 31 MARCH 2019**

13. There was submitted a report by the Head of Financial Solutions (1) indicating that the Unaudited Annual Accounts for the year ending 31 March 2019 had now been completed; (2) intimating (a) that the Local Authority Accounts (Scotland) Regulations 2014 required that the Council prepare an Annual Statement of Accounts, and (b) that the Local Government (Scotland) Act 2003 also required that the Statement of Accounts be prepared in accordance with proper accounting practices, which, in the Local Government context, comprised of the Code of Practice on Local Authority Accounting in the United Kingdom, supported by International Financial Reporting Standards and Statutory Guidance under Section 12 of the 2003 Act; (3) highlighting that the Local Authority Accounts (Scotland) Regulations 2014 required the Council to submit a set of Unaudited Annual Accounts to the Council's external auditors, Audit Scotland, by 30 June 2019, and (5) detailing, in the Appendix to the report, the Unaudited Annual Accounts for 2018/19.

Elaine Kemp spoke to the report and highlighted a number of areas and issues contained in the report. Thereafter, the Panel agreed to (1) note the report, and (2) approve the submission of the Unaudited Annual Accounts to Audit Scotland by 30 June 2019.

**Motherwell, 5 September 2019 at 1 pm.**

A Meeting of the **AUDIT AND SCRUTINY PANEL**

**PRESENT**

Councillor Gallacher, Convener; Councillor Stevenson, Vice-Convener; Councillors Anderson, Burrows, Graham, Hume, T. Johnston, Morgan, Alan Valentine and Watson.

**CHAIR**

Councillor Gallacher (Convener) presided.

**IN ATTENDANCE**

Des Murray, Chief Executive, Elaine Kemp, Head of Financial Solutions, Ken Adamson, Audit and Risk Manager, Linda Johnston, Business Solutions Manager, Susan Lawrie, Business Manager (Performance and Resource Allocation), and Kirsty Brown, Committee Officer.

**ALSO IN ATTENDANCE**

Carole Grant, Senior Audit Manager, Audit Scotland.

**APOLOGY**

Councillor Hogg.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. There were no declarations of interest.

**Councillor Alan Valentine, during consideration of the following item of business, declared an interest in paragraph 2, by virtue of his employment with an organisation detailed in the report, but considered the interest so remote and insignificant that it did not preclude his participation in this item.**

**THE PLAN FOR NORTH LANARKSHIRE - FOCUS ON BENCHMARKING RESULTS**

2. With reference to paragraph 9 of the Minute of the meeting of the Panel held on 16 May 2019, when the findings of a review into the Council's approach to benchmarking were presented, there was submitted a report by the Business Solutions Manager (1) highlighting that the benchmarking review had identified the need (a) to ensure the future alignment of benchmarking information to The Plan for North Lanarkshire and the Programme of Work, and (b) for integration with the Supporting Policy, Performance, Self Evaluation and Governance Frameworks; (2) advising that the Local Government Benchmarking Framework (LGBF) was developed by the Improvement Service, at the request of the Society of Local Authority Chief Executives and Senior Managers (SOLACE); (3) detailing (a) that the LGBF comprised of a suite of 77 high level benchmarks, which were comparable across all 32 Councils in Scotland, and (b) that the benchmarking results were intended to act as "can openers", in order to provide initial information about a Service; (4) providing, in Appendices 2 to 18 of the report, full details of the 77 measures in the LGBF suite, and (5) intimating (a) that the results could be utilised to highlight where Council performance differed, support engagement between councils in order to understand the basis of any differences, and establish areas of best practice, (b) that the

benchmarking measures would be incorporated in the Strategic Self-Evaluation Framework to inform consideration of the evidence presented against each of the 25 ambition statements and an assessment of progress against The Plan for North Lanarkshire, and (c) that the Strategic Performance Framework would be presented for consideration to the meeting of the Policy and Strategy Committee on 26 September 2019.

Linda Johnston spoke to the report and highlighted (1) that the information provided in the LGBF results were in relation to 2017/18, with the 2018/19 results not due to be published by the Improvement Service until February 2020; (2) that due to the time lag in the results, it was anticipated that, with the pace of change the Council was undertaking, many of the results would have significantly changed since 2017/18; (3) that, of the 77 measures included within the LGBF, the Council had improved in 48 in comparison to previous years (30 had improved above the national average, and 29 had declined (19 not meeting the national average)); (4) that in terms of gathering of information the Council provided the information requested in relation to the measures within the LGBF, and (5) that the measures were at a high level, and further information would be required to ensure that results were considered in the appropriate context. The Panel were invited to identify areas where they felt further analysis was required.

Susan Lawrie presented an overview of the benchmarking results and the 17 categories of measures detailed in the Appendices to the report. During the overview process, the Panel was given the opportunity to ask questions in relation to any specific queries regarding the measures and results.

Following discussion, the Panel agreed (1) that Members would provide details to the Business Solutions Manager and the Business Manager (Performance and Resource Allocation) of any priority areas that they wished to be included in a future programme of scrutiny items; (2) that the Convener would meet separately with Members to discuss the most appropriate approach in relation to progressing the programme of scrutiny items, and (3) that a further report be submitted to the meeting of the Panel scheduled for 14 November 2019, setting out the proposed programme of scrutiny items and the approach in relation to the further review of items included in the programme.

## **EXTERNAL AUDIT: ANNUAL ACCOUNTS 2018/19 - REMUNERATION REPORT**

3. With reference to paragraph 4 of the Minute of the Meeting of the Panel held on 27 June 2019, when Audit Scotland advised that, in relation to the content of the Remuneration Report contained in the Council's Annual Accounts 2018/19, a verbal update would be provided to the next meeting of the Panel regarding a sample check of exit packages, there was submitted a report by the Audit and Risk Manager (1) advising that the payments made to the former Chief Officer for Health and Social Care and the former Assistant Chief Executive (Education, Youth and Communities) had been the subject of considerable media interest, and (2) intimating that the purpose of the report was to allow Audit Scotland to report back to the Panel its initial findings in relation to the content of the Remuneration Report contained in the Council's Annual Accounts 2018/19, with particular focus on the payments made to former officers of the Council.

Ken Adamson then spoke to the report and invited Carole Grant, Audit Scotland to provide a verbal update in relation to this item. She advised that the Annual Audit report 2018/19 would be submitted to the meeting of the Panel scheduled for 25 September 2019 and would provide a full update in relation to this matter. In the meantime, she advised that Audit Scotland had selected a sample of payments to former officers of the Council for further review, and had determined (1) that the Council had appropriate policies and procedures in place; (2) that the Council had properly applied those procedures; (3) that there were some inconsistencies in terms of the documentation used, and it was recommended that standard documentation be implemented moving forward; (4) that a significant amount of the total payment to certain individuals was in relation to payments to the pension fund, and it was recommended that this be reclassified within the Remuneration Report to more accurately reflect the nature of this payment, and (5) that an overpayment had been made in relation to the payments made to one former staff member, for which secondary checks had not been undertaken, and as a result Audit Scotland had recommended that, in future, secondary checks be undertaken in all circumstances.

Carole Grant answered Members' questions. Des Murray confirmed that he was confident that the Council's policies had been applied appropriately and the points raised by Audit Scotland had been addressed. Notwithstanding that the payments were made in accordance with approved Council policies the Panel expressed concerns regarding the size of exit packages given to certain staff and the overpayment made to one staff member. The Panel requested confirmation from the Chief Executive that the money which had been overpaid to the individual staff member was in the process of being recovered.

Thereafter, the Panel agreed (1) to note the report and verbal update provided by Audit Scotland, and (2) requested that the Chief Executive provide confirmation that the money which had been overpaid to the individual staff member was in the process of being recovered.

**Motherwell, 24 June 2019 at 11 am.**

A Meeting of the **EMPLOYEE APPEALS SUB-COMMITTEE**

**PRESENT**

Councillor Reddin, Vice-Convenor; Councillors Barclay, Beveridge, Gourlay, MacGregor, McCulloch, Pettigrew, Quigley, Watson and Woods.

**CHAIR**

Councillor Reddin (Vice-Convenor) presided.

**IN ATTENDANCE**

The Employee Relations Manager and Committee Officer.

**ALSO IN ATTENDANCE**

Head of Housing Solutions; Employee Relations Officer; B. Rankin, GMB; S. Traynor, GMB, and Appellant 2/2019.

**APOLOGIES**

Councillors C. Johnston, MacGregor, Masterton, McCulloch, Shields and Annette Valentine.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor Watson declared an interest in paragraph 2, by virtue of the Investigating Officer being known to him, but considered that the interest would not preclude him from taking part in consideration of the appeal.

Councillor MacGregor, by virtue of the Appellant being known to him, declared an interest in paragraph 2 and left the meeting and took no part in consideration of the appeal.

**It was agreed, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 7A of the Act.**

**Councillor Watson, prior to consideration of the following item of business, declared an interest by virtue of the Investigating Officer being known to him, but considered that the interest would not preclude him from taking part in consideration of the appeal.**

**Councillor MacGregor, prior to consideration of the following item of business, declared an interest by virtue of the Appellant being known to him and left the meeting and took no part in consideration of the appeal.**

**HOUSING SOLUTIONS - APPEAL AGAINST DISMISSAL 2/2019**

2. There was submitted intimation of an appeal against dismissal by Appellant 2/2019, together with a report by the Head of Housing Solutions in explanation of the circumstances leading to the dismissal.

The Sub-Committee then heard representations and submissions from the Head of Housing Solutions on behalf of the Service and representations and submissions from S. Traynor, GMB on behalf of Appellant 2/2019.

Thereafter both parties withdrew from the meeting.

Both parties were then re-admitted to the meeting.

**Decided:** that the grounds of the appeal had not been substantiated and the appeal be not upheld.

**Motherwell, 24 June 2019 at 2 pm.**

**A Meeting of the PLANNING HEARINGS COMMITTEE**

**PRESENT**

Councillor Curran, Convener; Councillor A. McVey, Vice-Convener; Councillors Anderson, D. Ashraf, Baird, Barclay, Beveridge, Bonnar, Burgess, Burrows, Cameron, Campbell, Carragher, Carson, Castles, M. Coyle, S. Coyle, Cullen, Di Mascio, Docherty, Doolan, Douglas, Duffy, Fannan, Farooq, Fisher, Fotheringham, Gallacher, Goldie, Goldsack, Gourlay, Graham, C. Johnston, T. Johnston, Jones, Kelly, Kerr, Lennon, Linden, Logue, MacGregor, Masterton, McCulloch, McKendrick, McLaren, McManus, McNally, McNeil, McPake, H. McVey, Morgan, O'Rourke, Pettigrew, Quigley, Reddin, Roarty, Shevlin, Stevenson, Stocks, Stubbs, Alan Valentine, Watson and Wilson.

**CHAIR**

Councillor Curran (Convener) presided.

**IN ATTENDANCE**

Chief Executive; Executive Director (Education and Families); Executive Director (Enterprise and Communities); Head of Legal and Democratic Solutions; Head of Strategic Communication; Head of Planning and Regeneration; Planning and Place Manager; Planning Manager (North); Project Development Officer, and Committee Officer.

**ALSO IN ATTENDANCE**

In respect of paragraph 2

Representing the Applicant – Adrian Smith  
Ryden and Wilson Bowden Development – David Ward

**APOLOGIES**

Councillors J. Ashraf, Cochrane, Currie, Feeney, Gaffney, Hogg, Hume, Larson, Magowan, Shields, Stephen, Annette Valentine, Weir and Woods.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. The meeting noted that there were no declarations of interest.

**PLANNING APPLICATION 18/00463/PPP - REVISION OF MIXED USE DEVELOPMENT APPROVED UNDER PLANNING PERMISSION REF: 01/00758/OUT COMPRISING RESIDENTIAL AREAS, EDUCATIONAL/COMMUNITY FACILITIES, BUSINESS AND EMPLOYMENT USES, OPEN SPACE INCLUDING TOWN PARK, HOTELS, A NEW TOWN CENTRE INCLUDING RETAIL, LEISURE, BUSINESS AND HOUSING WITH ASSOCIATED TRANSPORT INFRASTRUCTURE AT SITE OF NEW CRAIG ROAD, MOTHERWELL**

2. The Committee considered a report by the Head of Planning and Regeneration (a copy of which had been issued with the Agenda of the Special meeting of North Lanarkshire Council to be held following the conclusion of this meeting) in relation to a Planning Application by Ravenscraig Limited for the

revision of mixed use development approved under Planning Permission Ref: 01/00758/OUT comprising residential areas, educational/community facilities, business and employment uses, open space including town park, hotels, a new town centre including retail, leisure, business and housing with associated infrastructure at site of New Craig Road, Motherwell.

The Committee heard the Planning and Place Manager speak to the report and, thereafter, afforded the applicant's representative the opportunity to appear and be heard by the Committee.

The Committee having heard representations from Adrian Smith and David Ward on behalf of the applicant having had an opportunity to ask questions of officers and the representatives of the applicant, the meeting concluded.

**Motherwell, 23 July 2019 at 10 am.**

A Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillor Shevlin, Convener; Councillor Doolan, Vice-Convener; Councillors J. Ashraf, Barclay, Docherty, Gourlay, McLaren, Pettigrew and Weir.

**CHAIR**

Councillor Shevlin (Convener) presided.

**IN ATTENDANCE**

The Principal Solicitor (Licensing and Litigation) and the Administrative Officer, Legal and Democratic Solutions.

**ALSO IN ATTENDANCE**

J. Waddell, Police Scotland.

**APOLOGIES**

Councillors Cameron, Kerr, Linden, McKendrick and Quigley.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor J. Ashraf, by virtue of the applicant being known to him, declared an interest in paragraph 4, and left the meeting during consideration of this item.

**It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 7A of the Act.**

**HEARINGS**

**The Convener exercised his discretion to vary the Order of Business as hereinafter minuted.**

**(1) TAXI OPERATOR'S LICENCE AND TAXI DRIVER'S LICENCE – COMPLAINT – NAVEED AKRAM**

2. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 4 June 2019, when consideration of the complaint by the Chief Constable, relative to Naveed Akram, was continued to allow him a further opportunity to appear before the Committee to speak in respect of the complaint, the Principal Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from the Chief Constable, Police Scotland, relative to Naveed Akram, who currently held a Taxi Operator's Licence and Taxi Driver's Licence.

The Committee then heard John Waddell outline the Chief Constable's complaint, and Naveed Akram's agent, Mr Reid, McGovern Reid, Solicitors, speak in respect of the complaint.

Thereafter, Naveed Akram, Mr Reid and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Naveed Akram, Mr Reid and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable, relative to Naveed Akram, be not upheld.

## **(2) PRIVATE HIRE CAR LICENCE - RENEWAL - JOHN ANDREWS**

3. The Principal Solicitor advised (1) that an application (tabled) by John Andrews for the renewal of his Private Hire Car Licence had been received, and (2) that John Andrews did not have a vehicle that was compliant with the Council's specification.

The Committee then heard John Andrews speak in respect of the application.

Thereafter, John Andrews and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

John Andrews and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by John Andrews for the renewal of his Private Hire Car Licence be granted until 30 June 2020.

## **(3) PRIVATE HIRE DRIVER'S LICENCE - NEW APPLICATIONS**

**Councillor J. Ashraf, prior to the consideration of the following item of business, having declared an interest by virtue of the applicant being known to him, left the meeting during consideration of this item.**

### **(a) ZAHID ALI**

4. With reference to paragraph 3 of the Minute of the meeting of this Committee held on 4 June 2019, when consideration of the application by Zahid Ali for a Private Hire Driver's Licence was continued to allow him a further opportunity to appear before the Committee to speak in respect of the application, the Principal Solicitor advised (1) that an application (tabled) by Zahid Ali for a Private Hire Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard John Waddell outline the Chief Constable's objection to the application, and Zahid Ali speak in support of the application.

Thereafter, Zahid Ali and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Zahid Ali and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by Zahid Ali for a Private Hire Driver's Licence be refused.

**Councillor J. Ashraf was also absent during consideration of the following item of business.**

**(b) SAVIAR EDASSERY**

5. With reference to paragraph 5 of the Minute of the meeting of this Committee held on 18 June 2019, when consideration of the application by Saviar Edassery for a Private Hire Driver's Licence was continued to allow him a further opportunity to appear before the Committee to speak in respect of the application, the Principal Solicitor advised (1) that an application (tabled) by Saviar Edassery for a Private Hire Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard John Waddell outline the Chief Constable's objection to the application, and Saviar Edassery's agent, Ms Turley, Trainor Alston, Solicitors, speak in support of the application.

Thereafter, Saviar Edassery, Ms Turley and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Saviar Edassery, Ms Turley and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by Saviar Edassery for a Private Hire Driver's Licence be granted for a period of one year.

**Councillor J. Ashraf re-entered the meeting.**

**(4) ITINERANT METAL DEALER'S LICENCE - COMPLAINT - MARTIN GALLAGHER**

6. The Principal Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from the Chief Constable, Police Scotland, relative to Martin Gallagher, who currently held an Itinerant Metal Dealer's Licence.

The Administrative Officer then indicated that Martin Gallagher was not in attendance.

Thereafter, the Committee resumed consideration of the matter in Martin Gallagher's absence.

**Decided:** that consideration of the complaint by the Chief Constable, relative to Martin Gallagher, be continued to allow him a further opportunity to appear before the Committee to speak in respect of the complaint.

**Prior to the consideration of the remaining item of business, Councillor Shevlin withdrew from the meeting and took no further part in the consideration thereof.**

**Councillor Doolan assumed the Chair.**

**(5) TAXI DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - COMPLAINT - ALAN WATSON**

7. The Principal Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from Mr and Mrs McBride, relative to Alan Watson, who currently held a Taxi Driver's Licence and Private Hire Car Licence.

The Committee then heard Mr and Mrs McBride outline their complaint and table correspondence from their agent, Jones Whyte, Solicitors, to Beth Craddock regarding parking on a mutual access drive, and Alan Watson, and his sister Beth Craddock, speak in respect of the complaint, and table a character reference and a number of letters regarding the matter.

Thereafter, Alan Watson, Beth Craddock, Mr and Mrs McBride and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Alan Watson, Beth Craddock, Mr and Mrs McBride and the representative of Police Scotland were then re-admitted to the meeting.

Councillor Barclay, seconded by Councillor Gourlay, moved that the complaint by Mr and Mrs McBride, relative to Alan Watson, who currently held a Taxi Driver's Licence and Private Hire Car Licence, be not upheld.

Councillor McLaren, seconded by Councillor Ashraf, moved, as an amendment, that the complaint by Mr and Mrs McBride, relative to Alan Watson, who currently held a Taxi Driver's Licence and Private Hire Car Licence, be upheld.

On a vote being taken, 3 Members voted for the amendment and 5 Members voted for the motion, which was accordingly declared carried.

**Decided:** that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by Mr and Mrs McBride, relative to Alan Watson, be not upheld.

**Motherwell, 6 August 2019 at 10 am.**

A Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillor Shevlin, Convener; Councillor Doolan, Vice-Convener; Councillors J. Ashraf, Barclay, Cameron, Docherty, Gourlay, Linden, McLaren, Pettigrew, Quigley and Weir.

**CHAIR**

Councillor Shevlin (Convener) presided.

**IN ATTENDANCE**

The Principal Solicitor (Licensing and Litigation) and the Administrative Officer, Legal and Democratic Solutions.

**ALSO IN ATTENDANCE**

Sergeant Rankin, Police Scotland.

**APOLOGIES**

Councillors Kerr and McKendrick.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. No declarations were made.

**It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 7A of the Act.**

**HEARINGS**

**(1) TAXI OPERATOR'S LICENCE - RENEWAL - ALAN THOMSON**

2. The Principal Solicitor advised (1) that an application (tabled) by Alan Thomson for the renewal of his Taxi Operator's Licence had been received, and (2) that Alan Thomson did not have a vehicle that was compliant with the Council's specification.

The Committee then heard Alan Thomson speak in respect of the application.

Thereafter, Alan Thomson and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Alan Thomson and the representative of Police Scotland were then re-admitted to the meeting.

Councillor Cameron, seconded by Councillor McLaren, moved that the application by Alan Thomson for the renewal of his Taxi Operator's Licence be granted for a period of 18 months.

Councillor Linden, seconded by Councillor Gourlay, moved, as an amendment, that the application by Alan Thomson for the renewal of his Taxi Operator's Licence be granted.

On a vote being taken, 8 Members voted for the amendment and 4 Members voted for the motion. The amendment was accordingly declared carried.

**Decided:** that the application by Alan Thomson for the renewal of his Taxi Operator's Licence be granted.

## **(2) PRIVATE HIRE DRIVER'S LICENCE - NEW APPLICATION - JOHN MOFFAT**

3. The Principal Solicitor advised (1) that an application (tabled) by John Moffat for a Private Hire Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard Sergeant Rankin outline the Chief Constable's objection to the application, and John Moffat speak in support of the application.

**At this point, Councillor McLaren withdrew from the meeting and took no further part in the consideration thereof.**

Thereafter, John Moffat and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

John Moffat and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by John Moffat for a Private Hire Driver's Licence be refused.

## **(3) ITINERANT METAL DEALER'S LICENCE - NEW APPLICATION - IAN DALZIEL**

4. The Principal Solicitor advised (1) that an application by Ian Dalziel for an Itinerant Metal Dealer's Licence had been received, and (2) that a late objection to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard Sergeant Rankin explain the reason for the Chief Constable's objection being submitted late, and Ian Dalziel's agent, Mr Moore, Moore MacDonald, Solicitors, advise that, on behalf of his client, he objected to the late objection being considered.

Thereafter, Ian Dalziel, Mr Moore and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Ian Dalziel, Mr Moore and the representative of Police Scotland were then re-admitted to the meeting.

The Committee, being satisfied that sufficient reason had been provided to justify the late objection, proceeded to consider the application and the late objection made.

The Committee then heard Sergeant Rankin outline the Chief Constable's objection to the application (both tabled), and Mr Moore speak in support of the application.

**At this point, Councillor Quigley withdrew from the meeting and took no further part in the consideration thereof.**

Thereafter, Ian Dalziel, Mr Moore and the representative of Police Scotland again withdrew from the meeting and the Committee resumed consideration of the matter.

Ian Dalziel, Mr Moore and the representative of Police Scotland were again re-admitted to the meeting.

Councillor J. Ashraf, seconded by Councillor Cameron, moved that the application by Ian Dalziel for an Itinerant Metal Dealer's Licence be refused.

Councillor Linden, seconded by Councillor Weir, moved, as an amendment, that the application by Ian Dalziel for an Itinerant Metal Dealer's Licence be granted for a period of one year.

On a vote being taken, 7 Members voted for the amendment and 3 Members voted for the motion. The amendment was accordingly declared carried.

**Decided:** that the application by Ian Dalziel for an Itinerant Metal Dealer's Licence be granted for a period of one year.

**(5) PRIVATE HIRE CAR OPERATOR'S LICENCE AND PRIVATE HIRE DRIVER'S LICENCE - COMPLAINT - ABDUL SATTAR**

5. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 2 October 2018, the Principal Solicitor advised that, in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from the Chief Constable, Police Scotland, relative to Abdul Sattar, who currently held a Private Hire Car Operator's Licence and Private Hire Driver's Licence.

The Committee then heard Sergeant Rankin outline the Chief Constable's complaint, and Abdul Sattar's representative, Majid Islam, speak in respect of the complaint.

Thereafter, Abdul Sattar, Majid Islam and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Abdul Sattar, Majid Islam and the representative of Police Scotland were then re-admitted to the meeting.

The Committee having determined (1) that the complaint in respect of Abdul Sattar's Private Hire Car Operator's Licence be not upheld, and (2) that the complaint in respect of Abdul Sattar's Private Hire Driver's Licence be upheld, heard Majid Islam in mitigation.

Thereafter, Abdul Sattar, Majid Islam and the representative of Police Scotland again withdrew from the meeting and the Committee resumed consideration of the matter.

Abdul Sattar, Majid Islam and the representative of Police Scotland were again re-admitted to the meeting.

**Decided:** that, in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982:-

- (1) The complaint by the Chief Constable, relative to Abdul Sattar, in respect of his Private Hire Car Operator's Licence, be not upheld, and
- (2) The complaint by the Chief Constable, relative to Abdul Sattar, in respect of his Private Hire Driver's Licence, be upheld, and that his Private Hire Driver's Licence be suspended, with immediate effect, until 29 May 2020.

**Motherwell, 14 August 2019 at 9.30 am.**

A Special Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillor Shevlin, Convener; Councillors Doolan, McLaren, Pettigrew, Quigley and Weir.

**CHAIR**

Councillor Shevlin (Convener) presided.

**IN ATTENDANCE**

Property Manager (Technical and Design); Senior Building Standards Surveyor; Building Standards Officer; Principal Solicitor, and Committee Officer.

**ALSO IN ATTENDANCE**

Mr. J. Lawrie, Clancy Consulting Limited (Structural Engineers); Mr. J. Kellachan, Harley Haddow, Consultants, and Mr. G. McLellan and Mr. P. Grant, Scottish Fire and Rescue Service.

**IN ATTENDANCE AT SITE VISITS**

Ms. K. Mullan, Scottish Ambulance Service and Mr. G. Clark, Police Scotland

**In respect of Agenda item 2 – Mr. G. McMahon, Area Manager, and Mr. F. Murphy, Venue Manager, Broadwood Stadium.**

**In respect of Agenda item 3 – Mr. S. Hetherington, Director of Airdrie Football Club and Mr. C. Moffat, Excelsior Stadium.**

**APOLOGIES**

Councillors J. Ashraf, Barclay, Cameron, Docherty, Gourlay, Kerr and Linden.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. The Committee noted that there were no declarations of interest.

**RENEWAL OF GENERAL SAFETY CERTIFICATES FOR SPORTS GROUNDS 2019/20**

**(1) BROADWOOD STADIUM, CUMBERNAULD**

2. The Committee visited and inspected Broadwood Stadium, Cumbernauld and, thereafter, considered a report by the Head of Legal and Democratic Solutions (1) reminding the Committee that the Council was responsible as the Certifying Authority, in terms of the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987, for the certification of designated sports grounds and grounds with regulated stands within North Lanarkshire; (2) advising that, during the past few months, the responsible Officers of the Council and representatives of the Emergency Services had carried out a series of inspections at Broadwood Stadium in relation to the annual renewal of the General Safety Certificate for the Stadium, and (3) providing details therein of the outcome of these inspections and the issues to be remedied.

**Decided:** that the General Safety Certificate for Broadwood Stadium be renewed, with the following additional condition:-

that any seats where there are signs of extensive corrosion shall not be used and must be replaced or removed prior to an event.

**(2) EXCELSIOR STADIUM, AIRDRIE**

3. The Committee visited and inspected Excelsior Stadium, Airdrie, and, thereafter, considered a report by the Head of Legal and Democratic Solutions (1) reminding the Committee that the Council was responsible as the Certifying Authority, in terms of the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987, for the certification of designated sports grounds and grounds with regulated stands within North Lanarkshire, and (2) advising that, during the past few months, the responsible Officers of the Council and representatives of the Emergency Services had carried out a series of inspections at Excelsior Stadium in relation to the annual renewal of the General Safety Certificate for the Stadium, and (3) providing details therein of the outcome of these inspections and the issues to be remedied.

**Decided:** that the matter be continued to a future meeting of the Committee to allow meaningful progress to be made in relation to the matters identified by the Council Officers as set out in the report by the Head of Legal and Democratic Solutions with a view to the situation being monitored around mid September.

**Motherwell, 15 August 2019 at 9.30 am.**

A Special Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillor Shevlin, Convener; Councillors Cameron, Doolan, McLaren, Pettigrew, Quigley and Weir.

**CHAIR**

Councillor Shevlin (Convener) presided.

**IN ATTENDANCE**

The Property Manager (Technical and Design); Senior Building Standards Surveyor; Building Standards Officer; Principal Solicitor, and Committee Officer.

**ALSO IN ATTENDANCE**

Mr. K. Rennie and Mr. J. Cairney, Scottish Fire and Rescue Service; Mr. J. Lawrie, Clancy Consulting Limited (Structural Engineers), and Mr. J. Kellachan, Harley Haddow, Consultants;.

**IN ATTENDANCE AT SITE VISITS**

Ms. K. Mullan, Scottish Ambulance Service and Mr. G. Clark, Police Scotland.

**In respect of Agenda Item 2 – Mr. T. Gillooly, Safety Manager, Albion Rovers Football Club, Reigart Stadium.**

**In respect of Agenda Item 3 – Mr. R. Park, Safety Facilities Manager, Motherwell Football Club, Fir Park Stadium.**

**APOLOGIES**

Councillors J. Ashraf, Barclay, Docherty, Gourlay, Kerr and Linden.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. The Committee noted that there were no declarations of interest.

**RENEWAL OF THE GENERAL SAFETY CERTIFICATES FOR SPORTS GROUNDS 2019/20**

**(1) REIGART STADIUM, COATBRIDGE**

2. The Committee visited and inspected Reigart Stadium, Coatbridge, and, thereafter, considered a report by the Head of Legal and Democratic Solutions (1) reminding the Committee that the Council was responsible as the Certifying Authority, in terms of the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987, for the certification of designated sports grounds and grounds with regulated stands within North Lanarkshire, (2) advising that, during the past few months, the responsible Officers of the Council and representatives of the Emergency Services had carried out a series of inspections at Reigart Stadium in relation to the

annual renewal of the General Safety Certificate for the Stadium, and (3) providing details therein of the outcome of these inspections and the issues to be remedied.

**Decided:** that the General Safety Certificate for Reigart Stadium be renewed with the following three additional conditions:-

- (1) Calculations to be provided to the Council before 7 September 2019 for mullion design and end fixings for the East gable on the South Stand;
- (2) By the end of August 2019 there being, for seating connections, sufficient sub strata in place to pick up the connections, and
- (3) The installation of a permanent barrier to cordon off the North Stand to prevent public access.

**(2) FIR PARK STADIUM, MOTHERWELL**

3. The Committee visited and inspected Fir Park Stadium, Motherwell, and, thereafter, considered a report by the Head of Legal and Democratic Solutions (1) reminding the Committee that the Council was responsible as the Certifying Authority, in terms of the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987, for the certification of designated sports grounds and grounds with regulated stands within North Lanarkshire, (2) advising that, during the past few months, the responsible Officers of the Council and representatives of the Emergency Services had carried out a series of inspections at Fir Park Stadium in relation to the annual renewal of the General Safety Certificate for the Stadium, and (3) providing details therein of the outcome of these inspections and the issues to be remedied.

**Decided:** that the General Safety Certificate for Fir Park Stadium be renewed with the following additional condition:-

An Action Plan being provided before 6 October 2019 specifying when the outstanding issues, as detailed in the report by the Head of Legal and Democratic Solutions, would be complied with, and all the said outstanding issues being remedied prior to the 2020 annual inspection of the Stadium.

**Motherwell, 19 August 2019 at 10 am.**

A Meeting of the **CIVIC FUNCTIONS GROUP**

**PRESENT**

Provost Jones, Convener; Councillor Castles, Vice-Convener; Councillors Anderson, Cochrane, Magowan and Watson.

**CHAIR**

Provost Jones (Convener) presided.

**IN ATTENDANCE**

The Administrative and Member Services Manager and the Elections and Democratic Co-ordinator.

**DECLARATION OF INTEREST IN TERMS OF ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. The Provost, by virtue of being the Secretary of Kilsyth Civic Week, declared an interest in paragraph 2 and took no part in the consideration thereof.

Councillor Castles, by virtue of being a shareholder of Albion Rovers Football Club, declared an interest in paragraph 4 and took no part in the consideration thereof.

**The Provost, prior to consideration of the following item of business, having declared an interest by virtue of being the Secretary of Kilsyth Civic Week, took no part in consideration thereof.**

**The Provost vacated the Chair.**

**Councillor Castles assumed the Chair in respect of the request for Civic Hospitality by Kilsyth Civic Week, thereon the Provost resumed the Chair.**

**EXERCISE OF DELEGATED POWERS**

2. There was submitted a report by the Head of Legal and Democratic Solutions in respect of correspondence which had been received, and the action taken in terms of delegated powers, following consultation with the Vice-Convener, regarding the provision of hospitality at the annual swimming gala held on Thursday, 13 June 2009 at a cost of £424.00.

**Decided:** that the action taken by the Head of Legal and Democratic Solutions, following consultation with the Vice-Convener, be noted.

**CIVIC HOSPITALITY - REQUEST FOR CIVIC RECOGNITION**

3. There was submitted a report by the Head of Legal and Democratic Solutions advising of correspondence and the request received for civic recognition in respect of Airdrie Central Bowling Club participating in the Scottish Bowls Finals, being successful for the second year running, and representing Scotland in the UK finals in 2020.

**Decided:** that civic recognition be arranged by way of a civic reception or a gift to the value of no more than £500 in recognition of the success of Airdrie Central Bowling Club.

**Councillor Castles, prior to consideration of the following item of business, having declared an interest by virtue of being a shareholder of Albion Rovers Football Club, took no part in consideration thereof.**

#### **SOCIAL AND CHARITABLE FUNCTIONS**

4. There was submitted a report by the Head of Legal and Democratic Solutions advising of correspondence received from (1) Albion Rovers Football Club inviting the Council to attend and sponsor its annual awards dinner ceremony to be held on 6 September 2019 at Coatbridge Indoor Bowling Club, Coatbridge at a cost of £300 for a table of 10 guests, and (2) from St. Andrew's Hospice inviting the Council to attend and sponsor its Grand Snowflake Ball to be held on 30 November 2019 at Doubletree by Hilton Hotel, Glasgow Central, Glasgow at a cost of £950 for a table of 10 guests.

**Decided:**

- (1) that a table of 10 be purchased at the Albion Rovers Annual Awards Dinner Ceremony at a cost of £300 to be held on 6 September 2019 at Coatbridge Indoor Bowling Club, Coatbridge, and
- (2) that a table for 10 be purchased for St. Andrew's Hospice Grand Snowflake Ball to be held on 30 November 2019 at Doubletree by Hilton Hotel, Glasgow at a cost of £950.

**Motherwell, 20 August 2019 at 10 am.**

A Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillor Shevlin, Convener; Councillor Doolan, Vice-Convener; Councillors Barclay, Cameron, Docherty, Kerr, McKendrick, McLaren, Pettigrew and Quigley.

**CHAIR**

Councillor Shevlin (Convener) presided.

**IN ATTENDANCE**

The Principal Solicitor (Licensing and Litigation) and the Administrative Officer, Legal and Democratic Solutions.

**ALSO IN ATTENDANCE**

J. Waddell, Police Scotland.

**APOLOGIES**

Councillors J. Ashraf, Gourlay, Linden and Weir.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. No declarations were made.

It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 7A of the Act.

**HEARINGS**

**(1) ITINERANT METAL DEALER'S LICENCE - COMPLAINT - MARTIN GALLAGHER**

2. With reference to paragraph 6 of the Minute of the Meeting of this Committee held on 23 July 2019, when consideration of the complaint by the Chief Constable, relative to Martin Gallagher, was continued to allow him a further opportunity to appear before the Committee to speak in respect of the complaint, the Principal Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from the Chief Constable, Police Scotland, relative to Martin Gallagher, who currently held an Itinerant Metal Dealer's Licence.

The Committee then heard John Waddell outline the Chief Constable's complaint (tabled), and Martin Gallagher speak in respect of the complaint.

Thereafter, Martin Gallagher and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Martin Gallagher and the representative of Police Scotland were then re-admitted to the meeting.

The Committee, having determined that the complaint by the Chief Constable relative to Martin Gallagher be upheld, then heard Martin Gallagher in mitigation.

Thereafter, Martin Gallagher and the representative of Police Scotland again withdrew from the meeting and the Committee resumed consideration of the matter.

Martin Gallagher and the representative of Police Scotland were again re-admitted to the meeting.

**Decided:** that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable relative to Martin Gallagher be upheld, and that the Head of Legal and Democratic Solutions issue Martin Gallagher with a formal letter warning him as to his future conduct.

## **(2) PRIVATE HIRE DRIVER'S LICENCES**

### **(a) NEW APPLICATION - COLIN ANDERSON**

3. The Principal Solicitor advised (1) that an application (tabled) by Colin Anderson for a Private Hire Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard John Waddell outline the Chief Constable's objection to the application, and Colin Anderson speak in support of the application.

Thereafter, Colin Anderson and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Colin Anderson and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by Colin Anderson for a Private Hire Driver's Licence be granted for a period of one year.

### **(b) RENEWAL - JAMES STEVENSON**

4. The Principal Solicitor advised (1) that an application (tabled) by James Stevenson for the renewal of his Private Hire Driver's Licence had been received, and (2) that a representation (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard John Waddell outline the Chief Constable's representation to the application, and James Stevenson's representative, Paul Stevenson, speak in support of the application.

Thereafter, James Stevenson, Paul Stevenson and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

James Stevenson, Paul Stevenson and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by James Stevenson for the renewal of his Private Hire Driver's Licence be granted.

**Motherwell, 22 August 2019 at 10 am.**

A Meeting of the **PLANNING COMMITTEE**

**PRESENT**

Councillor Curran, Convener; Councillor A. McVey, Vice-Convener; Councillors Anderson, Burgess, M. Coyle, Douglas, Farooq, Fotheringham, Goldsack, Graham, Logue, MacGregor, McLaren, McPake, H. McVey, Quigley, Shields, Stocks, Stubbs and Watson.

**CHAIR**

Councillor Curran (Convener) presided.

**IN ATTENDANCE**

The Head of Planning and Regeneration; Planning and Place Manager; Planning Manager North; Planning Manager South; and Committee Officer.

**APOLOGIES**

Councillors Bonnar, S. Coyle, T. Johnston, Kelly and Reddin.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor Burgess, by virtue of the applicant being known to him, declared an interest in paragraph 2 – Planning Application 19/00375/FUL – Proposed Early Learning Centre and Associated Car Parking: Site at Carbarns, Netherton, Wishaw and left the meeting prior to consideration of this application.

**Councillor Burgess, prior to consideration of the following item of business, having declared an interest by virtue of the applicant being known to him, left the meeting during consideration of Planning Application 19/00375/FUL – Proposed Early Learning Centre and Associated Car Parking: Site at Carbarns, Netherton, Wishaw.**

**PLANNING APPLICATIONS INDEX**

2. There was submitted a report by the Head of Planning and Regeneration detailing planning applications submitted for planning consent.

**Decided:** that the planning applications be dealt with in accordance with the Annex to this Minute.

**PLANNING AND ENFORCEMENT APPEALS LODGED**

3. There was submitted a report by the Head of Planning and Regeneration advising of two Planning and Enforcement notice appeals which had been lodged with Scottish Ministers.

**Decided:** that the report be noted.

**NOTICE OF PLANNING AND ENFORCEMENT APPEALS DECISIONS**

4. There was submitted a report by the Head of Planning and Regeneration advising of two recent decisions in respect of Planning and Enforcement notice appeals.

**Decided:** that the report be noted.

**ANNEX**

**Application No:** 16/00698/PPP

**Applicant:** North Lanarkshire Council

**Development/Locus:** Residential development (in principle) with local retail/services and ancillary works including access roads, SUDs and landscaping, Forest Road, Abronhill, Cumbernauld

**Decision:** Grant

**Application No:** 19/00324/FUL

**Applicant:** North Lanarkshire Council

**Development/Locus:** Early Learning Centre and associated car parking - Site to West of 19 Centre Street, Chapelhall, Airdrie

**Decision:** Grant

**Application No:** 19/00353/FUL

**Applicant:** Sanctuary Homes

**Development/Locus:** Construction of Flatted Social Housing Development and Associated Infrastructure - Site at Burns Road, Kildrum, Cumbernauld

**Decision:** Grant

**Application No:** 19/00375/FUL

**Applicant:** North Lanarkshire Council

**Development/Locus:** Proposed Early Learning Centre and associated car parking - Site at Carbarns, Netherton, Wishaw

**Decision:** Grant

**Application No:** 19/00416/FUL

**Applicant:** Mr Daniel Smith

**Development/Locus:** Erection of two detached dwellinghouses - Site to North East of Macinnes Drive, Newarthill, Motherwell

**Decision:** Grant

**Application No:** 19/00509/FUL

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**Applicant:** North Lanarkshire Council

**Development/Locus:** Construction of 7 Dwelling Houses and 12 Flatted Dwellings. - Site at Berwick Street, Shawhead, Coatbridge

**Decision:** Grant

**Motherwell, 22 August 2019 at 10.05 am.**

A Meeting of the **LOCAL REVIEW BODY**

**PRESENT**

Councillor Shields, Convener; Councillors Anderson, Burgess, M. Coyle, Curran, Douglas, Farooq, Fotheringham, Goldsack, Graham, Logue, MacGregor, McLaren, McPake, A. McVey, H. McVey, Quigley, Stocks, Stubbs and Watson.

**CHAIR**

Councillor Shields (Convener) presided.

**IN ATTENDANCE**

Planning Assistant and Committee Officer.

**APOLOGIES**

Councillors Bonnar, S. Coyle, T. Johnston, Kelly and Reddin.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. The meeting noted that there were no declarations of interest.

**PLANNING APPLICATION 19/00102/FUL - TREE HOUSE WITHIN REAR GARDEN (IN RETROSPECT) – 21 IVANHOE CRESCENT WISHAW**

2. There were submitted (1) a Notice of Review of the decision taken by the Head of Planning and Regeneration, under delegated authority, to refuse Planning Application 19/00102/FUL for the construction of a tree house within the rear garden (in retrospect) at 21 Ivanhoe Crescent, Wishaw; (2) a Decision Notice and Report of Handling of the case by the appointed officer; (3) representations received from interested parties; (4) photographs and maps of the site location and (5) relevant excerpts from North Lanarkshire Local Plan HCF 1A (Residential Amenity) and DSP 4 (Quality of Development).

Thereon, having heard the Convener with regard to the request on behalf of the applicant, contained within the Notice of Review, that the review should be undertaken by way of one or more hearing sessions and following preliminary consideration of the matter before it, the Local Review Body determined, in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, that the review documents provided sufficient information to enable it to determine the review without any further procedure.

Thereon, the Local Review Body, having discussed and given consideration to the various submissions and representations, and, in particular, with regard to policy DSP 4 (Quality of Development) of the North Lanarkshire Local Plan, determined that the tree house was detrimental to the amenity by virtue of its incongruous, out of place and imposing appearance and its neither integrating successfully into the area nor relating well to the existing context.

Councillor Anderson, seconded by Councillor Douglas, moved that the application for planning permission be refused for the reasons previously determined by the Head of Planning and Regeneration.

Councillor Stubbs, seconded by Councillor M. Coyle, moved that the application for planning permission be granted.

On a vote being taken, 5 Members having voted for the amendment and 14 Members having voted for the motion, the motion was accordingly declared carried.

**Decided:** that the decision by the Head of Planning and Regeneration to refuse Planning Application 19/00102/FUL for the construction of a tree house within the rear garden (in retrospect) at 21 Ivanhoe Crescent, Wishaw be refused, as it was contrary to policy DSP 4 (Quality of Development) of the North Lanarkshire Local Plan because it was detrimental to the amenity by virtue of its incongruous, out of place and imposing appearance and its neither integrating successfully into the area nor relating well to the existing context.

**Motherwell, 26 August 2019 at 10 am.**

A Meeting of the **YOUTH, EQUALITIES AND EMPOWERMENT COMMITTEE**

**PRESENT**

Councillor Campbell, Convener; Councillor Woods, Vice-Convener; Councillors D. Ashraf, J. Ashraf, Carragher, Douglas, Fotheringham, Gallacher, Goldsack, Gourlay, Jones, MacGregor, Magowan, McManus, McNally, H. McVey, Morgan, Quigley, and Weir.

**ALSO PRESENT**

In accordance with Standing Order 64(A) Councillors Burgess and Logue attended as substitutes for Councillors Cameron and Feeney respectively.

**CHAIR**

Councillor Campbell (Convener) presided.

**IN ATTENDANCE**

The Head of Communities; Development Officer (Equalities); Community Partnership Managers; Financial Inclusion Manager; Development Officers (Information and Engagement), and Administrative Officer, North Lanarkshire Council; Chief Superintendent Alan Waddell, Superintendent Rob Hay and Local Authority Liaison Officer, Sergeant Erica Baillie, Police Scotland; Local Senior Officer Stephen Wright, and Local Authority Liaison Officer, Watch Manager, Paul Mathieson, Scottish Fire and Rescue Service, and Sarah Quinn, Chairperson, and Kayleigh Brady, Vice Chair, North Lanarkshire Youth Council.

**APOLOGIES**

Councillors Cameron, Feeney, Linden, Shevlin and Stephen.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. Councillors Jones and H. McVey, by virtue of their relationships to organisations listed within the report, declared an interest in paragraph 6, and took no part in the consideration thereof.

**POLICE SCOTLAND - PERFORMANCE REPORT**

2. There was submitted a report by Police Scotland (1) outlining policing performance and activity in North Lanarkshire; (2) focusing on the priorities contained within the Local Policing Plan, and advising that the priorities had been identified through consultation with partners and communities, and (3) providing statistical information on the performance of various priorities and objectives for the period 1 April to 30 June 2019 compared with the corresponding period from the previous year.

Chief Superintendent Alan Waddell then outlined the key points of note from each of the policing priorities and provided further detail on various aspects of the operational performance of Police Scotland in North Lanarkshire.

**Decided:** that the contents of the report be noted.

### **SCOTTISH FIRE AND RESCUE SERVICE - PERFORMANCE REPORT**

3. There was submitted a report by the Scottish Fire and Rescue Service (SFRS) on service delivery performance for the period April to June 2019 which provided statistical information on the various actions to be undertaken in terms of the SFRS Annual Operating Plan.

Local Senior Officer, Stephen Wright then outlined the performance of the Scottish Fire and Rescue Service in North Lanarkshire, during which he highlighted the improvements made in relation to certain actions and emphasised the effectiveness of partnership working undertaken to tackle issues that had impacted on performance during the period.

**Decided:** that the contents of the report be noted.

### **YOUTH WORK UPDATE**

4. There was submitted a report by the Head of Communities (1) presenting an update on recent youth work activities and developments; (2) providing a summary of recent key activities from the Youth Work Programme, and (3) setting out, in Appendix 1 to the report, an overview of the topics discussed at the Youth Summit held on 19 June 2019.

Thereon, (1) Sarah Quinn and Kayleigh Brady, NLYC, presented a summary of the key activities from the Youth Work Programme, including the North Lanarkshire Youth Council AGM held on 10 June, and (2) the Development Officers (Information and Engagement) presented an update covering recent youth work activities and developments, including an overview of the matters explored at the Youth Summit event held on 19 June 2019.

**Decided:**

- (1) that the contents of the report be noted, and
- (2) that a further report setting out the actions to be taken forward from the Youth Summit be considered at a future meeting of the Committee.

### **LOCAL DEVELOPMENT PROGRAMME**

5. There was submitted a report by the Head of Communities (1) outlining the key criteria for projects to be included in the Local Development Programme; (2) providing, in Appendix 1 to the report, an update on projects that had been agreed, in principle, at the seven Community Matters (Local Partnership) meetings held in May 2019, together with the projects recommended for approval, and (3) detailing the progress of the Participatory Budgeting Programme in Motherwell and Wishaw, including the development of an online voting and consultation platform through the newly launched Community Matters Portal.

**Decided:**

- (1) that the projects agreed in principle at the Community Matters meetings held in May 2019, as outlined in Appendix 1 to the report, be approved;
- (2) that it be noted that the progress of approved projects be reported to future meetings of the Committee, and
- (3) that a report on Participatory Budgeting be considered at the next meeting of the Committee.

Councillors' Jones and H. McVey, prior to the consideration of the following item of business, having declared an interest by virtue of their relationship to organisations contained within the report, took no part in the consideration thereof.

**GRANT AWARDS PROGRAMME 2019/20 AND COMMUNITY GRANTS ANNUAL REPORT 2018/19**

6. With reference to paragraph 9 of the Minute of the meeting of this Committee held on 29 April 2019, there was submitted a report by the Head of Communities (1) advising that the Grant Awards Programme provided support to community and voluntary organisations' contribution towards achieving outcomes included in The Plan for North Lanarkshire; (2) intimating (a) that the former Learning and Leisure Services Committee, at its meeting on 20 August 2013, had approved the arrangements for the introduction of the Grant Awards Programme, together with an associated scoring system against which all applications were assessed, and (b) that the Council, at its meeting on 21 February 2019, had approved a package of budget reductions which included a reduction in the Grant Awards Programme budget of 20%; (3) detailing, in Appendices 1 to 7 of the report, awards made through the 2018/19 Community Grants Scheme, totalling £186,522, and (4) providing, in Appendix 8 to the report, details of organisations which had requested discretionary funding from the 2019/20 Grant Awards Programme, together with recommendations for grant awards.

**Decided:**

- (1) that the details of the awards made through the 2018/19 Community Grants Scheme, as listed in Appendices 1 to 7 of the report, be noted, and
- (2) that the additional funding recommendations for the 2019/20 Grant Awards Programme, as outlined in Appendix 8 of the report be approved.

**FINANCIAL INCLUSION SERVICE ACTIVITY REPORT 2018/19**

7. There was submitted a report by the Head of Communities (1) providing details of the income maximisation work carried out by the Council's Financial Inclusion Service during 2018/19 which had generated £35,368,140 in additional benefit income for the residents of North Lanarkshire; (2) setting out statistical information in relation to (a) the success rate for Social Security Appeal Tribunals by the Financial Inclusion Team; (b) Money Advice (Debt), and (c) customer satisfaction; (3) highlighting the activity of external services commissioned by the Council which had generated £5,736,534 in additional benefit income for the residents of North Lanarkshire, and (4) setting out the challenges that the Council and partners would face over the following three to four years, in respect of the ongoing UK welfare reform changes, as well as the new Social Security powers which lie with the Scottish Government and came into effect in 2016.

**Decided:**

- (1) that the contents of the report be noted, and
- (2) that the report be remitted to the Integration Joint Board and the Finance and Resources Committee for information.

**EQUALITY STRATEGY 2019-2024**

8. There was submitted a report by the Head of Communities (1) outlining the background to the Equality Strategy 2019-2024, which underscored the Council's commitment to equality and human rights and set out an approach that ensured that equality was embedded within the everyday work of the Council through five key underpinning objectives for success; (2) setting out, within Appendix 1 to the report, the North Lanarkshire Equality Strategy 2019-2024; (3) advising that, as with all Council

strategies, performance would be measured using the Strategic Self Evaluation Framework, thus supporting the Council to not only assess the success of the strategy on an ongoing basis, but also to facilitate improvement, and (4) recommending (a) that the Equality Strategy 2019-2024 be endorsed, and (b) that the Equality Strategy 2019-2024 be referred to the Policy and Strategy Committee for approval.

**Decided:**

- (1) that the Equality Strategy 2019-2024 be endorsed, and
- (2) that the Equality Strategy 2019-2024 be referred to the Policy and Strategy Committee for approval.

**PROGRAMME OF WORK (PO58) DISABILITY CONFIDENT LEADER - EMPLOYER ACCREDITATION PROGRAMME**

9. There was submitted a report by the Head of Communities (1) informing of the progress made by the Council as a Disability Confident Leader, and that reaccreditation would be applied for in March 2020; (2) intimating that in March 2017 the Council had been successful in achieving Disability Confident Leader status, one of only two Scottish Local Authorities to do so; (3) advising that the purpose of the Disability Confident Employer Accreditation Programme was to assist employers in recruiting, developing and retaining disabled people and those with long-term health conditions; (4) outlining the three levels contained within the Disability Confident Programme – Level 1: Committed; Level 2: Employer, and Level 3: Leader; (5) detailing the work to date in relation to the Council's commitments and ongoing work to ensure that the Council's status as a Disability Confident Leader was maintained.

**Decided:** that the contents of the report be noted.

**PROGRAMME OF WORK (PO57) COMMUNITY ENGAGEMENT REVIEW AND FRAMEWORK**

10. There was submitted a report by the Head of Communities (1) outlining the progress in reviewing and developing a more streamlined approach to community participation and empowerment; (2) providing, in Appendix 1 to the report, a draft Working with Communities Framework that had been developed to underpin and deliver a more co-ordinated approach to engaging communities and supporting the delivery of The Plan for North Lanarkshire with communities and community planning partners; (3) advising that the work reflected not only the strategic context for the Council and community planning partners but also the requirements of key national drivers for community empowerment, including the recently published Principles for Community Empowerment prepared by Audit Scotland, attached as Appendix 2 to the report; (4) intimating that, following endorsement of the key principles governing the draft Working with Communities Framework, the next step was to develop an associated implementation plan, linked to The Plan for North Lanarkshire Programme of Work, that would incorporate consultation with communities and community planning partners to inform the approach thus ensuring further development to reflect partnership priorities and support of the shared delivery of The Plan for North Lanarkshire.

**Decided:**

- (1) that the draft Working with Communities Framework and approach outlined within the report be endorsed, and that the future development of an associated delivery plan linked to The Plan for North Lanarkshire Programme of Work be agreed;

- (2) that discussion with community planning partners to inform the approach to community participation and empowerment, ensuring further development to reflect partnership priorities and support the shared delivery of The Plan for North Lanarkshire be supported, and
- (3) that regular progress reports on the implementation of the Working with Communities Framework be received.

#### **CAMPSIES CENTRE (CUMBERNAULD) LTD - DISSOLUTION AND ASSET TRANSFER UPDATE**

11. With reference to paragraph 21 of the Minute of the meeting of the former Infrastructure Committee held on 2 May 2018, when inter alia the dissolution of the Campsies Centre (Cumbernauld) Ltd (CCCL) was approved, and it was agreed that the net assets at the time of transfer and the future income be earmarked for allocation to projects within the Cumbernauld boundaries, there was submitted a report by the Head of Communities (1) outlining the current status of the dissolution of CCCL; (2) detailing, in Appendix 1 to the report, a list of projects totalling £1,801,309, commended by the Company's Board of Directors for progression and financial assistance, post company dissolution; (3) advising that, subject to finalisation of the projects listed in Appendix 1, and after settlement of CCCL debts and liabilities, the remaining budget, summarised in Appendix 2 to the report, transfer to the Council for management and disbursement to projects, within the Cumbernauld boundaries, which make a contribution to The Plan for North Lanarkshire; (4) recommending (a) that the budget be held by the Head of Communities to enable projects/funding proposals to be considered within the context of the Council's wider funding programmes, participatory budgeting proposals and Local Development Programme activity within the Cumbernauld boundaries and (b) that future projects be subject to assessment in line with the arrangements currently in place for the Grant Awards Programme and the Capital Programme Project ranking and selection methodology to ensure compliance with Following the Public Pound requirements and consistency of approach across Council funding programmes, and (5) proposing that, following assessment, details of individual projects and recommendations, in relation to potential funding awards from the budget, be submitted to this Committee for consideration.

#### **Decided:**

- (1) that the current status of the dissolution of Campsies Centre (Cumbernauld) Limited be noted;
- (2) that it be noted that, after the settlement of CCCL debts and liabilities, the remaining balance would transfer to the Council for management and disbursement to projects, within the Cumbernauld boundaries, which are making a contribution to The Plan for North Lanarkshire;
- (3) that it be agreed that the balance will sit within the Head of Communities' budget to enable funding considerations to be taken within the context of the Council's wider funding programmes, and that it be further agreed that any such projects are subject to assessment by Council Officers in accordance with existing procedures for grant award funding and the capital programme;
- (4) that the projects commended for funding by the Company's Board of Directors, as listed in Appendix 1 to the report, be approved, subject to full financial and governance scrutiny via the procedures outlined in the report, which the Council will fulfil in consideration of each project, and
- (5) that it be agreed that further potential funding allocations from this budget be considered at future meetings of the Committee.

#### **COMMUNITY ASSET TRANSFER AND PARTICIPATION REQUESTS - ASSESSMENT CRITERION**

12. There was submitted a report by the Head of Communities (1) summarising the background to the Community Empowerment (Scotland) Act 2015, which placed a statutory duty on local authorities and

other public sector agencies to develop a clear process for supporting community participation and ownership; (2) providing an overview of progress made in the establishment of the North Lanarkshire Council Community Asset Transfer and Participation Request process; (3) setting out, within Section 2.3 and Appendix 1 of the report, proposed scoring and discount criteria and decision making mechanism for governing Community Asset Transfer requests; (4) highlighting priority improvement actions, including the active marketing of Council assets for transfer linked to the Asset Management Plan, that required to be implemented during the remainder of 2019/20 to ensure that the pace of the programme was in line with the expectations of the community and the ambitions set out in The Plan for North Lanarkshire, and (5) advising that support was currently being provided to 42 community organisations following expressions of interest in Community Asset Transfer, with an overview of progress contained in Appendix 2 to the report.

**Decided:**

- (1) that the progress made in the establishment of the Community Asset Transfer and Participation Request process be noted;
- (2) that the decision making, scoring and discount criteria governing Community Asset Transfer, as set out in Section 2.3 and Appendix 1 of the report, be approved, and
- (3) that the improvement actions outlined in Section 3.1 of the report, including the active marketing of Council assets for transfer linked to the Asset Management Plan, be noted.

**COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 - COMMUNITY ASSET TRANSFER AND PARTICIPATION REQUESTS ANNUAL REPORT 2018/19**

13. There was submitted a report by the Head of Communities (1) advising that section 95 of the Community Empowerment (Scotland) Act 2015 required every relevant authority to publish an annual report setting out the number of asset transfer requests received and their outcomes; (2) setting out, in Appendix 1 to the report, details of the Community Asset Transfer enquiries which had been received from groups and organisations as at 1 April 2019; (3) advising (a) that two organisations had successfully completed full transfer of ownership; (b) that discussions were currently taking place with 22 organisations regarding property leases; (c) that a number of groups and organisations were receiving support from the Service to develop their capacity, and (d) that five organisations had also registered Participation Requests; (4) intimating (a) that the Online Portal for Community Asset Transfer and Participation Requests went live in August 2019, and (b) that an interactive list of Council properties had been published on the Council website, and (5) outlining, in Appendix 2 to the report, the Community Asset Transfer and Participation Requests Improvement Plan, which set out priority approaches and actions to promote the use of asset transfer requests and support community asset transfer bodies to make requests.

**Decided:**

- (1) that the number of asset transfer requests, requests agreed, whether they resulted in transfer of ownership, lease or conferral of other rights, requests refused, number of appeals, and number of decisions made by the Council that had been reviewed and the level of capacity building support being provided to groups and organisations engaged in the process be noted;
- (2) that the publication of the annual report be noted, and
- (3) that the priority approaches and actions, outlined in Appendix 2 of the report, to promote the use of asset transfer requests and support community asset transfer bodies to make requests be supported.

**PROGRAMME OF WORK (PO55) COMMUNITY ASSET MAPPING**

14. There was submitted a report by the Head of Communities (1) outlining the background to the Community Asset Mapping process that underpinned delivery of elements of The Plan for North Lanarkshire through assessing and building on existing community strengths; (2) setting out, within the report, the Community Asset Mapping methodology to achieve clear community empowerment in order to ensure that all communities understand their capacity to support decision making around key investment/disinvestment and alternative delivery models in line with The Plan for North Lanarkshire, and (3) recommending that the Community Asset Mapping Guidance, outlined in Appendix 1 to the report, be approved.

**Decided:**

- (1) that the Community Asset Mapping methodology, as set out in Section 2 of the report, be noted, and
- (2) that the Community Asset Mapping Guidance, outlined in Appendix 1 of the report, be approved.

**ACCESS TO FREE SANITARY PROVISION - IMPLEMENTATION PLAN**

15. With reference to paragraph 13 of the Minute of the meeting of this Committee held on 29 April 2019, there was submitted a report by the Head of Communities (1) providing an update on progress with the expansion of access to free sanitary products to public buildings and community outlets throughout North Lanarkshire; (2) advising that provision had initially been rolled out across 93 venues, with products being made available at all venues from the end of July 2019; (3) listing, in Appendix 1 to the report, the Community Access Points currently providing access to sanitary products; (4) intimating that significant work had been carried out across key Council Services and third sector agencies to (a) ensure availability to communities across North Lanarkshire, targeted at enabling access for those experiencing the highest levels of inequality, poverty and vulnerability, and (b) establish links with local community groups to plan and implement the delivery approach, and (5) informing that an evaluation of the geographical spread and uptake would be carried out to ensure that the scheme was appropriately targeted to reflect need and demand.

**Decided:**

- (1) that the significant work carried out to date across key Council Services and partner agencies to implement the delivery model be noted, and
- (2) that a report, analysing the success of the initial phase of the implementation plan, from a community perspective, be considered at a future meeting of the Committee.

**Motherwell, 28 August 2019 at 2 pm.**

A Meeting of the **ENVIRONMENT AND TRANSPORTATION COMMITTEE**

**PRESENT**

Councillor McPake, Convener; Councillor Reddin, Vice-Convener; Councillors Anderson, J. Ashraf, Cochrane, Cullen, Docherty, Douglas, Goldie, Gourlay, Lennon, Logue, McManus, McNeil, Stocks, Weir, Wilson and Woods.

**ALSO PRESENT**

In accordance with Standing Order 64(A), Councillors Pettigrew, Fisher, H. McVey and Curran attended as substitutes for Councillors Di Mascio, Duffy, Fannan and Roarty respectively.

**CHAIR**

Councillor McPake (Convener) presided.

**IN ATTENDANCE**

Head of Environmental Assets; Head of Regulatory Services and Waste Solutions; Business Manager (Environmental Asset Maintenance), and Committee Officer.

**APOLOGIES**

Councillors Carragher, Di Mascio, Doolan, Duffy, Fannan, Roarty and Annette Valentine.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor McPake declared an interest in paragraph 11 by virtue of his appointment as a Member of Amey Public Services LLP, left the meeting and took no part in the determination of the item.

**The Convener exercised his discretion to vary the order of business as hereinafter minuted.**

**UPDATE ON WASTE SOLUTIONS SERVICE AND DEPOT RATIONALISATION**

2. There was submitted a report by the Head of Regulatory Services and Waste Solutions (1) confirming that the Fleet, Waste and Land Services divisions currently occupied ten separate depot facilities throughout the North Lanarkshire area; (2) intimating that, following a review of the depot facilities and the service delivery model, it was determined that a superior service could be achieved through the rationalisation of the depots, which could also deliver an overall financial saving for the Council; (3) setting out (a) the current and proposed depot facilities included in the overall rationalisation exercise, and (b) the steps being taken in order to rationalise the depot facilities, which would result in an overall reduction in the number of depots from ten to four; (4) highlighting (a) that the overall capital costs associated with the rationalisation exercise were estimated at £1.417m, with funding available from the Community Investment Fund in relation to the capital cost implications, and (b) that it was anticipated that the rationalisation exercise would result in an overall annual revenue saving of £250,000 and a potential capital receipt to the Council of around £3m; (5) advising (a) that there was a legal obligation, in respect of any premises which produced waste, to have an appropriate Duty of Care certificate, which proved that the waste was being removed by the contractor and disposed of in an appropriately licensed facility; (b) that Waste Services currently provided the Duty of Care

certificate free of charge to all customers, which was not in keeping with similar services provided by the private sector, and (c) that it was proposed, as of 1 April 2020, to introduce an annual fee of £30 for this document, with the exception of the 200 charities who received this service and would continue to receive the documentation free of charge; (6) detailing (a) the results and proposed next steps in relation to the review of assisted bin pull-outs, and (b) the current recycling performance and proposed steps in order to increase overall recycling levels, and (7) providing an update on the Clyde Valley Residual Waste Contract.

Councillor Goldie, seconded by Councillor Anderson, moved, as an amendment, that the recommendations contained within the report be revised as follows:-

- (1) This Committee requests a Moratorium on the depot rationalisation (page 34, 2.1.1) until a Special Meeting of the Environment and Transportation Committee in which detailed reports on the proposed rationalisation, the impact on changes to the bin pull-out services, the Council's recycling plans, including access to recycling centres and recycling within high rise properties;
- (2) Approves the introduction of an annual £30 charge for Duty of Care documentation;
- (3) Notes the current recycling performance of the Council and the current and future factors which are influencing this, and
- (4) Requests a review of the Clyde Valley Waste Plan and its benefits to this Authority.

The Convener determined that in terms of Standing Order No. 31 the Amendment was not competent. Thereafter, the Convener moved the recommendations as detailed in the report.

**Decided:**

- (1) that the steps being taken in order to rationalise the depot facilities across the Council be noted;
- (2) that the availability of funding through the Community Investment Fund, in order to support the rationalisation of depot facilities, be noted;
- (3) that the introduction of an annual £30 charge, effective as of 1 April 2020, for Duty of Care documentation be approved;
- (4) that the current recycling performance of the Council, and the current and future factors influencing the performance, be noted;
- (5) that the actions being taken or to be taken, as outlined in the report, in order to increase the overall recycling levels be approved, and
- (6) that it be noted that a further report would be submitted to a future meeting of the Committee, outlining the progress in relation to additional partnership working with other Local Authorities and the development of the Auchinlea facility.

**DEPOSIT RETURN SCHEME**

3. There was submitted a report by the Head of Regulatory Services and Waste Solutions (1) advising that the Scottish Government was proposing the introduction of a Deposit Return Scheme (DRS) in order to improve recycling rates, reduce litter in Scotland and help to tackle climate change; (2) highlighting (a) that DRS's were used across the world as a way to encourage more people to recycle drinks containers, such as bottles and cans, and (b) that the DRS process charged those who bought a drink in such a container a small deposit for the can or bottle, with the deposit returned when

the bottle or can was returned to a collection point to be recycled, and (3) outlining (a) how the DRS would work in Scotland, and (b) the potential impact that the scheme would have on the Council.

**Decided:** that the proposed introduction of the DRS, and the potential impact that the scheme would have on the Council, be noted.

#### **URBAN GULLS - CONTROL OPTIONS**

4. With reference to paragraph 8 of the Minute of the meeting of the Council held on 4 April 2019, there was submitted a report by the Head of Regulatory Services and Waste Solutions (1) presenting the problems associated with urban gulls; (2) intimating (a) that all species of gulls were protected under the Wildlife and Countryside Act 1981, and (b) that it was illegal to injure or kill any gull or damage/destroy any active nest or its contents, unless a specific licence was granted for that purpose by Scottish National Heritage; (3) detailing that one of the most common control measures was licensed nest and egg removal or oiling of eggs, although this approach was expensive and there was little evidence to suggest that it was effective in reducing the overall gull population in a specific area; (4) advising (a) that the Council's Environmental Health Service had contacted community organisations in Carbrain and associated areas of Cumbernauld, who appeared to be most affected by gull nuisance; (b) that two responses had been received during the consultation period, which indicated that the problems associated with gulls were being made worse by residents feeding the birds or the gulls obtaining a food source from litter or incorrect waste storage, and (c) that there was no legislation to prohibit the feeding of gulls, although it was recommended that residents refrain from doing so, and ensure that there were no available food source, and (5) confirming (a) that the Council had produced an information leaflet for residents and businesses, a copy of which was appended to the report, and was available on the Council website, providing information in respect of the presence of urban gulls and what could be done to reduce their prevalence across the local area, and (b) that the Environmental Health Service planned to review and update this information to reflect current advice and guidance, which would then be relaunched across the Council's website and social media channels.

**Decided:**

- (1) that the content of the report be noted;
- (2) that the legal restrictions in place concerning the control of seagulls be noted;
- (3) that it be noted that the costs involved in the Council undertaking works in an attempt to reduce the gull population were prohibitive, and
- (4) that the actions and recommendations, as detailed in the report, in order to mitigate the problem of urban gulls, including the relaunch of public information on the control of the gull population, be endorsed.

#### **REVIEW OF STRATEGY FOR THE INSPECTION OF CONTAMINATED LAND 2019/24**

5. There was submitted a report by the Head of Regulatory Services and Waste Solutions (1) providing, in Appendix 1 to the report, a copy of the 'Review of Strategy for the Inspection of Contaminated Land 2019/24'; (2) advising that the inspection strategy (a) reflected the overall strategic direction and ambitions of the Council, and (b) formed part of the larger regeneration toolkit employed by the Council; (3) intimating (a) that the Council was one of only five local authorities in Scotland which received funding in respect of the extent of vacant and derelict land and associated levels of deprivation in the area, and (b) that, over the period 2018 to 2019, the Council would receive a portion of the £9.444m available from the Vacant and Derelict Land Fund (VDLF), in order to support and implement the objectives of the VDLF; (4) highlighting (a) that, alongside the remediation of land, a key purpose of the strategy was preventing the deterioration of the water environment, including the

drinking water resource; (b) that the Council wished to improve the condition of water bodies and protected areas that were not in a 'good' or 'excellent' condition, as defined by the Scottish Environment Protection Agency (SEPA) River Classification, and (c) in, Appendix 2 to the report, a note of the current SEPA River Classification for the rivers in North Lanarkshire; (5) setting out the Council's priorities when dealing with contaminated land and the aims and objectives of the strategy in order to deliver on these priorities, and (6) confirming that it was intended that the strategy be reviewed every five years, unless a change in legislation or other external factors necessitated an earlier review.

**Decided:**

- (1) that the content of the report be noted, and
- (2) that the 'Review of Strategy for the Inspection of Contaminated Land 2019/24', as outlined in Appendix 1 to the report, be endorsed and approved.

**FLEET PROCUREMENT - VEHICLE CONTRACTS**

6. There was submitted a report by the Head of Regulatory Services and Waste Solutions (1) advising that the Executive Director (Enterprise and Communities), under delegated authority, had approved the award of two call-off contracts for the purchase of 166 vehicles; (2) intimating that (a) the first contract was for the supply and delivery of cars, with a total value of £681,340.32, and (b) the second contract was for the supply and delivery of light medium vehicles, with a total value of £3,214,356.28, and (3) detailing the suppliers to whom the contracts had been awarded.

**Decided:** that the actions of the Executive Director (Enterprise and Communities), under delegated authority, to award the contracts, for the supply and delivery of cars and light medium vehicles, to the suppliers detailed in the report be noted.

**WINTER SERVICE POLICY AND PROCEDURES 2019/20**

7. There was submitted a report by the Head of Environmental Assets (1) presenting, in the Appendix to the report, details of the proposed Winter Service Policy and Procedures 2019/20; (2) advising that the Council had an obligation under the Roads (Scotland) Act 1984 to take such steps as it considered reasonable to prevent snow and ice endangering the safe passage of pedestrians and vehicles over public roads; (3) highlighting that this obligation was discharged through the Council's Term Maintenance Contract with Amey Public Services Limited Liability Partnership, and (4) intimating that, in order to ensure that this obligation was met, the Council was required to undertake an annual review of its processes and procedures.

Councillor Goldie, seconded by Councillor Anderson, moved, as an amendment, that additional priorities be added to the Primary Path Network, as detailed in the Winter Service Policy Procedures 2019/20 appended to the report and, specifically, page 12 of the agenda:-

"Footpaths around sheltered housing complexes and health facilities should be treated as priorities, be added to the Primary Path Network, in addition to the current footway, footpath and cycle route priorities. They should be treated on a precautionary salting/gritting basis."

The Convener determined that in terms of Standing Order No. 31 the amendment was not competent. Thereafter, the Convener moved the recommendations as detailed in the report.

**Decided:**

- (1) that the content of the report and Appendix be noted, and

- (2) that the Winter Service Policy and Procedures 2019/20, as detailed in the Appendix to the report, be agreed as the basis for winter service delivery in the coming year.

#### **SCOTTISH WATER SECTION 7 - MEMORANDUM OF UNDERSTANDING**

8. There was submitted a report by the Head of Environmental Assets (1) providing background information with regard to the adoption of a Memorandum of Understanding (MOU) between North Lanarkshire Council and Scottish Water; (2) advising that the purpose of the MOU was to provide a framework to enable Scottish Water and local authorities to work together to specify maintenance responsibilities for shared drainage systems constructed as part of new developments, known as a Section 7 Agreement under the Sewerage (Scotland) Act 1968, and (3) highlighting (a) the type of maintenance that the Council would be expected to undertake as part of the Section 7 Agreement, and (b) that the funding for maintenance of sites with a Section 7 Agreement may result in additional pressure on the Council's budget.

**Decided:**

- (1) that the content of the report be noted;
- (2) that it be agreed to adopt the MOU between the Council and Scottish Water, with regard to the ability to enter into individual Section 7 Agreements;
- (3) that it be noted that funding for maintenance sites with a Section 7 Agreement may result in additional pressure on the Council's budget, although continued maintenance of these sites was essential to reduce the risk of localised flooding, and
- (4) that the current position in North Lanarkshire in relation to the legacy surface water drainage systems be noted.

#### **ENVIRONMENTAL IMPROVEMENT TASKFORCE**

9. There was submitted a report by the Head of Environmental Assets (1) seeking approval for the formation of an Environmental Improvement Taskforce, for an initial six-month period (October 2019 to March 2020) to resource the litter picking of verges and community deep cleans; (2) advising that it was proposed to form three teams of four operatives based in the North, Central and South areas, and (3) highlighting (a) that the cost for the establishment of the three teams was £491,000 per annum, with a cost of £245,000 to establish the teams during the initial six month period, and (b) that the additional costs would be accommodated through the Change Management Fund for 2019/20, and thereafter would be addressed through the Council's budget setting process.

**Decided:** that the formation of an Environmental Improvement Task Force, for an initial six month period commencing in October 2019 through to March 2020, in order to resource the litter picking of verges and community deep cleans, be approved.

#### **CONTRACTS AWARDED BELOW COMMITTEE APPROVAL THRESHOLD**

10. There was submitted a report by the Head of Asset and Procurement Solutions providing, in the Appendix to the Report, details of contracts which had been awarded by the Head of Asset and Procurement Solutions, under delegated authority, during the period from 1 April to 30 June 2019.

**Decided:** that the content of the report and Appendix be noted.

Councillor McPake, prior to consideration of the following item of business, declared an interest by virtue of his appointment as a Member of Amey Public Services LLP, left the meeting and took no part in the determination of the item.

Councillor Reddin assumed the Chair.

**AMEY PUBLIC SERVICES LLP: OPERATIONAL AND FINANCIAL PERFORMANCE MONITORING REPORT FOR YEAR END 2018/19 AND YEAR 8 BEST VALUE REVIEW OUTCOME**

11. With reference to paragraph 11 of the Minute of the meeting of the former Policy and Resources Committee held on 6 December 2018, when it was agreed that the Head of Environmental Assets conduct a market testing exercise to demonstrate that option 3(a) represented best value for the Council, there was submitted a report by the Head of Environmental Assets (1) outlining Amey Public Services Limited Liability Partnership's (APS LLP) performance against its business objectives and Council priorities for year ending 2018/19, service delivery highlights over the previous six months, and financial performance as at 31 December 2018; (2) advising that, in terms of the Review, the Head of Environmental Assets had conducted a market testing exercise to identify whether amending some of the existing contract rates and prices for a term beyond 2021 would be more beneficial to the Council than ceasing the contract at its natural termination date; (3) highlighting (a) the process undertaken in relation to the benchmarking exercise; (b) that the market testing exercise had been completed, which indicated that extending the existing contract did represent best value to the Council; (c) that of the 2,745 items contained in the contract schedule of rates, agreement had been reached on the amendment of 114 of these items, and (d) that, as a result of this exercise, the existing contract would be extended up to June 2024, as per previous approval granted by the former Policy and Resources Committee on 6 December 2018, and (4) intimating (a) that work was currently underway with APS LLP to determine where the partnership was contributing to The Plan for North Lanarkshire and the associated Programme of Work, and (b) that the outcome from this exercise, and future reporting arrangements, would be presented to Committee in due course.

**Decided:**

- (1) that APS LLP's operational performance for 2018/19, along with the service delivery highlights over the previous six months, be noted;
- (2) that APS LLP's financial performance as at 31 December 2018 be noted;
- (3) that the market testing exercise, which demonstrated that amending APS LLP's rates provided value for money for the Council, be noted;
- (4) that it be noted that, as a result of the market testing exercise, the existing contract would be extended to June 2024, as per the previous approval given by the Policy and Resources Committee on 6 December 2018, and
- (5) that the work underway to encapsulate APS LLP's contribution to The Plan for North Lanarkshire and the associated Programme of Work be noted.

**Motherwell, 29 August 2019 at 10 am.**

A Meeting of the **ADULT HEALTH AND SOCIAL CARE COMMITTEE**

**PRESENT**

Councillor Morgan, Convener; Councillor McCulloch, Vice-Convener; Councillors Baird, Barclay, Burgess, Cameron, Docherty, Fisher, Gourlay, C. Johnston, Kerr, Magowan, McKendrick, McNally, McPake, O'Rourke, Pettigrew, Watson and Weir.

**ALSO PRESENT**

In accordance with Standing Order 64(A) Councillor McManus attended as a substitute for Councillor Di Mascio.

**CHAIR**

Councillor Morgan (Convener) presided.

**IN ATTENDANCE**

The Head of Children and Families and Justice Social Work Services; Chief Officer, Health and Social Care; Interim Head of Adult Social Work Services; Interim Head of Planning Performance and Quality Assurance; Business Finance Manager (Strategy) and Democratic Services Manager.

**APOLOGIES**

Councillors Carragher, Di Mascio, Fannan, Feeney, A. McVey and Stephen.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor Cameron, by virtue of a family member's involvement in testing the new Community Alarm system, declared an interest in paragraph 5 but considered that the interest was so remote that it did not preclude his participation in consideration of the matter.

**APPOINTMENT OF CHIEF OFFICER , HEALTH AND SOCIAL CARE PARTNERSHIP**

2. There was submitted a report by the Head of People and Organisational Development advising on the recent appointment of Ross McGuffie as Chief Officer, Health and Social Care Partnership.

**Decided:** that the report be noted.

**FIRST POINT OF CONTACT**

3. There was submitted a report by the Interim Head of Adult Social Work Services (1) providing an update on the development of a North Lanarkshire Health and Social Care Partnership First Point of Contact (FPOC); (2) informing that the development of the FPOC will take account of feedback from

service users and carers, to provide a simpler way of contacting services; (3) advising that, in June 2018, a FPOC Steering Group had been established to bring together key staff and stakeholders to take forward the key pieces of work; (4) detailing that the proposals had been formulated in the context of the Health and Social Care Partnership Strategic Plan, Commitment of Inequality Prevention and Anticipatory Care, Primary Care Transformation, and the Mental Health Strategy; (5) advising that the development of the FPOC is in line with priority areas of strategic development and within the Integration Review Implementation Plan; (6) outlining that the project management, development and testing of innovative approaches may require additional short term funding, and (7) stating that a progress report would be submitted to the next meeting of the Committee.

**Decided:** that the report be noted.

#### **DEVELOPMENT OF THE INTEGRATED REHABILITATION TEAMS**

4. There was submitted a report by the Interim Head of Adult Social Work Services (1) informing of the roll out of rehabilitation teams across all localities in North Lanarkshire; (2) detailing the background relative thereto; (3) outlining the roles of rehabilitation teams, their operational structure and reporting lines following the outcome of an integration review; (4) providing a six monthly performance update following the implementation of integrated rehabilitation teams; (5) detailing that the Integrated Operational Group are to undertake a review with a view to agreeing a sustainable model, taking into account leadership and administrative support, and (6) outlining the implications associated with the development of rehabilitation teams.

**Decided:** that it be noted that a process is to be put in place to agree a sustainable model, taking into account leadership, administrative support, an appropriate skill mix and identification of clear professional governance through the Integrated Operational Group.

**Councillor Cameron, prior to the consideration of the following item of business, having declared an interest, by virtue of a family members involvement in testing the new Community Alarm System, had further declared that the interest was so remote that it did not preclude his participation in the consideration of this matter.**

#### **HOME SUPPORT IMPLEMENTATION PLAN**

5. With reference to paragraph 5 of the Minute of the meeting of this Committee held on 9 May 2019, there was submitted a report by the Interim Head of Adult Social Work Services (1) providing an update on the development of the new model of Home Support; (2) informing that Home Support is to be transformed in North Lanarkshire, fitting the aspirations for a One North Lanarkshire; (3) detailing the aim to have the management of Home Support located in a central base by February 2020 and using electronic dynamic scheduling to increase efficiencies and capacity in both management and service delivery; (4) intimating that the proposal for the Home Support Service be established in two parts, namely Assessment and Planning and Long Term Service Delivery; (5) highlighting that a report on the further development of the Community Alarm Service within the Home Support redesign had been approved by the Integration Joint Board on 12 June 2019; (6) outlining the HR implications to the Council; (7) summarising the community and action plans, and (8) enclosing, within the appendices to the report, a number of documents supporting the information contained within the narrative to the report.

During consideration of the report, a concern was expressed that more detail was required on the proposals. In response, the Convener confirmed that further information would be brought to the Committee before a final decision was made on this matter.

**Decided:**

- (1) that the report be remitted to the Integration Joint Board for consideration;
- (2) that a progress report be submitted to a future meeting of this Committee, and
- (3) that the report be otherwise noted.

**ADULT HEALTH AND SOCIAL CARE PERFORMANCE REPORT - QUARTER 4 2018/19**

6. There was submitted a report by the Chief Officer, Health and Social Care (1) outlining the performance data for the period 1 January to 31 March 2019 (Quarter 4) and associated trend information, as detailed in Appendix 1 to the report, and (2) advising of the areas identified for improvement and planned actions, as detailed in Appendix 2 to the report.

**Decided:** that the report be noted.

**MENTAL HEALTH STRATEGY AND MENTAL HEALTH OFFICER SERVICE DELIVERY**

7. With reference of paragraph 4 of the Minute of the meeting of this Committee held on 9 May 2019, there was submitted a report by the Interim Head of Adult Social Work Services (1) providing an update on the proposals for the Mental Health Officer (MHO) Service and the Mental Health Practitioner Trainee Scheme in North Lanarkshire; (2) highlighting the Out of Hours MHO Service provision; (3) outlining three alternative options for the preferred MHO Service Model in order to maximise the current MHO Resource and to respond flexibly and judiciously to statutory demand; (4) summarising available options to provide a more sustainable structure for the MHO Service Out of Hours, and (5) detailing a pilot scheme for the Mental Health Trainee Practitioner Scheme.

**Decided:**

- (1) that the development of the MHO Service be taken forward in tandem with the NL Health and Care Partnership Integration Review and be aligned, with agreed changes to organisational structure, in consultation with partners;
- (2) that option 3 comprising North and South teams, outlined within the report, be agreed as a preferred MHO Service Model;
- (3) that the commitment and proposal for the Mental Health Trainee Practitioner Scheme and Service Improvement be agreed, in principle;
- (4) that the options proposed, in principle, for restructuring the MHO Out of Hours Service, complementing the remodelling of the day time MHO Service, be agreed, and
- (5) that the report be otherwise noted.

**NORTH LANARKSHIRE (ADULT SOCIAL CARE & HOUSING) REVENUE MONITORING REPORT  
PERIOD 4 - 1 APRIL TO 19 JULY 2019**

8. There was submitted a report by the Interim Head of Adult Social Work Services (1) providing a summary of the financial performance of the Health and Social Care Partnership (H & SCP) North Lanarkshire (Adult Social Care and Housing) for the period 1 April to 19 July 2019 (Period 4) with major outturn variances highlighted and explained in accordance with the Council's approved financial regulations; (2) reporting the projected outturn as at 31 March 2020; (3) highlighting that the 2019/20

budget reflects a transfer of activities linked to Children and Families, and Justice Services to the Council's Education and Families Directorate.

**Decided:** that the report be noted.

#### **SOCIAL WORK CAPITAL MONITORING REPORT FOR PERIOD 4 (1 APRIL TO 19 JULY 2019)**

9. There was submitted a report by the Interim Head of Adult Social Work Services (1) advising of the overall projected financial position for the Social Work Capital Programme 2019/20 for the period from 1 April to 19 July 2019; (2) providing an update on the financial performance of the Social Work Capital Programme for that period, and (3) detailing, in the appendix to the report, the projected financial position.

**Decided:** that the financial position for the 2019/20 Social Work Capital Programme be noted.

#### **SUNDRY DEBT WRITE OFF 2019**

10. There was submitted a report by the Head of Children, Families and Justice Social Work Services (1) summarising the outstanding debtor accounts which were deemed uncollectable, following all attempts at recovery, or were considered uneconomically viable to continue pursuing; (2) advising that the Head of Financial Solutions, in terms of her delegated authority, had written off debts under £500, amounting to £14,513.62, and (3) seeking approval to write off debts greater than £500, amounting to £44,460.91.

**Decided:**

- (1) that the decision of the Head of Financial Solutions, under delegated authority, to write off debts under £500, totalling a net figure of £14,513.62, be noted;
- (2) that the write off of £44,460.91, which included debts greater than £500, be approved, and
- (3) that the report be remitted to the Finance and Resources Committee.

#### **AIDS FOR DAILY LIVING FRAMEWORK AGREEMENT**

11. There was submitted a report by the Interim Head of Planning, Performance and Quality Assurance (1) seeking approval to appoint eight contractors, as detailed within the report, to a framework agreement for Aids for Daily Living; (2) outlining that the framework agreement is divided into eight lots; (3) advising that the framework has an initial period of three years, anticipated to commence on 1 October 2019, with the option to extend for an additional year; (4) informing that the estimated total value of the framework is £2,800,000 including the option to extend, and (5) intimating that the recommendation followed the completion of a procurement exercise, where the tenders recommended for contract award had been evaluated as the most economically advantageous tenders in terms of cost and quality for the Council.

**Decided:** that the appointment of eight contractors for eight lots, as detailed within the report, to the Aids for Daily Living Framework be approved.

**CONFERENCE**

12. There was submitted a report by the Head of Legal and Democratic Solutions advising of action taken, under delegated authority, following consultation with the Convener, to arrange the attendance of one Member at a conference entitled “The Annual Social Work Conference 2019” which took place on 12 and 13 June 2019 in Crieff Hydro.

**Decided:** that the action taken by the Head of Legal and Democratic Solutions, in arranging for one Member to attend the Conference, be noted.

**Motherwell, 29 August 2019 at 2 pm.**

A Meeting of the **ENTERPRISE AND GROWTH COMMITTEE**

**PRESENT**

Councillor Graham, Convener; Councillor Carson, Vice-Convener; Councillors Anderson, D. Ashraf, Beveridge, Cameron, Curran, Di Mascio, Fisher, Gallacher, Gourlay, Hume, Kelly, Lennon, Masterton, McPake, H. McVey, Roarty, Stevenson and Watson.

**ALSO PRESENT**

In accordance with Standing Order 64(A), Provost Jones attended as a substitute for Councillor Duffy and Councillor Kerr attended as a substitute for Councillor Larson.

**CHAIR**

Councillor Graham (Convener) presided.

**IN ATTENDANCE**

Head of Planning and Regeneration; Employability Resources Manager; Enterprise Projects Manager; Growth Programme Manager and Democratic Services Manager.

**APOLOGIES**

Councillors Baird, Carragher, Duffy, Larson and Stephen.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor Curran, by virtue of being a member of Routes to Work, declared an interest in paragraph 3 and left for the remainder of the meeting.

Councillor Kelly, by virtue of being a substitute member of the Glasgow City Region Cabinet, declared an interest in paragraph 4 and further declared that he believed that the interest was sufficiently remote that it did not preclude his participation in the consideration of this item of business.

Councillor McPake, by virtue of being a Board Member of a company associated with a company mentioned within the report, declared an interest in paragraph 6 and took no part in the consideration thereof.

**ADVANCING MANUFACTURING CHALLENGE FUND BID**

2. There was submitted a report by the Head of Planning and Regeneration (1) seeking approval to submit a full funding application to the Scottish Government's Advancing Manufacturing Challenge Fund (AMCF) to develop a North Lanarkshire Manufacturing Innovation Hub based at New College Lanarkshire; (2) informing that the Hub will focus on robotics, whilst providing a focal point to support North Lanarkshire's manufacturing companies in growing their business, generating efficiencies and creating jobs; (3) advising that a first stage submission to the fund, to determine project eligibility, had previously been approved; (4) detailing that the deadline for the second stage submission of a full application is 13 September 2019, and (5) proposing that, should the application be successful, the

project must commence before 1 April 2020 and end on 31 December 2022 as part of the AMCF eligibility conditions.

**Decided:** that the submission of a full application to stage 2 of the Advancing Manufacturing Challenge Fund be approved.

**Councillor Curran, prior to the consideration of the following item of business, having declared an interest by virtue of being a member of Routes to Work Limited, left the meeting for its duration.**

#### **EU FUNDED EMPLOYABILITY PROGRAMME**

3. There was submitted a report by the Head of Communities (1) reminding the Committee that the Council has active European Union (EU) funded programmes within Employability Services with significant grant contributions to support Council led activities, which are subject to a series of verifications by the Scottish Government's EU Funding Team; (2) informing that the Scottish Government had sent a letter to all local authorities in Scotland dealing with the EU funds, highlighting concerns raised by the European Commission, that the management of EU funds by the Scottish Government had raised concerns; (3) advising that, until the concerns are addressed, the EU will not reimburse the Scottish Government in respect of any claims; (4) providing an update on the current suspension of payments and the actions taken by the Council in response to the letter, and (5) updating on the progress of the second phase of the EU Funded Employability Programme, which began in January 2019.

**Decided:** that the report be noted.

**Councillor Kelly, prior to consideration of the following item of business, having declared an interest by virtue of being a substitute member of the Glasgow City Region Cabinet, had further declared that he believed that the interest was so sufficiently remote that it did not preclude his participation in the consideration of this item of business.**

#### **NORTH LANARKSHIRE CITY DEAL PROGRAMME UPDATE**

4. There was submitted a report by the Head of Planning and Regeneration (1) informing of the current status of North Lanarkshire City Deal Infrastructure Sub-Projects; (2) advising of the approval of the augmented Outline Business Case for the Motherwell Town Centre Transport Interchange Sub-Project; (3) explaining that North Lanarkshire benefited from £1m of capital investment to support the creation of MediCity Scotland, a new dedicated medical technology centre business incubation facility within the BioCity Life Sciences Campus, Newhouse; (4) highlighting that the Council had been awarded £455,000 of revenue funding to deliver the "Working Matters" employability scheme from August 2015 over three years to support long term unemployed North Lanarkshire residents back into employment or training, and (5) reporting that a refresh of the 2016 Glasgow City Region Economic Strategy and Action Plan is currently being undertaken.

**Decided:**

- (1) that the approval of the augmented Outline Business Case for the Motherwell Town Centre Transport Interchange Sub-Project be noted;
- (2) that the progress of the North Lanarkshire City Deal Infrastructure Sub-Projects be noted;

- (3) that the current MediCity performance position and proposed Working Matters successor project be noted, and
- (4) that the refresh of the Glasgow City Region Economic Strategy and Associated Action Plan be noted.

#### **ECONOMIC REGENERATION DELIVERY PLAN - ACTION PLAN**

5. With reference to paragraph 13 of the Minute of the meeting of this Committee held on 9 May 2019, there was submitted a report by the Head of Planning and Regeneration (1) seeking approval for North Lanarkshire's Economic Regeneration Delivery Plan (ERDP) 2019-2023; (2) informing that the ERDP is a high level framework aligned to the Composite Capital Programme and delivers on the first priority of "The Plan for North Lanarkshire"; (3) outlining that the plan would be achieved by delivering an integrated approach to investing in four key inter-related areas, underpinned by a further three key principles; (4) detailing that an action plan, subject to annual review, had been developed separately from the ERDP, as the plan will evolve over time as challenges and opportunities facing North Lanarkshire's economy would also change over the lifetime of the ERDP, and (5) enclosing, within the appendices to the report, the ERDP and action plan.

**Decided:**

- (1) that the ERDP and action plan, as detailed within the appendices to the report, be approved, and
- (2) that the approved action plan be subject to annual review, and that further updates on the action plan be reported to future meetings of this Committee.

**Councillor McPake, prior to consideration of the following item of business, having declared an interest by virtue of being a Board member of a company associated with a company mentioned within the report, took no part in the consideration thereof.**

#### **RIA SOUTH MULTIDISCIPLINARY PROJECT SERVICES - CONTRACT AWARD**

6. There was submitted a report by the Head of Planning and Regeneration (1) seeking approval to award a contract for the Multidisciplinary Project Services, in order to support the delivery of the Glasgow City Region City Deal Ravenscraig Infrastructure Access Project, to Amey OW Limited in the sum of £633,080; (2) advising that the contract is for a period of seven years, encompassing design, planning and construction, and contract management, and (3) intimating that the recommendation followed the completion of a procurement exercise, in which the tender recommended for contract award had been evaluated as the most economically advantageous tender in terms of cost and quality for the Council.

**Decided:** that the award of the contract for the Ravenscraig Infrastructure Access South Multidisciplinary Project Services to Amey OW Limited, in the sum of £633,080, be approved.

#### **CONTRACTS AWARDED BELOW COMMITTEE APPROVAL THRESHOLD**

7. There was submitted a report by the Head of Asset and Procurement Solutions, providing, within the appendix to the report, details of contracts which had been awarded by him, under delegated authority, for works over £50,000 but less than £500,000 in value during the period 1 April to 30 June 2019.

**Decided:** that the report be noted.

**Motherwell, 3 September 2019 at 10 am.**

A Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillors J. Ashraf, Docherty, Gourlay, McLaren, Pettigrew and Weir.

**CHAIR**

In the absence of the Convener and Vice-Convener, and in terms of Standing Order No. 12, Councillor McLaren presided.

**IN ATTENDANCE**

The Principal Solicitor (Licensing and Litigation) and the Administrative Officer, Legal and Democratic Solutions.

**ALSO IN ATTENDANCE**

Sergeant Rankin, Police Scotland.

**APOLOGIES**

Councillors Barclay, Cameron, Doolan, Kerr, Linden, McKendrick, Quigley and Shevlin.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. Councillor J. Ashraf, by virtue of the applicant being known to him, declared an interest in paragraph 3, and left the meeting during consideration of this item.

**It was agreed, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information, as defined in paragraphs 3 and 6 of Part 1 of Schedule 7A of the Act.**

**HEARINGS**

**(1) PRIVATE HIRE DRIVER'S LICENCE - NEW APPLICATION SAJAD AFZAL**

2. The Principal Solicitor advised (1) that an application by Sajad Afzal for a Private Hire Driver's Licence had been received; (2) that an objection to the application had been received from the Chief Constable, Police Scotland, and (3) that Sajad Afzal had advised that he could not be in attendance, and had requested that consideration of the application be continued to allow him a further opportunity to appear before the Committee to speak in respect of his application.

**Decided:** that consideration of the application by Sajad Afzal for a Private Hire Driver's Licence be continued to allow him a further opportunity to appear before the Committee to speak in respect of the application.

Councillor J. Ashraf, prior to the consideration of the following item of business, having declared an interest by virtue of the applicant being known to him, left the meeting during consideration of this item.

Prior to the consideration of the remaining item of business, Sergeant Rankin withdrew from the meeting and took no further part in the consideration thereof.

**(2) SECOND HAND DEALER'S LICENCE - NEW APPLICATION - CUMBERNAULD CAR SALES LIMITED**

3. The Principal Solicitor advised (1) that an application by Cumbernauld Car Sales Limited for a Second Hand Dealer's Licence to enable the Company to trade in second hand car sales at 18D Cumbernauld Road, Mollinsburn had been received; (2) that late objections to the application had been received from Alasdair Ferguson and Allan and Pauline Kennedy, local residents, and (3) that a late representation to the application had been received from the Head of Environmental Assets seeking that conditions be attached to the licence if granted.

The Committee then heard (1) Alasdair Ferguson and Allan Kennedy explain the reason for their objections being submitted late; (2) Fiona Kennedy, Engineer/Technical Officer (Roads Operations) explain the reason for the Head of Environmental Assets' representation being submitted late, and (3) Jakub Niemczyk, Cumbernauld Car Sales Limited, advise that he had no comment in relation to the late objections and representation being considered.

Thereafter Jakub Niemczyk, Alasdair Ferguson, Allan Kennedy and Fiona Kennedy withdrew from the meeting and the Committee resumed consideration of the matter.

Jakub Niemczyk, Alasdair Ferguson, Allan Kennedy and Fiona Kennedy were then readmitted to the meeting.

The Committee, sufficiently satisfied that reasons had been provided to justify the late objections and representation, then heard (1) Alasdair Ferguson and Allan Kennedy outline their objections (both tabled) to the application; (2) Fiona Kennedy outline the Head of Environmental Assets' representation (tabled) to the application, and (3) Jakub Niemczyk speak in support of the application (tabled), and table a number of photographs to assist the Committee in its consideration.

Thereafter, Jakub Niemczyk, Alasdair Ferguson, Allan Kennedy and Fiona Kennedy again withdrew from the meeting, and the Committee resumed consideration of the matter.

Jakub Niemczyk, Alasdair Ferguson, Allan Kennedy and Fiona Kennedy were again readmitted to the meeting.

**Decided:** that the application by Cumbernauld Car Sales Limited, for a Second Hand Dealer's Licence, be granted subject to the eight additional conditions set out by the Head of Environmental Assets.

**Motherwell, 4 September 2019 at 2 pm.**

A Meeting of the **TRANSFORMATION AND DIGITALISATION COMMITTEE**

**PRESENT**

Councillor Duffy, Convener; Councillor Fisher, Vice-Convener; Councillors Barclay, Cameron, Carson, Di Mascio, Douglas, Farooq, Fotheringham, Hogg, Hume, Kelly, Linden, Logue, Masterton, McCulloch, McNally, McNeil, Roarty, Shields, Stubbs and Annette Valentine.

**ALSO PRESENT**

C McGuire (GMB), M Scroggie (UNITE) and M Quigley (UNISON).

**CHAIR**

Councillor Duffy (Convener) presided.

**IN ATTENDANCE**

The Executive Director (Enterprise and Communities), Head of Business Solutions, Business Manager (Improvement), Chief Technology Officer, Enterprise Manager and Committee Officer.

**APOLOGIES**

Councillors Bonnar, Shevlin and Wilson.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Councillor Douglas declared an interest in paragraph 2, by virtue of his appointment as a Member of the Transformation and Digitalisation Gateway Review Panel, but considered the interest so remote and insignificant that it did not preclude his participation in the consideration of this matter.

Councillor McNeil declared an interest in paragraph 2, by virtue of his appointment as a Member of the North Lanarkshire Municipal Bank Limited, but further declared, in accordance with paragraph 5.18 of the Councillors' Code of Conduct, that an exclusion permitted his participation in consideration of this matter.

Councillor Cameron declared an interest in paragraph 3, by virtue of a family member's employment with an organisation involved in the procurement exercise, left the meeting, and took no part in the determination of the item.

**Councillor Douglas, prior to consideration of the following item of business, declared an interest by virtue of his appointment as a Member of the Transformation and Digitalisation Gateway Review Panel, but considered the interest so remote and insignificant that it did not preclude his participation in the consideration of this matter.**

**Councillor McNeil, prior to consideration of the following item of business, declared an interest by virtue of his appointment as a Member of North Lanarkshire Municipal Bank Limited but further declared that, in accordance with paragraph 5.18 of the Councillors' Code of Conduct, an exclusion permitted his participation in the consideration of this matter.**

**GATEWAY REVIEWS OF ROUTES TO WORK LIMITED AND NORTH LANARKSHIRE MUNICIPAL BANK LIMITED**

2. With reference to paragraph 2 of the Minute of the meeting of the Committee held on 27 February 2019, when it was agreed to continue the inclusion of Gateway Reviews as a key component of review activity, with a single Gateway Review process adopted for both Transformation and ALEO reviews, there was submitted a report by the Head of Business Solutions (1) advising that the Convener had sought nominations for membership of the Gateway Review Panel, including substitute members; (2) confirming, in the Appendix to the report, the membership of the Transformation and Digitalisation Gateway Review Panel as at September 2019; (3) intimating that an introductory meeting of the Gateway Review Panel was held on 31 May 2019, and had undertaken a Gateway Review of Routes to Work Limited and North Lanarkshire Municipal Bank Limited; (4) highlighting that a follow-up meeting of the Gateway Review Panel was held on 20 August 2019, in order to advise members of (a) the outcomes of the separate appraisal workshops for Routes to Work Limited and North Lanarkshire Municipal Bank Limited; (b) the procedure followed, and (c) the specific recommendations in relation to each organisation, including feedback from customer consultation undertaken as part of the Bank review, and (5) indicating that, during the meeting held on 20 August 2019 (a) the top options for both organisations were noted, and (b) members also noted that the final review reports for Routes to Work Limited and North Lanarkshire Municipal Bank Limited would be submitted to the meeting of the Policy and Strategy Committee on 26 September 2019.

**Decided:**

- (1) that it be noted that two meetings of the Gateway Review Panel had been held since the revised membership of and extended remit for the Panel was agreed at the meeting of the Committee held on 27 February 2019;
- (2) that the membership, including provision for substitute members, as detailed in Appendix 1 to the report, be noted;
- (3) that it be noted that, at the meetings of the Gateway Review Panel held on 31 May and 20 August 2019, Panel Members received progress updates on the ALEO reviews of Routes to Work Limited and North Lanarkshire Municipal Bank Limited, and
- (4) that it be noted that the final review reports on Routes to Work Limited and North Lanarkshire Municipal Bank Limited would be submitted to the meeting of the Policy and Strategy Committee on 26 September 2019.

**Councillor Cameron, prior to consideration of the following item of business, declared an interest by virtue of a family member's employment with an organisation involved in the procurement exercise, left the meeting and took no part in the determination of the item.**

**CONTRACT AWARD FOR DIGITALNL SYSTEMS INTEGRATOR PARTNER**

3. There was submitted a report by the Head of Business Solutions (1) advising on the outcome of the procurement exercise undertaken in order to engage a specialist Systems Integrator Partner; (2) providing, in the Appendices to the report, a summary of (a) the procurement and evaluation process undertaken, and (b) the evaluation outcome, and (3) seeking approval to award the Systems Integrator Partner contract to Agilisys Limited, for a potential maximum value of £11.9m.

**Decided:** that the Systems Integrator Partner contract be awarded to Agilisys Limited, for a potential maximum value of £11.9m.

**DIGITALNL - INFRASTRUCTURE**

4. There was submitted a report by the Head of Business Solutions (1) setting out the case for the Council to invest in a world-class network infrastructure, in order to provide universal connectivity across North Lanarkshire, with a view to driving forward economic growth and tackling areas of digital exclusion; (2) providing details in relation to (a) the current Council infrastructure; (b) the wider North Lanarkshire digital infrastructure; (c) the vision and key outcomes from universal connectivity across North Lanarkshire; (d) the technical solution; (e) the options analysis; (f) the economic and final case for investment, and (g) procurement of the infrastructure solution; (3) intimating that, with the outcome of the business case as its basis, it was proposed to proceed with delivery through a partnership model, with an indicative cost to the Council of £17.7m, over a ten-year period; (4) highlighting that the economic impact assessment for the preferred option was anticipated to result in a gross economic benefit to North Lanarkshire of circa £61.7m over the ten-year period; (5) detailing that the proposed partnership model achieved the highest benefit cost ratio, with results indicating that, for every £1 spent by the Council, there would be £3.70 of benefits to North Lanarkshire as a whole, and (6) seeking approval to commence formal market engagement, under a partnership model, to secure a network connectivity partner, who would jointly invest, through a competitive dialogue process in order to develop a world-class digital infrastructure in North Lanarkshire.

**Decided:**

- (1) that the content of the report, and the benefit to North Lanarkshire arising from this investment, be noted, and
- (2) that the commencement of formal market engagement to engage a connectivity partner through a competitive dialogue process, as outlined in paragraphs 2.30 and 2.31 of the report, be approved.

**PROGRESS REPORT ON THE DIGITALNL TRANSFORMATION PROGRAMME**

5. There was submitted a report by the Head of Business Solutions (1) providing an update, in Appendix 1 to the report, in relation to the work packages undertaken in year one of the DigitalNL Programme; (2) highlighting the achievements and progress realised from the work packages in year one, and (3) detailing the actions taken and those planned in order to involve employees and residents in designing services which were responsive to people's needs.

**Decided:**

- (1) that the progress to date, and the delivery of year one of the DigitalNL Transformation Programme, be noted, and
- (2) that the engagement activities underway in order to involve stakeholders in designing services which were responsive to people's needs be noted.

**ICT SERVICE DELIVERY OPTIONS**

6. With reference to paragraph 2 of the Minute of the meeting of the former Policy and Resources (Finance and Customer Services) Sub-Committee held on 24 August 2016, when it was agreed to award the ICT Service Delivery contract to Wipro Holdings (UK) Limited, for a minimum three year period, there was submitted a report by the Head of Business Solutions (1) advising that the existing ICT Service Delivery contract was due to terminate on 31 March 2020, although there was scope for the contract to be extended for a further four years, with two two-year extension options available; (2) highlighting that the Council had changed considerably since the award of the ICT Service Delivery contract, and that a number of factors required to be considered when determining the future direction of the Council's ICT support requirements; (3) summarising (a) the three options in relation

to available delivery options, and (b) the strengths, weaknesses, opportunities and risks in relation to each of these options; (4) providing (a) in Appendix 1 to the report, the option appraisal outcomes, and (b) in Appendices 2(a) to (c), the risk assessment details for each of the three options, and (5) seeking approval for option One, as detailed in the report, which would invoke the initial two-year contract extension with Wipro Holdings (UK) Limited, on the terms of the contract variation, as proposed by Wipro Holdings (UK) Limited.

**Decided:**

- (1) that the available delivery options, as outlined in the report, be noted, and
- (2) that option One, to invoke the initial two year contract extension, as outlined in the report, be approved, and officers be authorised to progress the contract variation as proposed by Wipro Holdings (UK) Limited.

**CONTACT CENTRE ACD SOLUTION CONTRACT EXPENDITURE**

7. With reference to paragraph 21 of the Minute of the meeting of the Policy and Resources (Finance and Customer Services) Sub-Committee held on 23 January 2013, when it was agreed to procure a Contact Centre Automatic Call Distribution (ACD) Telephony System from the Government Procurement Service Collaborative National Framework, there was submitted a report by the Head of Business Solutions (1) advising that the contract for the Contact Centre ACD System had been awarded to Unify Enterprise Communications Limited in 2014; (2) intimating that, as a result of the benefits offered by the system in terms of improved functionality and flexibility, more services within the Council had requested access to the system, which had resulted in additional costs being incurred, and (3) highlighting that the final adjustment to the contract sum amounted to £523,425, which was £43,425 more than the original contract amount; (4) informing that the original Maintenance and Support contract was for a period of five years, with an option to extend for a further two years, although the contractor had chosen to terminate the contract after the initial five-year period, and (5) detailing that, through the Council's DigitalNL agenda, the tender process for a digital platform, digital workplace and cloud services, via a Systems Integrator, was underway, and it was anticipated that this platform would accommodate many of the aspects of the ACD requirements, whilst incorporating additional operational and customer interaction functionality.

**Decided:** that the overspend in relation to the Contact Centre ACD System contract, as detailed in section two of the report, be noted.

**CONTRACTS AWARDED BELOW COMMITTEE APPROVAL THRESHOLD**

8. There was submitted a report by the Head of Asset and Procurement Solutions providing, in the Appendix to the report, details of contracts which had been awarded by him, under delegated authority, during the period from 1 April to 30 June 2019.

**Decided:** that the content of the report and the Appendix be noted.

**Motherwell, 11 September 2019 at 10 am.**

A Meeting of the **COMMUNITIES AND HOUSING COMMITTEE**

**PRESENT**

Councillor H. McVey, Convener; Councillor O'Rourke, Vice-Convener; Councillors Beveridge, Bonnar, Burgess, Burrows, Cochrane, M. Coyle, S. Coyle, Di Mascio, Fotheringham, Gallacher, Goldie, Gourlay, Graham, Jones, Kelly, Lennon, Logue, MacGregor, McLaren, McManus, McNally, McNeil, A. McVey, Morgan, Pettigrew, Roarty, Stocks, Alan Valentine and Annette Valentine.

**ALSO PRESENT**

In accordance with Standing Order 64(A), Councillors Castles, Watson and Fisher attended as substitutes for Councillors Doolan, Douglas and Fannan respectively.

Councillor Farooq, as an observer.

**CHAIR**

Councillor H. McVey (Convener) presided.

**IN ATTENDANCE**

The Executive Director (Enterprise and Communities); Head of Business (Housing Property and Projects); Head of Planning and Regeneration; Head of Housing Solutions; Business Finance Manager; Service Delivery Manager and Democratic Services Manager.

**APOLOGIES**

Councillors Docherty, Doolan, Douglas, Fannan, Kerr and Stubbs.

**CONVENER'S REMARK**

The Convener welcomed representatives from the North Lanarkshire Federation of Tenants and Residents Association to the meeting.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. Councillor Kelly, by virtue of his substitute membership of the City Deal Cabinet, declared an interest in paragraph 20 and further declared that the interest was so significantly remote as to permit his participation in the item of business.

Councillor O'Rourke, by virtue of his membership on the Board of Mears Limited, declared an interest in paragraph 22 and left the meeting during consideration of the item.

**PARTNERSHIP PERFORMANCE REPORT**

2. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 13 February 2019, there was submitted a report by the Head of Business (Housing Property and Projects) (1) setting out the performance of the Business Housing Property, Repairs and Maintenance, and Central Heating Repairs and Maintenance Service Delivery Contracts for 2019/2020; (2) advising of the performance against the Key Performance Indicators (KPIs) for 2019/20 in respect of (a) the Mears

Partnership in relation to completed housing repairs, including void management, as highlighted within Appendix 1 to the report, with Appendix 2 to the report containing the full KPI set for 2018/19 for comparative purposes; (b) Emergency and Non-Emergency repairs timescales, as highlighted within Appendix 3 to the report, and (c) Saltire Facilities Management Limited (Saltire) (A) in relation to housing heating repairs, as highlighted within Appendix 4 to the report, with Appendix 5 containing the full KPI set for 2018/19 for comparative purposes, and (B) with the partnership continuing to sustain a 100% property gas certification record for the extensive gas heated housing asset base, and (3) intimating that the customer satisfaction level for Local Homes was 98.21% in the year to date, in comparison to the 2018/19 return to the Scottish Housing Regulator when 98.63% of tenants were satisfied with the repairs service, with a 2017/18 Scottish average for Local Authorities of 92.1%.

**Decided:** that the report be noted.

### **ENFORCED ENTRY: ELECTRICAL SAFETY IN COUNCIL HOUSES**

3. There was submitted a report by the Head of Business (Housing Property and Projects) (1) seeking approval to enforce Section 5.12 (formerly Section 5.11) of the Scottish Secure Tenancy Agreement to force access to properties occupied by non-engaging households to enable electrical test inspections to be undertaken; (2) informing (a) that the Housing (Scotland) Act 2001 placed a duty on social landlords to keep their properties wind and watertight and in good condition, and (b) that Schedule 4 of the Act supported this duty by allowing the landlord or any authorised person to give reasonable notice to access the property to carry out inspections and any identified remedial works to ensure the landlord's duty was being met, as highlighted within Appendix 1; (3) indicating that the Scottish Secure Tenancy Agreement provided the right for Local Authorities to forcibly enter a property as long as every reasonable opportunity had been provided to allow access voluntarily, an extract of which was contained in Appendix 2 to the report; (4) advising (a) that an electrical safety check (also known as an "EST") was required to check the condition of the wiring of "hard wired" installations against the standard as over time this can deteriorate, with the Council's programme intended to be cyclical and delivered over a five year period, in line with recommended and acceptable practice within the industry for domestic rented properties, and (b) that 22.7% of the Council's domestic housing stock had not had an EST carried out in the last five years; (5) detailing within the report the benefits of carrying out an EST, and (6) proposing (a) that the current EST process be amended to reflect the gas safety process, with the timescale for the process being over a 12 month period, which would enable a more comprehensive process to be adopted and enable the Council's contractor to plan the additional visits; (b) that the new procedures would be issued to all tenants via the Tenants Newsletter as well as the existing videos on the Council's social media platforms, and (c) that the new process would require more involvement from both Housing Property and operational staff and a Technical Officer would require to be present at each forced entry as a representative of the landlord, and to ensure that forced entries were only carried out where necessary.

**Decided:**

- (1) that the use of forcible access to properties for electrical safety inspections within the Council's domestic housing stock be approved, and
- (2) that the report be otherwise noted.

### **HOME ENERGY EFFICIENCY PROGRAMMES SCOTLAND: AREA BASED SCHEME - 2020/21**

4. There was submitted a report by the Head of Business (Housing Property and Projects) providing an update on measures in place to increase the energy efficiency of homes within North Lanarkshire, including the Scottish Government's Home Energy Efficiency Programme Scotland, Area Based Scheme HEEPS (ABS) (1) seeking approval for the commencement of contributions from home owners to access the funding; (2) outlining the background (a) to the HEEPS funding which was a

Scottish Government Initiative to assist home owners to tackle fuel poverty and increase the energy efficiency of their homes with Area Based Schemes (ABS), and (b) to the Energy Company Obligation (ECO) funding; (3) advising (a) that the current HEEPS (ABS) programme for 2019/20 covered the Bellshill Parkview and Airdrie Central areas, and met aspects of fuel poverty in house type in terms of the Scheme, and (b) that the Council was currently tendering for the provision of its 2020/21 HEEPS (ABS) project; (4) intimating that, as construction costs had increased by 3% in the year since the previous HEEPS (ABS) contract had been awarded, the assumed current levels of ECO funding were unlikely to increase and could even reduce, and it was likely that a contribution would be required from all home owners participating in the programme from financial year 2020/21; (5) indicating (a) that, whilst some properties had been identified as being potentially eligible for HEEPS (ABS) funding, a number of the properties required remedial repair work to the building structure itself which could not be funded via the HEEPS (ABS) programme, and (b) that such remedial works would be required to be undertaken and funded by the owner(s) ahead of HEEPS (ABS) funding being allocated; (6) proposing that, as owners' contributions across projects would differ due to the construction type of their home and the specification to carry out the insulation works required, (a) that the level of owner contribution would be based on the type of property, similar to the way HEEPS (ABS) was allocated to each property type, as highlighted within the report, and (b) that, to offset costs to owners in terms of a contribution being required for any external wall insulation, the Council would work with Home Energy Scotland to have the provision of interest free loans and cashback facilities available to cover any contribution costs, where appropriate, to ensure inclusivity for all residents within North Lanarkshire, and (7) informing that, due to the introduction of the owner contribution and the cost of necessary remedial works, some properties in the same street may not be able to participate in the HEEPS (ABS) programme.

**Decided:**

- (1) that the progress in improving the energy efficiency of North Lanarkshire homes be noted;
- (2) that the commencement of contributions by homeowners included within future HEEPS (ABS) Schemes from financial year 2020/21 be approved, and
- (3) that the terms of the report be otherwise noted.

**HOUSING CAPITAL PROGRAMME (HRA) - REPLACEMENT OF KITCHENS AND BATHROOMS**

5. With reference to paragraph 23 of the Minute of the meeting of the former Enterprise and Housing Committee held on 15 February 2018 when, inter alia, it had been agreed that the HRA Capital Programme would support the full alignment of kitchen and bathroom modernisation elements by 2021, there was submitted a report by the Head of Business (Housing Property and Projects) regarding the progress of the replacement kitchens and bathroom programme within the housing stock (1) outlining the background to a kitchen and bathroom replacement programme; (2) advising that, following successful delivery of the HRA Capital Programme in relation to the replacement of kitchens and bathrooms throughout the Council's housing stock since 2016/17, the annual programme of kitchen replacement would be completed by 31 March 2020, with the bathroom replacement programme completed by 31 March 2021; (3) intimating (a) that, during the annual programme of works, a number of tenants had refused to participate in the works which had resulted in some of the housing stock not benefiting from improvement works, (b) that 2,934 properties had outstanding kitchen replacements, and 2,632 properties had outstanding bathroom replacements, and (c) it was intended to complete the works on any outstanding properties on an ad hoc basis, as the opportunity arose, when properties became void, and (4) indicating that, based on the asset replacement age of 20 years for kitchens and 25 years for bathrooms, there would be significant capital investment from financial year 2025/26 to recommence the kitchen replacement programme, and, in financial year 2032/33, to recommence the bathroom replacement programme.

**Decided:**

- (1) that it be noted that the kitchen replacement programme would be completed by 31 March 2020;
- (2) that the carry forward of 185 properties for bathroom replacement during financial year 2020/21, which would then bring the programme of works to an end by 31 March 2021, be noted, and
- (3) that the report be otherwise noted.

**HEATING REPLACEMENT PROGRAMME**

6. There was submitted a report by the Head of Business (Housing Property and Projects) regarding progress of the replacement heating installations within the housing stock (1) informing (a) that the project was required to improve existing housing stock and help the Council deliver on its aims of reducing fuel poverty, achieving carbon management targets and succeeding in achieving the Energy Efficiency Standard for Scottish Social Housing (ESSH), and (b) that the project would incorporate the entire removal of the existing heating systems, including pipe work, to be replaced with modern and efficient heating systems in Council owned domestic dwellings; (2) advising that the gas central heating systems would replace older and more inefficient forms of gas central heating within the mainstream housing stock with rated high efficiency boilers, radiators, controls and new pipework; (3) intimating (a) that the scope of works would be explained to residents at the pre-works survey stage carried out jointly by the Clerk of Works and the Contractor, and (b) that, within the contract, Lot 1 allowed for electric to gas conversions which would further reduce fuel poverty and help achieve the ESSH; (4) indicating that the electric heating upgrade would predominately take place within the multi storey tower blocks which had outdated electric storage and electric panel heating; (5) confirming that the Air Source Heat Pump element of the project would be the first that had been undertaken on this scale, and would be based within the off-gas grid villages of Salsburgh, Greengairs, Gartness and Banton, where the heating systems were mainly electric wet systems, oil, LPG and electric storage, and (6) highlighting (a) that, during the programme, a number of tenants had refused to participate in the full gas central heating upgrade due to the disruption from uplifting laminate flooring, and (b) that gas central heating systems installations, where 15mm pipework existed, would be left in situ and a power flush carried out in order to reduce refusal rates.

**Decided:** that the report be noted.

**STRATEGIC HOUSING INVESTMENT PLAN 2020/2021 - 2024/2025**

7. With reference to paragraph 9 of the Minute of the meeting of the former Enterprise and Housing Committee held on 5 September 2018, there was submitted a report by the Head of Planning and Regeneration (1) outlining the background to, and the need for, the Strategic Housing Investment Plan (SHIP) to be prepared and submitted to the Scottish Government in accordance with published guidance; (2) advising that a number of previously approved projects were scheduled to progress during the period 2020/21-2024/25 and were included within the new SHIP, as set out in Appendix 1 to the report; (3) enclosing, in Appendix 2 to the report, new projects proposed for inclusion within the SHIP for the period 2020/21-2024/25; (4) informing that the inclusion of projects within the Affordable Housing Supply Programme were subject to project viability, available funding and approval by the Scottish Government; (5) indicating (a) that the projects highlighted within the appendices to the report would require an estimated £160m in grant subsidy over the period 2020/21 to 2024/25, and (b) that the Affordable Housing Supply Programme was subject to on-going review to reflect available resources and necessary changes to the approved programme, and (6) seeking approval of the projects to be included within the next SHIP 2020/21 to 2024/25, which was due to be submitted to the Scottish Government by the deadline of 31 October 2019.

**Decided:**

- (1) that the projects previously approved, which had been included within the new SHIP as set out in Appendix 1 to the report, be noted;
- (2) that the new projects for inclusion within the SHIP, as set out in Appendix 2 and Section 2 of the report, be approved;
- (3) that it be noted that the SHIP would be submitted to the Scottish Government by the due date of 31 October 2019, and
- (4) that the report be otherwise noted.

**PROPOSAL TO PILOT A HOUSING DEVELOPMENT PATHFINDER APPROACH**

8. With reference to paragraph 2 of the Minute of the special meeting of the Policy and Strategy Committee held on 28 February 2019 when, *inter alia*, the information presented within the report, as the ambition statements for The Plan for North Lanarkshire, had been approved, there was submitted a report by the Head of Planning and Regeneration (1) seeking approval to pilot a Development Pathfinder Approach, which had the potential to deliver new and affordable homes, stimulate private sector development, and create mixed tenure communities; (2) informing (a) that The Plan for North Lanarkshire outlined how the Council would deliver on its shared ambition for inclusive growth and prosperity for all the residents and communities of North Lanarkshire, and (b) that the Plan committed to ensuring a “housing mix” that supported social inclusion in economic growth, with the modified Local Development Plan supporting this ambition by identifying sufficient land for delivering almost 21,000 new homes on 330 sites across North Lanarkshire; (3) advising of a proposal to pilot an innovative new “development pathfinder” approach for purchasing new affordable homes for affordable housing in North Lanarkshire; (4) setting out the benefits to the Council of using a “development pathfinder”; (5) intimating that, by using the development pathfinder approach, the Council would engage directly with the market, providing outline guidance on its ambitions in terms of location and site mix for acquisition of units in particular geographical areas; (6) detailing, within the report, the process the Council is required to undertake for engagement with the market for the use of “off the shelf” acquisitions of completed homes from private developers; (7) proposing that, as this was a new approach for the Council, and the level of potential interest was unknown, and to ensure that the Council could effectively engage with interested parties and efficiently consider and respond to any enquiries, (a) the Council would pilot the approach in Airdrie, Bellshill, Coatbridge and Motherwell, and (b) a further report on the pilot would be submitted to a future meeting of the Committee, and (8) setting out within the report the process for engagement with the market for the pilot project.

**Decided:**

- (1) that a pilot Housing Development Pathfinder approach be undertaken to potentially acquire housing on an “off the shelf” basis as set out within the report;
- (2) that the outcome of the pilot be reported to a future meeting of the Committee, and
- (3) that otherwise the report be noted.

**NORTH LANARKSHIRE FUEL SWITCHING SCHEME**

9. With reference to paragraph 12 of the Minute of the meeting of the former Housing and Social Work Committee held on 24 April 2014 when, *inter alia*, approval had been given for the development of a fuel switching promotional campaign and the associated appointment of a recognised energy broker

through the appropriate procurement route, there was submitted a report by the Head of Business (Housing Property and Projects) (1) providing an update on the re-development of the Council's fuel switching scheme and related proposals to promote the next iteration of the scheme; (2) outlining the background to the original "It Pays to Switch" scheme (formerly "The Big Switch"); (3) advising (a) that in December 2016 the Council appointed an independent Fairness Commission to examine fairness, equality and poverty in North Lanarkshire, with its findings published in November 2018, accompanied by 16 recommendations, and (b) of the content of Recommendation 7 which stated that the Council should refocus and extend its fuel switching scheme; (4) intimating (a) that, in December 2018, a small team had been formed to review, develop and procure an alternative fuel switching campaign; (b) that a Prior Information Notice (PIN) had been published via the Public Contract Scotland Advertising Portal, and five companies had offered to meet with Council officers, and (c) that these meetings had helped the Council understand the market and potential delivery models, as well as the impact of the price-cap, and had been used to influence the design of the Fuel Switching Service which was primarily based on Recommendation 7 of the Fairness Commission Report; (5) setting out within the report information regarding the new Fuel Switching Service which was aimed at encouraging households to switch domestic energy supplier in order to maximise savings in terms of associated costs; (6) indicating (a) that the Fuel Switching Service would have a positive impact on the level of fuel-poor households within North Lanarkshire, and (b) that the service would not be restricted to all residents of North Lanarkshire, and had the potential to contribute to a reduction in the local and national fuel poverty level, and (7) informing (a) that the service would be free to households, offering competitive tariffs and provide support and assistance to those using the service; (b) that the service would be available online, as well as via telephone, with the online service being a "white label" partnership incorporating the Council's branding; (c) that the service provider would participate in public events to promote the use of the service, and (d) that the tender for the Fuel Switching Service had been published in June 2019, and a new contract was scheduled to be in place by late September 2019.

**Decided:**

- (1) that the use of a Fuel Switching Service to reduce fuel poverty within North Lanarkshire be approved;
- (2) that the use of a "white label" partnership to provide the Fuel Switching Service, subject to a successful tendering process, be approved, and
- (3) that the report be otherwise noted.

**NEW BUILD PROGRAMME - PROCUREMENT**

10. With reference to (1) paragraph 11 of the Minute of the meeting of the former Enterprise and Housing Committee held on 14 November 2018, when inter alia, a final price had been agreed to allow contract award for the new build housing at Dimsdale Road, Wishaw, and (2) paragraph 5 of the Minute of the meeting of this Committee held on 22 May 2019, there was submitted a report by the Head of Planning and Regeneration providing an update on current procurement activity relating to the New Build Programme and (a) seeking approval to commence procurement for (A) the former site of Columbia High School, Coatbridge, utilising the Scottish Procurement Alliance (SPA) Housing Construction Framework, and (B) the re-provisioned site at Dykehead Road, Holehills, Airdrie, utilising the Scotland Excel New Build Residential Construction Framework (b) outlining the background to various procurement routes which were being used to help to ensure delivery of 5,000 new homes by 2035; (c) advising that the Council had recently agreed to participate in the establishment of a future new build framework through Scotland Excel and it was anticipated this would be available for use in October 2019, and (d) proposing (A) that, following consideration of available options, the Council would seek to obtain tender costs utilising the Scotland Excel New Build Residential Construction Framework for the new build housing site at the re-provisioned site at Dykehead Road, Holehills, Airdrie, with the site having capacity for around 150 new build homes; (B) that, as the site was at design stage and feasibility costs had still to be obtained, the project be progressed, subject to Best Value being demonstrated, and in accordance with the contract standing orders; (C) that, should the

final price be determined to represent Best Value, then, subject to finalisation of a Sourcing Methodology, including an options appraisal, it would be reported to a future meeting of the Committee, prior to entering into a contract with the Contractor; (D) that the Council would seek to obtain tender costs, utilising the most appropriate SPA Housing Construction Framework, for the new build housing site at the former site of Columbia High School, School Street, Coatbridge, with the site being considered for mixed tenure housing, comprising around 100 new build Council homes and approximately 60 homes to be considered for mid-market rent and/or shared equity; (E) that an award of call-off for the new build housing at Dimsdale Road, Wishaw had been made to CCG (Scotland) Limited in a revised sum of £9,947,183.07; (F) that tender prices were now finalised for 56 units at Caledonian Avenue and Community Road, Bellshill with CCG (Scotland) Limited, in the sum of £10,320,000, and for 19 units at Berwick Street, Coatbridge with Crudens Buildings and Renewals, in the sum of £3,500,000, both figures including a 10% contingency allowance; (G) that, following receipt of the ground investigation report for Bon Accord Crescent, Shotts, part of the site was no longer considered viable due to the extent of the abnormal costs associated with the ground conditions, and a new layout had been agreed which avoided this area of the site; (H) that, as the current proposal was to construct 16 units instead of 19 units, the final tender price had still to be agreed to allow the contract award, and, consequently, the programme site start date had been delayed until January 2020, and (I) informing of the current position with the procurement exercises already underway.

**Decided:**

- (1) that the commencement of procurement activity with the Scottish Procurement Alliance (SPA) to deliver new build housing at the site of the former Columbia High School, School Street, Coatbridge be approved;
- (2) that the commencement of procurement activity with Scotland Excel to deliver new build housing at the site at Dykehead Road, Holehills, Airdrie be approved;
- (3) that the outcome of the procurements with SPA and Scotland Excel be noted, and that a further report be submitted to a future meeting of the Committee once the costs had been agreed;
- (4) that the award of a call-off contract for the construction of new build housing at Dimsdale Road, Wishaw to CCG (Scotland) Limited in the revised sum of £9,947,183.07 be noted;
- (5) that the award of call-off contracts, in line with the SPA framework conditions, for the construction of new build housing at Caledonian Road and Community Road, Bellshill to CCG (Scotland) Limited, and at Berwick Street, Coatbridge, to Crudens Buildings and Renewals Limited, up to the value of £13.82m, be approved, and
- (6) that the current position with other procurement exercises, highlighted within the report, be noted.

**SCOTTISH HOUSING REGULATOR - 2019 ASSURANCE STATEMENT**

11. With reference to paragraph 6 of the Minute of the meeting of this Committee held on 22 May 2019 when, inter alia, it had been agreed that a copy of the North Lanarkshire 2019 Assurance Statement be submitted to the next meeting of this Committee for consideration, there was submitted a report by the Head of Housing Solutions (1) seeking approval to sign off the annual Assurance Statement, as enclosed in Appendix 1 of the report, and (2) advising that the Service required to comply with the regulatory requirements set out in Chapter 3 of the Scottish Housing Regulator Framework, attached as Appendix 2 to the report, and mechanisms had been put in place to support the signing off of the Self-Assurance Statement.

**Decided:** that the Scottish Housing Regulator, North Lanarkshire Council, Annual Assurance Statement 2019 be signed off.

**POLICY ON IMPACT OF UNIVERSAL CREDIT**

12. With reference to paragraph 12 of the Minute of the meeting of the former Enterprise and Housing Committee held on 5 September 2018, when, *inter alia*, it had been agreed to note the current situation affecting tenants in receipt of Universal Credit, particularly where they were eligible for housing costs to cover their rent, there was submitted a report by the Head of Housing Solutions providing an update on the impact of Universal Credit on tenants and the housing revenue collected through rents (1) advising that the impact on mainstream tenants had been significant since April 2018, and had resulted in a significant increase in rent arrears overall for tenants in receipt of Universal Credit; (2) indicating that the Council had witnessed a considerable migration to Universal Credit which was higher than anticipated, with statistics, highlighted within the report, demonstrating the correlation between Universal Credit and increasing arrears; (3) intimating (a) that arrears were largely due to the “technical arrears” of there being no payment of Universal Credit for one calendar month following the date of claim, plus an additional waiting period of one week, and (b) that many tenants who had moved to Universal Credit from Housing Benefit, which had been paid directly to their rent account from the start of their claim, had never experienced rent arrears before; (4) providing details, within the report, as to why the Council did not receive payments timeously from the Department of Work and Pensions; (5) proposing (a) that the Service investigate the appropriateness of establishing a fund to assist tenants who were falling into arrears due to the waiting time for Universal Credit Payments to be processed and paid, and (b) that further work be undertaken to determine how the fund would be administered, and (6) indicating that an estimated £1m would initially be required to help mitigate against technical arrears being experienced by tenants claiming Universal Credit.

**Decided:**

- (1) that the Head of Housing Solutions investigate the appropriateness of establishing a fund to assist tenants, who were falling into arrears due to the built-in waiting time for Universal Credit payments to be processed and paid, and
- (2) that the report be otherwise noted.

**SMOKE AND HEAT DETECTOR INSTALLATION PROGRAMME**

13. With reference to paragraph 7 of the Minute of the meeting of this Committee held on 22 May 2019 when, *inter alia*, it had been agreed to note the amendments to the Housing (Scotland) Act 1987 in relation to smoke and heat detection, with a deadline for complying with these of February 2021, and that a further report would be submitted to the future meeting of the Committee on anticipated budget requirements, there was submitted a report by the Head of Business (Housing Property and Projects) regarding the financial impact that these statutory changes would have on funding required for 2020/21 and (1) seeking approval of the potential requirement for additional funding for the Smoke and Heat Detector Installation Programme for 2019/2020 up to a maximum of £6,600,000 (2) highlighting, within the report, the requirements of the Smoke and Heat Detector Programme, following the recent amendments to the Housing (Scotland) Act 1987; (3) advising (a) that the current budget only covered smoke/heat detector replacements as part of the Housing Investment Programme projects, and (b) that the Housing Property and Projects Service had explored the most suitable method for procuring the works; (4) intimating (a) that it had been determined that the Council would not be required to procure a new delivery vehicle, and would make use of existing contractual arrangements, and (b) that the majority of the programmed installations would be carried out by Saltire Facilities Management Limited, with further options remaining available should there be a need to accelerate the programme in order to achieve the February 2021 deadline, and (5) indicating (a) that it was anticipated that the value of the works would be up to a maximum of £10m, and, as the strategy for implementation had now changed, the Council would now be arranging for all smoke detectors to be replaced in all properties; (b) that the anticipated budget for the work was expected to be up to a maximum of £15m over the course of the next two financial years, and (c) that the Service would endeavour to manage spend through the Capital Programme for 2019/2020, with the anticipated spend for this financial year being up to the maximum of £6,600,000.

**Decided:**

- (1) that the potential requirement for additional funding for 2019/2020, up to a maximum of £6,600,000, be approved;
- (2) that the financial impact of the amended legislation on the funding required for 2020/2021 be noted, and
- (3) that the report be otherwise noted.

**CONTRACT VARIATION: SCHOOL UPGRADE WORKS**

14. There was submitted a report by the Head of Asset and Procurement Solutions regarding the variation in costs against tender price incurred on the contract to refurbish Taylor High School and Braidhurst High School and (1) outlining the background to, and the reasons why, additional monies were required to complete the contracts; (2) detailing, within the report, all action taken to respond to additional issues identified, remedial action taken, and the subsequent variation in costs as a result, and (3) advising that the variation in costs had been contained within the contingency fund allocated to the project and that no other budgets were affected.

**Decided:**

- (1) that the action taken to respond to additional issues identified, remedial action taken, and the subsequent variation in costs as a result be noted;
- (2) that it be noted that the funding for the variation was contained within the contingency fund allocated to the project, and that no other budgets were affected, and
- (3) that the report be noted.

**GENERAL DEBTORS DEBT WRITE-OFF 2019**

15. There was submitted a report by the Head of Communities (1) providing a summary of outstanding debtor accounts, which were deemed uncollectable following all attempts at recovery or were considered uneconomically viable to continue pursuing, including debts under £500, amounting to £91,106.19 and written off by the Executive Director (Enterprise and Communities) and the Head of Financial Solutions under delegated powers; (2) proposing that debts greater than £500, amounting to £147,290.77, be written off, with an analysis of the total write-off being detailed within the report, and (3) advising that the Council would continue to make every effort to collect outstanding debt.

**Decided:**

- (1) that it be noted that the Executive Director (Enterprise and Communities) and the Head of Financial Solutions had written-off debts under £500, amounting to £91,106.19, which were considered to be uncollectable;
  - (2) that the write-off of a number of debts over £500 to the value of £147,290.77 be approved;
  - (3) that the report be remitted to the Finance and Resources Committee for consideration, and
  - (4) that the report be otherwise noted.
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**REVENUE BUDGET MONITORING REPORTS**

**(1) HRA REVENUE MONITORING REPORT - 1 APRIL TO 19 JULY 2019**

16. There was submitted a report by the Executive Director (Enterprise and Communities) (1) providing a summary of the Housing Revenue Account (HRA) financial performance for the period 1 April to 19 July 2019 (Period 4); (2) illustrating the projected outturn as at 31 March 2020, with major outturn variances highlighted and explained in accordance with the Council's approved Financial Regulations, and (3) advising that the Service currently anticipated a surplus of £0.050m.

**Decided:** that the financial position of the HRA budget 2019/20 be noted.

**(2) ENTERPRISE AND COMMUNITIES - REVENUE MONITORING REPORT (NON-TRADING)**

17. There was submitted a report by the Executive Director (Enterprise and Communities) (1) highlighting the financial performance for the Enterprise and Communities' budget for the period from 1 April to 19 July 2019 (Period 4); (2) illustrating the projected outturn, as at 31 March 2020, with major outturn variances highlighted and explained as per the Council's approved Financial Regulations, and (3) advising (a) that the Enterprise and Communities' budget was forecasting a year-end balanced budget position based on performance to Period 4, and (b) that the Service had identified a number of financial pressures across each division which were being fully offset by planned management action, with further information highlighted within the appendices to the report.

**Decided:** that the financial position of the 2019/20 Enterprise and Communities Revenue Budget be noted.

**(3) ENTERPRISE AND COMMUNITIES - TRADING REPORT**

18. There was submitted a report by the Executive Director (Enterprise and Communities) (1) providing a summary of the Council's Trading Account financial performance for the period from 1 April to 19 July 2019 (Period 4); (2) illustrating the projected outturn, as at 31 March 2020, with major outturn variances highlighted and explained as per the Council's approved Financial Regulations, and (3) advising that the Council's Trading Account was projected to achieve the budgeted surplus of £0.534m for 2019/20 based on performance to Period 4.

**Decided:** that the financial position of the 2019/20 Enterprise and Communities' Trading Account revenue budget be noted.

**CAPITAL PROGRAMME MONITORING REPORTS**

**(1) HRA CAPITAL MONITORING REPORT - 1 APRIL TO 19 JULY 2019**

19. There was submitted a report by the Executive Director (Enterprise and Communities) (1) reviewing the progress towards the agreed spending plans within the 2019/20 HRA Capital Programmes; (2) providing, in the appendices to the report, a summary of (a) the mainstream working programme, and (b) the projected spend on the New Build Programme, and the Council Buy Back Schemes, and (3) indicating that the projected spend on the New Build Programme, which currently totalled £19,776,000, was funded by Prudential Borrowing and Scottish Government Grant, and that the projected spend on the Council Buy Back Scheme currently totalled £12.5m, jointly between the Empty Homes and the Open Market Purchase Schemes, and was funded by Prudential Borrowing and Scottish Government Grant.

**Decided:** that the financial position of the 2019/20 HRA Capital Programmes be noted.

Councillor Kelly, prior to the consideration of the following item of business, having declared an interest by virtue of his substitute membership of the City Deal Cabinet, further declared that he believed that the interest was so sufficiently remote that it would not preclude his participation in the consideration of this item of business.

**(2) ENTERPRISE AND COMMUNITIES - CAPITAL MONITORING REPORT**

20. There was submitted a report by the Executive Director (Enterprise and Communities) (1) highlighting the financial performance of the Enterprise and Communities' Capital Programme 2019/20 for the period from 1 April to 19 July 2019 (Period 4); (2) advising that the Service had a total capital budget of £76.557m across all workstreams, comprising the Composite Capital Programme, Enterprise Projects, Schools and Centres 21, and Early Years expansion; (3) intimating that the Service was forecasting a balanced budget position at this early stage in the financial year, with a number of management actions having been taken through the Strategic Capital Delivery Group to ensure this position, and (4) detailing, within the report and Appendix 4 to the report, the proposed budget virements required to help to ensure that the available resources more closely reflected operational activity across the themes.

**Decided:**

- (1) that the financial position of the 2019/20 Enterprise and Communities' Capital Programme be noted;
- (2) that the proposed budget virements, as detailed in the report, be approved, and
- (3) that the report be otherwise noted.

**CONTRACT APPROVAL - MEASURED TERM CONTRACT FOR ASBESTOS REMOVAL AND ENCAPSULATION SERVICES FOR DOMESTIC AND NON DOMESTIC PROPERTY 2019-2023**

21. There was submitted a report by the Head of Business (Housing Property and Projects) (1) reporting on the outcome of the tendering process for the Measured Term Contract for Asbestos Removal and Encapsulation Services for Domestic and Non Domestic Property 2019 to 2023; (2) advising that, after checking, the most economically advantageous tenders for Lot 1 – Non Domestic Property and Lot 2 – Domestic Property were those submitted by Rhodar Limited, and (3) proposing that the tenders from Rhodar Limited for the Measured Term Contract for Asbestos Removal and Encapsulation Services for Domestic and Non Domestic Property 2019 to 2023 Lot 1 – Non Domestic Property and Lot 2 - Domestic Property be accepted for a period of three years, with an option to extend for a further period of one year, at the sole discretion of the Council, up to the maximum value of £1,100,000 for Lot 1 – Non Domestic Property and £2,000,000 for Lot 2 – Domestic Property for the maximum period of the contract.

**Decided:**

- (1) that the tenders submitted by Rhodar Limited for the Measured Term Contract for Asbestos Removal and Encapsulation Services, for Domestic and Non Domestic Property 2019-2023, be accepted for a period of three years, with an option to extend for a further period of one year, at the sole discretion of the Council, up to the maximum value of £1,100,000 in respect of Lot 1 - Non Domestic Property, and £2,000,000 for Lot 2 – Domestic Property, for the maximum period of the contract, and
- (2) that the report be otherwise noted.

Councillor O'Rourke, prior to the consideration of the following item of business, having declared an interest by virtue of his membership on the Board of Mears Limited, left the meeting during consideration of this item.

**NEW BUILD PROGRAMME - FORMER PLAINS PRIMARY SCHOOL SITE - CONTRACT AWARD**

22. With reference to paragraph 11 of the Minute of the meeting of the former Enterprise and Housing Committee held on 14 November 2018 when, inter alia, approval had been given to the proposed procurement strategy for the sites at the former Plains Primary School, Plains, Mossburn Road, Waterloo and McArthur Avenue, Glenmavis, there was submitted a report by the Head of Planning and Regeneration (1) reporting on the outcome of the tendering process for the New Build Programme – former Plains Primary School Site; (2) advising that, after checking, the most economically advantageous tender for the New Build Programme – former Plains Primary School site was that submitted by Mears Limited, and (3) proposing that the tender from Mears Limited for the New Build Programme – former Plains Primary School site be accepted for the estimated total contract value, including defects and contingency, of £2,893,819.60.

**Decided:**

- (1) that the tender submitted by Mears Limited for the New Build Programme – former Plains Primary School site be accepted at the estimated total contract value, including defects and contingency, of £2,893,819.60, and
- (2) that the report be otherwise noted.

**CONTRACTS AWARDED BELOW COMMITTEE APPROVAL THRESHOLD**

23. There was submitted a report by the Head of Asset and Procurement Solutions intimating that the contracts, highlighted within Appendix 1 to the report, had been accepted by him in accordance with the General Contract Standing Orders during the period from 1 April to 30 June 2019.

**Decided:**

- (1) that the contracts accepted by the Head of Asset and Procurement Solutions in the reporting period from 1 April to 30 June 2019 be noted, and
- (2) that the report be otherwise noted.

**Motherwell, 17 September 2019 at 10 am.**

A Meeting of the **REGULATORY COMMITTEE**

**PRESENT**

Councillor Shevlin, Convener; Councillors Barclay, Gourlay, McLaren, Pettigrew, Quigley and Weir.

**CHAIR**

Councillor Shevlin (Convener) presided.

**IN ATTENDANCE**

The Principal Solicitor (Licensing and Litigation) and the Administrative Officer, Legal and Democratic Solutions.

**ALSO IN ATTENDANCE**

Sergeant Rankin, Police Scotland.

**APOLOGIES**

Councillors J. Ashraf, Cameron, Docherty, Doolan, Kerr, Linden and McKendrick.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. No declarations were made.

**It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following items on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 7A of the Act.**

**HEARINGS**

**The Convener exercised his discretion to vary the Order of Business as hereinafter Minuted.**

**(1) STREET TRADER'S LICENCE - NEW APPLICATION (EMPLOYEE) - JOHNATHON MULLEN**

2. The Principal Solicitor advised (1) that an application by Johnathon Mullen for a Street Trader's Licence to enable him to trade from a static snack van at Belgowan Street, Bellshill had been received, and (2) that a late objection to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard Sergeant Rankin explain the reason for the Chief Constable's objection being submitted late, and Johnathon Mullen's agent, James Moore, Moore McDonald, Solicitors indicate that, given the explanation, he had no objection to the late objection being considered.

The Committee, being satisfied that sufficient reason had been provided to justify the lateness of the objection, agreed to consider same. The Committee then heard Sergeant Rankin outline the Chief

Constable's objection to the application (both tabled) and James Moore speak in support of the application and table character references.

Thereafter, Johnathon Mullen, James Moore and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Johnathon Mullen, James Moore and the representative of Police Scotland were then re-admitted to the meeting.

**Decided:** that the application by Johnathon Mullen for a Street Trader's Licence be granted for a period of one year.

## **(2) PRIVATE HIRE DRIVER'S LICENCE - NEW APPLICATION - IAN MCCAIG**

3. The Principal Solicitor advised (1) that an application (tabled) by Ian McCaig for a Private Hire Driver's Licence had been received, and (2) that a representation (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Committee then heard Sergeant Rankin outline the Chief Constable's representation to the application, and Ian McCaig speak in support of the application.

Thereafter, Ian McCaig and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

Ian McCaig and the representative of Police Scotland were then re-admitted to the meeting.

Councillor Weir, seconded by Councillor Gourlay, moved that the application by Ian McCaig for a Private Hire Driver's Licence be granted.

Councillor McLaren, seconded by Councillor Pettigrew, moved, as an amendment, that the application by Ian McCaig for a Private Hire Driver's Licence be granted for a period of one year.

On a vote being taken, 5 Members voted for the amendment, and 2 Members voted for the motion. The amendment was accordingly declared carried.

**Decided:** that the application by Ian McCaig for a Private Hire Driver's Licence be granted for a period of one year.

## **(3) PRIVATE HIRE CAR OPERATOR'S LICENCE – RENEWAL - DAVID MILNE**

4. The Principal Solicitor advised (1) that an application by David Milne for the renewal of his Private Hire Car Operator's Licence had been received, and (2) that David Milne did not have a vehicle that was compliant with the Council's specification.

The Administrative Officer then indicated that David Milne was not in attendance.

Thereafter, the Committee resumed consideration of the matter in David Milne's absence.

**Decided:** that consideration of the application by David Milne for the renewal of his Private Hire Car Operator's Licence be continued to allow him a further opportunity to appear before the Committee to speak in respect of the application.

**Motherwell, 17 September 2019 at 2 pm.**

A Meeting of the **EDUCATION AND FAMILIES COMMITTEE**

**PRESENT**

Councillor McNally, Convener; Councillor Quigley, Vice-Convener; Councillors J. Ashraf, Barclay, Burgess, Burrows, Campbell, Carragher, C. Johnston, T. Johnston, Jones, Kelly, Larson, Lennon, Logue, Magowan, Masterton, McManus, McPake, H. McVey, Shevlin, Stephen, Stocks, Woods; Mr. W. Cunningham; and Mr. D. Hannan, Religious Representatives, and Ms. L. McBride and Mr. I. Scott, Teacher Representatives.

**ALSO PRESENT**

In accordance with Standing Order 64(A), Councillor Douglas attended as a substitute for Councillor Cameron, and Councillor Roarty attended as a substitute for Councillor Feeney.

**CHAIR**

Councillor McNally (Convener) presided.

**IN ATTENDANCE**

The Executive Director (Education and Families); Head of Children, Families and Justice Social Work Services; Head of Education (Central); Head of Education (North); Head of Education (South); Head of Asset and Procurement Strategy; Head of Communities; Business Finance Manager; Property Manager (Estates Development); Principal Psychologist, and Democratic Services Manager.

**APOLOGIES**

Councillors Bonnar, Cameron, S. Coyle, Feeney, Fisher, Goldsack, Graham, Kerr, Linden, A. McVey, Reddin, Wilson, and Rev. P. J. O'Maoil Mheana.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. Declarations of interest were received from Members, details of which are set out below, and the Members concerned did not participate in the consideration of the matter identified:-

Councillors Burgess, Douglas, McNally and Roarty, in respect of paragraph 4, of an interest by virtue of being Directors of Culture and Leisure NL Limited.

**1140 HOURS EARLY LEARNING AND CHILDCARE EXPANSION PROGRAMME**

2. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 21 May 2019 when, *inter alia*, the Committee had decided to continue consideration of a report by the Head of Education (Central), which provided a focus on the required provisions of staffing to support the delivery of the 1140 Hours Early Learning and Childcare Expansion Programme in North Lanarkshire, to this meeting of the Committee to allow greater discussion on the report with partners, there was submitted a report by the Head of Education (Central) (1) providing an update on developments on the planned delivery of the Programme, including details of (a) the capital programme of development relating to the expansion; (b) the workforce development programme for Council establishments, and (c) the procurement process for funded providers, and (2) setting out information on phasing in the Programme in 2019/20.

The Head of Education (Central) provided a presentation on Early Learning and Childcare in North Lanarkshire and a demonstration of the Early Learning and Childcare website.

**Decided:**

- (1) that the proposed workforce strategy to meet the requirements of the 1140 Hours Early Learning and Childcare Expansion Programme, as outlined in the report, be approved;
- (2) that it be noted that the design and build development agreement with HubCo for the design and construction of nine new Family Learning Centres, as outlined in the report, would be on terms to be agreed with the Head of Legal and Democratic Solutions, subject to those terms representing Best Value;
- (3) that the progress with the Interim Procurement Framework to support delivery of 1140 hours of early learning and childcare, as outlined in the report, be noted, and
- (4) that the approach to phasing in 1140 hours of early learning and childcare in 2019/20, as outlined in the report, be noted.

**The Convener exercised his discretion to vary the order of business as hereinafter minuted.**

**SCHOOLS AND CENTRES MODERNISATION PROGRAMME**

3. There was submitted a report by the Head of Asset and Procurement Solutions (1) providing (a) in Appendices 1 and 2 to the report, an update on the status of the projects in the current Schools and Centres Modernisation Programme; (b) in Appendix 3 to the report, progress against agreed key performance targets for projects under construction, and (c) in Appendix 4 to the report, an indication of some of the important milestones in the delivery of a new school/campus facility; (2) advising of the recent handover of Cumbernauld Academy, St. Edwards Primary School/Tollbrae Primary School Campus, and Hilltop Primary School for pupil occupation; (3) intimating that, in relation to the Council's shared ambition to develop integrated community hubs/campuses, with funds from the Community Investment Fund, work was currently being undertaken to develop a strategy, including a prioritisation matrix, to outline the approach to delivery of the Community Hub Programme, and that a report thereon would be submitted to a future meeting of the Policy and Strategy Committee, and (4) intimating that the Executive Director (Education and Families) was currently reviewing how the associated leadership model would operate in a new Community Hub Programme.

**Decided:**

- (1) that the position of each of the projects in the Schools and Centres Modernisation Programme, and the recent handover of Cumbernauld Academy, St. Edward's Primary School/Tollbrae Primary School Campus, and Hilltop Primary School for pupil occupation, as outlined in the report, be noted;
- (2) that it be noted that a report on the strategy, including a prioritisation matrix, to outline the approach to delivery of the Community Hub Programme would be submitted to a future meeting of the Policy and Strategy Committee, and
- (3) that it be noted that the Executive Director (Education and Families) was currently reviewing how the associated leadership model would operate in the new Community Hub Programme.

**Councillors Burgess, Douglas, McNally and Roarty, by virtue of being Directors of Culture and Leisure NL Limited, having each declared an interest in the matter prior to consideration of the following item of business, did not participate in the consideration of the matter.**

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Thereon, Councillor McNally demitted the Chair and Councillor Quigley assumed the Chair for the following item of business.

**CONTRACTS AWARDED BELOW COMMITTEE APPROVAL THRESHOLD FOR THE PERIOD FROM 1 APRIL TO 30 JUNE 2019**

4. There was submitted a report by the Head of Asset and Procurement Solutions providing, in the Appendix to the report, details of contracts with a value in excess of £50,000 but less than £500,000 for supplies and services which had been awarded by him in accordance with the Council's General Contract Standing Orders, during the period from 1 April to 30 June 2019.

**Decided:** that the report be noted.

**Councillor McNally resumed the Chair.**

**ADDITIONAL SUPPORT NEEDS REVIEW**

5. There was submitted a report by the Executive Director (Education and Families) (1) advising that an Additional Support Needs Member/Officer Review Group had been established to oversee a comprehensive review of policy, practice and provision across North Lanarkshire in meeting the additional support needs (ASN) of children and young people; (2) intimating (a) that the review involved a programme of significant stakeholder engagement, and (b) that the Review Group had looked at (A) the deployment of resources, including staffing and finance, and (B) the suitability and condition of the ASN estate, which was to be upgraded with funds from the Community Investment Fund, prior to developing a new model of service delivery linked to the future development of community hub proposals; (3) informing that a 12 point plan to improve ASN systems had been developed under three headings, those being:- (a) Improving Practice; (b) Empowering Staff, and (c) Managing Resources; (4) stating that the plan, which was based on legislation and national guidance in relation to "Getting It Right for Every Child", provided a blueprint for the revised set of services which would create significant improvements in how young people's needs were met, and (5) setting out, in Appendix 1 to the report, the key recommendations and implementation plan which were embedded in the summary report on the ASN review.

The Executive Director (Education and Families) provided a presentation on the findings and recommendations of the ASN review. He advised the Committee that recommendation 5 of the report should also acknowledge and recognise the work of the ASN Member/Officer Review Group, which would likewise be now incorporated within the remit of the Education and Families Committee.

The Convener thanked all the Elected Members and Officers who were involved in the review and the Workstream Groups.

**Decided:**

- (1) that the report on the review of ASN provision in North Lanarkshire be noted;
- (2) that the 12 recommendations for implementation, as outlined in the report, be approved;
- (3) that the agreed policy updates agreed by the Joint Negotiating Committee for Teaching Staff, at its meeting on 4 June 2019, be noted;
- (4) that it be noted that a report on progress would be submitted to a future meeting of the Committee, and

- (5) that the work of the ASN Member/Officer Review Group and the Improving Relationships Task Group, the outcomes of which would be incorporated within the remit of the Education and Families Committee, be acknowledged and recognised.

**REMIT FROM THE POLICY AND STRATEGY COMMITTEE - NORTH LANARKSHIRE LOCAL CHILD POVERTY ACTION REPORT**

6. In terms of a remit from the Policy and Strategy Committee, at its meeting held on 6 June, when that Committee, following consideration of a report by the Head of Communities on the North Lanarkshire Local Child Poverty Action Report, had (1) approved the Local Child Poverty Action Report prior to it being submitted to the Scottish Government, and (2) remitted the report by the Head of Communities to this Committee for its interest, there was submitted the said report.

**Decided:** that the report be noted.

**PROPOSAL FOR A STATUTORY CONSULTATION ON THE RELOCATION OF WILLOWBANK SCHOOL**

7. There was submitted a report by the Head of Education (Central) (1) advising that Willowbank School was a denominational, co-educational secondary school for pupils with emotional and behavioural additional support needs, which operated over two campuses, one of which was in Coatbridge and the other in Bellshill; (2) intimating that both campuses were no longer fit for purpose; (3) outlining a proposal for a statutory public consultation on the relocation of pupils currently enrolled at Willowbank School to a more fit for purpose facility within St. Margaret's High School Campus, Airdrie, with effect from April 2020; (4) attaching, as an Appendix to the report, the draft consultation document, and (5) recommending that the Committee (a) adopt, for consultation, the proposal contained in the draft consultation document; (b) approve the issue of the consultation document, and (c) agree that all statutory consultees and interested parties be invited to make representations on the proposal no later than 7 November 2019.

Thereon, the Head of Education (Central) advised the Committee that the timeline for phase 2 of the consultation, as set out in the draft consultation document, had been updated since the publication of the agenda in light of recent information received from Education Scotland.

**Decided:**

- (1) that the draft consultation document, appended as an Appendix to the report, and amended to include the updated consultation timeline, be approved, and the following proposal be adopted for consultation:- That the pupils currently enrolled at Willowbank School be relocated to a more fit for purpose education facility within St. Margaret's High School Campus, Airdrie, with effect from April 2020;
- (2) that the consultation document be made available to all statutory consultees and interested parties;
- (3) that all statutory consultees and interested parties be invited to return consultation forms to Education and Families, Willowbank School Consultation, Municipal Buildings, Kildonan Street, Coatbridge, no later than 7 November 2019, and
- (4) that a report summarising the responses to the consultation be submitted to a future meeting of the Committee.

**Prior to consideration of the following item of business, the Convener orally advised that, although the report by the Executive Director (Education and Families) was titled as a submission to the**

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**Member/Officer Working Group: Additional Support Needs, the report was submitted to the Education and Families Committee for consideration, and that the recommendations contained therein were addressed to the Committee.**

#### **ACCESSIBILITY STRATEGY 2019 TO 2022**

8. There was submitted a report by the Executive Director (Education and Families) (1) advising that, in terms of the Education (Disability Strategies and Pupils Educational Records) (Scotland) Act 2002, the Council was required to prepare and implement long term accessibility strategies to improve access to education for pupils and prospective pupils with disabilities; (2) intimating that the Act was intended to ensure (a) that long term strategic planning was carried out across nursery and school education in Scotland to improve access for all pupils with disabilities, and (b) that responsible bodies could meet their duties under the Equality Act 2010, and (3) providing details therein of the Council's Accessibility Strategy and Action Plan for the period from August 2019 to August 2022.

**Decided:**

- (1) that the Council's Accessibility Strategy and Action Plan for the period from August 2019 to August 2022, as detailed in the report, be approved, and
- (2) that the report be otherwise noted.

#### **INNOVATION AND IMPROVEMENT HUB**

9. There was submitted a report by the Head of Education (South) (1) presenting a plan for a new Innovation and Improvement Hub which would build upon the success of initial research which had been conducted within the Council's Scottish Attainment Challenge Programme; (2) advising that the Innovation and Improvement Hub would provide a research framework, which would utilise a mix of research methods, approaches and tools, to support and empower practitioners and leaders across the Service; (3) proposing a scoping exercise to explore the most effective way to build and pilot the Innovation and Improvement Hub, with a view to launching the Hub with effect from August 2020, and (4) indicating that the proposed scoping exercise would be in line with the Council's DigitalNL Transformation Programme.

**Decided:**

- (1) that the plan for developing the Innovation and Improvement Hub, as outlined in the report, be approved, and
- (2) that the report be otherwise noted.

#### **VIRTUAL SCHOOL**

10. There was submitted a report by the Head of Children, Families and Justice Social Work (1) providing an update on the progress and development of the new Virtual School model within North Lanarkshire; (2) highlighting the work which had been undertaken in the last six months to develop a greater understanding of how best to enhance the educational attainment of Looked After and Care Experienced Children and Young People (LACE CYP) and the early actions and interventions undertaken; (3) advising that the Virtual School, which was supported through specifically targeted Scottish Attainment Challenge funding, provided a unique opportunity to establish a model of support and challenge for the Service to ensure that it was getting it right for all LACE CYP in North Lanarkshire through improving educational experience and attainment, thereby leading to enhanced life opportunities and outcomes; (4) intimating that the aim of the initiative was to add value to existing provision through improvements in education planning and in the co-ordination, efficacy and targeting

of existing resources for LACE CYP; (5) indicating (a) that, in addition, the Virtual School Team would develop new programmes of support and facilitate tailored individual and family/carer support, where this was identified, to meet the requirements of the assessment and planning processes, and (b) that this would be reflected in a detailed implementation plan and evaluation framework which would be submitted to a future meeting of the Committee, and (6) outlining the details of the next steps for the further development of the Virtual School.

**Decided:**

- (1) that the next steps for the further development of the Virtual School, as set out in Section 2.10 of the report, be approved;
- (2) that it be noted that a further report on a detailed implementation plan and evaluation framework for the initiative would be submitted to a future meeting of the Committee, and
- (3) that the report be otherwise noted.

**MENTAL HEALTH, WELLBEING AND RESILIENCE DELIVERY PLAN**

11. There was submitted a report by the Head of Education (Central) (1) presenting, in the Appendix to the report, a Mental Health, Wellbeing and Resilience Delivery Plan for the Education and Families Service; (2) advising that the Delivery Plan comprised four key strands, those being (a) Nurturing and Resilience; (b) Promoting Positive Mental Health and Suicide Prevention; (c) Mental Health Curriculum, and (d) Staff Wellbeing: Promoting Positive Mental Health and Emotional Resilience; (3) intimating that it was considered that positive mental health required key building blocks in all of these workstreams to provide children in North Lanarkshire with nurturing supports that build resilience, early and targeted intervention to deal with mental health issues that may arise, and a positive curriculum around mental health issues which would be delivered by staff who were well supported and able to deal with the emotional demands of this work, and (4) indicating that the Delivery Plan fitted within, and supported, the delivery of the strategic framework of partnership planning for children and young people services, including the delivery of the Lanarkshire Mental Health Strategy.

Arising out of discussion on the development of the Plan, it was suggested that the Head of Education (Central) provide Members of the Committee with an update on the work undertaken by the Service with Child and Adolescent Mental Health Services Lanarkshire.

**Decided:**

- (1) that the Mental Health, Wellbeing and Resilience Delivery Plan for the Education and Families Service, as set out in the Appendix to the report, be approved;
- (2) that the Head of Education (Central) circulate to the Members of the Committee an update on the work undertaken by the Service with Child and Adolescent Mental Health Services Lanarkshire, and
- (3) that the report be otherwise noted.

**ANNUAL BAD DEBT WRITE OFF EXERCISE**

12. There was submitted a report by the Executive Director (Education and Families) (1) summarising outstanding debtor accounts relating to the Education and Families Service which were deemed to be uncollectable; (2) indicating that, in conjunction with the Corporate Debt Recovery Team, every effort had been made to recover unpaid debts; (3) advising that he, in association with the Head of Financial Solutions, and in terms of delegated powers, had written off a number of debts owed to the Education

and Families Service of under £500 in value and amounting, in total, to £8,917.58, and (4) proposing that an individual debt of £600 in value be written off.

**Decided:**

- (1) that it be noted that the Executive Director (Education and Families), in association with the Head of Financial Solutions, in terms of delegated powers, had written off debts under £500 in value and which amounted, in total, to £8,917.58;
- (2) that the write off of an individual debt of £600 in value be approved, and
- (3) that the report be remitted to the Finance and Resources Committee for consideration.

**REVENUE BUDGET MONITORING REPORT - 1 APRIL TO 16 AUGUST 2019**

13. There was submitted a report by the Executive Director (Education and Families) (1) providing a summary of the financial performance of the Education and Families Service for the period from 1 April to 16 August 2019; (2) outlining details of the provisional outturn as at 31 March 2020, with major outturn variances highlighted and explained; (3) indicating that the Service had a net revenue budget of £414.858m, and that it was anticipated that there would be an overspend of £0.977m for the financial year; (4) advising that the budget now incorporated activity in respect of Justice and Children's Services which were previously part of the Social Work Service; (5) intimating that the budget also incorporated £8.477m of savings which had previously been approved by the Council, and that it was anticipated that £7.305m of those savings would be achieved by the financial year end, and (6) attaching, as Appendices 1 to 5 to the report, a number of documents supporting the information contained within the narrative of the report.

**Decided:** that the report be noted.

**SEMINAR - ADDITIONAL SUPPORT FOR LEARNING IN SCOTLAND - NEXT STEPS FOR IMPROVING PROVISION**

14. There was submitted a report by the Head of Legal and Democratic Solutions (1) advising that an invitation had been received from Scotland Policy Conferences for Members to attend a seminar entitled "Additional Support for Learning in Scotland – Next Steps for Improving Provision"; (2) advising that the seminar would examine key issues for additional support for learning in Scotland, and (3) recommending that one Member of the Council's Additional Support Needs Member/Officer Review Group be authorised to attend the seminar.

**Decided:** that one Member of the Council's Additional Support Needs Member/Officer Review Group be authorised to attend the seminar.

**Motherwell, 18 September 2019 at 10 am.**

A Meeting of the **FINANCE AND RESOURCES COMMITTEE**

**PRESENT**

Councillor Burrows, Convener; Councillor McNeil, Vice-Convener; Councillors J. Ashraf, Baird, Beveridge, Campbell, Castles, Cochrane, Cullen, Curran, Di Mascio, Farooq, Fisher, Fotheringham, Gourlay, Hume, C. Johnston, Jones, Larson, Lennon, Logue, McManus, Morgan, O'Rourke, Shevlin, Shields, Stevenson, Annette Valentine and Watson.

**ALSO IN ATTENDANCE**

In accordance with Standing Order 64(A), Councillors Carragher, Kelly, Kerr and Quigley attended as substitutes for Councillors D. Ashraf, Docherty, T. Johnston and Reddin.

**CHAIR**

Councillor Burrows (Convener) presided.

**IN ATTENDANCE**

The Head of Asset and Procurement Solutions; Head of Financial Solutions; Head of Legal and Democratic Solutions; Head of People and Organisational Development; Senior Officer (Financial Inclusion); Group Manager (Estates) and Committee Officer.

**APOLOGIES**

Councillors D. Ashraf, Cameron, M. Coyle, Currie, Docherty, Graham, T. Johnston, Linden, MacGregor, McKendrick and Reddin.

**Prior to commencement of the business, the Convener intimated that he had accepted an additional item of business, in respect of the Minute of the meeting of the Employee Appeals Sub-Committee held on 24 June 2019 and as detailed at paragraph 2.**

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. Councillor Burrows declared an interest in paragraph 30, by virtue of the party requesting the lease variation being known to him, left the meeting and took no part in the determination of the item.

**MINUTE OF THE MEETING OF THE EMPLOYEE APPEALS SUB-COMMITTEE OF 24 JUNE 2019**

2. There was submitted the Minute of the meeting the Employee Appeals Sub-Committee held on 24 June 2019.

**Decided:** that the Minute be approved.

**The Convener exercised his discretion to vary the order of business as hereinafter minuted.**

**REMIT FROM THE YOUTH, EQUALITIES AND EMPOWERMENT COMMITTEE OF 26 AUGUST 2019 - FINANCIAL INCLUSION SERVICE ACTIVITY REPORT 2018/19**

3. With reference to paragraph 7 of the Minute of the meeting of the Youth, Equalities and Empowerment Committee held on 26 August 2019, there was submitted a report by the Head of Communities (1) providing details of the income maximisation work carried out by the Financial Inclusion Service during 2018/19, which generated £35,368,140 in additional benefit income for the residents of North Lanarkshire; (2) highlighting the activity of the external services commissioned by the Council, under the new commissioning model, which commenced in April 2018, and generated £5,736,534 in additional benefit income for the residents of North Lanarkshire, and (3) detailing the challenges that the Council and its partners would face over the next four years in respect of (a) the ongoing UK welfare reform changes, and (b) the new Social Security powers transferred to the Scottish Government under the Scotland Act 2016.

**Decided:** that the content of the report be noted.

**MENTAL HEALTH AND WELLBEING STRATEGY**

4. There was submitted a report by the Head of People and Organisational Development (1) advising that, following a formal request by Unison for the Council to consider the development of a policy or strategy to support mental health awareness in the workplace, a Working Group had been established; (2) detailing the membership and focus of the Working Group; (3) seeking approval of the new Mental Health and Wellbeing Strategy, as outlined in the Appendix to the report, and (4) highlighting (a) that it was recognised that this Strategy was only the starting point for the work which the Council required to do in order to support mental health and wellbeing in the workplace, and (b) in paragraph 2.3 of the report, the other ideas which were under consideration by the Council in respect of this area.

**Decided:**

- (1) that the new Mental Health and Wellbeing Strategy, as outlined in the Appendix to the report, be approved;
- (2) that the intention to develop additional supports, as outlined in paragraph 2.3 of the report, be noted, and
- (3) that the content of the report be otherwise noted.

**REVIEW OF SPECIAL LEAVE POLICY**

5. **C** With reference to paragraph 15 of the Minute of the meeting of the Council held on 21 June 2018, when it was agreed to introduce a policy of four weeks fully paid paternity leave by October 2018, there was submitted a report by the Head of People and Organisational Development (1) advising that, whilst the paternity leave provision had already been implemented, the Special Leave Policy and Adoption Policy required to be updated to reflect this change; (2) intimating that a review of the current Carers' Leave provision had been undertaken as it was felt that additional provision was required in order to achieve a more balanced approach to this type of leave for both employees and managers; (3) detailing the proposed changes to the Carers' Leave provision; (4) highlighting (a) that consultation on the proposed changes to the Carers' Leave provision had been carried out with the joint Trade Unions and the Employee Equality Forum; (b) that the Trade Unions fully supported the proposed changes and welcomed the intention to extend the provision to those employees who cared for dependants with serious and long-term conditions; (c) that the Employee Equality Forum was concerned that the definition of a "dependant" was not in line with the Carers (Scotland) Act 2016; (d) that whilst the Carers (Scotland) Act 2016 did not place any requirement on employers to provide any form of leave, the Special Leave Policy had been updated to reflect this definition, and (e) that the

Employee Equality Forum had also highlighted that there may be occasions where an employee required more time off than was defined in the Policy, and it was agreed that any requests of this nature would be considered, taking cognisance of the individual merits of each case and any obligations under the Equality Act 2010; (5) summarising, in Appendix 2 to the report, the key changes which were proposed to the Special Leave Policy, and (6) seeking approval for (a) the updated Special Leave Policy, as outlined in Appendix 1 to the report, and (b) the Adoption Policy, as outlined in Appendix 3 to the report.

**Decided:**

- (1) that the updated Special Leave Policy and Adoption Policy, as outlined in the Appendices to the report, be approved, and
- (2) that the content of the report be otherwise noted.

**DIGITAL WORKFORCE AND SKILLS PROGRAMME - PHASE 1**

6. With reference to paragraph 6 of the Minute of the meeting of the Policy and Strategy Committee held on 21 March 2019, when the indicative five-year investment for the Digital Transformation Programme was approved, there was submitted a report by the Head of People and Organisational Development (1) highlighting that fundamental to the success of DigitalNL was the Programme of Work which would enable the Council to build and enhance the digital skills of employees and residents within North Lanarkshire; (2) providing an overview of the strategic direction and broad first phase programme of work, which would enable the Council to build a digital ready workforce across North Lanarkshire; (3) advising (a) of the overall objective of the Council's Digital Workforce and Skills Programme (PO62), and (b) that this objective would be supported by three distinct but fully linked programmes of work, which would underpin the initiatives and programmes delivered within the Council (with regard to DigitalNL and the digital workplace transition), the Education Service (building digital skills and capabilities in young people) and parties external to the Council (supporting residents, communities and businesses); (4) providing an update on the three distinct programmes of work, namely (a) DigitalNL – Workforce and Skills Programme; (b) DigitalNL Classroom – Learning for the Future, and (c) Digital Economy and Place – Digital Skills and Inclusion, and (5) detailing (a) that, as the programmes progressed, there would be a growing need to ensure that the workstreams were fully integrated and that best value was considered, and (b) that, in order to facilitate this need, a Digital Skills Steering Group would be created during September 2019, which would oversee the co-ordination of the overall Digital Skills Programme and facilitate reporting of progress to the wider DigitalNL Delivery Board, the Corporate Management Team and relevant Committees.

**Decided:**

- (1) that the high level strategic direction, in relation to the Digital Workforce and Skills Programme, be approved;
- (2) that the progress to date be noted, and
- (3) that the plans to further enhance the Council's capability to develop digital skills across North Lanarkshire be supported.

**COMMUNITY COUNCIL COMPLAINTS PROCEDURE**

7. With reference to paragraph 13 of the Minute of the meeting of the former Policy and Resources Committee held on 6 December 2018, when it was agreed that a consultation exercise be undertaken in relation to the proposed complaints procedure for Community Councils, there was submitted a report by the Head of Legal and Democratic Solutions (1) advising that a consultation exercise, seeking representations from the 37 Community Councils in North Lanarkshire, had been conducted

between 10 December 2018 and 1 February 2019; (2) highlighting (a) that, during the initial consultation period, only one response was received; (b) that it was considered appropriate that each Community Council be afforded an additional opportunity to respond, and (c) that a second letter was issued to Community Councils seeking any representations or proposals to be submitted by 29 April 2019; (3) summarising (a) the 11 responses received during the consultation period, and (b) the responses to the comments received, and (4) seeking approval for the Complaints Procedure for Community Councils, as outlined in Appendix 1 to the report, and effective as of 8 October 2019.

**Decided:**

- (1) that the responses received from the Community Councils be noted;
- (2) that it be agreed that the complaints procedure be amended so that (a) the period referred to in Stage 1 be increased from seven to fourteen days, and (b) the size of the Panel be five Members but may be reduced to three Members in the event of non-attendance by a Panel Member, and
- (3) that the revised Community Councils Complaints Procedure, as outlined in the Appendix to the report, be implemented as of 8 October 2019.

**TAXI LICENSING – TAXI FARES REVIEW 2019**

8. There was submitted a report by the Head of Legal and Democratic Solutions (1) advising that the North Lanarkshire Joint Taxi Trade Association (the Association) had been consulted regarding proposals in relation to the review of taxi fares and other charges; (2) intimating that, in response to the consultation, the Association had stated that there was no consensus amongst its membership for an increase in fares; (3) detailing that, as required by legislation, the Council had subsequently published the existing taxi fare scales in newspapers circulating in the North Lanarkshire area, inviting any representations in relation to the proposal to make no change to the current fare structure to be made on or before 29 June 2019; (4) highlighting that no responses had been received to the notice published in the local press, and (5) seeking approval for the existing taxi fare scales, as detailed in the Appendix to the report, to remain in place, with new fare cards to be issued from 2 October 2019.

**Decided:** that it be agreed that the existing taxi fare scales remain in place and that new fare cards be issued from 2 October 2019.

**LICENSING – PROPOSED INCREASE IN APPLICATION FEES**

9. There was submitted a report by the Head of Legal and Democratic Solutions (1) advising that historically there had been a differential between the fee charged for the application for a new taxi driver licence versus the application for a new private hire driver licence; (2) intimating that the higher figure for taxi driver licence application reflected the additional administrative work required in respect of the knowledge test; (3) highlighting that, following the decision of the Committee on 13 March 2019, which required that all applicants for private hire driver's licences pass a knowledge test, it was deemed that the differential rate should no longer apply, and (4) seeking approval to increase the fee for an application for a private hire driver's licence from £160 to £175, which was in line with the fee charged in respect of applications for taxi driver's licences.

**Decided:** that the Head of Legal and Democratic Solutions be authorised to stipulate that, from 2 October 2019, the fee that the Council charged for an application in relation to a private hire driver licence be increased from £160 to £175, which was the fee currently charged in respect of applications for taxi driver licences.

**TAXI AND PRIVATE HIRE LICENSING – VEHICLE SPECIFICATIONS**

10. There was submitted a report by the Head of Legal and Democratic Solutions (1) advising that the Council, as licensing authority, was required to periodically review its specifications for taxis and private hire cars, due to changes in vehicle manufacture; (2) detailing (a) in Appendix 1 to the report, the proposed taxi specifications, and (b) in Appendix 2 to the report, the proposed private hire specifications; (3) seeking approval for the Head of Legal and Democratic Solutions to undertake a consultation with the taxi and private hire trade on the revised specifications for taxis and private hire cars, and (4) highlighting, that following consideration of the responses received during the consultation exercise, a further report would be submitted to a future meeting of the Committee seeking approval of the revised specifications for taxis and private hire cars.

The Head of Legal and Democratic Solutions advised that it was proposed that the consultation period be set at six weeks, which was agreed by the Committee.

**Decided:** that the Head of Legal and Democratic Solutions be authorised to undertake a six week consultation with the taxi and private hire trade on revised specifications for taxis and private hire cars.

**LOCAL PUBLIC HOLIDAYS FOR FACTORIES AND BUSINESSES 2020**

11. There was submitted a report by the Head of Legal and Democratic Solutions seeking approval of local public holidays for the calendar year 2020 for factories and businesses in North Lanarkshire.

During consideration of this item, the Committee requested consideration of the inclusion of the Victory in Europe (VE) Day, which was being celebrated on 8 May 2020, in the Local Public Holidays of Factories and Businesses in 2020. The Head of Legal and Democratic Solutions undertook to discuss the matter with the Council's Armed Forces Veterans Champion and consider the request in line with the Council's position on public holiday provision.

**Decided:**

- (1) that it be agreed that the local public holidays for factories and businesses for the calendar year 2020 be as follows:-

Wednesday, 1 January and Thursday, 2 January 2020

Monday, 13 April 2020

Monday, 4 May 2020

Monday, 25 May 2020

Monday, 20 July 2020

Monday, 28 September 2020

Friday, 25 December and Monday, 28 December 2020

- (2) that the Head of Legal and Democratic Solutions discuss the request to include VE Day 2020, which was being celebrated on 8 May 2020, in the Local Public Holidays for Factories and Businesses 2020 with the Council's Armed Forces Veterans Champion and thereafter consider the matter in line with the Council's position on public holiday provision.

**REVENUE MONITORING REPORTS**

**(1) REVENUE BUDGET MONITORING REPORT – CHIEF EXECUTIVE AND OTHER CORPORATE SERVICES 1 APRIL TO 19 JULY 2019**

12. There was submitted a report by the Head of Financial Solutions (1) summarising the Chief Executive's and other corporate services' financial performance for the period 1 April to 19 July 2019;

(2) illustrating the projected outturn as at 31 March 2020; (3) highlighting and explaining the major outturn variances, as per the Council's approved Financial Regulations; (4) intimating that the Council approved its General Fund Revenue Budget on 21 February 2019, of which £70.642m represented the Net Revenue Budget for the Chief Executive's and other corporate services; (5) advising that the Service was currently projecting a year-end balanced budget for the financial year, and (6) detailing (a) that the 2019/20 budget incorporated £1.957m of savings previously approved by the Council, and (b) that it was anticipated that £1.897m of savings would be delivered by the financial year-end.

**Decided:** that the financial position of the 2019/20 Chief Executive's and other corporate services Revenue Budget be noted.

**(2) REVENUE BUDGET MONITORING REPORT – COUNCIL SUMMARY 1 APRIL TO 19 JULY 2019**

13. There was submitted a report by the Head of Financial Solutions (1) providing an update on the overall position for the General Fund Account, Housing Revenue Account and Adult Social Care for the financial year to 31 March 2020; (2) advising that the report consolidated the budget monitoring position of all Services; (3) highlighting and explaining major variances as per the Council's approved Financial Regulations; (4) setting out (a) in Appendix 1 of the report, a financial summary by Service; (b) in Appendix 2 of the report, the anticipated commitments against the earmarked reserves, and (c) in Appendix 3 of the report, the availability of one-off funds from the Change Management Fund; (5) intimating (a) that the Council approved its General Fund Revenue Budget on 21 February 2019, and (b) that due to revised assumptions following the issue of the Local Government Finance Circular 2/2019 in March 2019 the Council had an opening reported budget of £748.926m against which it was currently projecting a deficit of £0.727m; (6) detailing that the 2019/20 budget incorporated £27.666m of savings of which it was anticipated that £25.498m of savings would be delivered by the financial year-end, with replacement savings of £1.234m identified to date, leaving a shortfall of £0.934m.

**Decided:**

- (1) that the financial position of the 2019/20 Revenue Budget be noted, and  
(2) that the content of the report be otherwise noted.

**CAPITAL PROGRAMME 2019/20 MONITORING REPORT – 1 APRIL TO 19 JULY 2019**

14. There was submitted a report by the Head of Financial Solutions (1) providing an update on resources and expenditure on the 2019/20 budget for the Council's Capital Programmes; (2) advising of the provisional year-end outturn position and the resultant variances, and (3) detailing in the Appendices to the report (a) the Council's Capital Programme 2019/20 budget movements; (b) the 2019/20 General Fund and Housing Revenue Account Capital Investment Programme summaries, as at 19 July 2019, and (c) a summary of the virement requests.

**Decided:** that the financial position of the Council's Capital Programmes, as at 19 July 2019, be noted.

**TREASURY MANAGEMENT MONITORING REPORT FOR QUARTER ENDED 30 JUNE 2019**

15. There was submitted a report by the Head of Financial Solutions (1) advising on the quarterly Treasury Management Activity for the period 1 April to 30 June 2019; (2) informing of debt restructuring, borrowing, investments and the interest rate movements during that period, and (3) providing, in Appendix 2 of the report, a summary of key treasury and prudential indicators as at quarter ended 30 June 2019.

**Decided:** that the Treasury Management Activity for the quarter ended 30 June 2019, including the positive performance against the key treasury and prudential indicators, be noted.

#### **TREASURY MANAGEMENT ANNUAL ACTIVITY REPORT 2018/19**

16. There was submitted a report by the Head of Financial Solutions (1) providing, in the Appendix to the report, the Treasury Management Annual Activity Report 2018/19; (2) outlining the Treasury Management activity undertaken during 2018/19, and the resulting impact on the Council's Borrowing and Investment Strategy; (3) reporting on the Council's performance in complying with the mandatory prudential indicators, and (4) summarising the Council's performance, making reference to targets and prudential indicators set at the start of the financial year, within the approved Treasury Management Strategy Statement 2018/19.

**Decided:** that the Treasury Management activity undertaken during 2018/19, and the resulting impact on the Council's Borrowing and Investment Strategy, as outlined in the Appendix to the report, be noted.

#### **ANNUAL ACCOUNTS OUTTURN**

17. There was submitted a report by the Head of Financial Solutions (1) advising that the Annual Statutory Accounts for the Council for the year ended 31 March 2019 had been approved by the Audit and Scrutiny Panel, and subsequently submitted to the Council's External Auditors, Audit Scotland, by the statutory date of 30 June 2019, and (2) explaining any major variances against the Council's annual budget for the year 2018/19.

**Decided:** that the content of the report be noted.

#### **ANNUAL EFFICIENCY STATEMENT 2018/19**

18. There was submitted a report by the Head of Financial Solutions (1) advising of the submission to COSLA of the Council's Annual Efficiency Statement for the year ended 31 March 2019, and (2) summarising, in the Appendix to the report, the efficiencies delivered in 2018/19.

**Decided:** that the submission of the Annual Efficiency Statement for 2018/19 to COSLA be noted.

#### **PAYMENT OF LOCAL TAXATION AND BENEFIT UPDATE**

19. There was submitted a report by the Head of Financial Solutions (1) providing an update on the payment performance for Council Tax and Non Domestic Rates and the administration of Welfare Benefits and the Council Tax Reduction Scheme as at 30 June 2019; (2) advising (a) that the current year collection of Council Tax at the end of June 2019 was 28.4%, which was equivalent to the position at the same point in the previous year, and (b) that the Non Domestic Rates collection as at 30 June 2019 was 17.3%, which was 0.3% lower in comparison with the previous year as a result of one ratepayer who settled their bill by the end of June 2019 but settlement was not received until July 2019; (3) detailing a comparison of the performance at the end of June 2019/20 against the same period in the previous year, in relation to the speed of processing benefit applications and changes, which had significantly improved in line with expectations, and (4) providing an update on the Scottish Welfare Fund, which was within budget for 2019/20.

**Decided:** that the report be noted.

**GENERAL DEBTORS DEBT WRITE-OFF 2019/20**

20. There was submitted a report by the Head of Financial Solutions (1) summarising the outstanding debtor accounts which were deemed uncollectable following all attempts at recovery or were considered uneconomically viable to continue pursuing; (2) advising that an analysis of outstanding balances due to the Service had been conducted and the total sum of £261,273.73 had been deemed uncollectable; (3) indicating that the Head of Financial Solutions, under delegated authority, had written-off debts under £500, amounting to £47,162.26, and (4) seeking approval to write-off debts in excess of £500, amounting to £214,111.47.

**Decided:**

- (1) that it be noted that the Head of Financial Solutions, under delegated authority, had written-off balances, under £500, in the total sum of £47,162.26, and
- (2) that the write-off of all items over £500, to the value of £214,111.47, be approved.

**REMIT FROM THE ADULT HEALTH AND SOCIAL CARE COMMITTEE OF 29 AUGUST 2019 - SUNDRY DEBT WRITE-OFF 2019**

21. With reference to paragraph 10 of the Minute of the meeting of the Adult Health and Social Care Committee held on 23 August 2019, there was submitted a report by the Head of Children, Families and Justice Social Work Services (1) summarising the outstanding debtor accounts which were deemed uncollectable following all attempts at recovery or were considered uneconomically viable to continue pursuing; (2) advising that the Chief Accountable Officer and the Head of Financial Solutions, under delegated authority, had written-off debts under £500, amounting to £14,513.62, and (3) seeking approval to write-off debts greater than £500, amounting to £44,460.91.

**Decided:**

- (1) that it be noted that the Chief Accountable Officer and the Head of Financial Solutions, under delegated authority, had written-off debts under £500, amounting to £14,513.62, and
- (2) that the write-off of a number of debts greater than £500, amounting to £44,460.91, be approved.

**REMIT FROM THE COMMUNITIES AND HOUSING COMMITTEE OF 11 SEPTEMBER 2019 - GENERAL DEBTORS DEBT WRITE-OFF 2019**

22. With reference to paragraph 15 of the Minute of the meeting of the Communities and Housing Committee of 11 September 2019, there was submitted a report by the Head of Communities (1) summarising the outstanding debtor accounts which were deemed uncollectable following all attempts at recovery or were considered uneconomically viable to continue pursuing; (2) advising that the Executive Director (Enterprise and Communities) and the Head of Financial Solutions, under delegated authority, had written-off debts under £500, amounting to £91,106.19, and (3) seeking approval to write-off debts greater than £500, amounting to £147,290.77.

**Decided:**

- (1) that it be noted that the Executive Director (Enterprise and Communities) and the Head of Financial Solutions, under delegated authority, had written-off debts under £500, amounting to £91,106.19, and
- (2) that the write-off of debts greater than £500, amounting to £147,290.77, be approved.

**REMIT FROM THE EDUCATION AND FAMILIES COMMITTEE OF 17 SEPTEMBER 2019 - ANNUAL BAD DEBT WRITE-OFF EXERCISE**

23. With reference to paragraph 12 of the Minute of the meeting of the Education and Families Committee held on 17 September 2019, there was submitted a report by the Executive Director (Education and Families) (1) summarising the outstanding debtor accounts which were deemed uncollectable following all attempts at recovery or were considered uneconomically viable to continue pursuing; (2) advising that the Executive Director (Education and Families) and the Head of Financial Solutions, under delegated authority, had written-off debts under £500, amounting to £8,917.58, and (3) seeking approval to write-off debts greater than £500, amounting to £600.

**Decided:**

- (1) that it be noted that the Executive Director (Education and Families) and the Head of Financial Solutions, under delegated authority, had written-off debts under £500, amounting to £8,917.58, and
- (2) that the write-off of debts greater than £500, amounting to £600, be approved.

**PROCUREMENT AND COMMERCIAL IMPROVEMENT PROGRAMME 2018/19**

24. There was submitted a report by the Head of Asset and Procurement Solutions (1) intimating that the Procurement and Commercial Improvement Programme (PCIP) had been introduced in 2015 and was a model designed to assess Scottish public procurement performance in a common format; (2) advising of the outcome of the 2018/19 PCIP assessment for the Council, and (3) detailing the approach to be adopted to secure further improvement in procurement performance.

**Decided:**

- (1) that the outcome of the 2018/19 PCIP assessment be noted, and
- (2) that the approach to be adopted to secure further improvement in procurement performance and, as a result, an improvement in the score achieved in future PCIP assessments, be noted.

**PROCUREMENT STRATEGY 2019/20**

25. There was submitted a report by the Head of Asset and Procurement Solutions (1) advising that the Council's current Procurement Strategy had been published in September 2017; (2) intimating that the Council was now required to review the Procurement Strategy annually and make changes as appropriate; (3) highlighting (a) that a review had been undertaken of the Procurement Strategy, and (b) that the broad principles and policies described in the current Strategy remained relevant and, with minor adjustments, it would remain so for the foreseeable future, and (4) seeking approval of the Procurement Strategy 2019/20, as outlined in the Appendix to the report.

**Decided:**

- (1) that the Procurement Strategy 2019/20, as outlined in the Appendix to the report, be approved, and
- (2) that the content of the report be otherwise noted.

**ANNUAL PROCUREMENT REPORT 2018/19**

26. There was submitted a report by the Head of Asset and Procurement Solutions (1) advising that the Council's Annual Procurement Report 2018/19, a copy of which was appended to the report, had been prepared as per the requirements of the Procurement Reform (Scotland) Act 2014, and (2) highlighting (a) that the Annual Procurement Report 2018/19 would be published on the Council's website, and (b) that the publication of the Annual Procurement Report 2018/19 would be notified to the Scottish Government to assist with the preparation of a consolidated report by Scottish Ministers on annual public procurement activity across Scotland during 2018/19.

During consideration of this item, the Committee requested clarification as to whether details as to whether tenderers were paying the living wage could be included in future contract award reports. The Head of Asset and Procurement Solutions undertook to review the procurement process to establish whether this information could be provided in future reports.

**Decided:**

- (1) that the content of the Council's Annual Procurement Report 2018/19 be noted;
- (2) that it be noted that the Annual Procurement Report 2018/19 would be published on the Council's website;
- (3) that it be noted that the publication of the Annual Procurement Report 2018/19 would be notified to the Scottish Government to assist with the preparation of a consolidated report by Scottish Ministers on annual public procurement activity across Scotland during 2018/19, and
- (4) that the Head of Asset and Procurement Solutions review the procurement process in order to establish whether details as to whether tenderers were paying the living wage could be provided in future contract award reports.

**CONTRACT AWARD - PROVISION OF WINTER RELATED SERVICES 2019/23**

27. There was submitted a report by the Head of Asset and Procurement Solutions (1) seeking approval to award two contracts for the Provision of Winter Related Services 2019/23 to (a) Mitie Landscapes Limited for Lot 1 – Gritting and Snow Clearing Services within the Council's corporate property portfolio for a potential maximum value of £660,000, and (b) Mitie Landscapes Limited for Lot 2 – Gritting and Snow Clearing Services within North Lanarkshire Properties LLP's commercial property portfolio for a potential maximum value of £110,000; (2) advising that both contracts were for an initial period of three years, from the date of the award of each contract, and that the Council reserved the right to extend the contracts for an additional year, and (3) providing, in the Appendices to the report, a summary of (a) the evaluation process, and (b) the procurement process undertaken.

**Decided:** that it be agreed to award two contracts for the Provision of Winter Related Services 2019/23, as follows:

- (a) Lot 1 – Gritting and Snow Clearing Services within the Council's corporate property portfolio to Mitie Landscapes Limited for a potential maximum value of £660,000, and
- (b) Lot 2 – Gritting and Snow Clearing Services within North Lanarkshire Properties LLP's commercial property portfolio to Mitie Landscapes Limited for a potential maximum value of £110,000.

**CONTRACT AWARD FOR THE PROVISION OF DEBT RECOVERY AND DILIGENCE SERVICES FOR LOCAL TAXATION**

28. There was submitted a report by the Head of Financial Solutions (1) seeking approval to award the contract for the Provision of Debt Recovery and Diligence Services to Walker Love Sheriff Officers for an initial period of three years, from 1 October 2019 to 30 September 2022, with the option to extend for a further year, and (2) providing, in the Appendices to the report, a summary of (a) the evaluation process, and (b) the procurement process undertaken.

**Decided:**

- (1) that the content of the report and accompanying Appendices be noted, and
- (2) that it be agreed that the contract for the provision of Debt Recovery and Diligence Services be awarded to Walker Love Sheriff Officers for an initial period of three years, from 1 October 2019 to 30 September 2022, with the option to extend for a further year.

**MEASURED TERM CONTRACT: METAL DOORS, SCREENS AND BLACKSMITH WORKS**

29. With reference to paragraph 12 of the Minute of the meeting of the former Corporate Services Committee held on 10 November 2016, when it had been agreed to award a one-year contract for the provision of a Measured Term Contract (MTC) for Metal Doors, Screens and Blacksmith Works, including service and maintenance, to Taymore Limited, there was submitted a report by the Head of Asset and Procurement Solutions (1) advising that the MTC for Metal Doors, Screens and Blacksmith Works had expired in January 2018; (2) highlighting (a) that the contract had been retendered in mid-2018, with returns received in early January 2019, and (b) that, following consideration of the returns, it was determined that all bids were non-compliant for a variety of reasons, and (c) that the decision was taken that the contract should be retendered; (3) intimating that, in the meantime, interim measures had been put in place, on the basis that the remaining orders issued to the contractor related to repairs which affected service delivery or health and safety matters, and (4) detailing (a) that a "bidders day" had been held in order to assist potential bidders in formulating their future submissions; (b) that a further tender was issued in July 2019, with returns received on 7 August 2019, and (c) that the returns were currently being evaluated and, assuming there was a suitable compliant bid received, it was proposed that a further report be submitted to the meeting of the Committee scheduled for 27 November 2019.

**Decided:**

- (1) that it be noted that interim arrangements had been put in place following the expiration of the MTC for Metal Doors, Screens and Blacksmith Works in January 2018;
- (2) that the actions taken to retender the contract be noted, and
- (3) that the contents of the report be noted.

**CONTRACTS AWARDED BELOW COMMITTEE APPROVAL THRESHOLD**

30. There was submitted a report by the Head of Asset and Procurement Solutions providing, in the Appendix to the report, details of contracts which had been awarded by him, under delegated authority, during the period from 1 April to 30 June 2019.

**Decided:** that the content of the report and the Appendix be noted.

Councillor Burrows, prior to consideration of the following item of business, declared an interest by virtue of the party requesting the lease variation being known to him, left the meeting and took no part in the determination of the item.

Councillor McNeil assumed the Chair.

**PROPOSED VARIATION OF LEASE - GROUND AT LABURNUM ROAD, VIEWPARK**

31. There was submitted a report by the Head of Asset and Procurement Solutions (1) advising that the Focus Youth Project had requested a variation to its existing lease in order to incorporate an additional area of ground, as detailed on the plan appended to the report, and (2) summarising the amended terms and conditions for the lease, details of which had been provisionally agreed with the Focus Youth Project.

**Decided:**

- (1) that the proposed variation of the current lease and its terms, as detailed in the report, be approved, and
- (2) that the Head of Asset and Procurement Solutions be authorised to adjust all other terms and conditions.

Councillor Burrows resumed the Chair.

**PROPOSED SUB-STATION AT BARONS ROAD, MOTHERWELL**

32. There was submitted a report by the Head of Asset and Procurement (1) seeking agreement to grant a new lease to SP Distribution plc for an electrical sub-station and an associated servitude for cables, pedestrian and vehicular rights of access on land at Barons Road, Motherwell, as detailed in the plan appended to the report, and (2) summarising the proposed terms and conditions of the lease.

**Decided:**

- (1) that it be agreed to grant a new lease to SP Distribution plc, or their nominees, for a sub-station and an associated servitude for cables, pedestrian and vehicular rights of access on land at Barons Road, Motherwell, as per the terms and conditions detailed in the report, and
- (2) that the Head of Asset and Procurement Solutions be authorised to adjust all other terms and conditions.

**AFFORDABLE HOUSING POLICY (AHP) PURCHASES AT RAVENS CRAIG, MOTHERWELL - KEEPMOAT HOMES**

33. With reference to paragraph 10 of the Minute of the meeting of the former Enterprise and Housing Committee held on 5 September 2018, when it was agreed to purchase 11 houses at Ravenscraig, Motherwell from Keepmoat Homes Limited, or their nominees, for a total sum of £1,205,000, there was submitted a report by the Head of Asset and Procurement Solutions (1) advising that Keepmoat Homes had received planning permission for the erection of 111 houses at Ravenscraig, Motherwell; (2) intimating that, since that approval, there had been changes to the original specification of the houses in order to ensure that they met the requirements of the Housing for Varying Needs Standards, achieved the Sustainability Standard Silver Aspects 1 and 2 and, as a result, would also meet the Scottish Government requirement for 'greener standards', and (3) seeking approval for the

purchase of the 11 properties, as detailed in paragraph 2.3 of the report, for a total purchase price of £1,411,832.

**Decided:**

- (1) that the acquisition of 11 houses at Ravenscraig, Motherwell from Keepmoat Homes, as detailed in Section 2.3 of the report, be approved, and
- (2) that the Head of Asset and Procurement Solutions be authorised to adjust all other terms and conditions.

**REALLOCATION OF LAND AT CALEDONIAN AVENUE, BELLSHILL FROM ENVIRONMENTAL ASSETS TO ENTERPRISE AND HOUSING RESOURCES**

34. There was submitted a report by the Head of Asset and Procurement Solutions (1) advising that the Council's Enterprise and Housing Resources Service had approached Asset and Procurement Solutions to assist with the proposed reallocation of land at Caledonian Avenue, Bellshill from the Environmental Assets Service, as detailed in the plan contained in Appendix 2 to the report, in order that it be utilised for the new build of council housing provision; (2) highlighting that the land was currently held by the Environmental Assets Service, who had no objection to the land being released from its remit; (3) detailing that a local Elected Member had highlighted objections from local residents to the use of this area of land for the provision of housing, and (4) intimating that it was considered that the development of the site was in keeping with the overall Council strategy to identify and develop additional sites for council housing.

**Decided:**

- (1) that it be agreed that the land at Caledonian Avenue, Bellshill, as detailed in the Appendix to the report, be reallocated from the Council's Environmental Assets Service to the Enterprise and Housing Resources Service, for the purpose of the construction of new build council housing, and
- (2) that the content of the report and the Appendix be noted.

**It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following items on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act.**

**MERRYSTONE HOUSE, COATBRIDGE**

35. With reference to paragraph 6 of the Minute of the meeting of the former Social Work Sub-Committee held on 8 August 2017, when it had been agreed to declare the Merrystone Support Base, 10 Blairhill Street, Coatbridge surplus to requirements, there was submitted a report by the Head of Asset and Procurement Solutions seeking approval for the sale of Merrystone House to the highest financial bidder, or their nominees if considered appropriate, as detailed in the report.

**Decided:**

- (1) that the sale of Merrystone House to the highest financial bidder, or their nominees if considered appropriate, as detailed in the report, be approved;
- (2) that the ability to revert to the second and then the third place bidders based on their bid price, in the event that the preferred bidder withdrew or failed to complete the acquisition of the property, be approved, and
- (3) that the Head of Asset and Procurement Solutions be authorised to adjust all other terms and conditions.

**453 MAIN STREET, COATBRIDGE**

36. With reference to paragraph 7 of the Minute of the meeting of the former Corporate Services Committee held on 9 February 2017, when it had been agreed to declare the property at 453 Main Street, Coatbridge surplus to requirements, there was submitted a report by the Head of Asset and Procurement Solutions seeking approval for the sale of 453 Main Street, Coatbridge to the highest financial bidder, or their nominees if considered appropriate, as detailed in the report.

**Decided:**

- (1) that the sale of 453 Main Street to the highest bidder, or their nominees if considered appropriate, as detailed in the report, be approved, and
- (2) that the Head of Asset and Procurement Solutions be authorised to adjust all other terms and conditions.