

STIRLING COUNCIL

MINUTES of MEETING of STIRLING COUNCIL held in the COUNCIL CHAMBERS, VIEWFORTH, STIRLING on THURSDAY 8 DECEMBER 2016 at 10.30 AM

Present:

Provost Mike ROBBINS (in the Chair)

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

In Attendance

Carol Beattie, Senior Manager – Economic Development & Regeneration
Jim Boyle, Chief Officer – Finance
Alastair Brown, Director of Localities & Infrastructure
Stacey Burlet, Director of Children, Communities & Enterprise
Stewart Carruth, Chief Executive
Christina Cox, Service Manager – Planning & Building Standards
Emma Fyvie, Planning & Policy Team Leader, Planning & Building Standards
Guy Harewood, Sustainable Development Project Officer
Kristine Johnson, Chief Officer – HR
Deborah Kilpatrick, Senior Communications Adviser
David McDougall, Governance Officer
Jonathan Padmore, Team Leader, Transport Planning
Nicole Paterson, Senior Manager – Environment & Place
Brian Roberts, Senior Manager – Infrastructure
Kirsty Scott, Service Manager – Communications, Events & Public Affairs
Margaret Wallace, Service Manager – Communities
Iain Strachan, Chief Officer – Governance (Clerk)

Also in Attendance

Kenneth Ferguson, CEO Robertson Trust

Announcements

At the beginning of the meeting the Provost, the Council Leader and the Leader of the Opposition noted their thanks and congratulations to the various officers involved in the recent success in securing Stirling's City Deal.

SC506 APOLOGIES

Apologies for absence were submitted on behalf of Councillor Alasdair MacPherson.

SC507 DECLARATIONS OF INTEREST

Councillor Neil Benny declared a financial interest in agenda item 9 (Governance of Arms-Length External Organisations and Strategically Funded Bodies) as he was an employee of thinkWhere.

Councillor Graham Lambie declared a financial interest in agenda item 9 (Governance of Arms-Length External Organisations and Strategically Funded Bodies) as he was employed at Stirling Enterprise Park (STEP).

The Chief Officer – Governance noted that many members would have non-financial interests as Board Members/Trustees of the various organisations referred to in agenda item 9 (Governance of Arms-Length External Organisations and Strategically Funded Bodies); and this would be recorded in the minutes for the sake of transparency but that those members felt able to consider that item.

Councillor Mark Ruskell declared a non-financial interest as a Member of the Scottish Parliament.

SC508 URGENT BUSINESS

There were no matters of urgent business.

SC509 MINUTES

(a) Meeting of Stirling Council – 6 October 2016

The Minutes of the Meeting of Stirling Council held on 6 October 2016 were approved as a correct record of the proceedings.

(b) Parental Appeals Panel – 26 October 2016

The Minutes of the Parental Appeals Panel held on 26 October 2016 were approved as a correct record of the proceedings.

(c) Local Review Body – 27 October 2016

The Minutes of the Local Review Body held on 27 October 2016 were approved as a correct record of the proceedings.

SC510 WRITTEN QUESTIONS

Six written questions had been received in terms of Standing Order 41. The questions and answers are attached at Appendix 1 to these Minutes.

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

SC511 QUESTION TIME

In terms of Standing Order 48, Members had the opportunity to put questions to the Provost, the Leader of the Council, any Portfolio Holder or Committee Convener or Chair of any Panel as appropriate regarding any business included in the Volume of Minutes circulated with the agenda for the meeting.

The following questions were put:-

Councillor Graham Lambie - Minutes of Meeting of Stirling Council held on 6 October 2016 (SC496 – Question regarding Smartwater Delivery Pilot)

The Convener of the Public Safety Committee confirmed that the Smartwater Evaluation information had now been received from Police Scotland and advised he was waiting to receive the procurement information, before progressing this with the Chief Officer – Governance and Senior Officers as appropriate.

Councillor Mark Ruskell - Minutes of Meeting of Stirling Council held on 6 October 2016 (SC505(a) – Deposit Return System)

The Convener of the Environment & Housing Committee confirmed that a report on this would be brought to the February 2017 meeting of the Environment & Housing Committee.

SC512 DISTRICT OF STIRLING LICENSING BOARD - VACANCY

The Director of Localities & Infrastructure submitted a report that invited Council to make an appointment to fill a vacancy on the District of Stirling Licensing Board.

The Licensing (Scotland) Act 2005 provided that “where there is a vacancy in the membership of a Licensing Board, the relevant council must, at their first meeting after the vacancy arises, hold an election to fill the vacancy”.

No nominations were received.

Decision

A report inviting Council to make an appointment to fill the remaining vacancy on the District of Stirling Licensing Board would be included in the agenda for the next Council meeting.

(Reference: Report by Director of Localities & Infrastructure, dated 15 November 2016, submitted)

SC513 ANNUAL REVIEW OF GOVERNANCE DOCUMENTS

The Director of Localities & Infrastructure submitted a report that presented a revised Standing Orders, Scheme of Delegation and Financial Regulations.

Decision

The Council agreed:-

1. to adopt with effect from 9 December 2016 the Standing Orders set out in Appendix 2 to the report;
2. to approve with effect from 9 December 2016 the Scheme of Delegation set out in Appendix 3 to the report;
3. to approve with effect from 9 December 2016 the Financial Regulations set out in Appendix 4 to the report;
4. to note that the Chief Officer – Governance would continue to carry out annual reviews of the Standing Orders and Scheme of Delegation;
5. to delegate authority to the Chief Officer – Governance, in consultation with the Chief Officer – HR & OD, Chair of the Health & Safety Panel, the Leader of the Opposition and the Joint Trade Union Committee (JTUC), to take forward the establishment of a forum to replace the Health & Safety Panel, with membership of the forum shared between Elected Members, the Corporate Management Team and Trade Unions, and to make the necessary consequential amendments to the Standing Orders and the Scheme of Delegation. Chief Officer – Governance to circulate amendments to members once finalised; and
6. that the requirement under Standing Order 78 of two thirds of members present to agree to reconsider any changes to a decision made within a six month period shall not apply to any changes which are proposed to be made to the Standing Orders, Scheme of Delegation or Financial Regulations by the new Council at the statutory meeting of Council in May 2017 following the Local Government Election.

(Reference: Report by Director of Localities & Infrastructure, 16 November 2016, submitted)

SC514 GOVERNANCE OF ARMS-LENGTH EXTERNAL ORGANISATIONS AND STRATEGICALLY FUNDED BODIES

The Director of Localities & Infrastructure submitted a report proposing a revised approach to the monitoring of and appointments to arms-length external organisations and strategically funded bodies. Stirling Council, like all local authorities, worked with a wide variety of external organisations to achieve a number of key objectives. The Council was responsible for ensuring that any organisation it established or funded could demonstrate Best Value in its use of public money, and there had recently been increased national focus on the governance of such arms-length external organisations and other strategically funded bodies.

On 11 December 2014, the Council approved its own local version of the national code which regulated such local authority oversight, this local code being the “Local Code of Practice: Following the Public Pound and Funding External Bodies”.

It was considered that whilst the Council’s Local Code provided a robust framework to ensure suitable oversight of the use of such arms-length external organisations and other strategically funded bodies, there were some enhancements which could

be made to the current governance arrangements associated with this. This report proposed such enhancements, including a revised approach to the appointment of Elected Members and Officers to external organisations and a review of those arms-length external organisations which were focused on economic development/tourism.

Motion

“That Council agrees:-

1. to note the increased national focus on local authorities’ governance of their arms-length external organisations and other strategically funded bodies;
2. to note there would be an annual report to the Audit Committee on the activity and performance of (i) all Council arms-length external organisations and (ii) other strategically funded organisations which are funded annually by the Council in excess of £75,000 and fall within the scope of the Council’s Local Code of Practice: Following the Public Pound and Funding External Bodies;
3. that there would be a revised approach to the appointment of Elected Members and Officers to external organisations, as follows:-
 - 3.1.1 That Elected Members and Officers should no longer be appointed as Directors/Trustees of Council arms-length external organisations and/or strategically funded organisations which were funded annually by the Council in excess of £75,000 and fall within the scope of the Council’s Local Code of Practice: Following the Public Pound and Funding External Bodies, other than for the potential appointment of Elected Members as Directors/Trustees of those Council arms-length external organisations/strategically funded organisations which (i) have a clear community/public benefit purpose that is aligned with the Council’s corporate objectives and (ii) are not solely engaged in commercial operations in competition with the private sector;
 - 3.1.2 That authority be delegated to the Chief Officer – Governance to effect the change in approach outlined at recommendation 2.3.1 above, in consultation with the Director of Localities & Infrastructure and the Director of Children, Communities & Enterprise;
 - 3.1.3 It being noted that the said change in approach will be effected as soon as possible, albeit that given some of the work required to implement this, and also other ongoing work with some of the organisations affected, it may require to be effected in a phased manner;
 - 3.1.4 It being further noted that this recommendation does not apply to appointments to Active Stirling Limited in respect of which a decision will be sought from a future meeting of the Council; and
 - 3.1.5 That future governance and financial monitoring arrangements for all Council arms-length external organisations are considered and agreed at the appropriate service committee of Stirling Council;
4. to note that all future appointments of Elected Members to external organisations would still be reserved to full Council, as provided for in the Council’s Scheme of Delegation;

5. that after the Local Government elections in May 2017 Elected Members shall no longer be appointed to be members of those unincorporated associations identified in paragraph 3.25 of this report, unless any such associations had been constituted as Scottish Charitable Incorporated Organisations or their corporate structures are by that time otherwise considered to be suitable, with authority being delegated to the Chief Officer – Governance to effect the same, in consultation with the Director of Localities & Infrastructure and the Director of Children, Communities & Enterprise;
6. to agree that (i) the Chief Officer - Governance shall consult with the Group Leaders to decide which of those other organisations that members were currently appointed to would be the subject of such appointments following the May 2017 Local Government elections, save as otherwise decided upon by this report, and (ii) should there be disagreement upon the same, then a report would be brought to the March 2017 meeting of Council, to finalise the identity of such organisations;
7. to agree that an external consultant be appointed to review the Council's current arrangements with those organisations identified in paragraph 3.34 of this report, the general purpose of such review being as described in paragraphs 3.34 to 3.36 of this report, and note that the Senior Manager Economic Development & Regeneration would effect the same, in consultation with the Group Leaders, and report back to a future meeting of the Finance & Economy Committee for a decision on how the outcome of the review should be effected, once the said review has been completed; and
8. to note the update provided in respect of work recently undertaken in respect of other Council arms-length external organisations as reported in paragraphs 3.38 to 3.41 of this report.”

Moved by Councillor Johanna Boyd, seconded by Councillor Neil Benny

Amendment

“That Council resolves to remit the paper back for further consideration and cross party talks. That recommendations are brought forward for due consideration to the March 2017 Council to inform the new Council following the 2017 elections in May.”

Moved by Councillor Scott Farmer, seconded by Councillor Ian Muirhead

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

For the Amendment (9)

Councillor Scott Farmer
Councillor Alycia Hayes
Councillor Graham Houston
Councillor Graham Lambie
Councillor Gerry McLaughlan
Councillor Ian Muirhead
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Against the Amendment (12)

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

The Amendment fell by 12 votes to 9.

For the Motion (12)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Johanna Boyd
Councillor Margaret Brisley
Depute Convener Callum Campbell
Councillor Martin Earl
Councillor Danny Gibson
Councillor John Hendry
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Against the Motion (9)

Councillor Scott Farmer
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Councillor Graham Houston
Councillor Graham Lambie
Councillor Gerry McLaughlan
Councillor Ian Muirhead
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Decision

The Motion was carried by 12 votes to 9, and accordingly the Council agreed:-

1. to note the increased national focus on local authorities' governance of their arms-length external organisations and other strategically funded bodies;
2. to note there would be an annual report to the Audit Committee on the activity and performance of (i) all Council arms-length external organisations and (ii) other strategically funded organisations which are funded annually by the Council

in excess of £75,000 and fall within the scope of the Council's Local Code of Practice: Following the Public Pound and Funding External Bodies;

3. that there would be a revised approach to the appointment of Elected Members and Officers to external organisations, as follows:-
 - 3.1.1 That Elected Members and Officers should no longer be appointed as Directors/Trustees of Council arms-length external organisations and/or strategically funded organisations which were funded annually by the Council in excess of £75,000 and fall within the scope of the Council's Local Code of Practice: Following the Public Pound and Funding External Bodies, other than for the potential appointment of Elected Members as Directors/Trustees of those Council arms-length external organisations/strategically funded organisations which (i) have a clear community/public benefit purpose that is aligned with the Council's corporate objectives and (ii) are not solely engaged in commercial operations in competition with the private sector;
 - 3.1.2 That authority be delegated to the Chief Officer – Governance to effect the change in approach outlined at recommendation 2.3.1 above, in consultation with the Director of Localities & Infrastructure and the Director of Children, Communities & Enterprise;
 - 3.1.3 It being noted that the said change in approach will be effected as soon as possible, albeit that given some of the work required to implement this, and also other ongoing work with some of the organisations affected, it may require to be effected in a phased manner;
 - 3.1.4 It being further noted that this recommendation does not apply to appointments to Active Stirling Limited in respect of which a decision will be sought from a future meeting of the Council; and
 - 3.1.5 That future governance and financial monitoring arrangements for all Council arms-length external organisations are considered and agreed at the appropriate service committee of Stirling Council;
4. to note that all future appointments of Elected Members to external organisations would still be reserved to full Council, as provided for in the Council's Scheme of Delegation;
5. that after the Local Government elections in May 2017 Elected Members shall no longer be appointed to be members of those unincorporated associations identified in paragraph 3.25 of this report, unless any such associations had been constituted as Scottish Charitable Incorporated Organisations or their corporate structures are by that time otherwise considered to be suitable, with authority being delegated to the Chief Officer – Governance to effect the same, in consultation with the Director of Localities & Infrastructure and the Director of Children, Communities & Enterprise;
6. to agree that (i) the Chief Officer - Governance shall consult with the Group Leaders to decide which of those other organisations that members were currently appointed to would be the subject of such appointments following the May 2017 Local Government elections, save as otherwise decided upon by this report, and (ii) should there be disagreement upon the same, then a report would

be brought to the March 2017 meeting of Council, to finalise the identity of such organisations;

7. to agree that an external consultant be appointed to review the Council's current arrangements with those organisations identified in paragraph 3.34 of this report, the general purpose of such review being as described in paragraphs 3.34 to 3.36 of this report, and note that the Senior Manager Economic Development & Regeneration would effect the same, in consultation with the Group Leaders, and report back to a future meeting of the Finance & Economy Committee for a decision on how the outcome of the review should be effected, once the said review has been completed; and
8. to note the update provided in respect of work recently undertaken in respect of other Council arms-length external organisations as reported in paragraphs 3.38 to 3.41 of this report.

(Reference: Report by Director of Localities & Infrastructure, dated 1 December 2016, submitted)

SC515 LOCAL GOVERNMENT BOUNDARY COMMISSION FIFTH REVIEW OF ELECTORAL ARRANGEMENTS - PROPOSED CHANGES IN POLLING DISTRICTS

The Director of Localities & Infrastructure submitted a report proposing a number of changes to polling districts following the recent Local Government Boundary Review. On 14 September Scottish Ministers made their decision on the Local Government Boundary Commission's (LGBC) final recommendations on electoral arrangements for local authorities in Scotland. The electoral arrangements approved for Stirling Council would result in an increase from 22 to 23 Councillors representing five, three member wards and two, four member wards.

The Stirling (Electoral Arrangements) Order 2016 was laid before the Scottish Parliament on 14 September 2016 and came into force on 30 September 2016. The Order applies only for the purpose of an election to be held on or after 4 May 2017.

The new ward boundaries set out in the Order would require the revision of a number of polling districts in new Ward 3 (Dunblane and Bridge of Allan), Ward 4 (Stirling North), Ward 5 (Stirling West), Ward 6 (Stirling East) and Ward 7 (Bannockburn). The Council was invited to approve the proposed changes in polling districts and one change in polling place as set out in Appendix 2 to the report.

Members agreed to the use of the Guide Hut as the alternative venue for the Local Government Elections in May 2017, for those electors who would normally vote at the Albert Hall, subject to officers continuing to explore the possibility of a more central venue.

Decision

The Council agreed to:-

1. to approve the proposed changes in polling districts set out in Appendix 2;

2. to designate Riverside Primary School (Family Room) as the polling place for polling district SS440; and
3. to note that a review of polling places and polling districts in the Stirling Constituency would be carried out in 2018.

(Reference: Report by Director of Localities & Infrastructure, dated 2 November 2016, submitted)

SC516 STIRLING COUNCIL'S ANNUAL REPORT 2015/16

The Director of Children, Communities & Enterprise submitted a report that presented Stirling Council's Annual Report for 2015-16.

Each year, as part of the Council's performance reporting arrangements, an annual report was produced for the previous financial year. The report gave a review of progress towards achieving the Council's priorities and performance targets.

Decision

The Council agreed to note and endorse the contents of Stirling Council Annual Report 2015/16 and performance supplement (Appendices 2 and 3 to the report).

(Reference: Report by Director of Children, Communities & Enterprise, dated 29 November 2016, submitted)

SC517 SPORT, PHYSICAL ACTIVITY AND LEISURE SERVICES – UPDATE ON FUTURE DELIVERY

The Director of Children, Communities & Enterprise submitted a report providing an update on future delivery of sport, physical activity and leisure services. Stirling Council's Sport, Physical Activity and Well-being Strategy had been approved by the Council's Community Planning & Regeneration Committee in June 2015. The Strategy outlined how sport and physical activity would improve the health and well-being of residents across the area.

At its meeting of 10 December 2015 the Council decided that in order to deliver its sport and physical activity services in the future and achieve the vision and aspirations of its new Sport, Physical Activity and Well-being Strategy, it needed to put in place a long-term arrangement that would strengthen local community access, club sport and school sport and promote access to sport and physical activity in a way that tackled health and other inequalities.

At the 10 December 2015 meeting of Council, Council agreed to undertake a tendering exercise for sport, physical activity and leisure services, and instructed officers to progress this, delegating full authority for progression, up to but not including award of contract, to the (then) Director of Communities and Partnerships, in consultation with the Convener of the Community Planning & Regeneration Committee. Council also decided that the actual approval of contract award would be the subject of a future report to the Community Planning & Regeneration Committee.

It was now considered that, given the importance of the contract to the success of the Council's Sport, Physical Activity & Well-being Strategy, it would be more appropriate

for the decision on final award of contract to be made by full Council rather than the decision being delegated to the Community, Planning & Regeneration Committee.

Decision

The Council agreed:-

1. that the full Council decision of 10 December 2015 (SC438) in respect of the progression of the tender process for the provision of the Council's sport, physical activity and leisure services was varied, but only so that the decision on the award of contract would be the subject of the approval of full Council, and not the Community Planning & Regeneration Committee, with a special meeting of full Council being convened for 6.00pm on Thursday 9 February 2017 to consider a report in respect of the proposed award of that contract.

(Reference: Report by Director of Children, Communities & Enterprise, dated 1 December 2016, submitted)

SC518 STIRLING LOCAL DEVELOPMENT PLAN: RESPONSES TO REPRESENTATIONS RECEIVED

A report submitted by the Director of Localities & Infrastructure provided an overview of responses to representations received concerning the Stirling Local Development Plan. Stirling Council was carrying out a review of the Stirling Local Development Plan 2014 and, in accordance with the Town and Country Planning (Scotland) Act 1997 (as amended), relevant procedures for preparing a new Local Development Plan (LDP) required to be followed.

At its meeting of 30 June 2016, the Council approved the Stirling Local Development Plan: Proposed Plan and associated documents for consultation. Copies of the plan were placed in local libraries, selected Council offices and were published on the Council's website. A notice was placed in the local press and officers held four well attended drop-in information events in Stirling, Pleun, Killearn and Dunblane. Alerts were also sent out via social media. The consultation period began on 11 July and the closing date for representations was 23 September 2016.

A total of 193 representations consisting of 390 individual points of representation were received over the eleven week period covering a wide range of matters including housing land supply, developer contributions and a number of allocated and non-allocated development sites.

In order to submit unresolved representations to Scottish Ministers for Examination, the Council was required to summarise and group representations into issues as well as provide a Council response. Each issue was set out in a 'Schedule 4' sheet.

The Proposed Plan as approved by the Council in June 2016 formed the Council's settled view on how the area should be developed over the next 10-20 years and was not a draft plan. It was informed by extensive early engagement through the Call for Sites process and Main Issues Report in 2014 and 2015 respectively. No significant change through this most recent consultation process was therefore envisaged.

This report highlighted some of the key issues raised in representations and sought approval for the Schedule 4 summary sheets which included a draft Council response to issues raised. Authorisation was also sought for officers to submit Schedule 4

sheets, with delegated powers to make minor editorial changes, and all supporting information to Scottish Ministers to allow the local development plan examination to proceed. In addition, approval was sought for the programme of review of Supplementary Guidance which would form part of the new plan.

Decision

The Council agreed to:-

1. approve the draft Schedule 4 sheets forming Appendix 2 as the Council's responses to all representations received during the Proposed Plan consultation period;
2. authorise Officers to submit Appendix 2, with delegated powers to make minor editorial change and all supporting information to Scottish Ministers for the purposes of carrying out an Examination into all unresolved issues and to advertise the examination in line with planning legislation; and
3. approve the programme of review for Supplementary Guidance set out in Appendix 3 to this report.

(Reference: Report by Director of Localities & Infrastructure, dated 29 November 2016, submitted)

SC519 STIRLING'S LOCAL TRANSPORT STRATEGY 2017-2027

The Director of Localities & Infrastructure submitted Stirling's Local Transport Strategy 2017-2027 for consideration and approval. A review of Stirling's Local Transport Strategy had been undertaken to support the growth aspirations of Stirling's Local Development Plan and the City and Rural Development Framework, and also to improve connectivity within communities.

The review considered the current transport and traffic issues affecting the communities of Stirling, as well as considering the impact of development and traffic growth across Stirling in the future.

Stirling was set for a period of significant investment and development over the next 10 years. It was critical that the Council established a robust transport strategy and delivery programme which supported this growth in a sustainable and planned way, to maximise the opportunities for Stirling, to improve active travel and improve connectivity between and within our communities.

The Local Transport Strategy set out the transport opportunities, projects and interventions required to support and enable the Council's growth aspirations whilst also delivering its broader economic, social, community and environmental objectives.

The Local Transport Strategy, and its supporting delivery plans, established a range of programme interventions to improve the existing network, to build capacity within the transport network where required, but with a clear focus on a shift to increase active travel and sustainable transport solutions.

The review had been undertaken in parallel with the Local Development Plan process, with stakeholder engagement and public consultation being undertaken during July to October 2016.

This paper presented Stirling's proposed Local Transport Strategy 2017-2027, and its' supporting delivery plans.

Motion

"That Council agrees:-

1. to approve Stirling's Local Transport Strategy 2017-2027, as contained within Appendix 3;
2. to approve the updated Local Transport Strategy delivery plans to achieve the Strategy;
 - City Area Transport Plan (Appendix 4);
 - Towns, Villages and Rural Areas Transport Plan (Appendix 5); and
 - Stirling's Active Travel Plan 'Walking and Cycling to a Healthier Stirling' (Appendix 6);
3. to approve the Local Transport Strategy and Delivery Programme review timescales as follows;
 - 3.1.1 Delivery programmes were reviewed on an annual basis and approved by the Environment & Housing Committee; and
 - 3.1.2 A mid-term review, including the strategy and delivery plans, was conducted after 5 years, with a full strategy review after 10 years (these will be aligned with the LDP process);
4. to consider the allocation of resources to support the delivery of the Local Transport Strategy and its supporting delivery plans as part of the 10 year capital programme and the Council's budget setting process in February 2017 and subsequent years; and
5. to note the outcomes of the 'Transport Review: An Overview of Public Transport in Stirling'. (Appendix 7)"

Moved by Councillor Danny Gibson, seconded by Councillor Neil Benny

Amendment

"That Council agrees:-

1. to remove all references in the Stirling Local Transport Strategy 2017-2027 to:-
 - a) Viewforth Link Road
 - b) Kildean to Bridge of Allan Corridor;

2. to approve Stirling's Local Transport Strategy 2017-2027, as contained within Appendix 3;
3. to approve the updated Local Transport Strategy delivery plans to achieve the Strategy;
 - City Area Transport Plan (Appendix 4);
 - Towns, Villages and Rural Areas Transport Plan (Appendix 5); and
 - Stirling's Active Travel Plan 'Walking and Cycling to a Healthier Stirling' (Appendix 6);
4. to approve the Local Transport Strategy and Delivery Programme review timescales as follows;
 - 4.1.1 Delivery programmes were reviewed on an annual basis and approved by the Environment & Housing Committee; and
 - 4.1.2 A mid-term review, including the strategy and delivery plans, was conducted after 5 years, with a full strategy review after 10 years (these will be aligned with the LDP process);
5. to consider the allocation of resources to support the delivery of the Local Transport Strategy and its supporting delivery plans as part of the 10 year capital programme and the Council's budget setting process in February 2017 and subsequent years; and
6. to note the outcomes of the 'Transport Review: An Overview of Public Transport in Stirling'. (Appendix 7)"

Moved by Councillor Gerry McLaughlan, seconded by Councillor Graham Houston

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

For the Amendment (9)

Councillor Scott Farmer
Councillor Alycia Hayes
Councillor Graham Houston
Councillor Graham Lambie
Councillor Gerry McLaughlan
Councillor Ian Muirhead
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Against the Amendment (12)

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

The Amendment fell by 12 votes to 9.

For the Motion (12)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Johanna Boyd
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Councillor Gerry McLaughlan
Councillor Ian Muirhead
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Decision

The Motion was carried by 12 votes to 9, and accordingly the Council agreed:-

1. to approve Stirling's Local Transport Strategy 2017-2027, as contained within Appendix 3;
2. to approve the updated Local Transport Strategy delivery plans to achieve the Strategy;

- City Area Transport Plan (Appendix 4);
 - Towns, Villages and Rural Areas Transport Plan (Appendix 5); and
 - Stirling's Active Travel Plan 'Walking and Cycling to a Healthier Stirling' (Appendix 6);
3. to approve the Local Transport Strategy and Delivery Programme review timescales as follows;
 - 3.1.1 Delivery programmes were reviewed on an annual basis and approved by the Environment & Housing Committee; and
 - 3.1.2 A mid-term review, including the strategy and delivery plans, was conducted after 5 years, with a full strategy review after 10 years (these will be aligned with the LDP process);
 4. to consider the allocation of resources to support the delivery of the Local Transport Strategy and its supporting delivery plans as part of the 10 year capital programme and the Council's budget setting process in February 2017 and subsequent years; and
 5. to note the outcomes of the 'Transport Review: An Overview of Public Transport in Stirling'. (Appendix 7).

(Reference: Report by Director of Localities & Infrastructure, dated 29 November 2016, submitted)

The meeting was adjourned for lunch at 1.05 pm.

The Council reconvened at 2.05 pm with the same Members present.

SC520 GILLIES HILL, CAMBUSBARRON – POTENTIAL DESIGNATION AS LOCAL NATURE RESERVE AND LOCAL NATURE CONSERVATION SITE

The Director of Localities & Infrastructure submitted a report proposing the designation of an area of Gillies Hill as a Local Nature Conservation Site and advising of the potential for Gillies Hill to be declared a Local Nature Reserve.

The Council on 11 December 2014 agreed to instruct officers to carry out further assessment of the feasibility of designating an area of Gillies Hill as a Local Nature Reserve (LNR) and the alternative option of Local Nature Conservation Site (LNCS) designation.

This report summarised the outcome of the assessment of an area of Gillies Hill against LNCS criteria and the steps that needed to be undertaken to declare parts of Gillies Hill as a LNR.

An assessment of the Gillies Hill area (Appendix 3) had been completed by The Wildlife Information Centre (TWIC) using accepted national standards and local criteria.

The area assessed and being considered for designation as a LNCS and/or LNR did not include the land which was currently subject to the quarrying application 14_00742_FUL or areas that currently had permitted mineral extraction rights (see paragraph 3.1).

Designation as a LNCS and/or LNR was not likely to have a significant impact on the outcome of any development application within or adjacent to the site (see paragraph 3.4 and 3.8). Either designation would assist with discussions relating to the mitigation and avoidance of negative impacts.

The Gillies Hill area scored well enough to 'pass' the assessment and be eligible for designation as a Local Nature Conservation Site (Appendix 3).

TWIC had outlined the process for the declaration of Gillies Hill as a Local Nature Reserve (Appendix 4).

Decision

The Council agreed: -

1. to designate an area of Gillies Hill (as outlined in Appendix 2) as a Local Nature Conservation Site;
2. to note that Gillies Hill was eligible for declaration as a Local Nature Reserve;
3. to note that landowner permission was required for the declaration of Gillies Hill as a Local Nature Reserve;
4. to note that prior to declaration of a Local Nature Reserve Stirling Council was required to have a legal interest in the land in question through ownership, lease, or an agreement with the owners and occupiers involved; and
5. that officers continue to work with landowners, the community and key stakeholders and report back when terms have been agreed with the landowner that would allow the declaration of an area of Gillies Hill as a LNR.

(Reference: Report by Director of Localities & Infrastructure, dated 17 November 2016, submitted)

SC521 MOTIONS IN TERMS OF STANDING ORDER 16

Prior to the Meeting, Elected Members had received supplementary information from Officers on the subject of these Motions. The supplementary information is attached as Appendix 2 to these Minutes.

(a) Living Wage Foundation

“Stirling Council has consistently delivered the Living Wage for its employees since the beginning of this Administration in 2012 and obtained Living Wage Accreditation in 2015. The Living Wage has been paid as a consolidated hourly rate which impact on other benefits such as holiday pay, overtime and is also pensionable.

Each year in November the Living Wage Foundation having reviewed the cost of living, announces a revised rate and this year the Scottish Living Wage increased from £8.25 to £8.45 per hour. Year on year this Administration has chosen to pay a Stirling minimum (higher than the Scottish Living Wage) as one of its flagship policies.

In valuing the contribution our employees make to the communities of Stirling and acknowledging the pressures on individual and family budgets, this Administration seeks a decision from Council to go beyond the Living Wage Foundation rate and to implement an increase in the hourly rate from £8.33 per hour to £8.50 per hour backdated to 16 November 2016. This will benefit nearly 400 employees and the cost to implementing this change could be funded from reserves.

The proposed Stirling minimum wage would be £1 per hour more than the recently announced National Living Wage rate set in the Autumn Statement.

As a Living Wage Accredited employer Stirling Council encourages all local employers to adopt fair work practices.”

Moved by Councillor Johanna Boyd and Councillor Corrie McChord

Decision

The motion was agreed unanimously without the need for a roll call vote.

(b) Sky Lanterns (As Amended)

“This Council recognises the hazards caused by Sky Lanterns (also known as Chinese Lanterns or fire lanterns).

Sky Lanterns have given rise to a number of serious safety concerns including:

- The risk to human life.
- Risks to pets, livestock, birds, wildlife and marine life.
- Fires and damage to property and vehicles.
- The impact on environment, including littering.

Council therefore resolves to ban the sale and use of sky lanterns on any of its property or premises where it can through future occupancy agreements and will further encourage organisers of events out-with the control of the Council to do likewise.”

Moved by Councillor Fergus Wood and Councillor Jim Thomson

Decision

The motion as amended was agreed unanimously without the need for a roll call vote.

(c) Scots Independent Newspaper

Motion

“Council congratulates everyone at the Scots Independent (SI) on the 90th anniversary of its launch 1926. It is the oldest media voice to have supported Scottish independence continuously through its history and it is also the oldest continuously-published political newspaper in Europe.

Council wishes its board, editor and contributors continued success from the SI's base here in Stirling.”

Moved by Councillor Gerry McLaughlan and Councillor Graham Houston

Amendment

“Council congratulates everyone at the Scots Independent (SI) on the 90th anniversary of its launch 1926. It is the oldest media voice to have supported Scottish independence continuously through its history and it is also the oldest continuously-published political newspaper in Europe.

Council wishes its board, editor and contributors continued success from the SI's base here in Stirling and looks forward to another ninety years of unsuccessful campaigning for Scottish Independence.”

Moved by Councillor Neil Benny and Councillor Johanna Boyd

Councillor Hayes left the meeting at this point

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

For the Amendment (12)

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

Against the Amendment (8)

Councillor Scott Farmer
Councillor Graham Houston
Councillor Graham Lambie
Councillor Gerry McLaughlan
Councillor Ian Muirhead
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

The Amendment was carried by 12 votes to 8 and became the substantive motion

For the substantive Motion (12)

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

Against the substantive Motion (7)

Councillor Graham Houston
Councillor Graham Lambie
Councillor Gerry McLaughlan
Councillor Ian Muirhead
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Not voting (1)

Councillor Scott Farmer

Decision

The substantive Motion was carried by 12 votes to 7, and accordingly it was agreed that Council congratulates everyone at the Scots Independent (SI) on the 90th anniversary of its launch 1926. It is the oldest media voice to have supported Scottish independence continuously through its history and it is also the oldest continuously-published political newspaper in Europe.

Council wishes its board, editor and contributors continued success from the SI's base here in Stirling and looks forward to another ninety years of unsuccessful campaigning for Scottish Independence.

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

The Provost intimated his intention to take the final two items in reverse order as follows.

SC522 CITY DEAL HARBOUR PROJECT PHASE 1 – ROBERTSON TRUST THIRD SECTOR INNOVATION HUB

The Director of Children, Communities & Enterprise submitted a report that offered for consideration a unique partnership proposal for the Council to act as a strategic enabler to deliver a Third Sector Hub in Stirling, within the Barracks complex on Forthside. It would represent phase 1 of the Harbour Quarter delivery programme.

The proposal sat within the overall ambition of Stirling's approach to supporting the Third Sector and progressing strategic priorities, such as early intervention to help families in need; regenerating our most in need communities to deliver a full range of positive social, environmental and economic outcomes; and improving care for our vulnerable people at home.

The proposal was also an integral part of the City Deal ambition to deliver inclusive growth across the Council area. The proposal would represent part of the Council's financial contribution to the final City Deal investment package.

Third Sector Hubs were increasingly becoming centres of excellence for charitable organisations and social enterprises. They enabled organisations to share space, learning and creativity, maximising financial efficiency and encouraging collaborative practice and social innovation. This shared environment would encourage joint working both within the sector, and between the third and public sectors, promoting resilience and enterprise.

Stirling now had the opportunity to work in partnership to deliver a bespoke Third Sector Hub in a prime city centre location. In so doing, it would contribute significantly to realising the vision of the City Deal, supporting inclusive growth, and encouraging an enterprising third sector working stronger together, and with partners.

The proposal would require the Council to undertake Prudential Borrowing.

The report was submitted to the Community, Planning & Regeneration Committee on 24 November 2016, Committee Members agreed in principle to support the business case developed to secure a Third Sector Hub for Stirling. The Committee requested that the report be submitted to Stirling Council on 8 December 2016 to seek approval for the Prudential Borrowing requirement as set out in the report.

Decision

The Council agreed:-

1. to endorse the Community, Planning & Regeneration Committee decision to approve the business case (Appendix 3) developed to secure a Third Sector Hub for Stirling; and

2. to approve the Prudential Borrowing requirement as set out in the report.

(Reference: Report by Director of Children, Communities & Enterprise, dated 27 November 2016, submitted)

SC523 MEASURED TERM CONTRACT: - SUPPLY, INSTALLATION AND MAINTENANCE OF SOLAR PHOTOVOLTAIC SYSTEMS FOR COUNCIL BUILDINGS AND SOCIAL HOUSING TENDER ACCEPTANCE PROCESS - APPROVAL TO AWARD TENDER

At the meeting of Environment & Housing Committee on 17 November 2016, the Committee agreed to remit to Council to award the tender acceptance of the Measured Term Contract for the Supply, Installation and Maintenance of Solar Photovoltaic Systems to Council Public Buildings and Social Housing. The report which was considered at the Committee was attached as Appendix 2 to the report.

Tender documents had been posted on the Public Contract Scotland and tenders were scheduled to be returned on 25 November 2016. In order to minimise the loss of income through the Feed-In-Tariff scheme for any new installations, it was prudent for Stirling Council to consider this report and determine the award of the new contract at the earliest opportunity.

To allow full consideration and assessment of all tender information received, the Convener of the Environment & Housing Committee suggested that Council remit the decision of the award of the contract for the Supply, Installation and Maintenance of Solar PV and Thermal Panels for Social Housing and Council Buildings to a Special meeting of the Environment & Housing Committee, to take place within the following 2 weeks. This was unanimously agreed without the need for a roll call vote.

Decision

The Council agreed:-

1. to remit the decision of the award of the contract for the Supply, Installation and Maintenance of Solar PV and Thermal Panels for Social Housing and Council Buildings to a Special meeting of the Environment & Housing Committee, to take place within the following 2 weeks.

(Reference: Report by Director of Localities & Infrastructure, dated 1 December 2016, submitted)

The Convener closed the meeting at 3.05 pm

QUESTION FROM COUNCILLOR GERRY MCLAUGHLAN FOR ANSWER BY CONVENER OF THE FINANCE & ECONOMY COMMITTEE AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 8 DECEMBER 2016.

QUESTION

Can the convener confirm how many staff has left the Council in this financial year per service under the 2016-17 Priority Based Budget.

Answer

The staff reduction for 2016/17 Priority Based Budget is currently 53.17 Full-time Equivalent (FTE) (55 individuals). A further 28.71 FTE (31 individuals) are under consideration.

Children, Communities & Enterprise – 16.18 FTE achieved with 9.50 FTE under consideration.

Localities and Infrastructure – 36.99 FTE achieved with 19.21 FTE under consideration.

This reduction has been achieved through voluntary severance.

Furthermore steps are being taken to reduce the requirement for voluntary severance through reviewing vacancies and temporary posts.

Supplementary Question and Answer

Cllr McLaughlan thanked the Convener of Finance & Economy for this response and asked if they would consider reviewing the recently agreed changes to the terms and conditions for those receiving financial severance packages.

The Convener of Finance & Economy advised that the affordability of severance packages was considered and agreed as per the recent Council decision and there was no intention to re-visit this subject. He noted that packages were above the statutory minimum and in line with other Local Authorities.

QUESTION FROM COUNCILLOR JIM THOMSON FOR ANSWER BY CONVENER OF THE FINANCE & ECONOMY COMMITTEE AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 8 DECEMBER 2016.

QUESTION

Can the Convenor tell me if there is agreement with communities on the regeneration proposals and will the budget allocation be fully utilised in this financial year?

Answer

Mercat Cross and City Centre Community Council facilitated a broader based community workshop in August 2016 to support a prioritisation exercise around proposals for the capital spend, based on the original programme which arose from the capital programme allocation for rural and urban development in support of the City Deal.

The prioritisation exercise was agreed with the Community Council.

Council officers attended to help facilitate the event.

From this, a draft priority list of projects was agreed by the Community Council which captured the output of that meeting. Four main projects were prioritised and these are now being progressed, as outlined in the attachment.

A written progress update was given to the last meeting of the Community Council, and a Council Officer will attend the Community Council meeting on Thursday 8th December 2016 to further discuss progress.

Spend is currently on track for this financial year in line with the capital allocation agreed at the Special Finance and Economy Committee earlier this year.

In addition to this, through the test site work, Mercat Cross and City Centre Community Council has been testing a range of engagement methods which has allowed them to contribute as a key community organisation to the shaping of the City Deal and City Deal Capital Programme, whilst involving the wider community in this.

There has also been work by the Community Council to connect to the wider community through a children and families programme and to identify issues/needs of the wider community and establish priorities for a local community plan.

Monies allocated to the test site work have been used to support these methods, activities and events.

Mercat Cross and City Centre Regeneration Infrastructure Spend

Project	Description	Specifics
Darnley Street to Princes Street	Re-open right of way Improve streetscape, lighting and environment Engage community in supporting increased community safety Refurbish equipment and tidy the environment in Darnley Street <i>Park</i>	Undertake initial design work scoping and assist in consultation works. Community Consultation exercise to determine re-opening, and finalise design Extent of works undertaken in the former right of way will depend on the result of the consultation
Streetscape improvements:	Improved quality and consistency of pavement surfaces Improved lighting Introduce appropriate street furniture Innovative use of lighting for way finding etc.	<ul style="list-style-type: none"> • Broad Street- signature lighting, innovative wayfinding (streetscape) • Baker Street Gardens–signature lighting • Darnley Street- complete streetscape redesign and renewal, hard and soft landscaping, improved lighting.
City Market Pods	Semi permanent branded high quality market pods, and associated infrastructure	To be purchased at end of financial year to enable use as part of a connected programme of events in 2017 Infrastructure to be installed as part of streetscape works.
Cowane Street	Install high quality play equipment for younger children on the communal grass at Cowane Street	<ul style="list-style-type: none"> • Identify any land use issues • Undertake consultation with residents • Equipment agreed and installed

QUESTION FROM COUNCILLOR IAN MUIRHEAD FOR ANSWER BY CONVENER OF THE ENVIRONMENT & HOUSING COMMITTEE AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 8 DECEMBER 2016.

QUESTION

What meetings has the convener held with local and national bus companies in regard to improving rural bus services?

Answer

The Public Transport Team have met with First Midland Bluebird on a number of occasions to discuss possible commercial additions to their rural local bus network. First have agreed to introduce a number of changes/enhancements to their commercial network in the Balfron area, but have not committed to a date for these to be introduced. The Public Transport Team have offered to provide a letter of support to the Traffic Commissioner to allow early introduction of these changes.

The team have also met with various rural communities with regard to changes in local bus services and Demand Responsive Transport (DRT). These meetings have taken place at the request of the communities to discuss issues giving them cause for concern. In some cases solutions have been suggested and agreed, such as the team's discussions with First regarding possible commercial enhancements, extensions to some DRT schemes and assistance to improve access to the DRT service for Balfron High School pupils attending after school activities.

We recognise the importance of adequate public transport services, particularly for our rural communities, to allow our residents to have access to education, employment, healthcare, shops and social activities.

Cllr Gibson, the Convener of Environment & Housing has met with the Transport Minister in regards to the withdrawal of commercial service and journeys and Stirling's transport needs.

Supplementary Question and Answer

Cllr Muirhead advised the Convener of Environment & Housing of a recent meeting at Balfron High School at which he was made aware that Balfron High School had not been informed or consulted on the changes to transport services in the local area and asked if the Convener would like to apologise for the handling of this issue.

The Convener of Environment & Housing advised that officers would look into these concerns as appropriate.

QUESTION FROM COUNCILLOR ALYCIA HAYES FOR ANSWER BY CONVENER OF THE ENVIRONMENT & HOUSING COMMITTEE AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 8 DECEMBER 2016.

QUESTION

Can the convener explain the reasons for the delay in implementation of decriminalisation and advise me when enforcement of illegal parking will commence.

Answer

The Council will receive the Decriminalisation Enforcement powers once the required legislation is approved by Scottish Parliament. Officers have been working with Transport Scotland in preparation for this. Officers have been informed by Transport Scotland to expect Stirling Council to be in a position to carry out enforcement to any vehicle parked in contravention of the parking restrictions after the 20th March 2017.

The timeline for completion of this process is expected to be under 24 months which is in line with that for other local authorities which have been through the same process. The timeline is dictated by the complexities of the task in preparing work packages for both the physical changes on the ground (lining and signing) along with all the preparatory back office functions, creation of digital plans, preparation of new Traffic Orders and enforcement processes, consultation processes and the drafting and laying of Orders before Parliament. The process duration is also dependent upon Transport Scotland's resource capacity.

Police Scotland has confirmed that enforcement of illegal street parking will continue to be conducted by their officers as necessary until decriminalised parking powers are available to Council officers. Our officers will also undertake advice and education prior to enforcement powers being available to them.

QUESTION FROM COUNCILLOR GRAHAM LAMBIE FOR ANSWER BY CONVENER OF THE EDUCATION COMMITTEE AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 8 DECEMBER 2016.

QUESTION

Due to the change to tendering for buses/DRT provision, there has been a reduction in participation in sporting and other activities. What plans has the convener for resolving the problem?

Answer

Officers are working with the school to find bespoke transport solutions for each of the villages within the Balfron catchment area. Further analysis of data to confirm participation trends is being undertaken.

To support and encourage participation in after school opportunities, school staff have already held assemblies for all year groups to inform pupils of available transport arrangements and ensured that information on bus services and DRT is available in school newsletters and emails.

Pupils are currently able to travel home from after school activities either by bus or by Demand Responsive Transport (DRT) as follows:

- Bus Service C12: 1712 ex Balfron (Cotton Street) for Buchlyvie and Kippen route;
- Bus service B10: 1640 ex Balfron (Buchanan Street opposite the Clinic) for Killearn and Strathblane route;
- DRT for Croftamie/Drymen, Gartmore/Aberfoyle and Fintry

The DRT service operates at the cost of a bus fare, rather than a taxi fare. Pupils can use their National Entitlement Cards on these routes.

Officers within the Council have been liaising with the commercial operator to modify the bus times to better support pupils access after school activities. These discussions have progressed with an agreement reached on 06.12.16 to change the B 10 1640 service journey to commence from Balfron High at 1640 before serving Buchanan Street and then onwards to Glasgow. This will: a) allow the pupils more time for any after school activities; and b) remove the need to walk to Buchanan Street, a concern already expressed by parents, particularly in the winter months when the evenings are dark. A start date has yet to be agreed with First Midland Bluebird but Stirling Council will provide a letter of support for early introduction to the Traffic Commissioner.

A local private transport provider is working with parents in the Fintry area to ensure that they are transported home.

In addition, following a meeting held at school with officers from Stirling Council on 6th December, the following actions were agreed:

- School will make a 'phantom' block DRT booking from school to Drymen departing at 4.50 pm, from January – April 2017. This will allow pupils to indicate their requirement each day; information will be passed on to DRT operator and service cancelled as necessary. Usage will be monitored during the pilot period.

- Further investigation of costs to pupils will be carried out with a request to First to consider a reduced fare on both the B10 and C12 journeys. The DRT fare table will be reviewed to bring fares more in line with bus fares.
- School have agreed to raise community awareness of maintaining clear access to the bus turning circle.

QUESTION FROM COUNCILLOR MARK RUSKELL FOR ANSWER BY LEADER OF THE COUNCIL AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 8 DECEMBER 2016.

QUESTION

To ask the Council Leader how many employees of arms-length companies the council has an involvement with are employed on less than the Living Wage?

Answer

The Council is committed to paying its staff the Living Wage, and is very keen to do all it can to encourage all employers to do the same.

Since arms-length companies are not under the direct control of the Council, the Council is limited in the information it knows about the rates paid to their employees. Furthermore, the Council cannot force other organisations to offer the same terms and conditions as the Council does. However, in being a Living Wage Accredited Employer, Stirling Council promotes the benefits of paying the living wage and encourages all companies to pay the Living Wage to all their staff.

In addition, Stirling Council applies the statutory guidance under the Procurement Reform (Scotland) Act 2014 on how to evaluate fair work practices, including the Living Wage, when selecting tenderers and awarding contracts.

Supplementary Question and Answer

Cllr Ruskell noted that the Living Wage could be specified as part of procurement contracts and asked if this was something that the Council was actively looking at as part of procurement practices.

The Council Leader advised that as far as they were able to, within EU Regulations, fair working practices including the Living Wage were being worked into all procurement contracts. The Council Leader also advised Council that the Living Wage now applied to all staff working for social care providers.

**MEETING of the STIRLING COUNCIL to be held in the COUNCIL CHAMBERS,
OLD VIEWFORTH, STIRLING on THURSDAY 8 DECEMBER 2016**

Motions in Terms of Standing Order 16

Information/Advice from Officers

(a) Living Wage Foundation

Employers that subscribe to the principles of the Living Wage are expected to pay a minimum rate that corresponds to that set each November by the Living Wage Foundation. The Foundation is an independent partnership of public sector, private sector and third sector employers who believe that paying a fair rate of pay to their staff is an essential part of being a responsible employer. Employers are at liberty to apply a Living Wage award that is higher than that recommended by the Living Wage Foundation, as the announcement by the Foundation is merely a recommendation to employers, but with the expectation that the Living Wage rate is the minimum hourly rate that would be paid. Employers who wish to maintain their Living Wage accreditation would have to comply with the Foundation's recommended rate of pay. Furthermore, the recommendations of the Living Wage Foundation are generally implemented by Scottish local authorities from the April following the announcement, but early implementation is also left to the discretion of individual employers.

On 31 October 2016, it was announced that the UK Living Wage, for all areas excluding London, would be increased from £8.25 per hour to £8.45 per hour. The Council currently pays the Living Wage at £8.33 per hour as the 1% pay award increase in the current year was applied. Should Stirling Council decide to go beyond the recommended level and pay at £8.50 per hour, and also to implement from 16 November as set out in this Motion, the implications would be:

2016/17

There will be an additional payroll cost of c.£20,000 in 2016/17. The proposition in the Motion is to fund this additional cost from reserves, and while a legitimate use of reserves, such unplanned budget commitments would not normally be a recommended use of reserves. However, the relatively small sum involved would make this manageable without a major impact on overall reserves. As would be good practice for a sum of this relatively small magnitude, the Council Management Team will strive to manage the additional sum within existing budgets, rather than being funded from reserves in the first instance, and only where it this cannot be achieved, because of other wider financial pressures, would this then fall to reserves.

2017/18

The Living Wage uprating has already been factored into budget planning assumptions, and the additional 5p per hour will have a negligible financial impact that can be managed within the provisional budget sum set aside for Living Wage uprating.

(b) Sky Lanterns

It is presently a condition of any Public Entertainment Licence (PEL) issued by Stirling Council that no sky lanterns shall be allowed to be lit, used or released during any event. Enforcement action can be taken against a licence holder who breaches the condition, including the suspension or revocation of the licence.

A PEL applies to any premises that are used as a place of public entertainment, whether it be Council premises or any other premises within the area, subject to certain exemptions. A "place of public entertainment" means any place where members of the public are admitted or may use any facilities for the purposes of entertainment or recreation.

Where Council owned property or premises are being used for private events and a PEL is not required, or the event is exempt, the Council could impose a condition of use similar to that in the PEL, that the use of sky lanterns will be prohibited. However, this could only be effected for future lets, as the Council could not impose such a condition on existing leases or other arrangements, other than with the agreement of the tenant. In addition, if the Council was so minded, a condition could be imposed in future leases or other occupancy arrangements that prohibited the sale of sky lanterns.

The sale of sky lanterns from other premises not controlled by the Council is more complex, since it is not licensed and, as such, not regulated by the Council. Generally speaking the sale of goods is governed by the General Product Safety Regulations 2005 within the United Kingdom. Enforcement powers are already in place to deal with any products that are found to be unsafe and action can be taken in these instances. However, products are not considered to be unsafe if used in accordance with manufacturers' instructions.