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Motherwell, 24th August, 1995 at 1.15 pm. At a Meeting of the  
INTERIM EXECUTIVE COMMITTEE

PRESENT: Councillor H. McGuigan, Chair; Councillors Craigie, Gray, Hebenton, Lafferty, Logue, Lyle, McCabe, McCulloch, McKendrick, R. McKenna, Mathieson, Moran, Murphy, G. Murray and Pentland.

APOLOGIES:Councillors Shaw, Sullivan and Wallace.

ATTENDING:Chief Executive, Director of Administration, Director of Construction Services, Director of Education, Director of Environmental Services, Director of Finance, Director of Housing, Director of Leisure Services, Director of Planning and Development and Director of Social Work.

North Lanarkshire Co-ordinating Committee (Aggregation)

(1) Previous Meetings

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133. There were submitted and approved minutes (distributed previously) of meetings of the North Lanarkshire Co-ordinating Committee (Aggregation) held on 26th June and 3rd August, 1995.

(2) Matters Arising

(a) Strathclyde Country Park

134. The Chief Executive drew attention to paragraph 16 of the North Lanarkshire Co-ordinating Committee (Aggregation) minute of 3rd August, wherein that Committee had recommended, subject to the approval of this Committee, (1) that Strathclyde Country Park be disaggregated; (2) that the name "Strathclyde Country Park" be retained, and (3) that the Director of Leisure Services be authorised to agree appropriate operational arrangements for liaison between North and South Lanarkshire Council officials on Park matters of joint interest.

Following discussion, the Committee recommended accordingly.

(b) Disaggregation of Strathkelvin District Council's Mobile Library Service

135. The Chief Executive drew attention to paragraph 17 of the North Lanarkshire Co-ordinating Committee (Aggregation) minute of 3rd August, wherein that Committee had recommended, subject to the approval of this Committee, that the Mobile Library Service transferred from Strathkelvin District Council be provided initially

by extending the running period of a Mobile Library which was being replaced by Motherwell District Council during this financial year.

Following discussion, the Committee recommended accordingly.

(c) Libraries' IT Systems

136. The Chief Executive drew attention to paragraph 18 of the North Lanarkshire Co-ordinating Committee (Aggregation) minute of 3rd August, wherein that Committee had recommended, subject to the approval of this Committee, (1) that the principle of a North Lanarkshire Council integrated library system be accepted as an early priority; (2) that the MDIS Urica System be extended as the North Lanarkshire Council system in the first instance; (3) that arrangements be put in place to ensure the transfer of Strathkelvin Libraries for 1st April, 1996, and (4) that, subject to confirmation by the Director of Finance regarding technical, cost, installation and timescale details, Cumbernauld and Kilsyth District Council's manual system be computerised and Monklands District Council's system be transferred to MDIS, as soon as possible with a completion target of 1996-97 or earlier.

Following discussion, the Committee recommended accordingly.

(4) Committee Structure

137. The Chief Executive drew attention to paragraph 28 of the North Lanarkshire Co-ordinating Committee (Aggregation) minute of 3rd August, wherein that Committee had recommended, subject to the approval of this Committee, that consideration be given to the formation of the Council's Committee structure.

It was noted that this matter was likely to be the subject of an early discussion at Council.

Local Government Etc. (Scotland) Act 1994

(1) Section 55 - Major Financial Transactions

138. With reference to paragraph 116, there was submitted letter (distributed previously) of 18th July from Scottish Office, Environment Department, (1) advising that the Local Government (Relevant Date) (Scotland) Order 1995 which specified 1st September, 1995 as the relevant date for the purposes of Section 55 of the Local Government etc. (Scotland) Act 1994 came into force on 31st July, 1995; (2) enclosing a copy of the said Order; (3) summarising the effects which the Order would have on local authorities, and (4) emphasising the need for new Councils to establish appropriate mechanisms for ensuring that

requests for consent were dealt with expeditiously.

Following discussion, having heard the Chief Executive, the Committee noted the position meantime.

(2) Section 27 - Valuation Joint Boards (Scotland) Order 1995

139. There were submitted (1) letter (distributed previously) of 22nd June from Scottish Office, Environment Department, enclosing a copy of the draft Valuation Joint Boards (Scotland) Order 1995 which, when enacted, would establish a structure of 10 Joint Boards for valuation purposes, including a Joint Board for North and South Lanarkshire Unitary Authority areas, and seeking the Council's observations on the draft Order; (2) letter (distributed previously) of 14th July from Convention of Scottish Local Authorities, advising that the Convention intended making a submission on the draft Order, and seeking details of any issues which this Council believed the Convention should highlight in its response, and (3) report (distributed previously) of 18th August by Director of Planning and Development, containing his observations on the implications for the Council of the various proposals contained within the draft Order, and suggesting, for the reasons detailed therein, that his said observations be used as the basis of the Council's reply to the Scottish Office and the Convention of Scottish Local Authorities.

Following discussion, the Committee recommended approval of the Director of Planning and Development's said proposal.

Valuation Appeal Panels

140. There were submitted (1) letter (distributed previously) of 20th June from Scottish Office, Local Government Finance Group, (a) advising that Valuation Panels were appointed for each valuation area to hear rating valuation and Council Tax appeals; (b) indicating that the detailed rules concerning the appointment and organisation of the said Panels required to be revised with effect from 1st April, 1996, and (c) enclosing a copy of a consultation paper seeking the Council's views on the Model Scheme, and (2) report (distributed previously) of 17th August by Director of Planning and Development, containing his observations on the consultation paper, and summarising the various new proposals contained therein.

Following discussion, the Committee recommended that the Director of Planning and Development's observations be used as the basis of the Council's reply to the Scottish Office, Local Government Finance Group.

## Local Authority Complaints Procedures

141. There were submitted (1) letter (distributed previously) of 30th June from the Scottish Office, Social Work Services Group, (a) advising that since the full implementation of the Government's Community Care reforms from 1993 the need to improve certain aspects of the complaints procedure in respect of Social Work functions affecting local authorities, service users and their representatives had become apparent; (b) enclosing draft guidance which had been prepared following discussions with the Association of Directors of Social Work, the Commissioner for Local Administration in Scotland and colleagues in the Social Work Services Inspectorate, and (c) seeking the Council's comments on the draft guidance note, and (2) report (distributed previously) of 11th August by Director of Social Work, containing his observations on the draft guidance note.

Following discussion, the Committee recommended that the Director of Social Work's observations form the basis of the Council's reply to the Scottish Office, Social Work Services Group.

## Code of Practice on Equal Pay

142. There was submitted letter (distributed previously) of 31st July from Convention of Scottish Local Authorities, (1) enclosing a copy of a draft Code of Practice on Equal Pay which had been published by the Equal Opportunities Commission; (2) advising that the draft Code aimed to provide practical guidance and to recommend good practice on pay arrangements within organisations; (3) summarising the provisions of the draft Code, and (4) seeking the Council's observations and any proposed amendments to the Code.

Following discussion, the Committee continued consideration pending a report by the Director of Administration.

## Draft Property Transfer Order

143. There were submitted (1) letter (distributed previously) of 19th July from Scottish Office, Environment Department, enclosing a copy of the draft Local Authorities (Property Transfer) (Scotland) Order 1995 which set out the framework for the transfer of property to the new unitary authorities and various other bodies on 1st April, 1996, and seeking the Council's observations on the draft Order, and (2) letter (distributed previously) of 14th August which the Director of Planning and Development had sent to the Scottish Office, enclosing, on behalf of the Council, his observations on the

draft Order.

Following discussion, the Committee noted the position and confirmed the action taken by the Director of Planning and Development.

#### Reporter Service Structure

144. There were submitted (1) letter (distributed previously) of 20th July from Scottish Children's Reporter Administration, (a) enclosing a copy of a consultation paper on the future structure of the Reporter Service; (b) advising that the organisation's aim was to establish a structure which would assist the service to achieve both consistent attainment of high national standards in practice, and scope for local initiative and creativity, and (c) seeking the Council's observations on the said consultation paper, and (2) report (distributed previously) of 11th August by Director of Social Work, containing his observations on the said paper.

Following discussion, the Committee recommended that the Director of Social Work's observations form the basis of the District Council's reply to the Scottish Children's Reporter Administration.

#### Equal Opportunities Guide

145. There was submitted letter (distributed previously) of 19th July from Convention of Scottish Local Authorities, (1) enclosing a copy of a draft Guide to Equal Opportunities; (2) advising that the Guide was intended to be a reference document which set out practical principles which local authorities could adopt to further equal opportunities; (3) seeking the Council's observations on various aspects of the Guide, and (4) indicating that following this consultation exercise, the Guide would be discussed with the Scottish Trade Unions with a view to reaching a joint agreement.

Following discussion, the Committee continued consideration pending a report by the Director of Administration.

#### Tourist Board Scheme Order 1995

146. There was submitted letter (distributed previously) of 21st July from Scottish Office, Industry Department, (1) referring to a previous consultation exercise on the terms of the Tourist Board Scheme Order 1995 which would establish the new Area Tourist Board; (2)

advising, for the reasons detailed therein, that the Secretary of State proposed to make an amending Order; (3) enclosing a copy of the draft amending Order, and (4) seeking the Council's observations on the proposed amendments.

Following discussion, the Committee noted the terms of the draft amending Order.

#### The European Union - A Key Relationship with the New Unitary Authorities

147. There was submitted advice note number 6 (distributed previously) from Convention of Scottish Local Authorities, (1) outlining the inter-relationship between the European Union and Local Government, and (2) explaining why European liaison must be a high priority for all new authorities and was essential that the relationship between Scottish local government and the European Union was maintained and developed.

Following discussion, the Committee noted the contents of the advice note.

#### Valued Added Tax - Reorganisation of Local Government

148. There was submitted letter (distributed previously) of 15th June from Convention of Scottish Local Authorities, enclosing a copy of a letter from HM Customs, summarising the current position regarding the Value Added Tax status of shadow local authorities, and advising that the Scottish Office were proceeding to lay amending Regulations which would permit the shadow authorities in Scotland to recover Value Added Tax as was the original intention when the legislation was enacted.

Following discussion, the Committee noted the position.

#### Local Government (Exemption from Competition) (Scotland) Order 1995

149. There was submitted letter (distributed previously) of 21st June from Scottish Office, Environment Department, (1) referring to the Local Government (Exemption from Competition) (Scotland) Order 1995 and the Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1995, and (2) containing guidance on the provisions contained within the said statutory instruments.

Following discussion, the Committee noted the position.

#### Advice from Local Government Staff Commission (Scotland)

- (1) Appointments

150. There were submitted letters (distributed previously) of 30th June, 28th July and 11th August from Local Government Staff Commission (Scotland), enclosing advice regarding various aspects on the procedures for the appointment of staff.

Following discussion, the Committee continued consideration for a further report.

(2) Preparation and Agreement of Transfer Schemes

151. There was submitted letter (distributed previously) of 30th June from Local Government Staff Commission (Scotland), containing advice on the procedures which local authorities should follow in respect of the general framework within which transfer schemes were to be prepared and agreed.

Following discussion, the Committee noted the advice.

(3) Secretarial and Other Support Staff to New Councils

152. There was submitted letter (in part) (distributed previously) of 30th June from Local Government Staff Commission (Scotland), containing advice on the selection procedures for secretarial and other support staff to shadow Councils, whether or not on secondment from existing authorities.

Following discussion, the Committee noted the advice.

(4) Appointments to Existing Authorities During Shadow Year

153. There was submitted letter (in part) (distributed previously) of 30th June from Local Government Staff Commission (Scotland), containing advice on appointments to existing authorities during the shadow year.

Following discussion, the Committee noted the advice.

(5) Selection and Matching of Individuals to Posts in the New Councils

154. There was submitted letter (distributed previously) of 14th July from Local Government Staff Commission (Scotland), containing advice on the selection matching of individuals to posts in the

new

Councils, and seeking the Council's observations on this matter.

Following discussion, the Committee authorised the Director of Administration to respond appropriately to the Staff Commission, the terms of the response to be reported to the next meeting.

(6) Residence Requirements

155. There was submitted letter (distributed previously) of 28th July from Local Government Staff Commission (Scotland), containing advice about residence requirements which some new Councils had laid down as a condition of accepting appointments.

Following discussion, the Committee noted the advice.

Local Government (Compensation for Reduction of Remuneration on Reorganisation (Scotland) Regulations 1995

156. There was submitted letter (distributed previously) of 21st July from Scottish Office Pensions' Agency, (1) enclosing a copy of the draft of Local Government (Compensation for Reduction of Remuneration on Reorganisation) (Scotland) Regulations 1995; (2) advising that the draft Regulations provided for compensation to be payable to eligible employees of local authorities etc. who suffered a loss of remuneration arising from the reorganisation during the period 6th April, 1995 to 31st March, 1997, and (3) seeking the Council's observations on various technical aspects of the draft Regulations.

Following discussion, the Committee noted the position.

Interim Clerk - Remuneration

157. There was submitted letter (distributed previously) of 15th June from Interim Clerk, referring to the duties which he had undertaken, as Interim Clerk, for the past few months, and seeking, for the reasons detailed therein, a remuneration fee of \$1,200 (less tax etc.).

Following discussion, the Committee recommended that the Interim Clerk be paid a remuneration fee of \$1,200 (less tax etc.) in payment of the duties he had undertaken since 22nd March, 1995.

Disposal of Cumbernauld Development Corporation's Housing Stock

158. There was submitted report (distributed previously) of 8th August by Director of Housing, (1) enclosing a copy of a report by the Chief Housing Officer, Cumbernauld and Kilsyth District Council, which outlined the background to his Council's bid for the Development Corporation's housing stock of approximately 4,000 houses; (2) advising that since the District Council's bid had to be submitted by 31st August, 1995, there was no requirement to obtain the agreement of this Council in terms of Section 55 of the Local Government (Scotland) Act 1994 which came into operation

with effect from 1st September, 1995, and (3) indicating that he had considered it appropriate, however, to inform this Council of the District Council's bid and its future potential implications if all or a proportion of the Corporation's housing stock was transferred next October.

Following discussion, the Committee noted the position.

#### Future Size of Licensing Boards

159. There was submitted report (distributed previously) of 14th August by Director of Administration, (1) stating (a) that the Licensing (Scotland) Act 1976 currently required a Licensing Board to consist of not less than one quarter of the total number of Council members and, in any case, not less than five, and (b) that, for any particular Board meeting, a quorum was half the Board members and, in no case, was to be less than three as an absolute minimum; (2) pointing out that although the normal arrangement was that the Licensing Board was a Board given jurisdiction for the whole District, the Act also allowed for the District to be divided so as to create two or more Licensing Divisions, each being subject to a divisional Licensing Board; (3) advising that the Scottish Office appreciated that some of the new Councils may have Boards which could be too large for efficient operation and had accordingly identified various amendments, as detailed therein; (4) indicating that the Convention of Scottish Local Authorities had been consulted by the Scottish Office direct on these proposed amendments; (5) containing a synopsis of the response which he had sent to the Convention on behalf of the Council, and (6) suggesting that the Council homologate his action in responding to the Convention of Scottish Local Authorities.

Following discussion, the Committee homologated the Director of Administration's said action.

#### Monklands District Council - Taxi Licensing

160. There was submitted report (distributed previously) of 10th August by Director of Administration, enclosing a copy of a letter of 3rd July from the Director of Administration and Legal Services, Monklands District Council, which (1) referred to a meeting his Council's General Purposes Committee had recently held with representatives of Monklands District Taxi Trade; (2) enclosed a copy of a note of the said meeting, and (3) pointed out that the trade representatives had requested that the various points raised therein be brought to the attention of this Council.

Following discussion, the Committee noted the position.

#### Council Departments

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161. With reference to paragraph 125, there was submitted report (distributed previously) of 16th August by Chief Executive, (1) advising that consideration was currently being given to obtaining secretarial assistance for him and the Leader of the Council; (2) indicating that, following consultation with the Leader of the Council, the proposed posts of Head of Revenue Services in the Finance Department and the proposed second tier posts in the Education Department had been advertised due to the urgency of having these posts filled; (3) enclosing reports from each Director which set out the proposed structures of their Departments, and (4) suggesting that the Council (a) approve the action taken to advertise the said posts in the Finance and Education Departments; (b) approve the second tier posts now recommended to enable these to proceed to advertisement; (c) approve, in principle, the proposed Departmental structures submitted by the Directors, and (d) note that detailed approval of posts and salaries at third tier level and below would be the subject of further reports.

Following discussion and division as undernoted, the Committee recommended approval of the Chief Executive's said proposals. (N.B. Motion, as approved, moved by Councillor Mathieson and second by Councillor McCabe, received 13 votes as against 2 for an amendment, moved by Councillor Lyle and seconded by Councillor G. Murray, that consideration be continued to the next meeting of the North Lanarkshire Council.)

#### Accommodation

162. With reference to paragraph 64, the Chief Executive referred to proposals, previously circulated to the political groups on the Council, for the works to be carried out to the Civic Centre to provide accommodation for Council meetings, elected members and staff.

Following discussion, the Committee recommended that Scheme A, as adjusted in respect of minority group accommodation, be approved.

#### Proposed Resumption of Nuclear Testing

163. There was submitted letter (distributed previously) of 20th July from Secretary, Nuclear Free Local Authorities (Scotland), expressing their concern at the proposed resumption of nuclear testing, and suggesting various actions which local authorities be

invited to consider in response to the situation.

Following discussion, the Committee recommended that the District Council support the organisation's said campaign.

#### Scottish Power plc Bid for Manweb plc

164. There was submitted letter (distributed previously) of 26th July from Office of Electricity Regulation, enclosing a copy of a consultation paper on the proposed bid by Scottish Power plc for the possible acquisition of Manweb plc, and seeking the Council's observations on the proposal.

Following discussion, the Committee continued consideration pending a report by the Director of Planning and Development.

#### Conferences etc.

165. There were submitted notification (distributed previously) from various organisations, inviting the Council to be represented at their Conferences etc.

Following discussion, the Committee recommended that the Leader and Depute Leader of the Council be authorised, following consultation with Chief Executive and/or appropriate Directors, to approve attendance at the appropriate Conferences etc.

#### Dates and Times of Future Meetings

166. With reference to paragraph 129, the Committee resumed consideration of this item of business.

Following discussion, the Committee further continued consideration to the next meeting of the Council.