

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

**A Special Meeting of the POLICY AND STRATEGY COMMITTEE**

**PRESENT**

Councillor Logue, Convener; Councillor Kelly, Vice-Convener; Councillor Roarty, Vice-Convener; Councillors Beveridge, Burrows, Carragher, Duffy, Fotheringham, Gallacher, Graham, Hume, T. Johnston, Larson, Linden, McNally, McPake, H. McVey, Morgan, Alan Valentine and Watson.

**ALSO PRESENT**

In accordance with Standing Order 64(A), Councillors Barclay, Kerr, Magowan and McCulloch attended as substitutes for Councillors Stocks, Goldie, Stubbs and Castles respectively.

**CHAIR**

Councillor Logue (Convener) presided.

**IN ATTENDANCE**

The Chief Executive; Executive Director (Enterprise and Communities); Interim Chief Accountable Officer; Head of Legal and Democratic Solutions; Head of Financial Solutions; Head of Asset and Procurement Solutions; Head of Business Solutions; Head of Communication and Strategy; Head of Communities; Head of Education (Central); Head of Business (Housing Property and Projects); Head of Regulatory Services and Waste Solutions; Business Solutions Manager; Audit and Risk Manager; Business Finance Manager; Legal Manager; Property Manager (Assets and Estates), and Democratic Services Manager.

**APOLOGIES**

Councillors Burgess, Castles, Goldie, Stocks and Stubbs.

**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:-
  - Councillors Gallacher, Kelly and Logue each declared an interest in paragraph 5, by virtue of their membership of the North Lanarkshire Health and Social Care Integration Joint Board, but further declared that they had a Dispensation which permitted their participation in consideration of the matter;
  - Councillor Kelly also declared an interest in paragraph 5, by virtue of his membership of The Board of NHS Lanarkshire, and further declared that he believed that the interest was sufficiently remote that it did not preclude his participation in consideration of the item of business;
  - Councillors T. Johnston, McPake and H. McVey each declared an interest in paragraph 7, by virtue of their being Partner Directors of the Board of CultureNL Limited and left the meeting during consideration of the matter identified;
  - Councillor Morgan declared an interest in paragraph 7, by virtue of the nature of a family member's employment and left the meeting during consideration of the matter identified, and

- Councillors Fotheringham, Kelly, Linden and McNally, each declared an interest in paragraph 7, by virtue of their membership of the Board of North Lanarkshire Leisure Limited and left the meeting during consideration of the matter identified.

## **THE PLAN FOR NORTH LANARKSHIRE**

2. With reference to paragraph 10 of the Minute of the meeting of the former Policy and Resources Committee held on 27 September 2018 when, *inter alia*, the Committee had approved We ASPIRE – A Shared Ambition for North Lanarkshire, there was submitted a report by the Business Solutions Manager (1) presenting an update of the Strategic Plan, The Plan for North Lanarkshire, following a review of the Council's Business Plan and subsequent alignment with We ASPIRE – A Shared Ambition; (2) advising that the Plan brought together the Council's Business Plan, the Local Outcome Improvement Plan, and the recommendations from the Lanarkshire Fairness Commission Report; (3) informing that the aim of this high level strategy was to communicate the Council's priorities and provide a focus for activities and resources to ensure that employees and stakeholders work towards a shared ambition; (4) stating that the shared ambition was an opportunity to develop North Lanarkshire as the place to Live, Learn, Work, Invest, and Visit by mustering combined resources and delivering change in a dynamic way that recognised the need for partnership and co-operation to address challenges through integrated solutions and make a difference to the lives of the people who live in the communities of North Lanarkshire; (5) intimating that The Plan defined all of the Council's work across communities, stakeholders, and partners, and that this approach had been endorsed by the North Lanarkshire Partnership Board; (6) indicating that The Plan would be supported by a Programme of Work which had been developed by the Council, partners, arm's length external organisations, and other relevant agencies; (7) setting out (a) in Appendix 2 to the report, the ambition statements for The Plan; (b) in Appendix 3 to the report, the strategies, policies and plans aligned to the priorities and ambition statements in The Plan; (c) in Appendix 4 to the report, a suite of Health Check Indicators that collectively provide the North Lanarkshire context; (d) in Appendix 5 to the report, the indicative reporting schedule for the Strategic Performance Framework, and (e) in Appendix 6 to the report, the indicative schedule for the Strategic Self-Evaluation Framework in line with the Programme of Work, and (8) outlining the next steps, including the presentation of the full and final Plan to the Committee, at its next meeting to be held on 21 March 2019, subject to approval by the Board of North Lanarkshire Partnership.

### **Decided:**

- (1) that the information presented in Appendix 2 to the report, as the ambition statements for The Plan for North Lanarkshire, be approved;
- (2) that the progress to align the Strategic Policy Framework to The Plan and supporting Programme of Work, as outlined in the report and in Appendix 3 to the report, be noted;
- (3) that the information presented in Appendix 4 to the report, as the Health Check Indicators that would collectively provide the North Lanarkshire context, be approved;
- (4) that the indicative reporting schedule for the Strategic Performance Framework, as outlined in Appendix 5 to the report, be noted;
- (5) that the indicative schedule for the Strategic Self-Evaluation Framework, as outlined in Appendix 6 to the report, be noted;
- (6) that the next steps, including the presentation of the full and final Plan to the Committee, at its next meeting to be held on 21 March 2019, subject to approval by the Board of the North Lanarkshire Partnership, be noted, and
- (7) that the report be otherwise noted.

**ASSET REVIEW AND RATIONALISATION**

3. There was submitted a report by the Head of Asset and Procurement Solutions (1) outlining a proposal to change how the Council's office accommodation portfolio was utilised in order to reduce the requirement for many of the existing premises through improved and more flexible working practices and space utilisation; (2) intimating that the proposal was in line with the Council's strategic priority of improving the Council's resource base; (3) advising that this would be achieved in conjunction with (a) the development and introduction of community campus initiatives in North Lanarkshire localities, and (b) the roll out of DigitalNL which would enable Digital Touch Bases to be provided in Town Centres; (4) informing that a high level review of the office accommodation portfolio had been undertaken to ascertain where utilisation efficiencies could be achieved to enable accelerated rationalisation of the office footprint across North Lanarkshire; (5) indicating that this exercise had identified an opportunity to reduce the main office portfolio, on a phased basis, from 24 office spaces to six key office bases providing a geographical spread across North Lanarkshire, those being (a) the Civic Centre and the Dalziel Building, Motherwell; (b) Coats House, Airdrie; (c) the Buchanan Centre, Coatbridge; (d) Fleming House, Cumbernauld, and (e) the Houldsworth Centre, Wishaw, and (6) stating that the rationalisation programme had the potential to achieve estimated revenue savings of £1.2m when all surplus properties had been closed and disposed of as part of an integrated approach to town centre regeneration.

Councillor Logue, seconded by Councillor Kelly, moved that the recommendations set out in the report, be approved.

Councillor T. Johnston, seconded by Councillor Linden, moved, as an amendment, that the Committee:-

- "(1) Agrees to continue the Asset Review and Rationalisation Paper to a future meeting of the Policy and Strategy Committee.
- (2) Requests that the Asset Review and Rationalisation Paper be amended ahead of said future meeting of the Policy and Strategy Committee to include references to the requests for additional actions outlined in the sub-recommendations below:-
- (i) that a draft implementation strategy be prepared for consideration by Elected Members within the revised Paper.
  - (ii) that said strategy includes an assessment of the potential impact on Council employees at the proposed locations for rationalisation, for example, solutions to transportation from current work locations to any proposed future locations.
  - (iii) that the said strategy includes indications of what the locality community hub models would be per locality which is affected, and how it is envisaged that digital technologies be included.
  - (iv) that said strategy includes a programme of meaningful consultation and engagement with Local Communities on the proposals.
  - (v) that the results of any Equality Impact Assessment be included.
- (3) Agrees that Council Officers must carry out close consultation with Trade Union Representatives on their proposals.
- (4) Requests that the amended Asset Review Rationalisation Paper also contains a recommendation which affords Elected Members final approval before moving to a delivery phase."

On a vote being taken by a show of hands, 10 Members voted for the amendment and 14 Members voted for the motion, which was accordingly declared carried.

**Decided:**

- (1) that the proposal to rationalise the Council's office accommodation portfolio, as detailed in the report, be implemented, and
- (2) that the Head of Asset and Procurement Solutions be authorised to develop an implementation strategy for the rationalisation of the Council's office accommodation portfolio and move towards a delivery stage.

**ENTERPRISE CONTRACT - STRATEGIC PROCUREMENT**

4. There was submitted a joint report by the Head of Asset and Procurement Solutions and the Head of Business (Housing Property and Projects) (1) intimating that through WE Aspire, the Council had articulated an ambitious vision for change which would revitalise communities and accelerate the growth in economic output for the whole of North Lanarkshire; (2) advising that to support this ambitious vision the Council would invest in excess of £2 billion in improved infrastructure, facilities and services over the next ten years; (3) stating that it was important that the necessary delivery mechanisms be put in place to ensure that the Council could move at pace and meet the demands of its communities; (4) proposing that a strategic partnership be established which could provide the capacity to assist with the delivery of the Council's ambitions over the next ten years, from initial feasibility, through design to delivery and construction, and then to lifecycle maintenance and management; (5) seeking authorisation to scope and explore options for an innovative new approach to delivery for a full range of interconnected property, community asset and infrastructure investments to ensure that the Council delivers on its shared ambition for inclusive growth and prosperity for the people and communities of North Lanarkshire; (6) indicating that this would potentially include the repair of and investment in current and new build housing, and Council assets, as well as delivery of new community assets, infrastructure and town centre regeneration programmes; (7) informing that, given the potential scale and importance of this project in realising the ambitions for North Lanarkshire, there was a need to procure specialist advice and support; (8) recommending that a Prior Information Notice be published in the Official Journal of the European Union to notify the market of the Council's intention to procure a new delivery vehicle for a full range of interconnected property, community asset and infrastructure investments, and (9) advising the Committee that reports would be submitted to future meetings of the Committee as the procurement progressed.

**Decided:**

- (1) that it be noted that initial planning had been undertaken to support the development of an Enterprise Contract;
- (2) that the initial stages of the procurement of an Enterprise Contract for North Lanarkshire, including the consideration of potential delivery vehicle options, be approved;
- (3) that the procurement of appropriate specialist advice to support the procurement exercise be authorised;
- (4) that a Prior Information Notice be published in the Official Journal of the European Union to notify the market of the Council's intention to procure a new delivery vehicle for a range of interconnected property, community asset and infrastructure investments, and
- (5) that it be noted that reports would be submitted to future meetings of the Committee as the procurement progresses.

Councillors Gallacher, Kelly and Logue by virtue of their membership of the North Lanarkshire Health and Social Care Integration Joint Board, each declared an interest prior to consideration of the following item of business, but further declared that they had a Dispensation which permitted their participation in consideration of the matter.

Councillor Kelly, by virtue of his membership of the Board of NHS Lanarkshire also declared an interest prior to consideration of the following item of business, but further declared that he believed that the interest was sufficiently remote that it did not preclude his participation in consideration of the item of business.

#### **MENTAL HEALTH STRATEGY**

5. There was submitted a report by the Interim Chief Accountable Officer (1) advising that the Health and Social Care North Lanarkshire Strategic Commissioning Plan 2018/19 identified the intention to develop a Mental Health Strategy for North Lanarkshire in line with the National Mental Health Strategy and Action 15 developments; (2) intimating (a) that a population needs approach was being utilised taking cognisance of national policy, and (b) that a range of stakeholder engagement events and workstreams had been established; (3) indicating (a) that the draft Lanarkshire Mental Health and Wellbeing Strategy would be considered by the North Lanarkshire Integration Joint Board at its meeting to be held in March 2019, and (b) that a wide range of stakeholder engagement events would be undertaken during Spring 2019; (4) informing that the Council and NHS Lanarkshire, along with local partners, would be fully engaged in the strategy development process ahead of the final sign off by the Integration Joint Board in Summer 2019, and (5) proposing that, as part of the engagement process, feedback be provided to the Integration Joint Board on the draft Mental Health Strategy with a view to influencing the strategic direction.

#### **Decided:**

- (1) that, as part of the engagement process in relation to the development of a Mental Health Strategy for Lanarkshire, feedback be provided to the Integration Joint Board on the draft Strategy with a view to influencing its strategic direction;
- (2) that further progress reports be submitted to future meetings of the Committee, and
- (3) that the report be otherwise noted.

#### **REVIEW AND UPDATE OF THE WASTE SOLUTIONS SERVICE**

6. With reference to paragraph 2 of the Minute of the meeting of the Environment and Transportation Committee held on 13 February 2019 when, *inter alia*, that Committee, following consideration of a report by the Head of Regulatory Services and Waste Solutions which (1) provided details of the ongoing programme of transformation relevant to the Council's Waste Solutions Service; (2) advised that the Service still required transformational change to ensure that its goal of being the benchmark for other local authorities was achieved, and (3) outlined details of a number of further short and long-term measures which were being introduced to deliver the required improvements to reach this goal, had agreed that the report be continued to this Committee to enable further discussion and review with particular focus on the charges referenced in paragraphs 2.4.6 and 2.6 of the report, the rationalisation of depots, commercial vehicle waste and the need to engage the public in the process, there was submitted a further report by the Head of Regulatory Services and Waste Solutions on the ongoing programme of transformation relevant to the Waste Solutions Service, and incorporating amendments to the proposed service improvements in light of the discussion at the meeting of the Environment and Transportation Committee.

Councillor Logue, seconded by Councillor Kelly, moved that the Committee approve the proposed service improvements, as outlined in the further report.

Councillor Carragher, seconded by Councillor Larson, moved, as an amendment, that the Committee agree to continue the report for more detailed information in respect of (1) paragraph 2.4.1 of the further report on actions taken to improve the recycling performance of the Council's recycling centres, and (2) paragraph 2.4.3 of the report on the rationalisation of the Southerhouse Depot and the Albert Street depot.

On a vote being taken, 10 members voted for the amendment and 14 members voted for the motion, which was accordingly declared carried.

**Decided:** that the improvements to the Waste Solutions Service, as outlined in the further report, be approved.

**Councillors T. Johnston, McPake and H. McVey, by virtue of their being Partner Directors of CultureNL Limited; Councillor Morgan, by virtue of the nature of a family member's employment, and Councillors Fotheringham, Kelly, Linden and McNally, by virtue of their membership of the Board of North Lanarkshire Leisure Limited, having each declared an interest in the matter prior to consideration of the following item of business, left the meeting and took no part in its determination.**

#### **RESOLUTIONS TO FACILITATE INTEGRATED DELIVERY OF CULTURAL AND LEISURE SERVICES**

7. With reference to (1) paragraph 8 of the Minute of the meeting of the former Policy and Resources Committee held on 6 December 2018 when, *inter alia*, that Committee had approved the indicative Integration Plan which had been prepared by the CultureNL/North Lanarkshire Leisure Limited Integrated Service Programme Board, with Officers being authorised to prepare the Special Resolutions necessary to take forward the business merger, and (2) paragraph 28 of the Minute of the meeting of the Council held on 20 December 2018 when, *inter alia*, the Head of Legal and Democratic Solutions had been authorised to prepare and execute the Resolutions which required Council approval to achieve the merger of the two Companies, there was submitted a report by the Head of Business Solutions (a) advising that the Programme Board, at its meeting on 30 January 2019, had considered a variety of issues in relation to the merger of CultureNL Limited (CNLL) and North Lanarkshire Leisure Limited (NLL), including the name of the Company, and the changes required to the Articles of Association of CNL to reflect the constitution, purposes and powers of the merged entity as approved by the Council; (b) intimating that the Programme Board had (A) agreed to recommend to the Council that CultureNL Limited be renamed Culture and Leisure NL Limited to fully reflect the portfolio of services which would be delivered by the new merged business, and (B) submitted its proposed amendments to the Council for consideration; (c) summarising, in Appendix 2 to the report, the key variations proposed to CNL's existing Articles of Association; (d) informing that these changes reflected the full portfolio of services which would be delivered by the merged entity, enabled the Council to nominate an increased number of Partner Directors, and also provided the Council, in line with guidance from Audit Scotland, with improved opportunities to safeguard its interests and assets, with Council representation/consultation now required for all Board meetings and Senior Officer appointments; (e) indicating that these revised Articles still required formal consideration by the existing Boards of Directors at their next scheduled Board meetings; (f) stating that, as the Board of NLL was not due to meet until 7 March, and given that the Office of the Scottish Charities Regulator (OSCR) required a minimum of 42 days to consider any variation to a Charity's Articles, the target date of 1 April 2019 was no longer achievable, and (g) advising the Committee that a revised target date for integrating service delivery was now 1 June 2019.

Councillor Logue, seconded by Councillor Roarty, moved that the Committee approve the recommendations set out in the report.

Councillor Barclay, seconded by Councillor Kerr, moved, as an amendment, that the Committee:-

- "(1) Approve the proposal to change the name CultureNL Limited to Culture and Leisure NL Limited.

- (2) Approve amendments to CultureNL's existing Articles of Association to reflect integrated sport, leisure and cultural service delivery in support of WE Aspire; with the exception of amendments to Articles 31-36 which allows for an appointment of a Co-Chair to the Board; believes that a sole Chair is the most appropriate method of Governance for the new Board and adheres to the principles of the Board being governed by an Independent Director and amendments to Articles 111, 125 and 126 which allows for Council approval of appointment of the Chief Executive and other Senior Officers; believes that the Council should approve the recommendation for appointment of the new Chief Executive however the appointment of Senior Officers should lie with the Board of the new entity.
- (3) Delegate authority to the Head of Communities and the Head of Legal and Democratic Solutions to finalise the form of the changes to the Articles of Association of CultureNL Limited following any further changes which may be necessary to reflect further dialogue in respect of the effects of Recommendation 2 of this report and indeed following the input from OSCR and for them to prepare the relevant Special Resolutions required to bring the change of name and change to the Articles of Association of CultureNL Limited.
- (4) Authorise the Head of Legal and Democratic Solutions to finalise the necessary Special Resolutions for submission to Companies House and the Office of the Scottish Charities Regulator (OSCR).
- (5) Note the effective date for integrating service delivery is now 1 June 2019."

On a vote being taken, 7 Members voted for the amendment and 9 Members voted for the motion, which was accordingly declared carried.

**Decided:**

- (1) that the proposal to change the name of CultureNL Limited to Culture and Leisure NL Limited be approved;
- (2) that the existing Articles of Association for CultureNL Limited be amended to reflect integrated sport, leisure and cultural service delivery in support of WE Aspire, as detailed in the report;
- (3) that the Head of Communities and the Head of Legal and Democratic Solutions be authorised to finalise the form of the changes of the Articles of Association of CultureNL Limited following any further changes which may be necessary following input from the Office of the Scottish Charities Regulator (OSCR), and to prepare the relevant Special Resolutions required to bring the change of name and changes to the Articles of Association of CultureNL Limited;
- (4) that the Head of Legal and Democratic Solutions be authorised to finalise the necessary Special Resolutions for submission to Companies House and OSCR, and
- (5) that it be noted that the effective date for integrating service delivery was now 1 June 2019.