

Motherwell, 31 January 2020 at 10 am.

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

PRESENT

Councillor Logue, Convener; Councillor Kelly, Vice-Convener; Councillor Roarty, Vice-Convener; Councillors D. Ashraf, Beveridge, Brannan-McVey, Burrows, Castles, Di Mascio, Duffy, Gallacher, Goldie, Graham, T. Johnston, Lennon, Linden, Magowan, McNally, McPake, Morgan, Alan Valentine, Watson and Wilson.

ALSO PRESENT

In accordance with Standing Order No. 64(A), Councillors Kerr and Anderson attended as substitutes for Councillors Barclay and Hume respectively.

Councillor Bonnar.

CHAIR

Councillor Logue (Convener) presided.

IN ATTENDANCE

The Chief Executive; Executive Director (Education and Families); Executive Director (Enterprise and Communities); Head of Legal and Democratic Solutions; Head of Financial Solutions; Head of Business Solutions; Head of Communities; Head of Environmental Assets; Head of People and Organisational Development; Head of Strategic Communication; Audit and Risk Manager, and Democratic Services Manager.

APOLOGIES

Councillors Barclay and Hume.

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

1. Councillor Morgan declared an interest in paragraph 3, by virtue of the nature of his wife's employment, and left the meeting during consideration of the matter identified.

ADVERSE WEATHER POLICY

2. **C** There was submitted a report by the Head of People and Organisational Development (1) presenting, in the Appendix to the report, a new Adverse Weather Policy which contained guidance on the Council's proposed approach to the management of staffing resources during periods of severe weather conditions or when there were disruptions to public transport; (2) advising that the guidance reflected the overall position as set out in the Scottish Trades Union Congress Fair Work Charter for Severe Weather, and develops further the Council's previously agreed Adverse Weather Guidance; (3) intimating that the key change to the provisions set out within the new Policy related to the arrangements for employees who were required, or were able to attend work, during severe weather conditions where a RED weather warning had been issued by the MET Office to be entitled to full pay and Time off in Lieu, and (4) indicating that consultations on the new Policy had been undertaken with a range of stakeholders, including single status and teacher trade unions.

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Councillor Burrows seconded by Councillor Brannan-McVey, moved that, (1) the new Adverse Weather Policy, as set out in the Appendix to the report, be approved, and (2) that the report be otherwise noted.

Councillor Linden, seconded by Councillor Kerr, moved, as amendment, that the Committee:- "(1) approve the new Adverse Weather Policy; (2) agree that the new Adverse Weather Policy signals a reflection and improvement on the previous Adverse Weather Policy and therefore, agrees that all employees negatively impacted by the previous policy – in terms of their requirement to utilise Leave Entitlement on so called "Red Days" during the Adverse Weather Event known as the "Beast from the East" – shall be suitably and retrospectively awarded in terms of any Leave Entitlement lost as a consequence of the implementation of the previous Adverse Weather Policy, and (3) otherwise note the contents of this report."

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

Decided:

- (1) that the new Adverse Weather Policy, as set out in the Appendix to the report, be approved, and
- (2) that the report be otherwise noted.

Councillor Morgan, by virtue of the nature of his wife's employment, having 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.

OPERATIONAL DELIVERY OF CULTURE, SPORT AND LEISURE SERVICES

3. With reference to paragraph 12 of the Minute of the meeting of the former Policy and Resources Committee held on 27 September 2018 when, *inter alia*, that Committee had agreed that Culture NL Limited and North Lanarkshire Leisure Limited be merged as an integrated delivery model for Culture, Sport and Leisure Services for North Lanarkshire, there was submitted a report by the Chief Executive (1) presenting a re-examination of the case for either (a) the retention of integrated provision of Culture, Sports and Leisure Services through Culture and Leisure Services North Lanarkshire Limited (CLNL), or (b) the insourcing of direct delivery of Culture, Sport and Leisure Services; (2) advising that, in order to reflect not only on the challenges and opportunities of the integrated delivery model but also the shift in the Council's strategic and financial position since the original pre-merger Options Appraisal and Risk Assessment had been carried out, an updated desktop Options Appraisal and Risk Assessment had been undertaken to reflect the significance of securing alignment of the operational delivery of Culture, Sport and Leisure Services with The Plan for North Lanarkshire and its strategic objectives, financial planning priorities, and the Programme of Work; (3) attaching (a) as Appendix 1 to the report, the Risk Assessment for each of the options, and (b) as Appendix 2 to the report, the updated Options Appraisal, and (4) outlining the legal, financial and human resources implications.

Councillor Castles, seconded by Councillor Duffy, moved that the Committee (1) approve the recommendations set out in the report, and (2) agree that, in addition, further reports on the progress of the implementation and assimilation of CLNL into the Council be submitted to future meetings of the Committee.

Councillor Watson, seconded by Councillor Gallagher, moved, as an amendment, that the Committee "maintain the current ALEO model with improved governance and a commitment to reconvene the Board at the earliest opportunity".

Councillor Linden, seconded by Councillor Anderson, moved, as a second amendment, that the Committee: - "(1) note the outcome of the updated Optional Appraisal and Risk Assessment in line with the Plan for North Lanarkshire (Appendices 1 and 2 refer); (2) note the importance of agreeing

an option and approach that prioritises: (a) a singularity of strategic focus in terms of the delivery model for The Plan for North Lanarkshire; (b) the minimisation of future risks to the Council; (c) continuing support for staff across Culture and Leisure; (d) delivering cost effective and affordable services to the people of North Lanarkshire, and (e) whilst facilitating transformative change at an accelerated pace and depth, recognising that the need for change is about ensuring community benefit and improved outcomes for the people of North Lanarkshire; (4) agrees therefore that the Council should insource the delivery of Culture, Sport and Leisure Services delivered by Culture and Leisure NL; (5) agrees that in accordance with the recommendation at (3) that: (a) the Chief Executive is instructed to prepare and implement a detailed insourcing plan, and (b) that the Head of Legal and Democratic Solutions is authorised, in so far as not already authorised in the Council's Scheme of Delegations to Officers, to progress the preparation and execute all resolutions on behalf of the Council as sole member of Culture and Leisure NL Limited to amend the Company's Articles of Association, to exercise authority as the appropriate officer under Articles 55 to 62 and to implement any decisions associated with insourcing Culture, Sport and Leisure and the transfer of assets from Culture and Leisure NL Limited to the Council, and (6) agrees, as a matter of urgency, that a further paper be brought forward on the insourcing of the delivery of Culture, Sport and Leisure Services which shall address outstanding matters as a matter of priority, including but not limited to: (a) a full timeline of the intended plan for the insourcing of the Services and key milestones; (b) the actions being undertaken to rapidly address the harmonisation of terms and conditions of employment for staff; (c) further assessment of potential Equal Pay implications as a result of the process; (d) the future governance arrangements including reporting framework to ensure that Elected Members have full scrutiny over the direction and provision of Culture, Sport and Leisure Services, and (e) the plans for engagement and consultation with the recognised Trade Unions."

Following discussion, and with the agreement of the proposers and seconders, a composite motion was submitted moving acceptance of the motion and the amendment second proposed which was moved by Councillor Linden and seconded by Councillor Castles.

On a vote being taken, 3 Members voted for the amendment and 21 Members voted for the composite motion which was accordingly declared carried.

Decided:

- (1) that the outcome of the updated Risk Assessment and the Options Appraisal in line with The Plan for North Lanarkshire, as set out in Appendices 1 and 2 to the report respectively, be noted;
- (2) to note the importance of agreeing an option and approach that prioritises:-
 - (a) a singularity of strategic focus in terms of the delivery model for The Plan for North Lanarkshire;
 - (b) the minimisation of future risks to the Council;
 - (c) continuing support for staff across Culture and Leisure NL Limited;
 - (d) the delivery of cost effective and affordable services to the people of North Lanarkshire, and
 - (e) the facilitation of transformative change at an accelerated pace and depth, whilst recognising that the need for change was about ensuring community benefit and improved outcomes for the people of North Lanarkshire;
- (3) that it be agreed that the Council should insource the delivery of Culture, Sport and Leisure Services which were currently provided by Culture and Leisure NL;
- (4) that the Chief Executive prepare and implement a detailed insourcing plan;

- (5) that the Head of Legal and Democratic Solutions be authorised, in so far as not already authorised in the Council's Scheme of Delegations to Officers, to progress the preparation and execute all resolutions on behalf of the Council as sole member of Culture and Leisure NL Limited to amend the Company's Articles of Association, to exercise authority as the appropriate officer under Articles 55 to 62 and to implement any decisions associated with insourcing Culture, Sport and Leisure Services and the transfer of assets from Culture and Leisure NL Limited to the Council, and
- (6) that a further report be submitted to a future meeting of the Committee, as a matter of urgency, on the insourcing of the delivery of Culture, Sport and Leisure Services, addressing outstanding matters of priority, including but not limited to:
 - (a) a full timeline of the intended plan for the insourcing of the Services and key milestones;
 - (b) the actions being undertaken to rapidly address the harmonisation of terms and conditions of employment for staff;
 - (c) further assessment of potential Equal Pay implications as a result of the process;
 - (d) the future governance arrangements, including the reporting framework to ensure that Elected Members have full scrutiny over the direction and provision of Culture, Sport and Leisure Services, and
 - (e) the plans for engagement and consultation with the recognised Trade Unions.

CLUB 365 PROGRAMME - REVIEW AND EVALUATION

4. There was submitted a report by the Executive Director (Education and Families) (1) advising that a review had been undertaken on the Club 365 Programme, which had been developed to tackle the holiday and weekend hunger of young people, in order to assess the efficacy of the Programme, and to explore the options for change and improvement through alternative delivery models; (2) providing details therein of (a) the methodology and findings of the options appraisal process in respect of six delivery models; (b) the work which had been undertaken to obtain additional stakeholder feedback, and (c) the financial projections for each of the options based on the continuation of Scottish Attainment Challenge grant funding towards the Programme, and (3) intimating that, following the options appraisal process and the independent research which had been commissioned, consideration had been given to the concerns raised by families who were not yet participating in the existing hub based programme to develop an intensive "Connecting Families" offer to benefit the most vulnerable families, at an estimated annual cost of £200,000.

Councillor McNally, seconded by Councillor Kelly, moved:

- (1) that the options appraisal process for the Club 365 Programme delivery model, as outlined in the report, be noted;
 - (2) that the work which had been undertaken to obtain additional stakeholder feedback on the Club 365 delivery model, as outlined in the report, be noted;
 - (3) that Option 1, the Status Quo delivery model, as outlined in the report, be implemented on a permanent basis, with 18 Hubs operating over holiday periods and 8 Hubs operating over term time weekends, at an estimated cost of £885,021, less a potential Scottish Attainment Challenge contribution of £290,178, and
 - (4) that the Connecting Families Programme, as outlined in the report, be implemented at an estimated annual cost of £200,000.
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Councillor Gallagher, seconded by Councillor Wilson, moved, as an amendment, that Option 2, the Holiday Club Model, as outlined in the report, be implemented on a permanent basis, with 18 Hubs operating over holiday periods, inclusive of weekends, at an estimated cost of £660,462, less a potential Scottish Attainment Challenge contribution of £290,178, providing that Scottish Attainment Challenge funding remained at its current level and the Council continued to explore other options which would increase the uptake of young people eligible for the Club 365 Programme, with a lower cost per head, per day.

On a vote being taken, 3 Members voted for the amendment and 22 Members voted for the motion which accordingly was declared carried.

Decided:

- (1) that the optional appraisal process for the Club 365 Programme delivery model, as outlined in the report, be noted;
- (2) that the work which had been undertaken to obtain additional stakeholder feedback on the Club 365 delivery model, as outlined in the report, be noted;
- (3) that Option 1, the Status Quo delivery model, as outlined in the report, be implemented on a permanent basis, with 18 Hubs operating over holiday periods and 8 Hubs operating over term time weekends, at an estimated cost of £885,021, less a potential Scottish Attainment Challenge contribution of £290,178, and
- (4) that the Connecting Families Programme, as outlined in the report, be implemented at an estimated annual cost of £200,000.

REVIEW OF OUTDOOR EDUCATION

5. There was submitted a report by the Executive Director (Education and Families) (1) referring to the meeting of the Council held on 21 February 2019 when, in setting its Revenue Budget and Council Tax for 2019/20, the Council had rejected a budget saving proposal to close the Kilbowie Outdoor Education Centre, and requested that a wider review of outdoor education provision be undertaken during 2019/20 to examine future models and options; (2) advising that, following a review of alternative outdoor education delivery models, two primary options had been identified for further consideration, those being (a) Option A – the Current Operating Model which was delivered in-house through the Kilbowie Outdoor Education Centre, and was funded from the Council's Revenue Budget and an existing Charging Scheme, and (b) Option B – the closure of the Kilbowie Outdoor Education Centre through a transitional arrangement, with individual Head Teachers being empowered and supported to make their own arrangements as appropriate for outdoor education provision for pupils, and (3) detailing, in Appendix 3 to the report, a high level option appraisal matrix which identified the potential advantages and disadvantages of each of the two delivery models, and (4) outlining the financial and human resources implications.

Arising out of discussion, Councillor Logue advised the Committee that it was an aspiration of the Council to build a residential facility at Strathclyde Park.

Councillor Logue, seconded by Councillor Roarty, moved:-

- (1) that the outcome of the updated report and the review of outdoor education provision be noted;
- (2) that the Kilbowie Outdoor Education Centre be closed and that activity be phased out during 2020/21 in line with existing commitments and the development of alternative options, and
- (3) that aligned to the North Lanarkshire Parks Strategy, which was scheduled to be discussed at the next meeting of the Committee on 19 March 2020, Officers provide for Members'

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consideration, plans for the delivery of a new high quality Outdoor Education Programme based within North Lanarkshire.

Councillor Linden, seconded by Councillor T. Johnstone, moved, as an amendment, that the Committee:- "(1) note the outcome of the updated report and the review of outdoor education provision; (2) note that the updated report and the review of outdoor education provision (a) only includes a high level options appraisal matrix on future provision; (b) does not provide sufficient detail on the plans for the delivery of outdoor education following conclusion of the phased closure period 2020/21, and (c) does not provide any details on the potential alternative delivery models in the medium to long term for the continuing delivery of outdoor education provision in North Lanarkshire including the potential for a new residential experience within the local authority; (3) note that Kilbowie Outdoor Centre has been used and enjoyed by over 90% of Primary 7 Pupils over the course of the last five years, in addition to ongoing work by schools to supplement learning experiences for outdoor education through alternative options during the year, and that the residential experience enjoyed by our young people is one which has been demonstrated to have an important and formative impact at an North Lanarkshire Council facility which has a history and track record in outdoor education, and (4) agree to support a long term future for the Kilbowie Outdoor Centre and thus agrees to fund the continuation of the Kilbowie Outdoor Centre at its associated subsidy levels."

Councillor Gallagher, seconded by Councillor Wilson, moved, as a further amendment, that the Committee:- "(1) close the building of Kilbowie and phase out activity during 2020/21 in line with an absolute guarantee that at least an equivalent outdoor residential educational experience will be provided to all Primary 7 pupils, and (2) agree to a further report to consider the implementation of a subsidy which will assist schools with this cost pressure."

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

On the roll being called in respect of the first amendment and the motion: -

10 Members voted for the first amendment as follows:-

Councillors Anderson; D. Ashraf; Di Mascio; Goldie; Kerr; T. Johnston; Lennon; Linden; Magowan and Alan Valentine.

11 Members voted in favour of the motion as follows:-

Councillors Brannan-McVey; Burrows; Castles; Duffy; Graham; Kelly; Logue; McNally; McPake; Morgan and Roarty.

Councillors Beveridge, Gallagher, Watson and Wilson abstained.

10 Members having voted for the amendment, 11 Members having voted for the motion, and 4 Members abstaining, the motion was accordingly declared as the substantive motion.

On the roll being called in respect of the second amendment and the substantive motion:-

3 Members voted for the second amendment as follows:-

Councillors Gallagher, Watson and Wilson.

11 Members voted for the substantive motion as follows:-

Councillors Brannan-McVey; Burrows; Castles; Duffy; Graham; Kelly; Logue; McNally; McPake; Morgan and Roarty.

Councillors Anderson; D. Ashraf; Beveridge; Di Mascio; Goldie; Kerr; T. Johnston; Lennon; Linden; Magowan and Alan Valentine abstained.

3 Members having voted for the second amendment and 11 Members having voted for the substantive motion, and 11 Members abstaining, the substantive motion was accordingly declared carried.

Decided:

- (1) that the outcome of the updated report and the review of outdoor education provision be noted;
- (2) that the Kilbowie Outdoor Education Centre be closed and that activity be phased out during 2020/21 in line with existing commitments and the development of alternative options, and
- (3) that aligned to the North Lanarkshire Parks Strategy, which was scheduled to be discussed at the next meeting of the Committee on 19 March 2020, Officers provide for Members' consideration, plans for the delivery of a new high quality Outdoor Education Programme based within North Lanarkshire.

NORTH LANARKSHIRE PARKING CHARGES STRATEGY

6. There was submitted a report by the Head of Environmental Assets (1) referring to the meeting of the Council held on 21 February 2019 when, in setting its Revenue Budget and Council Tax for 2019/20, the Council had rejected proposals for the introduction of town centre/off-street car park charges, and requested that a detailed analysis of the proposals be undertaken, and that a report on the findings of the review be submitted to a future meeting of the most appropriate Committee for consideration; (2) providing details therein of (a) the work which had been undertaken to investigate the feasibility of introducing a car park charging strategy in Council owned, public off-street car parks; (b) the spatial analysis which had been undertaken to assess the potential impact of parking displacement from existing car parks should parking charges be introduced, and (c) the associated financial model to assess the potential costs and revenue income to the Council from the introduction of parking charges, and (3) advising that the feasibility study had concluded that the establishment of a parking charging regime for off-street Council owned car parks was feasible for certain towns in North Lanarkshire, and could provide cost savings to the Council.

Councillor McPake, seconded by Councillor McNally, moved that the recommendations set out in the report be approved.

Councillor Wilson, seconded by Councillor Watson, moved, as an amendment, that the Committee "(1) reject the progression and implementation of the proposal to introduce off-street parking charging in the seven identified towns, and (2) notes the negative impact that a parking charge may have in our town centres by potentially decreasing footfall, which may harm businesses."

Councillor T. Johnston, seconded by Councillor Linden, moved, as a further amendment, that the Committee "agree no action at this time, and otherwise note the contents of the report".

On a vote taken in the first instance between the motion and amendment first proposed, 3 Members having voted for the amendment first proposed, and 11 Members having voted for the motion, the motion was accordingly declared carried as the substantive motion.

On a further vote being taken between the substantive motion and the amendment second proposed, 11 Members voted for the amendment second proposed, and 11 Members voted for the substantive motion. There being an equality of votes, and in accordance with Standing Order No. 40, the Chair used his casting vote in support of the substantive motion which was accordingly declared carried.

Decided:

- (1) that the proposals to introduce a car park charging strategy in Council owned, public off-street car parks in the seven towns identified in the report be approved;
- (2) that the parking charges at Cost Range 2, as detailed in Table 2 of the report, be approved;

- (3) that the Head of Environmental Assets be authorised to vary parking charges to meet local needs as necessary;
- (4) that it be noted that the impact of parking in the towns and surrounding streets would be monitored, and that, in the event that additional parking restrictions and /or the introduction of further street parking charges were required, further reports thereon would be submitted to a future meeting of the Committee for consideration, and
- (5) that it be noted that the Head of Environmental Assets would engage with key stakeholders and local business representatives to discuss the proposals, and to emphasise the potential benefits, which included increased parking turnover and visits to local businesses and services.

RESERVES POLICY

7. **C** With reference to paragraphs 4 and 5 of the Minute of the meeting of this Committee held on 6 June 2019, when the Committee had approved (1) the Council's Financial Strategy which set out the framework for sound financial governance, planning and management, which was critical in light of the financial challenges facing the Council, and provided support for the Council's ambitions for North Lanarkshire to be the place to live, learn, work, invest and visit, and (2) the Revenue Resources Budget Strategy which included a commitment to continue to give consideration to the planned, sustainable use of the Council's reserves, there was submitted a report by the Head of Financial Solutions (a) presenting, in the Appendix to the report, a Reserves Policy which (A) set out the types of reserves held by the Council and their purpose; (B) established procedures for governance of those reserves; (C) outlined the circumstances for the utilisation of reserve balances, and (D) outlined the approach taken to determine the appropriate reserve levels held by the Council; (b) advising that the aim of the Policy was to ensure that the reserves would be managed and maintained in a way that would safeguard long-term financial sustainability and support sound financial management whilst striking the appropriate balance between meeting current obligations and preparing for future commitments and financial risks, and (c) intimating that the Policy had been developed in line with bulletins which had been issued by the Local Authority Accounting Panel in conjunction with the CIPFA Technical Enquiry Section, and was in compliance with the Code of Practice on Local Authority Accounting.

Decided:

- (1) that the Reserves Policy, as set out in the Appendix to the report, be approved, and
- (2) that the report be otherwise noted.