Motherwell, 17 September 1998 at 4 pm.

A Meeting of the **NORTH LANARKSHIRE COUNCIL**

PRESENT

Councillor Mathieson, Provost; Councillor McCulloch, Depute Provost; Councillors Barrie, Beekman, Carmichael, Cefferty, Clarke, Cox, Craig, Craigie, Curley, Gibson, Gormill, Grant, Griffin, Hebenton, Hogg, Lafferty, Logue, Lucas, Lunny, Lyle, McAlorum, McCabe, McGhee, McGlashan, J. McGuigan, McKendrick, McKeown, Macleod, Maginnis, J. Martin, W. Martin, Moran, Morgan, Murphy, G. Murray, Pentland, Ross, Saunders, Scott, Shaw, Smith, Stocks, Sullivan and Wilson.

CHAIR

Councillor Mathieson (Provost) presided.

IN ATTENDANCE

The Director of Administration; Acting 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; Director of Social Work and Head of Central Services.

APOLOGIES

Councillors Burns, Coyle, Curran, Gordon, Gray, Holloway, Leitch, McElroy, H. McGuigan, McKenna, McLaughlin, S.V. Murray, Robertson, Russell, Selfridge and Wallace.

DEATH OF COUNCILLOR ERIC BURNS

1. Provost Mathieson referred to the death of Councillor Eric Burns on Friday, 24 July and recorded:-

   (1) that Councillor Burns had been (a) elected to the Whinhall Ward of North Lanarkshire Council in April 1995; (b) a Member of various Committees of the Council including Economic Development, Education, General Purposes and Policy and Resources, and (c) Convener of the Airdrie Area Committee;

   (2) that prior to his election to North Lanarkshire Council he had been a member of the Monklands District Council since first being elected in 1980 and during this period he held the office of Convener of the Environmental Services Committee and in 1995 had become the fourth Provost of the District Council;

   (3) that his constituents had lost a good and hard working Councillor and the Council had lost a highly valued and well regarded colleague, and

   (4) that the funeral had been held on Monday, 27 July 1998 and that the large number who attended underlined the high regard in which Councillor Burns was held.

   The Provost concluded by intimating that he had written on behalf of the Council to Mrs. Burns expressing condolences with her on behalf of the Council in her sad bereavement and, at the Provost's request, the Council agreed that these details be recorded in the Minutes as a tribute to Councillor Burns' years of public service

DEATH OF COUNCILLOR DOUGLAS GILCHRIST

2. Provost Mathieson referred to the sudden death of Councillor Douglas Gilchrist who had died earlier in the week while on holiday and recorded:-

(1) that Councillor Gilchrist had been (a) elected to the Kildrum and Park Ward of North Lanarkshire Council in April 1995; (b) until recently, Vice-Convener of the Education Committee, and (c) a Member of various Committees of the Council including Environmental Services, Leisure Services, Planning and Development and Policy and Resources;

(2) that prior to his election to North Lanarkshire Council he had been a member of Cumbernauld and Kilsyth District Council from 1984 to 1988;

(3) that his constituents and the Council had lost a hard working Councillor, and

(4) that details of the funeral arrangements would be intimated to Members as soon as they were known.

The Provost concluded by intimating that he would be writing to Mrs. Gilchrist expressing condolences with her on behalf of the Council in her sad bereavement and, at the Provost's request, the Council agreed that these details be recorded in the Minutes as a tribute to Councillor Gilchrist's years of public service.

NORTH LANARKSHIRE COUNCIL

3. There were submitted the Minutes of the meetings of North Lanarkshire Council held on 25 June 1998 and 16 July 1998 (4 meetings).

Decided: That the terms of the Minutes be approved.

MINUTES OF MEETINGS OF COMMITTEES FOR INFORMATION

4. There were submitted for information, the Minutes of the meetings of the undernoted Committees held on the dates specified which had been previously approved by the Council:-

Special Planning and Development	22 June 1998
Special Leisure Services	23 June 1998
Special Housing	24 June 1998
Special Personnel Services	24 June 1998

SUB-COMMITTEE MINUTES FOR INFORMATION

5. There were submitted for information, the Minutes of the meetings of the undernoted Sub-Committees held on the dates specified and which had been previously approved as shown:-

General Purposes (Licensing) Sub	28 May 1998
Special General Purposes (Licensing) Sub	5 June 1998
General Purposes (Licensing) Sub	18 June 1998
Special General Purposes (Licensing) Sub	30 June 1998
Special General Purposes (Licensing) Sub	17 July 1998

Special General Purposes (Licensing) Sub	30 July 1998
Special General Purposes (Licensing) Sub	3 August 1998
General Purposes (Public Processions) Sub	26 June 1998
Civic Functions Group	12 August 1998

Approved by the General Purposes Committee at their meeting on 26 August 1998.

Adjourned Social Work (Registration) Sub	28 May 1998
Social Work (Planning and Administration) Sub	11 August 1998
Social Work (Operations and Services) Sub	12 August 1998

Approved by the Social Work Committee at their meeting on 25 August 1998.

Personnel Services (Early Retirement) Sub	15 June 1998
Personnel Services (Early Retirement) Sub	24 June 1998
Personnel Services (Early Retirement) Sub	30 June 1998
Personnel Services (Appeals) Sub	31 July 1998

Approved by the Personnel Services Committee at their meeting on 3 September 1998.

Education (Joint Appeals and Bursaries) Sub	16 June 1998
Education (Community Services) Sub	18 August 1998
Education (Resources) Sub	20 August 1998

Approved by the Education Committee at their meeting on 1 September 1998.

Housing (Special Cases) Sub	22 June 1998
Housing (Special Cases) Sub (as amended to correct typographical error)	13 August 1998
Housing (Special Cases) Sub	26 August 1998

Approved by the Housing Committee at their meeting on 2 September 1998.

Planning and Development (Traffic Management) Sub	25 June 1998
Planning and Development (Buildings and Property) Sub	11 August 1998
Planning and Development (Transport and Development) Sub	12 August 1998

Approved by the Planning and Development Committee at their meeting on 9 September 1998.

Policy and Resources (Vacancy Control) Sub	30 June 1998
Policy and Resources (Policy, Planning and Performance Review) Sub	13 August 1998
Policy and Resources (Equal Opportunities) Sub	19 August 1998
Policy and Resources (Community Development) Sub	26 August 1998

Approved by the Policy and Resources Committee at their meeting on 8 September 1998.

AREA COMMITTEES FOR INFORMATION

6. There were submitted for information, the Minutes of the meetings of the undernoted Area Committees held on the dates specified, which had been previously approved by the Policy and Resources (Community Development) Sub-Committee on 26 August 1998.

Airdrie Area	16 June 1998
Motherwell Area	17 June 1998
Wishaw and Newmains Area	17 June 1998
Bellshill Area	18 June 1998
Cumbernauld Area	19 June 1998
Coatbridge Area	23 June 1998
Northern Corridor Area	23 June 1998
Shotts and Harthill Area	23 June 1998
Kilsyth and Villages Area	24 June 1998

COMMITTEE MINUTES FOR APPROVAL

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

Special Planning and Development	29 June 1998
Special Planning and Development	6 July 1998
Special Planning and Development	13 July 1998
Special Planning and Development	4 August 1998
Planning and Development*	19 August 1998
Social Work	25 August 1998
Environmental Services	25 August 1998
General Purposes	26 August 1998
Economic Development	27 August 1998
Special Planning and Development	31 August 1998
Construction Services	1 September 1998
Education	1 September 1998
Leisure Services	2 September 1998
Housing	2 September 1998
Personnel Services	3 September 1998
Finance	3 September 1998
Special Planning and Development	7 September 1998
Special Environmental Services	7 September 1998
Policy and Resources	8 September 1998
Special Housing	9 September 1998
Planning and Development	9 September 1998

*** The Provost declared a non-pecuniary interest in relation to Planning Application No. 5/98/00918/OUT and took no part in consideration of that part of the Minute.**

Decided: that the terms of the Minutes be approved except in so far as separately dealt with in terms of paragraph 8 hereof.

SPECIAL PLANNING AND DEVELOPMENT COMMITTEE - 7 SEPTEMBER 1998 - PLANNING APPLICATION N/97/00334/FUL - RESIDENTIAL DEVELOPMENT (ERECTION) OF 76 DWELLINGS AT PHASE 1 AND 60 DWELLINGS AT PHASE 2); FORMATION OF REVISED ACCESS ONTO CARDOWAN ROAD; RELATED DECONTAMINATION/CONSOLIDATION EARTHWORKS, AND RELATED DRAINAGE WORKS - PHASE 1 AND 2, FORMER COLLIERY SITE, CARDOWAN ROAD, STEPPS

8. With reference to paragraph 3 of the Minute of the special meeting of the Planning and Development Committee held on 7 September 1998, the Council, on the motion of Councillor Wilson, Vice-Convener of the Planning and Development Committee, agreed in terms of Standing Order

Number 48, that Standing Order Number 29 be suspended to permit further consideration of the matter.
Thereon Councillor Wilson moved that under the heading "Decided" the following paragraph be added:-

"That the Director of Planning and Development insert suitable conditions requiring the provision of traffic calming and management measures to alleviate concerns of road safety on Cardowan Road."

Decided: that under the heading "Decided" the following paragraph be added:-

"That the Director of Planning and Development insert suitable conditions requiring the provision of traffic calming and management measures to alleviate concerns of road safety on Cardowan Road."

REMITS FROM COMMITTEES

(1) PERSONNEL SERVICES COMMITTEE 29 JANUARY 1998 - ABSENCE MANAGEMENT POLICY

9. Reference was made to paragraph 16 of the Minute of the meeting of the Personnel Services Committee held on 29 January 1998 when the Committee, having considered the finalised employment policy document covering absence management as contained within a report dated 16 January 1998 by the Head of Personnel Services agreed that the report be remitted to the Council for consideration.

Decided: that the employment policy relating to absence management be approved.

(2) CUMBERNAULD AREA COMMITTEE - 19 JUNE 1998 - ESTABLISHMENT OF CUMBERNAULD ACCESS FORUM - APPOINTMENT OF MINORITY GROUP MEMBER

10. Reference was made to paragraph 12 of the Minute of the meeting of the Cumbernauld Area Committee held on 19 June 1998, when the Committee had agreed that a short term Working Group comprising the Convener, Vice-Convener, Councillors Beekman, McCulloch and McKenna and one Member from the minority groups be established to assist with the establishment of an Access Forum to discuss issues such as disabled access to the redeveloped Town Centre, the Council considered the appointment of a minority group member.

Decided: that Councillor McGlashan be appointed to serve on the Working Group.

(3) SOCIAL WORK COMMITTEE - 25 AUGUST 1998 - REVIEW OF HOMECARE SERVICES - UPDATE

11. Reference was made to paragraph 15 of the Minute of the meeting of the Social Work Committee held on 25 August 1998 when the Committee, having considered a report dated 7 August 1998 by the Director of Social Work advising of the progress being made in the review of Homecare Services (1) setting out the background; (2) intimating that consultation had taken place with the three main Trade Unions on specific proposals emerging from the review, and (3) detailing in the appendix to the report proposals for changes in conditions of service for homecare staff, agreed that the report be remitted, simpliciter, to this meeting of the Council.

Decided:

(1) that the progress made be noted;

(2) that it be noted that further reports will be brought forward on the results of the Trade Unions consultation on the proposals;

(3) that it be noted that further reports will also be brought forward on the proposed changes in organisational structure and the out-of-hours services, and

(4) that the report be remitted to the Personnel Services Committee for its attention.

(4) EDUCATION COMMITTEE - 1 SEPTEMBER 1998 - MEMBERSHIP OF THE COMMITTEE - RESIGNATION OF RELIGIOUS REPRESENTATIVE AND CONSIDERATION OF NEW APPOINTMENT

12. Reference was made to paragraph 24 of the Minute of the meeting of the Education Committee held on 1 September 1998, when the Committee, having been informed of the resignation of the Reverend Father Joseph Brannigan, as the representative of the Diocese of Motherwell from the Education Committee, agreed (1) that the resignation be noted; (2) that the nomination of Mr. A. Quinn by the Diocese of Motherwell as its representative on the Education Committee be noted, and (3) that the appointment of Mr. Quinn to the vacant place on the Education Committee be recommended to this meeting of the Council.

Decided: that the appointment of Mr. A. Quinn to the vacant place on the Education Committee be approved.

(5) PERSONNEL SERVICES AND FINANCE COMMITTEES - 3 SEPTEMBER 1998 - LOCAL GOVERNMENT PENSION SCHEME (SCOTLAND) REGULATIONS

13. Reference was made to paragraph 7 of the Minute of the meeting of the Personnel Services Committee and paragraph 22 of the Minute of the meeting of the Finance Committee, both held on 3 September 1998, when the Committees, having considered a joint report dated 18 August 1998 by the Director of Finance and Head of Personnel Services regarding the Local Government Pension Scheme (Scotland) Regulations which came into force on 1 April 1998, agreed that consideration of the matter be continued to this meeting of the Council.

Decided: that to allow further information to be sought, consideration of the report be continued and remitted to the Finance Committee with powers to determine the matter.

NEW HOUSING PARTNERSHIP BID SUBMISSION 1998/99

14. With reference to paragraph 7 of the Minute of the meeting of the Housing Committee held on 2 September 1998 when the Committee were informed (1) that the Scottish Office had invited local authorities to submit proposals for a share of £2 m remaining New Housing Partnership budget for 1998/99, and (2) that proposals for expenditure within this financial year must be submitted by 24 September 1998, there was submitted a report (docketed) dated 14 September 1998 by the Director of Housing proposing a bid submission for funds in respect of the following:-

(a) to acquire an area of ground for new housing development, followed by demolition of a problem deck access block to facilitate the future development of two sites in Seafar, Cumbernauld;

(b) the cost of additional works at Carbrain, Cumbernauld, and to fund independent financial advice to owners involved in communal repair projects, and

(c) to match fund if necessary an LDA contribution to ground consolidation costs at Holehills, Airdrie, prior to a new housing development.

Decided:

(1) that the submission of a bid to the Scottish Office for New Housing Partnership funds as detailed in paragraphs 3.1 to 3.7 of the report be approved on the following priority basis and timescale:-

1998-1999

(a) Acquisition of site at Lennox Road, Seafar, architectural design competition and site preparation £400,000 as detailed at paragraphs 3.1 and 3.4 of the report;

(b) Additional costs incurred at Carbrain and cost of advice to owners of £80,000 as detailed at paragraphs 3.5 and 3.6 of the report, and

(c) Contribution to ground consolidation costs at Holehills, Airdrie as detailed at paragraph 3.7 of the report, and

(2) that the potential to bid for New Housing Partnership Funds beyond the current financial year in respect of the undernoted associated developments in Cumbernauld be noted:-

1999-2000

(a) New build costs of approximately £1.2 m for 24 units at Lennox Road, Seafar to pump prime Cumbernauld New Housing Partnership, as detailed at paragraph 3.2 of the report, and

(b) demolition costs and home loss payments of around £260,000 for Fleming Road, Seafar as detailed at paragraph 3.3 of the report.

2000-2001

Design competition new build at an estimated cost of £1.2 m at Fleming Road, Seafar as detailed at paragraph 3.4 of the report.

NOTICE OF MOTION BY COUNCILLOR LYLE AND COUNCILLOR McALORUM

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

"The Council in light of the Pricewaterhouse DLO report duly amends its Standing Orders to include provision for the tabling of questions to the Council Leader and Committee Chairs on any subject under their remit. All questions to be submitted in writing by a Member 3 days prior to the appropriate Committee meeting or full Council meeting."

Thereon Councillor Lyle, seconded by Councillor McAlorum, moved the terms of the motion subject to the addition of the following, after the word "remit" at the conclusion of the first sentence:-

"but not on the Committee or Council Agenda."

Councillor McCabe, seconded by Councillor Moran, moved as an amendment

"That the Council notes that there are adequate and satisfactory provisions under the Standing Orders as they presently exist for individual Councillors to raise issues of concern and to seek information."

On a vote being taken 36 Members voted for the amendment and 7 Members voted for the motion. The amendment was accordingly declared carried.

Decided: that the Council notes that there are adequate and satisfactory provisions under the Standing Orders as they presently exist for individual Councillors to raise issues of concern and to seek information.

RESIGNATION OF LEADER OF THE COUNCIL

16. Following intimation by the Provost that Councillor H. McGuigan had resigned from the post of Leader of the Council, Councillor McCulloch, seconded by Councillor Murphy, moved that Councillor McCabe be appointed Leader of the Council and that as a consequence (1) Councillor McCabe (a) be appointed Convener of (i) the Policy and Resources Committee; (ii) the Appointments Committee; (iii) the Emergencies Committee, and (iv) the Policy and Resources (Vacancy Control) Sub-Committee; (b) be appointed to all Committees and Sub-Committees of the Council, and (c) replace Councillor H. McGuigan on various Outside Bodies, and (2) Councillor H. McGuigan cease to be a Member of Committees and Sub-Committees with the exception of the following:-

Education Committee
Education (Community Services) Sub-Committee
Planning and Development Committee
Planning and Development (Transport and Development) Sub-Committee
Economic Development Committee
Finance Committee
Policy and Resources Committee
Policy and Resources (Community Development) Sub-Committee

Decided:

(1) that Councillor McCabe be appointed Leader of the Council, and

(2) that as a consequence (a) Councillor McCabe (i) be appointed Convener of (I) the Policy and Resources Committee; (II) the Appointments committee; (III) the Emergencies Committee, and (IV) the Policy and Resources (Vacancy Control) Sub-Committee; (ii) be appointed to all Committees and Sub-Committees of the Council, and (iii) replace Councillor H. McGuigan on the following Outside Bodies:-

COSLA Convention
Conference and Association of Steel Territories (CASTer) Steering Group
COSLA Strategy Forum
Employers/Management Sides of Negotiating Bodies - JNC for Chief Officials
Lanarkshire Development Agency
National Endowment for Science, Technology and the Arts (NESTA)
North Lanarkshire CCTV Limited
Scottish Local Government Information Unit (Joint Committee)

and (b) Councillor H. McGuigan cease to be a Member of Committees and Sub-Committees of the Council with the exception of the following:-

Education Committee
Education (Community Services) Sub-Committee
Planning and Development Committee

Planning and Development (Transport and Development) Sub-Committee
Economic Development Committee
Finance Committee
Policy and Resources Committee
Policy and Resources (Community Development) Sub-Committee.

APPOINTMENT OF CONVENER OF LEISURE SERVICES COMMITTEE

17. With reference to paragraph 2 of the Minute of the meeting of the Council held on 16 July 1998 when Councillor Griffin had intimated his resignation from the post of Convener of the Leisure Services Committee, Councillor Maginnis, seconded by Councillor Hebenton, moved (1) that Councillor McGhee, presently Vice-Convener of the Leisure Services Committee, be appointed Convener of the Leisure Services Committee and that as a consequence Councillor McGhee replace Councillor Griffin on various Outside Bodies, and (2) that Councillor Smith (a) be appointed a Member of the Leisure Services Committee and Vice-Convener of that Committee, and (b) be appointed (i) a Member of the Leisure Services (Grants) Sub-Committee, and (ii) Convener of that Sub-Committee and that Councillor McGhee be appointed Vice-Convener.

Decided:

(1) that Councillor McGhee be appointed Convener of the Leisure Services Committee;

(2) that as a consequence Councillor McGhee replace Councillor Griffin on the following Outside Bodies

Cinema Museum (Scotland) Limited 100 <Cine> 100
COSLA Educational and Cultural Services Forum (substitute Member)
COSLA Task Group - Educational and Cultural Services -Contribution of Councils to Sport and Recreational Matters
Greater Glasgow and Clyde Valley
Tourist Board
North Lanarkshire Sports Council Executive;

(3) that Councillor Smith be appointed

(a) a Member of the Leisure Services Committee;

(b) Vice-Convener of the Leisure Services Committee;

(c) a Member of the Leisure Services (Grants) Sub-Committee.

(d) Convener of the Leisure Services (Grants) Sub-Committee, and

(4) that Councillor McGhee be appointed Vice-Convener of the Leisure Services (Grants) Sub-Committee.

APPOINTMENTS TO VACANCIES ARISING FROM THE DEATH OF COUNCILLOR ERIC BURNS

18. Reference was made to the vacancies on Committees/Sub-Committees etc arising from the death of Councillor Eric Burns, and Councillor Hebenton, seconded by Councillor Maginnis, moved the following appointments be made and that the remaining vacancies be dealt with at the next Council meeting.

Airdrie Area Committee

Convener - Councillor Lucas
Vice-Convener - Councillor Morgan

Policy and Resources (Community Development) Sub-Committee

Councillor Lucas (as Convener of Airdrie Area Committee)

North Lanarkshire Licensing Board

Councillor Brooks

Councillor Lyle, seconded by Councillor McAlorum, moved as an amendment that the motion be accepted subject to consideration of the appointment to the North Lanarkshire Licensing Board being continued meantime

On a vote being taken 7 Members voted for the amendment and 35 Members voted for the motion, which was accordingly declared carried.

Decided: that the following appointments be made:-

Airdrie Area Committee

Convener - Councillor Lucas
Vice-Convener - Councillor Morgan

Policy and Resources (Community Development) Sub-Committee

Councillor Lucas (as Convener of Airdrie Area Committee)

North Lanarkshire Licensing Board

Councillor Brooks

ABSENCE OF THE CHIEF EXECUTIVE AND THE DIRECTOR OF CONSTRUCTION SERVICES

(1) CHIEF EXECUTIVE

19. The Provost (1) intimated that (a) the Chief Executive had been absent due to illness and on behalf of the Council wished him a speedy and full recovery; (b) while it was hoped that the Chief Executive would resume his duties shortly it was necessary that an Acting Chief Executive be appointed, and (c) the Director of Administration had been deputising for the Chief Executive during his absence, and (2) proposed that the Director of Administration be confirmed as Acting Chief Executive for the duration of the absence of the Chief Executive.

Decided: that for the duration of the absence of the Chief Executive, the Director of Administration be appointed as Acting Chief Executive.

(2) DIRECTOR OF CONSTRUCTION SERVICES

20. The Provost (1) intimated that Mr Campbell Crawford had been appointed as Acting Director of Construction Services during the absence from duties of the Director, and (2) proposed that the appointment be confirmed on an interim basis.

Decided: that the appointment of Mr Campbell Crawford as Acting Director of Construction Services be confirmed on an interim basis.