

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 12 NOVEMBER 2014 at 2.30 P.M.

<u>COUNCILLORS:</u>	David Alexander	Linda Gow	Malcolm Nicol
	David Balfour	Gordon Hughes	Alan Nimmo
	Stephen Bird	Steven Jackson	Martin Oliver
	Allyson Black	Charles MacDonald	Baillie Joan Paterson
	Jim Blackwood	Brian McCabe	Depute Provost John
	Baillie William Buchanan	John McLuckie	Patrick
	Steven Carleschi	John McNally	Provost Pat Reid
	Colin Chalmers	Adrian Mahoney	Ann Ritchie
	Thomas Coleman	Craig Martin	Robert Spears
	Dennis Goldie	Dr Craig R Martin	Sandy Turner
	Gerry Goldie	Rosie Murray	

<u>OFFICERS:</u>	Karen Algie, Head of Human Resources & Customer First
	Danny Cairney, Accountancy Services Manager
	Fiona Campbell, Head Of Policy, Technology & Improvement
	Nigel Fletcher, Joint Acting Director of Education Services
	Rhona Geisler, Director of Development Services
	Rose Mary Glackin, Chief Governance Officer
	Gary Greenhorn, Joint Acting Director of Education Services
	Brian Heron, Accountancy Services Manager
	Kathy McCarroll, Head of Children and Families and Criminal Justice
	Colin Moodie, Depute Chief Governance Officer
	Brian Pirie, Democratic Services Manager
	Mary Pitcaithly, Chief Executive
	Marion Reddie, Head of Community Care
	Stuart Ritchie, Director of Corporate and Neighbourhood Services
	Bryan Smail, Chief Finance Officer
	Amanda Templeman, Capital Manager

FC42. SEDERUNT

The sederunt was taken by way of a roll call. An apology was received on behalf of Councillor Meiklejohn.

FC43. DECLARATIONS OF INTEREST

No declarations were made.

FC44. OPENING REMARKS

Councillor Dr Martin confirmed that the Council's waste team had recently won awards, from the Chartered Institution of Wastes Management for Best Innovation and from Local Authority Refuse Collection Society for best new idea. Both awards were in recognition of the Council's three weekly green bin collection programme. Provost Reid congratulated those staff involved.

FC45. REVENUE BUDGET FRAMEWORK 2015/16 – 2017/18

Council considered a report by the Chief Executive and Chief Finance Officer setting out officer proposals to allow Council to address projected gaps in the revenue budget in financial years 2015/16 to 2017/18 and to seek authority to progress equality and poverty impact assessments and other necessary consultations necessary to inform future budget decisions.

The report set out the likely budget framework for the financial years 2015/16 to 2017/18. It was estimated that the budget gap in each the years would be:-

2015/16 - £7.8m
2016/17 - £17.4m
2017/18 - £15.2 m

Total £40.4 m

Councils have a statutory duty to approve a balanced budget and set a council tax. Additionally Councils are legally required to make arrangements for the proper administration of their financial affairs. It was anticipated that there would be an overspend of c.£3.1m in the 2014/15 general fund. Since 2007, the Council had identified savings of £70.6m, accommodated, in part, by underspends and a healthy reserves position. It was anticipated that the capacity to utilise reserves in future years will be seriously constrained.

It was predicted that to achieve aggregate savings of circa £40m over the three years will require significant contraction in service delivery and reduction of staffing. The report set out a proposed consultation and engagement process to ensure that this message is conveyed to stakeholders including the general public, service users, staff and trades unions.

Potential savings had been identified by each Service. These were set out in the appendix to the report. It was proposed that authority is given to officers to progress equality and poverty impact assessments and other necessary consultations, relating to the proposals, including those which extend beyond the next financial year, with a view to informing the budget setting process for 2015/16 and future years.

Decision

Council:-

- (1) noted the Scottish Government Budget set out in section 2 of the report;**
- (2) noted the Council's financial position set out in section 3 of the report;**
- (3) noted the Budget framework set out in section 4 of the report, and**
- (4) approved the progression of equality and poverty impact assessments and other necessary consultations as set out at section 4.4 and appendix 3 of the report and that the Falkirk Council News would be utilised as part of the consultation process.**

FC46. HEALTH AND SOCIAL CARE INTEGRATION

Council considered a report by the Chief Executive providing an update on the integration of health and social care services.

Council had agreed, on 14 May 2014 (ref FC7), to pursue the body corporate model of health and social care integration. This involves delegation by the Council and Health Board of the functions within the scope of integration to an Integration Joint Board which is responsible for overseeing the planning, management and delivery of all relevant functions. Since that meeting, a number of workstreams have been identified, including the preparation of a draft integration scheme.

The report provided updates in regard to:-

- the publication of Regulations issued thus far by the Scottish Government;
- the development of an Integration Scheme and the timeline leading to the submission of a Scheme to the Scottish Ministers by 1 April 2015;
- the vision for integration;
- the establishment of an Integration Joint Board;
- the delegation of functions to the Integration Joint Board;
- the appointment of a Chief Officer, including the role and remit of the post;
- the arrangements for the required consultations;
- funding available from the Integrated Care Fund;
- the integration timeline leading to the Integration Joint Board assuming full strategic and operational responsibility on April 2016.

It was proposed that a Transitional Board is established to take forward the integration. Its role will include oversight of consultation on the statement of vision and consideration of the process for appointing non-voting members to the Joint Integration Board. The Board will comprise an equal number of nominated representatives from the Council and the Health Board. The Transitional Board will also act as the appointment panel for the post of Chief Officer and will oversee the appointment. A job description for this post was presented for approval.

Councillor Gow, seconded by Councillor C Martin, moved that Council agrees:-

- (1) to note the progress that has been made on the arrangements for health and social care integration;
- (2) to note that further Regulations are due to be published that will inform arrangements for the Integration Scheme;
- (3) to approve the vision as set out in Appendix 1 of the report for wider consultation;
- (4) that a Transitional Board comprising 3 members each from Falkirk Council and from the Health Board be established to oversee the further development of the Scheme and that to appoint Councillors Black, D Goldie and Gow as the Council's representatives on the Board;
- (5) that the functions to be included within the scope of integration do not go beyond those listed in the draft regulations, but that the Scheme would be developed to allow further functions to be included in the future on the agreement of both the Council and Health Board;
- (6) that the Transitional Board oversees the recruitment and appointment of the Chief Officer;
- (7) to authorise Officers to submit proposals to the Government on the Integrated Care Fund subject to approval of the Transitional Board; and
- (8) that relevant consultation takes place on the areas noted in the report in order to inform the final Integration Scheme;

As an amendment Councillor Jackson, seconded by Councillor Coleman, moved the terms of the motion, with the exception of membership of the Board which he proposed should be split, with two places to be filled from the Administration and the third place taken by the Opposition with Councillor Meiklejohn being the Opposition representative.

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 31 members present with voting as undernoted:-

For the motion (17) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black, Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

For the amendment (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the motion.

FC47. SERVICE RE-DESIGN

Council considered a report by the Chief Executive summarising the implications for Falkirk Council of the integration of health and social care services and presenting options in regard to the structure of services within Falkirk Council. This followed a request from Council on 14 May 2014 (ref FC7) that such a report be submitted.

The integration of health and social care services will result in the majority of adult care services transferring to the Joint Integration Board. The functions within Social Work Services which will remain within the Council will include children and families services, criminal justice and money advice. The relationship between those services remaining within Social Work and those provided by Education Services was highlighted. In developing options, the vacant post of Director of Education Services and the forthcoming vacancies in the posts of Director of Social Work Services and Head of Educational Support and Improvement were considered.

Three options, based on the five principles set out below, were presented including the status quo:-

- any structure must continue to meet statutory requirements including maintenance of the role of Chief Social Work Officer;
- the structure arrangements must be effective and efficient. The costs should ideally result in savings but should cost no more than the current model;
- duplication should be avoided;
- the structure design should be logical and customer friendly;
- the structure should enable to Council to continue to deliver its Corporate Plan.

The options were:-

Status quo – retaining the current structure

Option 1 – Social Work and Education Services remain separate with Social Work Services renamed and delivering the current children and families and criminal justice services and community learning and development.

Option 2 - Social Work and Education Services integrate into a single service entitled, 'Children's Services', with the Director of Children's Services or the Head of Social Work undertaking the role of Chief Social Work Officer.

The benefits, issues and risks for each option were set out together with a structure plan.

Councillor Nimmo, seconded by Councillor C Martin, moved that Council agrees:-

- (1) to implement option 2 as the preferred model with regard to social work and education as a result of the impact of the changes arising from health and social care integration;
- (2) to note the requirement for further consultation with Trade Unions and employees on the determination and implementation of operational structure arrangements within any revised model;
- (3) to provide the Appointments Committee with delegated authority to make Chief Officer appointment(s) to any resulting vacant post(s), as required, to implement the new model;
- (4) that further consideration should be given to the remaining Services of the Council as a result of the new model for Social Work and Education;
- (5) to note the integration of the HR and Payroll functions within the current HR & Customer First Division as detailed in paragraph 4.3 of the report; and
- (6) to note the receipt of severance applications from Chief Officers and that these will now be considered as outlined in paragraph 4.5. of the report.

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the terms of the motion, with the following in substitution of paragraph (4)-

- (4) any service redesign will require to take into account the wider implications of the wider context, including the budget process. Therefore Council calls for a full management structure review. This process should actively include holding briefing sessions for elected members and consultation with the relevant Trade Unions before being brought back to members for approval.

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 31 members present with voting as undernoted:-

For the motion (17) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black , Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

For the amendment (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the motion.

Provost Reid stated that it was 5.40 pm. and the meeting had exceeded 3 hours in duration. In terms of Standing Order 34.1 it was agreed to continue the meeting to allow business to be concluded. The meeting then adjourned for 5 minutes and reconvened at 5.45 pm with all members present as per the sederunt.

FC48. DECISION MAKING STRUCTURES

Council considered a report by the Chief Executive presenting an overview of the operation of the Council's decision making structure since its implementation in 2013.

Council agreed a new decision making structure on 19 March 2013 (ref FC111) together with a Scheme of Delegation on 24 April 2013 (ref FC7) and Standing Orders on 26 June 2013 (ref FC18). The report on 24 April highlighted the benefit of reviewing how well the structure was working after a period of 12-18 months.

The report provided an overview of the implementation of the decision making structure, within the context of the drivers leading to its introduction, highlighting the work thus far of the Executive, Scrutiny Committee, Scrutiny Panels and Policy Development Panels.

As part of the review process the Leader of the Council, Leader of the Opposition and Provost met on several occasions throughout the year to consider how the structure is working and, recognising the absence of Opposition members from most decision making and scrutiny meetings, whether agreement could be reached which would result in greater participation.

The Leaders' meetings had highlighted areas of consensus and areas of concern.

Councillor C Martin, seconded by Baillie Paterson, moved that:-

- (1) Council establishes a working group of members to undertake a formal review of the decision making structures;
- (2) the working group will consist of 2 members from the Administration, 2 members from the Opposition and the Provost; and
- (3) the working group will report with its findings to the March meeting of Council.

Council then adjourned for 20 minutes to allow members of the Opposition to consider the terms of the motion, and reconvened at 6.20 pm with all members present as per the sederunt, with the exception of Councillor Dr Martin.

Councillor Jackson proposed that the working group comprise 3 members of the Administration and 3 members of the Opposition (including 1 from the Independent Group) and the Provost, and that substitutes be permitted.

Following discussion and with the consent of the Provost, and Baillie Paterson, as his seconder, Councillor Martin agreed to adjust his motion to accommodate the proposal.

Decision

Council agreed:-

- (1) to establish a working group of members to undertake a formal review of the decision making structures;
- (2) the working group will consist of 3 members from the Opposition, 3 members from the Administration and the Provost with substitutes permitted, and
- (3) the working group will report with its findings to the March meeting of Council.

FC49. MOTION

Denny Town Centre Regeneration Capital Grant Fund Application

The Provost stated that the motion related to matters within the remit of the Executive and, having consulted with the Council Leader and Leader of the Opposition in accordance with Standing Order 31.1, he was not of the opinion that special circumstances existed requiring an exception to that general rule and consequently the motion stood referred to the Executive.

FC50. EXCLUSION OF PUBLIC

Council agreed, in terms of section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A to the said Act.

FC51. thinkWhere – PROPOSAL FOR INVESTMENT

Council considered a report by the Chief Executive and the Chief Finance Officer providing further information on the services provided by thinkWhere and setting out an appraisal of the options available to Council including investing in the company.

Council had continued consideration of a report on thinkWhere at its meeting on 8 October 2014 (ref FC42) to allow for further information to be made available.

thinkWhere provides the Council with a service for the management, development and interrogation of geographical information. The company has three shareholders – Clackmannanshire, Stirling and Falkirk Councils. Clackmannanshire Council decided in June 2014 not to invest in the company. Stirling Council will consider the same proposal as is before Council on 13 November 2014.

The report set out three options for Council:-

- to invest in the company;
- to not invest in the company; or
- to bring back the service in-house

Councillor C Martin, seconded by Baillie Paterson, moved that Council agrees :-

- (1) the investment in thinkWhere of £238,000 in November 2014, £200,000 in April 2015 and £62,000 in April 2016 as detailed in paragraph 4.9 of the report to Council on 8 October 2014 subject to the same financial commitment being made by Stirling Council;
- (2) to authorise officers to continue to negotiate and agree with Clackmannanshire Council on a payment from them for their shareholding and liabilities;
- (3) to note that thinkWhere are required to take forward necessary actions to secure the future of the company as set out in paragraph 3.3 of the report to Council on 8 October 2014;
- (4) that officers monitor and review progress against the business plan prior to the 2015 and 2016 phases of investment being made; and
- (5) to consider plans for its shareholding in the company as part of that review process.

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved in substitution for the motion that:-

The current information does not give members a full range of options in order to make an informed decision.

It is therefore proposed that the matter should be continued to the full Council meeting scheduled for 17 December 2014, provide costs which would demonstrate an in house option of service provision as well as any potential of establishing collaborative working with other agencies or organisations such as other local authorities to provide this service.

The Chief Finance Officer advised that having continued consideration of the matters to this meeting, and as Stirling Council was to determine its position the following day, it was necessary that Council agreed its position at this meeting.

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 30 members present with voting as undernoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black , Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Murray, Nicol and Nimmo.

For the amendment (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the motion.