

FALKIRK COUNCIL

MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 8 OCTOBER 2014 at 9.30 A.M.

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

<u>OFFICERS:</u>	Margaret Anderson, Director of Social Work Services
	Karen Algie, Head of Human Resources and Customer First
	John Angell, Head of Planning and Transportation
	Fiona Campbell, Head of Policy, Technology and 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
	Robert McMaster, Head of Roads and Design
	Colin Moodie, Depute Chief Governance Officer
	Brian Pirie, Democratic Services Manager
	Mary Pitcaithly, Chief Executive
	Stuart Ritchie, Director of Corporate and Neighbourhood Services
	Bryan Smail, Chief Finance Officer
	Alan Urquhart, Manager (Asset Management)

FC28. SEDERUNT

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

FC29. DECLARATIONS OF INTEREST

No declarations were made.

FC30. MINUTES AND INFORMATION BULLETIN

(a) Meeting of Falkirk Council held on 25 June 2014.

Decision

The minute of the meeting held on 25 June 2014 was agreed as a correct record.

(b) Volume of Minutes – Volume 2 2014/2015.

Decision

The Volume of Minutes – Volume 2 2014/15 was noted.

(c) Information Bulletin – Volume 2 2014/2015.

Decision

The Information Bulletin – Volume 2 2014/2015 was noted.

Councillor Spears joined the meeting during the previous item.

FC31. QUESTIONS

In terms of Standing Order 32.1, written questions may be submitted to the Leader of the Council and/or the portfolio holders on any matters relating to business transacted at any meeting of the Executive or Education Executive since the last volume of minutes was published.

No questions had been submitted.

FC32. REFERRAL FROM JOINT CONSULTATIVE COMMITTEE – DIGNITY AT WORK POLICY

Council considered a report by the Director of Corporate and Neighbourhood Services presenting a revised Dignity at Work policy for approval in implement of a decision of Council taken on 12 March 2014 (ref FC94).

The Joint Consultative Committee considered a revised policy on 12 August 2014 (ref JCC18) incorporating the changes requested by Council, which referred to complaints against members, together with other minor amendments. The JCC agreed to refer the policy to Council for approval.

Decision

Council approved, for immediate implementation, the revised Dignity at Work policy as appended to the report.

FC33. REFERRAL FROM AUDIT COMMITTEE - ANNUAL ACCOUNTS 2013/14

Council considered a report by the Chief Finance Officer, presenting the audited Annual Accounts for 2013/14 for approval.

The audited Annual Accounts for 2013/14, which were unqualified, had been reviewed by the Audit Committee on 22 September 2014 (ref AC20) before being referred to Council.

Decision

Council approved the audited Annual Accounts for 2013/14.

FC34. THE AUDIT OF THE FALKIRK COMMUNITY PLANNING PARTNERSHIP

Council considered a report by the Chief Executive on the audit of the Falkirk Community Planning Partnership (CPP).

Audit Scotland had undertaken, on behalf the Accounts Commission, a review of the CPP in early 2014 and reported its findings in May 2014. The review report was provided as an appendix to the report.

The report by the Chief Executive summarised the key findings arising from the audit together with the key improvement and development priorities identified by the CPP. These will be overseen by an Improvement Group focusing around 4 workstreams:- governance, participation, review and performance/risk management.

Councillor C Martin, seconded by Baillie Paterson, moved the recommendations as set out in the report.

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved the following in substitution for the motion:-

- (1) Council notes the report on the Audit of the Falkirk Community Planning Partnership, published by the Accounts Commission for Scotland and the Auditor General;
- (2) Council notes the key issues and recommendations arising from the report which has clearly indicated that the current approach requires to be radically reviewed. It is therefore agreed a full review of the Community Planning Partnership structures and objectives be undertaken and reported back to Council; and
- (3) as the Community Planning Partnership is the main vehicle for the future strategic planning of services it will form a standing item on every other full Council agenda.

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

For the amendment (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council noted:-

- (1) the report on the audit of Falkirk Community Planning Partnership published by the Accounts Commission for Scotland and the Auditor General; and**
- (2) the key issues and recommendations arising from the report and the work being done to address these.**

Councillor D Goldie joined the meeting during consideration of the previous item.

FC35. COUNCIL HEADQUARTERS ACCOMMODATION

Council considered a report by the Director of Development Services presenting the key findings of a business case for the provision of a replacement Council headquarters.

The Executive had considered, on 25 February 2014 (ref EX29), options for the provision of Council headquarters accommodation and had established a member/office working group (including the Leader, Leader of the Opposition, Provost and portfolio holder) to develop the project. The existing Municipal Buildings site was identified as the preferred site by the Executive on 17 June 2014 (ref EX29) and a business case was then developed.

The report summarised the project rationale, the key findings of the business case and options should Council not progress the business case further.

Councillor C Martin, seconded by Councillor Nicol, moved that Council agrees to-

- (1) note the content of the report and its summary of the business case for the replacement Council office headquarters; and**
- (2) progress the project on the basis of the report and accompanying business case and instructs officers to:-**
 - (i) initiate the next stage of design for the Council HQ project, commissioning HubCo to prepare the stage 1 design and project documentation;**

- (ii) prepare a delivery plan for the project detailing the works and procurement method necessary to the provision of a new office headquarters building and the ancillary measures required for its successful delivery;
- (iii) progress detailed consideration of options for maintaining an appropriate One-Stop-Shop presence in Falkirk Town Centre;
- (iv) continue with a detailed options appraisal analysis of potential sites and funding sources, and development of a business case for a replacement Town Hall in conjunction with Falkirk Community Trust;
- (v) cancel the proposed security alarm installation to the existing Municipal Buildings and continue with current security arrangements; and
- (vi) report back to Council prior to any final decision being made.

As an amendment, Councillor Meiklejohn, moved the following in substitution for the motion:-

Council:

- (1) notes the content of the report and its summary of the business case for the replacement of Council headquarters; and
- (2) believes there has been insufficient consultation with staff and stakeholders and opportunities for scrutiny of the proposals and therefore agrees to :-
 - (i) initiate the next stage of the design for the Council HQ project in conjunction with Hubco and establishing a stakeholders working group, (similar to that used in the development of the NPDO Schools project) which should include staff, trade unions, appropriate Community Planning partners, Town Centre Management and in house IT staff;
 - (ii) carry out a public consultation including statutory consultees and the citizens panel on the development of the project and bring a report back to Council; and
 - (iii) cancel the proposed security alarm installation to the existing Municipal Buildings and continue the current security arrangements.

Council then adjourned, at 11.55a.m., to allow members of the Administration to consider the terms of the amendment and reconvened at 12.55p.m. with all members present as per the sederunt.

Councillor Jackson seconded the amendment by Councillor Meiklejohn.

After discussion, Councillor Nicol gave notice of a further amendment.

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

For the amendment (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

The motion was agreed.

As a further amendment, Councillor Nicol, seconded by Councillor D Goldie, moved, in supplement to the motion, that:-

“Council is fully committed to public consultation when there is a firm proposal to put to the public including a full cost benefit analysis.”

In accordance with Standing Order 20.8, Councillor C Martin, with the consent of the Provost and Councillor Nicol, as the seconder, adjusted the terms of the motion to include the terms of the proposed further amendment.

Councillor D Goldie then gave notice of, and subsequently withdrew, a further amendment.

Council then adjourned, at 1.40p.m. for lunch and reconvened at 2.30p.m. with all members present as per the sederunt.

With no general agreement on the terms of the adjusted motion, it was put to the vote in accordance with Standing Order 20.11.

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

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

Against the motion - (0)

Abstain (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed:-

- (1) to note the content of the report and its summary of the business case for the replacement Council office headquarters; and**
- (2) to progress the project on the basis of the report and accompanying business case and instructs officers to:-**

- (i) initiate the next stage of design for the Council HQ project, commissioning HubCo to prepare the stage 1 design and project documentation;
 - (ii) prepare a delivery plan for the project detailing the works and procurement method necessary to the provision of a new office headquarters building and the ancillary measures required for its successful delivery;
 - (iii) progress detailed consideration of options for maintaining an appropriate One-Stop-Shop presence in Falkirk Town Centre;
 - (iv) continue with a detailed options appraisal analysis of potential sites and funding sources, and development of a business case for a replacement Town Hall in conjunction with Falkirk Community Trust;
 - (v) cancel the proposed security alarm installation to the existing Municipal Buildings and continue with current security arrangements; and
 - (vi) report back to Council prior to any final decision being taken.
- (3) to a public consultation when there is a firm proposal to put before the public including a full cost benefit analysis.

FC36. ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER

Council considered a report by the Director of Social Work Services presenting the annual report of the Chief Social Work Officer (CSWO).

Council is required, in terms of the Social Work (Scotland) Act 1968, to appoint a Chief Social Work Officer. The CSWO is required to prepare an annual report on the statutory, governance and leadership functions of the role. The report for 2013/14 presented as an appendix to the report, provided an overview of how the CSWO's statutory responsibilities had been fulfilled during that period. It also referred to key challenges for the year ahead including the integration of adult health and social care services.

Councillor Gow, seconded by Councillor Murray, moved the recommendations as set out in the report.

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved, in substitution for the motion, that Council:-

- (1) notes the content of the report;

- (2) acknowledges that despite the commitment, skills and experience of staff in continuing to deliver social work services to vulnerable citizens of Falkirk there has been a lack of improvement in particular areas such as adult social care. A review of the improvement plan should be carried out and presented to the next scheduled Council; and
- (3) agrees that the policy on the role of the Chief Social Work Officers is revised to reflect the changes which will come into effect as a consequence of the integration of Adult Health & Social Care and is presented to a future meeting of Council.

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

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

For the amendment (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed:-

- (1) to note the contents of the Annual report 2013/14 by the Chief Social Work Officer;
- (2) to acknowledge the commitment, skills and experience of staff in continuing to deliver high quality Social Work Services for the benefit of Falkirk citizens; and
- (3) that the policy on the role of the Chief Social Work Officer is revised to reflect the changes which will come into effect as a consequence of the integration of Adult Health & Social Care and is presented to a future meeting of the Executive.

FC37. SCHEME OF DELEGATION

Council considered a report by the Chief Governance Officer presenting a proposed revision to the Scheme of Delegation.

Council had, on 25 June 2014 (ref FC26(a)), considered a motion on members' travel abroad on behalf of, or as part of, a delegation and agreed that Standing Orders be amended to replicate the requirements in place for members' attendance at conferences for trips abroad.

Councillor C Martin, seconded by Baillie Paterson, moved the proposed revision to the Scheme of Delegation set out in the report.

Councillor McCabe proposed an amendment which was subsequently withdrawn following advice from the Provost.

Decision

Council agreed to amend the scheme of delegation by adding an additional paragraph at section 60.14A, in the following terms:–

“Where any member of Council is invited to form or be part of a delegation to an event or place which involves overseas travel, the decision on whether to approve that travel will rest with the Chief Governance Officer where the cost does not exceed £200. In all other cases, decision making will rest with the Executive. This provision does not extend to travel by or on behalf of the Provost to any events of a civic nature, decision making on which will remain with the Chief Governance Officer in consultation with the Provost.”

FC38. PROGRAMME OF MEETINGS 2015

Council considered a report by the Chief Governance Officer requesting that Council agrees a programme of meetings for 2015.

The report set out two options for members' consideration. The first followed the cycle agreed in 2013 as part of the review of decision making structures incorporating a 4 weekly cycle of meetings of the scrutiny committee.

An alternative programme was presented following a recommendation from the scrutiny committee at its meeting on 25 September 2014 (ref SCS29) that a 6 weekly cycle would better accommodate the work of any scrutiny panels and the performance panel.

Councillor C Martin, seconded by Baillie Paterson, moved that Council agrees the programme set out at appendix 2 of the report (6 weekly cycle of scrutiny committee meetings).

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved that no changes be made to the current cycle of meetings pending changes to the decision making structures being approved and consequently that the programme set out at appendix 1 of the report (4 weekly cycle) be agreed.

On a division, 13 members voted for the amendment and 16 voted for the motion, with 2 abstentions.

Decision

Council (1) agreed the programme of meetings for 2015 incorporating a 6 weekly cycle for meetings of the scrutiny committee as set out in appendix 2 to the report, and (2) noted that special meetings of the Council or its committees may be called as necessary.

FC39. EXECUTION OF DEEDS

Council considered a report by the Chief Governance Officer detailing those deeds that had been signed by her since the last meeting.

Decision

Council noted the report.

FC40. EXCLUSION OF PUBLIC

Councillor C Martin, seconded by Baillie Paterson, moved that Council agrees, 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 involves the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

With no general agreement the motion was put to the vote, in accordance with Standing Order 20.11, with 16 members voting for the motion and 15 against.

Decision

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.

FC41. thinkWhere – PROPOSAL FOR INVESTMENT

Council considered a report by the Chief Executive and the Chief Finance Officer setting out a proposal to invest in the company thinkWhere.

thinkWhere, formerly Forth Valley GIS, was founded in 2007 to provide a geographical information service to Clackmannanshire, Stirling and Falkirk Councils, other public bodies and the private sector. The company has 3 shareholders, namely Clackmannanshire, Stirling and Falkirk Councils.

In light of potential changes to the shareholding the report set out options for Falkirk Council including a proposal to invest further in the company.

Decision

Council agreed to continue consideration of the report to allow further information to be provided.