

**FALKIRK COUNCIL**

**MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 11 FEBRUARY 2015 at 9.30A.M.**

**COUNCILLORS:**

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

**OFFICERS:**

Karen Algie, Head of Human Resources  
Margaret Anderson, Director of Social Work Services  
Danny Cairney, acting Depute Chief Finance Officer  
Rose Mary Glackin, Chief Governance Officer  
Rhona Geisler, Director of Development Services  
Gary Greenhorn, acting Director of Education  
Brian Heron, Accountancy Services Manager  
Jennifer Litts, Head of Housing  
Carole McGhee, Capital Manager  
Colin Moodie, Depute Chief Governance Officer  
Anne Pearson, acting Director of Education Services  
Brian Pirie, Democratic Services Manager  
Mary Pitcaithly, Chief Executive  
Stuart Ritchie, Director of Corporate and Neighbourhood Services  
Bryan Smail, Chief Finance Officer  
Amanda Templeman, acting Depute Chief Finance Officer

**FC67. SEDERUNT**

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

**FC68. DECLARATIONS OF INTEREST**

No declarations were made.

## FC69. REVENUE BUDGET FRAMEWORK 2015/16 – 2017/18

Council considered a report by the Chief Executive and the Chief Finance Officer presenting the Administration's Revenue Budget proposals for 2015/16, a provisional budget for 2016/17 and an overview position for 2017/18. A proposed Council Tax for 2015/16 was also presented.

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

- (1) the draft Budget for 2015/16 as set out in the report and as appended;
- (2) to levy a Council Tax for 2015/16 as follows:-
  - (i) a Council Tax to be paid in respect of a chargeable dwelling in Council Tax Valuation Band D of £1,070, representing a nil increase; and
  - (ii) a Council Tax to be paid in respect of a chargeable dwelling in each of the other Council Tax Valuations Bands in accordance with Section 74 (1) of the Local Government Act 1992 (as set out in paragraph 10.3 of the report);
- (3) the provisional draft Budget for 2016/17 as proposed in Appendix 4 of the report;
- (4) that any shortfall in savings proposals flowing from the Equality & Poverty Impact Assessment process, together with other necessary consultations and reviews, will be covered by alternative actions within Services' Budgets;
- (5) to delegate authority to the Chief Executive to issue a statutory notice to the Trade Unions in respect of the workforce implications of the budget proposals, which meets statutory requirements and enables officers to implement compulsory redundancies if all other voluntary options are exhausted, to achieve a balanced budget;
- (6) to delegate authority to the Chief Executive to include in a statutory notice, if agreed as a method of achieving savings, the option to impose changes to terms and conditions if no collective agreement can be reached on the basis that this will be referred back to Members for further consideration should imposition be required;
- (7) to deploy capital receipts to finance voluntary severance as set out in paragraph 7.9 of the report, where the Chief Executive in liaison with the Chief Finance Officer assess this to be in the best interests of the Council;
- (8) to note the actions being taken to assist with reductions in workforce spend, as outlined at section 7 of the report;
- (9) to note the work being undertaken by the Business Transformation project and that an update report will be provided to a future meeting of the Executive;

- (10) to request the Chief Executive to submit a report to Council in March which includes a proposal to review the number of Services in order to achieve savings;
- (11) to instruct Chief Officers to deliver services within the specific budget allocation for each Service and authorise them to take such actions as may be required within Council policy to give effect to the service delivery proposals outlined in sections 6, 7 and 8 of the report and appendices 6, 7 and 8;
- (12) In recognition that:
- (a) funding for membership of COSLA is included within the budget for the next two financial years;
  - (b) COSLA's future as an effective representative body for local government in Scotland is currently uncertain;
  - (c) the impact of that uncertainty calls into question the benefit to the Council of maintaining our membership;
  - (d) COSLA's constitution requires Councils to give a full financial year's notice of termination of membership, and
  - (e) the consequential impact of termination (if any) requires clarification, and

When re-affiliating to COSLA for 2015/16, notice is given that this Council will terminate its membership with effect from 1 April 2016 (while retaining membership of joint negotiating bodies) but reserves the right to withdraw that notice at any point during 2015/16 where that is deemed to be in the best interests of the Council.

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson moved the terms of the motion, subject to the insertion of a further two clauses (listed as 13 and 14 below) and the substitution of clauses (1), (3), (4), (5), (6), (9) and (11) as follows:-

- (1) the draft Budget for 2015/16 as set out, with the following amendments listed below:-

#### Additional savings

- Add £120,000 to the estimated profit to bring the 2015/16 figure closer to the 2014/15 estimated profit. Increased income to be derived from increased efficiencies on quality of work carried out and best use of time;
- Increase the target of Council Tax receipts by £60,000, in relation to new housing coming on stream;
- Reduce by one the number of issues of The Falkirk Council News and reduce other in-house publications for a total saving of £20,000;
- Anticipated reduction in the current financial year following directives to departments, total, £170,000, which will increase reserves and can be then be applied;
- Increase use of Earmarked Reserves, by £50,000 to a less conservative target;

- Cancel all newspapers for the Members Lounge and review the wider purchase of newspapers against savings from on-line access saving an estimated £6k; and
- PPP & NPDO arrangements based on past performance and market value the figure of £750,000 is a conservative estimate. The council should be seeking a settlement close to or better than that of the previous Administration and so a modest increase of £100,000 to £850,000 sets a more ambitious tone.

Falkirk Council required a full review of management structures to determine whether or not we are fit to meet the challenges of the Westminster Governments austerity programme. Council therefore agrees to see such a review with appropriate consultations

#### Additional Spend

- Retain existing Social Work Transport to protect vulnerable and low income groups and individuals, cost £50,000;
- Scrap proposals to levy a £5 a week charge for new elderly Day Care applicants, cost £28,000;
- Retain in-house services and cease the rolling privatisation of Home Care, cost £37,000;
- Community Halls are often the main or only social outlet within communities and have a value above financial. Scrap the intended closure programme, £20,000;
- Freeze School Meals charges, to promote a social agenda, cost £100,000;
- School lets play an important equality and social inclusion role and as such require to be affordable. We therefore propose the scrapping of the 3% increase and reverse the 2014/15 price hike, cost £44,000;
- Freeze Childcare Fees to better align in direction with Scottish Government policy, cost £15,000;
- Freeze Breakfast Club charges, cost £5,000;
- Recent history shows that charges for Pest Control can not be justified and were scrapped after only a short period by the council. Remove charges from the budget, £39,000;
- The introduction of charges for all Special Uplifts will lead to less recycling and more fly tipping and is therefore a false economy with grossly over estimated financial gains and no concept of increased costs. By maintaining 2 free uplifts the council will not incur these additional costs for fly tipping and contamination of recyclates. The balance in terms of loss of income we believe would be around £62,000 which would be made up from the aforementioned savings coupled with increased efficiencies from within the service;
- Retention of the CLD office in Bo'ness as the main hub for people looking for work £10,000; and
- In recognition of the valuable service provided by Citizens Advice Bureaux in helping to assist those affected most by the Westminster Austerity agenda an additional £13,000 to be allocated and shared between them

- (3) notes the Administration's proposals for 2016/17 however there is insufficient information available to approve. It is therefore proposed that a twice yearly financial performance report for each of the Services is reviewed by the Performance Panel enabling greater scrutiny and monitoring of individual service budgets and leading to the delivery of greater efficiencies;
- (4) agree that any shortfalls in savings proposals or issues that arise from the Equality & Poverty Impact assessment process are reported back to members for consideration;
- (5) to be referred back to Council any proposed redundancies and representation from the trade unions following the review of management structures and the seeking of voluntary severance;
- (6) members request that any imposition of the change of terms and conditions be the subject of a report to Council before any formal action is taken bearing in mind council ethos of cooperation with staff groups;
- (9) cannot agree to note the work of the Business Transformation project as members have not been provided with details on this. It is therefore agreed to bring a full report on the Business Transformation Project to March full Council and its implications for service provision;
- (11) as existing clause (11) but add amended budget to the existing recommendation;
- (13) following the Chief Executive's Report on review of the number of services it naturally follows that there should be a review of management structures in all departments. The Chief Executive is therefore requested to bring a further report forward to the May Full Council, and
- (14) reserves not supported by a business case should be consolidated, services should seek to operate within their budget any proposal to use reserves to meet any projected or actual over spend requires authorisation of Council.

Council then adjourned at 10.30 a.m. to allow members to consider the terms of the motion and amendment and reconvened at 11.05 a.m. with all members present as per the sederunt.

Following discussion Councillor Alexander gave notice of a further amendment.

At 12.30 p.m. the Provost moved, in accordance with Standing Order 34.1, with unanimous support, to extend the meeting for an unspecified time to allow business to be concluded.

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

For the motion (17) – Provost Reid; Depute Provost Patrick; Baillies Buchanan and 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 (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie and Spears.

Council then adjourned at 1 p.m., for lunch, and reconvened at 1.45 p.m. with all members present as per the sederunt with the exception of Councillor D Goldie.

Councillor Alexander, seconded by Councillor Meiklejohn, moved the terms of the motion with the following words are deleted from clause (12):

“but reserves the right to withdraw that notice at any point during 2015/16 where that is deemed to be in the best interests of the Council”.

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; Baillies Buchanan and Paterson; Councillors Black, Blackwood, 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, Meiklejohn, Oliver, Ritchie and Spears.

## **Decision**

### **Council agreed:-**

- (1) the draft Budget for 2015/16 as set out in the report and as appended;**
- (2) to levy a Council Tax for 2015/16 as follows:-**
  - (i) a Council Tax to be paid in respect of a chargeable dwelling in Council Tax Valuation Band D of £1,070, representing a nil increase; and**
  - (ii) a Council Tax to be paid in respect of a chargeable dwelling in each of the other Council Tax Valuations Bands in accordance with Section 74 (1) of the Local Government Act 1992 (as set out in paragraph 10.3 of the report);**
- (3) the provisional Draft Budget for 2016/17 as proposed in Appendix 4 of the report;**
- (4) that any shortfall in savings proposals flowing from the Equality & Poverty Impact Assessment process, together with other necessary consultations and reviews, will be covered by alternative actions within Services' Budgets;**
- (5) to delegate authority to the Chief Executive to issue a statutory notice to the Trade Unions in respect of the workforce implications of the budget proposals, which meets statutory requirements and enables officers to implement compulsory redundancies if all other voluntary options are exhausted, to achieve a balanced budget;**

- (6) to delegate authority to the Chief Executive to include in a statutory notice, if agreed as a method of achieving savings, the option to impose changes to terms and conditions if no collective agreement can be reached on the basis that this will be referred back to Members for further consideration should imposition be required;
- (7) to deploy capital receipts to finance voluntary severance as set out in paragraph 7.9 of the report, where the Chief Executive in liaison with the Chief Finance Officer assess this to be in the best interests of the Council;
- (8) to note the actions being taken to assist with reductions in workforce spend, as outlined at section 7 of the report;
- (9) to note the work being undertaken by the Business Transformation project and that an update report will be provided to a future meeting of the Executive;
- (10) to request the Chief Executive to submit a report to the meeting of Council in March which includes a proposal to review the number of Services in order to achieve savings;
- (11) instruct Chief Officers to deliver Services within the specific budget allocation for each Service and authorise them to take such actions as may be required within Council policy to give effect to the service delivery proposals outlined in section 6, 7 and 8 of the report and appendices 6, 7 and 8;
- (12) In recognition that:
  - (a) funding for membership of COSLA is included within the budget for the next two financial years;
  - (b) COSLA's future as an effective representative body for local government in Scotland is currently uncertain;
  - (c) the impact of that uncertainty calls into question the benefit to the Council of maintaining our membership;
  - (d) COSLA's constitution requires Councils to give a full financial year's notice of termination of membership, and
  - (e) the consequential impact of termination (if any) requires clarification, and

When re-affiliating to COSLA for 2015/16, notice is given that this Council will terminate its membership with effect from 1 April 2016 (while retaining membership of joint negotiating bodies) but reserves the right to withdraw that notice at any point during 2015/16 where that is deemed to be in the best interests of the Council.

## **FC70. THREE YEAR GENERAL CAPITAL PROGRAMME 2015/16 – 2017/18**

Council considered a report by the Chief Finance Officer presenting the proposed capital investment programme for the financial years 2015/16 - 2017/18 on all areas of service delivery with the exception of Council Housing.

Councillor C Martin, seconded by Councillor Nimmo, moved that Council approves the General Services Capital Programme 2015/16 to 2017/18 as set out in appendix 1 to the report and notes the prudential indicators set out in appendix 2 of the report.

As an amendment, Councillor Coleman, moved the terms of the motion subject to the following adjustment in regard to the Capital Programme:-

At the time of approving the draft Trust Budget not all information regards the whole council budget was available to members. Therefore on reflection Councils therefore agreed to reduce the capital spend to the Trust, while a new ticketing system would be nice and is desirable it is not essential as there is an existing system in place and would not provide an additional revenue stream for the Council. Therefore remove £280k for the ICT project and reallocate as follows:-

### **New Rail Stations**

Council recognised that the previous proposal for Bonnybridge and Grangemouth Railway Stations, as a result of the electrification, time tabling impediment to progressing them has now been removed.

This project would enable the station building to be leased to Network Rail creating an income stream to the Council. This would create economic benefits to each of the towns of Bonnybridge and Grangemouth and in turn to the wider council area.

Council therefore agrees to allocate £100k for STAG reports to be carried out, a business case produced as well as architectural designs developed. It is noted that there is an opportunity for a funding bid to Scottish Government through Transport Scotland Stations Development Fund, and instructs officers to urgently seek a meeting with civil servants to discuss. The revenue costs flowing from these proposals will be able to be accommodated within the capital charges provision.

### **Synthetic Pitches**

£100k to be used for a staff resource by the Council as the lead agency to support and assist the junior football Clubs to become Community Clubs in the preparation of bids and develop the ethos similar to that used by Stenhousemuir FC. The revenue costs flowing from these proposals will be able to be accommodated within the capital charges provision.

### **Carriden Cemetery**

£35k to be allocated to provide a secure and discrete boundary around Carriden Cemetery, recognising that the location is at a busy industrial access, the current boundary does not provide a respectful atmosphere fitting to relatives paying their last respects to their loved ones.

## **Dobbie Hall**

£35k to progress the necessary repairs that are required to maintain this well used local facility.

Councillor D Goldie rejoined the meeting at this point.

The Provost having confirmed that the first paragraph of the amendment was contrary to Standing Order 35, the decision on the budget for Falkirk Community Trust having been taken within the previous 6 months, Councillor Coleman substituted that paragraph with the following:-

“The Capital Programme requires to be refreshed as there are a number of projects that have been within the programme for some time but have not been progressed. This has been demonstrated by the £13m slippage. Following the re-profiling of the capital programme”.

The amendment as adjusted was seconded by Councillor Jackson.

Councillors McCabe and Gow gave notice of further amendments.

Council then adjourned at 2.45 p.m. to allow members of the Administration to consider the terms of the amendment and reconvened at 3.20 p.m. with all members present as per the sederunt.

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; Baillies Buchanan and 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 (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie and Spears.

Councillor McCabe then presented his amendment. Provost Reid ruled the amendment to be not competent in terms of Standing Order 30.1 because notice of the alternative budget had not been submitted to the Chief Finance Officer by noon on the second last day before the meeting.

Councillor Gow, having also given notice of a further amendment, seconded by Baillie Paterson, moved the following as an addendum to the motion:-

Council agrees that the Leader of Falkirk Council and Leader of the Opposition write to the relevant Scottish Government Minister requesting his support for railway stations at both Grangemouth and Bonnybridge. On receipt of written support from the Scottish Government Minister, Council officers to bring forward a report requesting a STAG report to Falkirk Council for both stations.

Following further discussion, and in terms of Standing Order 26.2 (ii), Councillor D Goldie, seconded by the Provost moved that “the question now be put”.

On a division, 25 members voted for the motion, 3 voted against with 3 abstentions.

Councillor C Martin, as mover, and with the consent of the Provost, and Councillor Nimmo as his seconder, agreed to adjust the motion to incorporate the proposed addendum.

There being no general agreement on the adjusted motion a vote was taken 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 (18) – Provost Reid; Depute Provost Patrick; Baillies Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol, Nimmo and Spears.

Against the adjusted motion (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver and Ritchie.

### **Decision**

**Council agreed:-**

- (1) the General Services Capital Programme 2015/16 to 2017/18 set out in appendix 1 of the report;**
- (2) to request that the Leader of Falkirk Council and the Leader of the Opposition write to the relevant Scottish Government Minister requesting his support for railway stations at Grangemouth and Bonnybridge and on receipt of written support from the Scottish Government Minister, instructs officers to bring forward a report to Council requesting a STAG report, for both stations, and**
- (3) to note the Prudential Indicators as set out in appendix 2 of the report.**

### **FC71. HOUSING REVENUE ACCOUNT AND COUNCIL HOUSE RENTS 2015/16 – 2017/18**

Council considered a report by the Director of Corporate and Neighbourhood Services and the Chief Finance Officer presenting a draft Housing Revenue Account for the financial year 2015/16; making recommendations on the level of council house and other rents for 2015/16, and proposing indicative rent levels for the years 2016/17 to 2017/18.

Councillor G Goldie, seconded by Councillor D Goldie, moved that Council agrees the draft Housing Revenue Account budget for 2015/16 as set out in appendix 2 of the report, with the following specific recommendations:-

- (1) a rent increase of 3.6% to be applied from 1 April 2015. The average fortnightly charge would therefore increase from £124.73 to £129.22, based on the 24 fortnightly periods with no rent being charged during the fortnightly periods commencing 29 June 2015 and 28 December 2015;
- (2) lock-up garage rentals to increase from an average of £5.72 per week to £5.93 per week;
- (3) garage site rentals to increase from £77 per annum to £78 per annum;
- (4) Castings Hostel rentals to increase from £147.78 per room per week to £153.10 per week (excluding fuel charges);
- (5) homeless property rentals to increase from an average of £171.32 per week to £177.49 per week, and
- (6) noted the indicative budgets and rent increases for 2016/17 and 2017/18 as representing the best information available at this time.

As an amendment, Councillor Carleschi, seconded by Councillor Meiklejohn, moved the terms of the motion with clause (1) substituted with the following:-

- (1) a rent increase of 1.5%, in line with inflation, be applied from 1 April 2015 helping those hard pressed working families who are being hit hardest by the current Westminster's austerity agenda. The average fortnightly charges to be adjusted accordingly with the balance of circa £1m to be drawn from reserves and efficiency savings.

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; Baillies Buchanan and 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 (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie and Spears.

## **Decision**

**Council agreed the draft Housing Revenue Account budget for 2015/16 as set out in appendix 2 of the report, with the following specific recommendations:-**

- (1) a rent increase of 3.6% to be applied from 1 April 2015. The average fortnightly charge would therefore increase from £124.73 to £129.22, based on the 24 fortnightly periods with no rent being charged during the fortnightly periods commencing 29 June 2015 and 28 December 2015;**
- (2) lock-up garage rentals to increase from an average of £5.72 per week to £5.93 per week;**

- (3) garage site rentals to increase from £77 per annum to £78 per annum;
- (4) Castings Hostel rentals to increase from £147.78 per room per week to £153.10 per week (excluding fuel charges);
- (5) homeless property rentals to increase from an average of £171.32 per week to £177.49 per week, and
- (6) noted the indicative budgets and rent increases for 2016/17 and 2017/18 as representing the best information available at this time.

## **FC72. HOUSING INVESTMENT PROGRAMME 2015/16 – 2017/18**

Council considered a report by the Director of Corporate and Neighbourhood Services presenting the proposed Housing Investment Programme for the financial years 2015/16 to 2017/18.

Over the 3 year period, expenditure of £85.7m was proposed. Of this £51.45m will be allocated to improving and maintaining current council housing stock to the Scottish Housing Quality Standard, with £34.2m to be spent in delivering a range of initiatives, such as property buybacks, to deliver new and affordable homes and to expand the scope of housing options to meet tenants' housing needs.

Councillor G Goldie, seconded by Councillor D Goldie, that Council agrees the expenditure proposals outlined in the 2015/16 to 2017/18 Housing Investment Programme in appendix 1 of the report.

As an amendment, Councillor Carleschi, seconded by Councillor Balfour, moved an addendum to the motion, that Council agrees to:-

Enhance provision within section 4.7 of the report, Priority Areas, by £300,000, to be taken from reserves under a spend to save initiative to develop a pilot project for the installation of photo voltaic and/or thermal panels on suitable Council properties. This is in alignment with the Scottish Government energy efficiency policy and will provide lower fuel bills to the tenant and an income stream to Council by selling excess energy back to the grid excess energy.

Following a commitment from Councillor G Goldie, as portfolio holder for Housing, that an assessment of the initiatives described in the amendment would be carried out with a report back to Committee, Councillor Carleschi, with the consent of the Provost, and Councillor Balfour, as his seconder, withdrew his amendment.

### **Decision**

**Council agreed the expenditure proposals outlined in the 2015/16 to 2017/18 Housing Investment Programme in appendix 1 of the report.**