

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 19 MAY 2015 at 9.30 a.m.

COUNCILLORS:

David Alexander	Linda Gow
Jim Blackwood	Adrian Mahoney
Tom Coleman	Craig Martin (Convener)
Dennis Goldie	Dr Craig R Martin
Gerry Goldie	Alan Nimmo

OFFICERS:

Sally Buchanan, Welfare Reform Project Manager
Rhona Geisler, Director of Development Services
Rose Mary Glackin, Chief Governance Officer
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate & Neighbourhood Services
Bryan Smail, Chief Finance Officer

ALSO ATTENDING:

Lesley O'Hare, Culture and Libraries Manager, Falkirk
Community Trust

EX8. APOLOGIES

Apologies were intimated on behalf of Councillors Nicol and Spears.

EX9. DECLARATIONS OF INTEREST

Councillor Mahoney declared a non-financial interest in item EX11 as a member of the Friends of Kinneil and Historic Scotland but did not consider that this required him to recuse himself from consideration of the item having had regard to the objective test in the Code of Conduct.

EX10. MINUTE

Decision

The minute of the meeting of the Executive held on 28 April 2015 was approved.

EX11. HERITAGE DELIVERY PLAN – FALKIRK COMMUNITY TRUST

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting the Heritage Delivery Plan for Falkirk 2015 – 18.

Following a Policy Development Panel review of the draft Culture and Sport Strategy (Inspiring Active Lives), the Executive agreed, on 18 March 2014 (ref EX133), a protocol for the development and approval of each of the delivery plans which would be developed to take the Strategy forward, including final approval of each delivery plan by the Executive.

The Heritage Delivery Plan, which was developed by Falkirk Community Trust, sets out the direction for heritage delivery across the Falkirk area as part of the vision and framework set out in the Culture and Sport Strategy. A report, by the Chief Executive, Falkirk Community Trust, appended to the report, summarised the Plan, highlighting key areas of on-going work. The Plan will be subject to annual review.

Councillor Mahoney, seconded by Councillor C Martin, moved that the Executive approves the proposed Heritage Delivery Plan for Falkirk 2015-18 as appended to the report, subject to the inclusion of recent developments funded by the Heritage Lottery Fund at Muiravonside Country Park and that authority is delegated to the Director of Development Services, in consultation with Councillor Mahoney, as portfolio holder, to approve the revised Delivery Plan.

Decision

The Executive agreed the motion.

Councillor Gow joined the meeting during the consideration of the previous item

EX12. PROPOSAL TO DESIGNATE ZETLAND PARK AS A WORLD WAR ONE CENTENARY FIELD

The Executive considered a report by the Director of Development Services setting out a proposal to designate an area of Zetland Park, Grangemouth as a World War 1 Centenary Field.

Fields in Trust, in conjunction with the British Legion and Poppy Scotland, is seeking the Council's commitment to a nationwide initiative to designate at least one green space in each Local Authority area in the UK as a Centenary Field in commemoration of the sacrifice made by all who lost their lives in World War 1. Each such green space area will be so designated and protected in perpetuity by means of a Deed of Dedication.

The report summarised the Centenary Fields qualification criteria together with the legal implications and likely costs involved. It was proposed that the older part of Zetland Park, in Grangemouth, is designated as the Centenary Field in the Falkirk area.

Decision

The Executive agreed:-

- (1) to support the Fields in Trust Centenary Field Initiative; and**
- (2) that the older part of Zetland Park as set out in the report, should become Falkirk Council's nominated Centenary Field and to accept the legal protection that this incurs.**

EX13. WELFARE REFORM UPDATE

The Executive considered a report by the Director of Corporate and Neighbourhood Services on Welfare Reform changes and the work being undertaken to support those affected by the changes.

The report provided the background to and implications of:-

- the introduction of Universal Credit in May 2015 in the Falkirk Council area;
- funding for Discretionary Housing Payments (DHP); and
- the roll out of Personal Independence Payments in the FK postcode area from 30 March 2015.

In regard to size criteria mitigation for 2014/15, the DWP and the Scottish Government provided £1,213,695 to Falkirk Council. However, in 2014/15 £1,335,274 was committed. The Council will apply for further funding in May 2015 for reimbursement of the additional costs (£121,579.32).

In 2015/16 Falkirk Council will receive £1,184,794. As in 2014/15 Council will commit more than the allocated budget and will be able to seek reimbursement in May 2016.

It was proposed that the DHP policy in non-size criteria cases is reviewed in light of a successful appeal in England against the inclusion of disability related benefits in the assessment of income.

Councillor C Martin, seconded by Councillor G Goldie, moved that Executive agrees:-

- (1) to enter into a Delivery Partnership Agreement with the Department of Work and Pensions in support of the roll out of Universal Credit;
- (2) to a Member specific awareness session on Universal Credit; and
- (3) that the Discretionary Housing Payments policy should be reviewed as a consequence of Disability Benefits not being included as income in the non-size criteria cases where a financial assessment is carried out.

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved clauses (1) and (2) of the motion and that, in addition:-

- (3) Council should make direct contact with the relevant Ministers outlining the damage done to the lives and well-being of some of the most vulnerable people in Falkirk district and pointing out that our people voted decisively for an end to austerity on 7 May; and
- (4) that Council was informed at the time that Disability Benefits should be excluded as it is not income assessed but chose to ignore that advice resulting in applicants who should have received DHP being denied that benefit. The Executive therefore agrees to request a report as soon as possible outlining the steps to be taken to review and rectify each claimant wrongly refused for this reason.

Following discussion, Councillor Martin, with the consent of Councillor G Goldie, as his seconder, adjusted the terms of his motion as follows:-

- (1) to enter into a Delivery Partnership Agreement with the Department of Work and Pensions in support of the roll out of Universal Credit;
- (2) to a Member specific awareness session on Universal Credit;
- (3) to make direct contact with the relevant Ministers outlining the damage done to the lives and well-being of some of the most vulnerable people in Falkirk district and pointing out that our people voted decisively for an end to austerity on 7 May; and
- (4) that the Discretionary Housing Payments policy should be reviewed in light of the recent judgement that Disability Benefits should not be included as income in the non-size criteria cases where a financial assessment is carried out, the report to be submitted to the Executive and to include information about the impact on those who have not received Discretionary Housing Payments as a consequence of Council's policy and any action that may be taken thereon.

Councillor Alexander, with the consent of Councillor Martin, as Convener, and Councillor Coleman as his seconder, agreed, having heard the terms of the adjusted motion, to withdraw his amendment.

Decision

The Executive agreed the adjusted motion.