

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 20 OCTOBER 2015 at 9.30 a.m.

<u>COUNCILLORS:</u>	David Alexander	Linda Gow
	Jim Blackwood	Adrian Mahoney
	Tom Coleman	Craig Martin (Convener)
	Dennis Goldie	Dr Craig R Martin
	Gerry Goldie	Robert Spears

OFFICERS:

Robin Baird, Waste Strategy Co-Ordinator
Fiona Campbell, Head of Policy Technology and Improvement
Rhona Geisler, Director of Development Services
David McGhee, Head of Procurement & Housing Property
Rose Mary Glackin, Chief Governance Officer
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Brenda Roddy, Climate Change & Sustainability Officer
Bryan Smail, Chief Finance Officer
Danny Thallon, Planning Officer

ALSO ATTENDING: Councillor Carleschi

EX53. APOLOGIES

Apologies were intimated on behalf of Councillors Nicol and Nimmo.

EX54. DECLARATIONS OF INTEREST

Councillor Mahoney declared a non-financial interest in item EX59 as a member of Friends of Kinneil 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.

EX55. MINUTE

Decision

The minute of the meeting of the Executive held on 29 September 2015 was approved.

EX56. MOTION

Community Halls

On 7 October 2015, and in accordance with Standing Order 31.1, Council referred the the following motion proposed by Councillor Carleschi, to the Executive:-

A number of members have received a recent briefing note which has been issued by Children's Services on the community transfer of 5 community halls – Bothkennar, Banknock, California, Limerigg and Polmont.

There has been no consultation on the rationale behind these 5 halls being earmarked for potential transfer or closure. Councillors have also not been provided with the assessment undertaken on all 22 community halls in Falkirk. This is at a time when the council has committed itself to spending £20 Million on a new council HQ.

Members therefore request a report come to the December meeting of full Council providing a detailed assessment of all 22 community halls and the potential impact to local communities resulting from closure.

In terms of Standing Order 31.2, Councillor Carleschi spoke in support of his motion.

Councillor Spears, seconded by Councillor Coleman, moved that the Executive *requests a report to the December meeting providing a detailed assessment of all 22 community halls and the potential impact to local communities resulting from closure.*

As an amendment, Councillor C Martin, seconded by Councillor Dr C R Martin, moved, in substitution, that the Executive *agrees to the continuation of the on-going consultation and to await the results.*

On a division 3 members voted for the motion and 7 voted for the amendment, with voting as follows:-

For the motion (3) – Councillors Alexander, Coleman and Spears.

For the amendment (7) – Councillors Blackwood, D Goldie, G Goldie, Gow, Mahoney, C Martin and Dr C R Martin.

Decision

The Executive agreed the continuation of the ongoing consultation and to await the results.

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

EX57. CARBON MANAGEMENT PLAN

The Executive considered a report by the Director of Development Services presenting a Carbon Management Plan for approval.

The Council is required in terms of the Climate Change (Scotland) Act 2009 to demonstrate that carbon reduction is built into its operations and that it is contributing to national targets. From 2016/17 Falkirk Council will be required to report on progress towards the reduction of carbon dioxide emissions.

The revised plan, which outlines how the Council will manage its carbon dioxide emissions, covers the period 2015 – 2021 and sets out conclusions under 5 main headings:-

- Optimise use of the built estate;
- Taking decisions on the built estate;
- Build carbon and associated costs into decision making;
- Stabilisation/reduction of the estate; and
- Embed carbon reduction in IT.

The plan set out three options for Council - continued growth and consumption of carbon dioxide emissions; stabilisation of carbon dioxide and gradual decrease of carbon dioxide together with the potential savings associated with each scenario.

Councillor C R Martin, seconded by Councillor C Martin, moved that the Executive agrees:-

- (1) *to note the projects successfully delivered by the Carbon Management Plan 2011-2015; and*
- (2) *the Carbon Management Plan 2015/16 - 2020/21.*

Following discussion, Councillor Alexander proposed that, additionally, *the Executive agrees to request a report on what Falkirk Council is doing to reduce carbon emissions and on best practice within other Scottish local authorities.*

Councillor Dr C R Martin, with the consent of Councillor C Martin, as Convener and the seconder of the motion, agreed to adjust the terms of his motion to accommodate the proposed addendum.

Decision

The Executive agreed:-

- (1) to note the projects successfully delivered by the Carbon Management Plan 2011-2015;**
- (2) the Carbon Management Plan 2015/16 - 2020/21; and**
- (3) to request a report on what Falkirk Council is doing to reduce carbon emissions and to report on best practice in other Scottish local authorities.**

EX58. BUSINESS CONTINUITY MANAGEMENT POLICY

The Executive considered a report by the Director of Development Services presenting a Business Continuity Management Policy for approval.

In terms of the Civil Contingencies Act 2004, the Council is required to make arrangements for maintaining business continuity and, in particular, to maintain plans, so that, in the event of an emergency, it can perform its functions.

The main objectives of the policy are to:-

- reduce the likelihood of a disruption occurring that affects the services provided by the Council;
- prioritise and protect those people most severely impacted; and
- protect the Council by taking action to avoid financial loss, lessen reputational damage, enhance the Council's ability to recover from a disruptive event and meet its legislative requirements.

Decision

The Executive approved the Business Continuity Management Policy.

EX59. REVIEW OF THE OPEN SPACE STRATEGY AND PARKS DEVELOPMENT PLAN

The Executive considered a report by the Director of Development Services presenting a draft Open Space Strategy and Parks Development Plan.

The Executive established a policy development panel on 19 August 2014 (ref EX45) to review the Open Space Strategy and Parks Development Plan. The report summarised the work of the panel, which comprised Councillors Mahoney (chair), Blackwood and McLuckie, highlighting, in particular, the significant amendments suggested by the panel. A revised document was presented which set out 14 strategic proposals under the following four key themes:-

- modernising the parks and open spaces;
- addressing inequality and fostering community through open space investment;
- working and investing more efficiently; and
- generating capital and revenue for investment in parks and open space.

The panel had recommended that the draft document is, subject to Executive approval, issued for public comment.

Decision

The Executive agreed to:-

- (1) **instruct officers to publish the consultative draft Open Space Strategy and Parks Development Plan and to carry out a public consultation, and**

- (2) instruct officers to report the findings of the public consultation and present a finalised Open Space Strategy and Parks Development Plan which has been amended to address issues raised during the consultation to a future meeting.

EX60. ADOPTION OF ZETLAND PARK MASTERPLAN

The Executive considered a report by the Director of Development Services proposing the adoption of a masterplan for Zetland Park.

The Zetland Park Masterplan had been developed by Falkirk Council in consultation with Falkirk Community Trust, elected members, the friends of Zetland Park and the public. The plan provides a framework for developing the park to accommodate current recreational needs as well as preserving its unique historical and heritage assets. Investment in the park will be sought from external sources and the adoption of the proposed Masterplan will allow grant applications, to bodies such as the Heritage Lottery Fund, to be made for many of the development opportunities set out.

Decision

The Executive agreed to:-

- (1) adopt the Zetland Park Masterplan;
- (2) authorise the Director of Development Services to formulate a phase one funding bid to Heritage Lottery Fund, and to seek to identify appropriate external match-funding; and
- (3) request a further report should a stage two bid be considered with a funding package identified on the basis described in the report.

Councillor Spears left the meeting following consideration of the previous item.

EX61. STRATEGIC HOUSING INVESTMENT PLAN UPDATE

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the Strategic Housing Investment Plan (SHIP) together with affordable housing proposals.

The SHIP is a key statement of housing development priorities and guides funding for new affordable housing development.

The Executive approved a revised affordable housing programme – the Strategic Local Programme (SLP) on 13 January 2015 (ref EX105) and noted investment in the programme from the Pension Fund on 28 April 2015 (ref EX7).

Since April 2015, following discussions with the Scottish Government, a further £2.9m has been identified for affordable housing:-

- the Scottish Government will provide an additional £1.8m towards buy backs in 2015 - 16; and

- the Scottish Government grant subsidy will now fund previously identified new build projects i.e. second homes council tax funds and Affordable Housing Policy contributions previously identified to fund Council developments at Stenhousemuir and Denny, will no longer be required. This effectively means that £1.1m from these resource streams can now be used for additional/new proposals to deliver affordable housing.

It is anticipated that a further 305 affordable homes will be provided over the next four years. A revised SLP was appended.

The report also set out proposals in regard to:-

- extensions of the buy back scheme to include larger properties;
- opportunities to identify and purchase units from developers on sites identified under the Affordable Housing Policy;
- carrying out further re-design projects akin to that including flatted accommodation at Kersiebank Avenue, Grangemouth.

Decision

The Executive agreed to:-

- (1) **the revised Strategic Local Programme as outlined in appendix 1 of the report;**
- (2) **to amend the buy back criteria to include houses (as defined by the Scottish Government) with more than two bedrooms;**
- (3) **to commence discussions with Homes for Scotland and Development Services to identify potential opportunities to purchase units from developers on sites under the Affordable Housing Policy and thereafter bring a report back to Executive, and**
- (4) **to remit it to the Director of Corporate and Housing Services to identify opportunities to redesign low demand flatted accommodation and thereafter bring a report back to the Executive.**

EX62. REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000

The Executive considered a report by the Director of Corporate and Housing Services presenting a revised Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA) Policy and Procedure for approval

RIPSA authorises the Council to carry out covert surveillance to obtain evidence to enable it to carry out its statutory functions. The Council's approach to RIPSA was reviewed in 2010 and two policies were introduced i.e. for directed surveillance and for the use of covert human intelligence sources. A revised policy and procedure which combines the existing policies was presented for approval.

Decision

The Executive agreed:-

- (1) the updated Regulation of Investigatory Powers (Scotland) Act 2000 policy and procedure attached to the report; and**
- (2) to authorise the Chief Governance Officer to keep under review the authorisation documentation required under the policy and to make such changes to it as may be necessary from time to time to comply with any relevant Codes of Practice.**

EX63. HOLOCAUST MEMORIAL NATIONAL EVENT 2016

The Executive considered a report by the Director of Corporate and Housing Services setting out proposals to host the National Holocaust Memorial Day on 27 January 2016.

Falkirk Council has commemorated Holocaust Memorial Day locally since 2011 and has been invited to host the national event which will be held on 27 January 2016.

The theme for 2016 event is 'Don't Stand by' in acknowledgment of those who have not ignored genocide and who have helped to save the lives of oppressed people.

It is anticipated that the cost to the Council will be minimal, and will relate in the main to a Civic reception on 26 January 2016. The funding for the national day will be provided by the Holocaust Memorial Day Trust and the Scottish Government. Both organisations, together with Interfaith Scotland, will support Council officers involved.

Decision

The Executive agreed to:-

- (1) support the hosting of the National Holocaust Memorial Day on 27 January 2016 and the accompanying civic reception on 26 January 2016; and**
- (2) note the local events taking place to mark Holocaust Memorial Day.**

EX64. SYNTHETIC SPORTS PITCHES

The Executive considered a report by the Director of Corporate and Housing Services.

The Executive agreed, on 24 February 2015 (ref EX126), to invite interested third parties and organisations to apply for funding to develop synthetic 3G sports pitches.

The deadline for applications was 31 May 2015. Seven applications were received, from:-

- Newtown Park Association (Bo'ness Junior Football Club);
- Dunipace Juniors Football Club;
- Syngenta Junior Football Club;
- Falkirk Rugby Club;
- East Stirlingshire Galaxy;

- Falkirk GHG Hockey Club; and
- Graeme High School and Central Football Academy.

The report provided a summary of the assessment of the applications, highlighting particular issues in regard to the application from Graeme High School.

Decision

The Executive agreed:-

- (1) that the bids from Newtown Park and Dunipace Juniors Football Club will be taken forward to stage 2 of the assessment process, with the level of funding being in the region of £360,000 for each applicant;
- (2) that officers will report back to committee in the event that any significant issues arise during stage 2 or beyond; and
- (3) that the proposal from Graeme High School will be put on hold to allow consideration of the factors set out in paragraph 3.3 of the report.

EX65. FINANCIAL POSITION 2015/16

The Executive considered a report by the Director of Corporate and Housing Services presenting the Council's projected year end financial position.

At 30 September 2015, a year end underspend of £0.275m was projected in the General Fund. The report set out the main deviations from budget to date, by Service. The main pressures continue to be attributable to both Children's Services and Adult Social Work Services. Underspends in other Services and the additional £2m provided in the budget have absorbed these pressures.

The projected year end position in regard to the Trading Account, Housing Revenue Account and General Fund Reserves and Capital Reserves were also presented, together with details of movements on the Repairs and Renewals Fund.

Decision

The Executive agreed to note:-

- (1) the Council's projected year-end financial position for 2015/16; and
- (2) the position with Reserves.

EX66. PROPOSED CARRONSHORE BRIDGE - ACQUISITION OF LAND

The Executive considered a report by the Director of Development Services seeking authority to promote Compulsory Purchase Orders to acquire land for a pedestrian/cycle bridge in Carronshore.

The Executive agreed on 17 March 2015 (ref EX145) the River Carron Connection project which includes the proposal for a pedestrian/cycle bridge in the Carronshore area.

The report summarised negotiations between the Council, the Dawson Trust and Scottish Water in regard to the purchase of land required to construct the bridge and recommended the use of Compulsory Purchase Order powers to acquire the land.

Councillor C Martin, seconded by Councillor Dr C R Martin, moved that the Executive agrees the recommendations set out in the report.

Following discussion, Councillor Alexander proposed that, *in addition, the Executive calls for a meeting of interested parties, including local elected members to understand the reason for the blockage.*

Councillor C Martin, as mover of the motion and Convener, and with the consent of Councillor Dr C R Martin, as his seconder, agreed to adjust his motion to incorporate Councillors Alexander's proposed addendum.

Decision

The Executive agreed:-

- (1) the promotion of Compulsory Purchase Orders under the Land Reform (Scotland) Act 2003 and/or the Town & Country Planning (Scotland) Act 1997 for the acquisition of the land ownership interests outlined in the report as shown on the plan attached to the report and subsequent referral to the Scottish Ministers, for the construction of the Carronshore Bridge; and**
- (2) to call for a meeting of interested parties, including local members, to understand the reasons for the blockage.**

Councillor G Goldie withdrew from the meeting following consideration of the previous item.

EX67. EXCLUSION OF PUBLIC

The Executive 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.

EX68. UPDATE ON CONTRACT FOR PROCESSING CO-MINGLED DRY RECYCLATE

The Executive considered a report by the Director of Development Services providing an update on the contract and negotiations in regard to the processing of co-mingled dry recycle.

Councillor Dr C R Martin, seconded by Councillor C Martin, moved that the Executive agrees to:-

- (1) note the content of the update on the contract for processing co-mingled dry recycle;*

- (2) *authorise the Director of Development Services to review all costs associated with the blue bin collection service in order to present options at a future meeting; and*
- (3) *establish a short life policy development panel, comprising 5 members (with 3 drawn from the Administration and 2 from the Opposition) to consider the implications of the forthcoming Recycling Charter and to make recommendations as appropriate.*

Decision

The Executive agreed the motion.

Councillor G Goldie rejoined from the meeting during consideration of the previous item.