

DRAFT

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 17 FEBRUARY 2016 at 9.30A.M.

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| <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 | Adrian Mahoney | Provost Pat Reid |
| | Colin Chalmers | Craig Martin | Ann Ritchie |
| | Tom Coleman | Dr Craig R Martin | Robert Spears |
| | Paul Garner | Cecil Meiklejohn | Sandy Turner |
| | Dennis Goldie | Rosie Murray | |

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| <u>OFFICERS:</u> | Karen Algie, Head of Human Resources & Business Transformation |
| | John Angell, Head of Planning and Transportation |
| | Danny Cairney, acting Depute Chief Finance Officer |
| | Fiona Campbell, Head of Policy, Technology & Improvement |
| | Rhona Geisler, Director of Development Services |
| | Kenny Gillespie, Property & Asset Manager |
| | Tracey Gillespie, Human Resources Manager |
| | Rose Mary Glackin, Chief Governance Officer |
| | Joe McElholm, Head of Social Work Adult Services |
| | Robert McMaster, Head of Roads & Design |
| | Colin Moodie, Depute Chief Governance Officer |
| | Robert Naylor, Director of Children's Services |
| | Brian Pirie, Democratic Services Manager |
| | Mary Pitcaithly, Chief Executive |
| | Stuart Ritchie, Director of Corporate and Housing Services |
| | Bryan Smail, Chief Finance Officer |
| | Amanda Templeman, acting Depute Chief Finance Officer |

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| <u>ALSO</u> | Maureen Campbell, Chief Executive, Falkirk Community Trust |
| <u>ATTENDING:</u> | |

FC78. ORDER OF BUSINESS

In terms of Standing Order 14.2(i), the Provost varied the order of business from that detailed on the agenda for the meeting. The following items are recorded in the order in which they were taken at the meeting.

FC79. SEDERUNT

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

FC80. DECLARATIONS OF INTEREST

Councillor Garner declared a non financial interest in item FC81 by virtue of a family relationship and stated that he would take no part in the discussion or decision making on this item.

In accordance with his declaration Councillor Garner left the meeting at this point.

FC81. EXCLUSION OF PUBLIC – EQUAL PAY

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 Paragraphs 11&12 of Part 1 of Schedule 7A to the said Act.

FC82. EQUAL PAY

Council considered a report by the Director of Corporate and Housing Services providing an update on equal pay negotiations.

This item is exempt from publication on the grounds that it would be involve the disclosure of exempt information as defined in Paragraphs 11 and 12 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

Council then adjourned at 10.10 am to allow members of the public to re-join the meeting and reconvened at 10.20 am with members present as per the sederunt.

FC83. DEPUTATIONS

The Provost advised that 2 deputation requests had been received. In terms of Standing Order 33.1 no deputation will be heard unless an application is made at least 10 clear days before the meeting. Both requests, from Dial-a-Journey and the Joint Trades Union Congress, had been received outwith the notice period.

Both requests were in regard to Item FC84 - Revenue Budget 2016/17. The Provost considered it appropriate that both be heard. Council agree unanimously that the matter was urgent and, this being the case, and in terms of Standing Order 36.3(ii), also agreed unanimously to suspend the reference to a deadline in Standing Orders 33.1 to allow that to happen.

Dial-a-Journey

Herbert Coutts, (Chair of the order of Malta Dial-a-Journey Ltd) addressed Council, following which members asked questions of him and of, Duncan Hearsum (Chief Executive Office), Hazel Mackay (service user and Board member) and Fiona Downie (service user representative).

The Provost thanked the deputation for addressing Council.

Joint Trades Union Congress

Colin Finlay (Chair) addressed Council, following which members asked questions of him and of Janet Stewart (Unison).

The Provost thanked Mr Finlay and Ms Stewart for addressing Council.

FC84. REVENUE BUDGET 2016/17

Council considered a report by the Chief Executive and the Director of Corporate and Housing Services presenting the Administration's Revenue Budget proposals for 2016/17. A proposed Council Tax for 2016/17 was also presented. The report set out Falkirk Community Trust's Business Plan for 2016/17 which had been revised following a decision of Council on 16 December 2015 (ref FC69) and proposed an allocation of funds to the Integration Joint Board.

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

- (1) *the draft Budget for 2016/17 as proposed in the report;*
- (2) *to levy a Council Tax for 2016/17 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;*
 - 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 14.3 of the report);*

- (3) *the Business Plans and Savings proposals for Falkirk Community Trust as set out in section 8 of the report and the Service Payment for 2016/17 of £11.795m;*
- (4) *the content of section 9 of the report and a sum of £58.939m to be made available to the Integration Joint Board;*
- (5) *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;*
- (6) *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 the statutory requirements and enables officers to implement compulsory redundancies if all other voluntary options are exhausted, to achieve a balanced budget;*
- (7) *that the £1.5m savings which were to be achieved from terms and conditions, is taken from reserves, with discussions continuing with Trade Unions to find a solution to achieving such savings in workforce costs as soon as possible;*
- (8) *to give Cosla a further period of notice of one year and to return to the issue in next year's Budget by which time matters, and notably the legal position, will have been clarified;*
- (9) *to instruct Chief Officers to deliver Services within the specific budget allocation for each Service and authorises them to take such actions as may be required within Council policy to give effect to the service delivery proposals outlined in sections 7, 8, 9 & 11 of the report and related appendices and annexes; and*
- (10) *to consult further on the proposals in regard to the Dial-a-Journey contract.*

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson moved that Council agrees:-

- (1) *the draft budget of 2016/17 set out in the report subject to the adjustments (set out in the appendix to this minute);*
- (2) *the level of Council Tax as set out in the report;*
- (3) *to fund the Falkirk Community Trust*
 - i) *to the level of £11.795m with the addition of the sum of £93,000 for the retention of the Mobile Library Service.*
 - ii) *Council also recognises that the Community Trust's operation is no longer fit for purpose and has not achieved what it was set out to do therefore should be the subject of a full Best Value Review.*
- (4) *to adjust payment to the Integration Joint Board in line with the amended draft budget;*
- (5) *that any shortfalls in savings proposals or issues that arise from the Equality & Poverty Impact assessment process are reported back to members for consideration;*

- (6) *that the £1.5m savings which were to be achieved from terms and conditions, is taken from reserves, with discussions continuing with Trade Unions to find a solution to achieving such savings in workforce costs as soon as possible;*
- (7) *to follow through on its intention to withdraw from COSLA, as we believe as a membership organisation, members should be free to decide what is in the best interests of their own residents and stakeholders;*
- (8) *to instruct Chief Officers to deliver services within the specific budget allocation for each Service and authorises them to take such actions as may be required within Council policy to give effect to the service delivery proposals outlined in sections 7, 8, 9 & 11 of the report and related appendices and annexes; and*
- (9) *that reserves be consolidated in to a single fund to which services would require to prepare a business case and place bids in order to access additional funds.*

Council then adjourned at 12 noon to allow members of the Administration to consider the terms of the amendment and reconvened at 3.40 pm with members present as per the sederunt.

Following discussion, Councillor Meiklejohn, with the consent to the Provost and Councillor Jackson as her seconder, adjusted the terms of her amendment by inserting the following with the numbering of subsequent paragraphs changed accordingly:-

- (6) *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 the statutory requirements and enables officers to implement compulsory redundancies if all other voluntary options are exhausted, to achieve a balanced budget, subject to the proviso that should compulsory redundancies be required, they would be subject to a prior report to Council;*

At 5.00 pm, in accordance with Standing Order 34, the Provost, seconded by Councillor C Martin, moved that the meeting continue to allow the remaining business to be concluded. There was unanimous support for the motion.

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

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

Decision

Council agreed:

- (1) **the draft Budget for 2016/17 as proposed in the report;**

- (2) to levy a Council Tax for 2016/17 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;
 - 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 14.3 of the report);
- (3) the Business Plans and Savings proposals for Falkirk Community Trust as set out in section 8 of the report and the Service Payment for 2016/17 of £11.795m;
- (4) the content of section 9 of the report and a sum of £58.939m to be made available to the Integration Joint Board;
- (5) 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;
- (6) 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 the statutory requirements and enables officers to implement compulsory redundancies if all other voluntary options are exhausted, to achieve a balanced budget;
- (7) that the £1.5m savings which were to be achieved from terms and conditions, is taken from reserves, with discussions continuing with Trade Unions to find a solution to achieving such savings in workforce costs as soon as possible;
- (8) to give COSLA a further period of notice of one year and to return to the issue in next year's budget by which time matters, and notably the legal position, will have been clarified;
- (9) to instruct Chief Officers to deliver services within the specific budget allocation for each Service and authorises them to take such actions as may be required within Council policy to give effect to the service delivery proposals outlined in sections 7, 8, 9 & 11 of the report and related appendices and annexes; and
- (10) to consult further on the proposals in regard to the Dial-a-Journey contract.

Council then adjourned at 5.40 pm and reconvened at 6.40 pm with members present as per the sederunt, with the exception of Councillor McCabe.

FC85. THREE YEAR GENERAL CAPITAL PROGRAMME 2016/17 – 2018/19

Council considered a report by the Director of Corporate and Housing Services presenting the proposed capital investment programme for the financial years 2016/17 – 2018/19 on all areas of service delivery with the exception of Council Housing.

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

Council approves the General Services Capital Programme 2016/17 to 2018/19 as set out in appendix 1 to the report and notes the prudential indicators set out in appendix 2.

As an amendment, Councillor Carleschi, seconded by Councillor Jackson, moved in addition to the motion, that:-

Council agrees to carry forward the £54,000 commitment for 2015/16 capital programme to the Dobbie Hall. Add £87,000 from the 2016/17 programme to make the property wind and water tight. Full works to be carried out by the summer of 2016 if sufficient external funds have not been drawn down.

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

For the motion (15) – Provost Reid; Depute Provost Patrick; Baillies Buchanan and Paterson; Councillors Black, Blackwood, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr CR Martin, Murray, Nicol and Nimmo.

For the amendment (14) - Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Garner, Hughes, Jackson, McCabe, Meiklejohn, Oliver, Ritchie and Turner.

Abstention (1) – Councillor D Goldie.

Decision

Council approves the General Services Capital Programme 2016/17 to 2018/19 as set out in the appendix 1 to the report and noted the prudential indicators set out in appendix 2.

FC86. HOUSING REVENUE ACCOUNT AND COUNCIL HOUSE RENTS 2016/17 – 2018/19

Council considered a report by the Director of Corporate and Housing Services presenting a draft Housing Revenue Account for the financial year 2016/17; making recommendations on the level of council house and other rents for 2016/17, and proposing indicative rent levels for the years 2017/18 to 2018/19.

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

Council agrees the draft Housing Revenue Account budget for 2016/17 as set out in appendix 2 of the report with the following specific recommendations:-

- (1) *rent increase of 3.6% to be applied from 1 April 2016. The average fortnightly charge would therefore increase from £129.34 to £134.00, based on the 24 fortnightly periods with no rent being charged during the fortnightly periods commencing 27 June 2016 and 26 December 2016;*
- (2) *lock-up garage rentals to increase from an average of £5.93 per week to £6.14 per week;*
- (3) *garage site rentals to increase from £78 per annum to £79 per annum;*
- (4) *Castings Hostel rentals increase from £153.10 per room per week to £158.61 per week (excluding fuel charges);*
- (5) *homeless property rentals increase from an average of £177.49 per week to £183.88 per week, and*
- (6) *to note the indicative budgets and rent increases for 2017/18 and 2018/19 as representing the best information available at this time.*

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

- (1) *rent increase to be 1% applied from 1 April 2016 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 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 30 members present with voting as undernoted:-

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

For the amendment (14) - Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Garner, Hughes, Jackson, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the draft Housing Revenue Account budget for 2016/17, with the following specific recommendations:-

- (1) **rent increase of 3.6% to be applied from 1 April 2016. The average fortnightly charge would therefore increase from £129.34 to £134.00, based on the 24 fortnightly periods with no rent being charged during the fortnightly periods commencing 27 June 2016 and 26 December 2016;**
- (2) **lock-up garage rentals to increase from an average of £5.93 per week to £6.14 per week;**
- (3) **garage site rentals to increase from £78 per annum to £79 per annum;**

- (4) Castings Hostel rentals increase from £153.10 per room per week to £158.61 per week (excluding fuel charges);
- (5) homeless property rentals increase from an average of £177.49 per week to £183.88 per week, and
- (6) to note the indicative budgets and rent increases for 2017/18 and 2018/19 as representing the best information available at this time.

FC87. HOUSING INVESTMENT PROGRAMME 2016/17 – 2018/19

Council considered a report by the Director of Corporate and Housing Services presenting the proposed Housing Investment Programme for the financial years 2016/17 to 2018/19.

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

Council agrees the expenditure proposals outlined in the 2016/17 to 2018/19 Housing Investment Programme detailed at appendix 1 to the report.

As an amendment, Councillor Chalmers, seconded by Councillor Coleman, moved in addition to the motion that:-

Council notes that it is not meeting the target set of 150 additional homes per year. It therefore instructs officers to bring forward an accelerated housing building programme including a review of potential new build sites.

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, D Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr CR Martin, Murray, Nicol and Nimmo.

For the amendment (14) - Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Garner, Hughes, Jackson, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the expenditure proposals outlined in the Housing Investment Programme 2016/17 to 2018/19 as detailed in appendix 1 to the report.

Appendix (with reference to paragraph (1) of the amendment to the Revenue Budget 2016/17)

Additional Income

| Description | Income |
|---|--------------------------|
| From part year savings on the establishment of the Living Wage from October, half year costs, with the remainder being available to local authorities to meet pressure areas including the £70k on page 53 | £2.27m |
| Addition transfer from to IJB funds to cover the delivery of Social Care as per the advice from the Scottish Government, the papers allow £1m, the advice is that this is predominately local authority areas and so the funding the second tranche Integration Board be increased by | £1.25m |
| 2015/16 projected underspend to be carried forward to 16/17 as occurs in Holyrood | £2.1m |
| Rebasing of budgets to recognise recurring sections of 15/16 underspend, to be shared pro-rata amongst all council budgets | £200k |
| Changing in advertising policy including advertising on roundabouts, publications such as the council newspaper and council vehicles | £175k |
| Charge to supermarkets for returning trolleys or their scrap metal value if refused by their owners | £20k |
| Introduction of flexibility in pricing to allow local companies and residents to pay a realistic fee for designated car parking spaces in places such as Kemper Ave, Meeks Road and the Municipal Buildings | £10k |
| Reconfigured bus routes efficiencies working in partnership to protect services | £25k |
| Review of aids and adaptations procedures to transfer more responsibility from Social Services to Housing | £35k |
| Reduction of SRA's to match 3 service model plus convenors of Planning, Licensing and Scrutiny, the latter two at the reduced rate | £20k |
| Charge of £10 registration fee for Garden Aid Service, HRA to meet cost of council tenants participation | £30k |
| Reduction in overtime from the £3m budget, an additional £70k by reorganisation and continued moves to weekend working | £70k |
| Building Maintenance profits are estimated to drop this year for no apparent reason, restore target and add 3% | £50k |
| Procurement savings | £35k |
| Targets for council tax collection unrealistically low | £150k |
| | <u>£6,440,000</u> |

| Description | Cost |
|---|--------------------------|
| Children's Services | |
| Delete cut in Learning Assistant Posts | £763k |
| Delete cuts to Community Learning | £300k |
| Delete hall closure plan pending the outcome of Community Empowerment Bill | £190k |
| Retain Family Support Service pending a review of how this service will fit with the new integrated Children's Services | £300k |
| | <u>£1,553,000</u> |
| Social Work Adult Services | |
| Delete funding cuts to FDAMH & Caledonian Clubhouse until after a full review has been completed into the manner in which Mental Health Services are organised | £35k |
| Delete cut for reprofiling of eligibility criteria pending a full review to be carried out for 2017/18 | £500k |
| Delete cuts in care home provision until a full review of need has taken place including the need to retain staff given the shortage of staff in homecare | £300k |
| Additional investment in Respite Care to compensate for the loss of the Meadows | £83k |
| | <u>£918k</u> |
| Development Services | |
| Delete cut to Employment Training Unit | £200k |
| Delete proposed charges for waste collection for charities | £50k |
| Maintain ground maintenance levels | £190k |
| Additional works to build towards a STAG Report in to the possible railways stations at Bonnybridge and Grangemouth as well as other strategic public transport issues in those areas | £70k |
| Restore small business grants | £89k |
| Retain existing winter gritting routes | £150k |
| Retain the existing Roads Budget | £200k |
| Maintain Dial a Journey Service | £141k |
| Maintain existing funding of Town Centre Management Co | £75k |
| Retain the existing Community Safety budget | £100k |
| | <u>£1,265,000</u> |
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| Corporate & Housing | |
| Retain the Garden Aid Service | £275k |
| Delete the cut in Customer First staff | £136k |
| Delete the proposal to centralise Registrars | £100k |
| | <u>£511k</u> |
| General | |
| Leave Unallocated reserves at current level | <u>£2,100,000</u> |
| | |
| Falkirk Leisure Trust | |
| Maintain Mobile Library Service | <u>£93k</u> |
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| | <u>Total additional investment £6,440,000</u> |