

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant shows a stag's head facing left with a cross above its antlers. The bottom-left quadrant shows a beaver. The bottom-right quadrant shows a grizzly bear. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "A NE FOR A".

AGENDA ITEM

3

Minute

FALKIRK COUNCIL

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings,
Falkirk on Tuesday 26 September 2017 at 9.30 a.m.**

Councillors:	David Alexander	Dennis Goldie
	Gary Bouse	Gordon Hughes
	Provost Tom Coleman	Adanna McCue
	Fiona Collie	Cecil Meiklejohn
	Paul Garner	John Patrick

Officers: Karen Algie, Head of HR & Business Transformation
Jack Frawley, Committee Services Officer
Rhona Geisler, Director of Development Services
Kenny Gillespie, Property and Asset Manager
Colin Moodie, Chief Governance Officer
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate & Housing Services
Bryan Smail, Chief Finance Officer

EX27. Apologies

Apologies were intimated on behalf of Councillors Nimmo and Spears.

EX28. Declarations of Interest

Councillor Collie declared a non-financial interest in item 5 (ref EX31) as Secretary of the Bonnybridge Rail Group and stated that she would not take part in discussion or decision making on the item.

Councillor Garner declared a financial interest in item 18 (ref EX44) as a family member would be affected and stated that he would not take part in discussion or decision making on the item.

There were no further declarations of interest at this point.

EX29. Minute

Decision

The minute of the meeting of the Executive held on 15 August 2017 was approved.

EX30. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 15 August 2017 was provided.

Decision

The Executive noted the rolling action log.

In accordance with her declaration of interest, Councillor Collie left the meeting prior to consideration of the following item.

EX31. Bonnybridge Scottish Transport Appraisal Guidance (STAG) Scoping Study

The Executive considered a report by the Director of Development Services which provided an update on work undertaken to obtain the estimated costs of relevant STAG appraisal work to investigate transport issues in the Bonnybridge area.

In May 2017, Falkirk Council had commissioned Peter Brett Associates to carry out a study into the relevant stages of appraisal work and associated costs in relation to public transport issues in Bonnybridge. A copy of the Executive summary was appended to the report.

Decision

The Executive:-

- (1) noted the content of the report and the costs of each stage of STAG appraisal work;**
- (2) agreed that a Stage 1 pre-appraisal is undertaken with officers using information already held to inform the development of the report, and**
- (3) agreed to refer the matter to Council.**

Councillor Collie re-joined the meeting following consideration of the previous item.

EX32. Denny Eastern Access Road

The Executive considered a report by the Director of Development Services which provided information on options to potentially accelerate the delivery of the Denny Eastern Access Road (DEAR).

The construction of DEAR was highlighted in the Local Development Plan as required to help deliver the development sites in and around Denny and help alleviate traffic congestion at Denny Cross. Two sections of DEAR had been constructed. The north section, between Broad Street and the new Denny High School, had been delivered by Falkirk Council. A roundabout, at the junction of Glasgow Road and Nethermains Road, and a section of the road had been delivered by Avant Homes.

The report set out a delivery programme and possible phasing with associated estimated costs. The costs included design fees, ecological survey, ground investigation, and relevant road safety audits required to progress the detailed design of the scheme.

The Scottish Government had undertaken a consultation on the Places, People and Planning paper on the future of the Scottish planning system with the Planning Bill outlining proposed changes due to be published by the end of 2017. It was proposed, as part of the new Planning Bill, to include provisions to address the issue of infrastructure deficiencies being a block to appropriate development by possibly including both a levy and restricting the ability to revisit certain planning obligations.

Decision

The Executive:-

- (1) noted the terms of the report;**
- (2) agreed to await the publication of the proposed revisions to the planning system, including provision for new legislation, and**
- (3) requested a follow up report from the Director of Development Services.**

EX33. Local Advice Hub and Support Hubs

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the Advice and Support Hub in the East of the Council area and sought approval to roll this service model out across the West and Central areas.

A trial model of service delivery to replace the One Stop Shop model was introduced in the East of the Council area. The new approach focused on a face to face service to those who need the most support while supporting those customers who can access self-serve via the Council's website to do so. Multi-skilled advisers and specialist staff were available within the hub to deliver a range of services and give support to customers.

The trial hub was located in the One Stop Shop facility in Grangemouth with outreach services provided across the Bo'ness and Grangemouth area. Information was provided on the service delivered by the hub and outreach service which included customer feedback, enquiry volumes and customer experience.

The report set out proposals for future service provision and the next steps required to enhance and improve customer experience by changing counter service provision across the West and Central areas.

Decision

The Executive agreed to:-

- (1) extend the Advice and Support Hub model to the West and Central areas, replace the remaining One Stop Shops, Finance and Housing public offices with Central and West Advice Hubs and outreach services;**

- (2) carry out detailed property survey work required to conclude the options for the locations of the West and Central Advice Hubs;
- (3) engage with communities to determine locations for outreach services, and
- (4) receive a follow up report on the specific locations of West and Central Hubs.

EX34. Strategic Property Review and Civic Headquarters Project Update Report

The Executive considered a report by the Director of Development Services which provided an update on the Strategic Property Review (SPR), with particular focus on the progress in determining the approach to the Council's civic headquarters project. The report also sought approval to progress an action programme for the review and to purchase the former Westbank health facility.

Information was provided on the work undertaken to date to progress the Council headquarters project which included the results of the further condition survey undertaken at the Municipal Buildings, and to the market testing exercise carried out to identify locations in the town centre.

Decision

The Executive:-

- (1) noted progress on the Strategic Property Review and the Council's civic headquarters project;
- (2) noted the result of the recent condition survey of the Municipal Buildings complex;
- (3) agreed to authorise the Director of Development Services to acquire the former Westbank health facility from NHS Forth Valley at a cost of £155,000;
- (4) noted the outcome of the recent market testing exercise for town centre sites and that, following assessment of the submissions, a further report will be submitted to the Executive on the way forward;
- (5) agreed the Strategic Property Review action programme, and
- (6) agreed to proceed with the actions described in paragraph 6.2 of the report, including:
 - termination of the lease at Camelon One Stop Shop and Bonnybridge Finance office
 - renewal of the lease for a further year at Callendar Square
 - progress works to prepare Carronbank House as a location for a West area hub facility.

EX35. Strategic Property Review – Abbotsford House

The Executive considered a report by the Director of Development Services which provided an update on the options available for the accommodation of Development Services staff arising from the impending lease termination of Abbotsford House.

The Executive agreed to an adjournment at 10.55am and reconvened at 11.05am with all members present as per the sederunt.

Following discussion the Executive agreed to continue consideration of the item to later in the meeting.

Prior to consideration of the following item Councillor Goldie declared a financial interest as co-owner of a property that could be impacted by the proposals. In accordance with his declaration Councillor Goldie left the meeting.

EX36. Housing Investment Programme – Owner Occupier Changes

The Executive considered a report by the Director of Corporate and Housing Services which presented options for interim changes to the procedures for the recovery of costs from owners for works to common parts of the larger building of which their property forms part, normally undertaken as part of the Council's Housing Investment Programme.

The report set out the Council's current arrangements for recovering costs from owners where work was carried out. These costs were recovered in line with the Council's Corporate Debt Policy, which sought to be as responsive as possible to individuals' specific financial circumstances while recognising that there are limitations.

A range of options for interim changes to the cost recovery procedures were proposed and which had been designed to allow consideration of alternative arrangements to reflect individual owner's specific financial circumstances.

Decision

The Executive agreed:-

- (1) option 5 as the interim recovery procedure as outlined in Paragraph 5.3 of the report, and**
- (2) that an updated Scheme of Assistance would be provided to a future meeting of the Executive.**

Councillor Goldie re-joined the meeting following consideration of the previous item.

EX37. Assets Surplus to Operational Requirements

The Executive considered a report by the Director of Development Services which sought approval for the land at Cobblebrae Crescent, Falkirk be declared surplus to operational requirements for disposal.

The land shown on the plan attached to the report was owned primarily by the Dawson Trust including the farm steading and surrounding land. A piece of land was held on the Council's Housing Revenue Account and was unused. The Dawson Trust wished to purchase the Council land to facilitate access to a new residential development.

Decision

The Executive agreed to:-

- (1) declare the land at Cobblebrae Crescent, Falkirk surplus to operational requirements, and**
- (2) authorise disposal of the land on the terms set out in the report.**

EX38. Transport Projects – Acquisition of Land for Icehouse Brae North and Laurieston Road Improvements (A9 to A904)

The Executive considered a report by the Director of Development Services which sought renewed authority for a Compulsory Purchase Order (CPO) for a transport project where it has not been possible to acquire the land by negotiation.

The Policy and Resources Committee approved the promotion of a CPO on 16 November 2011 for the Icehouse Brae North and Laurieston Road improvement project, (A9 to A904). Due to the passage of time, while further discussions on the potential voluntary acquisition of the various interests at Laurieston Road had taken place, a renewal of authority for a CPO was sought.

Decision

The Executive agreed the promotion of a Compulsory Purchase Order under the Roads (Scotland) Act 1984 over the private interests outlined in the report and subsequent referral to Scottish Ministers for Icehouse Brae North and Laurieston Road improvements (A9 to A904).

EX39. Capital Programmes Update 2017/18

The Executive considered a report by the Director of Corporate and Housing Services which provided details of the forecast position for the General Fund Services and Housing Capital Programmes. It also presented the Prudential Indicators for information.

The General Fund Services Budget for 2017/18, based on estimates made in late 2016, was £26m. The budget had been revised to £33.4m taking into account slippage of £6.8m from 2016/17 and £0.6m of projects that were rescheduled from previously approved budgets. The report detailed spend across Services and set out the main reasons for the forecast variance of

£1.883m against the revised budget. This produced a forecast spend of £35.3m for 2017/18.

Decision

The Executive noted:-

- (1) the forecast spend for both the General Fund Services (£35.3m) and Housing Capital Programmes (£33.0m);**
- (2) the Prudential Indicators, and**
- (3) the reduced external borrowing requirement for Capital Programme purposes.**

EX40. Barclay Review of Non-Domestic Rates

The Executive considered a report by the Director of Corporate & Housing Services which outlined the key changes to Non-Domestic Rates (NDR) in Scotland as recommended by the Barclay Review and the potential impact on Falkirk.

The Scottish Government had asked Sir Ken Barclay to chair a review of NDR in Scotland with a remit of making recommendations to enhance and reform NDR, better support business growth, investment and reflect changing marketplaces. Any recommendations were to be revenue neutral. 30 recommendations were made as a result of the review, published on 22 August 2017 with the Secretary for Finance and the Constitution presenting the Scottish Government's response to Parliament on 12 September 2017.

The report stated that the areas with the largest potential financial impact were:-

- Introduction of a business growth accelerator;
- Reduction of the large business supplement;
- Exemption of day nurseries from rates, and
- Restricting the award of charity relief to a smaller number of ratepayers.

Decision

The Executive noted:-

- (1) the full range of proposals of the Barclay Review, and**
- (2) the measures which the Scottish Government, via the Cabinet Secretary for Finance and the Constitution, indicated on 12 September they are committed to taking forward at this stage.**

EX41. Attendance at Conference – Request for Approval

The Executive considered a report by the Director of Corporate & Housing Services which sought approval for members' attendance at the following conferences:-

- the Care of Older People in Scotland 2017: 5th Annual Conference, and
- the COSLA and Improvement Service Annual Conference and Exhibition 2017.

The Council's Standing Orders set out that committee approval for members' attendance at conferences is required where the cost exceeds £200. The requests which had been made exceeded this limit.

Councillor Meiklejohn, seconded by Councillor Alexander, moved that the Executive:-

- (1) agrees the request from Councillor Black to attend the Care of Older People in Scotland Conference on 21 November at a cost of £235 + vat, and
- (2) does not agree the requests from Councillors Bissett and Kerr to attend the COSLA and Improvement Service Conference.

As an amendment, Councillor Goldie, seconded by Councillor Patrick, moved that the Executive agrees the requests from:-

- (1) Councillor Black to attend the Care of Older People in Scotland Conference on 21 November at a cost of £235 + vat, and
- (2) Councillors Bissett and Kerr to attend the COSLA and Improvement Service Conference on 5 and 6 October at a cost of £180 + vat per delegate per day.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (8) – Provost Coleman; and Councillors Alexander, Bouse, Collie, Garner, Hughes, Meiklejohn and McCue.

For the amendment (2) – Councillors Goldie and Patrick.

Decision

The Executive agreed the motion.

EX42. 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 items of business on the ground that they would involve the likely disclosure of exempt information as defined in Paragraphs 8, 9, 11 & 12 of Part 1 of Schedule 7A to the said Act.

EX43. Strategic Property Review – Abbotsford House (continued)

The Executive considered a report by the Director of the Development Services which sought approval to purchase Abbotsford House on a spend to save basis, to assist in meeting Falkirk Council's interim office requirements.

Councillor Meiklejohn, seconded by Councillor Garner, moved that the Executive agrees:-

- (1) that the Director of Development Services be authorised to make an offer, on behalf of the Council, to purchase Abbotsford House at the price contained in the report, exclusive of fees and taxes, and subject to appropriate conditions. Thereafter, take all necessary steps to conclude the sale in accordance with the relevant timescales, and
- (2) that should, in the opinion of the Director of Development Services, sufficient progress on conclusion of missives for the purchase not be made in the relevant timescale, the matter be reported back to members with a view to pursuing another option.

As an amendment, Councillor Goldie, seconded by Councillor Patrick, moved that the Executive agrees to instruct the Director of Development Services to negotiate terms to extend the lease at Abbotsford House.

On a division, 2 members voted for the amendment and 8 members voted for the motion.

Decision

The Executive agreed the motion.

The Executive then resumed consideration of item 9 (ref EX35) which provided an update on the options available for the accommodation of Development Services staff.

The Executive considered what other option should be pursued if the matter was not concluded timeously.

Decision

The Executive:-

- (1) **noted this report on the options available for accommodation of Abbotsford House staff, and**

- (2) agreed, without prejudice to the decision to authorise the purchase of Abbotsford House, in the event that sufficient progress with the conclusion of missives was not made, that the Director of Development Services continues the work of relocating staff from Abbotsford House to Falkirk Community Stadium and other ancillary locations, particularly to:-
- (a) progress the necessary approvals and the establishment of a lease with FCSL for occupation of the first floor accommodation at the Stadium at a cost of £31,500 annually
 - (b) progress the arrangements to commission a programme of works via East Central Hubco at Suite 1B of Falkirk Community Stadium at an anticipated capital cost of £800,000, and
 - (c) complete the dilapidations schedule and progress towards undertaking the necessary works to Abbotsford House prior to the lease termination date.

Councillor Garner left the meeting prior to consideration of the following item of business in accordance with his declaration of interest.

EX44. Employee Terms and Conditions : 35/37 Hours Protection – Consultation Update

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the negotiations with Trade Unions regarding the 35/37 hour protection and on the response from employees regarding voluntary acceptance of a change to the protection arrangement.

Decision

The Executive:-

- (1) noted that circa 15% of those in receipt of protection have agreed to the voluntary removal of the protection;
- (2) noted that it is likely that some affected employees are reserving their position until the Council finalises its position in relation to the removal of protection;
- (3) noted that in relation to the dispute raised by Unison, that there has been a further meeting with the Unions but without further reasoning or options being received beyond what was reported at the Executive meeting on 15 August 2017, and in paragraph 4.5 of this report;
- (4) noted that the minimum statutory consultation period of 45 days expired in July 2017 and the voluntary continuation of the consultation has so far been unable to achieve agreement;
- (5) agreed that as a result of the dispute from Unison remaining unresolved, the Council will seek to agree with Unison (and the GMB and Unite) to refer the matter to ACAS for conciliation under the Council's Disputes Policy;

- (6) agreed to authorise the Head of Human Resources & Business Transformation to agree with Unison the remit and terms of process for the referral in accordance with the following parameters;**
- any agreement in principle at conciliation will be reported back to the Executive for authorisation from the Council side (including onward referral to Council if any unbudgeted expenditure is involved);**
 - the SJC workforce is represented by three recognised trade unions, Unison, GMB and Unite. The implementation of any agreed resolution will require the agreement of all three unions. Therefore it is a condition of any referral that GMB and Unite agree to participate in the referral to ACAS and/or agree to implementation of any agreed resolution arising from the ACAS conciliation, and**
 - to facilitate this process a group of three senior Councillors will be available to be consulted by officers in relation to the conciliation, and**
- (7) agreed that employees who have already agreed to the voluntary removal of the protection should not be disadvantaged and officers may take any steps necessary to ensure this.**