

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 depicts a stag's head with large antlers. The bottom-left quadrant contains a beaver. The bottom-right quadrant shows a grizzly bear standing on its hind legs. 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

Draft

FALKIRK COUNCIL

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings,
Falkirk on Tuesday 28 November 2017 at 9.30 a.m.**

Councillors:	David Alexander	Adanna McCue
	Gary Bouse	Cecil Meiklejohn
	Fiona Collie	Alan Nimmo
	Paul Garner	John Patrick
	Dennis Goldie	Robert Spears
	Gordon Hughes	

Officers: Jack Frawley, Committee Services Officer
Rhona Geisler, Director of Development Services
Gary Greenhorn, Head of Planning & Resources
Colin Moodie, Chief Governance Officer
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate & Housing Services
Bryan Smail, Chief Finance Officer

EX55. Apologies

An apology was intimated on behalf of Provost Coleman.

EX56. Declarations of Interest

There were no declarations of interest.

EX57. Minute

Decision

The minute of the meeting of the Executive held on 17 October 2017 was approved.

EX58. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 17 October 2017 was provided. Items 283 - Council of the Future, 316 - Processing of Blue Bin Material and Charter Compliant Service, and 363 – Administration Achievements were subject of reports on the agenda and accordingly fell from the action log.

Decision

The Executive noted the rolling action log.

EX59. Joint Consultative Committee – 14 November 2017

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of policies which the Joint Consultative Committee agreed to refer to the Executive on 14 November 2017. The report considered by the Joint Consultative Committee was provided as an appendix to the report and provided details on the changes proposed to each policy.

Decision

The Executive agreed the changes to the:-

- (1) Managing Sickness Absence Policy & Procedure;**
- (2) Breastfeeding at Work Policy, and**
- (3) Adverse Weather Policy.**

EX60. First 100 Days – Making it Happen

The Executive considered a report by the Leader of the Council which provided information on the achievements of the Administration in its first 100 days.

Councillor Meiklejohn, seconded by Councillor Alexander, moved that the Executive note the report.

As an amendment, Councillor Goldie, seconded by Councillor Nimmo, moved that the Executive agree that the report is withdrawn and checked by officers as to the authenticity of the claims made in the report. Once this has been completed that a further report is submitted to full Council so that all elected members are given a chance to scrutinise its content.

Councillor Patrick gave notice of a further amendment.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 11 members present with voting as undernoted:-

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

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

Abstention (1) – Councillor Patrick.

The motion was carried and was the substantive motion against which the further amendment was taken.

Councillor Patrick then moved his further amendment, seconded by Councillor Nimmo, that the Executive:-

- (1) note the report, and
- (2) agree to amend paragraph 3.4 of the report to read: "We note below some of the key things that have taken place since May to deliver our priorities, outcomes and transformation [with the following additional wording] *developing where appropriate the achievements of the previous administration.*

In terms of Standing Order 22.1, the vote was taken by roll call, there being 11 members present with voting as undernoted:-

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

For the amendment (3) – Councillors Goldie, Nimmo and Patrick.

Decision

The Executive agreed the motion.

EX61. Community Council Elections 2017 Update

The Executive considered a report by the Chief Executive which provided the results of the community council nomination process. The nomination process for the 2017 quadrennial community council elections closed on 13 November 2017.

Two community councils, Denny and Maddiston, received nominations equal to the number of places available and would be established on 14 December 2017. Bo'ness received 13 nominations for 10 places and therefore an election would be held with the day of election being 14 December 2017. The remaining community councils fell into one of the following two categories: those with nominations for two-thirds or more of the vacancies, and those with nominations for fewer than two-third of the vacancies.

It was proposed that for those community councils which had secured nominations for two-thirds or more of the vacancies that they be established with the remaining vacancies filled by co-option. For those community councils with nominations to less than two-thirds of the vacancies it was proposed that the nomination period be extended.

Decision

The Executive:-

- (1) **noted the outcome of the nomination process for the 2017 community council elections;**
- (2) **noted the formation of the community councils referred to in paragraph 4.2 with effect from 14 December 2017;**

- (3) agreed to permit formation of the community councils referred to in paragraph 4.4.1, with the addition of Polmont, with the remaining vacancies being filled by co-option by 31 January 2018;**
- (4) agreed to extend the nomination period to 18 December 2017 for the community councils referred to in paragraph 4.4.3, and**
- (5) noted that an update on the outcome of the processes referred to in 3 and 4 above will be submitted to the next meeting.**

EX62. Council of the Future

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on progress made on the Programme of Change. The report detailed the establishment of the Council of the Future Board on 30 October 2017 which is responsible for prioritising, monitoring and ensure the progress of key transformational projects.

The Council of the Future Programme Risk Register had been developed by Directors and risk specialists within the Council and the Board had agreed that this would be reviewed every 6 months. Controls and mitigating actions were being developed in response to each of the risks with the aim of reducing these risks.

An employee engagement survey had been carried out with a 30.9% response rate. This was considered to be a high response rate compared to other local authorities. The survey revealed that 87% of employees understood the need for change across the Council.

Decision

The Executive noted:-

- (1) progress made in the Council of the Future Programme of Change, and**
- (2) that future quarterly update reports will be provided.**

EX63. Licensing of Taxis and Private Car Hires

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on a number of issues relating to the licensing of taxis and private hire cars.

Sections 165 and 167 of the Equality Act 2010, which relate to wheelchair accessible taxis and private hire cars, were commenced on 6 April 2017. It was proposed that the licensing authority prepare a register of the designated vehicles operating in the area. As such it would become a criminal offence for drivers of designated taxi and private hire cars to refuse to carry passengers in wheelchairs, to fail to provide them with appropriate assistance or to charge them extra.

It was highlighted that 20% of the taxi fleet and 8% of the private hire car fleet were wheelchair accessible; it was proposed that a policy development panel was established to look into this and other taxi and private hire car matters.

In relation to private hire car driver training the report advised that the licensing authority could require a knowledge test be undertaken prior to grant of a license, this process was already in place for taxi drivers.

It was proposed that in terms of the licensing process that current practice was changed so that proof of ownership, appropriate insurance and roadworthiness were no longer required prior to applying.

Decision

The Executive:-

- (1) noted the change in legislation and to implement the provisions of section 165 and 167 of the 2010 Act;**
- (2) agreed to instruct officers to:-**
 - (a) notify the relevant operators that all wheelchair accessible taxis and private hire vehicles licensed by Falkirk Council will be considered designated vehicles under section 165 of the Act, and**
 - (b) prepare a register of licensed taxis and private hire cars to show they are wheelchair accessible and therefore considered designated vehicles for the purpose of section 165 of the Act;**
- (3) noted the taxi matters detailed in the report;**
- (4) agreed the implementation of the knowledge test for private hire drivers with immediate effect;**
- (5) agreed to change the order in which new applicants for taxi or private hire present themselves by seeking the reversal of the current policy that requires an applicant to purchase a vehicle before their application is submitted to one where by the car will be the last obstacle to be overcome, and**
- (6) agreed to establish a Policy Development Panel to consider further all matters relating to the taxi trade and invite the trade and service users to participate. The panel will be made up of 5 members, 3 Administration and 2 Opposition members.**

EX64. Flying of Flags at Falkirk Council Buildings - Protocol

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of a protocol for the flying of flags at Falkirk Council buildings, the draft protocol was appended to the report. The protocol sought to codify existing practice regarding the flying of flags. The protocol also sought to define the categories of individuals whose death would be marked by the lowering of flags. These were: the members of the Royal Family, as set out in the list attached to the protocol, serving councillors and serving and ex- prime ministers and first ministers.

Further a decision was sought concerning a community flag in Denny. Following a public consultation regarding the siting of the flagpole the Executive was invited to consider the responses and select a preferred location.

Decision

The Executive agreed:-

- (1) to add the Rainbow Flag to the policy to be flown on the date of local Pride days and on the International Day against Homophobia, Biphobia and Transphobia;**
- (2) to retain the European Flag within the policy and take a further decision regarding its inclusion at the time of the United Kingdom's exit from the European Union;**
- (3) to approve the draft Protocol for the Flying of Flags at Falkirk Council Buildings subject to the addition of the Princess Royal, and**
- (4) that the Denny and Dunipace flagpole be situated within the town centre, as set out in appendix 2 to the report.**

EX65. Strategic Property Review & 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). Following decisions taken at the 26 September 2017 meeting of the Executive the following actions had been completed:-

- Abbotsford House was purchased
- Planning consent for the conversion of the vacant space on the first floor of the Community Stadium has been granted
- NHS Forth Valley agree the disposal of the Westbank Centre, set for demolition early 2018
- A lease extension at Callendar Square was requested
- Negotiations were progressing to terminate the lease for Camelon One Stop Shop

It was proposed that a further report on the market testing exercise carried out in relation to the Council Office HQ and Arts Centre was submitted to a future meeting of the Executive. Five expressions of interest had been received and appraised.

Details of three options regarding the early years expansion at Langlees were provided. The options were to: remodel the Dawson centre; remodel school facilities, or provide additional modular accommodation in Langlees Primary School grounds.

Following consultation with local members and portfolio holder comments the following assets were put forward to be declared surplus:-

- Polmont Community Centre
- Bonnybridge Finance Office
- Victoria Buildings
- Weedingshall
- Heathrigg Nursery

Decision

The Executive:-

- (1) noted the progress on the various elements of the Strategic Property Review;**
- (2) noted the responses received in relation to the recent market testing exercise for the civic HQ development, comprising the Council's office headquarters and arts centre provision;**
- (3) agreed to progress the actions, set out at paragraph 4.3 of the report;**
- (4) agreed as the option for delivery of early years accommodation at Langlees/Bainsford to remodel facilities at the school to increase nurse capacity and address ancillary space deficiencies, with community asset transfer of the Dawson centre to the local community;**
- (5) noted progress on the advice and support hub facilities for the central and west areas;**
- (6) agreed the works proposed for the Carronbank House facility, and**
- (7) agreed to declare as surplus to operational requirements and authorise their disposal:-**
 - (a) Polmont Community Centre**
 - (b) Bonnybridge Finance Office**
 - (c) Victoria Buildings**
 - (d) Weedingshall**
 - (e) Heathrigg Nursery.**

EX66. Household Recycling Charter: Compliant Collection Service

The Executive considered a report by the Director of Development Services which provided an update regarding the processing of the Council's blue bin material along with the next steps to a Household Recycling Charter compliant service.

Following authorisation at the June Executive the Director of Development Services applied to Zero Waste Scotland for funding to provide a charter compliant service. A provisional funding award was made which was subject to the implementation of a service with an additional container. The funding allocated was £1.609m, broken down as:-

- Funding for containers - £1.473m
- Communications to households - £88,123
- Frontline training delivered by Zero Waste Scotland - £11,015
- Temporary resourcing to assist with the service change - £36,718.

Decision

The Executive:-

- (1) welcomed the report which is based on the Charter Compliant PDP from 2015, and**
- (2) agreed to further investigate all options, awaiting feedback from other councils who are currently implementing charter compliant services and identify best fit for our residents, service and area.**

EX67. 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.

As part of the budget for 2017/18, Falkirk Community Trust was allocated £0.1m for investment in football pavilions at Westquarter and Stirling Road. At the time the costs for the upgrades were not known. The full amount for the works was now identified as £0.227m and there was therefore insufficient budget to complete the works.

Decision

The Executive:-

- (1) noted the forecast spend for both the General Fund Services (£34.9m) and Housing Capital Programmes (£33.0m);**
- (2) noted the Prudential Indicators;**
- (3) noted the reduced external borrowing requirement for Capital Programme purposes, and**
- (4) agreed to allocate sufficient funding to complete upgrade works to Westquarter and Stirling Road football pavilions.**

EX68. Treasury Management – Interim Review 2017/18

The Executive considered a report by the Director of Corporate and Housing Services presenting an interim review of the Treasury Management function.

Council approved its Treasury Management Strategy for 2017/18 on 29 March 2017. The Treasury Management code of practice requires that an interim review is carried out.

The report provided an update in regard to:-

- the economic and interest rate outlook
- the borrowing strategy
- the investment strategy
- Treasury Management Prudential Indicators
- the banking contract
- the Prudential Code
- Treasury Management Advisers
- Market in Financial Instruments Directive II, and
- Member Training.

The report also provided benchmarking information which showed that Falkirk Council was 18th out of 32 Scottish Local Authorities in regard to investment balances at 30 September 2017.

Decision

The Executive:-

- (1) noted the progress of the Council's Treasury Management Strategy for 2017/18;**
- (2) noted the reduction in the long term borrowing requirement for 2017/18, and**
- (3) agreed to refer the report to Council for consideration.**

EX69. Community Empowerment: Lease of 19F Winchester Avenue, Denny

The Executive considered a report by the Director of Corporate and Housing Services which sought approval to lease Unit 19F Winchester Avenue, Denny at below market rent to Denny & Bonnybridge Men's Shed.

Denny & Bonnybridge Men's Shed made an application to lease the unit at nominal rent through the Council's normal letting process. Although this was not a statutory asset transfer under the Community Empowerment (Scotland) Act 2015 the Council was required to assess the application in a similar way.

The lease sought was for five years and would be on full repairing and insuring terms with the tenant responsible for all aspects of the property and costs of occupation. The benefits which the Men's Shed listed in their business plan are men having a brighter outlook; remaining healthier; being less lonely and depressed; improving relationships at home and forming friendships, and referral to other organisations such as the NHS and Stroke Scotland.

A full assessment of the application was undertaken by a group of Council officers from Social Work (Adult Services), Community Learning & Development, Growth & Investment, Governance, Policy & Improvement and Asset Management. The group recommended that the application be approved with regard, in particular, to the promotion and improvement of economic development, regeneration, and health and social wellbeing.

Decision

The Executive:-

- (1) agreed to lease Unit 19F Winchester Avenue, Denny to Denny and Bonnybridge Men's Shed for a period of 5 years on full repairing and insuring terms at a nominal rent of £1 per annum;**
- (2) noted that the proposals are in compliance with the Council's statutory obligations in respect of disposal of land and buildings at less than best price, and**
- (3) agreed that the Director of Development Services be authorised to conclude the lease transaction on the terms set out in this report.**