

**DRAFT****MINUTE of RECONVENED MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 9 JUNE 2008 at 10.30 a.m.**

**PRESENT:** Provost Reid; Depute Provost Black; Councillors Alexander, Buchanan, Carleschi, Coleman, H Constable, J Constable, Goldie, Gow, Jackson, Kenna, Lemetti, A MacDonald, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNally, McNeill, Meiklejohn, Nicol, Nimmo, Oliver, Patrick, Spears, Thomson and Waddell.

**APOLOGY:** Councillors Blackwood, Fry and Hughes.

**CONVENER:** Provost Reid.

**ATTENDING:** Chief Executive; Directors of Corporate and Commercial Services, of Development Services, of Finance Services and of Housing and Social Work Services; Acting Director of Law and Administration Services; and Senior Committee Services Officer (D Kelly).

**FC28. NOTICES OF MOTION – CONTINUED FROM FALKIRK COUNCIL – 5 MARCH 2008****(e) Forth Ports Plc**

Councillor A MacDonald seconded by Councillor J Constable moved that:-

“This Council welcomes the decision taken by Forth Ports PLC not to proceed with controversial plans to allow ship-to-ship oil transfers in the Firth of Forth.

Faced with such unanimous opposition to the proposals, which could have had a devastating environmental impact on the Forth shoreline and marine habitats, Forth Ports had no option but to take the decision they now have.

This Council also welcomes the strong stance taken by the Environment Minister Richard Lochhead and the SNP Government against the ship-to-ship oil transfer proposal, which made clear that any assessments completed by Forth Ports could be subject to an independent review, which clearly had a bearing on the decision not to proceed.

However, Council notes with concern the ludicrous situation still in place since the privatisation of Forth Ports Authority by the previous Conservative UK Government which allows Forth Ports PLC to act as judge and jury as the local Harbour Authority as well as a private company whose aim is to maximise profits for shareholders. This Council therefore resolves to approach UK and Scottish Ministers with a view to scrapping the anomaly and conflict of interest that currently exists under Forth Ports”.

By way of an amendment Councillor C R Martin, seconded by Councillor Mahoney moved that :-

“This Council welcomes the decision taken by Forth Ports Plc not to proceed with ship to ship transfers of oil in the Firth of Forth.

Council is unanimous in its support for Grangemouth to be included in the National Planning Framework that will enhance the ports authority area into an intermodal hub of major significance to the Scottish economy.

Council welcomes the continued investment made by Forth Ports Plc in Grangemouth docks over the past decade and looks forward to continued partnership in the local economy.

Council supports Forth Ports Plc’s view that a revised regulatory framework for ship to ship oil transfers is urgently required.”

In terms of Standing Order 25.2(ii) Councillor Gow, seconded by Councillor C MacDonald, moved the closure motion that “the question be now put”.

On a division, 16 Members voted for the Motion and 13 Members against. The mover of the motion was accordingly entitled to exercise his right of reply before the vote was taken.

On a division 12 Members voted for the Motion and 16 Members for the Amendment, with one abstention.

Accordingly, **AGREED** in terms of the Amendment.

**(f) Post Office Network**

Councillor D Alexander seconded by Councillor Oliver, moved that:-

“Falkirk Council notes with great disappointment the decision of the Post Office Network to reject the balanced submissions made by and on behalf of the seven communities who will suffer the loss of a Post Office Service in their area as part of the UK Government’s latest cut backs.

Falkirk Council believes that the Post Office Network should operate as a service and not as a business and expresses extreme concern for the future of the remaining network given the stated criteria outlined by the Westminster Labour Government for its future maintenance.

Falkirk Council therefore believes that the Post Office Network would be safer in the hands of the Scottish Government than their Westminster colleagues and calls on politicians in both Parliaments to begin the process of transferring both responsibility and current funding from London to Edinburgh.”

By way of an amendment Councillor Gow, seconded by Councillor C MacDonald moved that :-

“Falkirk Council notes with disappointment the decision of the Post Office Network to reject the balanced submissions made by and on behalf of the seven communities who will suffer the loss of a Post Office service in their area.

The Council calls upon the Post Office Network to conduct proper open and transparent consultation in future reviews, unlike the unfair and farcical consultation process which took place during the review of the Falkirk West area.”

On a division 13 Members voted for the Motion and 16 Members for the Amendment.

Accordingly, **RESOLVED** in terms of the Amendment.

**(g) Housing and Social Services Committee**

Councillor McNally seconded by Councillor Meiklejohn moved that:-

“Council believes that openness, honesty, transparency and the need to demonstrate best value be key principles in the management of our services and should be at the core of the political administration of the Council.

Council therefore notes with disappointment the lack of these qualities in recent matters pertaining to the Housing and Social Work Committee.

The appointment of a private sector consultant within the Housing Department and the subsequent announcements have damaged the image of the department and demonstrated a failure to meet the qualities outlined below.

- Openness – This decision to appoint a consultant not referred to Committee thus denying the Members of Falkirk Council the opportunity to scrutinise the decision
- Honesty – The Convener of the Housing and Social Services Committee was quoted in the Falkirk Herald November 2007 denying the £700 per day figures for payment claiming it was less. Correspondence from the Director of Housing and Social Works confirms the accuracy of the amount.
- Transparency – Members were denied the opportunity to set a remit for the appointment
- Paying three times the recommended salary for a temporary appointment does not represent best value for Falkirk Council.

Council therefore resolves to:-

1. Agree that in future all recommendations to appoint consultants must be reported to Committee for authority to proceed.
2. Any such recommendation must become part of a report to Members outlining the cost of the appointment, remit for the consultant and set of objectives.

3. Any Convener in future making false statements to the Council/Committee/ Media will be asked by Council to explain their actions and may face removal from their positions if they have been found to have misled Members.

By way of an amendment Councillor Gow, seconded by Councillor McNeill moved that :-

“Council believes that openness, honesty, transparency and the need to demonstrate best value be key principles in the management of our services and should be at the core of the political administration of the Council.

Council therefore notes with disappointment the failure of the previous Administration to highlight their failing homeless policies and their failing allocations policies, and the failure to bring these before Council at any time.

This Council commend the current Convener of Housing and Social Services for his determined and capable handling of the situation since his appointment in June 2007. This Administration, under the guidance of the Convener of Housing and Social Services, responded swiftly to the concerns raised by the Communities Scotland inspection while the inspection was ongoing. This prompt action was reflected in the improved final report.”

On a division 13 Members voted for the Motion and 16 members for the Amendment.

Accordingly, **RESOLVED** in terms of the Amendment.

Councillor Kenna left the meeting following conclusion of the foregoing item of business.

## **FC29. NOTICE OF MOTION – CONTINUED FROM FALKIRK COUNCIL – 30 APRIL 2008**

### **Bo’ness Town Centre - Parking Charges**

Councillor J Constable seconded by Councillor H Constable, moved that:-

“Council recognises the legitimate concerns of Bo’ness Town Centre users and traders and agrees with them that the introduction of car parking charges would be a crippling imposition on the already fragile town centre economy.

Council further recognises that the imposition of such charges in car parks in the other outlying town and village shopping centre would significantly damage trade in those other centres to the detriment of local businesses and the local community

Council therefore resolves that under no circumstances will parking charges be applied to car parks in any of the outlying town and village centres during the remainder of this Council’s term of office”.

By way of an amendment Councillor Mahoney, seconded by Councillor C R Martin moved that:-

“Council re-affirms its commitment not to charge for car parking in outlying town centres – including Bo’ness. Council also welcomes this year’s budget commitment to freeze car parking charges in some areas of central Falkirk – and to cut charges at Meeks Road and Kemper Avenue in Falkirk.

Council endorses the view that it has no plans to charge for car parking in the smaller town centres such as Bo’ness, Grangemouth, Denny and Larbert/Stenhousemuir.”

On a division, 12 Members voted for the Motion and 16 Members for the Amendment.

Accordingly, **RESOLVED** in terms of the Amendment.