

DRAFT**MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 25 JUNE 2008 at 10.30 AM.**

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

CONVENER: Provost Reid

APOLOGIES: Councillors Patrick and Waddell.

ATTENDING: Chief Executive; Directors of Community Services, of Corporate and Commercial Services, of Development Services, of Education Services, of Finance Services and of Housing and Social Work Services; Heads of Facilities Management Section, of Human Resources and of Policy and Performance and Review; Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Service Manager, Housing and Social Work Services, (L MacEwan) and Senior Committee Services Officer (D Kelly).

FC30. OPENING REMARKS

Councillor Alexander expressed concern about the proposed closure of HM Revenue and Customs Offices in both Falkirk and Grangemouth. These concerns were shared by Council.

The Chief Executive advised of her intention to discuss any response to the proposals with the Group Leaders during the recess period to ensure that Council's views were appropriately communicated.

DECLARATIONS

OF INTEREST: Councillor Gow declared a financial interest in respect of Agenda Item 21 – Equal Pay, Single Status and Craft Pay and Conditions Update, on the basis of a family member's involvement in the craft worker's negotiations and that she would take no part in the debate and decision making on that item.

FC31. PROVOST'S REMARKS

Prior to commencement of the formal business of the meeting, Provost Reid congratulated all those involved in receiving the following awards:-

- Stenhousemuir Children and Families Team for winning the award for best Scottish Social Work Service Team, Unit, or Service from the voluntary, public or private sectors at the Scottish Social Services Council Care Accolades Awards 2008

- Vicky Brown of the Criminal Justice team received the exceptional award for the most outstanding promise from the Young Scotland Programme
- Michelle Campbell of the Criminal Justice and Children and Families team named as “Scotland’s Top PA” in the MacKay Hannah PA of the Year Awards
- Jennifer Lindsay “Student Social Worker of the year” from the British Association of Social Workers in Scotland
- Falkirk Council highly commended in Employer of the Year Awards at the Institute of Leadership and Managements Awards
- Falkirk Council web-site rated top local authority site in Scotland and 12th in the UK
- First Green Flag Eco School Awards presented to Queen Street Nursery, St Mary’s Primary School, Bantaskin Primary School, Langlees Primary School and Bainsford Primary School

FC32. MINUTES

- (a) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 30 April 2008;
- (b) There was submitted (circulated) and **APPROVED** Minute of Reconvened Meeting of Falkirk Council held on 26 May 2008;
- (c) There was submitted (circulated) and **APPROVED** Minute of Reconvened Meeting of Falkirk Council held on 9 June 2008;
- (d) There was submitted (circulated) and **NOTED** Volume of Minutes – Volume 2 2008/2009; and
- (e) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 2 2008/2009.

FC33. QUESTIONS

Question by Councillor D Alexander

“FC8 Falkirk Community Stadium Limited Shareholders Update

Bullet point 4 of the agreement in the report approved unanimously at the full Council meeting at Wednesday 30 April 2008 was to press FCSL for information on the developer’s proposals and to bring the report therein to the June meeting of Council and further agrees to monitor progress by regular briefings to Members.

I am aware from the press statement issued by FCSL that the report has not yet been concluded hence the reason why it is not on the agenda for today.

However, I would be grateful if you could advise me if there have been briefings for any Members of Falkirk Council on the proposals being considered by FCSL to stakeholders groups that make up the company”.

Response by Provost Reid

“FCSL have held 2 shareholder briefings since the last meeting”.

FC34. ORDER OF BUSINESS

In terms of Standing Order 15.2(i), Provost Reid advised of variations to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken at the meeting.

FC35. NOTICES OF MOTION

Councillor Gow, seconded by Councillor C MacDonald, moved that:-

In order to ensure the proper and timely dispatch of Council business, Council hereby agrees to replace section 31 of the Standing Orders relating to Meetings with the following and that with immediate effect:

31. CLOSE OF BUSINESS

- 31.1 Meetings of Council will generally start at 10.30a.m. (unless the Provost specifies an earlier or later time) and will last for no longer than 3 hours unless a motion to continue the meeting for a further specified period has been moved, seconded and voted upon without discussion, provided that no meeting will continue beyond 5p.m. on that same day (subject to the terms of section 31.2 below) unless a motion to continue the meeting beyond that time for a further specified period has been moved, seconded and voted upon without discussion.
- 31.2 If, at 5 p.m. or such later time as Council shall have agreed, business remains on the agenda to be transacted, it shall be dealt with in the following manner:
 - 31.2.1 Any motion or amendment which has been formally moved and seconded will be put to the vote by the Provost.
 - 31.2.2 Any reports or motions then remaining on the agenda will be considered by the Provost in order. It will be available for a motion and amendment to be moved and seconded on each item but without discussion (provided that the Provost may allow discussion on such an item where in his/her view such discussion is necessary for the proper consideration of the item). Each item will then be put to the vote by the Provost. Items not moved and seconded will fall from the agenda.
 - 31.2.3 There will be no right of reply available to the mover of any motion under this Standing Order.
- 31.3 Nothing in this Standing Order will prejudice the power of the Provost, at his/her discretion, to adjourn temporarily any meeting for a brief period. The time elapsed during any such adjournment will be disregarded for the purpose of

calculating the period of 3 hours referred to in Standing Order 31.1 but will not have the effect of extending the 5p.m. closure term specified therein.

By way of an Amendment, Councillor Alexander, seconded by Councillor Coleman moved:-

“The notice of motion moved by the Leader of the Council is both demeaning to the Provost and a gross interference in the role of Falkirk’s first citizen.

The motion is also an attack on the ability of opposition groups to be heard and therefore an affront to democracy.

The problem with meetings overrunning has been a matter of poor management from the Administration and the confrontational and immature attitude adopted towards opposition groups and members.”

Council therefore resolves to:-

- Retain the Standing Orders of the Council in their current format as the best means of ensuring balanced debate and equal opportunities as well as demonstrating respect for the Provost of Falkirk Council;
- End the intolerance demonstrated against opposition groups with the petty amendments to opposition motions that often results in amendments being approved that mean the same as the original motion; and
- Open proper dialogue between all groups prior to the finalisation of the Council agenda. This could be achieved with the Provost chairing a meeting of group leaders to investigate areas of agreement and to seek compromise where there is little between the groups. Thus areas of common consensus can be reached and therefore reducing the time spent in chambers by all members.”

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call there being 30 Members present, with Members voting as undernoted.

For the Motion (16) – Provost Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol and Nimmo.

For the Amendment (14) – Councillors Alexander, Carleschi, Coleman, J Constable, H Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

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

FC36. ANNUAL ACCOUNTS 2007/08

There was submitted Report (circulated) dated 9 June 2008 by the Director of Finance advising of the submission of the Council’s Unaudited Annual Accounts for the financial year ended 31 March 2008 to the Controller of Audit as required in terms of the Local Government (Scotland) Act 1973 and the Local Authority Accounts (Scotland) Regulations 1995

NOTED the formal submission of the Unaudited Annual Accounts to the Controller of Audit by the 30 June 2008 deadline.

FC37. CONTRACTS FOR THE PROVISION OF WASTE MANAGEMENT SERVICES

There was submitted Joint Report (circulated) dated 25 June 2008 by the Directors of Development Services and Corporate and Commercial Services (a) advising that Falkirk Council, as lead Authority for the purchasing consortium of Falkirk, Stirling and Clackmannanshire Councils, had invited three tenders for the provision of waste management services for all three Council areas; and (b) providing information on the tender evaluation exercise together with officers' recommendations in respect of the award to the contract.

AGREED, in respect of Falkirk Council only and in accordance with Standing Order 6.2(iv), to accept the tender submitted by Avondale Environmental Ltd, Polmont, in the sum of £20,096,500 for the five years of the contract from 15 August 2008 to 14 August 2013 with an option to extend this contract by a further two, one year extensions.

NOTED the positive impact that residual waste treatment will have in achieving future waste diversion targets.

FC38. REFERRAL FROM SPECIAL HOUSING AND SOCIAL SERVICES COMMITTEE – 24 JUNE 2008 - HOUSING ALLOCATIONS REVIEW UPDATE

With reference to Minute of Special Meeting of the Housing and Social Services Committee held on 24 June 2008 (Paragraph HSS30 refers), there was submitted (a) Extract of Minute of the said meeting ; and (b) Report (circulated) dated 14 June 2008 by the Director of Corporate and Commercial Services considered at the said meeting.

Councillor Goldie seconded by Councillor McNeill moved the recommendations as agreed at the Special Meeting of the Housing and Social Services held on 24 June 2008.

By way of an amendment Councillor McNally, seconded by Councillor Meiklejohn moved that:-

“ Council believes that it is important to get the allocation system right and that the current process does not allow members adequate opportunity to scrutinise the proposals that have come forward from the officer only working group.

Council believes that there should have been a seminar in advance of the publication to discuss these proposals which, contrary to the claims by the convener of the Housing and Social Work Committee, have never been discussed with Members.

Council also believes that elected members are the democratic voice of the people and to refuse access to the working group for elected members is a breach of the principle of public representation.

However, as the Administration has decided upon the course of minimum scrutiny and minimum Member involvement the following changes should be made forthwith.

Council agrees to develop a choice based Housing Allocations System that is transparent and fair, the current proposed system fails both criteria.

The proposals as they are, fail to:-

- deal with the categorisation of multi priority applications thus being inherently unfair
- provide an easily understood system of allocation for elderly and infirm applicants in particular
- flexible enough to deal with applicants who fall between stools in the manner that Social Management Points category were established to deal with
- pass the test of scrutiny both in terms of the lack of opportunity for Member input into the policy determination phase and the ability to scrutinise the implementation of the policy if adopted
- reduce the number of successful homeless applicants to below the figures achieved in the months before the interim arrangements currently in place arose

Council therefore agrees to:-

1. Develop a “Choice Based” allocations system that has as its core, fairness. To achieve this Council agrees to allocate points for each priority classification within the individual Category Groups thus giving some transparency within the system. Applicants will be invited to apply for void properties with the property being allocated to the applicant with the highest number of priority points from within the Category Group. Where there is more than one applicant with the same number of points the property will be allocated to the applicant who has waited the longest.
2. Develop a simplified method of advertising and registration that ensures all of our applicants have access to lists and therefore equal opportunity to void properties.
3. Remove the draconian penalties for refusal as there must be a reason for refusing an allocation an individual has applied for. Applicants should therefore be allowed a maximum of two refusals before they are suspended from the waiting list for a period of six months.
4. Officers to bring forward a financial incentive package to people with under occupancy points to encourage them to move into properties more suited to their family compliment, thus freeing up larger family homes.
5. All medical applications must be dealt with by the Community Medicine Specialist to ensure consistency of award.”

Following a short adjournment to consider the terms of the motion and amendment, the matter under consideration was put to the vote when 16 Members voted for the Motion and 14 for the Amendment.

Accordingly, **AGREED:-**

- (i) the draft allocations policy for consultation as set out in Appendix 2 to the Report;
- (ii) to extend the interim arrangements as set out in Section 9 of the Report;

- (iii) to note that during the summer recess, further development work would be carried out as detailed in Section 8 of the Report; and
- (iv) to note the proposal to bring a report on the consultation outcome to a future meeting of the Housing and Social Services Committee.

FC39. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 10 June 2008 by the Acting Director of Law and Administration Services advising of the deeds which had been signed and sealed on behalf of the Council since its last meeting.

NOTED the signing and sealing by the Acting Director of Law and Administration Services of the Deeds as detailed in the Appendix to the Report.

FC40. DELEGATION OF POWERS TO DETERMINE URGENT ISSUES DURING THE SUMMER RECESS

There was submitted Report (circulated) dated 25 May by the Acting Director of Law and Administration proposing that Chief Officers of the Council be given delegated powers to determine urgent items of business which would normally be determined by Council or Committee for the period of the summer recess.

AGREED:-

- (1) to delegate power to Chief Officials, in consultation with the Convener and Depute Convener of the appropriate Committee, to determine urgent items of business during the summer recess (from 25 June 2008 to 11 August 2008) provided that:-
 - (a) any such decision is required to secure the proper delivery of Council Services and to comply with the Council's statutory duties;
 - (b) any such decision does not involve expenditure of Council monies outwith the approved Revenue Budget and Capital Programme;
 - (c) any such decision does not involve an increase in the permanent establishment of the particular Service;
 - (d) any such decision involves no dispute as to legality, propriety or the proper interpretation of Council policy as affecting the decision; and
- (2) that a report be submitted to the first meeting of the Policy and Resources Committee after the recess, detailing decisions made under these powers.

FC41. APPOINTMENT TO OUTSIDE BODIES

There was submitted Report (circulated) dated 9 June 2008 by the Acting Director of Law and Administration advising of (a) an application for appointment to the vacant position on Compton Vale Prison Visiting Committee; and (b) seeking a nomination to join the Argyll, Loch Lomond and Forth Valley Development Partnership.

AGREED:-

- (1) to approve the appointment of Ms Julie Reilly to Cornton Vale Prison Visiting Committee; and
- (2) to nominate Councillor Mahoney as the Falkirk Council representative on the Argyll, Loch Lomond and Forth Valley Development Partnership.

FC42. SINGLE OUTCOME AGREEMENT

There was submitted Report (circulated) dated 11 June 2008 by the Chief Executive providing a copy of the Single Outcome Agreement (SOA) between the Falkirk Council Area Community Planning Partnership and the Scottish Government for approval.

NOTED the contents of the report and the work that has been undertaken to date in developing the Single Outcome Agreement for the Falkirk Council area.

AGREED to approve the Single Outcome Agreement for the Falkirk Council Area Community Planning Partnership

In terms of Standing Order 31.1 it was **AGREED** to continue the meeting beyond the 3 hour limit, following a short adjournment for lunch. The meeting adjourned at 1.30 pm and re-convened at 2.10 pm with all Members present per the sederunt.

FC43. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 11 & 12 of Part 1 of Schedule 7A of the said Act.

FC44. EQUAL PAY, SINGLE STATUS AND CRAFT PAY AND CONDITIONS UPDATE

With reference to her earlier Declaration of Interest, Councillor Gow left the meeting at this point.

There was submitted Report (circulated) dated 12 June 2008 by the Director of Corporate and Commercial Services providing an update in respect of the following issues:-

- (i) pay settlements to specific groups of employees in respect of Equal Pay;
- (ii) implementation of the Single Status proposals; and
- (iii) discussions with trade unions at a local level with regard to pay and conditions for craft workers.

Councillor Nimmo, seconded by Councillor C MacDonald, moved the recommendations as contained within the Report.

By way of an amendment, Councillor Alexander, seconded by Councillor Coleman moved:-

“Council notes the report from the Director of Corporate and Commercial Services and believes that there is insufficient information to allow a balanced decision to be made.

In particular, Council notes the inconsistency between previous legal advice and recommendations contained within the report.

Council therefore agrees to the following:-

1. agrees to set up a Working Group made of the Group Leaders and their deputies to review the entire Single Status issue;
2. the Working Group have access to all evidence including independent legal advice on the matter and have the authority to seek additional independent legal advice over and above that already received; and
3. the Working Group will report back to the next scheduled meeting of the Council.”

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 29 Members present, with Members voting as undernoted:-

For the Motion (15) - Provost Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol and Nimmo.

For the Amendment (14) Councillors Alexander, Carleschi, Coleman, H Constable, J Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

Accordingly, **AGREED:-**

- (1) to grant the Chief Executive delegated authority to commence negotiations in respect of settlement of outstanding Tribunal claims within a £4m framework and report back to Members on any agreement reached to seek final approval;
- (2) to delegate authority to the Chief Executive in consultation with Group Leaders, to continue negotiations with Trades Unions on the Single Status proposals outlined in Section 3 of the Report, with a view to reaching a collective agreement on this matter, which may incur additional costs and report back to Members with details of any agreement reached, and
- (3) to note the on-going discussions with the Craft Trades Unions and to request a further report where necessary to outline progress.

Members of the press and public were re-admitted to the meeting.

Councillor Gow re-entered the meeting.

FC45. TOWN CENTRES STRATEGY: BO'NESS HARBOUR AND FORESHORE INITIATIVE

With reference to Minute of Meeting of Falkirk Council held on 30 April 2008, Paragraph FC7 refers), there was submitted Report (circulated) by the Director of Community Services (a) outlining the method and outcome of the consultation exercise undertaken with the Bo'ness Community on the Bo'ness Harbour and Foreshore Initiative; (b) detailing the content of the feedback, and (c) providing an updated perspective on the proposed development.

Councillor C Martin, seconded by Councillor Lemetti moved the recommendations as contained within the Report.

By way of an amendment Councillor J Constable, seconded by Councillor H Constable moved:-

“Council rejects the recommendation in this report.

Council instructs that Officers offer ING the opportunity of fresh negotiations based on a development ensuring the delivery of the harbour regeneration project.

Council at the same time instructs officers to contact the other original bidders to determine any remaining interest they may have and prepare an advertisement for publications in which statutory notification of such potential re-tendering of the development is required.

That a negotiating team comprising appropriate officers, local councillors, the Leader of the Council, and appropriate Conveners be established to receive replies from all interested bodies and assess these prior to their being brought back through the committee process”.

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call there being 30 Members present, with Members voting as undernoted.

For the Motion (15) – Provost Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, and Nimmo.

For the Amendment (15) – Councillors Alexander, Carleschi, Coleman, J Constable, H Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Nicol, Oliver, Spears and Thomson.

There being an equality of votes and in terms of Standing Order 21.6 the Provost used his casting vote in favour of the Motion.

Accordingly, **NOTED** the extent and outcome of the consultation on the proposed rephrasing of the Bo'ness Initiative and the comments supplied in response to the views of the community as set out in the Report.

AGREED that, having considered the outcome of the consultation, the revised phrasing of the Initiative should proceed and that the Director of Community Services be

authorised to work with ING RED UK (Bo'ness) Ltd, with ING RE BV as guarantor, to progress and deliver the regeneration masterplan and finalise a Development Agreement on the terms set out in the original Policy and Resources Committee Report of 11 March 2008.

FC46. FALKIRK GATEWAY

There was submitted Report (circulated) dated 19 June 2008 by the Director of Community Services (a) providing an update on progress made in regard to the Falkirk Gateway development; and (b) seeking agreement for the Council to make a contribution towards meeting increased infrastructure costs associated with the project, repayable by the developers, subject to levels of return from subsequent phases of the scheme.

AGREED:-

- (1) to authorise a phased contribution, up to a maximum of £500,000 towards the increased costs of the site servicing and infrastructure at Falkirk Gateway following Phase 1 drawdown; and
- (2) to note that the contribution will be subject to open book verifications of such costs being properly incurred by the developer, Macdonald Estates and the conclusion of the necessary legal agreements in satisfactory terms.

FC47. AUDIT OF BEST VALUE AND COMMUNITY PLANNING – AUDIT SCOTLAND REPORT, MAY 2008

There was submitted Report (circulated) dated 5 June 2008 by the Chief Executive (a) advising of the findings contained within the report recently published by Audit Scotland on the Audit of Best Value and Community Planning within Falkirk Council; and (b) detailing the improvement actions which the auditors have recommended the Council consider in progressing its approach to Best Value.

AGREED:-

- (1) to welcome the publication of the Audit Scotland report, Audit of Best Value and Community Planning for Falkirk Council;
- (2) the findings of the report, including the areas for improvements;
- (3) that a response be sent to the Accounts Commission recognising the positive nature of the report and the Council's agreement of its findings along with a copy of the existing Improvement Plan as detailed in Appendix 1 of the report;
- (4) to update the current Improvement Plan to make reference to the specific actions as noted in paragraph 3.10 of the report; and
- (5) that the new Plan be monitored through regular reports to Best Value and Audit Forum with six monthly progress reports being submitted to the Policy and Resources Committee.

FC48. SCOTTISH HISTORIC ENVIRONMENT POLICY (SHEP) ON HISTORIC BATTLEFIELDS: CONSULTATION RESPONSE

There was submitted Report (circulated) dated 16 June 2008 by the Director of Development Services providing information on a public consultation launched by Historic Scotland on 30 April 2008, entitled “Scottish Historic Environment Policy on Historic Battlefields.”

AGREED to approve the response to the Scottish Historic Environment Policy (SHEP) on Historic Battlefields as detailed in the Appendix to the report.

FC49. REFERRAL FROM ENVIRONMENT AND HERITAGE COMMITTEE – 10 JUNE 2008 - FALKIRK COUNCIL LOCAL PLAN HILLEND FARM, SLAMANNAN RESPONSE TO REPRESENTATIONS

With reference to Minute of Meeting of the Environment and Heritage Committee held on 10 June 2008 (Paragraph EH15 refers), there was submitted (a) Extract of Minute of Meeting of the said Committee (circulated); and (b) Report (circulated) dated 28 May 2008 by the Director of Development Services considered at the said meeting.

AGREED:-

- (1) to accept Local Plan objections 098/169 (Persimmon Homes) and 0105/185 (Mr John Kelly) and to approve the responses to those objections as detailed in Appendix 2 of the Report;
- (2) to approve the proposed pre-inquiry modifications as detailed in Appendix 2 of the Report, and to advertise these modifications to allow the opportunity for further representations; and
- (3) that should objections remain unresolved and be considered at the Local Plan Inquiry, the responses and proposed pre-inquiry modifications form the basis of the Council’s position at the Inquiry.

The meeting adjourned for a short break at 5.00 p.m. and reconvened at 5.10 p.m. with all Members present per the sederunt.

FC50. COMMITTEE STRUCTURES

With reference to the Minute of Meeting of Falkirk Council held on 5 December 2007 (Paragraph FC59 refers), there was submitted Report (circulated) dated 23 June 2008 by the Chief Executive summarising the discussions which had taken place at the Working Group reviewing Service and Committee Structures.

Councillor Gow, seconded by Councillor C MacDonald moved as follows:

“This Council agrees that more investigative work be undertaken by the Structures Working Group into the disparities of workloads of the committees. Standing Orders to be revised to allow Scrutiny Committees to respond directly to consultation papers etc within their remit to take decisions on issues that do not change or materially alter

Council policy or involve additional resources or changes to the establishment . Council agrees to establish a separate Audit Committee a report to be brought to Council on the role, remit and constitution of this Committee. Council to retain the current Best Value and Audit Committee to scrutinise service performance etc.

Council agrees that Scrutiny Committees continue with 12 elected members but that they start at 9.30 am. Council also agrees that Committees utilise Standing Orders to invite representatives from other organisations to attend Committee as they think appropriate to answer questions and offer expert opinion.

Council agrees that the interim arrangements for Housing Services and Roads have been successful therefore Housing Services be permanently moved to Corporate and Commercial Services and the contractor part of the Roads function be permanently moved to Development Services. In addition the job descriptions of the relevant Directors be re-designed.

Council to receive a further report on the implementation of these changes together with any other Service structure or associated issues to be brought back to a future meeting of Council .

Council agrees to provide a commitment to the Trade Unions on all employee relation issues as detailed in paragraphs 3.15 to 3.17 to the Chief Executive's report."

By way of an amendment, Councillor Alexander, seconded by Councillor Coleman moved:-

Committees

"Restructure our scrutiny committees from five to four based, as closely as possible on the remits of the department.

These would be:-

1. Education Committee (dealing only with Educational matters)
2. Community Committee (dealing with such as Economic Development & Tourism and Leisure)
3. Housing, Health and Social Services
4. The Strategic Committee dealing with the remainder of Community Health and Safety and Environment and Heritage Committee.

(These are suggestions in terms of names and responsibilities and therefore subject to amendment following consultation with officers or alternative suggestions on such as names by members)

Committees be encouraged to include within their membership appointed outside representatives in order to take forward the community planning agenda.

Council also agrees that all Committees and Council meetings should generally commence at the same time to avoid confusion and agrees to start all meetings at 10 am thus allowing those from outlying areas an opportunity to arrive using public transport if required.

Scrutiny Committees be given delegated powers to approve consultation responses unless there is a division in which case the matter can be called into full Council. The Best Value and Audit Forum be restructured to separate Best Value and Audit. The Best Value Forum continue to meet in private to discuss the intricate Best Value agenda. The audit section become a sub committee of Policy and Resources mirroring the membership of the Policy and Resources Committee and meeting twice or three times per year as required.

Council agrees that scrutiny committees must have access to all information pertaining to their Services and agrees that included within this process must be scrutiny of the relevant Performance Indicators and Service Plans.

Structures

The current temporary structures for the Housing Department are not providing the results members had hoped for. Council agrees that these have to change and proposes that a dedicated and qualified Head of Service be appointed as part of the Corporate and Commercial Services' department and calls for this post to be reactivated and advertised."

On a division 16 Members voted for the Motion and 14 for the Amendment.

Accordingly **RESOLVED** in terms of the Motion.

In terms of the newly approved Standing Order 31.2 and with the meeting having continued beyond 5 pm, the Provost advised that the remaining reports on the agenda would be dealt with in accordance with Standing Order 31.2.2 and that there would be no discussion on the individual items.

Councillors Alexander, Carleschi, Coleman, H Constable, J Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson left the meeting at this point.

FC51. SHARED HEADTEACHERS IN PRIMARY SCHOOLS

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors Alexander and Kenna.

With reference to Minute of Meeting of the Policy and Resources Committee held on 3 June 2008 (Paragraph PR36 refers), there was submitted (circulated) (a) Extract of Minute of Meeting of the said Committee; and (b) Report by the Director of Education Services submitted to the said meeting.

NOTED:-

- (1) the outcomes of the consultation exercise;
- (2) that the first option should be recruit a headteacher to each school;

- (3) that if it proved difficult to recruit a headteacher to a small school (as defined in paragraph 2.1 of the report), it should be available to the Director of Education to consider the option of a shared responsibility following consultation, and
- (4) that if a shared headship were to be agreed, a principal teacher post would be created in a small school to provide appropriate management support.

FC52. COMMUNITY USE OF PFI CLASS '98 SCHOOLS

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors Alexander and Kenna.

With reference to Minute of Meeting of the Policy and Resources Committee held on 3 June 2008 (Paragraph PR36 refers), there was submitted (circulated) (a) Extract of Minute of Meeting of the said Committee, and (b) Report dated 6 May 2008 by the Director of Education Services submitted to the said meeting.

NOTED:-

- (1) the proposals for access and opening times; and
- (2) that free access afforded to junior groups (under 18's) under the policy operated by Education Services would be retained.

AGREED:-

- (1) that the charges to be levied for access to the facilities by the public would be based on the charges levied by Sport and Leisure Services; and
- (2) to seek an update report following the October 2008 break to ascertain how the programme is working and assess user feedback.

FC53. FALKIRK CRUISE PARTNERSHIP AND ASSOCIATED FALKIRK TOWN CENTRE ISSUES – UPDATE

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors Alexander and Kenna.

With reference to Minute of Meeting of the Policy and Resources Committee held on 3 June 2008 (Paragraph PR35 refers), there was submitted (a) Extract Minute of Meeting of the said Committee (circulated); and (b) Report (circulated) dated 2 May 2008 by the Director of Development Services submitted to the said meeting.

NOTED the contents of the Report and the intention to submit regular update reports to the Community Health and Safety Committee, as appropriate.

AGREED to call on the Convener of the Community Health and Safety Committee to write to the Scottish Transport Minister asking him to contact the UK Transport Minister asking for a review of the use of wide bore exhausts.

FC54. DISCONTINUED BUS SERVICES

There was submitted Report (circulated) dated 18 June 2008 by the Director of Development Services providing information on bus services that have been withdrawn since 2005 and the reasons why those services have been discontinued.

NOTED the contents of the report.