

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 city skyline with a diagonal beam of light. The top-right quadrant depicts a stag's head with large antlers. The bottom-left quadrant shows a three-masted sailing ship on wavy water. The bottom-right quadrant features a grizzly bear standing on its hind legs. Above the shield is a crown with four maple leaves. A banner at the bottom contains the motto "A NE FOR A".

## **Agenda Item 3**

### **Minute**

Draft

**FALKIRK COUNCIL**

**Minute of meeting of the Executive held at the Grangemouth Community Education Unit on Tuesday 22 August 2023 at 10.00a.m.**

**Councillors:** Gary Bouse  
James Bundy  
Bryan Deakin  
Stacey Devine  
Paul Garner  
Anne Hannah  
James Kerr  
Cecil Meiklejohn (Convener)  
Alan Nimmo  
Siobhan Paterson  
Robert Spears  
Euan Stainbank

**Officers:** Karen Algie, Director of Transformation, Communities & Corporate Services  
Wendy Barber, Information Governance Manager  
Malcolm Bennie, Director of Place Services  
Bryan Douglas, Licensing Team Leader  
Paul Ferguson, Senior Service Manager  
Jack Frawley, Team Leader – Committee Services  
Kenny Gillespie, Head of Housing & Communities  
Donna Heaney, Community Planning Co-ordinator  
Paul Kettrick, Head of Invest Falkirk  
Kenneth Lawrie, Chief Executive  
Jacquie McArthur, Regeneration Co-ordinator  
Michael McGuinness, Head of Growth, Planning & Climate Change  
Jim Millar, Graduate – Democratic Services  
Colin Moodie, Chief Governance Officer  
Alistair Shaw, Development Plan Co-ordinator  
Amanda Templeman, Chief Finance Officer  
Martin Thom, Head of Integration

In accordance with section 43 of the Local Government in Scotland Act 2003 the Convener had directed that the meeting would be conducted by video conference to allow remote attendance by elected members.

**EX39. Apologies**

There were no apologies.

#### **EX40. Declarations of Interest**

There were no declarations of interest at this stage.

#### **EX41. Minute**

##### **Decision**

**The minute of the meeting of the Executive held on 13 June 2023 was agreed as a correct record.**

#### **EX42. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 13 June was provided.

##### **Decision**

**The Executive noted the rolling action log.**

#### **EX43. Falkirk Town Centre Vision and Development Framework**

The Executive considered a report by the Director of Place Services which sought approval of the Falkirk Town Centre Vision and Development Framework. The report summarised the methodology and approach taken in the preparation of the Falkirk Development Framework and Vision for Falkirk town centre.

The framework had been produced following focused engagement over a 6-month period with significant input from property owners, potential investors, business, groups, individuals, partner organisations and communities.

The Vision for the town would progress in collaboration with the Revitalising Falkirk Partnership. The framework would serve as a valuable mechanism to set strategic direction and had potential to attract investment and funding to deliver locally. Further reports would be presented to the Executive for consideration at key points in the delivery of the Vision.

The Falkirk Town Centre Vision and Development Framework was provided as an appendix to the report.

The Development Framework provided a means to deliver the social and cultural ambitions of the local community. It represented a 'joined-up' approach to new development where uses were positioned in relation to each other to create the vibrancy and activity that was key to a thriving town centre. The document provided a bold and positive vision for Falkirk town

centre over a 10-to-20-year period and the transition from retail dominance to a vibrant mixed use and inhabited town centre that met the needs of local people.

Analysis of existing uses, built form and streets and spaces within Falkirk town centre had highlighted the following:-

- an overprovision of retail with two shopping centres and a retail park directly adjacent.
- a need to diversify the offer away from retail and introduce a greater range of uses and services.
- impermeable and car centric roads cutting pedestrians, cyclists and wheelchair users off from their High Street.
- a need to create a more people friendly town centre and strengthen active travel connections through and outwards from the town centre.
- insufficient quality civic and greenspace.
- a lack of residential accommodation in the town centre where an increase would bring vitality and passive surveillance and footfall, helping businesses and services to thrive.

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

- (1) the Falkirk Town Centre Development Framework and Vision report, and
- (2) that further reports will be provided to the Executive as progress was made with Falkirk town developments.

The Executive adjourned at 10.45am and reconvened at 11.10am with all members present as per the sederunt.

As an amendment, Councillor Kerr, seconded by Councillor Bundy, moved the terms of the motion with the insertion of two further clauses, that the Executive:-

- (1) agrees the Falkirk Town Centre Development Framework and Vision report;
- (2) notes its concern at the conclusion in the report that roads around the high street are too “car-centric”;
- (3) agrees that further reports will be provided to the Executive as progress was made with Falkirk town developments, and
- (4) notes that a Parking Strategy will be presented to a future meeting of the Executive.

Councillor Meiklejohn, as the mover of the motion, with the consent of Councillor Garner as her seconder, adjusted the terms of the motion to incorporate the terms of the amendment. The amendment accordingly fell.

As an amendment, in substitution for the motion, Councillor Hannah, seconded by Councillor Stainbank, moved that the Executive agrees:-

- (1) the Falkirk Town Centre Development Framework and Vision report, and
- (2) that further reports will be provided to the Executive as progress was made with Falkirk town developments.

In terms of Standing order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (8) – Councillors Bouse, Bundy, Deakin, Devine, Garner, Kerr, Meiklejohn and Spears.

For the amendment (4) – Councillors Hannah, Nimmo, Paterson and Stainbank.

### **Decision**

#### **The Executive:-**

- (1) agreed the Falkirk Town Centre Development Framework and Vision report;**
- (2) noted its concern at the conclusion in the report that roads around the high street were too “car-centric”;**
- (3) agreed that further reports would be provided to the Executive as progress was made with Falkirk town developments, and**
- (4) noted that a Parking Strategy would be presented to a future meeting of the Executive.**

### **EX44. Consultation Response – A Fairer Council Tax**

The Executive considered a report by the Director of Transformation, Communities & Corporate Services which presented a proposed response to the Scottish Government and COSLA's joint Consultation on a Fairer Council Tax and sought approval to submit.

On 12 July 2023 the Minister for Community Wealth and Public Finance Minister and COSLA Resources Spokesperson launched a consultation on proposed changes to higher Council Tax bands. The proposals aimed to address criticism that the current Council Tax system was unfair, because at

present those in the lower bands paid a higher proportion of the value of their property than those in higher bands.

The proposal mirrored a similar increase in charges for bands E-H which was applied in 2017. If agreed the proposal would raise an additional £176m nationally (estimated £4.3m from Falkirk and impact on 28% of properties nationally (24% of properties in Falkirk Council area).

There was broad acceptance that Council Tax was a regressive tax and as a result there had been a number of reviews undertaken over the last 20 years to consider potential alternative methods of local taxation. As yet there was no agreement on a suitable alternative.

Following discussion with the Group Leaders, it was agreed that the response to the consultation was best considered by elected members. This meeting of the Executive was the final opportunity to do so prior to the deadline for submission. The draft consultation response was provided as an appendix to the report.

Councillor Meiklejohn, seconded by Councillor Garner, moved that the Executive approve the response to the consultation, detailed in Appendix 1 of the report, for submission to Scottish Government.

As an amendment, in substitution for the motion, Councillor Hannah, seconded by Councillor Paterson, moved that the Executive response to this consultation should be changed as follows:-

Question 1 – change from yes to no, delete the reasons included in the submission and replace with points 1 to 3 below.

Question 2 – Change from yes to no

Falkirk Council calls on the Scottish Government to deliver on its manifesto commitment to find an alternative fundraising mechanism for local government services, and agrees with the Fraser of Allander analysis that:-

1. “Tweaking around the edges of Council Tax does not fix its fundamental flaws”:
2. “...the proposed reforms will be regressive with respect to income..”  
People on higher incomes will pay a lower proportion of their income in additional tax than those on lower incomes. This hits the poorest hardest.
3. Pending replacement of council tax with a fairer alternative, “...a revaluation is necessary... it should be a prerequisite even for the type of tweaking that the Scottish Government did in 2017 and is proposing now given the majority of properties are likely to be in the wrong band.”

The Executive adjourned at 11.40am and reconvened at 12.10pm with all members present as per the sederunt.

Councillor Bundy gave notice of a further amendment.

In terms of Standing order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (7) – Councillors Bouse, Bundy, Deakin, Devine, Garner, Kerr and Meiklejohn.

For the amendment (5) – Councillors Hannah, Nimmo, Paterson, Stainbank and Spears.

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

As a further amendment, in substitution for the motion, Councillor Bundy, seconded by Councillor Kerr, moved that the Executive agrees that as there is no consensus among the members of Executive that no response is submitted on behalf of the Council while noting that each group will be free to submit their own response.

The Executive adjourned at 12.20 pm and reconvened at 12.30pm with all members present as per the sederunt.

In terms of Standing order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (5) – Councillors Bouse, Deakin, Devine, Garner and Meiklejohn.

For the further amendment (7) – Councillors Bundy, Hannah, Kerr, Nimmo, Paterson, Stainbank and Spears.

### **Decision**

**The Executive agreed that as there was no consensus among the members of Executive that no response was submitted on behalf of the Council while noting that each group would be free to submit their own response.**

### **EX45. Community Choices – Progress Update**

The Executive considered a report by the Director of Transformation, Communities & Corporate Services which provided an update on the Council's Community Choices Programme.

Community Choices provided a platform for community groups to design, present and take forward their own projects. The programme encouraged others in communities to become involved and was now well known by communities in Falkirk. There had been a significant increase in votes, for

phase 3. Some groups had provided peer support to other groups to plan projects during the third phase.

The report provided detail of:-

- Awards and voting
- Evaluation of phases one and two
- Challenges
- Project Allocation and Spend
- Further action planned.

The underspend of £400,374 from phase 3 would be made available for a fourth and final phase of Community Choices, together with the additional £0.5m agreed in the 2023/24 budget, which gave a total available budget of £900,374 for phase 4.

## **Decision**

**The Executive:-**

- (1) noted the progress to date with Community Choices;**
- (2) noted the underspend and that any underspend from phase 4 would be considered through future capital reports, and**
- (3) agreed that the next phase of Community Choices (place-based capital) would be replaced through mainstreaming Participatory Budgeting in Council Budgets.**

## **EX46. Information Management Strategy**

The Executive considered a report by the Director of Transformation, Communities & Corporate Services which sought approval of an Information Management Strategy 2023/26.

The Council did not have an Information Management Strategy in place. The new Strategy established a strategic framework for management of information across the Council, to better deliver positive outcomes for staff and customers, with an emphasis on compliance and good practice.

The Council was required to safely manage and secure the information it created or managed, but it also needed to dispose of information that was no longer needed and held little value to the Council. Moving forward there should be a culture that understood there was a balance between the costs of maintaining the information held, versus the value of that information to the Council and the services that it delivers. The Strategy would help set the direction of travel and focus resources on the key actions that would drive improvement and efficiencies to the benefit of staff and citizens.

The strategy was provided as an appendix to the report.

## **Decision**

**The Executive approved the Information Management Strategy 2023-26.**

### **EX47. Review of Taxi Fare Scales and Other Charges**

The Executive considered a report by the Director of Transformation, Communities & Corporate Services which provided details of the statutory requirement to review the taxi tariff and outlined the views of the Taxi Forum.

Members of the Taxi Forum were identified as persons who were representative of operators of taxis and were invited to make representations in respect of the taxi tariff. The Forum was not in favour of any increase in the taxi tariff but did propose a change to the public holidays aspect of the tariff. The Forum suggested that the existing public holidays should be removed except for Christmas and New Year which should be subject to a new rate of time and a half. The dates and times of the revised “festive” tariff being – “from 9pm on Christmas Eve to 6am on 27 December and 9pm on 31 December to 6am on 3 January”. The Forum explained that it was becoming increasingly difficult to get drivers to operate during the festive period and they felt that the suggested changes would encourage drivers to operate and provide a much-needed service. The public holidays that would be removed were Easter, May Day, Falkirk Trades Fair, and the Falkirk September holiday.

The Forum also proposed that the soiling charge be increased to £100. It was felt that the current charge of £40 did not cover the actual cost of a vehicle being valeted and potential loss of revenue arising from the time taken to clean the vehicle.

The Forum also suggested that a £5 charge be introduced for larger capacity vehicles that had been engaged for more than 4 passengers or for items unsuitable for a standard vehicle, such as luggage/golf clubs etc. This would not apply to wheelchair users.

The current fare table for taxis was appended to the report along with a revised fare table which reflected the Forum’s proposals.

If the changes to taxi fares was agreed, taxi meters would require to be recalibrated by operators. In line with previous practice, a charge would require to be made for undertaking the necessary calendar meter recalibration tests and the appropriate fee would require to be set at £16 on a full cost recovery basis.

## **Decision**

### **The Executive agreed to:-**

- (1) the proposed changes to the existing Taxi fares and scales, and**
- (2) instruct the Chief Governance Officer to advertise the fare scales and charges to take effect from midnight on 1 December 2023 and;**
  - (a) in the event of any written representations being received in respect of the published proposals, a further report would be submitted to the Executive to allow them to be considered and;**
  - (b) if no written representations are received the proposals would be held as confirmed and formally notified to the consultees.**

The Executive adjourned at 1.10pm and reconvened at 2.05pm with all members present as per the sederunt.

## **EX48. Treasury Management Annual Review 2022/23**

The Executive considered a report by the Director of Transformation, Communities and Corporate Services which provided an update as part of the Treasury Management Code of Practice. The review should be considered by the appropriate Committee and full Council.

The report set out information in relation to:-

- Economic Review
- Capital Expenditure and Financing
- Council's 2022/23 Borrowing Requirement
- Borrowing Strategy 2022/23 – Outcome
- Investment Strategy 2022/23 – Outcome
- Treasury Management Prudential Indicators
- Benchmarking
- Banking Contract
- Treasury Management Advisors.

## **Decision**

### **The Executive:-**

- (1) noted the contents of the Treasury Management Annual Review 2022/23, and**
- (2) referred the report to Council for consideration.**

#### **EX49. Provisional Financial Outturn 2023/24**

The Executive considered a report by the Director of Transformation, Communities and Corporate Services which provided an update on the financial position of the Council for 2023/24. The report was based on financial performance for the first 3 months of the financial year.

The Council approved the Housing Revenue Account budget in February 2023 and the General Fund Revenue Budget in March 2023. The General Fund Revenue Budget included the requirement for Services to make savings and the budgets shown in Appendix 1 to the report reflected these savings.

As with the previous financial year all Services had been asked to review budgets and identify further in-year savings of 5% where possible. These savings were typically non-recurring and helped to address emerging pressures. In addition the Council was operating under a recruitment freeze.

Opening reserves for 2023/24 were £11.821m. As part of the budget setting process, Council approved the use of £15.3m of Service Concessions and £3.4m of Covid reserves in 2023/24.

The main variations from budget were described for each Service. The projections were based on discussion and information received from Services and reflected the following positions:-

- Children's Services – over budget by £1.085m (0.4%)
- Social Work Adult Services – under budget by £0.211m (5.3%)
- Transformation, Communities & Corporate Services – under budget by £1.263m (3.2%)
- Place Services – under budget by £2.612m (7.5%).

#### **Decision**

**The Executive noted the:-**

- (1) Council's projected year-end financial position for 2023/24;**
- (2) position with respect to Reserves, and**
- (3) status of the approved savings for 2023/24.**

#### **EX50. Capital Programmes Update Report**

The Executive considered a report by the Director of Transformation, Communities and Corporate Services which provided an update on the 2023/24 Capital Programmes for the General Fund and Housing.

The Capital Programmes for Housing and General Fund were approved in February 2023 and March 2023 respectively. The General Fund capital budget had been adjusted for the year end outturn as at 31 March 2023 and the adjustments were detailed by Service in appendix 1 to the report.

The 2023/24 budgets for both programmes were part of a five year plan and as such there would be movement in spend across the years. Previous reports had flagged up ongoing concerns on the impact of Brexit, inflation and interest rate rises on delivery and affordability of the capital programme.

The report provided information on:-

- Risks and uncertainties;
- Changes in capital reporting for 2023/24;
- Budget;
- Projection;
- Resources – General Fund;
- Housing Capital Programme;
- Resources – Housing, and
- Prudential Indicators.

### **Decision**

**The Executive noted the:-**

- (1) proposed revised budget for the General Fund Services (£45.4m) and forecast position for Housing Capital Programme (£71.5m);**
- (2) revised reporting of General Fund Capital Programme at paragraph 5.1 of the report, and**
- (3) Prudential Indicators.**

### **EX51. Sale of Property, Sealock House**

The Executive considered a report by the Director of Place Services which sought approval for the disposal of Sealock House, Inchyra Road, Grangemouth to Hunters of Linlithgow Ltd for £525,000.

### **Decision**

**The Executive:-**

- (1) agreed to the disposal of Sealock House to Hunters of Linlithgow Limited for £525,000 (five hundred and twenty-five thousand pounds) subject to the terms outlined in the report, and**

- (2) delegated the Director of Place Services to negotiate the detailed terms of the disposal including, if necessary, changes to price provided these were not material and continued to represent best value.**

#### **EX52. Sale of Land to the North of Glasgow Road, Dennyloanhead**

The Executive considered a report by the Director of Place Services which sought approval for the disposal of land extending to approx. 1.2HA (approx.3 Acres) on the northern side of Glasgow Road (A803), Dennyloanhead.

The site was located to the north side of Glasgow Road (A803), Dennyloanhead approximately six miles west of Falkirk, to the west of Bonnybridge and to the south of Denny. The land was previously declared surplus to operational requirements with disposal by negotiation with Mactaggart & Mickel being authorised. This was based on the assembly of a larger development site. The site owned by the Council consisted of a long thin strip of ground, historically used as a railway line. The land ran behind private housing parallel to Glasgow Road (A803), Dennyloanhead.

Mactaggart & Mickel had been in active dialogue with the Council and other landowners for several years to assemble the site to enable the wider development to take place. Agreement with all four landowners had been reached, in principle, including for the Council's land, subject to Executive approval.

The disposal price of £1,551,708 was subject to MacTaggart and Mickel's developer contribution to the M80 slip road works not exceeding £432,617. Should this occur any adjustment to price would be dealt with in conjunction with any other abnormal costs.

The wider site was allocated in the Falkirk Local Plan in 2010 as a housing site and was retained in the Falkirk Local Development Plan, adopted in 2020, with a site capacity 550 units (Site H09). The LDP set out that the site was to form a major new residential neighbourhood which would facilitate community regeneration and address housing needs.

#### **Decision**

##### **The Executive:-**

- (1) agreed to disposal of the Land to Mactaggart & Mickel Homes Limited (or nominee) for £1,551,708 (One million, five hundred and fifty one thousand seven hundred and eight pounds); and**

- (2) noted that Mactaggart & Mickel have negotiated with the various landowners, including Falkirk Council, and have established proposals with Persimmon Homes for the development of a wider site, and**
- (3) agreed that the price is subject to any adjustments for proven abnormal costs and/or an increase in the developer's contribution towards the cost of the Junction 7 M80 improvements. Any such adjustments will be authorised by the Director of Place Services subject to the transaction continuing to represent best value.**

#### **EX53. Transparency Statement**

Councillor Spears made a transparency statement in respect of the following item (EX54). He stated that he had a connection to the item by reason of having been an occasional volunteer with the applicant organisation, Kersiebank Community Project. Having applied the objective test he stated that he did not consider that he had an interest to declare given that the interest was so remote that it would not be considered as being likely to influence the discussion or decision making.

#### **EX54. Community Benefit Lease – 21 & 54 Charlotte Dundas Court, Grangemouth**

The Executive considered a report by the Director of Place Services which sought approval to lease of 21 and 54 Charlotte Dundas Court, Grangemouth by community benefit lease under the Disposal of Land by Local Authorities (Scotland) Regulation 2010 to Kersiebank Community Project (KCP).

KCP were a registered charity whose main aim and objectives were food bank provision, community café and furniture repurposing. Retail units, 21 and 54 Charlotte Dundas Court, Grangemouth were owned by Falkirk Council. The property was held on the Housing Revenue Account as a commercial property. KCP would re-locate from their present location at 45 La Porte Precinct, Grangemouth to the units at 21 & 54 Charlotte Dundas Court, Grangemouth.

21 Charlotte Dundas Court had been vacant since March 2021 and was previously occupied as a butcher. 54 Charlotte Dundas Court had been vacant since the Post Office/ Spar (CJ Lang) closed in May 2021. As a local charity KCP were unable to afford the market rent for these properties, however they were proving difficult to let along with the two other vacant units in the centre. KCP sought a Community Benefit Lease (at a nominal rent of £1 pa) for five years.

KCP was working in partnership with INEOS Community Projects (ICP) to deliver the project. ICP were providing additional funding and other enabling support to support KCP deliver the project.

The Disposal of Land by Local Authorities (Scotland) Regulations 2010 set out the procedure to evaluate community benefit leases. This required the Council, before deciding in favour of such lease, to appraise and compare the benefits and dis-benefits of the proposal. The financial benefits of the proposals were that KCP would deliver considerably more than the foregone rental and the Council could remove ongoing holding costs until the properties were let.

An assessment of the business case and the impacts of the proposals to meet the Regulations and the requirements for a lease had been undertaken in accordance with the Council's process for reviewing community benefit lease applications. The Business Plan was considered as being well thought out, viable and sustainable. Over the life of the project, it had been concluded that the community, health, and wellbeing benefits together with the social and voluntary contributions derived from the project would greatly exceed the potential disbenefit of foregoing the market value of the property. In addition, the project would support the pursuance of Equalities through the promotion of training to those considered as potentially having an identifiable protected characteristic.

Overall the Assessment outcomes were considered "very strong" and showed that impacts were almost universally very good, with a series of strongly positive outcomes should the Executive decide to approve a community benefit lease.

## **Decision**

### **The Executive:-**

- (1) agreed to the Community Benefit leases at £1 per annum to KCP of 21 and 54 Charlotte Dundas Court, Grangemouth;**
- (2) noted the positive community impacts likely to be achieved by the proposed KCP activities and the positive feedback to the proposals from the community, Falkirk Council Housing tenants' representatives and stakeholders;**
- (3) noted the assessments undertaken confirm these proposals are in line with the Council's statutory obligations under The Disposal of Land by Local Authorities (Scotland) Regulations 2010; and**
- (4) agreed that the Director of Place Services conclude any necessary legal arrangements to progress the leases in accordance with this Report.**

## **EX55. Decision Taken During the Summer Recess**

The Executive considered a report by the Director of Transformation, Communities and Corporate Services providing member of the Executive of decisions taken by Chief Officers using delegated powers during the period relating to the summer recess from 28 June 2023 to 22 August 2023.

### **Decision**

**The Executive noted the decision taken during the summer recess using delegated powers.**