

**AGENDA ITEM 1(b)**  
**DRAFT**

**MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 13 JANUARY 2010 at 1.30 p.m.**

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

**CONVENER:** Provost Reid.

**APOLOGY:** Councillor Goldie.

**ATTENDING:** Chief Executive; Directors of Corporate and Neighbourhood Services and of Finance Services; Acting Directors of Law and Administration Services and of Social Work Services; Heads of Facilities Management and of Roads and Design Services; Service Manager (Corporate and Neighbourhood Services) and Democratic Services Manager.

**DECLARATIONS OF INTEREST:**

None.

**FC79. FALKIRK COUNCIL'S RESPONSE TO SEVERE WEATHER DECEMBER 2009/2010**

Prior to the commencement of formal business, the Head of Roads and Design gave an update on the Council's response to the recent severe weather conditions together with an outline of proposed actions to address outstanding issues.

**NOTED.**

**FC80. PROPOSED DEMOLITION OF PROPERTIES AT CARRON ROAD, MILLFLATS ROAD, HAUGH STREET, FALKIRK.**

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Housing and Social Care Committee held on 10 November 2009, and (b) Report dated 20 October 2009 by the Director of Corporate and Neighbourhood Services submitted to the said meeting.

Councillor Meiklejohn, seconded by Councillor Alexander, moved that Council "acknowledges that the Carron Road flats are beyond their useful life and should

be demolished as per the recommendation in 2007 to make way for new family housing”.

By way of an Amendment, Councillor Blackwood, seconded by Councillor McNeill, moved the recommendations as detailed in the Report.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 31 Members present with voting as undernoted:-

For the Motion (14) :- Councillors Alexander, Carleschi, Coleman, Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Ritchie, Spears and Thomson.

For the Amendment (17) :- Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

Accordingly, **AGREED** to instruct officers to revisit the option appraisal process and survey information already undertaken to ensure value for money arguments are robust and to report the outcome of the review to the Housing and Social Care Committee.

#### **FC81. HOUSE EXTENSION/CONVERSIONS – QUALIFYING CRITERIA**

In terms of the Council’s Scheme of Delegation, this item had been called into Council by Councillors Constable, Meiklejohn and McNally.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Housing and Social Care Committee held on 10 November 2009, and (b) Report dated 29 October 2009 by the Director of Corporate and Neighbourhood Services submitted to the said meeting.

Councillor Meiklejohn, seconded by Councillor McNally moved that Council :-

- (1) “agrees that overcrowding in a family home is overcrowding no matter the size of the property. Council also notes that one of the most popular size and property types sold under the Right to Buy is three bedroom family homes thus creating a problem for families in two bedroom properties;
- (2) agrees, therefore, to consider all properties suitable for extension if the families concerned are living in overcrowding conditions; and
- (3) notes that a further report will be brought to Members setting out the likely demand and resources required to provide a scheme of extension/conversion of properties to meet the needs of larger families”.

By way of an Amendment Councillor Blackwood, seconded by Councillor McNeill moved in terms of the decision taken by the said Committee and detailed in the said minute thereof.

On a division, 14 Members voted for the Motion and 17 voted for the Amendment.

Accordingly, **AGREED:-**

- (1) the qualifying criteria for inclusion in an extension/loft conversion programme set out for both applicants and properties, as detailed in Section 3 of the Report;
- (2) to request that the Director of Corporate and Neighbourhood Services investigate the feasibility of providing financial or other incentives for tenants in larger properties which are under-occupied to move to smaller properties on a voluntary basis and to report back to the Housing and Social Care Committee; and
- (3) to note that a further report would be brought to Members setting out the likely demand and resources required to provide a scheme of extension/conversion of properties to meet the needs of larger families.

#### **FC82. WORKS ON PRIVATE ROADS AT BALMORAL GARDENS AND PARK AVENUE, BRIGHTONS – PROVISION OF ASSISTANCE TO RESIDENTS**

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 17 November 2009, and (b) Joint Report dated 10 November 2009 by the Director of Development Services and the Acting Director of Law and Administration Services submitted to the said meeting.

Councillor Gow, seconded by Councillor Fry moved that :-

- (1) "Council agrees, in principle, to provide support, in the form of front funding, to the residents in the situation as described in paragraph 2.3 of the Report;
- (2) the sum of £20,000 be fixed as a ceiling on the total amount available for such funding, and
- (3) that authorisation be given to the Director of Development Services and the Acting Director of Law and Administration to consider and agree any applications for such support subject to the agreed financial ceiling of £20,000 and the conclusion of an agreement assuring the security for the Council's debt".

By way of an Amendment, Councillor Hughes, seconded by Councillor Jackson moved as an addendum to the Motion that:-

- (1) “Council agrees to participate in the community led scheme for the upgrade of the two streets outlined in the report on the conditions listed;
- (2) However, Council also agrees to an audit of the remaining private roads within Falkirk Council and agrees, in principle, to treat all similar approaches in the same manner, and
- (3) A Report on the matter will be prepared and submitted to the first available meeting of the relevant scrutiny committee as soon as possible.”

Following discussion, the Provost, in terms of Standing Order 26.1 checked Councillor Alexander for misconduct in respect of comments he made to the Chief Executive during debate and directed him to discontinue his speech.

Following further discussion, and in terms of Standing Order 25.2 (ii), Councillor Gow, seconded by Councillor C MacDonald moved that “the question now be put”.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 31 Members present, with voting as undernoted :-

For the Motion (18):- Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick, Spears and Waddell.

Against the Motion (13):- Councillors Alexander, Carleschi, Coleman, Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Ritchie, and Thomson.

The mover of the original Motion then spoke in reply before the Motion was put to the vote.

In terms of Standing Order 24.1 (i) a vote was taken by roll call, there being 31 Members present with voting as undernoted :-

For the Motion (18):- Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick, Spears and Waddell.

For the Amendment (13):- Councillors Alexander, Carleschi, Coleman, Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Ritchie, and Thomson.

Accordingly, **AGREED:-**

- (1) in principle, to provide support in the form of front funding, to the residents in the situation described paragraph 2.3 of the Report;
- (2) that the sum of £20,000 be fixed as a ceiling on the total amount available for such funding; and

- (3) that authorisation be given to the Director of Development Services and the Acting Director of Law and Administration to consider and agree any applications for such support subject to the agreed financial ceiling of £20,000 and the conclusion of an agreement assuring the security for the Council's debt.

### **FC83. KINSHIP CARE**

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 17 November 2009, and (b) Extract of Report dated 22 October 2009 by the Acting Director of Social Work Services submitted to the said meeting.

Councillor Gow, seconded by Councillor Fry moved recommendation 7.1 as detailed in the Report.

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

“endorses paragraph 6.7 of the Report and agrees that the rate of Kinship Care allowance is set at £60, and that it is increased in the incremental levels until there is parity with foster care allowance demonstrating the Council's commitment and ongoing support of cared for children”.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 31 Members present with voting as undernoted:-

For the Motion (17):- Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

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

Accordingly **AGREED** the proposals as outlined in paragraphs 6.6 and 6.7 of the Report to provide financial support to Kinship carers of looked after children.

#### **FC84. MORTGAGE TO RENT SCHEME**

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 17 November 2009, and (b) Extract of Report dated 20 October 2009 by the Director of Corporate and Neighbourhood Services submitted to the said meeting.

Councillor Blackwood, seconded by Councillor McNeill, moved the recommendations as detailed in the Report.

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

“notes that participating in the Mortgage to Rent Scheme will have a financial cost in acquiring some properties based on existing Council rent levels and that the financial shortfall should be met by the Council.”

On a division, 17 Members voted for the Motion and 14 for the Amendment.

Accordingly, **NOTED** that whilst participating in the Mortgage to Rent Scheme, a financial cost in acquiring some properties based on existing Council rent levels may occur and **AGREED** that the financial shortfall would be covered by increasing the rent on a property by property basis to cover the cost.