

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

**MINUTE of RECONVENED MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 17 DECEMBER 2010 at 9.30 am.**

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

**CONVENER:** Provost Reid.

**APOLOGIES:** Councillors Blackwood, Carleschi, Fry, A MacDonald, McNally and Nimmo.

**ATTENDING:** Chief Executive; Director of Corporate and Neighbourhood Services; Acting Directors of Law and Administration Services and of Social Work Services; Heads of Accountancy, and of Human Resources, Human Resources Manager and Democratic Services Manager.

**DECLARATIONS**

**OF INTEREST:** None.

**FC65. ORDER OF BUSINESS**

In terms of Standing Order 15.2(i), Provost Reid varied 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.

**FC66. REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2010**

There was submitted Report (circulated) dated 11 November 2010 by the Chief Executive (a) advising of the requirement for Council to designate polling places for each polling district and to keep these under review; (b) advising that a review of polling places had been carried out in 2010, ahead of the scheduled review in 2011; (c) summarising the review process; (d) summarising the feedback from the consultation process; and (e) proposing a draft Polling Scheme for adoption by Council.

The Acting Director of Law and Administration Services advised that comments were still being received from members on some of the proposed changes to the Scheme, and accordingly suggested that the Report be withdrawn to establish whether agreement could be reached through further consultation. Should Council agree to this Report being withdrawn, the current Polling Scheme would be used for the Scottish Parliamentary elections in 2011 (with any minor polling station amendments brought to Council in March 2011 in advance of the elections in May 2011) and a revised Scheme would be presented to Council for approval in advance of the Local Government Elections in 2012.

**AGREED** to take no action with regard to the Report.

**FC67. FINANCIAL POSITION 2010/11**

In terms of the Council's Scheme of Delegation, this item had been called into Council by Depute Provost Black and Councillors C Martin and Nimmo.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 19 October 2010, and (b) Report by the Director of Finance Services submitted to the said meeting presenting the financial position of the Council for the period 1 April 2010 to 31 August 2010.

Councillor C Martin advised that, given the passage of time since the call-in was submitted, it would not be insisted upon.

Accordingly, **NOTED:-**

- (1) the latest projection of revenue account spending for 2010/11;
- (2) with disappointment, the failure of Social Work Services to properly and timeously advise recipients of Social Care Services of the additional charges being proposed for Social Work Services, and
- (3) that the duplication of correspondence issued to recipients did not represent Best Value.

**AGREED** that Directors be instructed to continue to make every effort to keep spending within the approved budget.

Councillors Gow and Thomson entered the meeting during consideration of the foregoing item of business.

**FC68. REVIEW OF TAXI FARE SCALES AND OTHER CHARGES**

In terms of the Council's Scheme of Delegation, this item had been called into Council by Depute Provost Black and Councillors C Martin and Nimmo.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 16 November 2010, and (b) Report by the Acting Director of Law and Administration Services submitted to the said meeting intimating that, following a proposal from the Taxi trade, via the Taxi forum, that the running mile charge be increased by 3%, said proposal had been agreed unanimously by the Environment and Community Safety Committee and thereafter advertised in the local press in response to which no objections had been received. As a consequence the proposal had been submitted to the Policy and Resources Committee for approval.

Councillor Alexander, seconded by Councillor Hughes, moved that "Council agrees:-

- (1) to endorse the decision of the Environment and Community Safety Committee on 17 August 2010 to agree to the proposed new fares scales detailed in the report attached as an appendix to the item, and accordingly to fix the fares for the hire of taxis in the Authority's area and all other charges allowed by Section 17(1) of the Civic Government (Scotland) Act 1982 in terms of the Schedule attached to the Report setting out these fares and charges;
- (2) to instruct the Acting Director of Law & Administration Services to give notice in terms of Section 17(4) of the Act to those persons and organisations consulted in terms of section 17(3)(a) and to inform them of the general effect of section 18(1)(appeals in respect of taxi fares), and
- (3) that, in future, all changes to the charges proposed for the taxi trade must be approved by the Environment and Community Safety Committee first to ensure proper scrutiny of their implications. This would include any proposed budget increases on such as the hackney test fee which was doubled at the budget meeting in February at the same time as taxi card entitlement was being cut in half, both measures implemented without proper scrutiny."

By way of an Amendment, Councillor C Martin, seconded by Councillor C MacDonald moved that "Council agrees to:-

- (1) to endorse the decision of the Environment and Community Safety Committee on 17 August 2010 to agree to the proposed new fares scales detailed in the report attached as an appendix to the item, and accordingly to fix the fares for the hire of taxis in the Authority's area and all other charges allowed by Section 17(1) of the Civic Government (Scotland) Act 1982 in terms of the Schedule attached to the Report setting out these fares and charges, and
- (2) to instruct the Acting Director of Law & Administration Services to give notice in terms of Section 17(4) of the Act to those persons and organisations consulted in terms of section 17(3)(a) and to inform them of the general effect of section 18(1)(appeals in respect of taxi fares).

On a division, 10 Members voted for the Motion and 15 voted for the Amendment.

Accordingly **AGREED** the terms of the amendment.

## **FC69. NATIONAL PAY AWARD FOR SJC AND SJNC EMPLOYEES**

There was submitted Report (circulated) dated October 2010 by the Director of Corporate and Neighbourhood Services (a) summarising the current position with regard to the national pay negotiations for Scottish Joint Council (SJC) employees and Scottish Joint Negotiating Committee (SJNC); (b) detailing the Employers' side final three year offer to the Trade Unions effective from April 2010, and (c) advising that, following a failure to agree the final offer, Employers' Circulars for both SJC and SJNC employees had been issued requesting implementation of a revised, three year pay award of:-

- April 2010 – 0.65%
- April 2011 – Nil
- April 2012 – Nil

Councillor C Martin, seconded by Councillor C McDonald, moved that “Council agrees to implement the proposed national pay award for SJC and SJNC employees, as detailed in paragraph 2.4 of the Report.”

By way of an amendment, Councillor Alexander, seconded by Councillor Coleman, moved that Council “agrees to implement the final pay award, offered to the Trade Unions in April 2010 as detailed in paragraph 2.2 of the Report.”

On a division, 15 Members voted for the Motion and 10 voted for the Amendment.

Accordingly, **AGREED** to implement the proposed national pay award, for SJC and SJNC employees, for 2010/11 to 2012/13, as follows:-

- April 2010 – 0.65%
- April 2011 – 0%
- April 2012 – 0%

Councillor Kenna joined the meeting during consideration of the foregoing item of business.

## **FC70. SEVERANCE POLICY**

There was submitted joint Report (circulated) dated 23 November 2010 by the Directors of Corporate and Neighbourhood Services and of Finance Services (a) advising that the Council’s Voluntary Severance Policy had been reviewed in light of changes to pension scheme regulations and to reflect the changing requirements of the Council in the current economic climate; (b) highlighting that the policy now includes guidance on managing severance, voluntary redundancy and compulsory redundancy situations, and (c) presenting a draft Severance Policy, for approval and for immediate implementation.

Councillor C Martin, seconded by Councillor C MacDonald, moved that Council approves the proposed draft Severance Policy for immediate implementation.

By way of an Amendment, Councillor Alexander, seconded by Councillor Coleman, moved that Council “agrees to continue consideration of the Report to allow for further consultation with the Trades Unions and political groups within Falkirk Council and that officials bring forward a policy which matches modern needs within Scottish Local Government.”

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 26 members present, with voting as undernoted:-

For the Motion (15) – Provost Reid; Depute Provost Black; Councillors Buchanan, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNeill, Nicol, Patrick and Waddell.

For the Amendment (11) – Councillors Alexander, Coleman, Constable, Hughes, Jackson, Kenna, Meiklejohn, Oliver, Ritchie, Spears and Thomson.

Accordingly, **AGREED** to approve the proposed Severance Policy, as appended to the Report, for immediate implementation.