

AGENDA ITEM 1 (a)
DRAFT

MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 5 OCTOBER 2011 at 9.30 AM.

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

CONVENER: Provost Reid.

APOLOGIES: Councillors Fry, Goldie and Spears.

ATTENDING: Chief Executive; Directors of Development Services, and of Education Services; Chief Governance Officer; Chief Finance Officer; Acting Director of Social Work Services; Heads of Economic & Environmental Services, of Human Resources and Customer First, of Policy, Technology and Information and of Planning and Transportation; Development Plan Co-ordinator (A Shaw and C Hemfrey); Manager (Strategic Projects) (P Reid); Planning and Environment Manager (A Rodger) Principal Surveyor (C Frame); Transport Planning Co-ordinator (K Collins); Senior Forward Planning Officer (R Teed); Legal Services Managers (I Henderson and C Moodie) and Democratic Services Manager.

ALSO

ATTENDING: Chief Executive, Falkirk Community Trust.

DECLARATIONS OF INTEREST:

Councillor Meiklejohn declared a non-financial interest in item FC52 as an executive member of Social Care and Social Work Improvement Scotland and consequently stated that she would take no part in the discussion or decision making on this item.

Councillor Nicol declared a financial interest in item FC46(b) as his spouse was the owner of a business in Grangemouth, one of the town centres referred to in the Report, and consequently stated that he would take no part in the discussion and decision making on this item.

Councillors Mahoney and Nicol and Provost Reid declared a non-financial interest in items FC48, 49 and 51 as Directors of Falkirk Community Trust, but did not require to recuse themselves from consideration of the items, standing the terms of paragraph 5.18 (2)(i)(d) of the Code of Conduct.

FC42. 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.

FC43. MINUTES AND INFORMATION BULLETIN

- (a) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 22 June 2011, subject to the amendment of paragraph FC35 to read as follows:-

NOTED the following shadow spokesperson appointments:-

Economic Strategy and Development – Councillor Oliver
Education – Councillor Coleman

- (b) There was submitted (circulated) and **NOTED** Volume of Minutes – Volume 3 2011/2012; and
- (c) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 3 2011/2012.

FC44. QUESTION

Question by Councillor David Alexander

“I would be grateful if the following question could be answered as part of the consideration on the minutes of volume of Council minutes page 202, item PR32, Financial Position 2011/12.

I note that 22.57 service 17 from Falkirk to Slamannan was withdrawn from the 6 May 2011 as part of the service cuts of £85,000 for the financial year 2011/2012 introduced by the current administration.

Members will recall that this was the service introduced, against the advice of officers and against Falkirk Council’s Policy for public transport following a Notice of Motion which effectively led to a per passenger subsidy of £26.87 per journey for this service.

I would be grateful if members could be furnished with a list of the other services that were cut as part of this process and also to specifically ask, why this service withdrawal did not form part of a specific report to Committee/Council given the fact that it was re-instated originally by Council on a very clear Notice of Motion”.

Response by Provost Reid

The following are the list of bus services withdrawn as part of the £85,000 budget savings:

<u>Contract</u>	<u>Operator</u>	<u>Service Number</u>	<u>Route</u>	<u>Details, Implications and Alternatives</u>
F2006/LB/05	First	5	Langlees - Falkirk - Hallglen	Early morning buses Service 5 would be withdrawn. First bus from Langlees would be 0706 (Mon-Fri), 0836 (Sat), 1106 (Sun). First bus from Hallglen would be 0702 (Mon-Fri), 0820 (Sat), 1032 (Sun).
TEMP2008/1	First	1/2	Whitecross - Maddiston - Falkirk - Bonnybridge - Denny	Evening buses on Service 1/2 (Mon-Fri and Sun) after approx 2100hrs would be withdrawn. Some alternative journeys (not via Falkirk) are available on Services H3/H4.
F2006/LB/08	First	27	Falkirk - Larbert - Banknock	2145 Falkirk - Banknock (Mon-Fri), 2245 Falkirk - Banknock (Mon-Sat) would be withdrawn. No alternative service available.
TEMP2008/5	First	17	Falkirk - Slamannan - Limerigg	0625 Falkirk - Limerigg/0655 Limerigg - Falkirk would be withdrawn. No alternative service available.
F2006/LB/07	First	38	Stirling - Plean - Larbert - Falkirk	0605, 0658 Stirling - Falkirk withdrawn. No alternative service.
F2006/LB/01	First	37	Falkirk - Bonnybridge - Allandale	0529 Falkirk - Allandale/0553 Allandale - Falkirk would be withdrawn. No alternative service available.
F2008/LB/04	First	17	Falkirk - Slamannan - Limerigg	2257 Falkirk - Limerigg (Mon-Fri) would be withdrawn. No alternative service available.
TEMPWHEEL	First	3	Falkirk Wheel Extension	Extension of Service 3 from Tamfourhill to Falkirk Wheel would be withdrawn. Passengers for wheel could use either Service 3 and walk from Tamfourhill or use Service 1/2 and walk from Wheelhouse car park.

(First continued to operate TEMPWHEEL commercially from 9 May 2011)

Bus service cuts were specifically mentioned in the Revenue Budget 2011/12 papers for the Falkirk Council meeting on 9 February 2011, pages 7 and 39.

FC45. REFERRAL FROM POLICY AND RESOURCES COMMITTEE - 6
SEPTEMBER 2011
PORTFOLIO MANAGEMENT PLAN UPDATE: DISPOSAL PROCESS

There was submitted (circulated) (a) Report by the Director of Development Services; and (b) Report by the Director of Development Services submitted to the meeting of the Policy and Resources Committee on 6 September 2011. The former Report (a) set out the Council's current property disposal process; (b) outlined an alternative disposal process, and (c) highlighted the implications of adopting the alternative process.

Councillor C Martin, seconded by Councillor Mahoney, moved that Council:-

“Recognises that the existing policy is considered to be the optimal disposal strategy to deliver the PMP's goals and meet best consideration requirements.

Notes that disposals where offers have already been received should be considered under the existing disposal process and that the 2010 Regulations should be taken into account where appropriate.”

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

“Council agrees to adopt the alternative disposal process as detailed in para 3.3 of the Report for future marketing activity and that a list of properties considered appropriate for prospective sales to sitting tenants be brought to the Policy & Resource Committee for approval”.

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 28 Members present with voting as undernoted:-

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

For the Amendment (12) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, McNally, Meiklejohn, Oliver, Ritchie, Thomson and Turner.

Accordingly, **AGREED** the terms of the Motion.

FC46. REFERRAL FROM ECONOMIC STRATEGY AND DEVELOPMENT COMMITTEE – 20 SEPTEMBER 2011

(a) FALKIRK LOCAL DEVELOPMENT PLAN – MAIN ISSUES REPORT

There was submitted (circulated) (a) Report by the Director of Development Services; and (b) Report by the Director of Development Services submitted to the meeting of the Economic Strategy and Development Committee on 20 September 2011 (i) advising that the Council was preparing a Local Development Plan (LDP) for its area which will replace the existing Falkirk Council Structure Plan and Local Plan; (ii) presenting the Local Development Plan - Main Issues Report; and (iii) setting out the proposed consultation process, leading to a targeted adoption date of 2014.

Councillor Mahoney, seconded by Councillor Lemetti, moved that Council:-

“Approves the draft Falkirk Local Development Plan – Main Issues Report for consultation purposes subject to it being amended to include and reflect the following site specific changes and any consequential modifications that may thereby require to be made:-

(a) Lochlands, Larbert

To include a site at Lochlands, Larbert (Ref:FAL/B/05 as shown on the map in Appendix A(i)) as a preferred site for economic development in the Main Issues Report, forming an extension to Lochlands Industrial Estate.

Detailed Changes to Main Issues Report

Main Issue 7: Employment Land

Preferred Option (paragraph 4.13 in the Main Issues Report)

- Amend paragraph to include an extension to Lochlands Industrial Estate within the preferred option.

Main Issues Report Appendix 1

Falkirk Site Schedule and Map

- Change the status of site FAL/B/05 (Lochlands Industrial Estate 1) from ‘non-preferred site’ to ‘preferred site’ within the economic development section.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the addition of site FAL/B/05 as a preferred site.

Technical Reports

Make consequential changes to Site Assessment to reflect the addition of site FAL/B/05 as a preferred site.

(b) Main Street, Polmont

To remove a site at Main Street, Polmont (Ref:POL/A/02 as shown on the map in Appendix A(ii)) as a committed site to be carried forward for housing, and to identify it instead for de-allocation in the Main Issues Report.

Detailed Changes to Main Issues Report

Main Issues Report Appendix 1

Polmont Area Site Schedule and Map

- Change the status of site POL/A/02 Main Street, Polmont from ‘committed site carried forward’ to ‘committed site proposed for de-allocation’.

Consequential Changes

Amend housing figures in Figure 3.4 (paragraph 3.22) and Figure 6.1 (paragraph 6.5) to reflect the removal of site POL/A/02.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the removal of site POL/A/02.

(c) Hillcrest, Shieldhill

To include a site at Hillcrest, Shieldhill (Ref:SHIE/B/02 as shown on the map in Appendix A(iii)) as a preferred site for housing in the Main Issues Report, forming a modest settlement expansion to the east of the village of Shieldhill.

Detailed Changes to Main Issues Report

Main Issue 2: Sustainable Housing Locations

Rural South – Preferred Option (paragraph 3.67 in the Main Issues Report)

- Amend paragraph to include modest settlement expansion to the east of Shieldhill as part of the preferred option.
Rural South – Alternatives (paragraph 3.70 in the Main Issues Report)
- Amend second alternative to exclude modest settlement expansion to the east of Shieldhill.

Main Issues Report Appendix 1

Rural South Site Schedule and Map

- Change the status of site SHIE/B/02 Hillcrest Farm, Shieldhill from ‘non-preferred site’ to ‘preferred site’, with a housing capacity of 30 units.

Consequential Changes

Amend housing figures in Figure 3.4 (paragraph 3.22) and Figure 6.1 (paragraph 6.5) to reflect the addition of site SHIE/B/02.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the addition of site SHIE/B/02 as a preferred site.

Technical Reports

Make consequential changes to Site Assessment to reflect the addition of site SHIE/B/02 as a preferred site.”

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

“approves the Draft Local Plan for consultation with the exception of the recent inclusion of the Hillcrest site as it is for the developer/owner to argue his/her case for inclusion not members from neighbouring wards”.

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

Accordingly, **AGREED** the terms of the Motion.

In accordance with his declaration of interest in the following item of business, Councillor Nicol withdrew from the meeting and took no part in the discussion or decision.

(b) TOWN CENTRE REGENERATION STRATEGY: UPDATE REPORT

There was submitted (circulated) (a) Report by the Director of Development Services; and (b) Report by the Director of Development Services submitted to the meeting of the Economic Strategy and Development Committee on 20 September 2011 advising of the progress being made in the delivery of projects in each district centre during a period of significant changes in market conditions and in the legislative framework for regeneration schemes, and recommending the next steps proposed for each centre.

Councillor C Martin, seconded by Councillor Mahoney, moved that Council:-

- (1) notes the progress on the delivery of the Town Centre Regeneration Strategy including the successful completion of Stenhousemuir town centre regeneration and progress in delivery of the Bo'ness THI;
- (2) notes the action taken to market the opportunity for regeneration at Grangemouth town centre, contributing its assets to assist in delivery of this scheme;
- (3) formally terminates the Development Agreement with ING at Bo'ness;
- (4) receives a further report on the marketing of the Bo'ness Harbour and Foreshore regeneration scheme
- (5) formally terminates the Development Agreement with Henry Boot and progresses the regeneration project in Denny through a Council led phased scheme as set out in Section 6 of the Report
- (6) instructs officers to progress with a Stage 1 application to the Heritage Lottery Fund – Townscape Heritage Initiative by 30 November for Falkirk town centre; and
- (7) receives a further report on proposals for the regeneration of Falkirk town centre.

By way of an Amendment, Councillor Oliver moved the terms of the Motion, subject to the following adjustments:-

- (1) “At recommendation (5) substitute with, “Council notes the position of Henry Boot where the long stop date in the development agreement has expired and consults the community on the Henry Boot proposal as set out in their letter of 7 September 2011” and

- (2) add at 8, “all regeneration projects will have local development groups set up to inform the community of developments in their area.”

Council then adjourned for 15 minutes to allow members to consider the terms of the motion and amendment and reconvened with all Members present as per the sederunt, with the exception of Councillor Nicol, who remained outwith the meeting.

At this point, Councillor McNally advised that, having listened to the debate prior to the adjournment and having reflected on the matter before Council, he had concluded that he should take no further part in consideration of the item given his interest in a business situated within Denny town centre. He accordingly withdrew from the meeting and took no part in the decision making.

Councillor Alexander then seconded the Amendment.

There followed discussion on the motion and amendment before a division in which 11 Members voted for the Amendment and 15 Members voted for the Motion.

Accordingly, **AGREED** the terms of the Motion.

Council then adjourned for lunch at 1.20 pm and reconvened at 2.00 pm with all Members present as per the sederunt.

FC47. PROGRAMME OF MEETINGS: JANUARY – APRIL 2012

There was submitted Report (circulated) dated 27 September 2011 by the Chief Governance Officer presenting a timetable of meetings for the period January to April 2012

Additionally Provost Reid proposed that a meeting of the Audit Committee be included in the timetable.

Accordingly, **AGREED**:-

- (1) the proposed timetable of meetings for the period January to April 2012 as set out in Appendix 1 of the Report, and
- (2) to hold a meeting of the Audit Committee in March 2012, and to authorise the Chief Governance Officer, in consultation with the Convener, to make the necessary arrangements.

NOTED that:-

- (1) in addition to the programme of meetings there may be a requirement to call other meetings, for example of the Appeals Committee, in the period up to 2 May 2012, and
- (2) there may be amendments to the programme in the event that changes are made to the committee structure.

FC48. APPOINTMENT TO COMMITTEES

There was submitted Report (circulated) dated 14 September 2011 by the Chief Governance Officer inviting Council to appoint a Depute Convener of the Leisure, Tourism and Community Committee.

AGREED to appoint Councillor Nimmo as Depute Convener of the Leisure Tourism and Community Committee.

FC49. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 20 September 2011 by the Chief Governance Officer 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 Chief Governance Officer of the deeds as detailed in the Appendix to the Report.

FC50. SPENDING REVIEW 2011

There was submitted Report (circulated) dated 23 September 2011 by the Chief Finance Officer (a) advising that the Scottish Government had published its 2011 Spending Review setting out its spending plans for the 3 years from 2012/13 to 2014/15; (b) summarising the key elements the Review and (c) highlighting the impact of the Review on local government.

NOTED:-

- (1) the Scottish Spending Review 2011 and Draft Budget 2012/13, and
- (2) that a further report will be produced after receipt of more detailed information in December.

FC51. CULTURE, LEISURE AND PARKS CAPITAL PROGRAMME 2011/12

With reference to the Minute of the Meeting held on 9 February 2011 (Paragraph FC73 refers), there was submitted Report (circulated) dated 22 September 2011 by the Chief Finance Officer to which was attached a report from the Chief Executive of Falkirk Community Trust recommending proposals for capital spend on culture, leisure and parks assets in the financial year 2011/12.

AGREED the capital spend proposals recommended by Falkirk Community Trust.

Councillor A MacDonald entered the meeting during consideration of the foregoing item of business.

In accordance with her declaration of interest in the following item of business, Councillor Meiklejohn withdrew from the meeting and took no part in the discussion or decision.

FC52. JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN AND YOUNG PEOPLE IN FALKIRK COUNCIL AREA

There was submitted Report (circulated) dated 22 September 2011 by the Acting Director of Social Work Services (a) advising on an inspection of services to protect children and young people in the Falkirk Council area by Social Care and Social Work Improvement Scotland; (b) summarising the key findings of the inspection with respect to Falkirk Council and (c) summarising areas for improvement.

NOTED the positive findings of the Joint Inspection Report by Social Care and Social Work Improvement Scotland on its inspection of services to protect children and young people in the Falkirk Council area and the efforts made by all agencies to provide high quality child protection services;

AGREED to:-

- (1) request the Child Protection Committee, in conjunction with the Children's Commission to develop an improvement plan which addresses the appropriate areas identified by the inspection; and
- (2) request the Chair of the Child Protection Committee to provide further updates to Members on the continuous improvement activity undertaken by the Child Protection Committee.

Councillor Meiklejohn rejoined the meeting following consideration of the foregoing item of business.

FC53. STRATEGIC COMMUNITY PLAN AND COMMUNITY PLAN – SINGLE OUTCOME AGREEMENT ANNUAL MONITORING STATEMENT

With reference to the Minute of Meeting held on 8 December 2010 (Paragraph FC53 refers), there was submitted Report (circulated) dated 18 September 2011 by the Chief Executive (a) providing an update on Strategic Community Plan outcomes for the Falkirk Council area, and (b) presenting the Single Outcome Agreement Monitoring Statement for both the Strategic Community Plan and the Council's Corporate Plan.

AGREED to approve the Falkirk Community Planning Partnership Single Outcome Agreement Monitoring Statement as at September 2011, as detailed in Appendix 1 of the Report.

FC54. THE COMMISSION ON THE FUTURE DELIVERY OF PUBLIC SERVICES IN SCOTLAND FINAL REPORT AND CONSULTATION ON THE REFORM OF POLICE AND FIRE RESCUE SERVICES IN SCOTLAND

There was submitted Report (circulated) dated 21 September 2011 by the Chief Executive (a) advising that the Commission on the Future Delivery of Public Services in Scotland (the Christie Commission) had published its final report in June 2011; (b) summarising the key findings and recommendations arising from the report; (c) advising that the Scottish Government had published its proposals with regard to the proposed Reform of the Police and Fire and Rescue Services; (d) summarising the Government's key proposals and areas for consultation, with regard to Police and Fire and (e) advising that the due date for responses to the consultation was 2 November 2011.

NOTED:-

- (1) the Scottish Government's response to 'The Commission on the Future Delivery of Public Services in Scotland as set out in Appendix 1;
- (2) the Scottish Government's consultation on the Reform of Police and Fire & Rescue Services in Scotland and the key issues for consultation as outlined at paragraph 4.2 of the Report and contained within Appendix 2 of the Report; and
- (3) that further Reports will be brought to Members as more detail emerges.

AGREED that members would consider the content of the consultation on the Reform of Police and Fire & Rescue Services in Scotland and provide comments to the Chief Executive no later than 26 October to enable collation of a corporate response which then be circulated to Group Leaders prior to submission to the Scottish Government.

FC55. REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2011

With reference to the Minute of Meeting held on 17 December 2010 (Paragraph FC66 refers), there was submitted Report (circulated) dated 14 September 2011 by the Chief Executive (a) advising of the Council's requirement to establish and review its polling districts, and (b) summarising the outcomes of a review of the Council's polling districts and polling places.

NOTED the terms of the Report and the comments received in response to the public consultation process.

AGREED to approve the revised Polling Scheme set out in part 4 of the Report subject to the changes detailed below and such other consequential changes to the scheme as may be required as a direct result of this decision:

Ward 1 – Bo'ness and Blackness:

- Continue to use the Salvation Army Hall and do not amalgamate with the neighbouring polling district.

Ward 4 – Carse, Kinnaird and Tryst:

- Continue to use Carron Primary School and not to transfer to Stenhousemuir Sports Centre.

Ward 5 – Bonnybridge and Larbert:

- Retain the existing polling district at Torwood and locate a temporary structure there to serve as a polling place.
- Not to amalgamate the High Bonnybridge polling district with South Bonnybridge and to continue use of Antonine Primary School.

Ward 6 – Falkirk North:

None of the proposed changes were agreed and the status quo will accordingly prevail.

Ward 7 – Falkirk South:

None of the proposed changes were agreed and the status quo will accordingly prevail subject to consideration being given to use of a mobile unit as a polling place in Glen Village.

Ward 8 – Lower Braes:

Retain the two polling districts in Laurieston. The Chief Executive was requested to investigate use of Westquarter Community Project as an alternative polling place to Westquarter Primary School. In the event that it is considered to be feasible, the Chief Executive was authorised to amend the Scheme accordingly, which failing the polling place would remain at Westquarter Primary School.

Ward 9 – Upper Braes:

The Old Folks' Hall to be retained for current polling district electorate.

Council then adjourned for ten minutes and reconvened with all members present as per the sederunt, with the exception of Councillor A MacDonald.

FC56. APPOINTMENT TO EXTERNAL ORGANISATIONS

There was submitted Report (circulated) dated 14 September 2011 by the Chief Governance Officer advising (a) that Councillor Mahoney had intimated his resignation from the Helix Trust; (b) that 2 vacancies remained on the Board of the Falkirk Community Trust, and (c) inviting Council to appoint members to the vacancies.

Additionally the Chief Governance Officer confirmed that Councillor McNeill had intimated his resignation as a substitute member of the Board of the Helix Trust and invited Council to consider appointing a successor as part of this item.

Falkirk Community Trust Board

NOTED that the SNP Group did not intend to appoint to the 2 vacancies on the Board of Falkirk Community Trust and **AGREED** to appoint Councillors Gow and Waddell to the Board of the Trust.

Helix Trust Board

Board Member

Councillor C Martin, seconded by Councillor McLuckie, nominated Councillor Gow.

Councillor Coleman, seconded by Councillor Kenna, nominated Councillor Alexander.

On a division 14 Members voted for Councillor Gow and 12 voted for Councillor Alexander, with 2 abstentions.

Accordingly, **AGREED** to appoint Councillor Gow to the Board of the Helix Trust.

Substitute Board Member

AGREED to appoint Councillor Nimmo as substitute member of the Board of the Helix Trust.

FC57. NOTICE OF MOTIONS

(a) Bonnybridge Railway Station

Councillor Buchanan, seconded by Councillor CR Martin, moved that:-

“The Former minister for transport Stewart Stevenson responded to my letter of September 2010 by stating quite clearly that and I quote:

“A new rail station at Bonnybridge was considered as part of the appraisal process within STPR but it was concluded there was no strategic case for an additional station. The proposed station location places it one of the most strategically significant sections of the Scottish rail network. Passenger services from Glasgow and South West to destinations in Northern and Eastern Scotland utilise this section of track, thus a new station at Bonnybridge would limit the potential to accommodate wider service patterns while also restricting other STPR improvements.

In light of these issues a new rail station at Bonnybridge is not supported.

This was after both former MSP Denis Canavan from 2005 until he retired and Margaret Mitchell MSP in 2009, had raised the issue with questions in the Scottish Parliament. They both were informed on each occasion that there was no support for a railway station for a number of reasons. On the 14th November 2010 I wrote to the new transport Minister Keith Brown, asking him to re-open the issue, and take a fresh look at the proposal for a Bonnybridge Rail Station. He responded by stating that his predecessor had been in contact to explain the government position, and that it has not changed in all this time and, there was no support. Despite this government response and the clear message coming out Michael Matheson MSP, had for some considerable time, been sending out letters and leaflets to my constituents, trying to blame the administration of Falkirk Council for in his words blocking attempts, to establish a new station, and attacking Councillor Gow and myself for not supporting proposals put forward to the Council to fund a stag report. This was a concerted effort by Mr Matheson and the SNP to discredit. This kind of reprehensible behaviour was disgraceful as Mr Matheson was well aware that for years his colleagues had given no support for the station.

Knowing this he still raised expectations in our community therefore, I propose the following motion, that this Council contacts Michael Matheson MSP and ask, that he, be whatever means, select committee, motion to parliament, moves for support for his colleagues for the opening of a rail station at Bonnybridge and that he publically apologises to the administration of this Council, and to Councillor Gow and myself. But more importantly apologises to the community of Bonnybridge for his disgraceful conduct in misleading them”.

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

“Council notes the previous SNP/Independent Administration from 2001 – 2007 were able to demonstrate the feasibility of a railway station at Bonnybridge.

Council notes that Michael Matheson MSP has not been able to demonstrate the sustainability of a station at Bonnybridge.

In contrast Cllr Buchanan and his current colleagues have failed to invest a single penny in the process despite being advised by the Transport Minister that a station for Bonnybridge was “a case unmade” by Falkirk Council.

Council therefore calls on Cllr Buchanan to work with the SNP, Bonnybridge Community Council, the Foxdale Residents Association and other local groups making a genuine contribution to the debate on the delivery of a railway station rather than his continuous grandstanding”.

In accordance with Standing Order 31.1, Provost Reid moved, Councillor CR Martin seconded, and Council **AGREED** unanimously, to extend the time of the meeting to 6.30 pm, or later if necessary, to allow the current, and subsequent, items to be dealt with.

Following discussion on the terms of the Motion and Amendment, and in accordance with Standing Order 25.2 (ii), Councillor Gow, seconded by Councillor Coleman, moved that the “question now be put”.

On a division, 24 members voted for the Motion and 4 voted against.

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

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

Accordingly, **AGREED** the terms of the Motion.

(b) Black Mould Growth

Councillor Buchanan, seconded by Councillor CR Martin, moved that:-

“The black mould growth on property in the Bonnybridge area is spreading throughout the village generating concerns obviously it’s a sensitive issue for people relating to their properties especially in this economic climate. There is also concern and I share this that more work should be done regarding the health issue. As yet no health issues have been identified. Falkirk Council had been very pro-active since I brought this to full Council some 6 years ago. The aesthetic effect on properties is highly visible, both on private and council housing stock and this is a major issue. There have been a number of public meetings very well attended over the years with presentations done by the local Fungus Action Group. To try and move the issue forward Councillor C MacDonald to the Environment and Community Safety Committee contacted the former public health minister, asking for her to commission a Scottish wide investigation on the effects of black mould. She responded by stating that there

would be questionable public health benefit in conducting the type of comprehensive national study suggested relative to the likely cost of such an exercise. Obviously cost is paramount from this statement.

Local MSP Michael Matheson came to at least one public meeting where he stated he has been in discussion with Diageo. But to date I am unaware of what Mr Matheson has actually done to date, therefore in light of the government's negative response, and the fact that this problem is exacerbating causing major concern, I would move the following motion.

That this council contact Michael Matheson the new public health minister who is also the local MSP asking him to:-

- 1) Update this council on to what he has done to date.
- 2) Because he is very aware of the problem, that he initiates a National Investigation into the effects of Black Mould to our communities ASAP in support of his constituent's and the wider communities."

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

"Council notes that as per the letter dated 20 June 2011 from Falkirk Council's Environmental Health section to Michael Matheson MSP indicating that action should be taken by the Council but hasn't.

Council therefore calls on Councillor Buchanan together with his Administration colleagues to instruct officers to take action under existing Environmental Protection legislation using an Abatement Notice for a Statutory Nuisance to halt the problem of black mould and report back to the next full council meeting on the enforcement action taken".

Following discussion, Councillor Buchanan, with the agreement of the Provost, and Councillor CR Martin, as his seconder, withdrew the Motion and the item accordingly fell.

Councillor CR Martin withdrew from the meeting following consideration of the foregoing item of business.

FC58. 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 items of business on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraphs 9, 11 & 12 of Part 1 of Schedule 7A of the said Act.

FC59. EMPLOYEE RELATED SAVINGS

With reference to the Minute of the Meeting held on 9 February 2011 (Paragraph FC72 refers), there was submitted Report (circulated) dated 19 September 2011 by the Chief Executive (a) summarising progress made to date in achieving savings up to £2.1m from

employee related expenditure; (b) detailing a package of options for members' consideration, and (c) outlining the process for implementing revised conditions.

Councillor C Martin, seconded by Councillor Waddell moved that Council agrees:-

“(1) to delegate authority to the Chief Executive to draft an offer for presentation to the Trade Union for ballot and/or agreement, covering the following areas:

- Implement the HMRC rates for car allowances from 1 January 2012.
- Reduce annual leave by 2 days per year for 2 years for all employees (except teaching staff), effective from 1 January 2012, with an appropriate sunset clause to meet the request from the trade Unions but to protect the Council in the event that the Council's financial position prohibits a reversal of this change. Alternatively, allow Trade Unions to propose the use of short term working to achieve equivalent savings.
- From 1 December 2011, implement a living wage of £7.20 for all employees.
- Implement a no redundancy agreement until 1 August 2012.

(2) that, with regard to the proposed changes to the working week, as a first step, equality be closely monitored by officers to assess whether there are any changes in the equality issue as a result of other workforce changes, and that officers report back within 12 months with an update on the statistics and risks relating to the working week.

(3) notes the progress made with regards to KLM and Service structure reviews and agrees to delegate authority to officers to implement the required actions, as appropriate and in recognition of any offer made to Trade Unions.

(4) to delegate authority to the Appointments Committee to make appointments to the posts of Deputy Chief Finance Officer, including agreement of the relevant job descriptions and employment package”.

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

“Council notes the terms of the report and has concerns on the lack of member involvement in the negotiations.

Council therefore agrees to establish an all party working group made up of the leader and depute of the Labour and SNP groups and a representative of the Independent/Conservative Alliance.

A further report to be brought to the next council meeting”.

On a division , 12 voted for the Amendment and 15 Members voted for the Motion.

Accordingly **AGREED** the terms of the Motion.

**FC60. REFERRAL FROM POLICY AND RESOURCES COMMITTEE – 6
SEPTEMBER 2011
PORTFOLIO MANAGEMENT PLAN: DISPOSAL OF PREMISES AT 1-5
DALDERSE AVENUE, FALKIRK & YARD AT 23 BUTE STREET, FALKIRK**

With reference to the Minute of the Meeting of the Policy and Resources Committee held on 6 September 2011 (Paragraph PR42 refers), there was submitted (circulated) (a) Report by the Director of Development Services; and (b) Report by the Director of Development Services submitted to the meeting of the Policy and Resources Committee on 6 September 2011 seeking approval in light of Council's decision earlier in the meeting with regard to the Portfolio Management Plan (Paragraph FC44 refers), for the disposal of premises at 4 and 5 Dalderse Avenue, Falkirk and a yard at 23 Bute Street, Falkirk.

Council also considered a letter from representatives of owners of a business which held a right of access to the yard at 23 Bute Street.

AGREED to continue the item to the next meeting of the Policy and Resources Committee to allow members to make a site visit and to allow officers to provide further detail on the proposal.