

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 7 MAY 2013 at 9.30 a.m.

COUNCILLORS:

Jim Blackwood
Dennis Goldie
Linda Gow
Adrian Mahoney
Craig Martin (Convener)
Dr Craig R Martin
Malcolm Nicol
Alan Nimmo
Robert Spears

OFFICERS:

Margaret Anderson, Director of Social Work Services
Robin Baird, Waste Strategy Co-ordinator
Bryan Douglas, Licensing Co-ordinator
Nigel Fletcher, Head of Educational Support & Improvement
Rhona Geisler, Director of Development Services
Tracey Gillespie, Human Resources Manager
Rose Mary Glackin, Chief Governance Officer
Colin Moodie, Depute Chief Governance Officer
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate & Neighbourhood Services
Bryan Smail, Chief Finance Officer

EX1. APOLOGY

Councillor Gerry Goldie.

EX2. DECLARATIONS OF INTEREST

No declarations were made.

EX3. MINUTE

Decision

The minute of the meeting of the Policy and Resources Committee held on 12 February 2013 was approved.

EX4. REFERRALS FROM ECONOMIC STRATEGY AND DEVELOPMENT COMMITTEE – 26 FEBRUARY 2013

(a) FALKIRK DEVELOPMENT PLAN SCHEME 2013

The Executive considered the draft Falkirk Development Plan Scheme which had been referred by the Economic Strategy and Development Committee.

The Council's first Development Plan Scheme was introduced in 2009 and has been updated annually. The Scheme sets out the Council's programme for preparing and reviewing its Development Plan and how it intends to consult with the public and agree its Plan.

Decision

The Falkirk Development Plan Scheme was approved.

(b) DRAFT REVISED SUPPLEMENTARY PLANNING GUIDANCE NOTE: AFFORDABLE HOUSING

The Executive considered a draft revised Supplementary Planning Guidance Note: Affordable Housing which had been referred by the Economic Strategy and Development Committee.

The current SPG note on affordable housing had been revised to a) align it with the revised policy SC4 Affordable Housing as set out in the Local Plan and b) reflect changes in Scottish Government advice and reduced financial support since the SPG was published in September 2012.

Decision

The Supplementary Planning Guidance Note: Affordable Housing was approved.

EX5. REFERRAL FROM SPECIAL ENVIRONMENT AND COMMUNITY SAFETY COMMITTEE – 19 MARCH 2013

(a) REVIEW OF THE TAXI/PRIVATE HIRE VEHICLE LICENSING ARRANGEMENTS

The Executive considered the recommendations arising from the review of the taxi/private hire vehicle licensing which had been referred by the Environment and Community Safety Committee.

The Environment and Community Safety Committee had conducted a taxi review in 2012 and had asked that officers consult with the Falkirk Taxi and Private Hire Car Forum on outstanding areas including – taxi numbers, licence conditions, vehicle tyres, driver standards and advertising. Having considered a report on the

outcomes of the consultation exercise, Committee had made recommendations to the Executive.

In response to a suggestion that taxi and private hire cars be required to use swipe card technology in order to prevent a scenario where a passenger is ejected from a car some distance short of their destination if they have insufficient money available on their person, the Convener acknowledged that this was a matter which should be investigated and that a report would be considered in due course.

Decision

The Executive agreed:-

- (1) in regard to taxi numbers that the current approach continues and that no numerical cap is introduced for taxi operator licences;**
- (2) that the Licence conditions detailed in the volume of appendices are approved (subject to allowing operators to continue to display their company name on the sign on top of the taxi) and that the conditions come into effect on renewal of the relevant licence;**
- (3) that the current policy on the age of vehicles is changed to reduce the age at which a vehicle can first enter the fleet from 6 years to 3 years but that this is done progressively by a reduction of 1 year each year starting on 1 April 2014 and that the current policy requiring that each new operator licence is in respect of a wheelchair accessible vehicle be modified to the requirement being for a wheelchair accessible vehicle or for a hybrid or electric vehicle;**
- (4) that a training requirement is introduced in regard to drivers standards for new taxi and private hire drivers only (with the option for the Civic Licensing Committee to attach the condition in other cases where it considers it necessary) and that officers are instructed to bring proposals on the content of the training requirement following discussion with training providers to a future Committee;**
- (5) that advertising is allowed on all taxis (but not private hire vehicles) subject to the restrictions set out in paragraph 6.4 of the report and in accordance with a procedure to be determined by the Chief Governance Officer which would include a fee of £35.00, and**
- (6) that the changes to the licensing conditions (other than the training requirement) and to the policy have effect from 1 June 2013.**

(b) ZERO WASTE STRATEGY 2012-2022

The Executive considered the draft Zero Waste Strategy 2012-2022 which had been referred by the Environment and Community Safety Committee.

The Council had adopted its Waste Strategy – the Forth Valley Area Waste Plan and the Forth Valley Strategy Outcome Case in 2003 and 2006 retrospectively. A successor strategy had been developed to address the legislative and policy change which had taken place since 2006, in particular Scotland's Zero Waste Plan and the Waste (Scotland) Regulations 2012. A draft strategy – The Zero Waste Strategy 2012/2022 was presented. It was intended that the document, which sets out the Council's aspirations to achieve a zero waste society and maximise the economic benefits that this case brings, will sit in a high level document supported by detailed implementation plans developed through the service planning framework.

Decision

The Zero Waste Strategy 2012-2022 was approved.

EX6. FINALISED SUPPLEMENTARY PLANNING GUIDANCE: SPATIAL FRAMEWORK AND GUIDANCE FOR WIND ENERGY DEVELOPMENT

The Executive considered a report by the Director of Development Services presenting finalised supplementary planning guidance in regard to wind energy development.

The Council, as planning authority, was required under Scottish planning policy to develop spatial frameworks for onshore windfarms in its area to provide guidance on where wind energy developments could potentially be located.

Supplementary Planning Guidance (SPG) had been developed to provide such guidance and also set criteria against which planning applications for wind turbine proposals could be assessed and which could be regarded as a material consideration in the determination of such applications.

Draft guidance was issued for consultation in September 2012 and following this, a finalised SPG was presented for approval.

Decision

The finalised Supplementary Planning Guidance: Spatial Framework and Guidance for Wind Energy Development was approved.

EX7. FALKIRK TOWNSCAPE HERITAGE INITIATIVE UPDATE REPORT

The Executive considered a report by the Director of Development Services on the Falkirk Townscape Heritage Initiative round 2 submission.

The Council had previously bid for Heritage Lottery Funding for the Falkirk Townscape Heritage Initiative (THI) round 1. A provisional award of £2m had been confirmed in September 2010, with significant match funding also secured from the Heritage Lottery Fund and Historic Scotland. A round 2 bid identifying in detail the costs of the projects to be delivered by the THI was presented. The deadline for submission was the end of May 2013.

Details were given of the round 2 bid delivery themes together with project delivery costs and funding implications.

Decision

The Executive agreed:-

- (1) to approve the proposed Falkirk Townscape Heritage Initiative Round 2 submission to the Heritage Lottery Fund as set out in the report, and**
- (2) to receive further reports on the outcome of the round 2 bid and any additional implications for the Council.**

EX8. EQUALITY OUTCOMES 2013-2017 AND MAINSTREAMING REPORT

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting a mainstreaming report together with the Equalities Outcomes 2013-17.

The Equality Act 2010 placed a general duty on Councils to be proactive in tackling discrimination. It also set out a number of specific duties including the requirement to report progress on mainstreaming the general equality duty into its functions and to publish equality outcomes and report progress.

The mainstreaming report, setting out the Council's structured and co-ordinated approach to integrating the general duty within its functions was presented together with proposed Equality Outcomes for the period 2013 to 2017.

Decision

The Executive agreed:-

- (1) the Equality Outcomes for the period 2013-2017 and the mainstreaming report and their publication on the Council's website;**
- (2) to receive an update report on Equality Outcomes and progress towards them as required by legislation, and**
- (3) to receive further Mainstreaming reports as required by legislation.**

EX9. VARIATION TO THE CONTRACT FOR THE PROVISION OF A KERBSIDE COLLECTED RECYCLING BOX SERVICE

The Executive considered a report by the Director of Development Services proposing the variation of the contract for the provision of a kerbside collected recycling box service.

A contract had previously been awarded to FCC Environment for the Council's kerbside "black box" collection service for glass, textiles, small waste electrical and electronic equipment and batteries. The contract was awarded in 2010 and since then further duties have been placed on the Council to provide a food waste collection service.

Details were given of a proposal to vary the scope of the contract with FCC Environment to incorporate the new requirements at an additional annual cost of £279,466.

Decision

The variation of the contract held by FCC Environment to incorporate the new statutory requirement to collect food waste with an additional annual value of £279,466 to April 2015 was agreed.

EX10. AWARD OF A FRAMEWORK AGREEMENT FOR THE SUPPLY OF KITCHEN UNITS (C/N: CNS/235/12)

The Executive considered a report by the Director of Development Services proposing the award of a framework agreement for the supply of kitchen units.

A tendering process for a Framework Agreement for the supply of kitchen units for the Council's housing properties had been undertaken.

Four tender returns had been received by the due date of 11 March 2013 and following evaluation it was determined that the tender from Rixonway Kitchens Ltd offered best value.

Decision

The Executive agreed:-

- (1) to accept the tender received from Rixonway Kitchens Ltd, Dewsbury, West Yorkshire for an initial period of 3 years with an estimated value over the 3 years of £1,380,000 for the supply of kitchen units to Falkirk Council; and**
- (2) that any future extensions of the framework agreement be approved in line with the Council's Contract Standing Orders.**

EX11. CONTRACT FOR GAS HEATING REPLACEMENT TO COUNCIL HOUSING PROPERTIES IN THE FALKIRK AREA (VAR-7077C Phase 3)

The Executive considered a report by the Director of Development Services advising of a decision to accept tenders.

The Policy and Resources Committee had on 4 September 2012 agreed a framework contract for gas heating replacement to the Council's housing properties and had also agreed to delegate it to the Director of Development Services to award call-off contracts, provided that they were within the overall budget defined within the framework agreement.

A call-off tender was issued to McTear Contracts Limited of Wishaw, as the first placed contractor on the framework list and the tendered price of £1,087,493.40 was assessed to be in line with the framework agreement and represented best value.

In accordance with the delegated authority the contract was accepted by the Director.

Decision

The decision by the Director of Development Services to accept the tender submitted by McTear Contracts Limited, Unit 12 Canyon Road, Netherton Industrial Estate, Wishaw ML2 0EG in the sum of £1,087,493.40 in respect of gas heating replacement to council housing properties in the Falkirk area, contract No. VAR-7077D – Phase 4 was noted.

EX12. DECISIONS TAKEN UNDER DELEGATED POWERS – ACCEPTANCE OF A TENDER FOR THE PROVISION OF A GARDEN AID SERVICE

The Executive considered a report by the Director of Corporate and Neighbourhood Services advising of a decision taken under delegated authority.

Council had agreed on 19 March 2013 to delegate decision making powers pending final determination of its decision making structures. Any decisions taken during the period were required to be reported.

Details were given of a decision taken by the Director of Corporate and Neighbourhood Services to accept a tender for the provision of a garden aid service.

Decision

The decision of the Director of Corporate and Neighbourhood Services, in consultation with the Convener of the Policy and Resources Committee and the Chief Governance Officer, to accept tenders from Sitex/Orbis, Greenerleaf and MES 2000 with an estimated value of £500,000 for the provision of the Garden Aid Services 2013 was noted.

EX13. EXCEPTION TO REQUIREMENT FOR COMPETITION

The Executive considered a joint report by the Director of Corporate and Neighbourhood Services and the Chief Finance Officer advising that authority had been granted to exempt a contract from the requirement for competition.

The current contract with Northgate Information Systems Ltd for the provision of an integrated payroll and human resources system expired on 31 March 2013. It had been intended that a contract award would have been agreed and in place by 1 April 2013 to allow the service to continue.

Authority had been granted by the Chief Governance Officer, in consultation with the Chief Executive and Chief Finance Officer to exempt the requirement to competition and allow a contract to be agreed. A contract for the period to 31 March 2014, in the sum of £86,865 was then awarded by the Director of Corporate and Neighbourhood Services and the Chief Finance Officer.

Decision

The authority granted by the Chief Governance Officer in consultation with the Chief Executive and Chief Finance Officer to exempt from the requirement to competition to allow Council to contract directly with Northgate Information Systems for a new contract of 1 year to 31 March 2014 for the provision of an Integrated Payroll and Human Resources System at a cost of £86,685.