

**AGENDA ITEM 3  
DRAFT**

**FALKIRK COUNCIL**

**MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 6 AUGUST 2013 at 9.30 a.m.**

**COUNCILLORS:**

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

**OFFICERS:**

Margaret Anderson, Director of Social Work Services  
Rhona Geisler, Director of Development Services  
Rose Mary Glackin, Chief Governance Officer  
Brian Pirie, Democratic Services Manager  
Mary Pitcaithly, Chief Executive  
Marion Reddie, Head of Community Care  
Stuart Ritchie, Director of Corporate & Neighbourhood Services  
Alan Rodger, Planning and Environment Manager  
Bryan Smail, Chief Finance Officer

**EX38. APOLOGY**

Councillor Spears.

**EX39. DECLARATIONS OF INTEREST**

No declarations were made at this point in the meeting.

**EX40. MINUTE**

**Decision**

The minute of the meeting of the Executive held on 18 June 2013 was approved.

## **EX41. COMMUNITY COUNCIL ELECTIONS**

The Executive considered a report by the Chief Executive on the forthcoming community council elections proposing that a policy development panel be established to undertake a review of community councils following the elections.

The Council's Scheme for the Establishment of Community Councils requires quadrennial community council elections. A timetable for the 2013 elections was presented together with the respective compositions of the 23 community councils in the area and a draft Code of Conduct which, it was expected, would be adopted by the community councils post election. Council had requested, in January 2013, a review of the Scheme and the support provided to community councils. It was now proposed that this review be taken forward by a policy development panel.

**The Executive noted the timetable and arrangements for the community council elections 2013 and agreed to:-**

- 1) establish a 3 member policy development panel for the purpose of reviewing the Scheme of Establishment for community councils and associated support;**
- 2) appoint Councillor C Martin (as convener) and Baillie Paterson to the panel, and to seek a nomination from the opposition for the remaining place;**
- 3) endorse the code of conduct for community councillors for adoption by each community council.**

## **EX42. THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) BILL**

The Executive considered a report by the Director of Social Work on the implications of the Public Bodies (Joint Working) (Scotland) Bill and presenting proposed responses to two calls for evidence from Government committees.

The Bill sets out a framework to improve the quality and consistency of health and social care services in Scotland, including the integration of local authority services with health care services - 4 models of integration are proposed based on the body corporate model (where functions are delegated to an integration Joint Board) or the Lead Agency model (where the delegated functions can be led by either the Health Board, the local authority or a joint arrangement between both).

### **Decision**

**The Executive agreed:-**

- 1) to note the contents of the Public Bodies (Joint Working) (Scotland) Bill;**
- 2) to note the financial implications arising from the Bill;**

- 3) the responses to the calls for evidence from the Health & Sports Committee and from the Finance Committee of the Scottish Parliament;
- 4) the decision of the Partnership Board to progress the operational priorities outlined in paragraph 5.2 of the report as the most fruitful areas for the development of more integrated approaches, and
- 5) that the Director of Social Work Services would bring forward a detailed option appraisal by the end of 2013, relating to the 4 potential models of integration.

#### **EX43. FALKIRK TOWN CENTRE CONSERVATION AREA MANAGEMENT PLAN**

The Executive considered a report by the Director of Development Services presenting the Falkirk Conservation Area Management Plan (CAMP).

The introduction of a CAMP is a requirement of the Council's Town Centre Conservation Area Appraisal and a condition of the Heritage Lottery funding for the Council's Townscape Heritage Initiative Scheme. The CAMP sets out detailed guidance to property owners, occupiers and their agents on the local and national planning policies and procedures which should be followed when making alterations to land and premises in the conservation area.

##### **Decision**

**The Executive approved the Falkirk Town Centre Conservation Area Management Plan subject to the amendment of the plan to incorporate provision for approved heritage paint colours thereby minimising the need for planning permission to be obtained, and to authorise the Director of Development Services to make that change to the plan and to make such further consequential amendments as required..**

#### **EX44. HOUSING ESTATE MANAGEMENT POLICY**

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting the Housing Estate Management Policy.

A draft Housing Estate Management Policy had been approved for consultation in February 2012. The draft policy itself had been drawn up following extensive consultation and set out which services would be available to tenants and other residents to ensure that their neighbourhood environments were pleasant and safe places in which to live. The draft policy had been further consulted upon and a revised version was now presented for approval.

##### **Decision**

**The Executive agreed the Housing Estate Management Policy.**

## **EX45. STRATEGIC HOUSING INVESTMENT PLAN & COUNCIL HOUSE NEW BUILD**

The Executive considered a report by the Director of Corporate and Neighbourhood Services on progress towards delivery of the Strategic Housing Investment Plan (SHIP) and proposing a Strategic Local Programme for 2015-18.

The Council is required to submit to the Scottish Government a Strategic Local Programme (SLP) listing those projects prioritised in its SHIP which could form a three year programme and which could be completed within three years. In total £9.194m had been allocated by the Scottish Government for the period 2012-15. The Government had allocated £5.54m to Falkirk Council SLP for the 2015-18 programme. The report summarised progress made on projects in the 2012-2015 SLP and identified projects for the 2015-18 programme, highlighting proposals for future development of Council house new build.

### **Decision**

**The Executive agreed the approach to future development of Council new build as set out in the report and the Strategic Local Programme 2015-18.**

## **EX46. BEREAVEMENT SERVICES POLICIES & SERVICE STANDARDS (INCLUDING CEMETERIES CAPACITY)**

The Executive considered a report by the Director of Corporate and Neighbourhood Services proposing the establishment of a policy development panel to consider the Council's long term approach to the provision of cemetery space and other policies covering the Council's cemeteries and crematoria.

Council had been advised in June 2013 of the remaining capacity of its 9 operational cemeteries and had agreed to the temporary cessation of advanced lair purchases as an immediate measure to manage current capacity and that a policy development panel should be established to consider the provision of cemetery space and other related policies.

### **Decision**

**The Executive agreed to:-**

- 1) establish a 3 member policy development panel to consider the provision of cemetery space and other policies related to cemeteries and crematoria, and
- 2) appoint Councillors Dr C R Martin (convener) and Black to the Panel and to seek a nomination from the Opposition for the remaining place.

## **EX47. SPEND TO SAVE PROPOSALS**

The Executive considered a report by the Chief Finance Officer detailing 3 projects identified by Services for inclusion within the Council's Spend to Save programme together with a proposal by Falkirk Community Trust.

Council had set aside £2m in December 2012 for 'Spend to Save' projects and a further £1.5m in June 2013. To date four schemes had been approved. Details were given of a further 3 schemes identified by Services; Central Park lease buyout; Refreshing the Teaching Profession and Street Lighting; together with a proposal by Falkirk Community Trust to develop a health and fitness suite. Details of the required funding, annual saving together with the anticipated payback period were provided for each project. The report invited the Executive to consider the Refreshing the Teaching Profession, Street Lighting and Trust proposals and confirmed that a further report on the lease buyout proposed would be considered later in the agenda.

A business case had been provided by the Falkirk Community Trust in respect of its proposal and formed an appendix to the report. The Executive agreed that the business case contained exempt information as defined in paragraph 6 of Part 1 of Schedule 7 of the Local Government (Scotland) Act 1973 and resolved that, to the extent that there required to be discussion on the detail contained therein, it would be taken in private, and the document would not be available to the press or public.

Councillor D Goldie left the meeting at this point..

Having regard to the submission by the Trust, Councillors Gow and Nicol each declared a non-financial interest in the item as Directors of the Trust, but did not consider that this required them to recuse themselves from consideration of it, having had regard to the objective test in the Code of Conduct and the relevant specific exclusion contained in the Code.

### **Decision**

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

- 1) continued consideration of the Spend to Save proposal put forward by Falkirk Community Trust to establish a health and fitness suite pending the submission of further detail;
- 2) noted that the proposed Central Boulevard lease proposal would be considered later in the agenda; and
- 3) agreed the inclusion of the Refreshing the Profession and Street Lighting projects as part of the Spend to Save proposals.

## **EX48. GPS NATIONAL FRAMEWORK AGREEMENT FOR THE PROVISION OF LIQUID FUEL: OJEU 127585-2013**

The Executive considered a report on the establishment of a Framework agreement for the provision of Liquid Fuel.

The current national Framework for the supply of liquid fuel will end on 30 September 2013. A new Framework agreement is being developed by the Government Procurement Service (GPS). This will provide the Council with access to suppliers for the bulk delivery of diesel and fuel. The Framework Agreement will provide for call-off contracts which will be established through competition and will be in place by the end of September.

The total estimated cost of the call-off contract for the period 10 October 2013 – 30 September 2015 would be approximately £4,000,000. Approval was sought to delegate authority to the Director of Corporate and Neighbourhood Services to accept the contracts in order to meet the required timescales.

### **Decision**

**The Executive agreed:-**

- 1) to authorise the Director of Corporate and Neighbourhood Services to enter into the Government Procurement Service Framework and award call-off contracts under the agreement for the provision of liquid fuels at a cost of approximately £4,000,000 for the period 1 October 2013 to 30 September 2015; and
- 2) that the outcome of the call-off process will be reported in the next Information Bulletin.

### **EX49. ACCEPTANCE OF TENDERS OVER £350,000 IN VALUE CONTRACT FOR GAS HEATING REPLACEMENT TO COUNCIL HOUSING PROPERTIES IN THE FALKIRK AREA (VAR-7077E PHASE 5)**

The Executive considered a report by the Director of Development Services advising of her decision to accept a tender for gas heating replacement.

The Council had accepted tenders for gas heating replacement to council houses in September 2012 as part of a Framework agreement and had delegated authority to the Director of Corporate and Neighbourhood Services to award call-off contracts as part of the agreement.

A tender exercise had been undertaken in respect of the third call-off agreement within the Framework. One tender, from McTear Contracts Ltd, had been received with a price of £1,111,825.37 and, following evaluation, had been awarded by the Director of Development Services on the basis that the tender demonstrated best value.

### **Decision**

**The decision by the Director of Development Services to accept the tender submitted by McTear Contracts Ltd, Wishaw in the sum of £1,111,825.37 was noted.**

## **EX50. CONTRACT FOR UPGRADING WORKS TO 90 RESIDENTIAL PROPERTIES, VARIOUS LOCATIONS, SLAMANNAN (FAL-7275)**

The Executive considered a report by the Director of Development Services seeking authority to award the contract for upgrading 90 residential properties within Slamannan.

Tenders had been issued for upgrading 90 residential properties in Slamannan. The return date had been 25 July 2013. However the evaluation process had yet to be completed and in order to meet the programmed completion date of 28 March 2014 the Director sought authority to award the contract.

### **Decision**

**The Executive delegated authority to award the contract for upgrading 90 properties within Slamannan to the Director of Development Services, provided it was within budget and requested that the Director report the outcome of the procurement process to the earliest appropriate meeting following the tender evaluation process.**

Councillor Nicol withdrew from the meeting after this item of business.

## **EX51. CONTRACT FOR M9, JUNCTION 6 TO EARLSGATE INTERCHANGE SIGNALISATION (IA0151)**

The Executive considered a report by the Director of Development Services seeking authority to award the contract for the M9 Junction 6 to Earlsgate Interchange Signalisation. Tenders for this contract had been issued on 12 July 2013.

In order to meet the programme completion date of 31 March 2014 the Director sought authority to award the contract.

### **Decision**

**The Executive delegated authority to the Director of Development Services to award the contract for the M9 Junction 6 to Earlsgate Interchange Signalisation, provided it was within budget and requested that the Director reports the outcome of the procurement process to the earliest appropriate meeting following the tender evaluation process.**

## **EX52. EXCLUSION OF PUBLIC**

The Executive agreed, in terms of s50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the said Act.

### **EX53. 8 CENTRAL BOULEVARD, CENTRAL PARK, LARBERT**

The Executive considered a report by the Director of Development Services proposing the early termination of the lease of a property held by the Council at 8 Central Boulevard, Central Park, Larbert, at a cost of £690,000 to be met from the Council's reserves allocated for Spend to Save initiatives.

#### **Decision**

**The Executive agreed to the early termination of the Council's current head lease at 8 Central Boulevard, Central Park, Larbert at a cost of £690,000 on the terms set out in the report.**

Councillor Nicol rejoined the meeting during this item of business.