APPENDIX 1

FALKIRK COUNCIL

QUESTIONS UNDER STANDING ORDER 32

Standing Order 32 enables Councillors to put questions to the Leader of the Council or the relevant portfolio holder on matters transacted at a meeting of the Executive or the Education Executive during the preceding cycle. The table below details the questions asked and answered at the meeting.

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT QUESTION Submitted by	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
1	EDUCATION EXECUTIVE – 27 August 2013 REF **EE18**	Pilot Community Hubs - Camelon and Dawson Under the cover of- Improving our Open Spaces- Improve use and access to community facilities and create community hubs – it would appear that Education Services have defined the unspecified – Community hub- as either a family learning centre or a structured learning centre- in this respect Governance procedures will be critical to the development of this project- Which governance model will the education adopt? A-Partner representatives from key service providers and selective community representation. B-Parent council C-User council – representative from groups established to meet	The portfolio holder for education advised that governance procedures were key in the development of this project. The question outlines a number of potential models and each of these has pros and cons. The purpose of the pilot is to identify current strengths and weaknesses and establish the most appropriate model to meet local needs. This may not be the same in each of the pilot areas. A crucial element will be to clarify arrangements and responsibilities to avoid confusion and misunderstandings.	Consultation is an integral part of governance. How many meetings were held with community representatives in relation to the Hubs and which community organisations were invited to attend?	The portfolio holder confirmed that he did not have the information to hand but that he would provide an answer after the meeting.

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		identified needs as identified group as identified through Community planning. D- Direct management by a council department. Question by Councillor Gordon Hughes			
2	EDUCATION EXECUTIVE – 27 August 2013 REF **EE18**	Pilot Community Hubs - Camelon and Dawson Priority: Promote community, family and individual resilience- With the shift from universal community support to- 'Focused Work in Localities' strategies obviously underpin policies- From recent planning exercises- 2007 to 2013- what key indicators and trends were identified relating to the two communities of Camelon and Bainsford/Langlees which will influence policy direction within each community hub? Question by Councillor Gordon Hughes	The portfolio holder for education advised that the main measure influencing policy development has traditionally been the Scottish Index of Multiple Deprivation which is used by all councils and the Scottish Government in determining areas of deprivation. Generally the worst 15% datazones in Scotland were identified and focused on. In Falkirk, four datazones in Bainsford & Langlees have remained in the 15% most deprived areas since 2006, as have three datazones in Camelon. Other areas in Falkirk, eg Grangemouth, have datazones in the worst 15%. These are areas in Falkirk that have historically been priority areas.	With the Community Planning Partnership taking a more pivotal role in determining core business through a learning approach, which policy areas were identified by partners as the key areas for Camelon and Bainsford/Langlees which should be considered as shared learning priorities?	The portfolio holder confirmed that he did not have the information to hand but that he would provide an answer after the meeting.

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			Inequality profiles have also been created using data from UK Government and Scottish Government sources for benefit claimant rates, education levels, employment and health in order to ascertain inequalities within the Falkirk area.		
3	EDUCATION EXECUTIVE – 27 August 2013 REF **EE18**	Pilot Community Hubs - Camelon and Dawson With the Council introducing a system of priority based budgeting which policies relating to each community hub will be prioritised in the first instance? Question by Councillor Gordon Hughes	The portfolio holder for education advised that the purposes of the pilots are to engage with local communities to identify priorities for development within the framework agreed for Corporate and Strategic Community Plans. This also applies to developing local processes for resource allocation. The process of allocating lets will be agreed in and with local communities within a yet to be agreed structure.	Lifelong Learning and Youth Services are integral aspects of a learning culture. How will you assess the impact that these services within the local Community Hubs?	The portfolio holder confirmed that these would be assessed after the pilot had been completed.
4	EDUCATION EXECUTIVE – 27 August 2013 REF **EE18**	Pilot Community Hubs - Camelon and Dawson In every reorganisation or reconfiguration there are always winners and losers- What assistance and support mechanisms within each community hub will be put in place to mitigate	The portfolio holder for education answered that until the pilots are established it is not possible to assess what impact, if any, there will be on organisations and groups. This will be ascertained once information on present letting arrangements is collected and	Delivery of community based activities will depend on the availability of accommodation. What is your understanding of community based activities?	The portfolio holder answered that this would depend on the outcome of the pilot and the assessment would be made at the end of the pilot.

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		the impact on existing user groups – which will be displaced from the premises to another venue e.g. school accommodation? Question by Councillor Gordon Hughes	future steps have been decided upon. Each group or organisation that may be impacted by the changes will be supported and worked with on an individual basis. Every group will be given adequate notice of any change and opportunity to discuss this with staff to explore all alternatives and difficulties with the change.		
5	EDUCATION EXECUTIVE – 27 August 2013 REF **EE18**	Pilot Community Hubs - Camelon and Dawson Due to the high demand which will be placed on community hubs to fill accommodation with partner led initiatives utilising the national free let accommodation. Has Education Services created a model of income generation which will enhance the resources required to service new initiatives to meet changing community needs? Question by Councillor Gordon Hughes	The portfolio holder for education answered that no model of income generation has yet been developed by Education Services for the servicing of new initiatives to meet changing community needs. This would need to be considered in the context of budgetary constraints.	What financial matters were taken into consideration in the creation of Community Hubs? Is it not the case that Community Hubs will be under resourced, and the reality is that resources required to deliver community based activities will have to come from the local communities' efforts?	The portfolio holder answered that Hubs would be fully resourced.
6	EDUCATION EXECUTIVE – 27 August 2013	Pilot Community Hubs - Camelon and Dawson	The portfolio holder for education advised that the term 'asset based approach'	How will you assess whether the Community Hubs' assets are being used	The portfolio holder answered that this would be assessed during and at

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	REF **EE18**	Today society is encouraged to move its thinking from a deficit modelling approach to some type of asset based approach - A- What effect and impact will an asset based approach have on existing community groups using the existing premises compared to a deficit modelling approach? B- What discussions have taken place between partner organisations and Education Services in relation to how the asset based approach will be implemented. C- Does Falkirk Council have an asset transfer policy in place? If not as what stage has this policy deliberation reached? D- Education services have bracketed community hubs as Open space. What difference in approach compared to the property asset management type will this definition have in the resource allocation to maintain the Hubs? Question by Councillor Gordon Hughes	means that instead of thinking about what a community lacks and what its problems are it is better to think about the assets, the strengths and positive attributes, that a community has and then together with services communities build services based on these strengths. The term is often used in relation to Health Inequalities in Scotland and the Early Years Collaborative. In Camelon and Bainsford/ Langlees, there is a track record of asset based approaches already in place and the commitment is to continue in this way. The pilot will further develop models of working in collaboration with the local community. At present, Falkirk Council does not have a policy on Community Asset Transfer. Consideration of future policy development will take place within the context of the development of the Community Hub pilot.	in an efficient and effective manner and not seen as solutions looking for problems?	the end of the pilot.

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7	EXECUTIVE – 6 August 2013 REF **EX41**	Community Council Elections To ask the leader of the Council what actions are being taken to encourage the formation of community councils where they do not currently exist? Question by Councillor Stephen Bird	The Leader of the Council agreed that the Council should be encouraging areas where there were no community councils but that the whole community should be targeted. An advert was placed in the Falkirk Herald and the Council's website had been updated to include information on the elections. Nomination packs and information were on the website also. Posters and nomination packs had been circulated to various public venues. The posters and website gave notice of an information evening. Information on the elections was also tweeted to the Council's 7,000 followers. An article and an advert was also placed in the Falkirk Council news which was issued to every household in the Falkirk Council area.	Given the work ongoing surrounding the Community Empowerment and Renewal Bill which will extend the powers of local communities, how do we reach out to areas where we don't have Community Councils and get them involved – we should use the skills and experiences of the current community councillors to encourage others	The Leader of the Council agreed and confirmed that this would be discussed at the forthcoming policy development panel. At the end of the elections he wanted to see healthy Community Councils which work with and challenge the Council. He also considered that all members shared in the responsibility for encouraging involvement in their own areas.

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8	EXECUTIVE – 6 August 2013 REF **EX41**	Community Council Elections Isn't it a little late in the day to be establishing a Policy Development Panel on the community councils considering we are just about to commence elections? Question by Councillor Brian McCabe on behalf of Councillor Robert Spears in accordance with Standing Order 32.2.	The Leader of the Council did not agree. The decision had been taken to have a policy development panel and it will work with the new community councils as well as former community councillors to develop new procedures.	Is it feasible to have a Code of Conduct for volunteers and how will this be regulated?	The Leader of the Council advised that the Scottish Government had made it clear there should be a code. A national model code had been introduced and was recommended by Government. It was important to work with Community Councils and that they understand their remit. Once the new community councils were in place there would be training – it was important that they understood what the Code of Conduct means. It should not be considered as a constraint on them but should be welcomed.
9	EXECUTIVE – 6 August 2013 REF **EX42**	The Public Bodies (Joint Working)(Scotland) Bill Does the portfolio holder envisage any difficulties in the Council implementing the provisions of the bill? Question by Councillor Chalmers	The portfolio holder for health and social care answered that this was the most significant piece of legislation in Social Care for many decades. It is important that we try to anticipate as many of the potential difficulties and challenges in the work we are doing in preparation for the implementation of the	Have the remaining 108 assessments been carried out by July 2013 as stated at page 30 of the Agenda, reference EX23?	The portfolio holder advised that they had been carried out, and this was confirmed by the Director.

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			legislation.		
10	EXECUTIVE – 6 August 2013 REF **EX42**	The Public Bodies (Joint Working)(Scotland) Bill What steps have been taken to clarify the position regarding the potential to lose the £32M recoverable VAT? Question by Councillor Brian McCabe	The portfolio holder for health and social care answered that this was a question for the Government. Individual Councils do not have contact with the tax office and there is still no clarity on it from the Scottish Government. It remains a concern. The last reference the portfolio holder was aware of was at the Finance Committee of the Scottish Parliament Government Officers are understood still to be in contact with HMRC. The outcome remains uncertain and may depend on the model adopted. Council currently have no clarity on the issue.	What is the fallback position if this substantial sum is not forthcoming?	The portfolio holder advised that the Council was still monitoring the situation. The lack of definitive guidance was a concern. We all agree on the need for integration but it was difficult as there is so much involved in adult care. The portfolio holder hoped that the Government would take full responsibility and that the transition would be fully funded.
11	EXECUTIVE – 6 August 2013 REF **EX43**	Falkirk Town Centre Conservation Area Management Plan Will there be a review of the Falkirk Council's Parking Charging policies as part of or complementary to the Falkirk Town Centre Management Plan Implementation? Question by Councillor John McNally	The portfolio holder for the environment answered no – this was a consideration for the budget process as usual. The Income from parking charges is £400,000 while the Council needs to make £35m of savings over the next 3 years. Parking charges are a source of income generation.	This is a concern for people, especially given that neighbouring local authorities have reviewed their parking charges. I believe that there is a working group which has met to discuss these issues at the Park Hotel?	The portfolio holder advised that he was not part of a working group. The Council was one of the most generous local authorities in Scotland with parking charges only applying in Falkirk town centre and not in any outlying areas. Removing car parking charges would not save the town centres -

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					they were part of a package. The Provost advised that the group referred to by Councillor McNally was looking at Falkirk town centre as a whole and the next meeting of the group was on 9 October 2013.
12	EXECUTIVE – 6 August 2013 REF **EX43**	Falkirk Town Centre Conservation Area Management Plan What changes to the existing Council policies will be forthcoming to encourage the re- population of Falkirk Town Centre? Question by Councillor John McNally	The Leader of the Council confirmed that Falkirk town centre had just received a massive boost by way of the Townscape Heritage Initiative where £2m had been awarded for investment in the town centre. This would be a major investment tool to support town centre regeneration.	1)All town centres are having problems and are faced with changing demands such as online shopping. Anything that reduces football is a concern for all. It is understood that Mary Portas has been employed by Councils to do the things we're talking about. One of the main findings was the impact of charging for parking. How is Falkirk Council developing the Mary Portas strategy to make town centres active and thriving destinations? The Provost allowed Councillor McNally to repeat the supplementary question to the portfolio holder.	1)The portfolio holder for Economic Development advised that the Council has contributed towards the work of the national review of town centres which reported recently and made several recommendations for further consideration by the Scottish Government. Some of the recommendations require further legislative changes in the areas of Planning, Housing and Non-Domestic Rates legislation. The findings of this review, including the potential to encourage repopulation of the town centre generally match the approach of Falkirk Council in regard to

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					the maintenance and regeneration of town centres. The Council's Proposed Local Development Plan has a policy: Supporting Policy on Town Centres TC02 (page 57) supports a flexible approach to residential development as part of the mix of town centre uses with particular emphasis on the re-use of upper storeys. Developments that come forward for residential development are generally welcomed, however they can encounter constraints due to building conditions or off-site constraints (such as availability of parking). Further guidance and policy announcements are awaited from the Scottish Government in regard to the town centre review and it would be premature to suggest further changes to the Council's position until the Scottish Government

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					position is clearer. 2) The Provost stated that the meeting was on 9 October
13	EXECUTIVE – 6 August 2013 REF **EX44**	Housing Estate Management Policy Can the portfolio holder identify where the information required by the Scottish Housing Regulator will be recorded and held? Question by Councillor Brian McCabe	The portfolio holder for housing responded that the Scottish Housing Regulator would assess and monitor the performance of landlords, including Falkirk Council, against the Scottish Social Housing Charter through Annual Returns on the Charter commencing in May 2014. We will also require to report our performance to all our tenants every October. The Regulator had previously published details of the Charter Indicators it will use to assess landlord performance. In relation to Estate Management activities, two specific Charter Indicators apply, as outlined in the supporting paper considered by the Council Executive on 6th August: "The Scottish Housing Regulator will measure the Council's performance using	1)How is the information made available to the public? Will it be available electronically or in document form? The Provost allowed a follow up question for clarification purposes 2) How will the information be given to members?	The portfolio holder advised that the information would be available in both forms. It would be available on the Council website, at One Stop Shops and published in the widely circulated "In the Neighbourhood" magazine. 2) Access is available through the intranet and from the service. It will also be reported to the Executive and will be in the public domain.

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			the following information: • The percentage of tenants satisfied with the management of the neighbourhood they live in • The percentage of anti-social behaviour cases reported in the last year which were resolved within locally agreed targets" The service publicly reports its performance through the "in the Neighbourhood" publication and displayed on the screens in each of the one stop shops and is also subscribed to the Scottish Housing Best Value Network which enables us to compare performance across other Councils and registered social landlords. There are also a range of key performance indicators which require to be submitted by all local authorities to Audit Scotland each year. Audit Scotland publishes this comparative information on their website.		
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15	EXECUTIVE – 6 August 2013 REF **EX46**	Bereavement Services and Policies and Standards (including cemeteries capacity) To ask the portfolio holder why the issues which lead to the report being tabled to Council on 26 June had not been identified and addressed earlier? Question by Councillor Stephen Bird	The portfolio holder for the environment advised that at the last Council meeting in June, he had been candid as to why this had happened and that only with the transfer of the service to Corporate and Neighbourhood Services had the full scale of the issues became clear. He then ensured action was taken. There had been no forward planning and there was a real lack of space in the cemeteries. We are trying to identify and build new cemeteries and have started a Policy Development Panel to look at the issues.	A situation where 5 out of 9 cemeteries will be full in 5 years is serious. Why was forward planning not taking place?	The portfolio holder advised that he had had that discussion with management. He did not consider the Service had not been well run.
16	EXECUTIVE – 6 August 2013 REF **EX46**	Bereavement Services and Policies and Standards (including cemeteries capacity) To ask the Portfolio Holder what Policy constraints the proposed Policy Development will work to?	The portfolio holder for the environment said that nothing was off the table. This was a real chance to make a lasting difference. He encouraged involvement in the panel. It was anticipated that it would look at the	Information in the report showed Polmont and Muiravonside cemeteries will be full in 2 years and it could take up to 10 years to find land and put through planning consents. How will the policy able to come	The portfolio holder advised it would be a 2 pronged approach. The PDP it will look mostly at new cemeteries and current policies with the other approach being to take quick action to find new

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		Question by Councillor Stephen Bird	practices of other councils, countries, stakeholders etc.	up with a solution for local people to be able to bury their families in local cemeteries?	spaces in current cemeteries. Spaces have already been found at Polmont and Grandsable at Hills of Dunipace. Progress has already been made since June. The policy development panel will be looking at the long term.
17	EXECUTIVE – 6 August 2013 REF **EX51**	Contract for M9, Junction 6 to Earlsgate Junction Signalisation What is the value of Earlsgate Interchange Signalisation budget? Question by Councillor Robert Spears This question was answered in the absence of Councillor Spears.	The portfolio holder for economic development advised that the cost of the project would be £2.191m. The contractor would be appointed in October. There would be a delay but Grangemouth would receive a better deal	No supplementary question.	
18	EXECUTIVE – 17 September 2013 REF **EX58**	Consultation on Social Work Assistance with transport policy and proposed changes. Can the portfolio holder please advise if the proposal to consider charges for social work transport to the most vulnerable in our society has been through a poverty proofing exercise before going to consultation with service users? Question by Councillor Cecil	The portfolio holder for health and social care advised that a poverty and equality impact assessment had been carried out.	What other avenues were looked at for increasing revenue or reducing the specification before looking at increasing social work charges?	The portfolio holder advised that the administration had looked across all areas and the planned consultation would be more comprehensive and look at ways to mitigate any potential impact to service users.

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		Meiklejohn			
19	EXECUTIVE – 17 September 2013 REF **EX59**	Social Enterprise Strategy The portfolio holder referred to an amount of £70k at the executive meeting on 17 September. What was this for Question by Councillor McCabe	The portfolio holder for economic development advised that Councillor Spears could have attended the Executive. The £70,000 was due after the dissolution of Falkirk for Business. The portfolio holder expressed gratitude to officers for securing the payment.	At the meeting of the Executive the portfolio holder said there was no inference of financial irregularity but described the £70,000 as payback from the Chamber of Commerce. It did not exist at the time and so paid back nothing. Will the portfolio holder apologise for the accusation?	The portfolio holder repeated that he had suggested no wrongdoing. The 70k was allocated under the Joint Working Agreement. It had been repaid by FFB which was a predecessor of the Chamber of Commerce. He would seek access to the notes taken at the meeting and would expect Councillor McCabe to withdraw his remarks of a personal nature. Councillor McCabe subsequently apologised to the Council and withdrew the offending term.
20	EXECUTIVE – 17 September 2013 REF **EX60**	Big Lottery Funding – Supporting Welfare Reform Could the portfolio holder for Health and Social Care advise if enquiries to CAB and their partners Falkirk Council's Benefit/Debt Advisers have increased since the introduction of the Government's Welfare Reform programme? Question by Councillor Charles MacDonald	The portfolio holder for health and social care drew members' attention to page 185 of the volume of minutes referring to funding secured from the Big Lottery Fund. She confirmed that there had been an increase in enquiries and that further increases in demand were expected but that we were doing our best to try and mitigate the problems.	What is the Council policy on the recovery of arrears which are as a result of the bedroom tax? What is the policy on evictions, and has this changed with relation to the bedroom tax? I ask this after seeing an article in the press from the opposition spokesperson.	The portfolio holder for housing advised that no one had been evicted based on arrears solely from the bedroom tax. He then advised Council on the procedure adopted for dealing with evictions emphasising that, at all times tenants were encouraged to discuss their arrears with a view to alleviating them. Concern was expressed at inaccurate

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					statements being made and their impact on vulnerable people.
21	EXECUTIVE – 17 September 2013 REF **EX60**	Big Lottery Funding – Supporting Welfare Reform Has the impact of the bedroom tax and Falkirk Council's response to it been subject to a poverty proofing exercise by the local authority? Question by Councillor Colin Chalmers	The Leader of the Council advised that a survey of all Council tenants was undertaken to identify the type of support needed across the area. As a consequence of this survey it was clear that there were gaps in relation to the financial inclusion and financial capability services across the Council area. Reports to Council in March 2013 and to the Executive in June 2013 suggest recruiting a team of staff to develop an approach. The policy was changed to take account of the potential increased demand from tenants and the budget increased to mitigate the impact of this demand. An Equality and Poverty Impact Assessment should be completed by the Council's Revenue and Benefits section to further assess the impact of changes and to ensure that mitigating action is being	This policy disproportionately affects people on lower incomes. Will the Leader of the Council give a clear commitment that no tenant will be evicted solely as a result or as a consequence of the bedroom tax not just for one year but indefinitely?	The Leader of the Council advised that he could not make that commitment. However, he reconfirmed that the Council will not evict anyone impacted on by the bedroom tax as long as the tenant comes to the Council to deal with these issues. He added that it was not within his gift to change Council policy.

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			taken in relation to any issues identified.		
22	EXECUTIVE – 17 September 2013 REF **EX61**	Financial Capability and Inclusion . We are advised that Council will appoint a Financial Inclusion development worker, as well as a Financial Capability development worker. Can the leader of Council indicate to Council where the funding for these positions will be facilitated from? Question by Councillor Brian McCabe	The Leader of the Council advised that in March 2013 Council agreed an allocation of funding from the Fairer Falkirk Fund to support the recruitment of a Financial Inclusion Development Worker and a Financial Capability Officer. These posts are currently being recruited with the Financial Capability Officer now in post.	A Supplementary question was asked regarding attendance at the Executive.	The Leader of the Council advised that Councillor McCabe's colleague could have attended the Executive and asked the question.

DRAFT

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 30 SEPTEMBER 2013 at 4.00 PM.

COUNCILLORS:

David Alexander
David Balfour
Stephen Bird
Allyson Black
Jim Blackwood
Baillie William Buchanan
Steven Carleschi
Colin Chalmers
Tom Coleman
Gerry Goldie
Linda Gow
Steven Jackson
Charles MacDonald
Brian McCabe
John McLuckie
John McNally
Adrian Mahoney
Craig Martin
Dr Craig R Martin
Cecil Meiklejohn
Malcolm Nicol
Alan Nimmo
Martin Oliver
Baillie Joan Paterson
Provost Pat Reid
Ann Ritchie
Robert Spears
Sandy Turner

OFFICERS:

Rose Mary Glackin, Chief Governance Officer
Colin Moodie, Depute Chief Governance Officer
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive

FC48. SEDERUNT

The sederunt was taken by way of a roll call. Apologies were intimated from Depute Provost Patrick and Councillors Dennis Goldie, Hughes and Murray.

FC49. DECLARATIONS OF INTEREST

Councillor Spears declared a non-financial interest in item FC50 as a member of the trades union Unite and considered that his interest required him to recuse him from consideration of the item, having regard to the objective test in the Code of Conduct.

FC50. MOTIONS

Prior to consideration of the proposed items of business, Councillor Meiklejohn, seconded by Councillor Alexander, moved the suspension of Standing Orders to allow Council to discuss its decision making structures.

The Provost advised that in terms of Standing Order 36.3, Council may suspend any Standing Orders (with the exception of Standing Order 35 and 36) provided that:

(1) either due notice has been given, or Council agrees that it is a case of urgency; and

(2) the motion to suspend a Standing Order is moved, seconded and carried without discussion by at least two thirds of the councillors present and voting at the meeting and an absolute majority of the Council.

In regard to 36.3(1), due notice of the motion had not been given. The Provost therefore sought Council's view on whether the matter was urgent.

Councillor Meiklejohn, seconded by Councillor Alexander, moved that the matter was urgent.

In terms of Standing Order 22.4 (i), the vote was taken by roll call, there being 28 members present with voting as undernoted:-

For (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Against (14) – Provost Reid; Baillies Buchanan and Paterson; Councillors Black, Blackwood, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, CR Martin, Nicol and Nimmo.

There being an equality of votes the Provost exercised his casting vote against the motion. Accordingly the motion to suspend Standing Orders fell.

In accordance with Standing Order 31.1, the Provost stated that the motions before Council referred to matters within the remit of the Executive and that, having consulted with the Council Leader and the Leader of the Opposition in accordance with Standing Order 31.1 (i), he was not of the opinion that special circumstances existed requiring an exception to be made to that general rule. Consequently, the motions stood referred to the Executive.

Councillors Meiklejohn and McCabe, on behalf of the requisitioners of the meeting then withdrew the motions.

With no movers for the motions, they were, in terms of Standing Order 29.9 considered as dropped.

Decision

The motions were dropped.

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 2 OCTOBER 2013 at 2.00 P.M.

COUNCILLORS:	Baillie William Buchanan Baillie Joan Paterson (Depute Convener) Provost Pat Reid (Convener) Sandy Turner
OFFICERS:	Bryan Douglas, Licensing Co-ordinator Frances Kobiela, Senior Solicitor Brian Samson, Licensing Enforcement Officer (for agenda item 5 (minute CL68) Antonia Sobieraj, Committee Officer

CL64. APOLOGIES

Apologies were intimated on behalf of Councillor Blackwood.

CL65. DECLARATIONS OF INTEREST

No declarations were made.

CL66. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee on 4 September 2013 was approved.

CL67. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS AND NOTIFICATIONS OF PUBLIC PROCESSIONS RECEIVED IN AUGUST 2013

The Committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 August to 31 August 2013 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002, and (b) notifications of public processions received during the same period.

Decision

The Committee noted the Report.

CL68. CIVIC LICENSING ENFORCEMENT – AUGUST 2013

The Committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during August 2013.

Decision

The Committee noted the Report.

CL69. 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 ground that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

CL70. APPLICATION FOR THE GRANT OF AN ADDITIONAL TAXI OPERATOR LICENCE

A Director of the applicant company, Mr F, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of an additional taxi operator licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and the responses received.

Mr F spoke in support of the application and submitted a letter from himself in support of the application, a copy of which was circulated to the Committee.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to grant the licence for a period of one year subject to the standard conditions.

CL71. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr H, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and the responses received.

Mr H spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed:-

(1) that the applicant be given a final opportunity to take and pass the knowledge test;

(2) that, should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the licence without further reference to Committee;

(3) that, should the applicant pass the knowledge test, officers would arrange for the applicant to sit the Council's medical test;

(4) that, should the applicant pass both tests, to authorise the Chief Governance Officer to grant the taxi driver licence; and

(5) that, should the applicant pass the knowledge test but fail the medical test, that the application be considered at a future meeting of the Committee.

DRAFT

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 7 OCTOBER 2013 at 5.30 PM.

COUNCILLORS:

David Alexander	Linda Gow	Malcolm Nicol
David Balfour	Steven Jackson	Alan Nimmo
Stephen Bird	Charles MacDonald	Martin Oliver
Allyson Black	Brian McCabe	Baillie Joan Paterson
Jim Blackwood	John McLuckie	John Patrick
Baillie William Buchanan	John McNally	Provost Pat Reid
Steven Carleschi	Adrian Mahoney	Ann Ritchie
Colin Chalmers	Craig Martin	Robert Spears
Tom Coleman	Dr Craig R Martin	Sandy Turner
Gerry Goldie	Cecil Meiklejohn	

OFFICERS:

Margaret Anderson, Director of Social Work
Rhona Geisler, Director of Development Services
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 and Neighbourhood Services
Brian Smail, Chief Finance Officer

ATTENDING:

Maureen Campbell,
Chief Executive, Falkirk Council Community Trust

FC51. SEDERUNT

The sederunt was taken by way of roll call. Apologies were intimated from Councillors D Goldie, Hughes and Murray.

FC52. INEOS, GRANGEMOUTH – STATEMENT

The Provost stated that he had received a request on 4 October 2013 to add a motion to today's business dealing with uncertainty over the future of the INEOS plant in Grangemouth, the impact of the closure of the plant and the role of the Council in seeking a positive resolution in regard to the future of the plant. That request had been followed up earlier on the day of the meeting with a requisition for a special meeting.

The Provost advised that the request to him had been received too late for consideration at this meeting. However he was prepared to allow a statement to be made by the Chief Executive.

The Provost then allowed members to ask questions of the Chief Executive in regard to her statement.

FC53. DECLARATIONS OF INTEREST

Provost Reid, Baillie Paterson and Councillors Gow, Dr C R Martin and Nicol each declared a non-financial interest in agenda item 3(d) relating to Falkirk Community Trust, as Directors of the said Trust but did not consider that this required them to recuse themselves from consideration of this item, having regard to the objective test in the Code of Conduct and the relevant specific exclusion contained in the code.

FC54. MOTIONS

In accordance with Standing Order 31.1, the Provost stated that the motions before Council referred to matters within the remit of the Executive and that, having consulted with the Council Leader and the Leader of the Opposition in accordance with Standing Order 31.1 (i), he was not of the opinion that special circumstances existed requiring an exception to be made to that general rule. Consequently, the motions stood referred to the Executive.

Councillors Meiklejohn and McCabe, on behalf of the requisitioners of the meeting then withdrew the motions.

With no movers for the motions they were, in terms of Standing Order 29.9, considered as dropped.

Decision

The motions were dropped.

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 8 OCTOBER 2013 at 9.30 a.m.

COUNCILLORS:	Jim Blackwood Gerry Goldie Alan Nimmo Malcolm Nicol Adrian Mahoney Dr Craig R Martin Craig Martin (Convener)
OFFICERS:	Margaret Anderson, Director of Social Work John Angell, Head of Planning and Transportation Wendy Barber, Team Leader, Legal Services Rhona Geisler, Director of Development Services Rose Mary Glackin, Chief Governance Officer Brian Pirie, Democratic Services Manager Mary Pitcaithly, Chief Executive Stuart Richie, Director of Corporate & Neighbourhood Services Bryan Smail, Chief Finance Officer
ALSO ATTENDING:	Patricia Weeks, Historic Scotland

EX63. APOLOGIES

Apologies were intimated on behalf of Councillors Dennis Goldie, Linda Gow and Robert Spears.

EX64. DECLARATIONS OF INTEREST

Councillor Mahoney declared a non-financial interest in items EX69 and EX70 as a member of Friends of Kinneil and of Historic Scotland but did not consider that this required him to recuse himself from consideration of the items having regard to the objective text in the Code of Conduct.

EX65. URGENT BUSINESS

The Convener stated that, in accordance with Standing Order 9.1, an additional item of business had been added to the agenda, namely a report by the Chief Executive on the Community Council Elections 2013. The Convener stated that the community council nomination process closed on 2 October, which postdated issue of the agenda for this meeting, and there was an urgent need for the Executive to determine how to proceed with those community councils where the number of nominations was fewer than the number of vacancies.

EX66. MINUTE

Decision

The minute of the meeting of the Executive held on 17 September 2013 was approved.

EX67. REFERRALS FOR JOINT CONSULTATIVE COMMITTEE – 16 SEPTEMBER 2013

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting 6 policies which had been referred by the Joint Consultative Committee to the Executive for approval.

The Joint Consultative Committee had considered the following polices at its meeting on 16 September and had agreed to refer them to the Executive for approval:- Communications Policy, Casual Employment Policy, Equal Opportunities Policy, Family Leave Policy, Recruitment and Selection Policy and Short Term Supply/Fixed Term Employment Policy for Teachers.

Decision

The Executive approved the policies detailed above.

EX68. INFORMATION GOVERNANCE: FOI PUBLICATION SCHEME/RE-USE OF PUBLIC SECTOR INFORMATION

The Executive considered a report by the Chief Governance Officer on the Council's compliance with the Re-use of Public Sector Information Regulations 2005.

The Regulations provide a framework for the use by a person of a document held by a public sector body for a purpose other than the initial purpose for which the document was produced. Consent to re-use can be by request, in which case the Council would have a specific time limit within which to respond; conditions could be imposed as could a charge for the document and a procedure is required for determing any complaints relating to the Council's actions under the Regulations. Alternatively, the Council could adopt the Open Government Licence which would cover automatic permission to re-use information obtained via the publication scheme and the re-use of documents obtained under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004. The advantages of such an approach together with measures taken to advise the public of the change in the Council's position were set out.

Decision

The Executive:-

1) **noted adoption of the model publication scheme with effect from 31 May 2013;**

2) **agreed that the Open Government Licence be used for the use and re-use of information available under the publication scheme, and for information given out under FOISA or the EIRs;**

3) **noted that the documents available through the publication scheme comprise the Council's asset list for the purposes of the Re-use Regulations; and**

4) **noted the Council's published complaints procedure as required by the Re-use Regulations.**

EX69. FALKIRK GREENSPACE: A STRATEGY FOR OUR GREEN NETWORK

The Executive considered a report by the Director of Development Services on the outcome of a consultation on the draft Falkirk Greenspace: a Strategy for our Green Network, the report recommended certain amendments to the strategy consequent on the consultation exercise.

The draft consultative document set out the Council's approach to greenspace enhancement and delivery. It detailed the Council's priorities and defined a locally relevant programme to help Council meet the ambitions of the Central Scotland Forest Strategy and the Central Scotland Green Network.

The consultation had been undertaken between April and June 2013 and, following analysis of the comments received, the draft strategy had been amended and was presented for approval.

Decision

The Executive approved 'Falkirk Greenspace: A Strategy for our Green Network'.

EX70. THE FRONTIERS OF THE ROMAN EMPIRE (ANTONINE WALL) WORLD HERITAGE SITE MANAGEMENT PLAN 2014-19: FINAL DRAFT

The Executive considered a report by the Director of Development Services presenting Historic Scotland's management plan for the Antonine Wall.

A management plan, for the period 2014-19, had been developed by Historic Scotland and key partners including Falkirk Council. The plan provides a framework for the overall management of the site in a manner specific to its character and needs. A consultation on the plan had been undertaken between April and June 2013 and the draft had been amended following the process. It was intended that, subject to approval by the key partners, the plan would be launched in December 2013.

Decision

The Executive approved the Frontiers of the Roman Empire (Antonine Wall) Management Plan 2014-19 final draft and the accompanying Consultation Report and Strategic Environment Assessment Statement.

EX71. CONSULTATION ON BUS REGULATION (SCOTLAND) BILL

The Executive considered a report by the Director of Development Services presenting the proposed response to a consultation document.

The Council had been invited to comment on a proposal by Iain Gray MSP for a Bill to provide transport authorities with greater powers to set service levels for local bus services.

In terms of the Council's procedures for dealing with policy based consultations the draft response had been circulated to the Group Leaders. There had been no agreement in regard to the draft and it was therefore now submitted to the Executive for consideration.

Councillor Dr C R Martin moved the terms of the proposed response, subject to the substitution of paragraph 1 in the answer to question 1 with the following:

'Falkirk Council supports the proposed Bill to regulate bus services. The Council wishes to have a greater role in improving the standard of bus operation throughout the local area.'

Decision

The Executive agreed the adjusted response to the consultation by Iain Gray MSP on a Bus Regulation (Scotland) Bill.

EX72. RISK MANAGEMENT POLICY AND FRAMEWORK

The Executive considered a report by the Director of Development Services presenting the revised Risk Management policy and framework for approval.

The Council's Risk Management policy sets out the framework for embedding risk management across Falkirk Council. The policy and framework had been reviewed and the revised document was presented for consideration.

Decision

The Executive approved the Risk Management policy and framework.

EX73. FINANCIAL POSITION 2013/14

The Executive considered a report by the Chief Finance Officer on the Council's financial position as at 31 August 2013.

At 31 August 2013 the projected General Fund net expenditure for 2013/14 was forecast to be £1.434m below the approved budget with reserves forecast to be £13.020m. Details were given of significant deviations from budget.