

**AGENDA ITEM 3(a)**  
**DRAFT**

**FALKIRK COUNCIL**

**MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 25 SEPTEMBER 2013 at 9.30 AM.**

**COUNCILLORS:**

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

**OFFICERS:**

Margaret Anderson, Director of Social Work Services  
 Fiona Campbell, Head of Policy, Technology and Improvement  
 Douglas Duff, Head of Economic Development & Environmental Service  
 Rhona Geisler, Director of Development Services  
 Nigel Fletcher, Head of Educational Support and Improvement  
 Gary Greenhorn, Head of Educational Planning and Resources  
 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  
 Bryan Smail, Chief Finance Officer

**ALSO** Maureen Campbell, Chief Executive, Falkirk Community Trust  
**PRESENT:**

**FC31. SEDERUNT**

The sederunt was taken by way of a roll call. Apologies were intimated on behalf of Councillors Murray, Oliver and Spears.

**FC32. DECLARATIONS OF INTEREST**

Provost Reid; Baillie Paterson and Councillors Gow, Nicol and Dr CR Martin each declared a non financial interest in agenda item 12(5) as directors of Falkirk Community Trust, but did not consider that this required them to recuse themselves from consideration of the item, having had regard to the objective test in the Code of Conduct and the relevant specific exclusion contained in the Code.

### **FC33. SUSPENSION OF STANDING ORDERS**

Prior to consideration of business, Councillor Meiklejohn, seconded by Councillor Coleman, moved the suspension of Standing Orders to allow Council to discuss the decision making structure.

Councillor C Martin, seconded by Councillor Nicol, moved that Standing Orders are not suspended and that the matter is not discussed.

Provost Reid stated that, in terms of Standing Order 36.3, Council could suspend any Standing Order if:-

- “(i) either due notice had been given, or Council agrees that it is a case of urgency; and
- (ii) 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 whole Council.”

The Provost determined that there was general agreement among all members present at the meeting that the matter was urgent. The motion to suspend Standing Orders was therefore put to the vote.

In terms of Standing Order 22.4.1, a vote was taken by roll call, there being 29 members present with voting as undenoted:-

For (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Ritchie and Turner.

Against (15) – Depute Provost Patrick; Baillie Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, Martin, CR Martin, Nicol and Nimmo.

Abstention (1) – Provost Reid.

Accordingly, the motion fell.

### **FC34. MINUTES AND INFORMATION BULLETIN**

- (a) The minute of the meeting of Council held on 26 June 2013 was submitted for approval.

Provost Reid moved the minute as a correct record with the exception of reference to item FC25. The Provost acknowledged a degree of uncertainty among members over disposal of this item at the previous meeting as a consequence of which he had decided that it should be added to the agenda for this meeting. Councillor Nicol seconded the motion.

By way of an amendment, Councillor Coleman, seconded by Councillor Jackson, moved the minute as a correct record subject to deletion of the answers by the Leader of the Council to question no.1 shown on page 24 of the agenda regarding item EX23 on the basis that they were an inaccurate record of the answers actually given.

Councillors Meiklejohn, McCabe and Alexander each gave notice of further amendments.

In terms of Standing Order 22.4 (i) a vote was taken by roll call, there being 29 members present with voting as undernoted.

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, Martin, CR Martin, Nicol and Nimmo.

For the amendment (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Ritchie and Turner.

The motion was agreed and became the substantive motion.

Councillor Alexander, seconded by Councillor Bird, moved an amendment in substitution for the substantive motion that the answer by the Education portfolio holder to the supplementary question on page 29 of the agenda relating to item EE8 should be amended to read “The portfolio holder intimated he would ask the Director to answer that point at which point he was advised that under Standing Orders he had to provide the answer”.

In terms of Standing Order 22.4(i) a vote was taken by roll call, there being 29 members present with voting as undernoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillies Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Ritchie and Turner.

**Decision**

The minute of the meeting held on 26 June 2013 was agreed as a correct record subject to the deletion of item FC25.

**(b) Volume of Minutes – Volume 2 2013/2014.****Decision**

The Volume of Minutes – Volume 2 was noted.

**(c) Information Bulletin – Volume 2 2013/2014****Decision**

The Information Bulletin – Volume 2 3013/2014 was noted.

The Provost stated that the report ‘Ethical Standards in Public Life Etc (Scotland) Act’ which had been circulated prior to the meeting within a supplementary agenda would be taken at this point in the proceedings, the Provost having determined that the matter was urgent in light of the uncertainty previously referred to and the requirements of the said Act.

**FC35. ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT**

Council considered a report by the Chief Governance Officer on a review by the Standards Commission of a complaint against Baillie Buchanan.

Council was required to consider the findings, which followed a hearing on 17 April 2013. The findings were appended to the report.

Councillor C Martin, seconded by Councillor D Goldie, moved that Council notes the findings of the Standards Commission.

Councillor Meiklejohn, seconded by Councillor Balfour, moved in substitution for the motion that “Baillie Buchanan be removed from the position of Baillie and that he formally apologise to the chamber”.

The Provost ruled that the amendment was not competent. In terms of Standing Order 5.5(i) an appointee will hold office until the next election unless “otherwise decided by the Council by resolution following a Notice of Motion in terms of Standing Order 29”.

As no notice under Standing Order 29 had been given, the Provost ruled that the amendment was not competent.

Councillor Meiklejohn, seconded by Councillor Balfour moved that the Standing Order be suspended to allow Council to debate the proposed amendment.

Provost Reid stated that, in terms of Standing Order 36.3, Council could suspend any Standing Order if:-

- “(i) either due notice had been given, or Council agrees that it is a case of urgency; and
- (ii) 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 whole Council.”

The Provost determined that there was general agreement among all members present at the meeting to accept the motion as urgent and to suspend Standing Order 5.5 to allow the amendment to be debated.

Baillie Buchanan then addressed the chamber and apologised.

In terms of Standing Order 22.4(i) a vote was taken by roll call, there being 29 members present with voting as undenoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillies Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Ritchie and Turner.

### **Decision**

Council noted the findings of the Standards Commission.

Council then adjourned at 10.55 am, reconvening at 11.05 am with all members present as per the sederunt.

## **FC36. QUESTIONS**

In terms of Standing Order 32.1, 22 written questions had been submitted to the Leader of the Council and/or the portfolio holders. Of these 21 were answered at the meeting. Question 14 as set out in agenda was not asked. The answers are recorded at appendix 1.

## **FC37. SCRUTINY COMMITTEE - 12 SEPTEMBER 2013 – SCRUTINY PLAN**

Council considered a report by the Chief Governance Officer presenting recommendations from the Scrutiny Committee in regard to the Annual Scrutiny Plan.

The Scrutiny Committee had on 12 September 2013 discussed potential areas for scrutiny. The committee, mindful of experience from the pilot scrutiny panel, had recommended that no more than one scrutiny panel is established at any one time (subject to the proviso that this maximum can be increased to two at the discretion of the committee). The committee also identified two areas for scrutiny as part of the annual plan: the appointment of members to outside bodies and the process for reporting to Council; and the adequacy of consultation with the public and community engagement more generally. The committee had also recommended that a third area for scrutiny be left to the discretion of the committee (with preference to be given to an area identified by the members of the opposition on the committee).

Baillie Paterson, seconded by Councillor McLuckie, moved the recommendations set out in the report.

By way of an amendment, Councillor Meiklejohn, seconded by Councillor Coleman, moved that, in addition, Council requests the Chief Governance Officer to bring a report to the next meeting of Council providing options on mechanisms by which the Scrutiny Committee could scrutinise issues in advance of meetings of the Executive and Education Executive and make recommendations to them.

Councillor McCabe gave notice of a further amendment.

Following discussion, Councillor G Goldie, seconded by Councillor Gow, moved that the question now be put. The Provost noted general agreement among all members present at the meeting to the closure motion and accordingly put the original motion to the vote.

In terms of Standing Order 22.4 (i) a vote was taken by roll call, there being 29 members present with voting as undernoted.

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, Martin, CR Martin, Nicol and Nimmo.

For the amendment (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Ritchie and Turner.

The motion was agreed and became the substantive motion.

Councillor McCabe, seconded by Councillor Jackson moved, in substitution for the motion:-

- (i) that the role of the Scrutiny Committee is identified as being one of genuine scrutiny;

- (ii) Scrutiny Panels will be convened at the discretion of the Scrutiny Committee in singularity:-
  - (i) with a remit to investigate all issues of the Scrutiny Committee,
  - (ii) based upon the Annual Scrutiny Plan;
- (iii) membership of the Scrutiny Panels will be open to all members not members of the Executive Committee; and
- (iv) all reports of the Scrutiny Panels are reported back to the Scrutiny Committee prior to submission to full Council.

The Provost ruled that, in terms of Standing Order 35, part (iv) of the amendment was not competent as a decision on the reporting process had been agreed by Council on 24 April (minute reference FC7) which was within 6 months of the date of the meeting.

Councillor Meiklejohn, seconded by Councillor Balfour, moved suspension of the Standing Orders in order to allow the amendment to be considered.

Provost Reid repeated the tests to suspend Standing Orders and, with no notice of the motion having been given, the first test was that of urgency. Council therefore voted on whether the matter was urgent, with 13 members for and 16 against.

Accordingly, the motion to suspend Standing Orders fell.

Council then adjourned for lunch and reconvened at 2.20pm with all members present as per the sederunt.

Provost Reid confirmed that the motion to suspend Standing Orders had fallen prior to the adjournment. This being so the further amendment by Councillor McCabe was incompetent. The motion therefore stood unopposed.

## **Decision**

### **Council agreed:-**

- 1) that no more than one scrutiny panel will operate at any one time subject to the proviso that the maximum can be increased to two at the discretion of the Scrutiny Committee;
- 2) the appointment of elected members to outside organisations and the process for reporting to Council,
- 3) the adequacy of consultation with the public and community engagement more generally; and
- 4) that the Scrutiny Committee should agree a third area for scrutiny with preference given to a subject suggested by opposition members in the event that they participate in the scrutiny process.

### **FC38. AUDIT COMMITTEE – 24 SEPTEMBER - ANNUAL ACCOUNTS 2012/13**

The Audit Committee had, on 24 September 2013, considered the Council's audited accounts 2012/13 and had agreed to recommend them to Council for approval.

Council considered a report by the Chief Finance Officer presenting the Council's audited accounts, which were unqualified for 2012/13.

#### **Decision**

**Council approved the Annual Accounts 2012/13.**

### **FC39. WEB CASTING COUNCIL MEETINGS**

Council had previously requested that officers investigate the likely cost to provide an internet streaming package for all principal Council meetings. The package would include the ability to archive footage for public access.

Details were given of a review of those packages used elsewhere in Scottish local authorities: The City of Edinburgh Council, Highland Council and Moray Council; highlighting key issues arising from their experiences and setting out factors which be likely to influence the system requirements and costs.

#### **Decision**

**Council agreed to request a detailed, costed options paper including additional support costs.**

### **FC40. SINGLE OUTCOME AGREEMENT 2013-2015**

Council considered a report by the Chief Executive presenting the draft Single Outcome Agreement for 2013-15.

The Community Planning Partnership had prepared a Single Outcome Agreement (SOA) for the period 2013 to 2015. Each partner was required to approve the SOA prior to its publication. The draft Single Outcome Agreement had been submitted to the Scottish Government in June 2013 and subsequently subjected to an assurance process by an independent panel appointed by the Scottish Government. Following positive feedback, a revised Single Outcome Agreement had been approved by the Minister of the Local Government and Planning and thereafter signed off by the Community Planning Leadership Board on 19 September 2013.



Details were also given of a forthcoming audit of the Falkirk Community Planning Partnership by Audit Scotland. It was intended that the audit, the fourth such audit in Scotland, would take place between October and December 2013.

### **Decision**

**Council noted the forthcoming community planning audit by Audit Scotland and approved the Single Outcome Agreement 2013-2015.**

## **FC41. PROGRAMME OF MEETINGS 2014**

Council considered a report by the Chief Governance Officer presenting the programme of meetings for 2014 for approval.

Council had agreed its decision making structure in March 2013 and had also agreed a programme of meetings for the remainder of the year. The programme for 2014 was now presented for approval. The programme set dates for meetings of the Council and its Committees (excluding the Appeals and Appointments Committee and the Planning Review Committee whose meetings are ad hoc) and highlighted that further, additional meetings could be arranged in terms of Standing Orders.

### **Decision**

#### **Council:-**

- (i) approved the programme of meetings of 2014, subject to inclusion in the programme of the Performance Panel, and**
- (ii) noted that special meetings of Council and its committees may be called as necessary.**

## **FC42. APPOINTMENTS TO COMMITTEES AND OTHER BODIES**

Council had, in June 2012, been advised of vacancies on various bodies and had made appointments to some of the organisations. Vacancies remained on the East of Scotland European Consortium (ESEC) and the South East Scotland Transport Authority (SEStran). Vacancies also remained on the Licensing Board and Civic Licensing Committee.

Councillor MacDonald had resigned as the Council nominee on the Braveheart Association and Council was invited to appoint to the vacant position.

In considering the report members were mindful of the decision taken earlier in the meeting to set up a scrutiny panel to examine membership of outside organisations (minute reference FC37).

**Decision**

**Council agreed to:-**

- 1) **appoint Councillor Black to the Braveheart Association;**
- 2) **appoint Councillor Oliver to the East of Scotland European Consortium;**
- 3) **defer any appointment to SEStran pending the Scrutiny Committee's review of member appointments on Outside Bodies; and**
- 4) **note the vacant positions on the Licensing Board and the Civic Licensing Committee and to request the Chief Governance Officer to report back to Council on the membership of these bodies and whether they should be reduced in size.**

**FC43. APPOINTMENTS TO THE SCRUTINY COMMITTEE**

Council had agreed, on 19 March 2013, to establish a Scrutiny Committee comprising 6 members from the administration and 4 from the opposition. Councillors McCabe, Meiklejohn and Oliver and Turner were thereafter appointed on behalf of the opposition but had subsequently intimated their resignations from the committee.

**Decision**

**Council noted the resignations of Councillors McCabe, Meiklejohn, Oliver and Turner from the Scrutiny Committee.**

**FC44. EXECUTION OF DEEDS**

Council considered a report by the Chief Governance Officer detailing those deeds that had been signed by her since the last meeting.

**Decision**

**Council noted the report.**

## FC45. MOTIONS

### (a) PVG Scheme Membership

Council considered the following motion by Councillor Alexander, seconded by Councillor Meiklejohn:-

In March 2012, Council agreed that the cost of PVG membership for members of the Council's Education and Social Care Committees would be spread across the whole Council.

This principle was broadly acceptable to all sides as both committees were selected on a proportional basis.

However, the scrapping of proportionality for the Executive means that the SNP have paid 41% of the cost of the PVG membership but have only 16% of the places on the committee.

Council agrees that this is clearly an unfair subsidy for the Administration and therefore agrees to calculate the PVG membership on the basis of Executive Committee membership and refund the balance to groups overcharged for this session.

By way of an amendment, in substitution for the motion, Councillor C Martin, seconded by Councillor D Goldie, moved that Council maintain its current position in regard to the payment for members' PVG membership.

On a division 16 members voted for the amendment and 13 voted for the motion.

### **Decision**

**Council agreed to maintain the current position in regard to the payment for members' PVG membership.**

With regard to the remaining motions on the agenda, the Provost stated that they related to matters within the remit of the Executive and, having consulted with the Council Leader and the Leader of the Opposition in accordance with Standing Order 31.1, 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.

Councillor Meiklejohn then withdrew notices (3) Supply of chicken products to Falkirk Council Schools; (4) Falkirk Council Tenancy Agreement; (5) Falkirk Community Trust; (6) Transport; (7) Falkirk Gateway; (8) Council Housing and (9) Extensions to council houses.

Councillor McCabe withdrew motion (2) Zero Hours Contracts.

**FC46. EXCLUSION OF PUBLIC**

**The Council 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 9 of Part 1 of Schedule 7A of the said Act.**

Councillor McCabe left the meeting prior to the following item of business.

**FC47. ARNOTDALE HOUSE, DOLLAR PARK**

Council had previously agreed, on 26 June 2013, to continue consideration of a proposal to refurbish Arnotdale House and to enter into a proposed lease agreement.

Further detail was provided on the background to the phased refurbishment of the property and on the proposal to undertake planned refurbishment at a cost of £510,000 and to subsequently lease the property to a day care provider. Details of the financial and legal implications of the proposals were set out.

Councillor D Goldie, seconded by Councillor C Martin, moved that Council does not agree to the proposal to carry out further refurbishment of Arnotdale House for the purpose of leasing the property as set out in the report.

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved in substitution for the motion that Council continues consideration of the report to allow further information to be provided including reference to Kilns House.

On a division 12 members voted for the amendment and 15 voted for the motion.

**Decision**

**Council did not agree to the proposal to carry out further refurbishment of Arnotdale House for the purpose of leasing the property as set out in the report.**

## 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 AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
1	EDUCATION EXECUTIVE – 27 August 2013  REF EE18	<p>Pilot Community Hubs - Camelon and Dawson</p> <p>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</p>	<p>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.</p>	<p>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?</p>	<p>The portfolio holder confirmed that he did not have the information to hand but that he would provide an answer after the meeting.</p>

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
		<p>identified needs as identified group as identified through Community planning.</p> <p>D- Direct management by a council department.</p> <p>Question by Councillor Gordon Hughes</p>			
2	<p>EDUCATION EXECUTIVE – 27 August 2013</p> <p>REF EE18</p>	<p>Pilot Community Hubs - Camelon and Dawson</p> <p>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?</p> <p>Question by Councillor Gordon Hughes</p>	<p>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 &amp; 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.</p> <p>Inequality profiles have also</p>	<p>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?</p>	<p>The portfolio holder confirmed that he did not have the information to hand but that he would provide an answer after the meeting.</p>

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
			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 <b>EE18</b>	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 these services will have 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 <b>EE18</b>	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 impact on existing user groups –	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 future steps have been	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.

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
		<p>which will be displaced from the premises to another venue e.g. school accommodation?</p> <p>Question by Councillor Gordon Hughes</p>	<p>decided upon.</p> <p>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.</p>		
5	<p>EDUCATION EXECUTIVE – 27 August 2013</p> <p>REF EE18</p>	<p>Pilot Community Hubs - Camelon and Dawson</p> <p>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?</p> <p>Question by Councillor Gordon Hughes</p>	<p>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.</p>	<p>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?</p>	<p>The portfolio holder answered that Hubs would be fully resourced.</p>
6	<p>EDUCATION EXECUTIVE – 27 August 2013</p>	<p>Pilot Community Hubs - Camelon and Dawson</p> <p>Today society is encouraged to move</p>	<p>The portfolio holder for education advised that the term 'asset based approach' means that instead of</p>	<p>How will you assess whether the Community Hubs' assets are being used in an efficient and effective</p>	<p>The portfolio holder answered that this would be assessed during and at the end of the pilot.</p>



ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
	REF EE18	<p>its thinking from a deficit modelling approach to some type of asset based approach -</p> <p>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?</p> <p>B- What discussions have taken place between partner organisations and Education Services in relation to how the asset based approach will be implemented.</p> <p>C- Does Falkirk Council have an asset transfer policy in place? If not as what stage has this policy deliberation reached?</p> <p>D- Education services have bracketed community hubs as Open space.</p> <p>What difference in approach compared to the property asset management type will this definition have in the resource allocation to maintain the Hubs?</p> <p>Question by Councillor Gordon Hughes</p>	<p>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.</p> <p>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.</p> <p>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.</p>	manner and not seen as solutions looking for problems?	

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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	<p>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.</p> <p>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.</p> <p>Posters and nomination packs had been circulated to various public venues.</p> <p>The posters and website gave notice of an information evening. Information on the elections was also tweeted to the Council's 7,000 followers.</p> <p>An article and an advert was also placed in the Falkirk Council news which was issued to every household in the Falkirk Council area.</p>	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 <b>EX42</b>	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. Councils 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 <b>EX43</b>	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. Income from parking charges is c.£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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					<p>they were part of a package.</p> <p>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.</p>
12	<p>EXECUTIVE – 6 August 2013</p> <p>REF <b>EX43</b></p>	<p>Falkirk Town Centre Conservation Area Management Plan</p> <p>What changes to the existing Council policies will be forthcoming to encourage the re- population of Falkirk Town Centre?</p> <p>Question by Councillor John McNally</p>	<p>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.</p>	<p>1)All town centres are having problems and are faced with changing demands such as online shopping. Anything that reduces footfall 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?</p> <p>The Provost allowed Councillor McNally to repeat the supplementary question to the portfolio holder.</p>	<p>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.</p> <p>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</p>

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					<p>the maintenance and regeneration of town centres.</p> <p>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.</p> <p>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).</p> <p>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</p>

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					position is clearer.  2) The Provost stated that the meeting was on 9 October
13	EXECUTIVE – 6 August 2013  REF <b>EX44</b>	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 6 <sup>th</sup> 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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			<p>the following information:</p> <ul style="list-style-type: none"> <li>• The percentage of tenants satisfied with the management of the neighbourhood they live in</li> <li>• The percentage of anti-social behaviour cases reported in the last year which were resolved within locally agreed targets”</li> </ul> <p>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.</p>		



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14		This question was not asked at the meeting in the absence of the member.			
15	EXECUTIVE – 6 August 2013  REF <b>EX46</b>	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 been well run.
16	EXECUTIVE – 6 August 2013  REF <b>EX46</b>	Bereavement Services and Policies and Standards (including cemeteries capacity)  To ask the Portfolio Holder what Policy constraints the proposed Policy Development will work to?  Question by Councillor Stephen Bird	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 practices of other councils, countries, stakeholders etc.	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 be able to come up with a solution for local people to be able to bury their families in local	The portfolio holder advised it would be a 2 pronged approach. The PDP will look mostly at new cemeteries and current policies with the other approach being to take quick action to find new spaces in current cemeteries. Spaces have already been found at

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				cemeteries?	Polmont and Grandsable and it is hoped to find them 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 <b>EX51</b>	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 <b>EX58</b>	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 Meiklejohn	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.
19	EXECUTIVE –	Social Enterprise Strategy	The portfolio holder for	At the meeting of the	The portfolio holder

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	17 September 2013  REF EX59	The portfolio holder referred to an amount of £70k at the Executive meeting on 17 September. What was this for  Question by Councillor McCabe	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.	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?	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 statements being made and their impact on vulnerable

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					people.
21	EXECUTIVE – 17 September 2013  REF <b>EX60</b>	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 discretionary housing payments 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 taken in relation to any issues	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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			identified.		
22	EXECUTIVE – 17 September 2013  REF <b>EX61</b>	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.