

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 25 FEBRUARY 2014 at 9.30 a.m.

COUNCILLORS: Jim Blackwood
Linda Gow
Adrian Mahoney
Malcolm Nicol
Alan Nimmo
Dr Craig R Martin
Craig Martin (Convener)

OFFICERS: Margaret Anderson, Director of Social Work
Robin Baird, Waste Strategy Co-ordinator
John Flannigan, Depute Chief Finance Officer
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

EX112. APOLOGIES

An apology was intimated on behalf of Councillor Dennis Goldie.

EX113. DECLARATIONS OF INTEREST

No declarations were made at this point in the meeting.

EX114. MINUTE

Decision

The minute of the meeting of the Executive held on 14 January 2014 was approved.

EX115. BONNYBRIDGE SOCIAL CLUB

The following motion, by Baillie Buchanan, had been referred to the Executive by Council on 11 December 2013. The Executive had, on the 14 January 2014, continued consideration of the motion because Baillie Buchanan had been unable to attend the meeting due to illness.

“Bonnybridge Social Club like many other clubs eg. social, golf, bowling are all feeling the effects of not only the downturn in the economy, but also the changes in peoples social lives. Clubs are closing all the time and those that are not are struggling from week to week just to keep the doors open. Bonnybridge Social Club is no different and it’s only through the sacrifices and hard work and endeavour of a few that it remains open for business. This club is an integral part of the community and is utilised by the whole community in a variety of ways, its closure would have a devastating effect on the community. They require the long term stability of clearing their debt and then starting afresh with the financial burden of debt off their shoulders. They firmly believe that they can continue to be viable. Those who have worked tirelessly deserve this opportunity, as do the community to safeguard the clubs future. So how can this Council support this club and show that they fully understand? The following motion simply spells it out.

Motion

Bonnybridge Social Club owns the building, the ground the club sits on is owned by the Council, they have been advised that the bank could give them the loan to remove their debt but only if they owned the ground. You therefore see the predicament, so I would move the following:-

1. The Council requests a valuation of the ground from the District Valuer.
2. The Council then transfers the ground to the Social Club with the following conditions.
 - (a) that a payback agreement is entered into between the Club and the Council; and
 - (b) that should the transfer go through and if they club in future closes without the Council being fully paid then the ground would then go back into the ownership of the Council.”

In terms of Standing Order 31.2, Baillie Buchanan was entitled to attend the meeting to be heard on the motion before it was considered or debated.

Baillie Buchanan had, however, advised that he was unable to attend the meeting and had requested that the Executive continue the matter to a future meeting to allow him to be heard.

Decision

The Executive agreed to:-

- (1) continue consideration of this item of the next meeting to allow Baillie Buchanan to attend, and**
- (2) request a report, to the next meeting, on the implications of the proposal set out in the motion.**

EX116. REDESIGNING THE COMMUNITY JUSTICE SYSTEM

The Executive considered a report by the Director of Social Work Services presenting the Scottish Government's response to its consultation on proposals to redesign the community justice system.

The Scottish Government had consulted on proposals to redesign the community justice system in January 2013. Following a lengthy and wide consultation the Government published its response in January 2014. It was proposed that the new community justice system would comprise 7 key elements with local planning and delivery led by community planning partnerships and with a national body established to provide strategic oversight and assurance and make recommendations to Scottish Ministers and local authority elected members. The new system would result in the abolition of the community justice authorities.

Details were given of the implications for Falkirk Council and its community planning partners, highlighting that, with any changes unlikely until 2015, there was an opportunity in 2014 to consult locally with partners on the local delivery of the system.

Decision

The Executive:-

- (1) noted the Scottish Government's response to its consultation on Redesigning the Community Justice System;**
- (2) requested that the Community Planning Partnership Leadership Group begin the process of preparing for the incorporation of Community Justice planning processes into Community Planning Partnership arrangements, and**
- (3) requested that the Director of Social Work provide a further report following the next stage of consultation.**

EX117. FALKIRK LOCAL DEVELOPMENT PLAN - SUPPLEMENTARY GUIDANCE

The Executive considered a report by the Director of Development Services seeking authority to consult on 16 proposed supplementary guidance notes to the Local Development Plan.

The rationale for including supplementary guidance notes on policies contained within the Local Development Plan was set out together with proposals to consult on the 16 notes throughout the course of 2014. Following consultation on each, Executive approval would be sought prior to submission to the Scottish Ministers.

Decision

The Executive:-

- (1) authorised officers to prepare and undertake consultation on the 16 supplementary guidance notes referred to in the proposed Local Development Plan, as set out in the appendix to the report, and**
- (2) noted that, following the consultation exercise, the finalised supplementary guidance notes would be submitted to the Executive for approval.**

EX118. COUNCIL HEADQUARTERS ACCOMMODATION

The Executive considered a report by the Director of Development Services presenting an appraisal of the options available in regard to the Council's headquarters accommodation, with the recommendation that the Council pursues a phased development of a new office facility followed, at a later date, by the construction of a new civic facility.

The Policy and Resources Committee had previously considered the condition and costs relating to the Council's headquarters accommodation, the Municipal Buildings. An appraisal of the four options considered by the Committee was presented. These were:-

Option 1 - Do minimum

Option 2 - Full scale replacement

Option 3 - Refurbishment of the existing Municipal Buildings complex

Option 4 - Staged approach to the development of new build office and civic/town hall accommodation

The costs and key features of each option were summarised together with information relating to the costs of leasing accommodation in Abbotsford House and Callendar Square.

It was proposed that a member/officer working group be established with a remit set out in appendix 2 to the report.

Decision

The Executive agreed:-

- (1) in principle the approach to delivery of the project involving a general standard for net floor space of 8sq/m per FTE and 0.8 desks per FTE;**

- (2) to proceed with the next steps as set out at paragraph 6 of the report involving the preparation of full business case documents for delivery of a) the council office headquarters accommodation based on option 4a set out in the report and b) a replacement civic/town hall facility;
- (3) that a further report on the outcomes of the full business case be presented to the Executive in 2014, and
- (4) to establish a member/officer headquarters working group as set out in appendix 2 to the report. The membership will initially comprise the Leader of the Council, the Leader of the Opposition and the portfolio holders for Culture, Leisure and Tourism; Economic Development and Environment. Other members may be invited on to the Group as required.

EX119. LAND AT DUNMORE

The Executive considered a report by the Director of Development Services presenting proposals from Dunmore Village Association to create a sensory garden on Council property in Dunmore.

The Council had, in 2013, marketed the woodyard site in Dunmore Village and, following the withdrawal of an offer to purchase the site, had subsequently considered a proposal by Dunmore Village Association to create a community sensory garden on the site.

A formal proposal incorporating outline concept plans was presented. Ownership of the land would remain with the Council, and the terms and conditions for the use of the land would be governed through a Minute of Agreement with Dunmore Village Association. The project would be funded by the Dunmore Village Association.

Decision

The Executive agreed to enter into a Minute of Agreement, for a period of 20 years, with the Dunmore Village Association, permitting their development and use of a site for purposes of a community sensory garden on terms to be finalised.

EX120. NEW WASTE COLLECTION SYSTEM - IMPLEMENTATION

The Executive considered a report by the Directors of Development Services and of Corporate and Neighbourhood Services presenting an implementation plan for the Council's waste collection system.

Council had agreed a new waste collection system on 11 December 2013 and required the said Directors to develop an implementation plan for the new system. A detailed implementation plan was set out in the report. Implementation of the plan would be overseen by a project board supported by a communications working group and an operations working group. A communications strategy and service standard had been developed.

It was intended that the first phase of the roll out of the new collection system would be a pilot covering Airth, Carron, Carronshore, Larbert, Stenhousemuir, Torwood and parts of Bo'ness. The pilot would be assessed with a report submitted to the Executive on 19 August 2014 setting out the lessons learned and next steps, for approval, prior to further roll out.

Decision

The Executive:-

- (1) agreed the Implementation Plan for the New Waste collection system, and**
- (2) noted that the Directors of Development and of Corporate and Neighbourhood Services would jointly oversee the execution of the Implementation Plan and report to the Executive, in August 2014, on lessons learned and the next steps.**

At this point Councillor C Martin declared a financial interest in the following item as an employee of Network Rail and left the meeting. Councillor Mahoney took the chair.

EX121. REDDING ROAD RAILWAY BRIDGE

The Executive considered a report by the Director of Development Services seeking authority to enter into a contract to effect the design and construction works required at Redding Road railway bridge.

Proposals were set out for the Council to contract with Network Rail to have the necessary design and construction works at the Redding Road railway bridge including the replacement of the bridge deck carried out. The project would be undertaken utilising Network Rail's framework contractors for the Edinburgh to Glasgow Improvement Programme (EGIP).

The proposed arrangement required the Council to enter directly into a formal contract with Network Rail and it was considered that the arrangement represented best value. In accordance with Contract Standing Order 5.8, the Chief Governance Officer, in consultation with the Chief Finance Officer and the Chief Executive had given specific exemption from requirement to competitively tender this contract on the basis of special circumstances outlined in the report.

Decision

The Executive:-

- (1) noted the exemption from the requirement for competition granted by the Chief Governance Officer in consultation with the Chief Finance Officer and the Chief Executive in respect of this contract, and**
- (2) agreed to enter into a contract with Network Rail which will effect the design and construction works required at Redding Road railway bridge.**

Councillor Martin rejoined the meeting at the conclusion of the foregoing item of business and again assumed the chair.

EX122. THE HELIX: VISITOR CENTRE

The Executive considered a report by the Director of Development Services recommending acceptance of a tender in respect of the Helix visitors building.

Details were given of proposals to build a complete visitor centre within the Helix. External funding had been secured to develop a visitor centre to be sited near the Kelpies within the Helix. Three contractors had been approached to tender for the construction of the centre which it was envisaged would be delivered for the launch of the Kelpies on April 17 and 18. One contractor did not bid and, of the two which were received, one was not considered to be competitive. The third, by Balfour Beatty Civil Engineering Ltd was recommended. External advice was obtained on the application of the Public Contracts (Scotland) Regulations to the procurement exercise carried out. The approach was deemed to have been sound and the risk of challenge low.

Decision

The Executive accepted the tender by Balfour Beatty Civil Engineering Limited in the sum of £1,069,000.00 in respect of the Helix visitor building.

EX123. MEMBER ATTENDANCE AT CONFERENCE – REQUESTS FOR APPROVAL

The Executive considered a report by the Chief Governance Officer seeking approval for the attendance of Councillors Gow and Meiklejohn at the annual COSLA conference.

Council had previously agreed on 5 December 2012 to delegate to the Chief Governance Officer to authorise the attendance of elected members at events where the cost does not exceed £200.

Requests had been received from Councillors Gow and Meiklejohn to attend the COSLA conference, in St Andrews, on 13 and 14 March. The full delegate fee was £399 plus VAT per person.

The report confirmed that attendance would be in accordance with Members' approved duties and that the costs could be met from current budget provision.

Decision

The Executive agreed:-

- (1) the attendance of Councillors Gow and Meiklejohn at the annual COSLA conference, in St Andrews on 13&14 March, at a cost of £399 plus VAT per person; and**
- (2) to approve in principle any further requests that may be received to attend the event.**

EX124. EXCLUSION OF PUBLIC

The Executive agreed, in terms of s50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting for the following items of business on the ground that they would involve the likely disclosure of exempt information as defined in paragraphs 8 and 12 of Part 1 of Schedule 7A to the said Act.

EX125. 8 CENTRAL BOULEVARD, CENTRAL PARK, LARBERT

The Executive considered a report by the Director of Development Services giving details of a proposed business relocation to a property at 8 Central Boulevard, Central Park, Larbert and for the early termination of the lease of the property currently held by the Council.

Details were given of the proposal and the financial implications.

Decision

The Executive approved the proposals for the early termination of its current head lease at 5 Central Boulevard, Central Park, Larbert at a cost of £500,000 on the terms set out in the report.

EX126. PORTFOLIO MANAGEMENT PLAN: 6.1 ACRE SITE AT SOUTH BRIDGE STREET, GRANGEMOUTH

The Executive considered a report by the Director of Development Services seeking approval for the disposal of a 6.1 acre site at South Bridge Street, Grangemouth.

Details were given of two offers together with a recommendation that the Executive accept the higher offer, from Collet Transport Pension Plan.

Decision

The Executive agreed the sale of the site at South Bridge Street, Grangemouth to Collet Transport Pension Plan for the sum of £750,000, subject to conclusion of missives on satisfactory terms.