

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 29 APRIL 2014 at 11.00 a.m.

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

OFFICERS: Margaret Anderson, Director of Social Work Services
Rhona Geisler, Director of Development Services
Rose Mary Glackin, Chief Governance Officer
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate and Neighbourhood Services
Bryan Smail, Chief Finance Officer

ALSO ATTENDING: Neil Brown, General Manager and
Maureen Campbell, Chief Executive; Falkirk Community Trust

EX1. APOLOGIES

None.

EX2. DECLARATIONS OF INTEREST

Councillors D Goldie, Gow and Nicol declared a non-financial interest in item EX11 as Directors of Falkirk Community Trust, but did not consider that this required them to recuse themselves from consideration of the item, having regard to the relevant specific exclusion contained in the Code of Conduct.

EX3. MINUTE

Decision

The minute of the meeting of the Executive held on 18 March 2014 was approved.

EX4. PROCUREMENT STRATEGY UPDATE

The Executive considered a report by the Director of Corporate and Neighbourhood Services providing an update on progress made in delivering the outcomes of the Corporate Procurement Strategy for the period 2011-2014 and presenting a strategy for 2014-2017.

The Corporate Procurement Strategy for 2011-2014 set out a procurement vision supported by three themes, each with associated strategic outcomes. The report set out areas of progress against each of the themes for the period 2011-2014, highlighting where the strategy had contributed to the delivery of the Council's values as set out in the Corporate Plan.

A strategy for 2014-2017 was also presented together with a summary of the challenges, both economic and legislative, which would impact on the Council's procurement initiatives, including the Procurement Reform (Scotland) Bill and the ongoing Procurement Reform Programme within Scotland. The strategy is based on the vision and themes set out in the 2011-2014 strategy. However it includes a greater focus on sustainability and supporting small and medium sized businesses, particularly local businesses.

Decision

The Executive:-

- (1) noted the outcomes of the Corporate Procurement Strategy 2011-2014, as detailed in section 3 of the report; and**
- (2) agreed the Corporate Procurement Strategy 2014-2017.**

EX5. RATES APPEALS

The Executive considered a report by the Chief Governance Officer advising of the Council's obligation to hear rates appeals from ratepayers on the grounds that they have been improperly charged and presenting a procedure to deal with such appeals.

In terms of section 238 of the Local Government (Scotland) Act 1947 a rating authority must hear appeals from ratepayers who have lodged an appeal on the grounds that they consider that they have been improperly charged. The Council is the Rating Authority for its area. The report advised that an appeal had been received which in terms of the Scheme of Delegation, will be heard by the Executive. A procedure for dealing with this and future appeals was appended to the report for approval.

Decision

The Executive agreed:-

- (1) to adopt the procedures detailed at appendix 1 of the report for rates appeals where the ratepayer considers they are being improperly charged;**

- (2) to delegate to the Chief Governance Officer the setting of a date for an appeal hearing to be held by the Executive to consider the current appeal; and
- (3) that the timescales detailed in paragraphs 1.1 and 1.2 of the procedures shall not be applied in the case of the current appeal.

EX6. IMPLEMENTATION OF SELF DIRECTED SUPPORT IN SOCIAL CARE

The Executive considered a report by the Director of Social Work Services on the local and national implementation of self directed support in social care and requesting that the Executive determines whether to pay service users gross or net when they are in receipt of direct payments.

The Social Care Self Directed Support (Scotland) Act 2013 came into force on 1 April 2014. The purpose of the Act is to put people who require care and support at the centre of decision making about how they receive their care. Four options to meet care requirements are available:-

- (1) Direct Payment - money is paid to the service user to allow them to arrange their own support;
- (2) Directing the Available Support – the user decides how the budget will be used but the Council or other agencies can make the necessary payments;
- (3) The Local Authority arranges support on behalf of the service user; and
- (4) Any combination of the above.

For those individuals who choose option 1 – direct payments, the Council can decide whether to pay gross or net for the services. The report set out the implications of both options and recommended that the Council adopt the latter.

An implementation team was established in October 2013 to embed the provision of self directed support across the service. The report summarised the work of the team to date.

Decision

The Executive:-

- (1) noted the progress made locally and nationally in moving towards self directed care and support services; and
- (2) approved the net payment of care costs where a direct payment (option 1) is chosen by a service user to provide for their care.

EX7. DEVELOPMENT PLAN SCHEME

The Executive considered a report by the Director of Development Services presenting the Development Plan Scheme 2014 for approval.

In terms of the Planning, etc (Scotland) Act 2006, planning authorities are required to prepare a Development Plan Scheme. These set out the authority's programme for preparing and reviewing their Development Plan and how the authority will consult during the preparation of the Plan.

Falkirk Council's first Development Plan Scheme was approved in 2009. The proposed Scheme for 2014 was presented together with a summary of its key features.

Decision

The Executive approved the Development Plan Scheme 2014.

EX8. FALKIRK TAX INCREMENTAL FINANCING INITIATIVE UPDATE REPORT

The Executive considered a report by the Director of Development Services providing an update on the Falkirk Tax Incremental Financing (TIF) initiative and detailing the next phase of work planned.

The Executive agreed on 18 June 2013 (ref EX29) to commit to the delivery of a TIF initiative following consideration of a business case for the proposal. The first contract was agreed shortly thereafter for the upgrading of junction 6 on the M9 at Earlsgate. A TIF Executive which includes the Scottish Government, Scottish Futures Trust and Falkirk Council oversees the delivery of the project including agreement on the inclusion of additional sites within the TIF. The report summarised the next phase of the project including the addition of a development site at Glenbervie to the initiative.

The Council had, in partnership with Scottish Enterprise, engaged Ironside Farrar, to develop an integrated strategy that appraised market conditions, identified the work required on each of the infrastructure and development sites and addressed the opportunities/challenges in progressing each development site. The strategy acknowledged the need for the TIF to be responsive and flexible to opportunities that arise and set out a number of actions for Falkirk Council to take forward. An infrastructure and Development Plan emerged from the strategy.

Decision

The Executive:-

- (1) noted the update of progress on the Falkirk TIF initiative and the outcome of the Infrastructure and Development Plan;**
- (2) agreed to develop proposals for the addition of the Glenbervie site to the TIF initiative, including the formation of an agreement with Scottish Enterprise for investment in the site;**
- (3) agreed to proceed with the preparation of masterplans for the Falkirk Gateway and Stadium sites at a cost of £50,000 including proposals for early release of development sites;**

- (4) agreed to proceed with revised marketing and signage of the TIF sites at a cost of £20,000; and
- (5) agreed the revised Implementation Schedule for TIF projects as outlined in appendix 1 to the report, including completion of site-enabling works at Falkirk Stadium (£600,000) and Abbotsford Business Park (£250,000).

EX9. PORTFOLIO MANAGEMENT PLAN UPDATE REPORT

The Executive considered a report by the Director of Development Services summarising the performance of the portfolio management plan disposal and re-investment programmes and proposed updates to each.

The aim of the portfolio management plan is to sustain and enhance a viable property portfolio for economic development through a phased disposal of existing assets and the re-investment of proceeds in developing new business property. The property portfolio accommodates 497 businesses and 95% of the portfolio is currently let.

The report summarised the performance of the 2013/2014 disposal programme. Of the 13 lots which had been marked for disposal, 7 had been sold, with receipts of £998,786. A programme for 2014/2015 with 16 lots for disposal was proposed.

A summary of the reinvestment programme was provided. The TIF initiative infrastructure and development plan, considered earlier in the meeting, had proposed early action to stimulate market interest in development at Abbotsford Business Park and set out actions for the Council to undertake. It was proposed that plots at Abbotsford Business Park be redeveloped - with 4 modern industrial units built at a cost of £1.3m. The financial implications, including sources of funding for the project were highlighted.

Decision

The Executive:-

- (1) noted the performance of the portfolio management plan and the contribution it is making to the local economy;
- (2) agreed to progress the updated proposals for the PMP disposal and reinvestment plans as set out in this report and detailed in appendices 2 & 3; and
- (3) approved the scheme for delivery of 4 industrial units at Abbotsford Industrial Park as set out in the report.

EX10. DENNY TOWN CENTRE REGENERATION UPDATE REPORT

The Executive considered a report by the Director of Development Services summarising the current position of the Denny town centre regeneration programme, setting out the next steps in the programme and seeking authority to utilise funding to meet additional costs in regard to the implementation of phase 1.

The timetable for the completion of phase 1 of the project (including provision for 10 retail units and a new library) was provided together with an overview of the process for establishing a temporary retail village to secure accommodation for pre-let anchor tenants during the construction phase. Details were given of the outcome of the procurement process for the provision of the temporary retail village. The cost had been £30,000 above the anticipated cost for the works and authority was sought to fund the costs from the current budget. Additionally, details were given of a proposal to provide, at an anticipated cost of £120,000, temporary accommodation for Boots. Again the costs would be met from the current budget.

In January 2014, the Executive considered an update report (ref EX109) including proposals for the temporary resiting of the town centre war memorial. The design of the memorial had been completed and a contractor would be appointed in June with the project to be completed in time for the memorial to be rededicated before November 2014.

It was anticipated that the project would cost £95,437. External funding has been sought, including a bid for 50% of the costs from the Falkirk Environment Trust. In the event that external funding is not secured the full costs will require to be met from existing budget provision.

Decision

The Executive:-

- (1) noted the progress report on the delivery of the Denny town centre regeneration project;**
- (2) agreed to temporary accommodation for Boots at a cost of £120,000 and an additional £30,000 for the temporary retail village; and**
- (3) agreed to progress the temporary relocation of the war memorial at a maximum cost to the Council of £95,437.**

EX11. PLANNING & BUILDING STANDARDS CASE WORK MANAGEMENT SYSTEM – NOTIFICATION OF AWARD OF CONTRACT

The Executive considered a report by the Director of Development Services advising that in accordance with Contract Standing Order 6.2 (ii) she had awarded a contract for the supply and maintenance of the Uniform case management system commencing on 1 April 2015 for up to 7 years.

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 the requirement to tender on the basis that negotiating a contract with the current provider secured better value for the Council than purchasing a new system given the level of integration already in place and the saving on support and maintenance achieved through continuation of the contractual relationship.

Decision

The Executive noted the report.

EX12. EXCLUSION OF PUBLIC

The Executive agreed, in terms of Section 50A(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 to the said Act.

EX13. SPEND TO SAVE – FALKIRK COMMUNITY TRUST HEALTH & FITNESS SUITE

The Executive considered a report by the Chief Finance Officer detailing a spend to save project to establish a new health and fitness facility in Falkirk or Stenhousemuir.

The Executive had, on 6 August 2013 (ref EX47) considered a number of spend to save proposals. It had agreed to continue consideration of a proposal by Falkirk Community Trust to establish a health and fitness suite pending the submission of further detail.

A business case setting out the proposal including location and cost sharing options was presented. The report also detailed the risks associated with the proposal.

The Executive was invited to:-

- (i) consider whether to invest in the project;
- (ii) determine its preferred location for the facility; and
- (iii) consider the income sharing ratios between the Council and the Trust

Decision

The Executive:-

- (1) approved a spend to save investment in the Trust's provision of a new health & fitness facility;
- (2) agreed that the facility would be located in Stenhousemuir; and
- (3) agreed that surpluses generated by the proposal should be shared on the basis that the Trust will receive 40%, and Falkirk Council will receive 60%.