

FC32. FALKIRK COMMUNITY TRUST UPDATE

With reference to Minute of Meeting of Falkirk Council held on 8 December 2010 (Paragraph FC61 refers), there was submitted Report (circulated) dated 8 June 2011 by the Chief Executive (a) providing a further progress update on the development of Falkirk Community Trust, and (b) recommending that Council enter into a number of agreements to enable the Trust to deliver services on behalf of the Council with effect from 1st July 2011.

Councillor C Martin, seconded by Councillor Waddell, moved the recommendations as set out in the Report.

By way of an Amendment, Councillor Coleman, seconded by Councillor Oliver, moved that:-

“Council believes that such a radical change on employment policy should not be carried out so close to an election and therefore agrees to the following:-

- (1) postpone the establishment of the Trust until 1 July 2012;
- (2) ask the Trade Union to carry out a full consultation with affected employees and report back the findings;
- (3) disband the board of directors due to the actions above and the lack of proper scrutiny of the appointments process, and
- (4) establish an all party working group to be chaired by a member of the opposition to ensure proper scrutiny of all aspects of the trust proposals to report back before the dissolution of the Council prior to the 2012 elections.”

On a division, 15 Members voted for the Motion and 14 Members voted for the Amendment.

Accordingly, **NOTED** that Falkirk Community Trust Ltd and Falkirk Community Trading Ltd are both properly incorporated and established and able to deliver the services as outlined in the Transfer Agreement and Trust Business Plan 2011/12;

AGREED to:-

- (1) enter into the full suite of documents required to enable the transfer of services, business assets and personnel to take effect from 1 July 2011, including the:
 - Transfer Agreement
 - Funding Agreement
 - Collections Agreement
 - Pensions Agreement;
- (2) approve the Trust Business Plan for 2011/12 and agree to provide funding proportionately from the relevant Council budget;
- (3) grant to the Trust the leases and property licence as detailed at paragraph 6 of the Report; and

- (5) authorise the Chief Executive or her nominee to negotiate, agree to and make any amendments to the suite of documentation referred to in the Report as may be reasonably required by the Board of the Trust in advance of the Trust and its trading subsidiary becoming operative and generally to take all decisions and actions required to take forward the establishment of the Trust on 1 July 2011 or such other date as near as possible to 1 July 2011 as she may determine in the unlikely event of an unexpected reason delaying establishment.