



AGENDA ITEM

3

MINUTE

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 15 MARCH 2016 at 9.30 a.m.

COUNCILLORS:

David Alexander	Craig Martin (Convener)
Jim Blackwood	Dr Craig R Martin
Tom Coleman	Alan Nimmo
Dennis Goldie	Malcolm Nicol
Linda Gow	Robert Spears

OFFICERS:

Karen Algie, Head of Human Resources and Business Transformation
Sally Buchanan, Welfare Reform Project Manager
Matthew Farrell, Economic Development Officer
Paul Ferguson, Revenue Manager
Colin Frame, Principal Surveyor (Strategic Projects)
Rhona Geisler, Director of Development Services
Rose Mary Glackin, Chief Governance Officer
Joe McElholm, Head of Social Work Adult Services
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate and Housing Services
Bryan Smail, Chief Finance Officer

EX97. ORDER OF BUSINESS

As the portfolio holder for Economic Development required to leave the meeting to attend a funeral, the Convener varied the order of business from that detailed in the agenda for the meeting. The following items have been recorded in the order that they were taken at the meeting.

EX98. APOLOGIES

Apologies were intimated on behalf of Councillors G Goldie and Mahoney.

EX99. DECLARATIONS OF INTEREST

No declarations were made.

EX100. MINUTE

Decision

The minute of the meeting of the Executive held on 23 February 2016 was approved.

EX101. FALKIRK LOCAL DEVELOPMENT PLAN – SUPPLEMENTARY GUIDANCE FEEDBACK ON CONSULTATION ON SG16 LISTED BUILDINGS AND UNLISTED PROPERTIES IN CONSERVATION AREAS (FIFTH BATCH)

The Executive considered a report by the Director of Development Services presenting a Local Development Plan Supplementary Guidance Note for approval.

The Executive authorised, on 25 February 2014 (ref EX46), the preparation of and consultation on 16 Supplementary Guidance Notes referred to in the Local Development Plan. A further Guidance Note on renewable energy was subsequently identified. To date, four ‘batches’ containing 10 Supplementary Notes have been developed, consulted upon and approved by the Scottish Ministers. Supplementary Guidance Note – SG16 Listed Buildings and Unlisted Properties in Conservation Areas – was now presented for approval.

The report set out the feedback from consultations together with proposed minor amendments.

Decision

The Executive agreed Supplementary Planning Guidance Note SG16 Listed Buildings and Unlisted Properties in Conservation Areas (including modifications in response to consultations as detailed in paragraphs 4.1, 4.2 and 4.3 of the report) and its submission to the Scottish Ministers for final approval.

EX102. GRANGEMOUTH ENERGY PROJECT: NEXT STEPS

The Executive considered a report by the Director of Development Services seeking authority to progress the Grangemouth Energy Project.

The Executive agreed on 13 January 2015 (ref EX109) to progress an energy project for the Grangemouth area which could utilise renewable technologies to deliver sustainable energy cost savings to the industrial complex and potentially the wider area through the development of a district heating scheme.

A business case for the Energy Project was presented as an appendix to the report. The business case set out the work to date and identified a range of energy generating options for the area. This included a cost benefit analysis which identified a district heating network covering the Grangemouth area as the preferred option. This would comprise three distinct heating networks, each based around an assessed demand profile and underpinned by a variety of balanced supply options, with a particular focus on the re-use of waste heat and low carbon solutions. An analysis of each proposed

network – Eastern, Northern and Western indicated that the proposed Northern network was not viable at the current time. The Eastern network was the strongest proposition and although the Western network was not currently viable, the planned introduction of a masterplan for the Falkirk Gateway sites indicated that it could be economically viable as energy demand increased.

The report set out proposed next steps to develop the project. Further bids for funding to Scotland's Energy Efficiency Programme and the Scottish Government/EU Low Carbon Infrastructure Transition Programme had been made. It was proposed that the Council participate in the EU supported 'INTERREG' programme, which supports the development of transitional economic development activities which focus on the creation of business support programmes to improve the development of sustainable economic clusters and in identifying international partners.

Councillor D Goldie, seconded by Councillor Dr C R Martin, moved that the Executive:-

- (1) *notes the terms of the report on the progress of the energy project and the delivery of the Grangemouth Energy Project;*
- (2) *agrees the next steps in developing the project including the preparation of a business case for the Eastern and Western networks through seeking financial support from the Scottish Low Carbon Infrastructure Transition Programme;*
- (3) *agrees to participate in the EU funded INTERREG initiative for the promotion of local energy networks; and*
- (4) *requests officers to report back in due course, with the results of the business case and recommending the next steps.*

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the terms of the motion with clause (2) replaced by the following:

- (2) *agrees the next steps in developing the project, including fast tracking the preparation of a business case for the Eastern network through seeking financial support from the Scottish Low Carbon infrastructure Transition programme but not to proceed with a business case for the Western network at this time.*

On a division 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, Gow, C Martin, C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

Decision

The Executive agreed the motion.

Councillor Gow joined the meeting during consideration of the previous item.

EX103. FALKIRK TAX INCREMENTAL FINANCING INITIATIVE AND FALKIRK GATEWAY

The Executive considered a report by the Director of Development Services presenting a revised schedule for the implementation of the Falkirk Tax Incremental Financing (TIF) initiative with particular reference to the Falkirk Gateway Project.

The Executive agreed, on 18 June 2013 (ref EX29), to commit to the delivery of the Falkirk TIF initiative. An Infrastructure and Development Plan was developed to take forward each of the projects. Key to this will be a development plan for the eastern entrance to Falkirk and the Gateway site. A preliminary Infrastructure Development Framework has been developed by WSP, an engineering and design consultancy, to assist in the creation of a flagship development at the Eastern entrance to Falkirk.

The report provided an overview of the Framework, highlighting in particular proposals for each of the key sites within the development including Falkirk Gateway, Falkirk Community Stadium, Forth Valley College, and the Helix Park and Kelpies Hub. In addition to an improvement in the road network connecting each of the Gateway sites, a crossing and path network to support cyclists/pedestrians joining between the four key sites was proposed. It was recommended that, as a key element of the TIF programme, further work on design and funding opportunities was undertaken.

The Executive had also agreed, on 9 June 2015 (ref EX23), to develop a business case for an investment model in liaison with key partners Ernst & Young, the Council's TIF advisers, carried out this work and the report summarised the main findings.

The next step suggested for the Gateway site is to initiate market testing but certain preliminary elements need to be in place before that is done. The report gave further information on those elements and updated the TIF Development Programme.

Decision

The Executive agreed:-

- (1) to note the update of progress on the Falkirk Tax Incremental Finance (TIF) initiative and the outcome of the Falkirk Gateway Preliminary Development Framework proposals;**
- (2) to note the proposals for the Crossing outlined in paragraph 4 of the report;**
- (3) the revised implementation schedule for TIF projects as outlined in appendix 4, to the report, including the commissioning of a drainage and public realm strategy for the Gateway site; and**
- (4) to progress the actions for delivery of the Gateway development as set out in paragraphs 5 & 6 of the report including initiating discussions with Callander Estates over the terms of a landowners agreement for delivery of the Gateway site.**

Councillor D Goldie withdrew from the meeting following consideration of the previous item.

EX104. WORKFORCE STRATEGY

The Executive considered a report by the Director of Corporate and Housing Services presenting a revised Workforce Strategy for approval.

The Council's Best Value Audit 2015 Improvement Plan, which had been agreed by Council on 7 October 2015 (ref FC48) following Audit Scotland's Best Value Audit of Falkirk Council, stated that the Council would update its Workforce Strategy and that this would be submitted for approval by 31 March 2016. The revised Strategy was set out as the appendix to the report. It will sit within the Council's strategic planning and management framework and link to the Corporate and Service Plans and to the revenue budget.

Councillor Nicol, seconded by Councillor C Martin, moved that the Executive *agrees the draft Workforce Strategy, as attached as appendix 1 to the report.*

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved in substitution for the motion, that *officers bring the strategy back to the Executive in a more structured and coherent form.*

On a division 6 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (6) – Councillors Blackwood, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

Decision

The Executive agreed the motion.

EX105. LOCAL ADVICE AND SUPPORT HUBS

The Executive considered a report by the Director of Corporate and Housing Services proposing the introduction of Local Advice and Support Hubs to deliver frontline customer services.

Following a review of the current frontline service provision it was proposed that three advice hubs covering the East, West and Central populations are introduced with bespoke arrangements for customers to access services through existing facilities within their local areas. The hubs would replace the current Once Stop Shop service and would provide services which are more aligned to meeting the needs of customers by establishing specialist services in each 'hub' complemented by additional services across each area on a 'surgery' basis. The refocusing of the face to face service would be accompanied by an increased availability in digital support, in particular online support. A pilot in the East area was proposed. The Hub would be located in the One Stop Shop facility in Grangemouth with outreach provided across the Bo'ness/Grangemouth area with possible locations including Bo'ness Library, Bo'ness Community Education base, Bo'ness Recreation Centre and the Kersiebank Community Project. Additionally payment facilities would be available in 10 local shops in Bo'ness and 12 local shops in Grangemouth.

The report set out the services anticipated to be provided and the financial benefits in introducing Local Advice Hubs.

Councillor Nicol, seconded by Councillor C Martin, moved that the Executive agrees:-

- (1) *the implementation of a Local Advice and Support Hub pilot based in Grangemouth but covering the east of the District; and*
- (2) *to request a further report detailing arrangements for the central and west area hubs.*

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved in substitution for the motion that the Executive *notes the report and its contradictions and resolves to refer the matter to the Scrutiny Committee for further detailed consideration, including the retention of One Stop Shops.*

On a division, 6 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (6) – Councillors Blackwood, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

Decision

The Executive agreed the motion.

EX106. TREASURY MANAGEMENT STRATEGY 2016/17

The Executive considered a report by the Director of Corporate and Housing Services presenting a Treasury Management Strategy for 2016/17 for consideration prior to referral to Council.

In terms of the CIPFA Code of Practice for Treasury Management, Council is required to agree an annual Treasury Management Strategy. The recommended strategy for 2016/17 was presented. The Strategy set out:-

- the economic and interest rate outlook;
- debt outstanding at 1 April 2016;
- the longer term borrowing requirement for 2016/17;
- borrowing and investment strategies;
- Treasury indicators and treasury management advisers; and
- Elected member and officer training.

The Executive agreed to recommend that Council:-

- (1) adopts the Borrowing Strategy for 2016/17 as set out in the report;**
- (2) adopts the Investment Strategy for 2016/17 and approves the list of “Permitted Investments” as set out in Section 6 of the report; and**

- (3) approves the Treasury Indicators as set out in Section 7 of the report.

EX107. ACTUARIAL VALUATION OF THE INSURANCE FUND AND STATUS OF MUNICIPAL MUTUAL INSURANCE (MMI)

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the triennial actuarial valuation of the Insurance Fund and the current position in respect of Municipal Mutual Insurance (MMI).

The triennial actuarial valuation of the Insurance Fund had been undertaken by Milliman LLP. The Fund was found to be broadly healthy with a surplus of £0.6m. However, Milliman did not recommend the release of funds despite the surplus due to the uncertainty facing the Fund.

The valuation set Services' contribution at £1.29m. The budgeted annual provision was £1.21m. It was proposed that the shortfall of £0.08m was provided by the Fund surplus.

An update was also provided in regard to the agreed 'solvent run off' arrangement which had been put in place following MMI entering into administration. MMI's administrators, Ernst & Young, established a levy payment of 15% on all costs paid to date on the Council's behalf by MMI. Council had agreed a levy rate of 30% in recognition that 15% was insufficient and that a second levy was likely. MMI advised in January 2016 that the range of the second levy would be between 15 and 34% with the exact figure known in April 2016. It was recognised that the current MMI provision would require an additional £0.09m and that it could be met from the surplus in the Insurance Fund.

The Executive:-

- (1) agreed the use of the Insurance Fund surplus to fund the shortfall in revenue contributions of £0.08m;
- (2) agreed the use of the Insurance Fund surplus to fund the shortfall in the Municipal Mutual Insurance (MMI) provision of £0.09m; and
- (3) noted that the MMI provision would need to be increased and that this will be funded from the Insurance Fund.

EX108. POLICE SCOTLAND PROPOSALS TO WITHDRAW THE TRAFFIC WARDENS SERVICE AND DECRIMINALISATION OF PARKING ENFORCEMENT – UPDATE REPORT

The Executive considered a report by the Director of Development Services providing an update on Police Scotland's proposals to withdraw the traffic warden service.

The Chief Constable of Police Scotland advised Council in 2013 of his intention to withdraw the traffic warden provision from 28 February 2014. Council agreed on 12 March 2014 (ref FC96) to authorise the Director of Development Services to enter into a Service Level Agreement with the Local Area Commander, Police Scotland, to maintain the current service provision. The initial term to 30 June 2015 was

subsequently extended to continue indefinitely unless terminated by any of the involved partners.

Police Scotland had now intimated its intention to terminate the agreement with effect from 31 March 2016.

The Executive, in considering Police Scotland's proposed withdrawal and instructed the Director of Development Services on 19 November 2013 (ref EX92) to prepare a business case to support any application to the Scottish Ministers seeking Decriminalised Parking Enforcement (DPE) powers.

An application for DPE powers must demonstrate that the scheme can operate on a financially neutral basis by the end of the first 5 years of operation. A review of existing waiting restrictions was also required in order to satisfy Ministers that the DPE could be properly enforced. The business case will be presented to a future meeting of the Executive in order to determine if application for DPE powers should be pursued.

The Executive agreed:-

- (1) to note the terms of the report; and**
- (2) that the business case to support any application for Decriminalised Parking Enforcement Powers is presented as soon as possible upon conclusion of the remaining tasks to allow a decision to be made on whether an application to Scottish Ministers seeking Decriminalised Parking Enforcement powers should be pursued.**

Councillor Goldie rejoined the meeting during consideration of the previous item.

EX109. EXCLUSION OF PUBLIC

Councillor C Martin, seconded by Councillor D Goldie, moved that the Executive *agrees in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for items 13(minute reference EX110) and 14(minute reference EX111) on the agenda on the ground that they involve the likely disclosure of exempt information as defined in Paragraphs 8, 9 and 11 of Part 1 of Schedule 7A to the said Act.*

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved that *item 13 (CCTV Update) should be held in public.*

On a division, 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

Decision

The Executive agreed the motion.

EX110. CCTV UPDATE

The Executive considered a report by the Director of Corporate and Housing Services presenting options for delivery of CCTV provision in the area.

The Executive agreed, on September 2015 (ref EX44) to tender for a 1 year peak time CCTV recording service for the Falkirk Council area.

No tenders had been received for the provision of the service. The report set out three options for future service provision. These were:-

- option 1 – prepare for a recorded service from 1 April 2016;
- option 2 – use the negotiated procedure to attempt to agree a peak time service; and
- option 3 – ceasing the CCTV service.

Councillor Blackwood, seconded by Councillor C Martin, moved that the Executive *agrees to use the negotiated procedure to attempt to agree a peak time service (option 2) failing which to prepare for a recorded service from 1 April 2016 (option 1).*

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved that the Executive *agrees to use the negotiated procedure to attempt to agree a peak time service (option 2) failing which the matter is brought back to the Executive.*

On a division, 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

Decision

The Executive agreed the motion.

EX111. IRRECOVERABLE DEBTS 2015/16

The Executive considered a report by the Director of Corporate and Housing Services recommending that irrecoverable debts in regard to Council Tax, Housing Benefit Overpayments, Non Domestic Rates, Sundry Accounts and Payroll Overpayments are written out of the 2015/16 accounts.

In terms of Financial Regulations, debts not exceeding £5,000 can be written out of the accounts by the Chief Finance Officer. For debts exceeding £5,000 Executive approval is required.

Details were given of debts exceeding £5,000 in regard to Council Tax, Housing Benefit Overpayments, Non Domestic Rates, Sundry Accounts and Payroll Overpayments and approval was sought to write these off.

The Executive agreed: -

- (1) that Council Tax debts in excess of £5,000 totalling £74,477.62 as detailed in Appendix A to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise;
- (2) that Rent debts in excess of £5,000 totalling £21,456.51 as detailed in Appendix B to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise;
- (3) that Housing Benefit Overpayments in excess of £5,000 totalling £5,718.21 as detailed in Appendix C to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise;
- (4) that Non-Domestic Rates debts in excess of £5,000 amounting to £917,990.14 as detailed in Appendix D to the report be written off, with an appropriate adjustment to the Rate Income Return for 2015/16, subject to amendments should further information on the debtors concerned become available;
- (5) that Sundry Account debts in excess of £5,000 totalling £64,683.86 (Inclusive of VAT) as detailed in Appendix E to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise; and
- (6) that Temporary Accommodation charges in excess of £5,000 totalling £25,621.70 as detailed in Appendix F to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise.