

The background of the page features a large, light blue watermark of the coat of arms of the Government of Yukon. The coat of arms consists of a shield divided into four quadrants. The top-left quadrant shows a diagonal path leading to a building. The top-right quadrant shows a caribou head with large antlers. The bottom-left quadrant shows a three-masted sailing ship on the water. The bottom-right quadrant shows an eagle with its wings spread. Above the shield is a crown with four maple leaves. Below the shield is a banner with the motto 'A NE FOR A' in capital letters.

AGENDA ITEM

3(a)

MINUTE

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 9 MARCH 2016 at 9.30 A.M.

COUNCILLORS: David Alexander Linda Gow Rosie Murray
David Balfour Gordon Hughes Malcolm Nicol
Stephen Bird Steven Jackson Alan Nimmo
Allyson Black Charles MacDonald Martin Oliver
Jim Blackwood Brian McCabe Baillie Joan Paterson
William Buchanan John McLuckie Depute Provost John
Steven Carleschi Adrian Mahoney Patrick
Tom Coleman Craig Martin Provost Pat Reid
Paul Garner Dr Craig R Martin Ann Ritchie
Dennis Goldie Cecil Meiklejohn Sandy Turner

OFFICERS: Fiona Campbell, Head of Policy Improvement and Technology
Patricia Cassidy, Chief Officer, Health and Social Care Integration
Rhona Geisler, Director of Development Services
Rose Mary Glackin, Chief Governance Officer
Joe McElholm, Head of Social Work Adult Services
Colin Moodie, Depute Chief Governance Officer
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate and Housing Services
Bryan Smail, Chief Finance Officer

FC88. SEDERUNT

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

FC89. DECLARATIONS OF INTEREST

No declarations were made.

FC90. OPENING REMARKS

The Provost invited Councillor Gow to announce to Council that the Children and Disabilities Team, based at Children's Services, had developed an 'app' which allows children with disabilities to control their own environments, thereby providing greater independence. The 'app' had been launched in August 2015 and was available through iTunes and had received international interest. The Team had recently won a global award for the 'app'. Councillor Nicol also advised Council that the Procurement Team had won a highly commended award at the recent UK Procurement Awards.

FC91. MINUTES AND INFORMATION BULLETIN

- (a) Meeting of Falkirk Council held on 16 December 2015.

Decision

The minute of the meeting held on 16 December 2015 was agreed as a correct record.

- (b) Special Meeting of Falkirk Council held on 17 February 2016.

Decision

The minute of the special meeting held on 17 February 2016 was agreed as a correct record.

- (c) Volume of Minutes – Volume 4 2015/2016.

Decision

The Volume of Minutes – Volume 4 2015/2016 was noted.

- (d) Information Bulletin – Volume 4 2015/2016.

Decision

The Information Bulletin – Volume 4 2015/2016 was noted.

FC92. QUESTIONS

In terms of Standing Order 32, written questions may be submitted to the Leader of the Council and/or portfolio holders on any matters relating to business transacted at any meeting of the Executive or Education Executive since the last Volume of Minutes was published or to the Provost on civic and related matters.

No questions had been submitted.

FC93. BEST VALUE IMPROVEMENT PLAN

Council considered a report by the Chief Executive presenting an update on progress made in implementing the Best Value Improvement Plan.

Council had agreed on 7 October 2015 (ref FC48) an Improvement Plan in response to Audit Scotland's Best Value Review of Falkirk Council. It had also been agreed that the Provost, Leader of the Council and Leader of the Opposition would monitor implementation of the Plan.

Progress made in each of the 16 actions was set out in an appendix to the report.

The Controller of Audit is required to report back to the Accounts Commission by the end of 2016 on progress made on implementing the Plan. It is anticipated that Audit Scotland will undertake their review in April/May 2016 prior to submission of their final report in September 2016.

Decision

Council agreed:-

- (1) to note the progress made in the Improvement Plan;**
- (2) to note the expected timescale for the return of Audit Scotland to review progress;**
- (3) that progress on implementation of the Improvement Plan will continue to be reviewed by the Provost, the Leader of the Council and the Leader of the Opposition, and**
- (4) that a further progress report on the implementation of the Best Value Improvement Plan should be submitted to the Council meeting on 21 September 2016.**

FC94. REVIEW OF STANDING ORDERS

Council considered a report by the Director of Corporate and Housing Services presenting proposed amendments following a review of Standing Orders.

Having considered a progress report on the matter at its meeting on 16 December 2015 (ref FC76) Council had agreed to continue consideration of the item to enable the Leader's Group to complete its deliberations.

The report noted that the Group had met on 22 February 2016 and set out those amendments on which consensus had been reached by the Group prior to December 2015 together with comments on outstanding matters.

Councillor C Martin, seconded by Baillie Paterson, moved that Council *agrees the changes to Standing Orders set out in appendix 3 to the previous report with the addition of those changes to Standing Order 33, dealing with deputations, and the insertion of a new Standing Order 10, to formalise the Leader's business meetings, set out in the revised appendix 2.*

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved that in addition to the motion, Council also agrees to:-

- (1) reform full Council meetings to provide for proper access to be given to back bench and Opposition Councillors. This would include provision for notices of motion and/or dedicated Opposition time;*
- (2) the reform of the Executive, cutting the number of members to three portfolio holders, Leader and Deputy Leader of the Administration and three Opposition members;*
- (3) the slimmed down Executive should be the main Policy Development forum of the Council with regular meetings designed as development stages operating under suspension of Standing Orders;*

- (4) *the reduction of portfolio holders to three to match the number of service departments. This not only sets an example and is consistent with the changes which have already been implemented;*
- (5) *the Opposition to have freedom to nominate whoever they wish from within their own ranks to committees;*
- (6) *the Opposition will hold one of the places on the Health and Social Care Integrated Joint Board, and*
- (7) *Audit Scotland clearly stated that the Performance Panel should be held in public. In order to meet this condition the agenda will be merged with the main Scrutiny Committee with adjustments between the Internal and External Scrutiny Committees.*

Following discussion which included reference to the proposed changes to Standing Order 51 in regard to called in planning applications Council adjourned for 20 minutes to allow members to consider the motion and amendment and reconvened at 11.40 a.m. with members present as per the sederunt with the exception of Councillor D Goldie.

With the consent of the Provost, and of Baillie Paterson as his seconder, Councillor Martin agreed to adjust the terms of his motion insofar as it referred to Standing Order 51 to the effect that all members who call in a planning application must give an explanation for that action including a declaration of any approaches made to them.

On a division 15 members voted for the motion and 13 voted for the amendment, with voting as follows:-

For the motion (15) – Provost Reid; Depute Provost Patrick; Baillies Buchanan and Paterson; Councillors Black, Blackwood, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

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

Decision

Council agreed the motion.

FC95. THE LOCAL GOVERNANCE (SCOTLAND) ACT 2004 (REMUNERATION) AMENDMENT REGULATIONS 2016

Council considered a report by the Director of Corporate and Housing Services advising that the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016 would come into effect on 1 April 2016.

The Regulations set the level of remuneration for Councillors and the Council Leader and provide for a 1% increase in the prescribed remuneration of each. The level of remuneration for the Civic Head (the Provost) and senior councillors lay within the discretion of Council.

In regard to the position of Provost, Council had agreed an annual payment of £23,179 in 2007 and had applied no further increases until 2015 when it was increased by 1% to £23,410 and Council was invited to determine the level of remuneration from 1 April 2016. The Provost advised of his preference to return to the previous level.

Council had agreed on 24 April 2013 (Ref FC7) its current remuneration framework for senior councillors. Remuneration was currently set at senior councillor (level 1) at £22,464 per annum and senior councillor (level 2) at £18,832 per annum. Council was invited to determine the level of remuneration for senior councillors from 1 April 2016.

Decision

Council agreed:-

- (1) to note the terms of the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016;**
- (2) to note the increase in the level of remuneration that will be paid to councillors and to the Leader of the Council with effect from 1 April 2016 in accordance with the Regulations;**
- (3) to apply a 1% increase to senior councillors' remuneration; and**
- (4) to set the annual remuneration to be paid to the Provost at £23,179.**

FC96. EXECUTION OF DEEDS

Council considered a report by the Director of Corporate and Housing Services detailing those deeds that had been signed and sealed on behalf of the Council since the last meeting.

Decision

Council agreed to note the signing and sealing of the deeds listed in the Appendix to the report.

FC97. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A (4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraphs 11 and 12 of Part 1 to Schedule 7A of the said Act.

FC98. MINUTE

Council considered an extract of minute of the special meeting of the Falkirk Council held on 17 February 2016.

Decision

Council approved the minute extract.