



AGENDA ITEM

3

MINUTES

FALKIRK COUNCIL

Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 16 August 2016 at 9.30 a.m.

Councillors:

David Alexander
Jim Blackwood
Tom Coleman
Dennis Goldie
Gerry Goldie
Linda Gow

Adrian Mahoney
Dr Craig R Martin
Craig Martin (Convener)
Alan Nimmo
Robert Spears

Officers:

Douglas Duff, Head of Economic Development and Environmental Services
Rose Mary Glackin, Chief Governance Officer
Jennifer Litts, Head of Housing
Lesley MacArthur, Integrated Care Fund Co-ordinator
Joe McElholm, Head of Social Work Adult Services
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

EX33. Apologies

An apology was intimated on behalf of Councillor Nicol.

EX34. Declarations of Interest

No declarations were made at this point.

EX35. Minute

Decision

The minute of the meeting of the Executive held on 7 June 2016 was approved.

EX36. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 7 June 2016 was provided.

Decision

The Executive noted the rolling action log.

EX37. Local Housing Strategy 2015 update

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the delivery of outcomes set out in the Local Housing Strategy 2011-2016.

The Local Housing Strategy (LHS) set the strategic direction for tackling housing need and demand, informed future investment and was the sole strategic document for homelessness, housing support and fuel poverty. It had been revised since its adoption in 2011 to account for the changing landscape, notably the integration of health and social care and the Scottish Government's increased emphasis on housing options to tackle homelessness.

The report provided an update on:-

- the LHS;
- the Annual Homelessness Statement;
- the Strategic Housing Investment Plan (SHIP);
- the Housing Needs and Demand Assessment (HNDA);
- the Housing Contribution Statement – Health and Social Care Integration; and
- the Older People's Housing Plan.

Decision

The Executive noted:-

- (1) progress in delivering the Local Housing Strategy; and**
- (2) the key findings relating to the Housing Need and Demand Assessment, the Annual Homelessness Statement, the Older People's Housing Plan and the Housing Contribution Statement.**

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

EX38. Policy Development Panel Update – Civic Licensing

The Executive considered a report by the Director of Corporate and Housing Services presenting policy development panel recommendations in regard to the civic licensing resolution and providing an update on the development of a public procession policy.

The Executive had established a policy development panel to review certain aspects of civic licensing. The panel presented its recommendations in regard to taxi licence duration and late hours catering policy to the Executive on 29 September 2015 (ref EX 50). Since then the panel had met to review the civic licensing resolution and to develop a policy on public processions.

The report summarised the panel's work in regard to the resolution, highlighting the distinction between mandatory and optional licensing activities and recommending amendments to the current resolution to reflect changing circumstances.

The report also outlined progress in development of the public processions policy noting that it was currently in abeyance pending the review of Temporary Traffic Regulation Orders (TTROs) arrangements.

Decision

The Executive agreed:-

- (1) the proposed revisions to the civic licensing resolution as recommended by the policy development panel and authorised officers to advertise the amended resolution in the local press in accordance with the Civic Government (Scotland) Act 1982; and**
- (2) to note progress with the draft public processions policy.**

EX39. Commissioning Process: Services for Survivors of Trauma

The Executive considered a report by the Director of Corporate and Housing Services presenting options for the commissioning of services for those affected by abuse (survivors of trauma).

The Executive had agreed on 29 September 2015 (ref EX 46) to commission a new service for survivors of trauma using the Public Social Partnership (PSP) approach with the intention that the service would be in place by April 2016.

Since June 2015 work had been ongoing with local partners to develop a delivery model intended to enable survivors of trauma to access a range of services in line with their needs. The intention was to pilot the new model of service during 2016/17. A service model and commissioning framework had been developed and was appended to the report. Feedback on the framework called into question the willingness of some partners to participate in the pilot. In light of that, four options were set out for taking the commissioning process forward:

- to progress with the PSP pilot;
- to tender the service;
- to pause the process and gather further information; and
- to provide an in-house service.

Each option had been appraised and the scores and risks for each option were provided.

Decision

The Executive:-

- (1) agreed to make use of the commissioning framework to develop a service specification with a view to tendering as soon as possible (option 2 in the report); and**
- (2) requested a further report on the outcome of the commissioning process.**

EX40. Housing Revenue Account – Land Sales Under £5,000 for Additional Residential Garden Ground

The Executive considered a report by the Director of Corporate and Housing Services presenting changes in the way that applications to purchase Housing Revenue Account (HRA) land under the value of £5,000 are undertaken.

Applications by owners seeking to buy areas of land adjoining their properties for use as additional residential garden ground are currently determined by the Director of Corporate and Housing Services under delegated authority. The number of applications received has increased over recent years. However, the number of applications resulting in a purchase is significantly less than the number of applications received. Between 2012 and 2014, only 13 out of 71 applications had resulted in sales. The current process, which involves a number of services within the Council, is staff intensive and the income is less than the cost to administer the process.

The procedure had been reviewed and a simplified process was now proposed. Additionally, it was proposed that a non-returnable fee of £200 is

applied on application. This would contribute towards the administration costs involved in dealing with the application and help mitigate the abortive time and cost spent on applications which are not concluded.

Councillor C Martin, seconded by Councillor G Goldie, moved that:-

The Executive agrees to:-

- (1) introduce a non-returnable fee of £200 for all applications to purchase HRA land at a price of less than £5,000 for the purposes of use as additional residential garden ground; and
- (2) the proposed revised consultation process.

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the following addendum to the motion:-

The Executive agrees the terms of the motion but adds that:-

A refusal of sale by the Council will lead to an automatic return of the £200 fee to the applicant.

On a division 8 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (8) - Councillors Blackwood, D Goldie, G Goldie, Gow, Mahoney, C Martin, Dr C R Martin and Nimmo.

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

Decision

The Executive agreed the motion.

EX41. Cyclical Maintenance – Painterwork

The Executive considered a report by the Director of Corporate and Housing Services recommending that the painterwork element of the cyclical maintenance programme is put to tender.

A review of the Building Maintenance Division (BMD) in 2015 by the Association of Public Sector Excellence (APSE) had highlighted the Cyclical Maintenance Programme as an area for improvement. A subsequent and more detailed internal review of the cyclical maintenance operations and a bench making analysis was carried out by a review group involving employee and volunteers and trades union representatives. It had concluded that costs could be saved by using new paint products with a longer lifecycle and installing PVC soffits and fascia on buildings of a certain height.

Having regard to the benchmarking analysis, one third of the cyclical maintenance programme had been tendered with the following outcomes:

- the work cost c70% less than comparable BMD rates;
- customer satisfaction was high at over 90%; and
- availability and flexibility of additional resources were provided to meet contract timescales.

It was consequently proposed that the remainder of the cyclical maintenance programme should be put out for competitive tender with a view to securing 50-70% savings on current costs. The current cohort of staff would be accommodated on other painterwork duties.

Decision

The Executive agreed that a tendering exercise is carried out for the painter work element for the Council's full Cyclical Maintenance Programme for a 3 year period commencing late 2016.

EX42. Projected Financial Position 2016/17

The Executive considered a report by the Director of Corporate and Housing Services presenting the financial position of the Council for 2016/17 as at 30 June 2016.

At 30 June 2016, an underspend of £0.756m was projected in General Fund net expenditure.

The report set out the main deviations from budget as well as highlighting workforce changes throughout the year.

The report also summarised the year-end position in regard to General Fund Reserves, including the Repairs and Renewals Fund, Earmarked Reserves and Capital Reserves, together with the year-end position on the Housing Revenue Account.

Decision

The Executive noted:-

- (1) the Council's projected year-end financial position for 2016/17, and**
- (2) the current position with regard to reserves.**

EX43. Capital Programmes Outturn 2015/16

The Executive considered a report by the Director of Corporate and Housing Services detailing the provisional outturn position, subject to audit, of the 2015/16 General Fund Services and Housing Capital Programmes.

The outturn figure at 31 March 2016 was £25.5m. The report detailed spend across Services and set out the main reasons for the variance of £2.04m.

In regard to the Housing Capital Programme, the outturn was £25.4m. The report summarised the various workstreams highlighting variance from budget.

The prudential indicators for the capital programmes were set out. They demonstrated that the various programmes were prudent and affordable.

Decision

The Executive noted the outturn position, subject to audit for 2015/16, for both the General Services Fund (£25.5m) and Housing Capital Programmes (£25.4m).

EX44. Towards a Community Development Finance Institution

The Executive considered a report by the Director of Corporate and Housing Services presenting proposals to establish a Community Development Finance Institution (CDFI) in partnership with Fife and West Lothian Councils.

A CDFI is a service that offers borrowing and money advice to low income, high risk groups who would otherwise use, higher cost alternatives.

The report set out the work undertaken to date to explore the option of establishing a CDFI to serve the Falkirk, Fife and West Lothian areas and set out the key findings from a feasibility study and business case which had been requested by a steering group comprising senior elected members from the three Councils.

The report set out in detail the costs for the project should it go ahead.

The Executive agreed:-

- (1) to authorise officers to seek to tender for a Community Development Finance Institution solution in conjunction with their counterparts in Fife and West Lothian;**

- (2) that officers will engage with key stakeholders e.g. banks, Scottish Government with regard to seeking any required loan capital; and**
- (3) to request a report on the outcome of these discussions and that the tender process is reported back to the Executive in late 2016 for a decision on proceeding to delivery.**

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

Councillor D Goldie took the chair for the item of business.

EX45. Assets Surplus to Operational Requirements

The Executive considered a report by the Director of Development Services recommending that areas of land in Longcroft, Tamfourhill and Dennyloanhead (each shown on plans appended to the report) were declared surplus to operational requirements:-

The report set out the rationale for declaring each piece of land surplus together with disposal opportunities in regard to the land in Dennyloanhead and in Tamfourhill.

Decision

The Executive agreed to declare the following land as surplus to operational requirements and to authorise disposal:

- (1) Land to the South of Kilsyth Road in Longcroft – disposal on the open market;**
- (2) Land at Lime Road in Tamfourhill – disposal by negotiation; and**
- (3) Land to the North of Glasgow Road in Dennyloanhead – disposal by negotiation and subject to a further report to the Executive.**

Councillor C Martin re-joined the meeting at the conclusion of this item and resumed the chair.

EX46. Sale of Land to the North of Kilsyth Road – Banknock Strategic Growth Area

The Executive considered a report by the Director of Development Services proposing that land to the north of Kilsyth Road in Banknock is declared surplus to operational requirements and sold to I&H Brown Ltd for £500,000.

The report set out the rationale for proposal which was to enable the development of up to 550 houses, a new village centre and other associated infrastructure in accordance with a planning consent issued in 2012.

Decision

The Executive agreed:-

- (1) to declare the site surplus to operational requirements, and**
- (2) to authorise the disposal of the site to I & H Brown Ltd for £500,000 plus any increase in the Nationwide House Prices Index for Scotland to the date of entry.**

EX47. Decisions Taken Under Delegated Powers

The Executive considered a report by the Director of Corporate and Housing detailing three decisions taken by Chief Officers during the summer recess.

Council had agreed on 12 June 2016 (ref FC 25) to delegate the decision making process, with provisions, to Chief Officers during the summer recess.

Three decisions were taken using delegated authority. These were-

Decision taken	Chief Officer
• Award of contract in respect of upgrading works to 100 residential properties in the Grangemouth area.	Director of Development Services
• Variation of a taxi licence due to the replacement of a vehicle.	Chief Governance Officer
• Grant of 4 new private hire car operator licences.	Chief Governance Officer

Decision

The Executive noted the report.

FALKIRK COUNCIL

Minute of special meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 6 September 2016 at 12.00 noon.

Councillors:	David Alexander	Dr Craig R Martin
	Jim Blackwood	Craig Martin (Convener)
	Dennis Goldie	Alan Nimmo
	Linda Gow	Robert Spears

Officers:

Douglas Duff, Head of Economic Development and Environmental Services
Rose Mary Glackin, Chief Governance Officer
Iain Henderson, Legal Services Manager
Craig Isdale, Principal Surveyor (Asset Management)
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Bryan Smail, Chief Finance Officer

EX48. Apologies

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

EX49. Declarations of Interest

Councillor C Martin declared a financial interest in item EX50 as a Director of Falkirk Football Club Foundation and stated he would take no part in the decision making on this item.

In accordance with his declaration Councillor Martin left the meeting at this point, demitting the chair. Councillor Nimmo took the chair for the remainder of the meeting.

Councillor Spears declared a non-financial interest in item EX50 as a Director of Falkirk Community Trust, but did not consider that this required him to recuse himself from consideration of the item, having regard to the specific exclusions contained in the Code of Conduct.

EX50. Woodlands Games Hall

The Executive considered a report by the Directors of Children's Services and Development Services seeking approval for proposals to transfer Woodlands Games Hall and sports pitch to a community enterprise, Woodlands Community Sports Ltd (WCS Ltd.)

The proposal for the transfer of the asset, which is owned by Falkirk Council and operated by Falkirk Community Trust, was that a community enterprise (WCS Ltd.) would take a 25 year lease at a nominal annual rent of £1. This would allow the community to operate the hall and the pitch for the benefit of the local area. WSC Ltd intended to secure £200k of new capital investment (including £22k from the Council) to improve the pitch and surroundings.

Given the disparity between the proposed rent and the open market rental value as determined by the District Valuer, the Disposal of Land by Local Authorities (Scotland) Regulations 2010 required the Council to compare the costs and other benefits and disbenefits before agreeing to the disposal. These were set out in the business case for the project which was summarised within the report.

Should the proposal be agreed, Council would pay annual rent to WCS Ltd. of £10,000 to secure the use of the hall by Comely Park School.

The report set out alternative options to the leaseback or reservation arrangement for Comely Park Primary School:-

- build a new games hall at the school at an estimated cost of £600k; or
- Children's Services take over the existing hall.

Each of these options would incur costs in addition to the existing budget of £22,000.

The report set out the risks surrounding the proposal and recommended that any agreement should be subject to the resolution of these risks.

Decision

The Executive agreed:-

(1) subject to the resolution of the risks detailed in paragraph 7.4 of the report to the satisfaction of the Director of Development Services; the proposals for the transfer of Woodlands Games Hall and pitch to Woodlands Community Sports Ltd (WCS Ltd.) and that the Council enters into agreement with WCS Ltd. on the following terms:-

- (i) to lease Woodlands games hall and pitch to WCS Ltd. for a period of 25 years on full repairing and insurance terms at a nominal rent of £1 per annum;**

- (ii) to provide a financial contribution to the Landfill Communities Fund of £22,000 to secure the additional external funding of £178,000; and**
 - (iii) to leaseback or reserve for Comely Park Primary School the facilities required by the School to meet its requirements for physical education and activity and that at a rental sum of £10,000 per annum;**
- (2) to authorise the Director of Development Services or her nominee to conduct and finalise negotiations of the outstanding details, generally take all decisions required to take forward the proposal to conclusion and in conjunction with the Chief Governance Officer conclude all necessary legal arrangements, including those required to terminate the lease with Falkirk Community Trust; and**
- (3) that should any significant changes or issues arise through negotiations or development of the proposals, a further report will be made to the Executive.**