



**Agenda Item**

**3**

**Minute**

**FALKIRK COUNCIL**

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 15 May 2018 at 9.30 a.m.**

**Councillors:** David Alexander  
Robert Bissett  
Gary Bouse  
Joan Coombes  
Paul Garner  
Dennis Goldie (Convener)  
Nigel Harris  
Gordon Hughes  
James Kerr  
Cecil Meiklejohn  
Malcolm Nicol  
Alan Nimmo

**Officers:** Fiona Campbell, Head of Policy, Technology & Improvement  
Ross Fenwick, Waste Manager  
Jack Frawley, Committee Services Officer  
Rhona Geisler, Director of Development Services  
Tracey Gillespie, Human Resources Manager  
Colin Moodie, Chief Governance Officer  
Gordon O'Connor, Audit Manager  
Lesley O'Hare, Culture and Libraries Manager  
Anna Perks, Biodiversity Officer  
Mary Pitcaithly, Chief Executive  
Bryan Smail, Chief Finance Officer

**Also Attending:** Councillor Robert Spears, Portfolio Holder Culture, Leisure & Tourism for item EX15

**EX9. Apologies**

There were no apologies.

**EX10. Declarations of Interest**

Councillor Coombes declared a non-financial interest in item EX15 as a Director of Falkirk Community Trust, but did not consider that this required her to recuse herself from consideration of the item, having regard to the specific exclusions contained in the Code of Conduct.

**EX11. Minute**

**Decision**

**The minute of the meeting of the Executive held on 10 April 2018 was approved.**

## **EX12. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 10 April 2018 was provided.

### **Decision**

**The Executive agreed to remove from the action log items 398 – Waste Services – Update and 418 – Falkirk Community Trust – Heritage Delivery Plan 2018 – 2023 as they were the subject of reports included on the agenda for the meeting and this completed the action.**

## **EX13. Audit Committee – 9 April 2018 Corporate Risk Management Update**

The Executive considered a report by the Director of Corporate and Housing Services which provided a revised Corporate Risk Management Policy. The policy was considered by the Audit Committee at its meeting on 9 April 2018 and referred to the Executive for approval.

The current Corporate Risk Management Policy was broadly fit for purpose, changes had been made as follows:-

- clearer definition of roles and responsibilities; and
- updated appendices to reflect this.

The revised Corporate Risk Management Policy and Framework was appended to the report.

### **Decision**

**The Executive approved the revised Corporate Risk Management Policy.**

## **EX14. Joint Consultative Committee – 24 April 2018**

- **Driving at Work Policy;**
- **Gas Safety Management Policy; and**
- **Time Off for Trade Union Duties and Activities Policy**

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of policies which the Joint Consultative Committee agreed to refer to the Executive on 24 April 2018. The report considered by the Joint Consultative Committee was provided as an appendix to the report and provided details on the changes proposed to each policy. The policies were:-

- Driving at Work Policy;
- Gas Safety Management Policy, and
- Time Off for Trade Union Duties and Activities Policy

## **Decision**

**The Executive agreed the changes to the:-**

- (1) Driving at Work Policy;**
- (2) Gas Safety Management Policy; and**
- (3) Time Off for Trade Union Duties and Activities Policy.**

### **EX15. Falkirk Community Trust – Heritage Delivery Plan 2018-2023**

The Executive considered a report by the Director of Corporate and Housing Services which presented the Heritage Delivery Plan 2018 –2023, developed by Falkirk Community Trust for approval. The Executive had agreed to continue consideration of the plan at its meeting of 10 April 2018.

The Plan was organised around the themes of participation, motivation, venues and partnership. The Plan would continue to build on the achievements made during the life of the previous plan, which included:-

- increased attendance at key attractions
- community development and facilitation programmes
- support for projects including the Antonine Wall World Heritage Site, Falkirk Town Heritage Initiative and the World War One Centenary.

## **Decision**

**The Executive agreed the Heritage Delivery Plan 2018-2023.**

### **EX16. Medium Term Financial Plan**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on progress on the development of the Medium Term Financial Plan (MTFP).

The report provided information on the financial context in which the Council was operating including challenges around the uncertainty of Brexit. The robustness of the MTFP was compromised as the revenue support grant was provided for one year at a time only. The 3% pay rise for public sector workers had created pressure on the Council's largest area of spend and was reflected in the projected budget gaps.

Demographic information was presented which showed that in the coming years the primary school rolls were expected to gradually decrease. The overall population of the Falkirk area was expected to rise by 3% by 2025. Over the same period the proportion of the population aged over 65 was expected to rise by 20% which would lead to significant pressures on service delivery in health and social care services.

**Decision**

**The Executive:-**

- (1) noted the progress of the MTFP as set out in the report; and
- (2) agreed that the MTFP is developed over the summer months in terms of the report, with an updated position presented to Members in the Autumn.

**EX17. Household Recycling Charter: Compliant Collection Service**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the situation in relation to the processing of the Council's blue bin material and presented next steps to provide a Household Recycling Charter compliant service. The report set out details of 3 options to provide a Charter Compliant service.

**Decision**

**The Executive:-**

- (1) noted the contents of the report and the other potential Charter compliant collection services having regard to both service and very significant financial consequences, and
- (2) instructed the Director of Development Services to undertake an analysis of a further option, described pictorially below, and report back to the Executive on the implications of this option. Further, to request that she provide Members, at the same time, with an update on proposals for the introduction of a Deposit Return Scheme and how this might affect kerbside collection services moving forward

|   |   |   |   |   |
|---|---|---|---|---|
| Metals, Plastics and Cartons  | Paper and Card  | Glass, Textiles, Small Electricals, Household Batteries (& Nappies)                 | Non-Recyclable Waste  | Garden Waste & Food Waste Bin (Optional)*   |
|  |  |  |  |  |
| 4-Weekly  | 4-Weekly  | Fortnightly   | 4-Weekly  | Fortnightly   |

**\* Note: If the option for a Garden Waste & Food Waste Bin is not taken, residents must use a Grey Food Caddy. This includes properties without gardens.**

## **EX18. Strategic Property Review – Review of Office Accommodation**

The Executive considered a report by the Director of Corporate and Housing Services which provided a review of Council office requirements in support of the Council's Strategic Property Review. The report included:-

- an assessment of the current office estate
- an update on the Council's anticipated requirements for front and back office accommodation
- an update on the Council's civic headquarters (HQ) project including an arts centre as a replacement for Falkirk Town Hall with options on how this should proceed
- recommendations on the way forward.

The review assessed the Council's office portfolio and concluded that it occupied property inefficiently and that urgent investment was required. The Municipal Buildings was evaluated to be at the end of its useful life and refurbishment would cost in excess of a new build replacement. The current situation was not sustainable and would lead to unacceptable levels of risk in terms of:-

- threats to business continuity
- operating a costly and inefficient portfolio
- occupying properties in historic and inappropriate locations
- being unsuited to new ways of working
- inefficient energy use and failure to meet Climate Change obligations

The review recommended a modernised, corporate approach to future office provision with a space standard of 8sqm/FTE and 80% workspace per FTE. The review was split into two main elements: Front Facing Requirements, and Back Office/Civic HQ Requirements.

Front facing requirements would be delivered at the locality hubs and at Brockville social work office. Two scenarios had been developed to deliver the requirements for back office/civic HQ provision:-

**Scenario 1** - A small scale new build office HQ (c100 workstations) and arts centre on the Municipal Buildings site with refurbishment of 3 of the larger existing office buildings (the Forum, Abbotsford House and the vacant space at the Falkirk Stadium). This scenario also suggested that Falkirk Community Trust relocate to Grangemouth Sports Complex. It anticipated a delivery cost of c£31.9m (£1.8m annually)

**Scenario 2** - A new build back office HQ for all back office staff (c900 workstations) and an arts centre on the existing Municipal Buildings site. This scenario anticipated a delivery cost of c£50.5m (£2.5m annually).

Councillor Meiklejohn, seconded by Councillor Bouse, moved that the Executive agrees:-

- (1) to rationalise the Council's front and back office accommodation as proposed in the report;
- (2) that the office rationalisation programme identified in para 6.3 of the report be agreed to enable delivery of the Council's future office accommodation with further work to be reported back to the Executive for decision;
- (3) that a more detailed option appraisal exercise be undertaken on sites at the Municipal Buildings, Grahamston and Callander Square to provide recommendations on a preferred solution and location for the civic headquarters and arts centre. This should also include a decoupling of the Office accommodation and the Arts centre, with exploration of the refurbishment of the existing council owned sites such as Abbotsford House and the Falkirk Stadium to accommodate modern and flexible working practices increasing capacity. Options for an Arts and Civic Centre be treated as a separate project from office accommodation and the specification and capacity requirements adjusted accordingly. Recommendations to be brought back on preferred solution and location;
- (4) to proceed in the interim with:
  - (a) delivery of front-facing office accommodation on a 'spend to save' basis as suggested in para. 4.6 of the report
  - (b) fitting out of the vacant office space at the Falkirk Community Stadium for resilience purposes at a cost of £1m, to be funded from Strategic Property Review funds contained in the general services capital programme, and
- (5) to conduct an appraisal of suitable town centre sites for disposal to assist with delivery of the civic HQ project and arts centre.

By way of an amendment, Councillor Goldie, seconded by Councillor Nimmo, moved that the Executive agrees to:-

- (1) reject the proposed refurbishment of Abbotsford House and the Falkirk Community Stadium, and
- (2) continue consideration of the remaining matters to the meeting of the Executive on 14 August 2018 to allow the Administration to formulate proposals on the HQ replacement.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (5) – Councillors Alexander, Bouse, Garner, Hughes and Meiklejohn.

For the amendment (7) – Councillors Bissett, Coombes, Goldie, Harris, Kerr, Nicol and Nimmo.

## **Decision**

**The Executive agreed the amendment.**

### **EX19. Development Plan Scheme 2018**

The Executive considered a report by the Director of Corporate and Housing Services which sought approval for the latest update to the Council's Development Plan Scheme.

Under Section 20B of the Town and Country Planning (Scotland) Act 1997, planning authorities were required to prepare a Development Plan Scheme at least annually. The purpose of the scheme was to set out the authority's programme for preparation and review of their development plan including how the authority would consult people and agencies during the preparation of the plan.

## **Decision**

**The Executive approved Falkirk Local Development Plan Scheme 2018.**

### **EX20. Second Nature: A Biodiversity Action Plan for the Falkirk Council Area – Consultation Draft**

The Executive considered a report by the Director of Development Services which provided the draft third Biodiversity Action Plan for the Falkirk Council area and sought approval that this be consulted upon.

The action plan aimed to conserve and enhance the wild plants, animals and habitats of the Falkirk area. It coordinated and focussed the work of numerous local organisations and individuals to help conserve the most important and/or threatened wildlife. Maintenance of an up to date action plan was vital to the Council fulfilling its statutory duty to further the conservation of biodiversity detailed in the Nature Conservation (Scotland) Act 2004. The draft action plan was provided as an appendix to the report.

## **Decision**

**The Executive:-**

- (1) approved “Second Nature: A Biodiversity Action Plan for the Falkirk Council Area – Consultative Draft” for consultation purposes;**
- (2) instructed officers to carry out a programme of public consultation; and**
- (3) instructed officers to prepare a finalised plan following consultation and report back to the Executive for final approval.**

## **EX21. Data Protection/GDPR Update**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on preparations for the implementation of the General Data Protection Regulation (GDPR) and which sought approval of an updated Data Protection Policy.

GDPR would come into force on 25 May 2018 through a new Data Protection Act. GDPR strengthened protection for individuals in relation to their personal information and introduced greater requirements for data controllers in relation to accountability. The Council, as a data controller, would be required to evidence compliance with the legislation. A revised Data Protection Policy was provided as an appendix to the report.

### **Decision**

#### **The Executive:-**

- (1) noted the update provided on GDPR preparations; and**
- (2) approved the updated Data Protection Policy to take effect from 25th May 2018.**

## **EX22. Severance Policy Update**

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of proposed changes to the current Severance Policy and Pensions Discretions Policy.

The Severance Policy had been reviewed to ensure that it remained fit for purpose. The revised policy took account of recommendations from a recent internal audit of the severance process and policy, the main changes included:-

- compensatory lump sum
- re-employment
- procedural and general

The current Pensions Discretions Policy had been in place since June 2015. The policy related specifically to those within the Local Government Pension Scheme. The regulations relating to this were under review and revised arrangements would be effective from 1 April 2018 but were not expected to be received until June 2018. Following the receipt of the regulations a review of the policy would be undertaken.

## **Decision**

### **The Executive:-**

- (1) agreed the proposed amendments to the Severance Policy;**
- (2) noted the amendments to the Retirement Policies that will be made in line with new regulations as required; and**
- (3) noted that a review of the Pensions Discretion Policy will be undertaken to reflect the new regulations and where necessary report any proposed changes to Executive.**