

RECORD OF VOTES TAKEN AT THE MEETING OF FALKIRK COUNCIL ON WEDNESDAY 9 May 2018

Councillors in attendance:

David Aitchison	Fiona Collie	John McLuckie
David Alexander	Joan Coombes	Cecil Meiklejohn
David Balfour	Jim Flynn	Lynn Munro
Lorna Binnie	Paul Garner	Laura Murtagh
Robert Bissett	Dennis Goldie	Malcolm Nicol
Allyson Black	David Grant	Alan Nimmo
Jim Blackwood	Nigel Harris	John Patrick
Gary Bouse	Gordon Hughes	Pat Reid
Provost William Buchanan	James Kerr	Depute Provost Ann Ritchie
Niall Coleman	Adanna McCue	Robert Spears

Agenda Item: 7	Decision Making Structure
<p>Motion</p> <p>In recognition of the impact of Council's decision taken on 5th April 2018 the Administration proposes the following:</p> <ol style="list-style-type: none"> (1) Agree that the Leader of the Council has flexibility on the number of portfolio holders that can be appointed and their remit, accepting that all the responsibilities currently covered will need to be covered within the remits, determined by the Leader and that these will be advised in writing to the Chief Governance Officer and reported to Council; (2) Council agrees that the Executive and Education Executive can have different memberships; (3) Council agrees that the membership of Executive/Education Executive will be augmented to include, for that item, any portfolio holder who is not a substantive member of the Executive/Education Executive but has a report on the agenda enabling them to move and vote on that particular item; (4) Agree that members of the Executive/Education Executive can serve on a scrutiny panel where the subject matter is not within the remit of the Executive which that member serves on, including any portfolio holder who is not a member of the Executive(s); (5) Agree to extend the remit of the Education Executive to include non Education functions within the remit of Children's Services and that voting powers for the non Councillor members of the Education Executive are limited to education functions only; (6) Council recognises that all elected members should have the ability to participate and influence the decisions of the Council. In the interests of fairness and equity of opportunity the scrutiny committee should be proportional based on the membership of the council and not solely on political groupings. Accordingly, the political balance of the Scrutiny committees should be 3 SNP, 2 Labour, 2 Conservative and 1 Independent. In addition the Council should establish a general principle that where there is more than one independent member and places are allocated to independents that these should be shared equitably; (7) In recognition that in removing the Leader of the Council as convener of the Executive/Education Executive has changed the role of convener to that of a practical role in facilitating the meeting, the SNP as the largest group should hold 	

convenerships of both Scrutiny Committees;

- (8) Should there be any changes in the make up of the administration where by its membership is made up of two (or more) groups forming an alliance, it would not be appropriate for a majority Administration to chair a Scrutiny Committee and have a majority on the Scrutiny Committees and in the event of such an Administration forming agrees that the arrangements for Scrutiny Committees be revisited by Council;
- (9) The business meeting held prior to full Council membership should be amended to recognise that there are 3 main political groups and should include group leaders or their substitutes;
- (10) All changes should be adopted as of the next Executive meeting with membership of Executive and Education Executive and any changes to the Scrutiny Committees being advised by close of business on Monday 14th May;
- (11) In recognition that with the introduction of the Integration Joint Board which deals with aspects of Social Care which were previously reported to the Executive that there is limited information now shared with elected members, with the exception of those who are on the IJB or members of scrutiny, which mainly scrutinises performance Council therefore agrees as standard that the Chief Officer be asked to provide council with an information and progress report a minimum of twice per year in order that elected members are kept up to date with the changes and developments within the service;

2.2 Request the Chief Governance officer make necessary amendments to the Standing Orders.

Moved by: C Meiklejohn

Seconded by: P Garner

Amendment

Council agrees:-

- (1) to change the arrangements for portfolio holders to allow flexibility on the number that can be appointed and their remits. Decision making on the number of portfolio holders and their remits will sit with the Leader of the Council with the proviso that all responsibilities currently falling within the remit of portfolio holders requires to be covered irrespective of the number appointed. It would also be a matter for the Leader of the Council to determine which portfolio holder was a member of the Executives. The decision of the Leader of the Council would require to be intimated to the Chief Governance Officer and thereafter reported to Council for noting;
- (2) that members appointed to the Executive and Education Executive may be different if groups so determine;
- (3) that where a portfolio holder is not appointed to the Executive or the Education Executive, they may attend a meeting of that body where the meeting is considering an item of business within their portfolio and speak at that item but not vote;
- (4) to relax the bar on members of an Executive serving on a scrutiny panel where the subject matter is not within the remit of the Executive on which that member serves and on portfolio holders so serving where the subject matter does not fall within their remit;

- (5) to extend the remit of the Education Executive to include the non-education functions within the remit of Children's Services;
- (6) that voting powers for the non Councillor members of the Education Executive are limited to education functions only;
- (7) to politically balance the scrutiny committees as follows:-
 - SNP – 3
 - Labour – 3
 - Conservative – 2
- (8) to remove the requirement that the convenership of both Scrutiny Committees is held by the largest Opposition Group and, in place of that requirement agrees that, as the convenership of the Executives is held by a member of the Labour Group, the convenership of the two Scrutiny Committees are allocated to members of the SNP and Conservative Groups respectively;
- (9) that any decision to pursue clauses (7) and (8) above be subject to an explicit commitment that Council would review this in the event that a majority Administration is formed;
- (10) to extend the membership of the business meeting held prior to Council to include the Leaders (or their substitute) of each of the main groups;
- (11) that the changes adopted will have effect from this meeting;
- (12) to request that the Chief Governance Officer makes the necessary amendments to the Standing Orders of the Council to give effect to the decisions made to be reported to the June meeting of Council, and
- (13) that in recognition that with the introduction of the Integration Joint Board which deals with aspects of Social Care which were previously reported to the Executive that there is limited information now shared with elected members, with the exception of those who are on the IJB or members of scrutiny, which mainly scrutinises performance. Council therefore agrees as standard that the Chief Officer be asked to provide council with an information and progress report a minimum of twice per year in order that elected members are kept up to date with the changes and developments within the service.

Moved by: D Goldie

Seconded by: A Nimmo

VOTE

For the motion (13)

D Alexander	G Hughes
D Balfour	A McCue
L Binnie	C Meiklejohn
G Bouse	L Murtagh
N Coleman	A Ritchie
F Collie	R Spears
P Garner	

For the amendment (17)

D Aitchison	N Harris
R Bissett	J Kerr
A Black	J McLuckie
J Blackwood	L Munro
W Buchanan	M Nicol
J Coombes	A Nimmo
J Flynn	J Patrick
D Goldie	P Reid
D Grant	

Decision: Amendment carried.

Agenda Item: 8

Appointments

Council considered the appointment of a member to the Local Negotiating Committee for Teachers. Two nominations were received as follows:-

Councillor Bouse – nominated by Councillor Meiklejohn

Councillor Nimmo – nominated by Councillor Goldie

VOTE

For Councillor Bouse (14)

D Alexander	D Grant
D Balfour	G Hughes
L Binnie	A McCue
G Bouse	C Meiklejohn
N Coleman	L Murtagh
F Collie	A Ritchie
P Garner	R Spears

For Councillor Nimmo (16)

D Aitchison	N Harris
R Bissett	J Kerr
A Black	J McLuckie
J Blackwood	L Munro
W Buchanan	M Nicol
J Coombes	A Nimmo
J Flynn	J Patrick
D Goldie	P Reid

Decision: Councillor Nimmo was appointed to the Local Negotiating Committee for Teachers .

Agenda Item: 10(a)

Motion

Motion

Council recognises the importance of representation on outside bodies such as COSLA and believes that where decisions are taken that impact on Falkirk Council Services the local authority should be represented.

Each member selected to represent Falkirk Council has a responsibility to act in the best interests of the Council and the people we represent.

Council therefore agrees to the following:-

(1) on topical issues or matters of major policy or funding determined or influenced by an

external body the Council through the Chief Executive will receive a report of the board content as soon as possible but no later than 5 working days from the item being discussed. External boards such as the IJB where senior officers/officers sit will be exempt;

- (2) in addition to the above, single members appointed to an external body on behalf of Falkirk Council will produce an annual report giving a summary of their activities including their attendance record. Where more than one member is involved these members will agree amongst themselves who shall report back;
- (3) where a member misses three consecutive meetings that member will either step aside voluntarily or a report will be submitted to Council and that member may be removed;
- (4) request that the Chief Executive oversee the inclusion of these reports within the appropriate Council agendas, and
- (5) as the four COSLA boards were established to include the spokespersons from each authority with only Falkirk noncompliant Council therefore agrees that when an elected delegate is unable to attend the relevant portfolio holder will replace that member as a substitute.

Moved by: D Alexander
Seconded by: C Meiklejohn

There was no general agreement on the motion. A vote was therefore taken for or against the motion.

VOTE

For the motion (13)

D Alexander	G Hughes
D Balfour	A McCue
L Binnie	C Meiklejohn
G Bouse	L Murtagh
T Coleman	A Ritchie
F Collie	R Spears
P Garner	

Against the motion (17)

D Aitchison	N Harris
R Bissett	J Kerr
A Black	J McLuckie
J Blackwood	L Munro
W Buchanan	M Nicol
J Coombes	A Nimmo
J Flynn	J Patrick
D Goldie	P Reid
D Grant	

Decision: Motion not carried.

Agenda Item: 10(c)

Motion

Motion

The Council expresses its concern that Scottish Canals are closing bridges because repairs are needed which they say they cannot afford, and reducing operating times, and so gradually closing the Lowland Canals. The Council also expresses concern at the loss of the purpose of the Millennium Link restoration – which was to bring the canals back to life from City to City and Sea to Sea.

The Council notes that Scottish Canals' total grant and earned income has been rising, but the amount being spent on maintaining the canals has fallen, and is concerned that once boats stop moving through the canal, it will once again be full of weed and become a

festering eyesore to the detriment of the many new housing and commercial developments that have been attracted to its banks.

The Council supports the campaign by canal based voluntary groups to keep the canals alive and asks all those who funded the Millennium Link, including this Council the Scottish Government, to urge the Board of Scottish Canals to meet their statutory obligations to keep the canals maintained and open for use.

Moved by: N Coleman

Seconded by: L Binnie

Amendment

Council values the work of volunteers and organisations all along our canal waterway. We appreciate the work that is ongoing to regenerate and promote businesses in that area.

Council thanks Scottish Canals for the long way it has come in 6 years to establish and grow its business profile within difficult financial constraints alongside an asset base that requires a lot of maintenance work.

Council asks the Scottish Government to look at the core funding given to Scottish Canals and adjusts accordingly, so that those bridges can be effectively repaired and the canal network can be fully utilised by boats again. In addition funding is required to put in a drop lock at Bonnybridge and other areas of concern, so that communities are not inconvenienced, as they can be at times.

Moved by: A Black

Seconded by: J Blackwood

VOTE

For the motion (13)

D Alexander	G Hughes
D Balfour	A McCue
L Binnie	C Meiklejohn
G Bouse	L Murtagh
T Coleman	A Ritchie
F Collie	R Spears
P Garner	

For the amendment (17)

D Aitchison	N Harris
R Bissett	J Kerr
A Black	J McLuckie
J Blackwood	L Munro
W Buchanan	M Nicol
J Coombes	A Nimmo
J Flynn	J Patrick
D Goldie	P Reid
D Grant	

Decision: Amendment carried.

Notes

1. This voting record is subject to approval of the formal minute at the meeting of Council on 27 June 2018.
2. Only those items where a vote was taken are recorded here. For information about decisions reached on any other items considered at this meeting, please contact Brian Pirie, 01324 506110.