

The background of the slide is a large, light blue watermark of the City of Vancouver's coat of arms. It features a crown at the top with four maple leaves. The shield is divided into four quadrants: top-left shows a ship on the water, top-right shows a stag's head with a cross, bottom-left shows a ship on the water, and bottom-right shows a grizzly bear. A banner at the bottom reads "A NE FOR A".

Agenda Item 3

Minute

Draft

FALKIRK COUNCIL

Minute of meeting of Falkirk Council held in the Municipal Buildings, Falkirk on Wednesday 19 September 2018 at 9.30 a.m.

Councillors:

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

Officers:

Danny Cairney, Senior Service Manager Corporate Finance
Patricia Cassidy, Chief Officer Falkirk Health & Social Care Partnership
Ian Dryden, Development Manager
Jack Frawley, Committee Services Officer
Rhona Geisler, Director of Development Services
Sara Lacey, Head of Social Work Children's Services
Kenneth Lawrie, Chief Executive
Colin Moodie, Chief Governance Officer
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Stuart Ritchie, Director of Corporate and Housing Services
Bryan Smail, Chief Finance Officer
Richard Teed, Senior Forward Planning Officer

FC36. Provost's Remarks

The Provost proposed, in light of the severe weather conditions and of the desire to ensure that all elected members and members of the public could attend the meeting from the outset, that the meeting be adjourned for 15 minutes. Council then adjourned at 9.35am.

Council reconvened at 9.50am with all members present as per the sederunt.

FC37. Sederunt

The sederunt was taken by way of a roll call. Apologies were intimated on behalf of Councillors Kerr and McLuckie.

FC38. Declarations of Interest

Councillor Black declared a non-financial interest in item FC40(e) as a Director of Grangemouth Children's Day which received funding from the Charity School Board, but stated that she did not consider that this required her to recuse herself from consideration of the item, having regard to the objective test in the Code of Conduct.

Provost Buchanan and Councillors Binnie, Coombes and Meiklejohn each declared a non-financial interest in item FC43 as Directors of Falkirk Community Trust, but did not consider that this required them to recuse themselves from consideration of the item, having regard to the specific exclusions contained in the Code of Conduct.

FC39. Deputation Requests

The Provost advised that 3 deputation requests had been made in relation to item FC49. He invited Council to determine at this point whether it was minded to hear the deputations later in the meeting. The Provost confirmed that the requests had been made in accordance with Standing Orders.

Council agreed to hear the deputations.

FC40. Minutes and Information Bulletin

- (a) Minute of the Planning Committee (comprising all Members of the Council) held on 7 June 2018 – agreed as a correct record;
- (b) Minute of Meeting of Falkirk Council held on 27 June 2018 – agreed as a correct record;
- (c) Minute of Special Meeting of Falkirk Council held on 27 August 2018 – agreed as a correct record;
- (d) Volume of Minutes – Volume 5 2017/18 - noted, and
- (e) Information Bulletin – Volume 5 3 2017/18 - noted.

FC41. Questions

No questions were submitted.

FC42. Rolling Action Log

The rolling action log showing progress on outstanding actions from previous meetings was presented. Items 407 and 420 – Revenue Budget 2018/19 and 2019/20 were the subject of reports on the agenda and accordingly fell from the action log.

Decision

Council noted the rolling action log.

FC43. Falkirk Community Trust – Options Appraisal

Council considered a report by the Chief Executive which provided the outcomes of an options appraisal which considered the advantages and disadvantages of the current arrangements for Falkirk Community Trust (the Trust), an arrangement allowing greater autonomy and bringing the services back in house. The report provided information on financial, workforce and governance implications along with benefits and disbenefits in relation to achieving savings, efficiencies and service redesign.

In conducting the appraisal consultation had taken place with the Trust. Presentations and meetings had taken place involving members, the Portfolio Holder, the Chief Executive of the Trust, a number of Trust board members and group leaders or their nominees. A number of consistent themes or challenges were identified:-

1. Treatment of the Trust facilities and properties
2. The approach to budget setting and financial planning
3. Workforce planning
4. Achieving savings
5. Achieving the best service possible for the people of Falkirk
6. Clarity of expectations
7. Relationships, communication and trust
8. Member engagement and involvement with the Trust
9. Commercial activity and reducing the level of reliance on Council funding.

As noted above, some key issues and challenges were identified during the appraisal process. A number of these were considered at the time of the Policy Development Panel (PDP). The outcomes from the PDP included:-

- The Trust and the Council working together to develop the overarching strategy for culture and leisure to ensure everyone is pulling in the same direction and to increase joint working
- Establishing joint working arrangements to develop strategies for challenging areas of work such as income generation by the Trust, community engagement and treatment of facilities

- Reviewing the agreements with the Trust with a focus on the service specification, change control mechanism, the annual funding

The three options for consideration by Council were:-

1. maintain the current arrangements
2. greater autonomy
3. bring the Trust services in house.

Councillor Meiklejohn, seconded by Councillor Bouse, moved the recommendations in the report with the addition of the following clauses, that Council agrees:-

- (5) that the first priority in the joint work should be to establish a shared vision and high level outcomes between the Council and the Trust (informed by the Corporate Plan) and that the outcome of that work should be reported to Council at its December meeting, and
- (6) that Council is updated on progress on the remaining work at its meeting in June 2019.

Council adjourned at 10.55am to allow members to consider the terms of the motion and reconvened at 11.10am with all members present as per the sederunt.

Decision

Council agreed that:-

- (1) the current arrangements with the Trust be maintained at the present time;**
- (2) the PDP recommendations set out at appendix 1 be used as a basis for developing a stronger and more effective partnership with the Trust;**
- (3) the Chief Executive write to the Chief Executive of the Trust requesting that the Trust work jointly with the Council to take this work forward;**
- (4) the Chief Executive or his nominee, in consultation with group leaders and the Portfolio Holder for Culture, Leisure and Tourism, establish the Council's representatives (both members and officers) to work jointly with the Trust on these issues;**
- (5) the first priority in the joint work should be to establish a shared vision and high level outcomes between the Council and the Trust (informed by the Corporate Plan) and that the outcome of that work should be reported to Council at its December meeting, and**

(6) Council is updated on progress on the remaining work at its meeting in June 2019.

FC44. Fees and Charges

Council considered a report by the Director of Corporate and Housing Services which presented a Corporate Charging and Concessions Policy to introduce a consistent approach to charging and concessions across the Council taking in account the Poverty Strategy following a request by Council at its February meeting (ref FC81).

A draft policy was set out as appendix 1 to the report. This had been developed to take into account best practice and ensure consistency across the Council, while enabling Services the flexibility to manage their approach to meet the needs of their customers.

Details were provided of a new chargeable service to provide a passport checking service for European Economic Area (EEA) and Swiss nationals applying for residence in the UK. The proposed charge was £30 as an estimate of full cost recovery with a concession offered to any applicant in receipt of a means tested benefit.

Councillor Meiklejohn, seconded by Councillor Garner, moved that Council:-

- (1) approves the Corporate Charging and Concessions Policy at appendix 1 to the report;
- (2) notes that the policy will apply to all new charges and that the level of existing charges and the eligibility and level of concessions for those charges will be reviewed in line with the Policy as part of the budget process for 2019/20, and
- (3) agrees the proposed charge and concession for the European Passport Checking Service.

As an amendment, Councillor Goldie, seconded by Councillor Nimmo, moved that Council agrees to continue consideration of the item.

Having heard the terms of the amendment and with the consent of the Provost and Councillor Garner as her seconder, Councillor Meiklejohn substituted her motion with the following:-

Council agrees to continue consideration of the item to a future meeting of the Executive.

Following discussion and in terms of Standing Order 22.4(i), the vote was taken by roll call, there being 28 members present with voting as undernoted:-

For the motion (19) – Depute Provost Ritchie, and Councillors Alexander, Balfour, Binnie, Bouse, Coleman, Collie, Flynn, Grant, Garner, Harris, Hughes, McCue, Meiklejohn, Munro, Murtagh, Nicol, Patrick and Spears.

For the amendment (9) – Provost Buchanan, and Councillors Aitchison, Bissett, Black, Blackwood, Coombes, Goldie, Nimmo and Reid.

Decision

Council agreed to continue consideration of the item to a future meeting of the Executive.

FC45. Order of Business

In terms of Standing Order 14.2 the Provost advised of a change to the order of business. The following items have been recorded in the order they were considered at the meeting.

FC46. Final Accounts 2017/18

Council considered a report by the Director of Corporate and Housing Services which sought approval that the Annual Accounts for 2017/18 are delegated to the Audit Committee for approval.

Decision

Council agreed to delegate the approval of the 2017/18 Annual Accounts to the Audit Committee.

FC47. Programme of Meetings 2019

Council considered a report by the Director of Corporate and Housing Services which presented a draft timetable of meetings for 2019 for approval.

Decision

Council agreed the programme of meetings for 2019.

FC48. Execution of Deeds

Council considered a report by the Director of Corporate and Housing Services which provided details of those deeds which had been signed and sealed on behalf of the Council.

Decision

Council noted the signing and sealing of the Deeds listed in the appendix of the report.

Council adjourned at 12.30pm for lunch and reconvened at 1.15pm with all members present as per the sederunt.

At this point Councillor Coombes declared the financial interest of a family member in item FC49 as the owner of a property near the proposed development site. She stated that she considered that this required her to recuse herself from consideration of the item and left the meeting prior to consideration of the following item.

FC49. Development of Land for Residential Use, Including Land for a Community Facility, Associated Supporting Infrastructure and Landscaping at Land to the North West of Burnside Cottage, Standrigg Road, Wallacestone for Persimmon Homes Ltd - P/18/0126/PPP

In line with Standing Order 33 and Council's earlier decision (ref FC39) to hear the 3 deputation requests submitted in relation to this item Council proceeded to hear from each of the parties.

John Brown, on behalf of Reddingmuihead and Wallacestone Community Council, an objector, addressed the Council.

Alison Mitchell, an objector, addressed the Council.

Maria Montinaro, on behalf of Shieldhill and California Community Council, an objector, addressed the Council.

Council considered a report by the Director of Development Services on an application for planning permission in principle for the development of land for residential purposes with associated infrastructure works and landscaping and includes a community facility at land to the north west of Burnside Cottage, Standrigg Road, Wallacestone for Persimmon Homes Ltd.

Decision

Council refused the application for the following reasons:-

- (1) The application is contrary to Policies CG01 'Countryside' and CG03 'Housing in the Countryside' of the Falkirk Local Development Plan, and to Supplementary Guidance SG01 'Development in the Countryside'. The site lies beyond the Wallacestone urban limits, within the countryside, and none of the circumstances as detailed in Policy CG03, to support new housing in the countryside, are satisfied.**

- (2) The application is not supported by the Settlement Statement for the Redding/Reddingmuirhead/Wallacestone/Brightons area as set out in the Falkirk Local Development Plan. This statement says that no further settlement is planned in this area, at least for the period 2014 to 2024. One of the reasons for this is the scale of growth experienced in these communities over recent years.**
- (3) The application is contrary to Policy INF07 'Walking and Cycling', INF08 'Bus Travel and New Development' and 'INF10' Transport Assessments' of the Falkirk Local Development Plan as an appropriate standard of pedestrian infrastructure, to link the proposed development to the existing footway network in the area and to public bus services, would not be provided, resulting in a development which would not be sited in a sustainable location.**
- (4) The application is not supported by Policy HSG01 'Housing Growth' of the Falkirk Local Development Plan. The Council has a shortfall in the 5 year effective housing land supply and so will consider supporting sustainable development proposals that are effective, in the following order of preference; urban capacity sites; additional brownfield sites; and sustainable greenfield sites. The site is an extensive greenfield site and the proposal does not include an appropriate standard of infrastructure to support sustainable modes of transport.**
- (5) The application is not supported in Scottish Planning Policy (SPP). SPP advises that, in circumstances where there is a shortfall in the 5 year effective housing land supply, the primacy of the development plan is maintained, while a significant material consideration is a presumption in favour of development that contributes to sustainable development. On balance, the proposed development is not considered to sufficiently contribute to sustainable development to justify its approval contrary to the LDP.**
- (6) Granting the application may serve to prejudice the plan-making process by giving leverage to the notion that the area should become a Strategic Growth Area, thereby making other applications in the area difficult to resist. The settlement strategy for this area should be properly considered through the Falkirk Local Development Plan 2 (LDP2) process and not, de facto, by decisions on individual planning applications.**

Councillor Coombes rejoined the meeting following consideration of the previous item.

FC50. Falkirk Health and Social Care Partnership Update

Council considered a report by the Chief Officer, Falkirk Health and Social Care Partnership which provided an update on Falkirk Integration Joint Board (IJB) activity following a request by Council at its May meeting (ref FC11).

The report provided information on:-

- progress with integration
- the inspection of the homecare service undertaken in May 2018
- national health and social care standards
- the Falkirk HSCP Annual Performance Report
- redesign of day services for younger adults
- improving transitions planning
- changing places toilet facilities
- delayed discharges
- implementation of the Carers (Scotland) Act 2016
- the IJB's financial position.

Decision

Council noted the report.

FC51. Annual Report of the Chief Social Work Officer

Council considered a report by the Chief Social Work Officer which provided an overview of how the statutory responsibilities have been fulfilled by the Chief Social Work Officer (CSWO) during 2017/18. The Annual Report of the CSWO was provided as an appendix to the report.

Decision

Council:-

- (1) noted the contents of the CSWO's Annual Report, which is attached at appendix 1 of the report;**
- (2) agreed to its onward submission to Scottish Government and the Integration Joint Board (IJB); and**
- (3) acknowledged the commitment, skills and experience of Social Work staff in continuing to deliver high quality services to Falkirk citizens.**

FC52. Motion

One motion had been submitted which referred to matters within the remit of the Executive. The Provost advised that in accordance with Standing Order 31.1 he determined that the item was suitable for debate at Council.

Council considered the following motion by Provost Buchanan, seconded by Councillor Meiklejohn:-

That the Council supports Poppyscotland's Count Them in Campaign which aims to see the inclusion of an Armed Forces question in the next census in 2021. There is currently very limited information about where our veterans now live and what support they may need. Gathering this information through the census will allow for an improved understanding of this unique community and ensure that the Council, alongside others, can ensure we are fully meeting the needs of our serving personnel, veterans and their families.

The Chief Executive to write to the relevant Minister and to Poppyscotland, local constituency and regional MSP's within the Falkirk Council area to inform them of the Council's support for the inclusion of an Armed Forces question in the next census in 2021.

Decision

Council agreed the motion.