

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant shows a stag's head with antlers. The bottom-left quadrant shows a beaver. The bottom-right quadrant shows a grizzly bear. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the text "A NE FOR A".

Agenda Item 3

Minute

FALKIRK COUNCIL

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings,
Falkirk on Tuesday 15 January 2019 at 9.30 a.m.**

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

Officers: Mandy Brown, Planning Officer
Fiona Campbell, Head of Policy, Technology & Improvement
Jack Frawley, Committee Services Officer
Rhona Geisler, Director of Development Services
Kenneth Lawrie, Chief Executive
Colin Moodie, Chief Governance Officer
Robert Naylor, Director of Children's Services
Stuart Ritchie, Director of Corporate and Housing Services
Bryan Smail, Chief Finance Officer

EX95. Apologies

An apology was intimated on behalf of Councillor Flynn.

EX96. Declarations of Interest

Councillor Bissett declared a non-financial interest in agenda item 7 (ref EX101) as the holder of an allotment and stated that he considered that this required him to recuse himself from consideration of the item having regard to the objective test in the Code of Conduct.

EX97. Minute

Decision

The minute of the meeting of the Executive held on 27 November 2018 was approved.

EX98. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 27 November 2018 was provided. Items 433 – Food Growing Strategy and 441 – Household Recycling Charter: Compliant Collection Service were the subject of reports on the agenda and accordingly fell from the action log.

Decision

The Executive noted the rolling action log.

EX99. Motion referred to the Executive under Standing Order 31- Universal Credit

On 5 December 2018, and in accordance with Standing Order 31.1, Council referred the following motion, proposed by Councillor Black to the Executive:-

Council agrees that child poverty is on the rise and that Universal credit and benefit sanctions have led to a rise in foodbank use and the increased poverty in our area.

Council also acknowledges that due to welfare reform more people are struggling to sustain their tenancies.

Council therefore agrees to ask the Chief Executive to:-

1. consider how services are delivered across the council area, with particular emphasis on sustainability of tenancies, income maximisation and inequalities, so that our anti poverty strategy can be fit for purpose at this time of increasing hardship for our citizens, and
2. report back to the Executive on the outcome of his review.

In terms of Standing Order 31.2, Councillor Black spoke in support of her motion.

Councillor Bissett, seconded by Councillor Nimmo, moved the terms of the motion.

Decision

The Executive agreed the motion.

EX100. Scrutiny Committee – 13 December 2018

Scrutiny Panel – Fly Tipping

The Executive considered a report by the Director of Corporate and Housing Services presenting the report and recommendations of the scrutiny panel review of Fly Tipping. Councillor Black, Convener of the panel, summarised the work of the panel and highlighted the key recommendations of the panel. The Scrutiny Committee had agreed to refer these recommendations to the Executive at its meeting of 13 December 2018 (ref S26).

The panel's recommendations were:

- 1) That the Council undertakes comprehensive review of the cost and charging for fly-tipping to ensure the Council is covering all costs including disposal. This in turn should inform charging for removing fly tipping which should be at full cost recovery including an additional fine.
- 2) That residents, including tenants, are reminded of their obligations to dispose of rubbish and waste appropriately. For tenants this can be achieved through reminders of their tenancy obligations under the housing tenancy agreement, particularly those who live in flats. The issue of supporting tenants needs to be considered along with how we deal with fly tipping in urban areas. This issue needs to be considered by both Development Services and Housing working together.
- 3) A report is presented to a future Executive on the potential for establishing a trusted trader's scheme taking account of the discussions that took place within the panel.
- 4) Officers review access to the civic amenity centre to ensure it is available to those who require to use it, that people can pay, where appropriate, at the site, that budget options are understood in terms of their consequences on small businesses, people without transport etc.
- 5) Officers review enforcement, the fee structure and bulky uplifts policy to encourage public to use this in conjunction with the civic amenity site and report back to the Executive on this in due course. This should include an approach to education, advice and support for community organisations, younger people, tenants including private sector and for small traders.
- 6) The Council adopts a one Council approach to fly tipping. This would include utilising My Falkirk as the platform for reporting and managing the service. In addition, it is recommended that there is a review of management of the various elements of service into one designated team and this is reported back to the Executive in due course.
- 7) Officers investigate and report back on establishing a freecycle/reuse scheme for items of furniture etc., to be developed in conjunction with the 3rd sector.

- 8) The Council reviews its engagement with the communities to enable them to support the Council in tackling fly-tipping and general litter picks.
- 9) That there is an update on progress on the recommendations made above to scrutiny committee at six months and then a year following the Executive's consideration of this report.

Decision

The Executive:-

- (1) noted the work of the Panel and its findings as set out in the appendix of the report, and**
- (2) approved the recommendations at paragraphs 7.2-7.10 of the appendix.**

In line with his declaration of interest Councillor Bissett left the meeting prior to consideration of the following item.

EX101. Dig In: Falkirk Council's Community Food Growing Strategy

The Executive considered a report by the Director of Corporate and Housing Services seeking approval for a consultative draft Community Food Growing Strategy which was provided as an appendix to the report. The strategy set out how Falkirk Council and partner organisations would work together to support community growing across the area. The report outlined the strategy's content and proposed approach to consultation, to be undertaken over a 12 week period and sought agreement on the priorities, actions and suggested sites that could be used for allotments or informal community growing.

Decision

The Executive agreed:-

- (1) the draft Community Food Growing Strategy as a basis for public consultation, and**
- (2) that should no comment be made as part of the consultation process or only minor comment, the Director of Development Services be authorised to confirm the final version of the strategy, otherwise the matter be referred back to the Executive.**

Councillor Bissett re-joined the meeting following consideration of the previous item.

EX102. 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 outcome of the funding application to Zero Waste Scotland and also the Deposit Return Scheme (DRS) consultation.

At its meeting on 25 September 2018 the Executive agreed a preferred model of delivery of a charter compliant collection service (ref EX56). The Director of Development Services was instructed to make a funding bid to Zero Waste Scotland in order to implement this model.

Zero Waste Scotland advised that they would fund the Council's bid in full. The proviso was a requirement to spend c£1m in the current financial year and the remainder, c£500k, in 2019/20.

The consultation for a DRS ended on 25 September 2018. To date no feedback on the consultation had been received. It was anticipated that a scheme could be live in 2020.

Decision

The Executive:-

- (1) noted the outcome of the funding application, and**
- (2) instructed the Director of Development Services to implement the agreed Household Waste Recycling Charter compliant collection service.**

EX103. Litter Strategy Development

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the development of a litter strategy in relation to the revised Code of Practice on Litter and Refuse (Scotland) 2018 (CoPLAR).

The Scottish Government introduced the new CoPLAR in June 2018 which emphasised the role of litter prevention. The CoPLAR, aligned with the National Litter Strategy, encouraged duty bodies to prioritise litter prevention to influence behavioural change and adopt a sustainable approach to clear litter and refuse. Duty bodies must have regard to the code in that they outline the standard required for each duty, support the prioritisation of where and when to tackle problems and provide the maximum timescales for restoring areas to the standard. Bodies are also encouraged to undertake robust monitoring.

The development of a litter strategy should be in alignment with the CoPLAR and should aim for all citizens and duty bodies in the Falkirk Council area to understand their responsibilities, to be accountable for their actions and to help keep the area clean. This was balanced with meeting the expectations of communities at a time of heightened budgetary pressures. It was suggested that the approach should be to create a strategic framework which outlined how the Council would carry out its responsibilities and provide leadership and support to other bodies and communities to prevent litter and flytipping.

The intention of the litter strategy would be to provide a strategic approach to dealing with litter and flytipping. The Council would work with partners to develop litter prevention action plan(s). The Council's own plan would outline each Service's preventative actions to tackle litter and flytipping in relation to three main areas; information, infrastructure and enforcement. The Council would also develop a Community Litter Prevention Action Plan for the Falkirk area. It would enable the Council to work with community partners to share resources, deliver objectives and provide knowledge to influence behavioural change.

Decision

The Executive:-

- (1) considered the content of the report and the approach in the development of the Council's litter strategy and litter prevention action plan(s), and**
- (2) instructed the Director of Development Services to develop a litter strategy in line with the requirements of the revised Code of Practice on Litter and Refuse (Scotland) 2018 (CoPLAR) and report back to Members in due course.**

EX104. Employee Volunteering Policy

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of an Employee Volunteering Policy. The policy was considered to be a good vehicle to assist in building relationships within the local community, and to allow employees to support a charity/service that may be of interest/important to them. A similar type of policy had been adopted by other Councils including West Lothian and North Ayrshire, with whom benchmarking had been undertaken.

Providing employees one paid day per year to volunteer (pro rata for part time employees) was a positive mechanism to support locality planning. It could improve employee morale and should help increase employee engagement. Importantly, it will benefit the local community by providing support, whilst also allowing the development of increased skills and resources.

Decision

The Executive approved the Employee Volunteering Policy for immediate implementation.

EX105. Local Government Settlement and Scottish Government Budget 2019/20

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the Local Government Settlement and the Scottish Government Budget, noting that this was a provisional position pending agreement by the Scottish Parliament. The grant Settlement was by far the biggest variable which determines the Council's financial position.

The Settlement was again presented as a partnership with a package of measures to be provided by local government in return for the provisional funding. Examples of these measures, set out below, and detailed in the Circular and Cabinet Secretary letter to the COSLA President are:-

- Baseline of the £170m additional revenue negotiated as part of the 2018/19 Settlement.
- Additional ring-fenced funding in both capital and revenue for Early Learning and Childcare.
- Cap of 3% rise in council tax.
- An additional £160m ring-fenced for IJB's to be added to the IJB's 2018/19 budgets.
- Maintenance of the pupil teacher ratio at the national level.

Falkirk revenue grant was reduced by £7.148m (2.64%) from its 2018/19 level after adjusting for new spend commitments. This was more severe than assumed in the Medium Term Financial Plan and is closer to the pessimistic end of the scenarios spectrum in the Plan. In consequence, the estimated Budget Gap has increased to circa £20m after allowing for other mitigations. Officers continued to work to identify additional savings options to bridge this figure.

COSLA had pressed the Cabinet Secretary to allocate some of the health consequentials to adult social work and not give it all to the NHS and he had done this. However the extra funding was ring-fenced for the Integration Joint Board (IJB) and their 19/20 resource allocation from councils must be this sum added to the 2018/19 IJB Budget. This materially constrained councils' ability to have the IJB contribute towards closing their Budget Gaps. Falkirk currently assumed the IJB would contribute £3m – the rule was estimated to restrict this to c£1m.

Councillor Meiklejohn, seconded by Councillor Bouse, moved that the Executive notes the report and in particular its implications for the Council's 2019/20 General Fund Revenue and Capital Budgets.

As an amendment, Councillor Bissett, seconded by Councillor Nimmo, moved that the Executive agree that the Leader of the Council write to the Finance Secretary, Derek Mackay, challenging cuts to Falkirk Council asking that the cuts to Falkirk Council and all Councils should be no larger than the cut from Westminster.

The Executive adjourned at 10.50am to allow members to consider the terms of the amendment and reconvened at 11.00am with all members present as per the sederunt.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 11 members present with voting as undernoted:-

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

For the amendment (6) – Councillors Bissett, Coombes, Goldie, Harris, Nicol and Nimmo.

Decision

The Executive agreed the amendment.

EX106. Projected Financial Position 2018/19

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the financial position of the Council for 2018/19. It also provided an update on the position with Reserves.

Projected net expenditure at 31 March 2019 was forecast to be £344.2m which was £1,177m (0.3%) above the resources available. This was an improvement of £0.789m from the stated position in October 2018 of £1,966m and, was primarily due to a reduction in the projected overspend within Children's Services.

The report set out the reasons for the significant deviations from budget by each service.

Spending within the Housing Revenue Account of £62.8m was in line with the budget. The reserve balance brought forward at 1 April 2018 was £5.093m and no application of reserves was planned for 2018/19.

Decision

The Executive:-

- (1) noted the Council's projected year-end financial position for 2018/19;**

- (2) noted the position with respect to Reserves;**
- (3) instruct Service Directors to take appropriate actions to maintain their costs within the approved budget, and**
- (4) agreed the transfer of the Supporting People budget from Social Work Adult Services to Corporate and Housing Services.**

EX107. Local Government in Scotland Financial Overview 2017/18

The Executive considered a report by the Director of Corporate and Housing Services which provided a summary of the Accounts Commission's "Financial Overview 2017/18". The overview report provided a wide range of information and a broad assessment of the financial state of local government in Scotland, albeit based on the previous financial year. The report was timed to help inform Councils' Budget preparation.

The report highlighted that local government relied on Scottish Government grant for the bulk of its funding and that in 2017/18 this reduced by 2.3% in real terms. Between 2013/14 and 2017/18 funding decreased at a faster rate [6.92%], than the Scottish Government revenue budget [1.65%].

The report stated that there were wide variations in what councils charged for and the level of charge made. Some councils were introducing new fees and charges e.g. garden waste collection. The report identified a number of spend pressures faced by councils, with pay inflation a key factor. Overall increases in spending in Education and Social Work were offset by reductions in other services.

The report stated that one of the most significant challenges for councils were financial issues associated with the IJB's. The majority of IJB's had underlying financial sustainability issues with 11 out of 30 incurring deficits in 2017/18. A further 8 would have incurred deficits without covering funding from their partners. It was noted that the Falkirk IJB was relatively well positioned with reserves and had prepared a medium term financial plan.

The Scottish Government published a five year financial strategy in May 2018. This had not yet led to multi-year budgets, but the UK Spending Review in 2019 would represent an opportunity to do this. The Accounts Commission recognised that Members were required to make difficult decisions. It was essential that all councillors, not just the Administration, work effectively with officers and other stakeholders to identify and deliver necessary savings.

Decision

The Executive noted the Financial Overview 2017/18 report.

EX108. Living Wage Implementation

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of a revised methodology for implementation of the Living Wage.

The Council was accredited as a Living Wage Employer by the Living Wage Foundation (LWF). This meant that the Council was required to implement the LWF's confirmed hourly living wage within 6 months of its announcement, normally November each year. There were c1220 employees on the living wage. Due to the time taken to negotiate a national pay award, there was often a delay in the implementation.

Given the delay relating to the national pay award, and the resulting living wage discrepancy for the period to which the pay award applied it was suggested that the rate of £8.75 be implemented in the next available pay run. It was also suggested that this be backdated to cover the period of the anticipated pay award.

For future years it was suggested that the LWF's confirmed hourly rate was implemented each year on 31 March. This would only be required if a pay award was not agreed in time for the LWF rate to be applied by 1 April. Any subsequent agreement of the pay award would then be applied on the agreed date and backdated accordingly.

Decision

The Executive agreed:-

- (1) the Living Wage Foundation pay rate of £8.75 per hour be implemented for those employees to whom this would apply, with effect from January pay run, back dated to 31.3.18, and**
- (2) the Living Wage Foundation's confirmed hourly rate of pay, normally announced in November each year, be automatically implemented on the 31 March of the following year, if the national pay award has not been implemented by this date to accommodate this.**

EX109. Graduate & Internship Scheme

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of a graduate and internship scheme. c37% of Falkirk Council employees were aged over 50 which would increase to c52% in 5 years. As there was no statutory retirement age the age profile did not necessarily mean that there would be a skills shortage at a particular point in time. Actions would be taken to mitigate against the possibility and improve the diversity of the workforce.

For the graduate scheme it was proposed that Services considered their future workforce planning needs in line with their workforce plans. On this basis, a range of graduate opportunities would be available across the Council.

The Intern Scheme would be paid summer placements for undergraduates for up to 12 weeks. Placements should be valuable work experiences, bringing benefits to the Council and the individuals. Ideally, interns would be given responsibility and diverse work to maximise the opportunity for professional development. A structured work plan was important for this.

For the schemes to be successful, graduates and interns would need to be well managed. A corporate induction programme would be arranged to provide an understanding of the Council. Dedicated mentors/coaches would require to be identified for each graduate/intern. Mentors/Coaches did not need to be a current manager and thereby this offered a good development opportunity for aspiring managers.

Decision

The Executive agreed that a Graduate & Intern Scheme be introduced across the Council commencing in summer 2019.

EX110. Land Surplus to Requirements – Lithgow Place, Denny

The Executive considered a report by the Director of Corporate and Housing Services seeking approval for an area of land, held on the Housing Revenue Account, to be declared surplus to operational requirements for disposal.

Decision

The Executive agrees to declare the land at Lithgow Place, Denny as surplus to operational requirements and authorise the Director of Development Services to agree terms for and conclude the disposal of the land.

EX111. Council of the Future

The Executive considered a report by the Director of Corporate and Housing Services which provided the quarterly update on progress made on the Council of the Future Programme of Change.

From October – December 2018 the Council of the Future Board met twice and received presentations by Project Leads on:-

- Payments Review
- Procuring for the Future
- Locality Planning
- Strategic Property Review

The following engagement events had been held:-

- 1 Leadership Forum.
- 6 Change Agent Network (CANs). Hackathons took place on Participatory Budgeting, and Change Management Skills.
- Multiple service based employee listening events, development workshops and communication groups.

Project Manager development sessions continued to provide support in using project management tools and writing robust business cases. These sessions and a fresh approach to employee communication were a direct response to the Employee Engagement Survey Management Action Plan. The training and development in place for employees and managers was tailored to increase capacity to deliver transformational change across the Council by getting more people involved in change. An employee e-newsletter was launched in December 2018, 'Falkirk Five', to keep employees informed.

The Council of the Future Change Fund was used to support projects subject to the Council of the Future governance arrangements. Change Fund bids had been approved for Closer to Home and Bereavement Services. A bid for the Social Work system replacement projects was pending final submission. It was anticipated that the Fund for 2018/19 would be fully utilised.

Decision

The Executive noted:-

- (1) the progress made in the Council of the Future Programme of Change, and**
- (2) that future quarterly update reports will be provided.**