

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 city skyline with a diagonal beam of light. The top-right quadrant depicts a stag's head with antlers. The bottom-left quadrant shows a three-masted sailing ship on wavy water. The bottom-right quadrant features a grizzly bear standing on a rocky outcrop. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "A NE FOR A".

Agenda Item 3

Minutes

Draft

FALKIRK COUNCIL

Minute of meeting of Falkirk Council held in the Municipal Buildings, Falkirk on Wednesday 5 December 2018 at 10.35 a.m.

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

Officers: Patricia Cassidy, Chief Officer, Health & Social Care Partnership
Jack Frawley, Committee Services Officer
Iain Henderson, Legal Services Manager
Rhona Geisler, Director of Development Services
Sara Lacey, Head of Social Work Children's Services
Kenneth Lawrie, Chief Executive
Joe McElholm, Head of Social Work Adult Services
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

Also

Attending: Maureen Campbell, Chief Executive, Falkirk Community Trust
Amanda Templeman, Chief Finance Officer, Health & Social Care Partnership

FC53. Sederunt

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

FC54. Declarations of Interest

In reference to item FC61 the Chief Governance Officer advised that the specific exclusions contained in the Code of Conduct applied to the Directors of Falkirk Community Trust and the members of the Integration Joint Board and it was not necessary for members appointed to these positions to declare an interest in the item.

There were no declarations of interest at this point.

FC55. Minutes and Information Bulletin

- (a) Minute of Meeting of Falkirk Council held on 19 September 2018 – agreed as a correct record – agreed as a correct record;
- (b) Volume of Minutes – Volume 2 2018/19 - noted, and
- (c) Information Bulletin – Volume 2 2018/19 - noted.

During discussion on the Information Bulletin (page 5) regarding Public Access Defibrillators, Councillor Meiklejohn declared an interest as a board member of the Scottish Ambulance Service but stated that she considered that this did not require her to recuse herself from consideration of the item, having regard to the specific exclusions contained in the Code of Conduct.

FC56. Questions

No questions were submitted.

FC57. Rolling Action Log

The rolling action log showing progress on outstanding actions from previous meetings was presented. Items 408 – Three Year General Fund Capital Programme 2018/19 – 2020/21 and 452 – Falkirk Community Trust – Options Appraisal were the subject of reports on the agenda and accordingly fell from the action log.

Decision

Council noted the rolling action log.

FC58. 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.

**FC59. Referral from Executive – 27 November 2018
Treasury Management – Interim Review 2018/19**

Council considered a report by the Director of Corporate and Housing Services which, in line with the Treasury Management Code of Practice reporting requirements, provided an interim review of the Treasury Management function. The Executive had agreed to refer the report to Council at its meeting of 27 November 2018 (ref EX89).

The report provided an update in regard to:-

- the economic and interest rate outlook
- the borrowing strategy
- the investment strategy
- Treasury Management Prudential Indicators
- the banking contract
- Treasury Management Advisers
- Market in Financial Instruments Directive II, and
- Member Training.

The report also provided benchmarking information which showed that Falkirk Council was 18th out of 32 Scottish Local Authorities in regard to investment balances at 31 August 2018.

Decision

Council noted the:-

- (1) progress of the Council's Treasury Management Strategy for 2018/19 – Executive Referral 27 November 2018, and**
- (2) reduction in long term borrowing requirement for 2018/19.**

FC60. Falkirk Council and Falkirk Community Trust – Joint Vision Document

Council considered a report by the Chief Executive which presented for approval a joint vision document between Falkirk Council and Falkirk Community Trust.

Following a decision of Council in September (ref FC43) a joint working group involving the chief officers of the Trust and Council including Trust Board members and Councillors had been established. The elected members on the group were Councillors Meiklejohn, Munro, Reid and Spears.

The draft joint vision document was provided as an appendix to the report and set out ten high level strategic objectives. The group had also identified five core tasks to be delivered by June 2019, which were to:-

- (1) organise a joint workshop involving the joint working group, plus any necessary additional officers as required. The workshop would review mutual strengths, weaknesses, opportunities and threats to further develop shared priorities and a wider programme of joint working;
- (2) carry out joint medium term business planning to help identify a savings and investment plan for the next 5 years, linking with the Strategic Property Review. This will be developed by officers and brought back to the joint working group, for their consideration;
- (3) conduct a joint review of NPDO / PFI schools' leisure facilities to resolve how these can be better utilised for wider community use;
- (4) explore how we can further improve joint working arrangements to develop tourism locally, including being clear on respective roles; and
- (5) use the Policy Development Panel recommendations as the basis for the next stages of joint working.

Decision

Council:-

- (1) noted the work which has been progressed to develop the joint vision document;**
- (2) agreed the joint vision document as appended to the report, and**
- (3) agreed the interim workplan as set out at paragraph 4.2 of the report.**

FC61. Revenue Budget/Medium Term Financial Plan [MTFP]

Council considered a report by the Director of Corporate and Housing Services which presented the business cases for Falkirk Community Trust (the Trust) and the Integration Joint Board. Council was invited to consider providing feedback to the organisations on their business cases. Council was also invited to take a provisional decision regarding the level of Council Tax for 2019/20.

The funding agreement between the Council and the Trust required that the Trust to submit a draft business plan for approval by Council. The Trust's business case was provided as an appendix to the report and included:-

- cover letter from the Chief Executive
- briefing report from the Trust summarising the submission
- Business Strategy
- Business Growth Proposals
- Fees and Charges Proposals 2019/20
- Capital Proposals 2019/20

The Trust had been allocated a 5 year savings target to reduce Council subsidy by c.£5.5m with a specific target in year 1 of £1.25m. The Trust aimed to meet this through a combination of income generation, efficiencies and growth from investment.

The Trust business plan included a capital investment proposal to develop and extend the health and fitness provision at the Mariner and Stenhousemuir Gyms which would cost £1.7m. The Trust sought £1.1m for capital improvements from the Council. A further £0.6m for specialised equipment would be provided by the Trust.

Grangemouth Golf Club expressed an interest in taking over the operation and management of Grangemouth Golf Club from 1 April 2019. The Club sought an extension to the timescale to prepare their business case. The Trust would consider the extension; subject to conditions and that the Council provided funding of £50k to cover the estimated deficit.

The Integration Scheme for the Falkirk Health and Social Care Partnership set out the methodology for funding the Integration Joint Board. This required a business case to be presented to both the Council and the Health Board. The business case was provided as an appendix to the report and included:-

- Cover letter from the Chief Officer
- IJB Business Case 2019/20

Council was invited to set a provisional Council Tax for 2019/20. A 3% increase in Council Tax, combined with the forecast growth in property numbers, would see the 2019/20 yield grow by over £2.5m from the 2018/19 forecast out-turn. The total yield could be c.£66.2m.

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

- (1) agrees the Trust Business proposals, in principle, subject to adjustment following the outcome of the grant settlement;
- (2) notes the savings shortfall of £845k and agrees to the Council and Trust working jointly to meet that shortfall. Council acknowledges that until an agreed management plan to meet the shortfall is developed it will require to be covered from the Council's General Reserve;
- (3) agrees the IJB proposals in principle, subject to review following the confirmation of the Grant Settlement and the distribution of funding from the Barnett consequential for Health;
- (4) agrees the Capital commitment of £1.1m in capital improvements in the Mariner Centre and Stenhousemuir Gym as detailed at 4.1.7 of the report;

- (5) agrees to an additional contribution to the Trust in 2019/20 to cover Grangemouth Golf Club to allow the club to be transferred to the community;
- (6) agrees in principle, on Health and Safety grounds, to continue to the fund Fireworks event, but asks the Trust to redouble efforts to identify sponsorship for the event, and
- (7) agrees to provisional setting of Council Tax Band D rate for 2019/20 by 3% with final decision to be taken at the February Budget meeting where all relevant information is presented.

Council adjourned at 12.05pm to allow members of the Opposition to consider the terms of the motion and reconvened at 12.25pm with all members present as per the sederunt.

Following discussion, Councillor Meiklejohn as the mover of the motion, with the consent of Councillor Collie as her seconder and the Provost, adjusted clause 3 of her motion as follows:-

- (3) notes the IJB proposals subject to review following the confirmation of the Grant Settlement and the distribution of the funding from the Barnett consequential for Health.

Having heard from Councillor Black regarding a potential amendment, Council adjourned at 12.45pm to allow the member to take advice from officers, and reconvened at 12.55pm with all members present as per the sederunt.

Councillor Black then advised that she would not propose an amendment.

Decision

Council:-

- (1) agreed the Trust Business proposals, in principle, subject to adjustment following the outcome of the grant settlement;**
- (2) noted the savings shortfall of £845k and agreed to the Council and Trust working jointly to meet that shortfall. Council acknowledges that until an agreed management plan to meet the shortfall is developed it will require to be covered from the Council's General Reserve;**
- (3) noted the IJB proposals subject to review following the confirmation of the Grant Settlement and the distribution of the funding from the Barnett consequential for Health;**

- (4) agreed the Capital commitment of £1.1m in capital improvements in the Mariner Centre and Stenhousemuir Gym as detailed at paragraph 4.1.7 of the report;**
- (5) agreed to an additional contribution to the Trust in 2019/20 to cover Grangemouth Golf Club to allow the Club to be transferred to the community;**
- (6) agreed in principle, on Health and Safety grounds, to continue to fund the Fireworks event, but ask the Trust to redouble efforts to identify sponsorship for the event, and**
- (7) agreed to provisional setting of Council Tax Band D rate of 2019/20 by 3% with final decision to be taken at the February budget meeting where all relevant information is presented.**

Council adjourned at 1.15pm for lunch and reconvened at 2.05pm with all members present as per the sederunt.

FC62. Referral from Executive – 27 November 2018
Revenue Budget/Medium Term Financial Plan [MTFP]

Council considered a report by the Director of Corporate and Housing Services which provided an update on savings options identified by officers. Information was provided on the projected budget gap. The estimated gap for 2019/20 had increased from £14m to £18m which was primarily attributable to the UK Treasury's triannual valuation of the teachers' pension scheme.

A breakdown of the savings options for each of the Council's three Services was appended to the report. Falkirk Community Trust and the Integration Joint Board required to take their savings options/business plans through their own governance processes. The business plans for Falkirk Community Trust and the Integration Joint Board were included in another item on the agenda.

Councillor Meiklejohn, seconded by Councillor Bouse, moved that Council notes:-

- (1) the overall position set out in the report, and**
- (2) that Services will identify further savings options in advance of the budget meeting in February.**

As an amendment, in substitution for the motion, Councillor Goldie, moved that Council:-

- (1) notes the unprecedented levels of concern and anxiety among pupils, parents and school staff across the district caused by the proposals for cuts in school budgets.
- (2) accepts that the ultimate political responsibility for the actions of the Council lies with the Leader of the Council, Cllr Meiklejohn.
- (3) accordingly calls upon Cllr Meiklejohn to issue a full apology to all the staff, parents and pupils in Falkirk for the anxiety caused.

Council adjourned at 2.35pm to allow members to consider the terms of the motion and the amendment and reconvened at 3.10pm with all members present as per the sederunt.

Councillor Bissett then seconded the amendment.

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 (17) – Depute Provost Ritchie, and Councillors Alexander, Balfour, Binnie, Bouse, Coleman, Collie, Garner, Grant, Harris, Hughes, McCue, Meiklejohn, Munro, Murtagh, Patrick and Spears.

For the amendment (11) – Provost Buchanan, and Councillors Aitchison, Bissett, Black, Blackwood, Coombes, Goldie, Kerr, McLuckie, Nimmo and Reid.

Decision

Council agreed the motion.

Depute Provost Ritchie left the meeting prior to consideration of the following item.

FC63. Review of Parking Within Schools

Council considered a report by the Director of Children's Services which set out the findings of a review undertaken of parking within schools. Council at its meeting of 7 March 2018 (ref FC89) requested a review of the entire school estate, taking cognisance of the expansion of early years provision and the Corporate Plan, regarding parking issues at each school, with a report to be submitted to a future meeting of the Council. The report was to include an assessment of which schools required works as a matter of highest priority with proposals to address the issues.

There was no statutory requirement to provide parking at schools. For the purpose of the review the National Roads Development Guide (NRDG) was used. This indicated that as a guide parking spaces should be provided on the basis of 1 space per 15 pupils.

Based on the NRDG baseline information for primary, secondary and special schools 90% of schools met the recommended guidance based on school rolls and 79% met it when capacity figures were used.

The report set out two options to address shortfall in parking spaces:-

- Option 1 Do nothing (not a statutory requirement)
- Option 2 Progress improvements as opportunities arise for school estate investment via the current school estate management plan

Decision

Council:-

- (1) noted the findings from the review, and**
- (2) agreed that Children's Services consider and address any shortfall in parking spaces as opportunities arise through school improvement or expansion projects, which would be undertaken as part of the School Estate Management Plans or the early years expansion programme.**

FC64. Appointments

Council considered a report by the Director of Corporate and Housing Services which invited consideration of whether to appoint a Depute Convener of the Planning Committee. The report also provided an update on a number of committee membership changes and invited an appointment to be made to a vacancy on the East of Scotland European Consortium Policy Board.

(a) Appointment of Depute Convener of the Planning Committee

Councillor Goldie nominated Provost Buchanan.

Councillor Meiklejohn nominated Councillor Bouse.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 27 members present with voting as undernoted:-

For Provost Buchanan (15) – Provost Buchanan; Councillors Aitchison, Bissett, Black, Blackwood, Coombes, Goldie, Grant, Harris, Kerr, McLuckie, Munro, Nimmo, Patrick and Reid.

For Councillor Bouse (12) – Councillors Alexander, Balfour, Binnie, Bouse, Coleman, Collie, Garner, Hughes, McCue, Meiklejohn, Murtagh and Spears.

Provost Buchanan was appointed Depute Convener of the Planning Committee.

(b) Appointment of a member to the East of Scotland European Consortium Policy Board

Councillor Bissett nominated Councillor Goldie.

Councillor Meiklejohn nominated Councillor Alexander.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 27 members present with voting as undernoted:-

For Councillor Goldie (15) – Provost Buchanan; Councillors Aitchison, Bissett, Black, Blackwood, Coombes, Goldie, Grant, Harris, Kerr, McLuckie, Munro, Nimmo, Patrick and Reid.

For Councillor Alexander (12) – Councillors Alexander, Balfour, Binnie, Bouse, Coleman, Collie, Garner, Hughes, McCue, Meiklejohn, Murtagh and Spears.

Councillor Goldie was appointed to the East of Scotland European Consortium Policy Board.

Decision

Council:-

- (1) appointed Provost Buchanan to the position of Depute Convener of the Planning Committee;**
- (2) appointed Councillor Goldie to the East of Scotland European Consortium Policy Board, and**
- (3) noted the changes to committee membership as set out in paragraph 3.3 of the report.**

FC65. Execution of Deeds

Council considered a report by the Director of Corporate and Housing Services detailing those deeds that had been signed and sealed on behalf of the Council since the last meeting.

Decision

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

Councillor Kerr left the meeting at this point.

FC66. Motions

Two motions had been submitted. Agenda item 13(a) referred to matters reserved to Council. Agenda item 13(b) referred to matters within the remit of the Executive. The Provost advised that in accordance with Standing Order 31.1 he determined that item 13(b) stood referred to the Executive.

Council considered the following motion by Councillor Black, seconded by Councillor Blackwood, that:-

Council recognises that effective scrutiny is crucial to raising standards and ensuring that service deliver the right outcomes for the communities in which we serve.

Council notes that there are issues within the current system that are making effective, timely scrutiny difficult.

Council therefore asks the Chief Executive, Chief Governance Officer, Head of Policy and elected member from each group, to look at a review of the structure, governance and development of scrutiny within Falkirk Council. With a view to provide the resources and infrastructure, for councillors to carry out their scrutiny role effectively, and that the Chief Executive reports back to Council on the outcome of the group's consideration.

Decision

Council agreed the motion.

At this point Councillors Bissett and Garner each declared the financial interest of a family member in item FC68 who was a claimant and left the meeting prior to consideration of the following items.

FC67. Exclusion of Public

Council agreed, in terms of s.50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting for the following item of business on the ground that they would involve the likely disclosure of exempt information as defined in paragraphs 11 & 12 of Part 1 of Schedule 7A to the said Act.

FC68. Equal Pay Update

Council considered a report by the Director of Corporate and Housing Services which provided an update on equal pay claims.

Decision

Council noted the report.