

# **Agenda Item 3**

**Minute**

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**Minute of meeting of the EXECUTIVE held within the Municipal Buildings,  
Falkirk on Tuesday 18 June 2019 at 9.30 a.m.**

<b>Councillors:</b>	David Alexander Gary Bouse Joan Coombes Jim Flynn Paul Garner Nigel Harris Gordon Hughes Cecil Meiklejohn (convener) Alan Nimmo Pat Reid
<b>Officers:</b>	Jack Frawley, Committee Services Officer Rhona Geisler, Director of Development Services 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 Karen Strang, Strategy & Development Co-ordinator
<b>Also Attending:</b>	Councillor Laura Murtagh, Public Protection Portfolio Holder (for items EX27 and EX28)

**EX22. Apologies**

There were apologies from Councillors Bissett and Nicol.

**EX23. Declarations of Interest**

There were no declarations of interest.

**EX24. Minute**

**Decision**

**The minute of the meeting of the Executive held on 14 May 2019 was approved.**

## **EX25. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 14 May 2019 was provided. Item 463 – Town Centre and Council HQ/Arts Centre – Update was the subject of the report on the agenda and consequently fell from the log.

### **Decision**

**The Executive noted the rolling action log.**

## **EX26. Referral from Corporate Partnership Forum**

The Executive considered a report by the Director of Corporate and Housing Services seeking approval of 2 policies which were considered by the Corporate Partnership Forum on 24 April 2019, these were the: Health & Safety Policy and the Recruitment and Selection Policy.

The Health, Safety and Wellbeing team were reviewing the existing policy framework. The aim was to reduce the number of policies, by reviewing documents and linking them more directly with the requirements of the Council's Health and Safety policy and safety management system. The Health & Safety policy had been updated to reflect best practice with updated roles and responsibilities and the use of plain English.

The Recruitment & Selection policy provided guidance on fair recruitment and selection processes. The policy adopted a new format using hyperlinks instead of appendices and introducing 'how to' guides to make it more user friendly. Where possible, the policy had been simplified and duplication removed. A Code of Practice on the English language requirements for public sector workers was now in force and changes had been made to take that into account.

The following areas were also changed:-

- Information on timescales for grading were included;
- Approval levels for creating/amending posts; this took account of feedback from services and managers on streamlining processes and increasing accountability;
- The recruitment checks required in certain circumstances had been reduced and clarified, at which stage, recruitment checks should be carried out. The new arrangements were based on benchmarking from other local authorities and feedback from managers, and
- Information about which interview paperwork should be kept and for how long had been added following a recommendation set out in an audit of recruitment by internal audit.

## **Decision**

**The Executive agreed the immediate implementation of changes to the Health & Safety policy and Recruitment & Selection policy.**

### **EX27. Policy Development Panel: Review of Taxi Policies – Interim Report**

The Executive considered a report by the Director of Corporate and Housing Services advising on the interim findings of the policy development panel, established to review taxi policies on a variety of areas relevant to the trade.

The panel had concluded the first tranche of its review and its findings and recommendations in relation to taxi medicals and taxi tariff review frequency were set out in the report.

Section 13(4) of the Civic Government (Scotland) Act 1982 provided any Council to require at any time for a taxi or a private hire car driver to attend a medical examination at the Council's expense. Council policy was that all applicants for taxi and private hire car drivers' licences were required to meet the medical standards of fitness applicable to DVLA Group 2 Licenceholders and that the frequency of testing should also follow the DVLA Group 2 model. This meant that as well as new applicants, each licensed driver would be required to be medically examined at the ages of 46, 51, 56, 61 and annually thereafter.

The number of GP practices which provided the medical examination had decreased over the years with only 1 GP providing the service. The reasons cited by medical practices/ GPs when withdrawing ranged from the low fee paid (£40), to the medical form being outdated and not truly reflective of the current Group 2 medical.

The panel agreed that the frequency of medicals should be adjusted from ages 46, 51, 56, 61 and annually thereafter to 50, 55, 60, 65 and annually thereafter. In addition, it agreed to the medical forms being enhanced to more accurately reflect the current DVLA Group 2 medical examination.

The panel agreed to recommend that a new fee level should be set at £75 per medical. An adjusted medical form was also considered and approved. Regarding procurement, the Council's Procurement officers had indicated that given the nature of the contract, an exemption in the Council's Contract Standing Orders to formal procurement competition could apply and was obtained from the Chief Governance Officer.

The Council had a duty to review taxi fares and scales from time to time. The most recent review concluded last year with a substantial increase agreed following a period of no change. The issue of when a review takes place was discussed with the Taxi Forum and panel. They supported that the review should be regularised and undertaken annually as this would result in a greater certainty in the process for both the trade and officers .

## **Decision**

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

- (1) to maintain the current policy which requires all new applicants for taxi and private hire driver licences to undergo a “Group 2” style medical assessment;**
- (2) to raise the age at which the 5 yearly and annual medical assessments commence from 46 to 50;**
- (3) to set a fee of £75 subject to regular review of the fee level;**
- (4) to establishing a formalised pool of GPs to carry out the taxi medical assessments by way of a contract;**
- (5) to adopt the amended medical form, and**
- (6) to review the taxi tariff annually.**

### **EX28. Review of Taxi Fare Scales and Other Charges**

The Executive considered a report by the Director of Corporate and Housing Services proposing to maintain the taxi fare scales and charges at their current levels.

The Civic Government (Scotland) Act 1982 imposed a duty on all Councils to fix, from time to time, the maximum charges for the hire of taxis. There had been several reviews in recent years but the last increase in the tariff was introduced in October 2018.

Before fixing any scales or undertaking such a review, the Council must:-

- consult with persons or organisations appearing to them to be, or be representative of, the operators of taxis operating within their area;
- give notice of their intention by advertisement in a newspaper in its area stating, (a) the general effect of the proposals and the date when they propose that its decision will take effect; and (b) that any person may lodge written representations with respect to the proposals within a period of one month after the date of the first publication of the notice, and
- consider any such representations duly lodged.

The taxi forum was identified as being representative of operators of taxis and was invited to make representation in respect of the tariff. The forum was not in favour of any increase in the taxi tariff.

## **Decision**

**The Executive agreed:-**

- (1) **to maintain the taxi fare scales and charges at their current levels, and**
- (2) **instruct the Director of Corporate and Housing Services to advertise the fare scales and charges to take effect from 1 October 2019, and**
  - (a) **in the event of any written representations being received in respect of the published proposals, a further report will be submitted to the Executive to allow them to be considered, and**
  - (b) **in the event that no written representations are received the proposals will be held as confirmed and formally notified to the consultees.**

## **EX29. Corporate Risk Management Update**

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of proposed changes to the Corporate Risk Register (CRR).

The Corporate Risk Management (CRM) Policy set out the following roles of the Executive in relation to risk management:-

- periodically review and approve the CRM Policy;
- consider risk management referrals from the Audit Committee;
- review and approve the Corporate Risk Register as appropriate;
- challenge Chief Officers on risk, such as the effectiveness of controls, governance arrangements, and progress with actions; and
- horizon scan for new and emerging risks.

Provided as appendices to the report were: a summary of corporate and service risks; details of high corporate risks, and the council risk register key.

## **Decision**

**The Executive approved the revised Corporate Risk Register (CRR) including: Appendix 1 - Summary of Corporate and Service Risks, and Appendix 2 - Details of High Corporate Risks.**

## **EX30. Local Housing Strategy 2017- 2022 Annual Review**

The Executive considered a report by the Director of Corporate and Housing Services providing an update on progress with the actions detailed in the Local Housing Strategy 2017-2022 (LHS).

Under the Housing (Scotland) Act 2001, Local Authorities were required to develop a LHS and keep it under review. The LHS was provided as an appendix to the report. It contained six key priorities, with 43 actions supporting each priority. The six priorities were:-

- (i) The supply of housing is increased
- (ii) Creating sustainable communities
- (iii) Improve access to housing
- (iv) Housing and support for vulnerable groups
- (v) Sustainable housing: fuel poverty and climate change
- (vi) Improving housing conditions.

In line with the Housing (Scotland) Act 2006 and the LHS the Scheme of Assistance had been reviewed. The scheme set out the circumstances in which the Service would provide advice, support and financial assistance to repair, maintain and adapt homes. The revised Scheme was user friendly and written in plain English. Contact details were included to direct customers to the right person for support and advice. Other changes included simplifying processes such as the repair grant application and offering assistance in line with the Tenements (Scotland) Act 2004. The revised document was attached as an appendix to the report.

### **Decision**

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

- (1) noted the progress to date in delivering the Local Housing Strategy 2017-2022;**
- (2) approved the updated Scheme of Assistance set out in Appendix 2 to the report, and**
- (3) approved the Local Housing Strategy (LHS) update to be forwarded to the Scottish Government.**

## **EX31. Provisional Financial Position 2018/19**

The Executive considered a report by the Director of Corporate and Housing Services presenting an updated financial position for the Council for 2018/19. The final accounts process was underway and would be subject to final audit review.

Net expenditure at 31 March 2019 was £341.7m which was £0.831m (0.2%) above the resources available. This was a movement of £0.346m from the overspend reported in January of £1.177m. The report detailed spend against budget by service and the significant reasons for deviation. The spend was:-

- Children's Services – over budget by £0.089m
- Corporate & Housing Services – under budget by £1.774m
- Development Services – over budget by £0.300m.

### **Decision**

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

- (1) **the Council's year-end financial position subject to Audit for 2018/19, and**
- (2) **the transfers to the repairs & Renewals Fund and Earmarked Reserves as outlined in appendix 3 of the report.**

### **EX32. Capital Programmes Outturn 2018/19**

The Executive considered a report by the Director of Corporate and Housing Services providing details of the outturn position, subject to final audit review, of the 2018/19 General Fund Services and Housing Capital Programmes.

The capital programmes aimed to deliver priority projects on time and on budget. However, both capital programmes were three year programmes and the nature of the projects therein meant that spend could move between years. The approved revised 2018/19 budget was £39.313m. The final outturn was £30.032m, an underspend of £9.281m against the revised budget. Details of service area spend and slippage were provided.

The Housing Capital Programme for 2018/19 had an outturn of £35.3m which was £3.2m less than the revised budget of £38.5m.

### **Decision**

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

- (1) **noted the outturn position, subject to audit, for both the General Fund Services (£30.0m) and Housing Capital Programmes (£35.3m);**
- (2) **approved the carry forward of savings for the Falkirk High Station Car Park, as set out in paragraph 4.3.4 of the report;**
- (3) **noted the Prudential Indicators;**

- (4) noted the reduction in the external borrowing requirement for Capital Programme purposes, and
- (5) noted the conclusion of the sale of properties under the National Housing Trust Initiative, as set out in section 4.10 of the report.

### **EX33. Treasury Management Annual Review 2018/19**

The Executive considered a report by the Director of Corporate and Housing Services presenting the Treasury Management Annual Review 2018/19. Council was required to produce an annual review of treasury management activities together with the prudential and treasury indicators as set out in the Regulations issued under the Local Government (Scotland) Act 2003.

The report provided a review of:-

- economic growth and interest rates;
- the borrowing strategy 2018/19 outcome;
- the investment strategy;
- treasury management prudential indicators;
- the banking contract;
- member training;
- the treasury management advisors, and
- benchmarking information.

#### **Decision**

**The Executive:-**

- (1) noted the contents of the Treasury Management Annual Review 2018/19, and
- (2) referred the report to Council for consideration.

### **EX34. Town Centre Update and Capital Fund 2019/20**

The Executive considered a report by the Director of Development Services providing an update on the work relating to Falkirk's town centres, including an update on the work to develop a Falkirk town centre partnership and a suggested approach to the delivery of works relating to the Scottish Government's recently announced Town Centre Capital Fund allocation for 2019/20.

The Scottish Government launched a £50 million capital fund to help regenerate and boost the performance of town centres. The Town Centre Fund supported Councils to ensure their high streets were more diverse, sustainable and successful in the face of changing and evolving retail

patterns. Falkirk's allocation of the fund was £1,976,000 and required to be utilised by March 2020.

The town centre working group had progressed its vision and action plan and recommended the formation of a new town centre partnership, 'Revitalising Falkirk', to take forward the regeneration of the town centre. The Executive was invited to nominate three elected members to represent the Council on the body.

A summary of suggested projects was set out proposing that funding was allocated to develop the following projects in Falkirk, Grangemouth and Bo'ness to help address the needs of these town centres:-

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|-------------|--|
| Falkirk     | Signage review and upgrade works.<br><br>Car Parking – off street/car parks review and investment.<br><br>CARS II – opportunity to extend and protect heritage buildings in Falkirk town centre.<br><br>Public Realm improvements to Newmarket Street and Lintriggs.<br><br>Luggage lockers to support local tourism expectations.<br><br>Exploration of Falkirk High and Grahamston stations opportunities re accessibility and connection to town centre in connection with recently completed Abellio/Scotrail Station Travel Plan.<br><br>Wifi to town centre – providing town centre user connectivity and digital opportunities.<br><br>Public Art Project opportunities to two locations: High Street and Grahams Road. |
| Grangemouth | Grangemouth 'Making Places' outcomes to be progressed.<br><br>Demolition options to longstanding vacant and unlettable commercial assets.<br><br>Wifi to town centre - providing town centre user connectivity and digital opportunities.<br><br>Conservation Audit of Grangemouth town centre.<br><br>Engagement with private owners on development options.  |

Bo'ness	<p>Wifi to town centre – providing town centre user connectivity and digital opportunities.</p> <p>Vacant property opportunities to be explored to support the move back to economic use.</p> <p>Access/configuration improvements to library for community and service benefit.</p>
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## **Decision**

**The Executive agreed:-**

- (1) to participate in the “Revitalised Falkirk”, the Town Centre Partnership on the basis of the terms of reference contained in Appendix 1 to the report;**
- (2) to participate in the Falkirk Town Centre partnership, nominating one member from each political group by slate, noting that the SNP nomination was Councillor Meiklejohn and the Labour nomination was Councillor Reid;**
- (3) the approach to delivery of the Council’s allocation of town centre capital funds for 2019/20, as summarised in this report;**
- (4) that officers proceed to finalise project delivery arrangements and costs for each of the priority projects as summarised in the report, and**
- (5) to receive a further report on the progress of these proposals for final decision.**

## **EX35. Winter Service Plan – Adopted Roads and Footways**

The Executive considered a report by the Director of Development Services providing updates to the Winter Service Plan for adopted roads and footways which took into account network resilience including the treatment of facilities for road users, public transport users, walkers and cyclists, emergency services, key public services, and other local circumstances.

As Roads Authority the Council was obliged under Section 34 of the Roads (Scotland) Act 1984, to take such steps as it considered reasonable to prevent snow and ice endangering the safe passage of vehicles and pedestrian traffic throughout the Council maintained road and footway network. The national code of practice recommended by the Department for Transport was the Code of Practice for Well Managed Highway Infrastructure.

In line with the statutory duty, carriageway and footway treatment routes had been reviewed to take account of the importance of traffic routes, with Priority 1 routes concentrating on the resilience of the overall network and elements of strategic, main and secondary distributor roads for carriageways, and prestige, primary and secondary routes for footways. A copy of the draft Winter Service Plan was provided as an appendix to the report.

### **Decision**

**The Executive approved and adopted a risk based approach to the winter treatment of carriageways and footways.,**

**The Executive agreed:-**

- (1) the Winter Service Plan, and**
- (2) to adopt a risk based approach to the winter treatment of carriageways and footways in line with the guidance provided in the Code of Practice for Well Managed Highway Infrastructure, and the statutory duty, as detailed in appendix a to the report.**