



Falkirk Council

**VOLUME OF COUNCIL
AND COMMITTEE MINUTES**

**VOLUME 1
2019/2020**

INDEX

Committee Meetings	<u>Date</u>	<u>Page Nos</u>
1. Civic Licensing	12 June 2019	76 – 81
2. Audit	17 June 2019	82 – 85
3. Executive	18 June 2019	86 – 96
4. Planning	19 June 2019	97 – 100
5. Pensions	27 June 2019	101 – 108
6. Appeals	16 August 2019	109 – 111
7. Executive	27 August 2019	112 – 126
8. Planning	28 August 2019	127 – 133
9. Scrutiny - External	29 August 2019	134 – 139
10. Civic Licensing	3 September 2019	140 – 144

Approved Minutes of Outside Organisations to which Council appoints representatives	<u>Date</u>	<u>Page Nos</u>
1. Valuation Joint Board	1 February 2019	408 - 414
2. COSLA Children and Young People Board	5 April 2019	415 - 420
3. COSLA Children & Young People Board	10 May 2019	421 – 429
4. COSLA Heath & Social Care Board	24 May 2019	430 - 439
5. NHS Forth Valley	28 May 2019	440 - 449
6. Integration Joint Board	7 June 2019	450 – 458
7. COSLA Environment & Economy Board	7 June 2019	459 – 466
8. NHS Forth Valley	11 June 2019	467 – 469
9. COSLA Community Wellbeing Board	21 June 2019	470 – 480
10. COSLA Health & Social Care Board	2 August 2019	481 - 488

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 12 June 2019 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Lorna Binnie
Jim Blackwood
Provost William Buchanan
Jim Flynn
Gordon Hughes (Convener)

Officers: Bryan Douglas, Licensing Co-ordinator
Jack Frawley, Committee Services Officer
Rose Mary Hoey, Interim Legal Services Manager
Frances Kobiela, Senior Solicitor

CL29. Apologies

Apologies were intimated on behalf of Depute Provost Ritchie and Councillor Goldie.

CL30. Declarations of Interest

There were no declarations of interest.

CL31. Minute

Decision

The minute of Meeting of the Civic Licensing Committee held on 15 May 2019 was approved.

CL32. List of Applications Granted under Delegated Powers in May 2019, Notifications of Public Processions Pending, and Breakdown of Taxi and Private Hire Licences in Operation

The committee considered a report by the Chief Governance Officer detailing the applications granted under delegated powers during May 2019 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL33. Knowledge Test Failure

The committee considered a report by the Chief Governance Officer providing details on an application for a new taxi driver licence, the knowledge test opportunities, and the options available.

Decision

The committee agreed to refuse to grant the Taxi Driver licence in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicant, having failed to pass the knowledge test, had failed to satisfy the Authority that they had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions.

CL34. Exclusion of Public

RESOLVED in terms of section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following items of business on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

CL35. Application for a New Late Hours Catering Licence

The applicant, Mr B, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for a new late hours catering licence.

Mr B spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Decision

The committee agreed to grant the new late hours catering licence.

CL36. Application for the Grant of a New Window Cleaner Licence

The applicant, Mr T, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for the grant of a new window cleaner licence.

Mr T spoke in support of the application and a letter of support was circulated.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Decision

The committee agreed to grant the new window cleaner licence subject to the standard conditions.

CL37. Request for Notice of Exemption from Assisting Passengers in Wheelchairs

The applicant, Mr S, entered the meeting accompanied by his son, Mr S.

The committee considered a report by the Chief Governance Officer providing information on an application for the request for Notice of Exemption from Assisting Passengers in Wheelchairs.

Mr S spoke on behalf of his father in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Decision

The committee agreed to grant the notice of exemption from assisting passengers in wheelchairs for the duration of the licence.

CL38. Application for the Renewal of a Taxi Driver Licence

The applicant, Mr S, and his representative, Mr S, together with Sergeant McKenzie, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the renewal of a taxi driver licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

A letter of objection from the Chief Constable was circulated.

Mr S, the applicant's agent, raised a preliminary matter regarding the competency of the hearing. He stated that as the letter of objection advised that the matter was sub judice and that further information including the cctv material could not be provided that it would not be possible to have a fair and balanced hearing. He expressed concern that the committee could not be confident that it had considered all the relevant information at the time of its decision.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Decision

The committee agreed to continue the matter until the outcome of court case was known.

Prior to consideration of the following item Provost Buchanan and Councillors Aitchison and Binnie left the meeting.

CL39. Suspension Hearing in Relation to Taxi Driver Licence

The licence holder, Mr S, and his representative, Mr S, together with Sergeant McKenzie, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the suspension hearing in relation to a taxi driver licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

A letter from the Chief Constable requesting suspension of the licence was circulated.

Mr S' agent raised a preliminary matter regarding the competency of the hearing. He stated that as the letter of objection advised that the matter was sub judice and that further information including the cctv material could not be provided that it would not be possible to have a fair and balanced hearing. He expressed concern that the committee could not be confident that it had considered all the relevant information at the time of its decision.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt with the exception of Provost Buchanan and Councillors Aitchison and Binnie.

Decision

The committee agreed to continue the matter until the outcome of court case was known.

Following consideration of the previous item Provost Buchanan and Councillors Aitchison and Binnie re-joined the meeting.

CL40. Suspension Hearing in Relation to Taxi Driver Licence

The licence holder, Mr M, together with Sergeant McKenzie, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the suspension hearing in relation to a taxi driver licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

A letter from the Chief Constable requesting suspension of the licence was circulated.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Decision

The committee agreed to continue the matter until the outcome of court case was known.

CL41. Suspension Hearing in Relation to Taxi Driver Licence

The licence holder, Mr S, together with Civic Licensing Standards Officers L Fyfe and T Ross entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the suspension hearing in relation to a taxi driver licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the CLSO's report.

Mrs Fyfe spoke in support of her report.

Questions were then asked by members of the committee.

Mr S spoke in his support.

Questions were then asked by members of the committee.

Mr G, a witness, then entered the meeting. Following questions from the committee Mr G left the meeting.

Both parties summed up.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Councillor Blackwood, seconded by Councillor Hughes, moved that the committee agrees to suspend the taxi driver licence for a period of 1 week in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11 (2) (a) on the ground that the applicant is not a fit and proper person to be the holder of such a licence.

As an amendment, Councillor Balfour, seconded by Councillor Binnie, moved that the committee agrees to suspend the taxi driver licence for a period of 2 weeks in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11 (2) (a) on the ground that the applicant is not a fit and proper person to be the holder of such a licence.

In accordance with Standing Order 22.2 a vote was taken by show of hands. There were 4 votes for the amendment and 3 votes for the motion.

The amendment was carried. The committee thereafter agreed that the suspension would commence immediately.

Decision

The committee agreed:-

- (1) to suspend the taxi driver licence for a period of 2 weeks (between 13:00 hours on 12 June and 13:00 hours on 26 June 2019) in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11 (2) (a) on the ground that the applicant was not a fit and proper person to be the holder of such a licence, and**
- (2) to suspend immediately in terms of Schedule 1 paragraph 11 (10) of the Act.**

FALKIRK COUNCIL

Minute of meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 17 June 2019 at 9.30 a.m.

Members:

Councillor Niall Coleman
 Councillor Nigel Harris
 Councillor Cecil Meiklejohn
 Councillor Alan Nimmo
 Councillor Pat Reid
 Councillor Robert Spears
 Paula Tovey (Convener)

Officers:

Carl Bullough, Head of Environmental Services
 Danny Cairney, Senior Service Manager Corporate Finance
 Gary Greenhorn, Head of Planning & Resources
 Kenneth Lawrie, Chief Executive
 Brian Pirie, Democratic Services Manager
 Stuart Ritchie, Director of Corporate and Housing
 Bryan Smail, Chief Finance Officer

Also Attending:

Stephen Reid, Ernst & Young
 Grace Scanlin, Ernst & Young

A8. Apologies

No apologies were intimated.

A9. Declarations of Interest

No declarations were made.

A10. Minute**Decision**

The minute of the meeting of the Audit Committee held on 8 April 2019 was approved.

A11. Internal Audit Annual Assurance Report 2018/19

The Committee considered a report by the Internal Audit Manager presenting the Annual Assurance report for 2017/18.

In regard to the Internal Audit plan for 2018/19, 23 main assignments had been agreed. In the course of a year a further 2 had been added, (Carbon Reduction Commitment Energy Efficient Scheme and LEADER), with 2 deferred (Cyber Security and Welfare Reform). Of the 3 key performance indicators for the Internal Audit function all had exceeded or met targets. On the basis of the work undertaken in 2018/19 Internal Audit had provided substantial assurance in relation to the Council's arrangements for risk management, governance and control for the year to 31 March 2019.

Following questions the Internal Audit Manager gave further detail on the findings on an audit of stores (street lighting/blacksmiths) which had been awarded limited assurance. The audit had found, in particular, that there was a lack of clarity over the volume and value of stock held with no physical stock counts being undertaken. These would be a follow up inspection to determine the materiality of the findings.

The Committee discussed the National Fraud Initiative exercise and in particular errors found in regard to wrongly claimed Council Tax Single Persons Discounts (which had amounted to £47k since December 2018). The Internal Audit Manager explained that the ones lay with the public to advise the Council of eligibility changes. However the Council did write to claimants to determine if their circumstances had changed. Mr O' Connor explained that the findings had been identified as part of a data matching exercise. Following further discussion and questions he undertook to provide the committee with detail on the process which follows the first continued letter.

The committee then considered the findings of the audit of building security and expressed concern that only limited assurance had been awarded. Members noted that unnamed visits had taken place at buildings in which vulnerable people had been located or where Council vehicles had been located. The Internal Audit Manager explained that action plans had been put in place with the buildings in question and that follow up visits were being carried out. The Head of Planning and Resources explained Children's Services response to the findings, confirming that advice had been circulated to all Head Teachers and faculties' staff.

The committee returned to the audit of stores and sought clarification on the finding that 'three written quotations are not always obtained for purchases in excess of £1k'. The Internal Audit Manager explained that it was a requirement of Financial Regulations that 3 quotes are obtained in respect of orders which exceed £3k. The audit looked at the extent to which * were in place, a follow up would consider the materiality.

Following a question on the total number of audit recommendations in 2018/19 and the number of outstanding actions the Internal Audit Manager confirmed that around 25 actions were outstanding. It was his intention to provide a report to the next meeting.

Decision

The Audit Committee noted:-

- (1) that sufficient Internal Audit work was undertaken to support a balanced assurance;**
- (2) that Internal Audit can provide SUBSTANTIAL assurance on the Council's arrangements for risk management, governance, and control for the year to 31 March 2019;**
- (3) that Internal Audit met, or exceeded, each of its Key Performance Indicators; and**
- (4) that the Internal Audit section is broadly compliant with Public Sector Internal Audit Standards.**

A12. Falkirk Council Annual Accounts 2018/19 and Falkirk Temperance Trust Accounts 2018/19

The Committee considered a report by the Chief Finance Officer presenting the unaudited annual accounts of the Council and Falkirk Temperance Trust for the financial year ended 31 March 2019 for approval. These had, in accordance with the Local Authority Accounts (Scotland) Regulations 2014, been submitted to the auditor by the deadline of 30 June 2019 and published online for inspection.

The committee considered the Annual Accounts, members welcomed the new layout and format, praising in particular the management commentary and annual governance statement as being particularly helpful. Stephen Reid explained that the external audit team would report on the accounts in September 2019 as part of the audit process.

Following a question in regard to the common good fund the Chief Finance Officer provided an update on the current position in regard to Kilns House and undertook to provide detail on the sale of the property.

The committee highlighted the significant long term debts to the Council, in regard to Northfield Quarry and the Scottish Fire and Rescue Service. The Chief Finance Officer explained that there were debts dating to Local Government regulations in 1996, and the creation of the National Fire

Service in 2013 respectively and explained how these would be treated in accounting terms.

Following a question in regard to the Falkirk Temperance Trust, the Chief Finance Officer undertook to clarify the definition of the area covered by the term 'Falkirk' – i.e. whether it was limited to the former burgh or was in fact the council area. Mr Smail then, following a question, stated that the contracts for the Councils four PFI schools would end in 2026. However the contracts contained trigger points at which the Council was obliged to advise the contractors of its intentions post 2026. The Head of Planning and Resources confirmed that a group had been established to consider the Council's options and to set out proposals.

The portfolio holder for Culture, Leisure and Tourism highlighted the ongoing work to market Falkirk as a tourism destination.

Following a question in regard to the impairment losses set out in the Accounts, the Chief Finance Officer undertook to provide further detail.

Decision

The Committee considered the Unaudited Annual Accounts, noted the public inspection period and that the Unaudited Annual Accounts will be submitted to the Council's External Auditor by the statutory deadline of 30 June 2019.

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

Councillors: David Alexander
Gary Bouse
Joan Coombes
Jim Flynn
Paul Garner
Nigel Harris
Gordon Hughes
Cecil Meiklejohn (convener)
Alan Nimmo
Pat Reid

Officers: 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

Also Attending: 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:-

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

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.**

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 19 June 2019 at 9.30 a.m.

COUNCILLORS: David Alexander (Convener)
 Robert Bissett
 Jim Blackwood
 Gary Bouse
 Provost William Buchanan
 Joan Coombes
 David Grant
 Gordon Hughes
 Adanna McCue
 Lynn Munro
 Laura Murtagh

OFFICERS: Ian Dryden, Development Manager
 Arlene Fraser, Committee Services Officer
 Iain Henderson, Legal Services Manager
 Russell Steedman, Roads Co-ordinator

P30. Apologies

An apology was intimated on behalf of Councillor Black.

P31. Declarations of Interest

There were no declarations.

P32. Minute

Decision

The minute of meeting of the Planning Committee held on 22 May 2019 was approved.

P33. Amendment to Planning Permission P/13/0741/FUL (Substitution of Housetype) at Land to the West of Netherview Cottage, Bonnybridge, for Black Bull Estates Limited - P/19/0149/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the amendment to planning

permission P/13/0741/FUL (Substitution of Housetype) at Land to West of Netherview Cottage, Bonnybridge for Black Bull Estates Limited – P/19/0149/FUL.

Decision

The committee agreed to grant planning permission, subject to the following condition(s):-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority;**
- (2) Before the development commences, the exact details of the colour and specification of the proposed external finishes shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (3) Before the development commences, the exact details of the height, location and construction of all proposed fences, walls and other means of enclosure shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking and re-enacting that Order), no fence, wall, gate, or other means of enclosure exceeding one metre in height shall be erected without the prior express consent of this Planning Authority;**
- (5) For the avoidance of doubt, the defined curtilage of the proposed dwellinghouse shall be as defined on approved plan 02 (Drawing Number RMDL/254/001 Revision G);**
- (6) Before the development commences, a scheme of soft landscaping works (including the proposed plant bund) shall be submitted to and approved in writing by this Planning Authority. Details of the scheme shall include (as appropriate):-**
 - i. Existing and finished ground levels/profiles in relation to a fixed datum, preferably ordnance;**
 - ii. An indication of existing landscape and planting features to be removed, those features to be retained and, in the case of damage, proposals for their restoration;**
 - iii. The location of new trees, shrubs, hedges and grassed areas;**

- iv. A schedule of plants to comprise species, plant sizes and proposed numbers/density; and
- v. A programme of completion and subsequent maintenance.

No existing vegetation shall be removed prior to approval of the scheme of soft landscaping works, and, following approval of the scheme, the development shall be carried out in accordance with the approved details.

- (7) Before the development commences, a contaminated land assessment shall be submitted to and approved in writing by this Planning Authority. Before the development is brought into use, any necessary remedial works to make the ground safe shall be carried out in accordance with an approved remediation strategy, and any necessary remediation completion report/validation certificate shall be submitted to and approved in writing by this Planning Authority;
- (8) Before the development commences, a proposed strategy to deal with surface water run-off shall be submitted to and approved in writing by this Planning Authority. Thereafter, the approved strategy shall be fully implemented prior to the development being brought into use;
- (9) The dwellinghouse hereby approved shall be used and occupied in all-time coming for no other purpose than exclusively for a person employed, or last employed, in the farm business associated with the proposed development, or widow or widower of such persons, and any resident dependants of such a person.

Reason(s):-

- 1. As these drawings and details constitute the approved development.
- 2-4, 6. To safeguard the visual amenity of the area.
- 5. In order to confirm the defined curtilage for the proposed dwellinghouse
- 7. To ensure the ground is suitable for the proposed development
- 8. To ensure that adequate drainage is provided.
- 9. The proposed development is at a countryside location and is considered to be inappropriate unless tied to the agricultural use of the land.

Informative(s):-

- 1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03 and 04.
- 2. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the

date on which this permission is granted unless the development to which this permission relates is begun before that expiration.

3. The applicant shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:

Monday to Friday	08:00 - 19:00 Hours
Saturday	08:00 - 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Protection Unit.

4. In the event of any unexpected contaminated land being encountered following the commencement of development, the applicant is advised to notify the Planning Authority immediately, carry out a contaminated land assessment and any necessary remediation works, and only recommence the development with the approval of the Planning Authority.
5. Scottish Water have advised that according to their records, the development proposals impact on existing Scottish Water assets. Any conflicts identified may be subject to restrictions on proximity of construction. The Asset Impact Team should be contacted on service.relocation@scottishwater.co.uk

FALKIRK COUNCIL**Minute of Joint Meeting of the Pensions Committee and Board held in the Municipal Buildings, Falkirk on Thursday 27 June 2019 at 10.30 a.m.****Present:**

Committee:-

Councillors Falkirk Council:-

Jim Blackwood

Niall Coleman

John Patrick

Pat Reid

Andy Douglas, Unison

Board:-

Susan Crook, Unison

Sandy Harrower, UCATT

Simon Hunt, Scottish Autism

Tommy Murphy, GMB

Jennifer Welsh, SEPA

Attending:

Justyna Korszen-Bennett, Senior Accountant

Alastair McGirr, Pensions Manager

Brian Pirie, Democratic Services Manager

Bryan Smail, Chief Finance Officer

Also in**Attendance:**

Scott Jamieson, Independent Advisor to the Pension Fund

Bruce Miller, Lothian Pension Fund

Olga Potapova, Ernst & Young

In the absence of the convener, Councillor Blackwood took the chair.

PE1. Apologies

Apologies were intimated on behalf of Provost Buchanan; Councillors Balsillie, Brisley and McCue; Ed Morrison, SCRA.

PE2. Declarations of Interest

There were no declarations.

PE3. Minute**Decision**

The minute of the joint meeting of the Committee and Board held on 21 March 2019 was approved.

PE4. Pension Board – Appointment of Board Members

The Committee and Board considered an update report by the Director of Corporate and Housing Services on various governance matters affecting the Pension Board.

Appointments to the Board were for four years. Five members of the Board were due to complete their term of appointment. Members can be appointed for further terms. It was proposed that officers write to the employers and Trades Unions to confirm whether the current nominees would be re-nominated or whether new members would be appointed. Additionally, interest had been received in regard to the vacant pensioner position on the Committee. It was proposed that the selection and appointment process for this vacancy be taken forward by a group consisting of the Convener of the Committee, the Chair of the Board (or nominated substitutes) and an officer of the Board.

Additionally nominations were sought for the position of Chair of the Board. This rotated annually between the Trade Unions and Employer memberships with the following appointment falling to the Employer side. Following discussion between Employer representatives, Simon Hunt was nominated. In regard to the Board, the constitution provided for four Trades Unions representatives. These were currently filled by Unison, Ucat, Unite and the GMB. However Ucat and Unite had merged. It was proposed that the four places be filled by 2 Unison, 1 GMB and 1 Unite representatives. Additionally one of the representatives should be from an employer other than Falkirk Council. If agreed the Board constitution would be amended accordingly.

Decision**The Pensions Committee:-**

- 1) agreed that the four Trades Union places on the Board will be filled by 2 Unison, 1 GMB and 1 Unite representatives and that one union member should be from an employer other than Falkirk Council;**
- 2) noted that the Employer members of the Board had confirmed Simon Hunt as their nominee as Chair for the coming year; and**

- 3) agreed that a panel comprising the Convener of the Committee and the Chair of the Board (or named substitutes) plus an officer would undertake the appointment of a pensioner representative.

PE5. Internal Audit Annual Assurance Report 2018/19

The Committee and Board considered a report by the Internal Audit Manager providing details on Internal Audit work undertaken in respect of the Falkirk Council Pension Fund during 2018/19.

Audits of Pension Fund Transactional Testing and Investment Management Arrangements had been undertaken in 2018/19. Based on these and operational activity during the year Internal Audit had provided substantial assurance on arrangements for risk management, governance and control for the year to 31 March 2019.

Following a question the Chief Finance Officer explained the term 'broadly compliant' in respect of Internal Audit's compliance with the Public Sector Internal Audit Standards 2019. This he confirmed equated to 'substantial'.

Decision

The Committee and Board noted that Internal Audit was able to provide Substantial Assurance in respect of the Fund's arrangements for risk management, governance, and control for the year to 31 March 2019.

PE6. Internal Audit Plan 2019/20

The Committee and Board considered a report by the Internal Audit Manager proposing the Internal Audit Plan for 2019/20 for approval.

The plan for 19/20 would include Pensions Fund Transactional Testing. The aim of the work would be to ensure:-

- member contributions to the Pension Fund were properly calculated;
- the correct values of pension rights either transferred into, or out of, the Pension Fund had been received or paid;
- the correct pension payments were paid to retiring Fund members;
- the correct lump sum payments were made in respect of deceased Fund members; and
- the controls around i-Connect (electronic transfer of data from employers creating starters and leavers) were operating effectively.

The work would also include a review of the Fund's Business Continuity Planning.

Following a question the Chief Finance Officer undertook to provide contextual information to show where the plan for 2019/20 sat within the medium term audit arrangements.

Decision

The Committee agreed the proposed Falkirk Council Pension Fund Internal Audit Plan 2019/20, and noted that an Annual Assurance Report would be provided.

PE7. Unaudited Annual Report and Accounts 2018/19

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided the Unaudited Fund Annual Report and Accounts 2018/19 and the Fund Annual Governance Statement for consideration.

The key points from the Annual Report and Accounts 2018/19 were:-

- Administration costs had been £22.41 per member (£22.32 in 18/19)
- 25 Freedom of Information requests had been answered (23 in 17/18)
- Assets were £2.5bn (£2.3bn in 17/18)
- Liabilities were £2.7bn (£2.5bn in 17/18)
- Funding level was 92% (91% at 31/3/2018)
- Funding Deficit was £218m (£228m at 31/3/2018)
- Scheme membership was 34,635 (33,560 in 17/18)
- 1 year return was 8.5% against a benchmark of 6.8%
- Annualised 5 year return was 9.1% against a benchmark of 7.8%
- Votes were cast on 1,915 motions at 130 company meetings
- Contributions of £87m were paid in (£80m in 17/18)
- Benefits of £73m were paid out (£69m in 17/18))

A section on Financial Performance outlined how the Fund had performed against budget (an underspend of £700k arising mainly from lower than expected investment management costs). The Fund's declining cash flow position has been halted temporarily by the increased employer contributions being made in 2018/19 following the 2017 valuation.

The Annual Report and Accounts included an Annual Governance Statement which focussed on the controls to ensure that:-

- effective governance arrangements exist;
- funding arrangements are adequate;
- safeguards are in place to monitor investment manager activity;
- payments are made correctly to scheme beneficiaries; and

- data is securely held.

The Annual Report and Accounts were welcomed by the Committee and Board. Members of the Board sought clarification on processes for dealing with regular non-attendance by members. It was also suggested that clarification of the relationship with Lothian Pension Fund would have been beneficial.

Decision

The Committee and Board noted the Unaudited Annual Report and Accounts for 2018/19.

The Committee approved the Annual Governance Statement.

PE8. General Governance Matters

The Committee and Board considered a report by the Director of Corporate and Housing Services providing an update on a number of miscellaneous matters associated with the business of the Falkirk Council Pension Fund, including:-

- review of scheme structure
- administration issues
- the implication of the McCloud judgement
- investment cost benchmarking
- risk management
- corporate governance matters
- institutional Investors Group on Climate Change/ Climate Action 100+
- voting
- training opportunities

The Committee had agreed on 21 March 2019 (ref PE50) to apply to join Climate Action 100+. In order to do so the fund was required to be a member of an investor network such as Principles for Responsible Investment (PRI) or the Institutional Investors Group on Climate Change (IIGCC). It was proposed that the fund join IIGCC at a cost of £2340 p.a.

Decision

The Committee and Board noted the report.

The Committee agreed to the Fund making application to join the Institutional Investors Group on Climate Change.

PE9. Market Review and Fund Manager Performance

The Committee and Board considered a report by the Director of Corporate and Housing Services providing an update on recent investment market developments; the Fund's strategic allocation and performance; and on the monitoring activity of the Fund's investment mandates during the most recently completed quarter.

Decision

The Committee and Board noted:-

- (1) recent investment market developments;**
- (2) the Fund's strategic allocation;**
- (3) the Fund's performance for the period ending 31 March 2019; and**
- (4) the investment monitoring activity of the Joint Investment Strategy Panel (JISP).**

PE10. Exclusion of Public

Agreed in terms of section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting for the following items of business on the ground that they would involve the likely disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A to the said Act.

PE11. Commentary on Fund Manager Performance

The Committee and Board considered a report by the Director of Corporate and Housing Services providing details on individual manager mandates, including any current developments and issues identified through the wider monitoring process for the period to 31 March 2019.

Decision

The Committee and Board noted the report.

PE12. Transition of Assets to New Mandate

The Committee and Board considered a report by the Director of Corporate and Housing Services summarising the arrangements for managing £260m of assets which had been previously managed by one of the Fund's global equity managers.

Decision

The Committee and Pension Board noted the arrangements made for Fund assets previously under the management of the Fund's global equity managers.

PE13. Joint Investment Strategy Panel Update

The Committee and Board considered a report by the Director of Corporate and Housing Services which summarised key points arising from the meeting of the Joint Investment Strategy Panel (JISP) held on 10 June 2019.

These had included:-

- Falkirk's investment strategy,
- ESG - the decision of BP to align its business model with the aims of the Paris climate change agreement (a 99% vote in favour at AGM).
- changing macro economic environment (i.e. slowdown in US growth altering interest rate expectations).
- work to develop appropriate de-risking triggers and follow on actions for the three Funds.
- the core philosophy which underpinned the Lothian equity strategies – capital preservation, downside protection in weak markets, low volatility and income generation.
- considerations as to whether the value tilt in Lothian's equity strategies should be targeted more evenly across global markets as opposed to being predominantly US focussed.

The JISP was required to review its effectiveness annually and to report the outcome to the Committee. The outcomes and recommendations arising from the review had been considered at the meeting on 10 June 2019 and were set out in the report. The review had confirmed that it was fulfilling its role and was working efficiently.

The terms of reference of the JISP have been updated:-

- to provide for the inclusion of a second FCA regulated LPFI officer as a member of the JISP; and
- to note that amongst its responsibilities the JISP would be monitoring the incorporation of environmental, social and governance analysis and decision-making within the investment processes.

Decision

The Committee and Board noted:-

- (1) the matters considered by the JISP at its meeting on 10th June 2019;**
- (2) the updated terms of reference of the JISP; and**
- (3) the annual review into its own effectiveness undertaken by the JISP.**

FALKIRK COUNCIL

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Friday 16 August 2019 at 9.30 a.m.

Councillors:

David Alexander
 Jim Blackwood
 Gary Bouse (convener)
 Fiona Collie
 Lynn Munro
 John Patrick
 Robert Spears

Officers:

Tracey Gillespie, Human Resources Manager
 Rose Mary Hoey, Interim Legal Services Manager
 Antonia Sobieraj, Committee Services Officer

A6. Apologies

An apology was intimated on behalf of Councillor Pat Reid.

A7. Declarations of Interest

There were no declarations.

A8. Minute**Decision**

The minute of meeting of the Appeals Committee held on 26 April 2019 was approved.

A9. Exclusion of Public

RESOLVED in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the said Act.

A10. Appeal Against Dismissal

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Submission from the Appellant; (c) Submission from the Head of Integration, Falkirk Health and Social Care Partnership dated 2 August 2019; and (d) Copies of core documents relating to the Appeal.

The Interim Legal Services Manager and the Human Resources Manager were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Ms N, was present and accompanied by Mr Lyn Turner, Unite.

The Head of Integration and HR Business Partner (Eileen Murphy) were present as representatives of the Council.

The Appellant's representative presented the case on behalf of the Appellant.

The Head of Integration Services indicated that he had no questions for the Appellant's representative or the Appellant.

Members of the Committee then asked questions of the Appellant's representative and the Appellant.

The Appellant's representative then led evidence from a witness Ms M.

The Head of Integration Services then asked questions of the witness Ms M.

Members of the Committee then asked questions of the witness Ms M.

The Appellant's representative then led evidence from a witness Ms C.

The Head of Integration Services indicated that he had no questions for the witness Ms C.

Members of the Committee then asked questions of the witness Ms C.

The Head of Integration presented the case on behalf of the Council.

The Appellant's representative and the Appellant then asked questions of the Head of Integration.

Members of the Committee then asked questions of the Head of Integration.

The Committee agreed to a short adjournment at 11.25 a.m. and re-convened at 11.37 a.m. with all relevant parties present.

The Head of Integration then led evidence from a witness Mr M.

The Appellant's representative and the Appellant then asked questions of the witness Mr M.

Members of the Committee then asked questions of the witness Mr M.

The Head of Integration then led evidence from a witness Mr C.

The Appellant's representative and the Appellant then asked questions of the witness Mr C.

Members of the Committee then asked questions of the witness Mr C.

The Head of Integration summarised the case on behalf of the Council.

The Appellant's representative summarised the Appellant's case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the decision taken by management to dismiss Ms N from Council Service was reasonable in all the circumstances. Accordingly the appeal was **REFUSED**.

The parties to the appeal were recalled and the decision intimated to them.

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings,
Falkirk on Tuesday 27 August 2019 at 9.30 a.m.**

Councillors: David Alexander
Robert Bissett
Gary Bouse
Joan Coombes
Paul Garner
Nigel Harris
Gordon Hughes
Cecil Meiklejohn (convener)
Lynn Munro
Malcolm Nicol
Pat Reid

Officers: Patricia Cassidy, Chief Officer Health & Social Care Partnership
Douglas Duff, Head of Planning & Economic Development
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

Also Attending: Councillor Fiona Collie, Health & Social Care Portfolio Holder (for item EX40(b))
Councillor Laura Murtagh, Public Protection Portfolio Holder (for item EX42)

EX36. Apologies

An apology was intimated on behalf of Councillor Nimmo.

EX37. Declarations of Interest

There were no declarations of interest at this point.

EX38. Minute**Decision**

The minute of the meeting of the Executive held on 18 June 2019 was approved.

EX39. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 18 June was provided. Item 474 – Review of Taxi Fare Scales and Other Charges was the subject of a report on the agenda and accordingly fell from the Rolling Action Log.

Decision

The Executive noted the rolling action log.

EX40. Motions referred to the Executive under Standing Order 31 from the meeting of Falkirk Council held on 26 June 2019

- (a) On 26 June 2019 in accordance with Standing Order 31.1 Council referred the following motion, proposed by Councillor Aitchison, to the Executive:-

Budget cuts over the last 10 years have taken their toll on communities and Council services. Currently there has been a rise in constituent enquiries regarding vermin.

Council notes that we no longer have a pest control service.

Council understands that monthly green bin collections, £30 special uplift charge and a reduction in opening hours of waste recycling centres can lead to an increase in vermin on our streets.

Council recognises that tenants, home owners, vulnerable adults and some of our older citizens may find it difficult to tackle this serious issue.

Council will look at how we can help our citizens to deal with this by looking at areas where we might get better results for our residents.

1. Engaging with pest control companies to see if they could offer a better deal for Falkirk residents.
2. Educating people as to how to prevent vermin from frequenting a particular area.

3. Using our media team to promote residents understanding on how to deal with this problem.
4. Looking at other ways in which we might tackle this issue collaboratively.

Council asks the Director of Development Services to report back to a future meeting outlining actions taken on or proposals to give effect to the areas outlined above.

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

As an amendment, Councillor Garner, seconded by Councillor Bouse, moved, in substitution for the motion, that the Executive:-

- 1) requests a report to come back on what the service is currently doing in the provision of advice, information and education for householders and tenants in relation to Pest Control.
- 2) also seeks to identify pest control providers and advertise them through our Trusted Trader Scheme.

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 (6) – Councillors Bissett, Coombes, Harris, Munro, Nicol and Reid.

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

Decision

The Executive agreed the motion.

- (b) On 26 June 2019 in accordance with Standing Order 31.1 Council referred the following motion, proposed by Councillor Black, to the Executive:-

Council values the work of carers employed within Falkirk Council and within the third sector and private sector, who often work long and unsocial hours, delivering care in an empathetic and professional manner.

Council recognises that there are difficulties in recruitment and retention of care staff, whilst at the same time service users need consistency and continuity of care, delivered, with a person centred approach.

Council congratulates the head of social work services and senior staff for implementing around 80% of Unison's Ethical Care Charter already.

Council recognises that adopting the charter will largely fall within the remit of the Integration Joint Board.

Council asks for the Chief Officer to bring forward a report detailing how the charter can be implemented in full to the December meeting.

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

Decision

The Executive agreed the motion.

- (c) On 26 June 2019 in accordance with Standing Order 31.1 Council referred the following motion, proposed by Councillor Coombes, to the Executive:-

Council welcomes the Climate Emergency declarations made by both UK and Scottish governments in recent weeks and the proposed amendment to the Climate Change Bill which will set a target of 'net zero' emissions of greenhouse gases in Scotland by 2045 – the most ambitious statutory target in the world.

Council however notes with concern that the Scottish Government has missed its statutory emissions targets for 2016 and 2017.

Council therefore calls for a report on the actions in place, and planned, by the Council to reduce greenhouse gas emissions in Falkirk and the anticipated reductions which these would achieve.

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

As an amendment, Councillor Garner, seconded by Councillor Alexander, moved, in substitution for the motion, that the Executive:-

- (1) recognises that climate change is an emergency and notes the urgent need for action to address existing negative impacts such as extreme weather, fires, droughts, floods and loss of habitat and indeed species. The Executive understands the impact of Global Warming and the enormous harm that a 2 degrees centigrade average rise in global temperatures is likely to cause, compared with a 1.5 degrees centigrade rise;

- (2) agrees to declare a Climate Emergency immediately and to continue with the excellent work already underway in Falkirk Council and push towards increasing our efforts to reduce our carbon emissions to net zero by 2030, while making Grangemouth our first carbon neutral town;
- (3) notes that the Council would continue to embed climate change throughout the organisation via our Corporate Sustainability Working Group, accompanied with raising climate change to a 'high' level within our corporate risk register;
- (4) agrees to create a network of climate champions throughout the organisational structure and in partnership with Elected Members. This would be complemented by our Climate Week itinerary, which would see the climate change team run several workshops and activities across the second week in October. These would be themed around areas of our carbon footprint to increase awareness within the organisation of the impact that we as a Council make;
- (5) requests a review, with the aim of establishing meaningful carbon reduction targets aligned with the Scottish Government's ambitious targets which would aid the Council in achieving net zero. Targets would also be reviewed by Service area to ensure a whole organisational approach;
- (6) notes the undertaking of large scale actions to reduce the carbon impact within the Falkirk area through the Growth and Investment Deal which would look at energy and carbon reduction projects;
- (7) notes the continued development of our suite of projects aimed at reducing the Council's carbon impact;
- (8) notes the focus on increasing Biodiversity through our aim to plant 40,000 new trees and our peat bog restoration project within the area, to mitigate our climate impact and improve air quality, and
- (9) requests a review of how the climate is changing for the Falkirk area and the development of a strategy on how the Council can help adapt our services and spaces to ensure that the Council area remains a pleasant place to live, work and visit.

The Executive adjourned at 10.20am and reconvened at 10.30am with all members present as per the sederunt.

Following discussion, Councillor Coombes as the mover of the motion, with the agreement of Councillor Bissett as her seconder, indicated that she was willing to amend her motion to replace its clauses with that of the amendment subject to the inclusion of an additional clause 10 as:-

- (10) requests that the Director of Development Services provide information on what actions the Council is taking in relation to climate change and what information can be promoted to individuals. The information to be presented either within a report on the Economic Partnership and Growth Deal or as a standalone item.

Decision

The Executive:-

- (1) recognised that climate change is an emergency and noted the urgent need for action to address existing negative impacts such as extreme weather, fires, droughts, floods and loss of habitat and indeed species. The Executive understands the impact of Global Warming and the enormous harm that a 2 degrees centigrade average rise in global temperatures is likely to cause, compared with a 1.5 degrees centigrade rise;**
- (2) agreed to declare a Climate Emergency immediately and to continue with the excellent work already underway in Falkirk Council and push towards increasing our efforts to reduce our carbon emissions to net zero by 2030, while making Grangemouth our first carbon neutral town;**
- (3) noted that the Council would continue to embed climate change throughout the organisation via our Corporate Sustainability Working Group, accompanied with raising climate change to a 'high' level within our corporate risk register;**
- (4) agreed to create a network of climate champions throughout the organisational structure and in partnership with Elected Members. This would be complemented by our Climate Week itinerary, which would see the climate change team run several workshops and activities across the second week in October. These would be themed around areas of our carbon footprint to increase awareness within the organisation of the impact that we as a Council make;**

- (5) requested a review, with the aim of establishing meaningful carbon reduction targets aligned with the Scottish Government's ambitious targets which would aid the Council in achieving net zero. Targets would also be reviewed by Service area to ensure a whole organisational approach;**
 - (6) noted the undertaking of large scale actions to reduce the carbon impact within the Falkirk area through the Growth and Investment Deal which would look at energy and carbon reduction projects;**
 - (7) noted the continued development of our suite of projects aimed at reducing the Council's carbon impact;**
 - (8) noted the focus on increasing Biodiversity through our aim to plant 40,000 new trees and our peat bog restoration project within the area, to mitigate our climate impact and improve air quality;**
 - (9) requested a review of how the climate is changing for the Falkirk area and the development of a strategy on how the Council can help adapt our services and spaces to ensure that the Council area remains a pleasant place to live, work and visit, and**
 - (10) requested that the Director of Development Services provide information on what actions the Council is taking in relation to climate change and what information can be promoted to individuals. The information to be presented either within a report on the Economic Partnership and Growth Deal or as a standalone item.**
- (d) On 26 June 2019 in accordance with Standing Order 31.1 Council referred the following motion, proposed by Councillor Reid, to the Executive:-

Council agrees that street name signs should identify in brief the provenance of the name as is common in other countries, particularly when it is the name of a person.

Council agrees that this practice would be a useful addition to local history and instil a greater sense of community.

Council agrees that this should apply to any future names and that there should be retrospective application also, where possible and appropriate.

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

As an amendment, Councillor Garner, seconded by Councillor Alexander, moved, in substitution for the motion, that the Executive agrees that:-

- (1) information on the provenance of street names would be a useful addition to local history and instil a sense of community pride whilst protecting our Heritage, and
- (2) this should apply to future street names but should be achieved by the information being included on the Council's website [and that this facility should be available for existing streets where the information can be provided at no cost to the Council].

Following discussion, Councillor Reid as the mover of the motion, with the agreement of Councillor Bissett as his seconder, amended the motion to the effect that agreement on the terms of the motion be subject to a future report on cost and practicalities.

In light of the amended motion, Councillor Garner, with the unanimous consent of those present, withdrew his amendment.

Decision

The Executive, subject to a future report on cost and practicalities,:-

- (1) agreed that street name signs should identify in brief the provenance of the name as is common in other countries, particularly when it is the name of a person;**
- (2) noted that this practice would be a useful addition to local history and instil a greater sense of community, and**
- (3) agreed that this should apply to any future names and that there should be retrospective application also, where possible and appropriate.**

EX41. Referral from Corporate Partnership Forum

The Executive considered a report by the Director of Corporate and Housing Services seeking approval to changes to policies which were considered by the Corporate Partnership Forum on 7 August 2019.

The Capability and Discipline Policies had been updated to take account of the reducing numbers of Chief Officers which would allow capability and disciplinary hearings to be chaired by Service Managers/Head Teachers.

The Grievance Policy had been updated to provide explanation of what a competent grievance may be and highlighted a process for dealing with cases that may not fall within the criteria. Having taken account of the reducing number of Chief Officers, grievance appeals would be able to be heard/chaired by Service Managers/Head Teachers.

The Job Evaluation Policy had been reformatted and provided additional support and information on the process. The approval levels had been amended to provide Directors with accountability for grading outcomes. The timescales had been made clearer along with confirmation of the spinal column point applied for re-grading.

Decision

The Executive approved the immediate implementation of changes to the Capability and Discipline policies, the Grievance policy and the Job Evaluation policy.

EX42. Review of Taxi Fare Scales and other Charges

The Executive considered a report by the Director of Corporate and Housing Services providing the responses received to the taxi fare scales consultation and proposing that there would be no increase in the taxi fare scale.

The Executive agreed at its meeting of 18 June 2019 (refEX28) to maintain the current taxi fare scales and charges at their current levels. In accordance with the legislation this was subject to a 4 week public consultation.

There were six responses which were appended to the report and categorised into the following groups:-

In Favour of Increased Charges:-

- One respondent suggested that the initial flag fall should be increased from £2.50 to £3, in line with Stirling Council.
- Another respondent suggested that a cost of living increase of 6% should be applied. They also suggested smaller more frequent increases to avoid a substantial increase every five years. In addition they referred to the current age policy applicable to taxi and private hire cars and said this should be taken into account along with future trend towards electric vehicles.

In Favour of Reduced charges

- One respondent suggested that there should be a slight decrease as the charges were expensive for those who rely on public services such as bus or taxi.
- Another respondent suggested a reduction in the fare level to encourage more people to use the service.

The comments had been carefully considered and the following responses made:-

Increased charges

The taxi trade enjoyed a substantial increase in fares and charges less than a year ago. A further increase at this time is premature and without justification. This view is also held by the Taxi Forum.

Reduced charges

The suggestion to decrease taxi fares and charges is not supported. The available evidence and the cost of operating taxis would not justify a decrease. At the current fare levels Falkirk is placed 22nd out of the 32 local authorities.

Decision

The Executive agreed to:-

- (1) maintain the taxi fares levels and charges at their existing levels, and**
- (2) instruct the Director of Corporate and Housing Services to notify the consultees.**

EX43. Falkirk Local Development Plan 2 – Supplementary Guidance

The Executive considered a report by the Director of Development Services seeking approval of the approach for the preparation of Supplementary Guidance (SG) associated with Falkirk Local Development Plan 2 (LDP2).

Supplementary Guidance provide additional detailed guidance on the implementation of policies in local development plans. 17 SG notes were prepared in conjunction with LDP1. 1 SG committed through LDP1 was still to be adopted (SG07 on the Antonine Wall World Heritage Site jointly prepared with the other four authorities through which the wall runs).

LDP2 reduced the number of SG notes from 17 to 14, through consolidation of 3 of the adopted SGs. LDP2 contained a new combined Developer Contributions SG which would include guidance which was previously provided across two SGs on education, and healthcare in new housing developments. The new Renewable and Low Carbon Energy SG would combine guidance on low and zero carbon development and wind energy development. A new SG would also be provided on green infrastructure and new development, which would provide a more comprehensive and integrated approach to guidance on greenspace, biodiversity, access and water management.

Group 1 – Expedited Procedure	
SG02	Neighbourhood Design
SG03	Residential Extension and Alterations
SG04	Shopfronts
SG07	Biodiversity and Development
SG08	Local Nature Conservation and Geodiversity Sites
SG09	Landscape Character Assessment and Landscape Designations
SG10	Trees and Development
SG11	Frontiers of the Roman Empire (Antonine Wall) World Heritage Sites
SG12	Listed Buildings and Unlisted Properties in Conservation Areas
Group 2 – New/Combined SGs	
SG01	Development in the Countryside
SG05	Green Infrastructure and New Development
SG06	Affordable Housing
SG13	Developer Contributions
SG14	Renewable and Low Carbon Energy

Group 1 contained the more technical and design/ heritage focused SGs. These SGs were considered to have worked well in LDP1 and minimal changes were anticipated. Therefore a streamlined process was proposed with consultation being undertaken collectively in a single batch. Following consultation, it was proposed that the SGs would only be referred to the Executive for approval prior to submission to Scottish Ministers, if the consultation comments received were more than of a minor or technical nature.

Group 2 contained 3 new combined SGs and those SGs where more significant changes were anticipated or where there were greater policy implications. Consultation was likely to occur in more than one batch which would allow for relevant interest groups and parties to be targeted. All Group 2 SGs would be reported to the Executive for approval post consultation and prior to formal submission to Scottish Ministers.

Decision

The Executive agreed to authorise officers to prepare and undertake consultation on the fourteen supplementary guidance notes associated with LDP2 and that thereafter:-

- (a) for SGs contained in Group 1, as defined in paragraph 4.1 of the report, if no comments are received during the consultation or comments are considered to be sufficiently minor, the finalised SGs are to be submitted to Scottish Ministers for final approval.**

- (b) for SGs contained in Group 2, as defined in paragraph 4.1 of the report, finalised drafts will be reported back to the Executive on an ongoing basis for approval, prior to submission to Scottish Ministers.**

EX44. Projected Financial Position 2019/20

The Executive considered a report by the Director of Corporate and Housing Services presenting an initial update on the financial position of the Council for 2019/20 including the position with Reserves. Net expenditure at 31 March 2020 was forecast to be £343.0m which was £0.503 (0.1%) below the resources available. The overall deviations from budget were:-

Children's Services – (over budget by £2.502m; 1.3%)

- (i) Education (over budget by £0.887m)
- (ii) Social Work – Children & Families (over budget by £1.615m)
- (iii) Justice Service (on budget)

Development Services (on budget)

Corporate & Housing Services (under budget by £0.372m; 1.4%)

- (i) General Fund Housing (under budget by £0.172m)
- (ii) Central Support Services (under budget by £0.124m)
- (iii) Miscellaneous Services (under budget £0.076m)

The Reserves showed a projected balance of £10.895m at March 2020. The report advised that the evolving position on historic child abuse may well result in future calls on the Council's reserve. Another call on the reserve would be the impact of voluntary severance payments required, beyond the £2.3m earmarked within the Spend to Save fund to implement the transformation detailed in the five year Business Plan.

Spending within the Housing Revenue Account of £65.49m was in line with budget. The reserve balance brought forward at 1 April 2019 was £5.093m with no application of reserves planned for 2019/20.

Decision

The Executive:-

- (1) noted the Council's projected year-end financial position for 2019/20;**
- (2) noted the position with respect to Reserves;**
- (3) noted the progress on the achievement of the 2019/20 agreed savings, and**

- (4) instructed Service Directors to take appropriate actions to maintain their costs within the approved budget.**

EX45. Capital Programmes Update 2019/20

The Executive considered a report by the Director of Corporate and Housing Services providing details of the forecast position for the General Fund Services and Housing Capital Programmes. It also presented the Prudential Indicators for information.

The General Fund Services Capital Programme was approved by Council on 27 February 2019 and the Housing Capital Programme had been approved on 23 January 2019. The 2019/20 budgets for both programmes were part of a five year plan and as such there would be movement in spend across the years.

The budget for the General Fund Services Capital Programme 2019/20 was based on estimates made in late 2018. The approved budget of £32.1m (including a £3.5m slippage allowance, but excluding TIF which was reported separately) had been revised to £38.2m, taking into account slippage from 2018/19, rescheduled projects and projects which have been fully funded from additional contributions.

The approved budget for the Housing Capital Programme for 2019/20 equated to £47.7m and the forecast was £44.5m, a decrease of £3.2m

Decision

The Executive noted:-

- (1) the forecast spend for both the General Fund Services (£38.5m) and Housing Capital Programmes (£44.5m);**
- (2) the acceleration of budget as detailed in paragraph 4.2.2;**
- (3) the Prudential Indicators;**
- (4) the rescheduling of projects as detailed in Section 4.4 and Appendix 1, and**
- (5) the reduced external borrowing requirement for Capital Programme purposes.**

At this point Councillor Reid declared a non-financial interest in the following item as he had previous dealings with the prospective purchaser and stated that he considered that this required him to recuse himself from consideration of the item with regard to the objective test in the Code of Conduct. In line with his declaration of interest Councillor Reid left the meeting.

EX46. Land Surplus to Requirements - Disposal of Land at Bantaskine Park, Falkirk

The Executive considered a report by the Director of Development Services seeking approval to sell an area of ground located at Bantaskine Park, Falkirk. Upon which it was proposed that a Visitor Centre would be created relating to the Battle of Falkirk Muir in 1746 and the associated Jacobite period, together with a long ground lease of the adjacent site.

Decision

The Executive agreed to:-

- (1) declare 5.7 Ha (14.06 acres) of land at Bantaskine Park surplus to requirements and**
- (2) authorise the Director of Development Services to progress a negotiated disposal and ground lease to the Battle of Falkirk Muir (1746).**

Following consideration of the previous item Councillor Reid re-joined the meeting.

EX47. Sale of 0.47 Hectares at Kemper Avenue Car Park, Falkirk

The Executive considered a report by the Director of Development Services advising of the outcome of a recent marketing exercise and seeking approval for the disposal of a section of Kemper Avenue car park.

Decision

The Executive agreed to the disposal of the land at Kemper Avenue, Falkirk to Lidl Great Britain Limited for £400,000, subject to any adjustments for proven abnormal costs authorised by the Director of Development Services.

EX48. Land Surplus to Requirements – Polmonthill Cottage

The Executive considered a report by the Director of Development Services seeking approval to sell an area of ground located adjacent to Polmonthill Cottage, Polmont, currently leased to the cottage owners.

Decision

The Executive agreed to:-

- (a) declare the area of ground at Polmonthill Cottage, Polmont surplus to requirements, and**
- (b) authorise the Director of Development Services to conclude the transaction for the disposal of the property to the current tenant at a cost of £15,000.**

EX49. Decisions Taken Under Delegated Powers

The Executive considered a report by the Director of Corporate and Housing Services informing of the decisions taken under delegated powers. Two decisions were taken which were:-

- 1. Award of contract in respect of Pensions Administration and Payroll Software System – Chief Finance Officer, and
- 2. Award of contract in respect of Grangemouth Flood Protection Scheme – Phase 5 – Ground investigation – Director of Development Services.

Decision

The Executive noted the decisions taken under delegated powers.

Draft**FALKIRK COUNCIL**

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 28 August 2019 at 9.30 a.m.

COUNCILLORS: David Alexander (Convener)
 Allyson Black
 Jim Blackwood
 Gary Bouse
 Provost William Buchanan
 Joan Coombes
 David Grant
 Gordon Hughes
 Lynn Munro
 Laura Murtagh

OFFICERS: Karen Chambers, Committee Services Officer
 Kevin Collins, Transport Planning Co-ordinator
 Ian Dryden, Development Manager
 Iain Henderson, Legal Services Manager
 Julie Seidel, Planning Officer
 Russell Steedman, Roads Co-ordinator
 Brent Vivian, Senior Planning Officer
 Bernard Whittle, Development Management Co-ordinator

P34. Apologies

Apologies were intimated on behalf of Councillors Bissett and McCue.

P35. Declarations of Interest

Councillor Bouse declared a non-financial interest in agenda item 5 (ref P38) as he has formerly had dealings with the applicant company and stated that he considered that this required him to recuse himself from consideration of the item having had regard to the objective test in the Code of Conduct.

P36. Minute**Decision**

The minute of meeting of the Planning Committee held on 19 June 2019 was approved.

P37. Part Demolition of Dwellinghouse, Subdivision of Garden Ground and Erection of Dwellinghouse with Associated Infrastructure at 6 Booth Place, Falkirk, FK1 1BA for Mr John Anderson – P/19/0071/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the part demolition of a dwelling house, subdivision of garden ground and erection of dwellinghouse with associated infrastructure at 6 Booth Place, Falkirk.

Decision

The committee agreed to continue consideration of the application to allow a combined inspection of the site and hearing session by the Committee.

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

P38. Development of Land for Residential Purposes at Land to the East of 8-10 Main Street, Bo'ness for CCG (Scotland) Ltd - P/18/0424/PPP

The committee considered a report by the Director of Development Services in relation to an application for planning permission in principle for the development of land for residential purposes at land to the east of 8-10 Main Street, Bo'ness for CCG (Scotland) Ltd - P/18/0424/PPP.

Decision

The committee agreed to an extension of time of 6 months (from the date of the request being made) to 1 January 2020. If the Legal Agreement is not concluded by 1 January, the application should be refused for the following:-

Reason(s):-

- 1. The applicant has not concluded a Legal Agreement within a reasonable timescale. The development would exacerbate deficiencies and impose increased burdens on existing infrastructure without contributing towards the provision, upgrading or maintenance of existing facilities contrary to policies HSG02 'Affordable Housing', INF02 'Developer Contributions to Community Infrastructure' and INF04 'Open Space and New Residential Development' and Supplementary Guidance SG12 'Affordable Housing' and SG13 'Open Space and New Development' of the Falkirk Local Development Plan.**

Informative(s):-

1. **For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 and Supporting Documents.**

Councillor Bouse re-joined the meeting following conclusion of the previous item of business.

P39. Change of Use of Quarry to Garden Ground at Hillview, Glen Road, Torwood, Larbert, FK5 4SN for Mr Gillies Guthrie – P/19/0187/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the change of use of quarry to garden ground at Hillview, Glen Road, Torwood, Larbert.

Decision

The committee, on the basis that it considered that the development would enhance the visual amenity of the area, agreed to grant planning permission for change of use of quarry to garden ground at Hillview, Glen Road, Torwood, Larbert, FK5 4SN subject to conditions determined by the Director of Development Services including conditions in relation to landscaping and boundary treatment.

Informative(s):-

1. **For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A.**

P40. Deletion of Condition 2 of Planning Permission P/09/0771/FUL to Make Temporary Access Permanent at Hillview, Glen Road, Torwood, Larbert for Mr Gillies Guthrie – P/19/0292/FUL

The committee considered a report by the Director of Development Services on an application for the deletion of Condition 2 of planning permission on P/09/0771/FUL to make temporary access permanent at Hillview, Glen Road, Torwood, Larbert.

Provost Buchanan, seconded by Councillor Grant, moved that the committee agrees to grant permission to delete Condition 2 on the basis that it is satisfied on matters of road safety and access and considers that the amenity of the area will be enhanced.

As an amendment, Councillor Bouse, seconded by Councillor Murtagh, moved that the committee agrees to refuse the application to delete the condition in accordance with the recommendations in the officer's report.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (8) – Provost Buchanan; and Councillors Alexander, Blackwood, Black, Coombes, Grant, Hughes and Munro.

For the amendment (2) – Bouse and Murtagh.

Decision

The committee agreed the motion.

P41. Erection of 3 Dwellinghouses and Associated Infrastructure at Victoria House, Braeface Road, Banknock, Bonnybridge, FK4 1UE for Mr Logan Dunsmore – P/19/0190/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of 3 dwellinghouses and associated infrastructure at Victoria House, Braeface Road, Banknock, Bonnybridge.

Decision

The committee agreed to continue consideration of the application to allow a combined inspection of the site and hearing session by the Committee.

P42. Formation of Petrol Filling Station and Alterations to Car Park at Asda, 21 Hallam Road, Stenhousemuir, Larbert, FK5 3BF for Asda Stores Limited – P/18/0648/FUL

The committee considered a report by the Director of Development Services on an application for planning permission on the formation of Petrol Filling Station and alterations to car park at Asda, 21 Hallam Road, Stenhousemuir, Larbert.

With reference to Standing Order 33, the Convener referred to a deputation request received from the applicant to be heard in relation to this item.

The committee agreed to hear the deputation.

Councillor Murtagh, seconded by Councillor Bouse moved that the committee agrees to grant planning permission for the formation of a Petrol Filling Station and Alterations to the Car Park at Asda, 21 Hallam Road, Stenhousemuir, Larbert, FK5 3BF for Asda Stores Limited on the grounds that the committee is satisfied on the number of parking spaces that will be available following development, on matters of road safety and in relation to access by Heavy Goods Vehicles (HGV). Committee also considers that the

development will be complimentary to the role of Stenhousemuir Town Centre as a District Centre and the mix of uses within the Town Centre with associated economic benefits. The Director of Development Services is delegated authority to determine appropriate conditions and advisories to which the permission will be subject, including an advisory in relation to HGV access to the site in terms of routes and timings, having particular regard to school opening and closing times.

As an amendment, Councillor Black seconded by Councillor Coombes, moved that the committee agrees to refuse the application for the development in accordance with the recommendations in the officer's report.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (7) – Councillors Alexander, Blackwood, Bouse, Grant, Hughes, Munro, Murtagh.

For the amendment (3) –Provost Buchanan; and Councillors Black and Coombes.

Decision

The committee agreed the motion.

P43. Redevelopment of the Former Manuel Brickworks Site – Mixed Use Development Comprising Approximately 400 Residential Dwellings, Associated Local Retailing and Community Facilities (Classes 1, 2 and 3) and Approximately 29,000m² Total Gross Area of Commercial Units (10% Class 4: Business & 90% Class 6: Storage/Distribution) at Land to the East of Almondhall Farm, Falkirk for CWC Group – P/17/0792/PPP

The committee considered a report by the Director of Development Services on an application for planning permission in principle on the redevelopment of the former manual brickworks site – mixed use development comprising approximately 400 residential dwellings, associated local retailing and community facilities (Classes 1, 2 and 3) and approximately 29,000m² Total Gross Area of Commercial Units (10% Class 4: Business & 90% Class 6: Storage/Distribution) at Land to the East of Almondhall Farm, Falkirk.

With reference to Standing Order 33, the Convener referred to a deputation request received from the applicant to be heard in relation to this item.

The committee agreed to hear the deputation.

With reference to Standing Order 38.1(x) the Convener referred to a request to be heard from Councillor Kerr in respect of this item. The Convener having given his consent, then invited Councillor Kerr to address the committee.

Councillor Alexander, seconded by Councillor Hughes moved that the committee agrees to continue consideration of the application to a future meeting of the committee to allow officers to consider whether there are means of overcoming infrastructure issues identified in the report in relation to access and transportation.

As an amendment, Provost Buchanan, seconded by Councillor Blackwood moved that the committee, being satisfied on matters of access and transportation and agreeing the benefits of the development as set out in paragraph 7C.2 of the report, agrees that it is minded to grant planning permission in principle subject to the completion of a Planning Obligation within the terms of Section 75 of the Town and County Planning (Scotland) Act 1997, in terms satisfactory to the Director of Development Services, in respect of:-

1. An education contribution at a rate of £4800 per dwellinghouse and £1850 per flat towards addressing future capacity issues at Whitecross Primary School.
2. An education contribution at a rate of £2100 per dwellinghouse and £1050 per flat towards addressing future capacity issues at Graeme High School.
3. A transport contribution towards the upgrade of M9 Junction 4 (Lathallan Roundabout).
4. A transport contribution to fund diversion of the existing local bus service into the site.
5. The provision of 25% of the units at the site as affordable housing.
6. An open space contribution at the rate of £1911 per dwellinghouse (£882 for active open space and £1026 for passive open space), which will be determined by the amount and type of on-site provision.
7. A healthcare contribution towards addressing local healthcare impacts.
8. Upgrade of Myrehead Road and its junction with the A803 including provision of a new full width railway crossing, and
9. The provision of a suitable footway/ cycle-path between the site and the existing village,

and thereafter on conclusion of the foregoing matters, remit to the said Director to grant planning permission in principle subject to appropriate conditions as determined by her.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (7) – Councillors Alexander, Black, Bouse, Coombes, Hughes, Munro and Murtagh.

For the amendment (3) – Councillors Blackwood, Provost Buchanan and Grant.

Decision

The committee agreed the motion.

FALKIRK COUNCIL

Minute of meeting of the Scrutiny Committee (External) held in the Municipal Buildings, Falkirk on Thursday 29 August 2019 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Allyson Black
Jim Blackwood (Convener)
David Grant
Lynn Munro
Depute Provost Ann Ritchie

Officers: Fiona Campbell, Head of Policy, Technology and Improvement
Douglas Duff, Head of Planning and Economic Development
Stuart Irwin, Graduate, Democratic Services
Frank McChord, Local Community Planning Officer
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Pete Reid, Manager (Growth and Investment)

SE10. Apologies

An apology was intimated on behalf of Councillor Coleman.

SE11. Declarations of Interest

No declarations were made.

SE12. Minute**Decision**

The minute of meeting of the Scrutiny Committee (External) held on 30 May 2019 was approved.

SE13. Rolling Action Log

A rolling action log detailing a decision not yet implemented following the previous meeting on 30 May 2019 was provided.

Decision

The committee noted the rolling action log.

SE14. Following the Public Pound: Community Development

The committee considered a report by the Director of Children's Services presenting reporting statements for organisations funded under the Following the Public Pound (FPP) arrangements for the period 1 April 2018 to 31 March 2019 for community development.

Funding was provided by Children's Services to 4 external organisations to provide services which could not readily be provided by the Council. As part of the Following the Public Pound arrangements, reporting statements were prepared by the relevant monitoring officer for consideration by the Scrutiny Committee (External).

The four organisations were:-

Organisation	Monitoring Service	Annual Funding (£)
Dennyloanhead Community Hall Ltd	Children's Services	11,330
Denny Community Support Project	Children's Services	23,620
Workers Education Association	Children's Services	22,280
CVS Falkirk and District	Corporate and Neighbourhood Services	102,076

The Director of Children's Services highlighted the priorities set out by Council to work in partnership with communities to ensure it meets their needs. This included:-

- Working with communities to help them thrive by delivering services differently;
- Empowering and enabling people to be self-reliant; and
- Promoting stronger, more self reliant communities.

Following a question the Head of Policy, Technology and Improvement explained the Following the Public Pound reporting process.

The Committee noted that 2 of the 4 organisations were located in the Denny area, highlighting in particular the funding awarded to the Dennyloanhead Community Hall Ltd (£11,330). The committee praised the work of the Community Hall but sought assurance that funding generally and to Community Halls was provided on an equitable basis across the Council area. The committee also praised the work of the Community Learning and Development (CLD) Team. The Head of Policy, Technology and Improvement explained that the Council of the Future project included an

Enabled Communities strand. This included work already underway such as Locality Planning, Community Empowerment and Locality Action Plans. Work on this strand, which would include participatory budgeting would consider how the Council supports the community – through funding, direct support or capacity building and would look to ensure appropriate equitable support across the Council area. This could result in a reorganisation of resources to fit the delivery model rather than the current basis which included funding based on a historical basis.

Following a question the Director of Children's Services explained that reports by HMIE were not routinely submitted to the committee for consideration. It had been the practice that only those reports where the inspection found the service to be less than satisfactory would be reported. However the Education, Children and Young People Executive had recently agreed that any review of less than 'good' would be reported to the committee.

Members returned to the theme of funding noting that in the case each of the four organisations funding from the Council had been decreasing year on year. At some point, it was argued, some projects would be unsustainable. Members also noted that in previous years a budget saving proposal had been to cease funding CLD. Council had not accepted this option and the team continued to work with the community. Frank McChord pointed to ongoing work carried out by CLD to build capacity in the community. Following a question Mr McChord explained the current transition arrangements in place in regard to the management arrangements within the Dennyloanhead Community Hall Ltd, which were focussed on working with the neighbouring YMCA to create a campus model.

Decision

The committee approved the report and acknowledged progress by Community Development in meeting Council priorities.

SE15. Following the Public Pound – Falkirk Towns Ltd

The committee considered a report by the Director of Development Services presenting a reporting statement for Falkirk Towns Ltd as it had been funded under the Following the Public Pound (FPP) arrangements for the period 1 April 2018 to 31 March 2019.

Falkirk Towns Ltd had received funding of £78,308 to provide town centre management services and run the Falkirk Business Improvement District (BID) its work assisted the Council in achieving its economic development objectives and supported the Town Centre Partnership. A company limited by guarantee, Falkirk Towns Ltd was funded on the basis that it provided services which could not readily be provided by the Council or had not been provided in the past.

The activities of Falkirk Towns Ltd connected with services provided by Development Services to meet priorities and outcomes of the Council and its partners within the key SOLD plan outcomes of:

- Grow our economy
- Improving the neighbourhood we live in
- Promoting vibrant town centres

In supporting Falkirk Towns Ltd and its relationship with the Falkirk BID, the Council additionally helps to meet key corporate priorities of:

- Thinking differently about what our town centres can be
- Promoting town centres as places to live, socialise and participate
- Expanding our approach to safer streets

Falkirk Towns Ltd received £78,309 in 2018/19 to support this work.

The committee discussed the funding of Falkirk Towns Ltd noting that funding had decreased from £108,309 for the period April 2016 – March 2017.

Falkirk BID had generated income of £184,000 for town centre management through a BID business rates levy. It also had additional Council external funding support in respect of the Taxi Marshalling Service. Pete Reid stated that decreasing BID levy funding as a result of increasing town centre vacancies presented a risk to the organisation. It was important to note that external funding was also able to be secured. Falkirk Towns Ltd delivering the Falkirk BID (in its promotional name of Falkirk Delivers) had been successful in securing funding from VisitScotland and the Townscape Heritage Initiative to support delivery of promotional activities in the town centre. The Falkirk BID team has also actively sought funding from various external bodies.

Members remarked that Falkirk town centre looked clean and sought further information on the Child Safe Scheme which looked after lost children in the town centre. Mr Reid stated that ensuring the town centre was safe was key to its vibrancy and one of the BID's core activities. He cited joint working with Police Scotland to utilise the CCTV and radio network – Shop Safe. The company operated a radio link scheme with 26 businesses to allow them to keep informed of security issues in real time.

Members praised the various initiatives but expressed concern over the perceived reduction in footfall. Mr Reid concurred that reducing footfall presented a continuing challenge which had seen a marked decrease since the closure of Marks and Spencer. He confirmed the BID levy was charged over and above Non Domestic Rates payments and applicable only to those to businesses within the BID geographical boundary. It was aimed at promoting footfall and delivering other activities and initiatives set out in the report. Falkirk Towns Ltd nor the Council did not specifically monitor footfall, however it monitored the statistics gathered by retailers. There was a clear

need to develop strategies and initiatives to promote town centre activities being delivered through the Town Centre Partnership. In response to a question in regard to a loyalty scheme Mr Reid stated that there were various initiatives in place in towns to promote spend. To date there wasn't a loyalty scheme in place as costs were an inhibiting factor.

The committee then discussed the financing of the Falkirk BID. The Council's funding covered the BID core operating costs which supported the BID business levy of £184k used to deliver projects and services in the area. When the Council's funding decreased there is a knock-on impact on the services provided by Falkirk BID. The BID is reballoted every five years and at each BID ballot there is a risk of negativity around the value of BID and payment of the levy even though it was balloted on by all businesses within the BID area. Such negativity is from perception of value as to what the BID delivers. It was vital that retailers understood the value and benefits of the BID. The next BID ballot was in 2021 – and there was risk that the organisation's reballot might not be successful. It was noted that the organisation should ensure that its message and its benefits are clear and understood. It was vital that all retailers understood the benefits of supporting a BID. Members agreed but reiterated that there would be an issue of sustainability if Council funding continued to decrease and the BID did not secure match funding in the 2021 ballot. Mr Reid stated that this was a national issue as Council budgets are impacted. The Scottish Town Centre Partnership offered support as to BID models, funding and how they can be delivered. Prior to 2021 a BID delivery model and objectives would be set out in the business plan and the vote by Non Domestic Rate payers within the defined BID geographical boundary would be based on the strength of the business plan. The Head of Planning and Economic Development stated that concerns over the future of town centres were prevalent across Scotland. A recent report by the Federation of Small Businesses called for a transformation of the town centre model and for funding to support the transformation. Following a question Mr Duff confirmed that Falkirk BID focussed solely on Falkirk Town Centre and the levy raised was from retailers within the defined geographical boundary of the town centre. Funding to Falkirk Towns Ltd supported work in the other town centres in the Council area. This had decreased over recent years and the service provided had decreased accordingly.

The committee then discussed the objective 'to inspire visitors to enjoy the town centre from day to night. Members questioned whether this objective had been met. The area had a number of attractions such as the Kelpies and the Wheel; however members asked if there was evidence that visitors were attracted to the town centre, in particular at night. Pete Reid suggested that there were signs of successes in this objective. There had been an increase, for example, in the number of European visitors. It was vital to repurpose the town centre from retail solely to for example heritage. There was a 5-star attraction in the town centre (the escape room at Callendar Square). A recent article on the BBC on town centres featured a local gaming business which had moved its operations from online to the town centre. The town had recently been awarded a Ramblers UK national award as the best

neighbourhood for walking. Examples such as these, he stated, showed that there were endeavours to attract visitors to the town centre. In response to a question he confirmed that there had been an increase in hotel trade although there had been a slight decrease in retail trade, possibly due to the closure of Marks & Spencer in the town centre. Between 2009 and 2019 there had been a 15% decrease in retail floor space but there had been a 29% increase in service related floor space. Mr Reid pointed members to a Town Centre Health Check report for 2009 – 2019 which was available online.

The Falkirk BID also looks to support the night time economy by assisting in the support of a safe town centre environment and awards. Changing the town centre from a traditional retailing centre to alternative uses such as leisure and residential living and supporting the growing tourism sector remains a key priority for the Council in which Falkirk Delivers assisted and supported.

Decision

The committee approved the report and acknowledged progress by Falkirk Towns Ltd in meeting Council priorities.

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Tuesday 3 September 2019 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Lorna Binnie
Jim Blackwood
Provost William Buchanan
Jim Flynn
Dennis Goldie
Gordon Hughes (Convener)

Officers: Karen Chambers, Committee Services Officer
Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Hoey, Interim Legal Services Manager
Stuart Irwin, Graduate, Democratic Services
Frances Kobiela, Clerk

CL42. Apologies

An apology was intimated on behalf of Depute Provost Ann Ritchie.

CL43. Declarations of Interest

There were no declarations of interest.

CL44. Minute

The minute of Meeting of the Civic Licensing Committee held on 12 June 2019 was approved.

CL45. List of Applications Granted under Delegated Powers in June and July 2019, Notifications of Public Processions Pending, and Breakdown of Taxi and Private Hire Licences in Operation

The committee considered a report by the Chief Governance Officer detailing the applications granted under delegated powers during June and July 2019 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL46. Exclusion of Public

RESOLVED in terms of section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following items of business on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

CL47. Application for the Renewal of a Second Hand Dealer Licence (Used Vehicles)

The applicant, Mr S, Mr C, General Manager of the applicant company, and Richard Thomson, Trading Standards Officer, Falkirk Council, all entered the meeting.

The committee considered a report by the Chief Governance Officer providing details of an application for the renewal of a second hand dealer licence (used vehicles), the consultations carried out, the responses received and the further officer enquiries.

The committee noted that one objection had been received in respect of the application. The objector was not in attendance but had requested that the objection be heard.

The applicant advised that he was content that the letter of objection be circulated to members. Accordingly, a copy of the objection was circulated to members.

In the absence of the objector, the committee heard from Richard Thomson in relation to the issues raised in the letter of objection and in clarification of questions raised by members.

Mr C, General Manager was then heard in response to the issues raised in the letter of objection and in clarification of questions raised by members.

Thereafter, Mr C and Mr S were heard in support of the application.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Decision

The committee agreed to renew the Second Hand Dealer licence (Used Vehicles) for a period of 3 years, subject to the standard conditions.

The committee agreed to a short recess, during which members observed a minute silence to mark the 80th anniversary of the beginning of World War 2.

C48. Application for the Renewal of an Itinerant Metal Dealer Licence

The applicant, Mr M, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details of an application for the renewal of an itinerant metal dealer licence, the consultations carried out, the responses received and detailing the applicant's record.

Mr M was heard in support of his application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee agreed to renew the Itinerant Metal Dealer licence for a period of 3 years, subject to the standard conditions.

CL49. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr P, and PC Trenchard, Police Scotland entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for the grant of a new taxi driver licence, the consultations carried out, the responses received, and detailing the applicant's record.

The committee noted that a letter of representation had been received from Police Scotland in respect of the application.

The applicant advised that he was content that the letter of representation be circulated to members. Accordingly, a copy of the letter was circulated to members.

The committee agreed to the applicant's request that two character references be circulated. Accordingly, copies of the character references were circulated to members.

PC Trenchard was heard in relation to the Chief Constable's letter of representation.

There being no questions to PC Trenchard, the applicant, Mr P was then heard in support of the application and in clarification of questions raised by members.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee agreed to grant the Taxi Driver licence for a period of one year, subject to the standard conditions.

CL50. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr H, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for the grant of a new taxi driver licence, the consultations carried out, the responses received, and detailing the applicant's record.

The committee agreed to the applicant's request that three character references and an offer of employment letter be circulated. Accordingly, copies of the letters were circulated to members.

Mr H was heard in support of his application.

Questions were asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the Taxi Driver licence for a period of one year, subject to the standard conditions.

CL51. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr F, his agent, Mr S, and PC Trenchard, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for the grant of a new taxi driver licence, the consultations carried out, the responses received, and detailing the applicant's record.

The committee noted that a letter of representation had been received from Police Scotland in respect of the application.

Mr S raised a preliminary matter in relation to the letter of representation being circulated to members. He stated that the letter from the Chief Constable had not been submitted timeously. He referred to the date when the application was first lodged, the subsequent payment made to the Council, and the reason for the application being returned and thereafter submitted once again.

The Clerk advised of the legislation timescales.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

The committee agreed to accept the preliminary point raised by Mr S and thereafter considered there was no sufficient reason to allow Police Scotland's representation to be received late.

The letter of representation from the Chief Constable was not circulated to members. The Chief Constable's representative, PC Trenchard left the meeting.

Mr S was heard in support of his client's application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee agreed to give the applicant an opportunity to take and pass the knowledge test, and should the applicant pass the knowledge test, to instruct officers to arrange for the applicant to undertake a medical, and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass both tests, to authorise the Chief Governance Officer to grant the Taxi Driver licence for a period of one year, subject to the standard conditions.

CL52. Request to Vary a Taxi Operator Licence

The applicant, Mrs M, her business partner Mr A, and her agent Mr S, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for a request to vary a taxi operator licence, the variation proposed and the consultation carried out.

Mr S was heard in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee refused the request to vary a taxi operator licence as they were of the opinion that there was no justification to depart from the current policy.

The applicant's agent requested a Statement of Reasons.

Minute of Meeting of the Central Scotland Valuation Joint Board held within Hillside House, Stirling on Friday 1 February 2019 at 2.00 p.m.

Councillors: David Alexander
David Balfour (Convener)
Lorna Binnie
Kenneth Earle
David Grant
Jeremy McDonald
Bill Mason
Alan Nimmo
Robert Spears
Jim Thomson

Officers: Sandy Carmichael, Internal Audit
Elizabeth Hutcheon, Treasurer
Gordon O'Connor, Internal Audit
Brian Pirie, Assistant to the Clerk
Jane Wandless, Assistant to the Assessor
Peter Wildman, Assessor and Electoral Registration Officer

Also Attending: Tom Reid, Audit Scotland

VJB36. Apologies

Apologies were intimated on behalf of Councillors Coombes, Dodds, Gibson, Holden and Patrick.

VJB37. Declarations of Interest

None.

VJB38. Minute

The minute of the meeting held on 16 November 2018 was approved.

VJB39. Draft Revenue Budget 2019/20

The Board considered a report by the Treasurer and Assessor presenting the draft Revenue Budget for 2019/20.

The Board's draft revenue Budget for 2019/20 was set out, together with the requisitions for each of the constituent authorities.

The proposed budget was £2,747,530 a 6.3% increase on 2018/19, reflecting an increase of £164,170 in expenditure (which was the anticipated sum required to implement the Barclay Review). The funding assumption was £2,546,605, with a further £200k support from reserves. In regard to reserves, £333,730 was earmarked which left uncommitted reserves of £103,330, 4% of the budget. It was proposed that the floor for reserves of 6% was reduced to 3-6% of the budget. The report set out the risks which the Board faced when considering its budget. These included:

- Lack of certainty over the level of future funding streams from both the constituent authorities and the Cabinet Office
- The ability of the Board to make year on year reductions in its net expenditure.
- The ability of the Board to retain and recruit qualified staff.

Having regard to the risks it was proposed to continue the Spend to Save Fund and Property Maintenance Fund, both of which would be funded from earmarked reserves.

Decision

The Board agreed:-

- (1) it's Revenue Budget for 2019/20 as detailed in appendix a of the report,**
- (2) to revise the minimum level of reserves policy from a fixed 6% to a range of 3% to 6% and this draft budget results in a minimum reserve for 2019/20 of 4% of the net expenditure budget;**
- (3) that the Spend to Save and Property Maintenance Funds are continued from reserves to allow the Board to reduce expenditure in future years, and**
- (4) to requisition the constituent authorities for their share of the net expenditure as outlined in the table below:-**

Table 5: 2019/20 Proposed Requisitions

	Requisition	Barclay Settlement proposed allocation	Proposed requisition Total
	£	£	£
Falkirk	1,214,515	42,365	1,256,880
Stirling	868,990	25,450	894,440
Clackmannans	381,015	14,270	395,285
Total	2,464,520	82,085	2,546,605

VJB40. Standing Orders relating to Meetings

The Board considered a report by the Clerk presenting draft Standing Orders Relating to Meetings for approval.

The Board's current Standing Orders Relating to Meetings had been agreed by the Board in 1996. Following a review in 2018, revised Standing Orders Relating to Meetings had been developed. The revised document set out provisions in regard to:

- Preliminary Matters
- Constitution and Appointment of Members
- Meetings of the Board
- Order and Conduct of business at meetings of the Board
- Miscellaneous Matters
- Scheme of Delegation

The new document was largely a plain English upgrade which set out provisions in a more coherent and concise manner. It introduced new provisions in regard to:

- the procedure for requesting deputations at meetings
- voting procedures
- personal explanation by members during meetings
- quorum for meetings
- timescales for submitting motion

A change to the Standing Order 12.2 as set out in the published draft document was proposed by the Assistant to the Clerk. The adjusted provision was:

12.2 If a member of the Board fails throughout a period of six consecutive months to attend any meeting of the Board, the clerk will report this to the Board and the Board may determine to contact the constituent authorities with a request to remove that member from the Board.

If agreed there would be a consequential change to Standing Order 4.13 to read

4.13-A member of the Board shall cease to be a member of the Board in accordance with Standing Order 12.

Following questions the Assistant to the Clerk explained the rationale for the proposed revision to the arrangements for requesting deputations. Although rarely used, the current provision was not user friendly with particularly restrictive timescales for submitting requests. The proposed version afforded greater flexibility for members of the public.

The Assistant Clerk further explained the proposed adjustment to Standing Order 12.2. It was not within the authority of the Board to terminate the membership of a member of the Board. He also explained the process and methodology for determining the period of absence and confirmed that submitting apologies did not prevent absence being recorded.

The Assistant to the Clerk also confirmed, following a question, that the size and composition of the Board was set out in the Valuation Joint Boards (Scotland) Order 1995 and could not be amended by the Board.

Decision

The Board approved the adjusted draft Standing Orders Relating to Meetings subject to any minor adjustments by the Clerk.

VJB41. LGPS Employer Discretions

The Board considered a report by the Assessor and Treasurer presenting a summary of how the Board intended to exercise its discretionary powers as set out in the Council Government Pensions Scheme (Scotland) Regulations 2018.

The Board's current discretions had been approved on 19 June 2015 (ref VJB6). The discretion had been updated to reflect the updated Local Government Pension Scheme (Scotland) Regulations 2018. The proposal summary was based on those of Falkirk Council, the Board's pensions provider.

Decision

The Board approved the Local Government Pensions Scheme Employer Discretions Policy and to its publication.

VJB42. Annual Audit Plan 2018/19

The Board considered a report by the Treasurer presenting Audit Scotland's Annual Audit plan for 2018/19.

The Annual Audit focussed on the following key audit rules:-

- Risks of management override of controls
- Risk of fraud over income
- Risk of fraud over expenditure
- Financial sustainability and financial management
- Governance policies and procedures

The proposed fee for 2018/19 was £7280

Decision

The Board noted the Audit Scotland: Audit Plan for 2018/19.

VJB43. 2018/19 Internal Audit Review – Arrangements for Recording, Monitoring and Responding to Freedom of Information (FOI) Requests

The Board considered a report by the Internal Audit Manager presenting the audit report on the review of the arrangements for recording, monitoring and responding to Freedom of Information requests. The audit had resulted in substantial assurance. The report set out 6 recommendations together with the agreed management action.

Decision

The Board noted the findings arising from the 2018/19 Internal Audit review of the Arrangements for Recording, Monitoring and Responding to FOI Requests.

VJB44. 2018/19 Internal Audit Review – Business Continuity Management Arrangements

The Board considered a report by the Internal Audit Manager presenting the audit report on the review of the Business Continuity Management Arrangements. The audit had resulted in limited assurance. The report set out 6 recommendations together with the agreed management action.

Decision

The Board noted the findings arising from the 2018/19 Internal Audit review of Business Continuity Management Arrangements.

VJB45. Electoral Registration Update

The Board considered a report by the Assessor and Electoral Registration Update summarising Electoral Registration work since September 2018.

The new register had been published on 1 December 2018. There were 229,589 local government electors at 1 December 2018, compared to 230,435 on 1 December 2017. The annual canvass had been completed ahead of the publication of the register. The report set out the work involved in undertaking the canvass, including the issuing of Household Enquiry Forms, enquiries and the issue of invitations to register. The report also set out work undertaken to promote registration amongst students at the University of Stirling and Forth Valley campuses, and with schools.

Following questions the Assessor and Electoral Registrations Officer explained the process for registering electors and creating the Local Government and Parliamentary registers. The legislation required to establish a referendum would, he explained, determine which register would be used.

The Board discussed the fall in the number of registered electors. Mr Wildman considered that there were no signs that this was due to any 'Brexit effect'. The majority of the electors who had been removed were in the Stirling area. In addition approximately 300 overseas electors had chosen not to register. It was possible that the decrease was due to the fact there had been no election events in 2018. These typically saw a rise in the number in the registered electors. Following comments in regard to an increase in the number of citizens seeking joint nationality, the Assessor and Electoral Registration Officer explained the rules governing eligibility to vote at various elections.

Mr Wildman stated, in response to a question, that the number of citizens who were not registered was not known. Registration was voluntary so definitive data was not available. The service was however exploring the use of Social Media to promote registration.

Decision

The Board noted the report.

VJB46. Appointment of Treasurer

The Board considered a report by the Clerk proposing that it appoint Lindsay Sim, Chief Finance Officer and Section 95 Officer, Clackmannanshire Council as Treasurer.

Decision

The Board agreed to appoint Lindsay Sim to the post of Treasurer.

MINUTE OF MEETING OF CHILDREN AND YOUNG PEOPLE BOARD

Friday 5 April 2019

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh

Present

COSLA President	Councillor Alison Evison
NHS Health Scotland	Kerry McKenzie
Children's University Scotland	Neil Mathers
Aberdeen City Council	Councillor John Wheeler
Angus Council	Councillor Derek Wann
Argyll and Bute Council	Councillor Kieron Green (Substitute)
Clackmannanshire Council	Councillor Graham Lindsay
Comhairle nan Eilean Siar	Councillor Paul Finnegan (Substitute)
Dumfries and Galloway Council	Councillor Jeff Leaver
Dundee City Council	Councillor Roisin Smith
East Ayrshire Council	Councillor Fiona Campbell
East Dunbartonshire Council	Councillor Jim Goodall
East Lothian Council	Councillor John McMillan (Substitute)
East Renfrewshire Council	Councillor Paul O'Kane
Falkirk Council	Councillor Adanna McCue
Glasgow City Council	Councillor Chris Cunningham
Highland Council	Councillor John Finlayson
Midlothian Council	Councillor Jim Muirhead
Moray Council	Councillor Sonya Warren (Teleconference)
North Ayrshire Council	Councillor John Bell
North Lanarkshire Council	Councillor Clare Quigley (Substitute)
Orkney Islands Council	Councillor Rob Crichton
Perth and Kinross Council	Councillor John Duff (Substitute)
Renfrewshire Council	Councillor Jim Paterson
Scottish Borders Council	Councillor Carol Hamilton
Shetland Islands Council	Councillor Theo Smith (Substitute)
South Ayrshire Council	Councillor William Grant
South Lanarkshire Council	Councillor Katy Loudon
Stirling Council	Councillor Susan McGill
West Dunbartonshire Council	Councillor Karen Conaghan
West Lothian Council	Councillor Dom McGuire (Substitute)
ADES	Mr Michael Wood
SOLACE	Angela Leitch
SPDS	Kristine Johnson
Social Work Scotland	Ben Farrugia

Apologies

COSLA Spokesperson	Councillor Stephen McCabe
Aberdeenshire Council	Councillor Anne Simpson
Argyll and Bute Council	Councillor Yvonne McNeilly
City of Edinburgh Council	Councillor Ian Perry
Comhairle nan Eilean Siar	Councillor Angus McCormack
East Lothian Council	Councillor Shamin Akhtar
Fife Council	Councillor Fay Sinclair
Inverclyde Council	Councillor Natasha Murphy
North Lanarkshire Council	Councillor Frank McNally
Perth and Kinross Council	Councillor Willie Wilson
Shetland Islands Council	Councillor George Smith
West Lothian Council	Councillor David Dodds
ADES	Terry Lanagan
CIPFA - Directors of Finance	Alan Puckrin
Directors of Public Health	Dr Linda de Caestecker
Social Work Scotland	Sharon McAlees

Public Session**Welcome and Apologies**

In welcoming Members to the meeting and noting apologies including from the Spokesperson for Children and Young People, COSLA's President confirmed she would chair the Board meeting on the Spokesperson's behalf.

1. Children and Young People Board Workplan

Members were asked to note the updated Workplan; some key points were highlighted by COSLA officers:

- On Education Reform and the Education Bill, progress is being made and the Deputy First Minister would like to ensure the pace of progress continues. A fuller report will be submitted to both the CYP Board and COSLA Leaders in May 2019.
- COSLA officers suggested the removal of two items from the Workplan as current activity on those has reached a conclusion: (1) Keys to Life Learning Disability Strategy and (2) Instrumental Music Tuition.
- It was also suggested that the Workplan item on 'Workforce Planning - Other Professionals' - focusing on the ELC workforce – should be combined with Priority 1 under 'Early Learning and Childcare'.

Board Members were content with the Workplan and agreed the changes to remove two items and combine one other item into Priority 1.

2. Children's University Scotland (CUS) Presentation

A presentation on the work of Children's University Scotland was delivered by the Chief Executive of CUS, Neil Mathers.

Children's University works to give children aged 5 to 14 opportunities to take part in exciting, interactive and voluntary learning activities outside of normal school hours. The aim is to raise aspirations, boost achievement and instil a love of learning that will stay with children throughout their lives. It also aims to consider the impact of poverty, reduce barriers that prevent engagement with learning and promote the goals of accessibility, engagement and achievement.

The project is working with approximately 100 schools currently. CUS is keen to contact Member Councils to explore engagement and collaboration.

- Key points delivered during the presentation included:
- Support and recognise children's commitment to learning and their ways of learning.
- Improve access to affordable, high quality learning.
- Ensure quality and types of learning available beyond the classroom.
- Support schools and focus beyond the classroom (home learning and community environment learning).
- Work with partners to encourage children to take up learning.
- Identifying learning providers.
- Set out current partnership areas, new partnership areas and those under development.
- Also targeting certain groups in particular such as care experienced, gypsy traveller children and young people.
- Impact – connecting home and community learning life with in school learning.
- Digital platform available which provides information on available learning.
- Exploring alternative methods of engagement such as through libraries.
- Gain evidence and insight from children and families.
- System of credits and awards providing incentivisation and positive reinforcement.
- Celebration ceremony events to recognise achievements.
- Create opportunity to build awareness of engagement and health and wellbeing.

Discussion included determining costs for CUS support (£600 annual fee per school plus a one-off set up fee), affordability testing in advance with schools, main approach being to provide access through schools, but piloting is underway for instance through the Summer Reading Challenge with Fife Libraries, age range is Primary through the early Secondary, but it is not specifically limited, evaluation methods including rich data from digital platforms, children's feedback on learning and attitudes, self-assessment.

The Chair acknowledged that, from the discussion and questions following the presentation, this project is of significant interest to Members; she thanked the Chief Executive for his informative, constructive presentation and encouraged Members to contact CUS directly to engage further.

3. Child Poverty Presentation (NHS Health Scotland)

Kerry McKenzie, Organisational Lead for Child Poverty at NHS Health Scotland, provided a presentation on the duty on Local Authorities to publish Local Child Poverty Action Reports by June 2019.

A recap of the Child Poverty (Scotland) Act 2017 was provided, focussing on councils' duties in relation to the Action Reports, and an overview of the support that can be provided from national partners. National partners form a Local Child Poverty Co-ordination Group with representatives including the Improvement Service, NHS Health Scotland, Poverty Alliance, COSLA, NHS National Services, Scottish Government, Scottish Poverty and Inequality Unit and Child Poverty Action Group in Scotland. The support available includes planning, using data and evaluation, networking exchange, good practice examples, development of plans and raising awareness.

The action reporting is intended to bring additional focus to the Prevention agenda, provide impetus for change and partnership working and contribute to wider poverty outcomes.

It was recognised that there is already lot of good work taking place across Scotland to tackle child poverty. The Organisational Lead highlighted a webinar briefing that was created to support Elected Members with the Action Reporting; it was agreed that COSLA officers would share this with Members.

4. Public Health Reform

The paper submitted provided Members with an update on the establishment of Public Health Scotland and the broader reform of public health of which COSLA, alongside Scottish Government, is a main partner.

Board Members expressed general support for the approach. Additional comments included an acknowledgement that the COSLA Health and Social Care Board has also contributed to the reform, and there was a request to see an increasing focus on nurseries.

Members:

- i. Noted the update on the reform of public health;
- ii. Provided feedback on the top lines for Local Government and Public Health Reform which provide clarity on our position ahead of the publication of the consultation for Public Health Scotland; and
- iii. Considered the interest of the CYP Board in receiving progress updates on the reform programme and the extent to which ongoing involvement is required.

5. Scottish Government Social Isolation and Loneliness Strategy

The paper provided the Children and Young People Board with information on the Scottish Government's Social Isolation and Loneliness Strategy, COSLA engagement with Scottish Government to date, and governance arrangements for the delivery of the strategy.

COSLA officers confirmed that poverty and isolation in rural communities will be captured and will ensure cross-cutting issues such as cross generational mental health are on the agenda.

Members:

- i. Noted the publication of the Scottish Government Social Isolation and Loneliness Strategy;
- ii. Noted the comments made by the Community Wellbeing and the Health and Social Care Boards and considered providing further views to inform next steps;
- iii. Considered the need for specific dialogue with the Minister for Children and Young People.

6. Everyday Heroes – The Delivery of Equally Safe

The paper informed Members of the 'Everyday Heroes' children and young people's participation programme and asked Members to approve the proposed next steps.

Following a query, COSLA officers provided reassurance that representatives working with children and young people with learning disabilities and support needs are included in the work.

Members:

- i. Considered this report;
- ii. Approved the recommendations for proposed next steps.

Private Session**7. Minute of Last Meeting of 8 February 2019**

The minute of the last meeting was approved as an accurate record.

8. Improving the Lives of Gypsy/Traveller Children and Young People**9. Early Learning and Childcare: Guidance on Transition Options, Sustainable Rates and Business Sustainability****10. Give Them Time****11. Home School Link****12. Learning Estate Strategy and Investment Programme****13. Children and Young People's Mental Health****14. Independent Panel on Career Pathways for Teachers****15. Secure Care National Standards for Scotland****16. AOCB and Close**

Date of Next Meeting: Friday 10 May 2019

In closing the meeting, the Chair thanked Members for attending.



CYP Item 04

MINUTE OF MEETING OF CHILDREN AND YOUNG PEOPLE BOARD

Friday 10 May 2019

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh

Present

COSLA Spokesperson	Councillor Stephen McCabe
Scottish Government (Guest)	Scott Brand
MQuITE (Guest)	Dr Aileen Kennedy
MQuITE (Guest)	Dr Paul Adams
MQuITE (Guest)	Dr Mark Carver
Independent Care Review (Guest)	Fiona Duncan
Aberdeenshire Council	Councillor Anne Simpson
Angus Council	Councillor Derek Wann
Dumfries and Galloway Council	Councillor Jeff Leaver
Dundee City Council	Councillor Roisin Smith
East Dunbartonshire Council	Councillor Jim Goodall
Falkirk Council	Councillor David Alexander (Substitute)
Fife Council	Councillor Fay Sinclair
Glasgow City Council	Councillor Ricky Bell (Substitute)
Highland Council	Councillor John Finlayson
Inverclyde Council	Councillor Natasha Murphy (Teleconference)
Midlothian Council	Councillor Jim Muirhead
Moray Council	Councillor Sonya Warren
Moray Council (Observer)	Graham Jarvis
North Ayrshire Council	Councillor John Bell
North Lanarkshire Council	Councillor Frank McNally
Orkney Islands Council	Councillor John Ross Scott (Substitute)
Perth and Kinross Council	Councillor Willie Wilson
Shetland Islands Council	Councillor George Smith
South Ayrshire Council	Councillor William Grant
South Lanarkshire Council	Councillor Katy Loudon
Stirling Council	Councillor Susan McGill (Teleconference)
West Dunbartonshire Council	Councillor Karen Conaghan
West Lothian Council	Councillor David Dodds
ADES	Professor Michael Wood
CIPFA - Directors of Finance	Alan Puckrin
Directors of Public Health	Sonya Scott (Substitute)
Social Work Scotland	Ben Farrugia

Apologies

Aberdeen City Council	Councillor John Wheeler
Argyll and Bute Council	Councillor Yvonne McNeilly
City of Edinburgh Council	Councillor Ian Perry
Clackmannanshire Council	Councillor Graham Lindsay
Comhairle nan Eilean Siar	Councillor Angus McCormack
East Ayrshire Council	Councillor Fiona Campbell
East Lothian Council	Councillor Shamin Akhtar
East Renfrewshire Council	Councillor Paul O'Kane
Falkirk Council	Councillor Adanna McCue
Glasgow City Council	Councillor Chris Cunningham
Orkney Islands Council	Councillor Rob Crichton
Renfrewshire Council	Councillor Jim Paterson
Scottish Borders Council	Councillor Carol Hamilton
ADES	Terry Lanagan
Directors of Public Health	Dr Linda de Caestecker
SOLACE	Angela Leitch
SPDS	Kristine Johnson
Social Work Scotland	Sharon McAlees

Welcome and Apologies

The Spokesperson welcomed everyone to the meeting. The Chief Officer indicated to Members the intention to livestream the meeting for COSLA members of staff not able to attend; he read out a livestreaming statement. Livestreaming was approved by Members.

Public Session

1. MQulTE Project Presentation

The Spokesperson welcomed MQulTE Project Team members, Dr Aileen Kennedy, Dr Paul Adams and Dr Mark Carver to speak to the Board.

The presentation included setting out the background to MQulTE.

The MQulTE project seeks to involve all stakeholders in the development of a means of measuring quality in initial teacher education in Scotland. It engages with both literature and practice to inform this process. The project runs for six years (tracking graduates over five years) and involves all ITE universities in Scotland, as well as GTCS. The work will contribute significantly to the development of quality teacher education in Scotland and will also offer a useful perspective to the international debate on measuring quality in ITE.

The work to date identified the need to measure the impact of new routes into teaching. A 5-year tracking study is taking place (running until 2022) with a cohort created to consider issues identified. Research questions have been set with literature review and the collection and collation of data. A variety of different research measurement criteria is being used. Results from focus groups identified that 'preparedness' was one of the core needs, particularly for subject-teaching including literacy, numeracy and health and wellbeing.

A brief global comparative study was included in the presentation; the intention is to undertake future comparisons that will consider teacher attrition, broader OECD comparisons, tracking cohorts and focus groups for about five years.

Following the presentation, Members engaged in discussion. Responses to questions included confirmation that the project is looking at recruitment and selection processes including applicants' demographics. The views of pupils within the research is not being captured in the current framework, but the intention is to do this within the teachers' monitoring process where pupils are included. It was confirmed that 10% of teachers had responded to a survey issued. The guest speakers emphasised that it is a long research project and is dynamic in nature in that lessons learned are being taken on board on a continuous basis; the framework may change over time as data influences the direction and there will be a need to incorporate any policy changes that are introduced.

The Spokesperson thanked the guest speakers for their input and confirmed a copy of the MQulTE presentation would be disseminated, as requested by Members.

2. Independent Care Review

The COSLA report provided Members with an update, invited comments and highlighted areas for further development in the coming months. It also sought to agree that regular updates on the work of the Review would be provided to the CYP Board.

The Spokesperson welcomed the Chair of the Independent Care Review, Fiona Duncan, who provided an input.

The guest speaker emphasised that this is a root and branch review of care. It is not driven by meeting targets or cost savings or challenges within system. It is driven by voices of children and young people and their experiences of the care system. The Review includes considering what the system *should* be like and is keen to explore the different operating models that Local Authorities are working within, including challenges, bridges and barriers.

There are four stages to the Review:

- Orientation - Laying down ground rules for review.
- Discovery - Wide research to establish scope and vision of the review, including researching policy and legislation, meeting with previous Review Chairs, linking in with other initiatives to ensure a joined-up understanding, peer reviewing, lived-experience of care system, paid and unpaid contributors.
- Journey – This is the current stage. It consists of deep-dive research including what already exists, what is good, where are the enablers, stigma, local, national partnership working, what is the best we can offer currently, health and wellbeing.
- Conclusion – This will take place from January/February 2020.

A comprehensive discussion followed. Members referred to the Champions Boards as being a key element but highlighted that about 7 Councils do not have these. The guest speaker confirmed that the establishment and effectiveness of these Boards is being considered. The assessment to date is that the Boards are a mix of effectiveness with different approaches being taken locally. The most confident in expressing their voice seem to be the children and young people with access to Champions Boards. Evaluation is being undertaken in a wider context of Champions Boards.

The guest speaker indicated that lots of people are looking to be involved in the review; the Review is working with lot of agencies to reach young people. An interesting point is the importance of being conscious of vocabulary being used within the care system and children and young people learning to navigate the system. It is important to build trust with the young people across all streams of the care system and the Review is building on this. The Review is also exploring why previous reviews have not fully worked. The intention is that at end of the Review, there will be a set of recommendations. It is important to ensure we build a realistic implementation plan in a staged process and one that will show an understanding of the complexity of environment. The guest speaker expected that legislative changes will also be required.

Members contributed that young people want to speak for themselves, not the care system speaking for them; the messages can be different. That young people are looking for longevity of relationships within the care system including once they have left care.

The guest speaker closed by emphasising that the Review belongs to the children and young people of Scotland. The spokesperson thanked the Chair of the Review for attending and providing an informative update on progress. Members look forward to receiving updates.

Members:

- i. Noted the work of the Review to date;
- ii. Provided comments and highlighted areas for further development in the coming months; and
- iii. Agreed regular updates on the work of the Review should be provided to the CYP Board as appropriate.

3. Children and Young People Workplan

COSLA officers highlighted, in particular, the following updates:

Secure Care – Work is ongoing on this, following agreement from the Board last month.

Mental Health Task Force - Dame Denise Coia has stepped down unfortunately due to personal circumstances. Councillor Currie, COSLA's Spokesperson for Health and Social Care, met with Minister for Mental Health this week and discussed options for moving forward. The Taskforce workstreams have been working well together and are meeting next week; the Health and Social Care Board will share a paper with the Children and Young People Board when available.

Following update requests from Members, the Spokesperson clarified:

Priority 1 – Early Learning and Childcare: Policy development to support the commitment to delivery of 1140 hours of funded early learning and childcare (ELC) for all 3 and 4 year olds and eligible 2 year olds

For partner providers, there continue to be a number of concerns, but the picture is getting better. Dialogue needs improving in some areas and there are some fundamental challenges for councils and partner providers. Both SG and COSLA agree that there is a need to enhance communications to get good news stories out into the public domain. At local level it will be important to secure progress reports.

Priority 11 – Accessible and Inclusive Services and Education: Developing Policy to Support the Access to Sanitary Products in Schools Commitment

A paper is going to Leaders in May and COSLA has a CYP officer looking at wider expansion. Discussions are on-going with the Scottish Government and updates will be brought to the CYP as they become available.

Priority 2 – Looked After Children: Foster, Kinship and Adoptive Care Allowances

There is no timeframe other than to reassure Members that on-going dialogue is taking place. This is supported by Directors of Finance and Social Work Scotland.

Members commented that they are keen for the Board to come back and give honest perceptions of what should and should not be progressed in the Workplan at any given time. However, Members do sometimes need to have more time to consider issues raised.

Members agreed the iteration of the Workplan presented.

4. Children's Services Planning: Statutory Guidance

The report asked Members for comments on the content, scope and format of the statutory guidance which can be used in COSLA's response to the Scottish Government's Consultation on Children's Services Planning.

A supporting statement from the Social Work Scotland (SWS) Member emphasised that this is a very important piece of work and that SWS will be actively engaging in the process to articulate to Scottish Government that resources are needed for delivery. The ADES Member stated it is crucial to ensure that whatever planning is in place is achievable, that there is simplification and we are clear on impacts and outcomes. Members agreed the guidance should be helpful and recognise local needs whilst not being overly prescriptive. Members agreed to forward on any additional or more details comments to COSLA officers.

Members:

- i. Discussed and provided comments on the content, scope and format of the statutory guidance for Children Service's Plans to inform COSLA's response to the consultation.

Private Session

5. Minute of Previous Meeting of 5 April 2019

The minute was agreed as an accurate record. There were no matters arising.

6. Education Reform

The paper updated Members on developments on education reform, sought agreement on the decision of the School Empowerment Steering Group (SESG) and that the approach agreed on by the SESG should be taken to May Leaders for approval.

The Spokesperson highlighted there is a vast amount of work and resource needed across partner agencies for this. The aspiration is that legislation is not needed. There is confidence within the COSLA report that there is a strong case for the Deputy First Minister to show that there is no need for legislation. Members indicated a general agreement that no legislation is needed, that some remits fall naturally to Local Authorities and the need to avoid bureaucracy for headteachers; Members expressed concern regarding headteachers having to manage a business rather than run a school.

Comments also included consideration of setting transfer dates and the need for pilot exercises and a more evolutionary approach.

COSLA officers thanked Members for the constructive points made. Officers highlighted a bank of evidence indicating good progress has been made without the need for legislation. It is important that headteachers feel empowered to deliver the curriculum. COSLA officers reassured Members that both COSLA and Scottish Government can see positive progress.

Members:

- i. Noted the decision of the School Empowerment Steering Group; and
- ii. Agreed the proposed COSLA position set out in paragraphs 7-9.

7. Devolved School Management (DSM) Guidelines

At their meeting in February 2019, the Board agreed that good progress had been made in developing the DSM Guidelines. Following extensive consultation, the Draft Guidelines were made available for the Board's consideration.

Discussion referred to the content of Appendix A and around what would be devolved and what would not. There are a range of approaches and views about this and trying to define a list but offering flexibility also. We need to be mindful that headteachers are contracted by Councils. We also need to consider the empowerment agenda and how it fits with DSM. Members requested that GTC be considered in more detail as there are a couple of elements that COSLA should keep raising in a wider context such as: GTC regulations who can teach what, when to whom, pupil/teacher ratios - staffing structure may lead to reduction in staff needs in schools.

COSLA officers highlighted that there will be no time for Members to see any changes in a Board setting, but after the ADES meeting next week, COSLA officers will circulate it for quick turnaround comment by email in advance of the Leaders meeting at the end of May.

The Spokesperson thanked Kevin Funnell for the work completed on behalf of COSLA and the Board; Kevin has now returned to his post at Fife Council.

Members:

- i. Gave views on the draft DSM Guidelines;
- ii. Agreed, subject to the inclusion of any comments from the Board, that the DSM Guidelines should be presented to Leaders at their meeting in May for comment and final approval; and
- iii. Agreed the proposed COSLA position at paragraph 10-11.

8. School Holiday Provision

The paper provided an update on discussions with the Scottish Government in relation to the allocation of funding to local authorities to tackle food insecurity in the school holidays.

Members indicated that the amount of funding delivered (£1.5m) will not allow delivery against the needs; as the provision is not statutory, these are the kinds of services that could be impacted under current financial restraints. Members cited council examples of good practice – one who delivered projects that were well received; the investment was £80,000; work is now ongoing with the Third Sector to provide this support during school holidays.

Another has made significant investment in breakfast and holiday clubs where the key to that success has been Third Sector partnership working; this also provided additional benefit opportunities for young people to help with the clubs and gain experience.

A query was raised as to whether the Scottish Government would consider funding co-ordinated posts through Regional Collaboratives to focus on some key expenditure activities.

Further to considering the Distribution methodology for allocation, COSLA officers highlighted that given the amount available, any reporting required using the distribution method would be disproportionate and one of COSLA's aims is not to over-burden councils with measurement administration.

Members:

- i. Noted and gave views on the Scottish Government position on allocating funding to tackle food insecurity in the summer holidays; and
- ii. Agreed the proposed COSLA position set out in paragraphs 9-12.

9. Learning for Sustainability Vision 2030+ Action Plan

The paper introduced the draft Learning for Sustainability Vision 2030+ Action Plan and sought Members' views on the actions in the plan.

Members stated that some of the content was already captured within Professional Standards and that the action plan felt too generic. A query was raised about the value of Item 4 of the report.

Members:

- i. Gave views on the draft Action Plan; and
- ii. Agreed the proposed COSLA position at paragraph 9.

10. CLD Standards Council and COSLA Partnership Agreement

A draft Partnership Agreement has been developed between COSLA and CLD Standards Council concerning the release of local authority employees (representing employers) to participate in the governance and output of the CLD Standards Council. Board Members were asked to review the draft Agreement, provide comment and endorse it.

Members made comment about the lack of clarity in wording around 'people within the partnership agreement being made by the Local Authority'. COSLA officers confirmed the feedback would be provided to SPDS.

Members:

- i. Reviewed the drafted Partnership Agreement; and
- ii. Endorsed the Partnership Agreement.

11. Developing the Young Workforce Update

The report updated Members on recent progress and provided an opportunity for Members to set COSLA's priorities for the programme in the medium term.

In response to questions, COSLA officers confirmed that discussion is under way on drop out rates. More work needs doing with client groups to check the pitching of the qualification. Officers also accepted the comment on funding, and this would be fed in to the Community Wellbeing Board. Members also commented on the challenges of delivering the qualification in rural areas: costs of time, transport, level of organisation needed within schools to fit in around the school day. More work could be done between Skills Development Scotland and schools to overcome some of these barriers.

Members:

- i. Commented on the recent developments within the DYW programme; and
- ii. Agreed the proposed COSLA position set out at paragraph 7.

12. Joint Investigative Interviewing of Children

In March 2015 the Scottish Courts and Tribunal Service set out its aspiration to remove the need for vulnerable children to give evidence in person in court. This would be achieved by improving the quality and reliability of pre-recorded JIIs so that they could be used as 'Evidence in Chief'. It was proposed that training be overhauled, to better provide practitioners with the highly specialist skills required for the task. This report updated Members on recent progress.

Discussion included concern about maintaining accreditation in rural areas and a requirement for rural-proofing. Children having to attend from more remote locations at a time of significant trauma is not acceptable. The SWS Member stated that he is due to meet with islands Councils to consider the model. Some kind of partnership arrangement in more rural areas is recognised and there is a need to address all the different needs.

Members:

- i. Noted and commented on the changes to Joint Investigative Interviewing of Children; and
- ii. Mandated COSLA officers to work with Scottish Government, Social Work Scotland and Police Scotland as they seek to pilot the new model of JIIs (and associated training) ensuring impact on local authorities is understood and addressed.

13. Expert Group on Preventing Harmful Sexual Behaviour by Children and Young People

The report set out the main findings and recommendations from the report of the Expert Group on prevention of and responses to harmful sexual behaviour by children and young people. Members views were sought on the report and the proposals and recommendations made by the Expert Group.

Members welcomed the report. More clarity was sought on information sharing and GDPR. More clarity was also requested on who would undertake the early intervention work referred to in the paper and sought a definition of what 'appropriate sexual behaviours' are.

Other points noted included whether there is a young person on the Expert Group, additional resource requirement for the workload, for children with additional needs as they do not receive sex education, they may not understand what an abusive situation is so there was a request to include emphasis on this group of children to ensure there is no exclusion. There are a number of training programmes to support children with additional and complex support needs and it's important to ensure those are consistently used across Scotland.

Members:

- i. Gave views on the report of the Expert Group with particular emphasis on the overarching proposal and other proposals; and
- ii. Agreed the proposed COSLA set out at paragraph 16-17.

14. Youth Justice

Since the Board last received a report on Youth Justice there have been a number of developments in the portfolio. The report highlighted continued activities in the field of youth justice and provided Members the opportunity to highlight areas that require further development across Scotland over the coming months.

No further discussion was required.

Members:

- i. Noted the recent development in Youth Justice; and
- ii. Provided comments on suggested areas that require further development Youth Justice as proposed under paragraph 8.

15. Information Sharing Agreement with Police Scotland – Child Protection and the Vulnerable Persons Database

The paper updated Members on the work with Police Scotland on the development of an Information Sharing Agreement (ISA) in relation to sharing information between Local Authorities and the Police on children who are placed on the Child Protection Register (CPR). The paper sought Members views and a mandate to take the ISA to COSLA Leaders for final approval.

Members welcomed the report and had no need for further discussion.

Members:

- i. Noted the Information Sharing Agreement and gave views on the practicality of implementation of the agreement or any issues that arise from it;
- ii. Agreed that the ISA should be presented to COSLA Leaders for final approval at their meeting in May.

16. AOCB and Close

Date of Next Meeting: Friday 9 August 2019



HSC Item 01

MINUTE OF MEETING OF HEALTH AND SOCIAL CARE BOARD

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh
24 May 2019

Present

COSLA Spokesperson	Councillor Stuart Currie
Argyll and Bute Council	Councillor Kieron Green
Clackmannanshire Council	Councillor Les Sharp
Dumfries and Galloway Council	Councillor Stephen Thompson
East Ayrshire Council	Councillor Iain Linton
East Dunbartonshire Council	Councillor Susan Murray
East Lothian Council	Councillor Fiona O'Donnell
East Renfrewshire Council	Councillor Caroline Bamforth
Falkirk Council	Councillor Fiona Collie
Highland Council	Councillor Isabelle Campbell
Inverclyde Council	Councillor Robert Moran (Videoconference)
Moray Council	Councillor Shona Morrison (Videoconference)
Orkney Islands Council	Councillor Rachael King
Perth and Kinross Council	Councillor Colin Stewart
Scottish Borders Council	Councillor Tom Weatherston
Shetland Islands Council	Councillor Allison Duncan (Videoconference)
Shetland Islands Council (Guest)	Councillor Robbie McGregor (Videoconference)
South Ayrshire Council	Councillor Julie Dettbarn
South Lanarkshire Council	Councillor John Bradley
Stirling Council	Councillor Graham Lambie
West Lothian Council	Councillor Harry Cartmill
IJB Chair	Peter Murray
Public Health Directors	Chris Littlejohn
Public Health Directors	Dr Susan Webb
SPDS	Laura Simpson
Social Work Scotland	Dr Jane Kellock

Apologies

Aberdeen City Council	Councillor Sarah Duncan
Aberdeenshire Council	Councillor Anne Stirling
Angus Council	Councillor Lois Speed
City of Edinburgh Council	Councillor Ricky Henderson
Comhairle nan Eilean Siar	Councillor Kenny John MacLeod
Dundee City Council	Councillor Ken Lynn
Fife Council	Councillor Samantha Steele
Glasgow City Council	Councillor Mhairi Hunter
Midlothian Council	Councillor Derek Milligan
North Ayrshire Council	Councillor Robert Foster
North Lanarkshire Council	Councillor Paul Kelly
Renfrewshire Council	Councillor Jacqueline Cameron
West Dunbartonshire Council	Councillor Marie McNair
CIPFA – Directors of Finance	Donald Forrest
ENABLE	Councillor Paul O'Kane
IJB Chief Officers	Julie Murray
IJB Chief Officers	Val de Souza
SOLACE	Andrew Kerr

1. Welcome and Apologies

The Spokesperson welcomed Members and COSLA's Chief Executive to the meeting and noted apologies. The Spokesperson also welcomed COSLA's new Policy Manager for Health and Social Care, Louise Wright.

The Spokesperson summarised his activities in representing COSLA and the views of the Board at various engagements including meetings with the Cabinet Secretary and with the Minister for Mental Health, Clare Haughey MSP. Alongside the Cabinet Secretary, he also attended a meeting of the IJB Chairs and Vice Chairs Network.

Future plans include:

- Co-chairing the Ministerial Strategic Group meeting next week
- A meeting with the Minister for Public Health (Joe FitzPatrick MSP)
- A speaking engagement on Public Health at a national NHS event

The Spokesperson made the Board aware that Dame Denise Coia, Chair of the Children and Young People's Mental Health Taskforce, has taken the difficult decision to step down from her role due to personal circumstances. COSLA has extended best wishes on behalf of Members and staff. The Board agreed that the Spokesperson should send a letter of best wishes to Dr Coia.

2. Minute of Previous Meeting of 22 March 2019

The Board approved the minute as an accurate record.

Public Session

3. COSLA Health and Social Care Board Plan

COSLA officers drew Members' attention to some specific aspects of the Workplan:

Carers - It was agreed previously that the Board would re-institute the attendance of carers' representatives at the Board meetings. The representatives identified will start attending within the next few months.

Radical overhaul of the Board Workplan – This is an ongoing piece of work and will be the focus at COSLA HSC Team away days; direction will be informed by COSLA officers in conjunction with Councils and Scottish Government.

Four Seasons Health Care – An update was provided including the risks regarding the financial restructuring of the companies involved. The holding company has gone into administration and details were discussed about timescales for buy-outs by other companies. COSLA officers are monitoring the situation and will ensure information is shared appropriately with Members.

Health and Care (Staffing) (Scotland) Act – COSLA officers were provided with a clear mandate that Members do not support the Bill. COSLA officers have been lobbying on our position and working to influence the amendments put forward. There is no confirmed date yet on the enactment of the legislation, but it is likely to be within the year. The development of tools for the industry will be a longer process.

Subsequent discussion and questions raised by Members included:

Priority 7 – Charging: COSLA officers have been looking at guidance on the thresholds. Meetings are due to take place in which COSLA will be fully involved.

Care at Home Provision: The letter from the Chief Executive of Scottish Care was appended to the COSLA report. COSLA officers have agreed with the Scottish Government Cabinet Secretary to have a round table discussion to understand Scottish Care's concerns. Dialogue is also ongoing with a range of providers to understand what steps they are taking.

Local Learning Disability Strategies: COSLA officers have been engaging with the Care Inspectorate on the impact on Scottish care homes.

Members agreed the iteration of the Workplan submitted to the Board.

4. Social Work Scotland – Organisational Review

Dr Jane Kellock, Head of Strategy at Social Work Scotland, delivered a presentation to COSLA Members on SWS' organisational review. Dr Kellock set out the role of Social Work Scotland and its relationship with the COSLA Health and Social Care Board. Further detail relating to the SWS organisational review will be published around their annual conference in June 2019 at which Councillor Stuart Currie, COSLA Spokesperson for Health and Social Care, will be making an address.

The review includes how to do future business, to ensure the right purpose, role and positioning of the organisation. The review will also consider how to ensure the most effective, appropriate support 'on the ground' and how to engage with partners.

Dr Kellock provided a brief history of the organisation and set out the current structure of a core staff of four. SWS hosts the network of Chief Social Work Officers, encouraging collaboration across Local Authorities and with a wide input from partners. Of particular interest to COSLA Board Members is the SWS Adult Social Care Standing Committee - the voice of adult social care social work leadership in Scotland. SWS works on core business but also undertakes project work such as Social Care in Prisons. Dr Kellock set out details of some existing committees and proposals being considered to create new committees and amalgamate others, to align with future delivery objectives, such as on digital transformation, workforce resources and wellbeing.

Dr Kellock encouraged Councils' participation in the SWS Conference on 12-13 June 2019 (Rights, Relationships and Recognition) where the Adult Social Care Reform Programme will be launched.

A question and answer session followed the presentation and included:

Personal development within social work and how to identify the right candidates - Dr Kellock confirmed SWS are monitoring this, including terms and conditions. The intention is to do some mapping of the workforce plan within the integrated landscape and to look at support and management of integrated teams for leaders.

The lifespan of the proposals (map of the structure of the new resource block) - SWS has been meeting with practice networks; the notion of the standing committee on workforce resources came from these networks. SWS will be making sure the representation on committees is appropriate.

Career Development – this is a wide landscape of not only social work but also social care. SWS is interested in the labour market research being undertaken currently to understand this and is working with other colleagues to explore what might encourage people to join the profession.

Mental Health - When we are designing a different way of delivering a service, we need to think carefully about how it fits across all Local Authorities.

On behalf of the Board and COSLA officers, the Spokesperson thanked Dr Kellock for taking the time to present and take questions and answers. There are shared interests and complementary roles to be played between SWS and COSLA and both are committed to investing in these.

The Board:

- i. Noted the short presentation from Social Work Scotland.

4. Historical Child Abuse Payments

The paper provided Members with information on the Advanced Payment Scheme for survivors of historical child abuse in care in Scotland and the Scottish Government's intention to amend the National Assistance (Assessment of Resources) Regulations 1992. It asked for Members' endorsement that the COSLA guidance be revised to disregard these payments from a non-residential financial assessment.

No discussion was required.

Members:

- i. Agreed that COSLA revise the 2020/21 guidance for non-residential care to disregard the payments; and
- ii. Agreed that COSLA write jointly with Scottish Government to Local Authorities to provide information on the payment scheme and the intention to amend both the CRAG and COSLA guidance.

5. Devolved Social Security

The report introduced the Board to COSLA's engagement on the planning and delivery of Scottish Government's devolved social security responsibilities; drew attention to the next wave of benefit development that will be of greatest direct interest; sought the Board's endorsement of a key points to feature in a strategic response to the Scottish Government's consultation on disability assistance.

A comprehensive discussion took place which included consideration of:

GP charges for documentation and if there will be three levels of PIP award rather than 2 – COSLA officers stated that the process is not at that level of detail yet and it is not clear if the new agency will pick up those charges. Some councils are seeking consistency of approach on fees across Scotland. COSLA officers will keep the Board updated.

It was highlighted that the Directors of Public Health received a presentation about the dramatic decline in life expectancy, with early deaths across the more marginalised and disadvantaged communities. Austerity and reducing incomes were assessed to be contributing factors. This is a key consideration.

COSLA officers confirmed they will be working closely with Scottish Government to ensure an integrated approach to local delivery by Local Authorities in a consistent and fair way across the country.

In regard to community led support in hub-based provision within the health care model, some of the decisions will be very local; local leads are discussing with Local Authorities. We need to ensure the footfall is experienced in the right - accessible - places.

The Board:

- i. Noted the ongoing commitment to joint working between the spheres of government, and the agency implementation progress;
- ii. Noted policy and delivery intentions on benefits for ill-health and disability;
- iii. Offered views on the headline messages for COSLA's strategic response to the current Scottish Government consultation on disability assistance;
- iv. Agreed that the COSLA spokespeople for Health and Social Care and Community Wellbeing jointly sign-off a proposed COSLA consultation response once finalised; and
- v. Offered views on future Board engagement on this agenda.

6. Digital Health and Care Strategy

The COSLA report itself is being taken in Public Session. It was noted that the Appendix accompanying the report is marked private and confidential for Private Session. The paper provided an update on work undertaken on the digital health and social care agenda, particularly in relation to central aspects of the jointly published Scottish Government and COSLA Digital Health and Care Strategy. The paper also outlined a series of proposed principles aimed at ensuring consistency of approach to ensure effective joint leadership and governance.

No further discussion was required.

The Board:

- i. Noted and discussed the update provided on the Digital Health and Care Strategy, including the associated developments in the review of call handling services; and
- ii. Agreed to the principles outlined in the paper aimed at guiding COSLA's approach to collaborative working to progress the digital health and social care agenda.

Private Session

7. National Suicide Prevention Leadership Group

The report sought Members' input and support for the proposed approach to inform the development of best practice guidance to support local suicide prevention planning, pending a Leaders' decision on funding.

COSLA officers have been encouraged by the near-100% response rate from Council Officers on this guidance and asked for thanks to be extended from Members.

Members queried rurality and distribution models of funding, how it would work and how it would be accessed to ensure it does not duplicate other funding streams. COSLA officers confirmed that draft best practice guidance is being formed; it will not be specific but will have key principles backed by academic research. With the support of SOLACE, COSLA officers will be seeking for trials to be developed for certain group areas and evidence will be evaluated following on from this. A decision will then be made about how the funding would best be worked.

The Board:

- i. Commented on the proposed approach to best practice guidance development; and
- ii. Agreed to support the approach of informing the development of guidance through trials and tests of approaches and activity over the coming year.

8. Children and Young People's Mental Health Taskforce

The paper updated Members on the Taskforce and set out the move towards a new programme board and a series of draft Taskforce recommendations for comment. A few changes to the report were completed following meetings and were summarised verbally to Members by COSLA officers.

Members provided the following comments:

Item 4 - There are alternatives to Pathfinders, such as the existence of Improvement Advisors, who may be better placed already to assist.

Recommendation 7 – The data is not useful for planning out-with the NHS and a minimum dataset is needed. Better links in with local authority datasets is required and a move away from purely Child and Adolescent Mental Health Services (CAMHS) data. A flexible approach is needed. COSLA officers reassured the Board that these points have been reflected in the updated wording since it was issued.

The Board:

- i. Noted the decision to move to a new programme board approach, building on the work of the Taskforce to date;
- ii. Commented on the draft recommendations;
- iii. Agreed the broad lines of response set out in paragraphs 12 and 13 of the paper.

9. Public Health Reform

The paper provided an update on the joint programme of public health reform between COSLA and Scottish Government.

Discussion included some concern about it being an interim appointment and that it does not necessarily have a COSLA representative. This may set the agenda from the beginning. There is a need to emphasise that the programme needs to work with all partner agencies not just NHS from a narrow clinical perspective.

COSLA officers indicated they have been involved in discussions on this with Scottish Government and are reassured by confirmation that all permanent appointments will be jointly agreed with COSLA. The interim chair will also be accountable equally to Scottish Government and COSLA.

In regard to public health leadership, it is referred to as a 'challenge' when bearing in mind that in some areas it may not represent much of change but in others there may be a need for a wider cultural shift.

COSLA officers agreed to follow up more detailed discussion on some aspects with Members individually, separate from the Board meeting.

The Board:

- i. Noted the update on the progress of the reform programme, specifically the change to the vesting date of Public Health Scotland to April 2020; and
- ii. Considered whether COSLA should develop a position on the outcome of the Specialist Public Health Workforce (SPHW) Commission.

10. Health and Social Care Integration – Review of Progress

The paper provided an update on the work to date, offering Members the opportunity to comment on the progress made against the proposals and guide its future direction. The report sought Member's views on two proposed developments related to the Review of Integration which COSLA and Scottish Government intend to undertake.

COSLA's Chief Executive highlighted that this has been a constructive piece of work; Members indicated it is now important to progress the recommendations.

Members highlighted that at an IJB event recently there was a proposal from the group to change the terms of reference in relation to how the groups sit in comparison with the other groups and development of IJBs to potentially include councillor colleagues; this would ensure consistency of understanding. COSLA officers proposed taking a paper to the COSLA Leaders August meeting to discuss.

Members referred to the importance of considering the remote, rural and island delegation of services and being keen to ensure 'islands' is retained in referencing; it should be Councils with islands, not island councils.

In regard to engaging with communities, including collaborating with the third sector, COSLA officers reassured Members that it has made very clear the concerns about being able to do this. COSLA officers will be producing a document by the working group for wider consultation until early 2020.

The Board:

- i. Considered the update on the Review of Progress Under Integration and informed COSLA's representations at the MSG on 29 May;
- ii. Agreed to the proposal to work with local partners to identify a small number of IJBs and their NHS and Local Authority partners to work with and receive support for improved outcomes, including support from the improvement agencies; and,
- iii. Agreed that COSLA and Scottish Government officials explore how Local Government might be involved in NHS Board Annual Reviews.

11. Reform of Adult Social Care

The paper invited Members to discuss and lend their support to the direction of the reform programme and to inform COSLA's representations in considering this item at the Ministerial Strategic Group (MSG) on 29 May 2019. Members' full consideration of the direction of travel in each of the key areas was sought.

COSLA officers affirmed that they are monitoring and actively considering issues relating to programme priorities, expectations across Scotland, and the need to leave room for local design and use qualitative data.

The Board:

- i. Noted the progress of the reform programme to date;
- ii. Agreed the programme governance as detailed in paragraph 6;
- iii. Agreed the programme priorities as detailed in paragraph 8;
- iv. Considered and discussed the emerging programme workstreams as detailed in paragraph 9;
- v. Agreed to a joint launch of the programme at the Social Work Scotland Conference.

12. Self-Directed Support: Implementation Plan 2019-2021

The report sought Members' final comments and agreement on the draft final version of the *Self-directed Support Implementation Plan 2019 – 2021*.

Discussion included:

- Incorporating personal assistance, safeguarding and governance.
- Considering methods of payments to personal assistants - paid and administered by the Local Authority rather than alternatives; one concern raised is about moving from one form of SDS to another.
- 70% of people make a choice; is the choice *real*?

The Board:

- i. Considered and agreed the draft Self-Directed Support (SDS) Implementation Plan 2019-20; and
- ii. Provided further views on SDS to inform COSLA's work to support the delivery of this policy.

13. Alcohol and Drug Partnerships Delivery Framework

The report presented a draft of the COSLA and Scottish Government Partnership Delivery Framework to Reduce the Use of and Harm from Alcohol and Drugs, to replace the 2009 Memorandum of Understanding for Alcohol and Drug Partnerships. The Delivery Framework aims to align with the new national strategy “Rights, Respect and Recovery”.

Members queried where in the Plan it mentions joining up those services to encompass the whole family unit, given that a number of children are living in families where an adult has substance misuse. COSLA officers confirmed that the Plan would be expected to be contained within local strategies rather than detailed in framework. COSLA officers will review this.

The Board:

- i. Commented on the draft Delivery Framework.

14. Integrated National Health and Social Care Workforce Planning

The report asked the Board to consider and agree, in principle, the *Integrated National Health and Social Care Workforce Plan for Scotland* and the *Revised Guidance for Integrating Health and Social Care Workforce Planning in Scotland*. The documents were originally scheduled for approval at the February Board meeting but were delayed by Scottish Government.

Members commented that this was a positive move forward, if not how we would wish the plan to be ultimately. Members also asked for it to be noted that this is a huge piece of work covering all of Scotland and there has not been enough time to consider the detail properly; COSLA officers were asked to re-dress the imbalance with the Scottish Government of the joint working that has led to this particular situation.

Points raised in discussion included:

- The need to incorporate trade unions in the plan.
- It provides a good tool, but the data is purely NHS; need more time spent on data sets.
- The ‘remote and rural working group’ relocation package may not be sufficient for relocation to the islands.
- For the workforce plan to allow for an early shift and early intervention.

COSLA officers confirmed the next stage would be for COSLA to be given the mandate to sign off on the Plan, incorporating today’s comments. The intention is that this becomes an annual document and the next iteration would be published in around seven months’ time, incorporating more of COSLA’s input. Some concern was expressed that IJBs have submitted workforce plans without having seen the COSLA report this morning; the Scottish Government has been made aware.

The Board:

- i. Received a verbal update on the *Integrating Health and Social Care Workforce Planning in Scotland* and linked guidance;
- ii. Offered further initial comments on these documents;
- iii. Agreed, in principle, the final version of the attached workforce plan, subject to any additional comments, together with a further short period to allow time for final officer review and refinement of the plan;
- iv. Agreed, in principle, the final version of the *Revised Guidance for Integrating Health and Social Care Workforce Planning in Scotland*.

AOCB

15. Date of Next Meeting: Friday 2 August 2019

FORTH VALLEY NHS BOARD

TUESDAY 6 AUGUST 2019
For Approval

Item 3.1 - Draft Minute of the Forth Valley NHS Board Meeting Held on Tuesday 28 May 2019 at 9am, in the NHS Forth Valley Headquarters, Carseview House, Castle Business Park, Stirling.

Present	Mr Alex Linkston (Chair)	Mrs Cathie Cowan
	Mrs Julia Swan	Mr John Ford
	Mr Stephen McAllister	Mr Allan Rennie
	Dr Michele McClung	Councillor Allyson Black
	Councillor Susan McGill	Councillor Les Sharp
	Mr Robert Clark	Dr James King
	Mr Andrew Murray	Dr Graham Foster
	Mr Scott Urquhart	Professor Angela Wallace
	Miss Linda Donaldson, Director of HR	

In Attendance	Mrs Elsbeth Campbell, Head of Communications
	Ms Kerry Mackenzie, Head of Performance
	Ms Hazel Meechan, Public Health Specialist (Item 6.1)
	Mr Jonathan Horwood, Infection Control Manager (Item 7.2)
	Ms Janette Fraser, Head of Planning (Item 8.2)
	Mrs Sonia Kavanagh, Corporate Governance Manager (<i>minute</i>)

Mr Linkston advised that Item 11.1 Emerging Topics would be taken in closed session following the public meeting.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence intimated.

2. DECLARATION(S) OF INTEREST(S)

There were no declarations of interest.

3. MINUTE OF FORTH VALLEY NHS BOARD MEETING HELD ON 26 MARCH 2019

The minute of the Forth Valley NHS Board meeting held on 26 March 2019 was approved as a correct record.

4. MATTERS ARISING FROM THE MINUTE

There were no additional matters arising.

5. PATIENTS/STAFF STORY

Professor Angela Wallace introduced a short film that shared a gentleman with Learning Disabilities experience as a patient with cancer. Alternative means of communication such as

pictures and Talking Mats were used by his Learning Disability Nurses to help him understand the diagnoses and what it would mean for him. This enabled him to agree to share his story, express his feelings and tell us when he was in pain. The nurses had also helped him achieve some of the items on his 'Good List' aka Bucket List and arranged for him to sing with the Nurse's Choir.

The NHS Board discussed the person centred approach to care and the commitment of nurses and carers to support him, noting a programme was being developed to assist and upskill paid carers on cancer pain and related care provision.

Expand capabilities

The NHS Board:

- **Noted the update provided**

6. BETTER CARE

6.1 Child Poverty Report

The NHS Board considered a paper "Child Poverty Report" provided by Dr Graham Foster, Director of Public Health and Strategic Planning.

Dr Foster provided a brief overview of the statutory obligation for NHS Forth Valley to work in partnership with local authorities and other community planning partners to understand existing activity and develop actions which addressed child poverty within the Forth Valley area, as required within the Child Poverty Scotland Act 2017.

Ms Meechan, Public Health Specialist, provided a presentation outlining the work undertaken to jointly develop and produce the local child action reports for 2018-2019 and future years. Initial partnership actions had been agreed and prioritised with Clackmannanshire, Falkirk and Stirling Councils to meet the local needs and these would be used to develop the relevant action plans.

The NHS Board discussed the work involved and the various initiatives being developed and implemented by the local authorities to support the delivery of the four statutory income targets by 2030; less than 10% of children in relative poverty, less than 5% of children in absolute poverty, less than 5% of children in combined low income and material deprivation and less than 5% of children in persistent poverty.

The NHS Board:

- **Noted the work undertaken by NHS Forth Valley to address the Child Poverty (Scotland) 2017 Act and the assurance provided that the organisation was fulfilling the duties placed on it in partnership with the three local authorities**

7. BETTER VALUE

7.1 Executive Performance Report

The NHS Board considered a paper "Executive Performance Report", presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan highlighted the improvements with the eight key standards compared to April 2018, apart from the Diagnostic 42 day wait standard. This related to an increase in the number of patients waiting over 42 days for endoscopic procedures. Mrs Cowan highlighted that work to review patients on the list for polyp surveillance was underway to ensure that those patients at most risk of colorectal cancer were prioritised for colonoscopy.

Delayed discharge performance continued to worsen and as of 27 May 2019 there were 91 patients delayed in their discharge. Mrs Cowan outlined the impact this had not only for the patients but also the patient flow throughout the hospital.

Miss Donaldson provided a brief update on Attendance Management and the work of the newly formed Health and Wellbeing Absence Management Programme Board including; review of existing practices, introducing partnership absence management clinics and an early return to work system. Further updates would be provided to the Staff Governance Committee. In response to a question from Mr Rennie regarding Mental Health training, Miss Donaldson confirmed that NHS Education for Scotland (NES) was currently looking at various training programmes from mandatory to signposting.

Mr Murray stressed the importance of all components of the Stroke Care Bundle to ensure targets were met. This included the need for organised care in a Stroke Unit and for the beds to be protected. Mr Murray also highlighted the work, led by Ms Andrea Fyfe, regarding protocol and decision making processes to ensure appropriate priority.

The NHS Board discussed the crucial role of both Integration Joint Boards to reduce delayed discharges, ensuring a shared and proactive approach to facilitating early and appropriate discharge plans to meet the demands.

The NHS Board:

- **Noted the current key performance issues and actions**
- **Noted the detail within the balanced scorecard**

7.2 Healthcare Associated Infection Annual Report, April 2018 - March 2019

The NHS Board considered a paper “Healthcare Associated Infection Annual Report, April 2018 – March 2019” presented by Professor Angela Wallace, Nurse Director.

Professor Wallace introduced Mr Jonathan Horwood, Area Infection Control Manager, who provided an overview of the HAI activities across NHS Forth Valley during April 2018 to March 2019. These included; performance against the LDP targets for Staphylococcus (SABs), Device associated bacteraemia (DABs), Clostridium difficile infections (CDIs) and Surgical Site Infections surveillance, with no major concerns noted.

Details were provided regarding six outbreaks of norovirus during the same period and information in relation to two incidents reported through the Healthcare Infection Incident Assessment Tool (HIIAT), used by NHS Boards to risk assess the impact of an incident or outbreak.

Mr Horwood highlighted that preparation for the next influenza season had commenced and based on the current Australian data, a higher number of cases were anticipated for this year.

The NHS Board:

- **Noted the assurance provided**

7.3 Proposal for a New GP Practice in Plean

The NHS Board considered a paper “Proposal for a New GP Practice in Plean” presented by Dr James King, General Practitioner and Chair of the Area Clinical Forum.

Dr King advised that NHS Forth Valley had been approached with a proposal to open a new 17J (independent contractor) GP Medical Practice to be located in Plean. Details of the

proposal were provided and the positive implications in relation to recruitment, retention and sustainability challenges currently faced.

The new practice would be known as Tor Medical Practice and was expected to provide General Medical Services from 1 June 2019.

NHS Board noted the positive proposal and discussed the potential impact for patients and the need to ensure future demands were considered. Mrs Cowan advised that a protocol was in place regarding involvement with planning applications for housing developments and a review of current NHS Forth Valley premises was underway to ensure they fit for purpose.

The NHS Board:

- **Formally approved the proposed development of a new GP Practice in Plean following engagement and discussion with GP practices across the Stirling area, SLT and Primary Care, who all supported the plans**
- **Noted the planned arrangement for patients from the Bannockburn Practice and other Stirling Cluster Practices to be registered at the practice**

7.4 Annual Operational Plan (AOP)

The NHS Board considered a paper “Annual Operational Plan” presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan presented NHS Forth Valley’s second Annual Operational Plan, which had been developed in line with guidance received from the Scottish Government. This would form the performance contract between NHS Forth Valley and the Scottish Government and reaffirmed the commitment to implement the long term vision as set out in the Healthcare Strategy ‘Shaping the Future’. Mrs Cowan noted that following discussion with Scottish Government colleagues some amendments notably relating to elective care and the standards associated with planned care were required prior to submission.

Engagement with key staff across the organisation had taken place to ensure trajectories were considered and appropriately owned. There was also a need to engage differently with staff and partners including volunteers and Third Sector to ensure local needs were met and realise the potential of a more personalised approach to care as highlighted in the Chief Medical Officer’s report ‘Personalising Realistic Medicine’.

Mrs Cowan also highlighted feedback from the Health & Social Care Partnerships which related specifically to improving performance in delayed discharges. She added that this feedback was yet to be added to the final draft document. Mrs Cowan planned to bring back a final AOP for approval by the NHS Board.

The NHS Board discussed the plan in detail and the significant challenge regarding the diverse and complex healthcare needs of the increasing prison population.

The NHS Board:

- **Approved the Annual Operational Plan 2019/2020, noting that further amendments would be required in line with feedback from Partnerships and Scottish Government comments**

8. BETTER GOVERNANCE

8.1 Finance Report

The NHS Board considered a paper “Finance Report” presented by Mr Scott Urquhart, Director of Finance.

Mr Urquhart advised that the 2018/2019 position had been reported to the Performance and Resources Committee in April 2019 and noted the External Audit Clearance meeting on 27 May 2019 had highlighted no material issues or misstatement. The draft Annual Accounts indicated that the NHS Board had met all financial targets for 2018/19 and the finalised External Audit report would be considered by the Audit Committee on 7 June 2019 prior to formal approval at the special meeting of the NHS Board on 11 June.

Mr Urquhart provided a summary of the financial position for NHS Forth Valley to 30 April 2019, the first month of the new financial year, with a year to date overspend of £0.415m. This comprised of an overspend on Health and Social Care Partnership services (including prescribing and Community Hospitals) of £0.232m and an overspend on the Clinical and Estates/Facilities Directorates of £0.183m, with further details provided within the report.

Mr Urquhart highlighted the significant financial challenges and risk ahead for 2019/20 which would require sustained effort across services to deliver a balanced financial out-turn while ensuring necessary savings were also met. A detailed update on planned savings delivery would be presented to the Performance and Resources Committee in June 2019.

The capital budget for the same period reflected a balanced position. Mr Urquhart noted that plans for asset sales were being developed and an update would be provided when these arrangements had been concluded.

Mrs Cowan noted the reassurance provided and highlighted the capital commitment regarding future development plans for Primary Care Premises and the Falkirk Community Hospital. Discussions with partners and stakeholders would take place to inform the Outline Business Cases and further details would be provided in due course.

The NHS Board:

- **Noted a revenue overspend of £0.415m to 30 April 2019**
- **Noted a balanced capital position to 30 April 2019**
- **Noted a savings requirement in 2019/20 of £19.214m and the establishment of a Corporate Programme Management Office to oversee savings delivery**
- **Noted the key financial risks outlined in section 6 of the report**

8.2 Elective Development Business Case

The NHS Board considered a paper “Elective Development Business Case” presented by Mr Scott Urquhart, Director of Finance.

Mr Urquhart advised that the Outline Business Case (OBC) had been considered in detail and endorsed by the Performance Resources Committee at their meeting in April 2019. The OBC detailed the proposals for creating and delivering additional capacity for elective care. At the request of Scottish Government, the timeline for this programme had been brought forward and it was anticipated that the first theatre would be opened in June 2019 to provide additional daycase surgery. A letter confirming indicative capital and revenue funding streams to support the development had been received however, this was subject to further discussion regarding phasing of costs in the current year as the development progressed and to confirm the mechanism for recovering costs.

The NHS Board discussed the challenges to deliver and the need to reduce current pressures relating to patient flow and capacity, including delayed discharges, to realise the full potential and benefit for patients and staff.

The NHS Board:

- **Noted the progress with delivering the Elective Care Development Programme as part of the NHS Board's Corporate Programme Management Office portfolio**
- **Approved the Business Case for submission to the Scottish Government**

8.3 Development of a Programme Management Office Approach

The NHS Board considered a paper "Corporate Programme Management Office (PMO)" presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan outlined the proposal to expand the Programme Management Office, which had been initially established to support the delivery of the direct Elective Care expansion. This approach would help to drive the development and delivery of NHS Forth Valley's ambitious change programme across the organisation.

It was proposed the key programmes of work (domains) detailed in the Financial 5 Year Plan, would now be directed via the PMO. Staff secondments to each programme would support the NHS Board's succession planning commitments, developing a strong cohort of suitably qualified staff to assist with the ambitious change agenda.

The NHS Board discussed the proposal and the innovative approach to current and future challenges which provided the space and time for staff to focus on improvements outwith their day jobs. Mrs Cowan highlighted that clear objectives would be set for each programme to ensure delivery and measure successes.

The NHS Board:

- **Approved the establishment of a PMO**
 - **Requested regular updates on the Corporate Change Programme**
-

9. BETTER WORKFORCE**9.1 Integration Progress and Shadow Health Arrangements**

The NHS Board received a presentation on "Integration Progress and Shadow Health Arrangements" provided by Miss Linda Donaldson, HR Director.

Miss Donaldson provided an update on progress with integration and the interim arrangements to ensure services were maintained and appropriately managed while management arrangements transferred to the Chief Officers. It was anticipated that line management would be fully transferred by August/September 2019.

The draft structure for Falkirk Health and Social Care Partnership (HSCP) was provided noting that Clackmannanshire and Stirling HSCP's structure would be finalised when the new Chief Officer, commenced in June 2019. However it was noted that the structure would be similar to that of the Falkirk Health & Social Care Partnership with 2 Heads of Service and Locality Managers.

The NHS Board discussed the importance of staff engagement throughout the process to ensure they were fully informed about the changes and timescales involved.

The NHS Board:

- **Noted the update provided and the progress made**

9.2 Communications Update Report

The NHS Board considered a paper “Communications Update Report” presented by Ms Elsbeth Campbell, Head of Communication.

Ms Campbell outlined the ongoing work to develop and improve internal and external communications across the organisation and the promotion of a wide range of developments, campaigns and initiatives. Updates included new recruitment initiatives, promoting new technology, the Mental Health First Aid training to six secondary schools in Falkirk and the opening of the Meadows which was a facility providing services and support to adults and children who had experienced a rape or sexual assault.

In response to a request from Dr McClung regarding promoting the work of Falkirk IJB, Ms Campbell confirmed that links through existing accounts could be utilised to raise awareness of both IJBs.

The NHS Board:

- **Noted the update and progress made**
-

10. BETTER GOVERNANCE

10.1 Corporate Risk Register

The NHS Board considered a paper “Corporate Risk Register” presented by Mr Scott Urquhart, Director of Finance.

Mr Urquhart highlighted that when the Risk Management Strategy was approved in January 2019 it was agreed that quarterly updates on the Corporate Risk Register would be provided, which would reflect updated corporate level risks.

The report provided details and initial risk ratings based on an assessment of potential impact combined with likelihood. It was expected that effective management of mitigation plans over time would result in the reduction of overall risk scores and the de-escalation of some risks to departmental level.

The NHS Board discussed the dynamic process which allowed risks to be understood and interrogated appropriately with a clear method of escalation where necessary.

The NHS Board:

- **Noted the assurance provided regarding the effective management and escalation of risk**

10.2 Blueprint Self Assessment Report

The NHS Board considered a paper “Blueprint Self Assessment Report” presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan outlined the work undertaken and the active engagement of all Board members following the publication of DL (2019)02 to NHS Scotland Health Boards and Special Health Boards – Blueprint for Good Governance. As required, the Blueprint Self Assessment report and Improvement Plan had been submitted to the Cabinet Secretary by the end of April 2019.

Mrs Cowan noted the three aspects of governance approach to the Improvement Plan which involved fiduciary governance, strategic governance and generative governance and set out the key areas for further development. Regular updates on progress would be provided

Mr Linkston emphasised the importance of culture in an environment which was both complex and challenging to ensure the objectives of the NHS Board were achieved.

The NHS Board:

- **Noted the Blueprint Self Assessment report**
- **Formally approved the Improvement Plan**

10.3 Corporate Plan

The NHS Board considered a paper “Corporate Plan” presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan explained that the Corporate Plan reaffirmed NHS Forth Valley’s ambition and purpose as an organisation, its promise to Forth Valley communities, patients and staff and referred to the Board’s corporate objectives and priorities over the next twelve months.

Dr McClung highlighted the benefit of maintaining the previously agreed corporate/strategic objectives to enable them to be embedded throughout the organisation.

The NHS Board:

- **Approved the Corporate Plan which also set out the Health Board’s corporate objectives**

10.4 HMP YOI Polmont – Prison Inspection Report and the Expert Review of the Provision of Mental Health Services for Young People

The NHS Board considered a paper “HMP YOI Polmont – Prison Inspection Report and the Expert Review of the Provision of Mental Health Services for Young People” presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan highlighted the two reports which had been published in May 2019 and identified a number of areas for improvement. Work had commenced to address many of the recommendations and the Inspectors had welcomed the significant improvements already made. Another inspection had been planned to take place within six month but due to the progress made they now planned to return at the beginning of 2020.

The Clinical Governance Committee would consider the reports and recommendations in further detail at their meeting in June 2019 and additional updates would be provided.

The NHS Board discussed the opportunity to build on good practice and the commitment to improve further.

The NHS Board:

- **Noted the findings and recommendations from both reports**
- **Noted the progress made which addressed many of the recommendations and the ongoing work to ensure that all of the healthcare recommendations were made**

10.5 Governance Committee Minutes

10.5.1 Performance and Resources Committee: 26 February 2019

Mr Ford highlighted the deep dive approach to performance for those services showing substantive and/or sustained deterioration. A detailed update had been provided regarding Scheduled Care noting that NHS Forth Valley were on track to deliver the March 2019 target.

Further items for discussion had included the multidisciplinary approach to Dementia Post Diagnostic Support, the Vascular Services model – which was considered at the NHS Board meeting in March 2019 and the amendment to Community Pharmacy Model Hours.

The NHS Board noted the assurance provided through the minute of the Performance and Resources Committee meeting held on 26 February 2019

10.5.2 Endowment Committee: 15 March 2019

Mr Sharp noted the discussions regarding financial budget proposals and consideration of the Office of the Scottish Charities Regulator (OSCR) report following their investigation into NHS Tayside Endowment Fund.

Mr Sharp also highlighted a recent School Olympics event he had been invited to attend on 22 May 2019. The event had involved 18 Primary Schools in the Clackmannanshire area and he noted the amazing afternoon and the enthusiasm of the children involved.

The NHS Board noted the assurance provided through the minute of the Endowment Committee meeting held on 15 March 2019

10.5.3 Clinical Governance Committee: 12 April 2019

Mrs Swan highlighted key points from the meeting including the alternative approach to the forward planner, the whole system approach to reduce the prescribing of gabapentinoids and the need for appropriate linkage and connection between IJBs to reduce unnecessary duplication regarding clinical and care governance.

The NHS Board noted the assurance provided through the minute of the Clinical Governance Committee meeting held on 12 April 2019

10.5.4 Staff Governance Committee: 22 March 2019

Dr McClung noted the discussions on progress against Our People Strategy, the assurance provided through the Health and Safety Quarterly report and the excellent presentation on workforce information and metrics which could be provided through the Pentana HR Dashboard.

The NHS Board noted the assurance provided through the minute of the Staff Governance Committee meeting held on 22 March 2019

10.6 Advisory Committee Minute

10.6.1 Area Clinical Forum: 17 January 2019

Dr King highlighted in particular a presentation detailing the work to transform the Advance Nursing Practitioners (ANPs) role to improve Out of Hours services and sustainability.

The ACF had also considered and endorsed the proposal to introduce new model hours for Community Pharmacies to meet the current healthcare provision requirements.

The NHS Board noted the assurance provided through the minute of the Area Clinical Forum meeting held on 17 January 2019

10.7 Integration Joint Boards

10.7.1 Integration Joint Board Directions

The NHS Board noted the Direction from Clackmannanshire and Stirling IJB and also noted the position in relation to the Falkirk IJB

10.7.2 Response to Falkirk IJB Strategic Plan 2019-2022

The NHS Board noted the response to Falkirk IJB Strategic Plan 2019-2022

10.7.3 Falkirk IJB minute: 1 February 2019

The NHS Board noted the minute of Falkirk IJB meeting held on 1 February 2019

10.7.4 Clackmannanshire and Stirling IJB minute: 28 November 2018

The NHS Board noted the minute of the Clackmannanshire and Stirling IJB meeting held on 28 November 2018

11. ANY OTHER COMPETENT BUSINESS

11.1 Emerging Topics - Closed Session

The NHS Board considered four reports regarding property and estates issues provided by Mr Scott Urquhart, Director of Finance and Mr Brian O'Rourke, Property Services Manager.

The NHS Board:

- 1. Declared the existing Doune Health Centre surplus to the NHS Board's requirements and approved the initiation of the trawl process to dispose of the property to another public sector partner and if no interest expressed on the open market.**

Councillor Black had declared an interest and withdrew from the meeting during consideration of this item

- 2. Approved the appointment of the preferred bidder in line with the NHS Board's Property Advisor's recommendations and complete the sale of land south of the Bungalows ensuring the terms of the Promotion Agreement were met.**

Councillor Black rejoined the meeting

- 3. Approved the legal instruction to negotiate the termination of an agricultural lease and retain control of the land for future investment.**
- 4. Approved the proposal in principle and remitted the Performance and Resources Committee to consider and conclude the detailed approval of a new lease agreement for NHS Forth Valley Headquarters to occupy the ground and first floors of Carseview House, Stirling.**

There being no further competent business the Chairman closed the meeting at 12.25pm



Minute of meeting of the Integration Joint Board held within the Municipal Buildings, Falkirk on Friday 7 June 2019 at 9.30 a.m.

Voting Members:

Allyson Black
Fiona Collie (Chairperson)
Alex Linkston
Michelle McClung, (Vice Chair)
Cecil Meiklejohn
Julia Swan

**Non –voting
Members:**

Margo Biggs, Service User Representative
Patricia Cassidy, Chief Officer, IJB
David Herron, GP Medical Representative
Lesley James, Depute Chief Social Work Officer (substitute)
Jen Kerr, Third Sector Interface
Kenneth Lawrie, Chief Executive, Falkirk Council
Morven Mack, Carers Representative
Andrew Murray, NHS Medical Director (Medical Rep)
Amanda Templeman, Chief Finance Officer
Angela Wallace, NHS Nurse Director, (Nursing Rep)

Also Attending:

Audrey Allan, Homeless Team Co-ordinator, Falkirk Council
Jack Frawley, Committee Services Officer, Falkirk Council
Joe McElholm, Head of Social Work Adult Services
Colin Moodie, Chief Governance Officer, Falkirk Council
Suzanne Thomson, Senior Service Manager (Planning & Performance)

IJB1. Apologies

Apologies were intimated on behalf of Cathie Cowan, Chief Executive, NHS Forth Valley; Sara Lacey, Chief Social Work Officer, and Roger Ridley, Falkirk Council Staff Representative.

IJB2. Declarations of Interest

There were no declarations of interest.



IJB3. Minutes**Decision**

- (a) The minute of the special meeting of the Integration Joint Board held on 28 March 2019 was approved, and
- (b) The minute of the meeting of the Integration Joint Board held on 5 April 2019 was approved subject to the following amendment:-

Following clarification from members, the Board noted that in the minute of meeting of 5 April 2019 “GP Sub Committee” should be read as “Local Medical Committee” in clauses 2 and 5 of the decision on item IJB309 – Primary Care Improvement Plan Iteration 2.

IJB4. Rolling Action Log

A rolling action log detailing ongoing and closed actions following the previous meeting on 5 April 2019 was provided.

Decision

The Integration Joint Board noted the rolling action log.

IJB5. Chief Officer Report

The Integration Joint Board considered a report by the Chief Officer providing an update on current developments within the Falkirk Health and Social Care Partnership (HSCP). The report provided updates on:-

- Integrated Structures
- Support Services Agreement
- Scheme of Delegation and Standing Orders
- Redesign of Day Services for Younger Adults
- HSCP Scotland Power of Attorney Campaign 2019/20
- NHS Forth Valley Annual Operating Plan 2019 – 20
- IJB Annual Performance Report 2018 – 2019
- Audit Scotland Drug and Alcohol Services – an update

The Board discussed the principles of Forth Valley wide services and asked whether this was operational. The Chief Officer advised that the action remained in progress. A report had been submitted to the NHS Forth Valley Health Board but had not been considered by either the Falkirk or Stirling & Clackmannanshire Integration Joint Boards. The Board requested that an update report be submitted to the next meeting.

The Board considered the NHS Forth Valley Annual Operating Plan and proposed that as it would speak directly to delegated services that a report on this be submitted to the next meeting. It was also proposed that a report on support services be submitted to the next meeting.

The Board discussed the Scheme of Delegation and Standing Orders regarding the timescale to get these in place in order to allow new staff to be empowered within the new structure. The Chief Officer advised that it was an area of priority work and that a report should be submitted to the next meeting as she could only fully be held to account when she had clear responsibility for services.

The Board noted that a number of reports had been requested for future consideration during this item and supported that the timing of when each of these were brought forward to the Board be delegated to the Chair, Vice-Chair and Chief Officer.

Decision

The Integration Joint Board:-

- 1) noted the progress with recruitment to the Integrated HSCP team;**
- 2) noted that further work to agree the principles and arrangements for the co-ordination of Forth Valley wide health services would be taken forward and that this work would be reported to a future IJB meeting;**
- 3) agreed to delegate authority to the Chair, Vice-chair, Chief Officer and Chief Finance Officer to approve the publication of the Annual Performance Report, and**
- 4) agreed to request reports on Forth Valley Wide Services; Support Services; NHS Forth Valley Scheme of Delegation, and the Annual Operating Plan to future meetings.**

IJB6. Financial Position 2018/19

The Integration Joint Board considered a report by the Chief Finance Officer presenting the projected financial outturn for 2018/19.

The Partnership (excluding set aside budget) was projected to overspend in 2018/19 by £1.264m. As part of the risk sharing agreement NHS Forth Valley had agreed to provide additional funding of £1.264m for 2018/19. The set aside budget was expected to overspend by £1.416m in 2018/19. Financial risk for set aside budgets remained with NHS Forth Valley. An overspend on health services was reported for the third consecutive year. Non delivery of savings had been an issue across the Partnership. To ensure the financial sustainability of the Partnership (and the Partners), it

was essential that there was a robust approach to budgetary control and savings delivery. The projected outturn, including overspends in building based services and underspends in other community services, suggested that resources were not being utilised to effectively deliver the outcomes of the Strategic Plan. The reserves balance at the year end was £6.938m, made up of £0.316m of general reserves and £6.622m of earmarked reserves. Future reports to the IJB would monitor reserve levels against proposed spending plans for these funds. The accounts for 2018/19 would be considered by the Audit Committee on 27 June 2019 before submission to Ernst & Young for audit.

Decision

The Integration Joint Board:-

- 1) noted the contents of this report;**
- 2) approved the transfer of £0.019m into general reserves;**
- 3) approved the issue of Final Directions to the Partners for 2018/19;**
- 4) approved the Reserves Policy as set out in appendix 4, and**
- 5) noted that work would be undertaken with NHS colleagues to better understand the budgets for services transferring to the Partnership, to ensure underlying risks were identified and mitigated.**

IJB7. 2019/20 Budget Report

The Integration Joint Board considered a report by the Chief Finance Officer presenting an update on the 2019/20 budget. The report provided an update on the issues which were highlighted for further work in the budget report presented to the March meeting.

The IJB had approved savings in respect of adult social care totalling £1.7m and a meeting was scheduled for June with all Services Managers to look at the savings plans and the business case already approved by the IJB. The aim of the session was to identify any potential issues with savings delivery and look at mitigating actions and the impact of the planned service changes for future years.

It was recommended that the IJB agree to ring-fence £0.2m from the Integration Funding balance of £0.63m, in order to support further work and allow progress to be made over the summer recess.

There had been an overspend on in scope health services for each of the last three financial years. For the last two years, the IJB and its Partners had reached a risk sharing agreement on an annual basis. The basis of the agreement was that each Partner had taken responsibility for their own overspend.

Decision

The Integration Joint Board:-

- 1) noted the contents of the report;**
- 2) requested a presentation on prescribing for the next meeting;**
- 3) requested further information on the budget proposals for in-scope health services for the next meeting;**
- 4) approved that £0.2m was ring-fenced from the Integration Funding reserve to progress work on the Recovery, Recuperation and Reablement model and to put in place a clear Organisational Development approach;**
- 5) requested Partners agreement that the risk sharing agreement in operation for 2018/19, would continue to be adopted for 2019/20;**
- 6) approved the revised Direction to NHS Forth Valley, reflecting the approved budget for 2019/20.**

The Integration Joint Board adjourned at 11.20am and reconvened at 11.30am with all members present as per the sederunt.

IJB8. Partnership Funding

The Integration Joint Board considered a report by the Chief Finance Officer providing an overview of recommendations made by the Partnership Funding Group (PFG) and Strategic Planning Group (SPG). An update regarding the ongoing review of the Partnership Funding programme was also provided.

Decision

The Integration Joint Board:-

- 1) approved recommendations relating to Partnership Funding, as set out within Appendix 1;**
- 2) noted the ongoing review of Partnership Funds and that recommendations would be reported to the IJB in September 2019, as set out within section 4 of the report.**

IJB9. Reablement and Bed Based Intermediate Care Services

The Integration Joint Board considered a report by the Head of Social Work Adult Services providing an overview of critical priorities for action on reablement and bed based intermediate care services for the period of the Strategic Plan 2019 - 2022.

The Strategic Plan 2019 - 2022 committed the Partnership to development of self management as a key outcome for people using services and supports. This was reflected in the development of an evolving model for reablement which supported post acute care. The report set out next steps in regard to extending the reach of reablement comprehensively to meet need identified outwith the hospital setting. Strategic planning was also concerned with delivering improvement on the delayed discharge agenda. This improvement trajectory would be supported by the direction of travel, involving considering anew the contribution of the range of resources from professional inputs, through to social care beds (Summerford) and NHSFV beds (community hospitals). The IJB had supported the “Maximising Recovery, Promoting Independence” model for the HSCP to implement.

Decision

The Integration Joint Board:-

- 1) noted the range of work underway to embed a whole system approach to reablement and intermediate care across the HSCP;**
- 2) requested a report to the IJB providing an option and site appraisal for taking forward the delayed capital project to build a dedicated bed based intermediate care facility.**

IJB10. Falkirk IJB self-evaluation: MSG review of progress with integration

The Integration Joint Board considered a report by the Chief Officer presenting the Falkirk IJB self-evaluation submission to the Ministerial Strategic Group (MSG) for information. The purpose of the review was to help ensure there was an increase in pace in delivering all of the integration principles and national health and well-being outcomes.

The review report noted the expectation that Health Boards, Local Authorities and IJB's should evaluate their current position and take action to make progress. A self-evaluation template was circulated to all Partnerships to complete. The self-evaluation template had been submitted to meet the required deadline and further work would take place to develop an improvement action plan.

Decision

The Integration Joint Board noted that:-

- 1) the self-evaluation template was submitted on 15 May 2019;**
- 2) further work would take place to develop a detailed improvement action plan for future consideration.**

IJB11. Home Care Inspection Update

The Integration Joint Board considered a report by the Head of Social Work Adult Services providing an update on the work undertaken by the Home Care Service in response to the publication of the Care Inspection report in May 2018. The service was subsequently re-inspected with a report published in March 2019.

Overall, strong progress had been made on the roll out of the new shift pattern model as well as the auditing systems and processes, which would continue to be developed and enhanced to ensure the changes were sustainable. Over the next 12 months the service would seek to substantially increase the number of reablement carers. This would hopefully ensure all service users received positive enabling support from the outset which would maximise their independence and reduce reliance on longer term services where these supports were not required. This would allow the in-house service to focus on supporting those service users with more complex care needs and hopefully reduce the number of delays from both the acute and community setting.

As the new Integrated Locality Teams were established, each locality would have its own registered Home Care service, with Home Care Team Managers being responsible for the registration of Home Care within specific localities. Team Managers would continue to work in collaboration to ensure recent improvements were sustained longer term across the service.

Decision

The Integration Joint Board:-

- 1) noted the improvements implemented by the service, and**
- 2) noted the positive Care Inspection Report dated 20 March 2019 (appendix 1).**

IJB12. Summerford Care Inspection Update

The Integration Joint Board considered a report by the Head of Social Work Adult Services providing an update on the Care Inspectorate's follow up report on Summerford House. The follow up action plan implemented by senior management and staff of Summerford with support from their Health colleagues had enabled significantly increased assurance, such that the service had unusually been re-graded up by two as opposed to one point on the Inspectorate's grading system. Whilst this progress was positive and evidenced much work and commitment by all staff concerned to deliver a speedy turn around over a 13 week period, it remained that work was in progress, with a continued need for commitment and momentum.

Decision

The Integration Joint Board noted that the Care Inspectorate's follow up inspection of Summerford House found significant improvement in the quality of care provision.

IJB13. Rapid Rehousing Transition Plan

The Integration Joint Board considered a report by the Director of Corporate and Housing Services providing an update on the development of Falkirk's Rapid Rehousing Transition Plan (RRTP). The Falkirk Draft Rapid Rehousing Transition Plan 2019 – 2024 was provided as an appendix to the report.

All local authorities should prepare a RRTP which should take a housing led approach toward rehousing people that had experienced homelessness ensuring that they reached a settled housing option as quickly as possible. The Scottish Government set out guidance in June 2018 to assist local authorities in developing their RRTPs by December 2018. The RRTP guidance stated that local authorities, health and social care partnerships and housing providers should work collaboratively to develop, implement and resource their RRTP's in their area. In line with national guidance, the first draft of Falkirk's RRTP was submitted to the Scottish Government on 21 December 2018.

The Council would provide secure and permanent homes with an intensive wrap around person centred support, "Housing First" would assist individuals to resettle quickly into a community and start to rebuild their lives. This would be achieved by developing a multi agency approach to address their issues while providing a secure and permanent home.

In Falkirk it was estimated that there would be around 51 individuals who would be suitable for the housing first programme potentially achieving savings of around £1,377,816 across multiple services each year. An RRTP Strategic Steering Group would be established to assist with introducing Housing First and Rapid Rehousing to the Falkirk area. The group would

have a strategic membership including a representative of the HSCP to ensure that the RRTP achieved its objectives.

Decision

The Integration Joint Board noted:-

- 1) Falkirk's 5 year Draft Rapid Rehousing Transition Plan, and**
- 2) that the Head of Housing would provide further update reports.**

IJB14. Amended IJB Programme of Meetings 2019

The Integration Joint Board considered a report by the Chief Officer presenting an amended timetable of meetings for 2019. The Board approved a programme of meetings for 2019 at its meeting on 5 October 2018. Since then there had been changes required to the timetable in response to emerging business demands. A revised programme of meetings was set out.

Decision

The Integration Joint Board noted the amended timetable of meetings for 2019.

IJB15. Minutes of Committees and Groups

Decision

The Integration Joint Board noted the minutes of Committees and Groups.

IJB16. Valedictory Remarks

The Integration Joint Board noted the upcoming retirement of Joe McElholm, Head of Social Work Adult Services and expressed its gratitude to him for the positive impact he had had on the Service particularly in shifting the focus toward community based services and wished him well in the future.



Environment and Economy Board Item 02

MINUTE OF MEETING OF ENVIRONMENT AND ECONOMY BOARD

Friday 7 June 2019

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh

Present

COSLA Spokesperson
 (Orkney Islands Council)
 Improvement Service (guest)
 Ekosgen (guest)
 Scottish Natural Heritage (guest)
 Aberdeen City Council
 Aberdeenshire Council
 City of Edinburgh Council
 Clackmannanshire Council
 Dumfries and Galloway Council
 East Ayrshire Council
 East Dunbartonshire Council
 East Lothian Council
 East Renfrewshire Council
 Falkirk Council
 Fife Council
 Highland Council
 Midlothian Council
 Moray Council
 North Lanarkshire Council
 Orkney Islands Council
 Perth and Kinross Council
 Renfrewshire Council
 Shetland Islands Council
 South Lanarkshire Council
 West Dunbartonshire Council
 West Lothian Council
 NHS Health Scotland
 Regional Transport Partnership
 SCOTS
 SLAED
 SOLACE

Councillor Steven Heddle
 Andrew McGuire
 Brian McLaren
 Alison Matheson
 Councillor Alan Donnelly
 Councillor Jeff Hutchison
 Councillor Neil Gardiner
 Councillor Donald Balsillie
 Councillor Andrew Wood
 Councillor Jim Roberts
 Councillor Graeme McGinnigle
 Councillor John McMillan
 Councillor Alan Lafferty
 Councillor Paul Garner
 Councillor Altany Craik
 Councillor Duncan Macpherson
 Councillor Margot Russell
 Councillor David Bremner
 Councillor Meghan Gallacher
 Councillor Graham Sinclair
 Councillor John Duff
 Councillor John McNaughtan
 Councillor Robbie McGregor
 Councillor John Anderson
 Councillor Iain McLaren
 Councillor Tom Conn
 Graham Foster
 John Binning
 Stewart Turner
 Pamela Smith
 Aubrey Fawcett

Apologies

Angus Council	Councillor Ron Sturrock
Argyll and Bute Council	Councillor Aileen Morton
City of Edinburgh Council	Councillor George Gordon
Comhairle nan Eilean Siar	Councillor Donald Crichton
Dumfries and Galloway Council	Councillor Archie Dryburgh
Dundee City Council	Councillor Lynne Short
East Lothian Council	Councillor Norman Hampshire
Falkirk Council	Councillor John Patrick
Glasgow City Council	Councillor Anna Richardson
Inverclyde Council	Councillor Colin Jackson
Midlothian Council	Councillor Russel Imrie
North Ayrshire Council	Councillor Alex Gallagher
Perth and Kinross Council	Councillor Angus Forbes
Scottish Borders Council	Councillor Mark Rowley
Shetland Islands Council	Councillor Ryan Thomson
South Ayrshire Council	Councillor Brian McGinley
Stirling Council	Councillor Evelyn Tweed
West Lothian Council	Councillor Cathy Muldoon
HOPS	Iain MacDiarmid
NHS Health Scotland	Andrew Fraser
NHS Health Scotland	Gerry McCartney
Regional Transport Partnership	Rab Dickson
SOLACE	Jim Valentine
SOLACE	Steve Grimmond
Sustainable Network Scotland	Chris Wood-Gee
Waste Services Managers Network	Bruce Reekie

Items in Public Session

Introduction

1. Welcome and Apologies

The Environment and Economy Spokesperson thanked everyone for their attendance and welcomed substitute Members. Apologies were noted.

Presentation

2. Clean Air for Scotland Strategy Review – Presentation by Campbell Gemmell, Chair of the Review

Campbell Gemmell, Chair of the Review, gave the presentation and explained results of the study and offered recommendations on what can be done at a local and national level to combat air pollution.

COSLA Officers provided a Local Government view on the work of the review so far. A formal consultation is expected later in 2019 which COSLA will consider a response.

A discussion followed, and Members asked questions on new guidance on wood-burning stoves and energy from waste, as well as stressing the importance of a modern and accurate monitoring system and consideration of how the revised strategy will impact the agriculture sector.

3. Minute of the Environment and Economy Board on 12 April 2019 and Matters Arising

The Board approved the minute of the previous meeting as an accurate account.

The Business Gateway Chief Officer provided an update to the Board on the Business Support Inquiry. COSLA has provided a response to the inquiry, and a debate was held in the Scottish Parliament on 22 May. Members will be informed if further developments arise from the Business Support Inquiry.

4. Environment and Economy Board Plan June 2019

The Environment and Economy Spokesperson announced that most issues arising from the Board will be dealt with on the agenda. Members were happy to note this.

5. Climate Change

The purpose of this paper was to reassert COSLA's commitment to combatting climate change and to agree COSLA support for a 2045 net-zero greenhouse gas emission target. This paper also allowed Members to agree that a report is to be submitted to Leaders after the summer recess, and that the Environment and Economy Spokesperson should, at the appropriate time, meet the Cabinet Secretary for Environment, Climate Change and Land Reform.

The Board:

- i. Agreed to reassert COSLA's commitment to combatting climate change;
- ii. Agreed support for a 2045 net-zero greenhouse gas emission target;
- iii. Noted that a report will go to Leader's after the summer recess;
- iv. Agreed that the Spokesperson will meet the Cabinet Secretary to discuss how Scottish and Local Government can collaborate.

6. Regional Economic Partnerships – verbal update

Brian McLaren from EKOS and Andrew McGuire from the Improvement Service gave a presentation to the Board on the report Regional Approaches to Maximising Inclusive Economic Growth: Local Authorities' Perspective. The report presented was still in draft, but the Board will receive the completed report when finalised.

The report highlights councils' long history of engaging in cross-boundary working and emphasises the key role that local authorities play in supporting Scotland's economy. The feedback from councils confirmed that, whilst there was no appetite for structural change, there was a desire to explore how the positive impact of regional working could be maximised, including in relation to securing sustainable inclusive growth benefits.

COSLA committed to bringing a paper on this to the next meeting of the Board in September. A members briefing was also to be prepared by the consultants as part of this work.

The Board:

- i. Noted that a final copy of the EKOS report will be distributed to Members when complete;
- ii. Agreed that a report on this will be brought to the next meeting of the Board in September.

7. COSLA Response to the Scottish Government's Future of Fisheries Management in Scotland National Discussion Paper

While Members broadly welcomed the approach from the paper, some expressed concerns on unintended consequences that may occur as a result. The different circumstances of island and remote authorities must be taken into account. Other Members looked to reopen ports that had been closed as a result of the Common Fisheries Policy (CFP), and there was a strong consensus that a flexible immigration system was required, as Eastern European workers are vital for the Scottish fishing industry. Concerns were also raised on no mention of markets after the UK exit from the EU. COSLA Officers advised Members that these views will be reflected in the final response.

It was also highlighted that the response gave no consideration on increasing marine protection areas in the west of Scotland to allow sustainability on stock. Members urged a cautious approach on the content of paragraph 10 of the report. Taking this into account, it was agreed that COSLA would not submit a position on statutory Regional Inshore Fisheries Groups.

The Board:

- i. Agreed the content of COSLA's response to the discussion paper;

- ii. Agreed to invite the Communities Inshore Fishing Alliance and Orkney Fisheries Association to a future Board meeting.

8. Scottish Countryside Ranger Services

The paper presented was the first update on rangers in Scotland for some time, and Members were recommended to develop a response to go to the Public Petitions Committee at the Scottish Parliament.

Alison Matheson joined the Board as a representative of Scottish Natural Heritage (SNH) and provided an overview of the SNH approach to Scottish Countryside Rangers.

Members gave strong support for the promotions of Countryside Rangers, with a focus on how rangers could be involved in and influence mental health, wellbeing and education. Members welcomed this paper, as well as noting the difficulty of maintaining ranger services as a result of budgetary pressures. Highland Council revealed that they have moved their rangers to the Culture and Leisure Service, and have seen a range of benefits from this, such as a wider engagement with society and the generating of revenue.

COSLA Director of Development and Integration referred to how this could be developed through workforce planning and COSLA agree to keep the Board informed of developments.

The Board:

- i. Agreed to COSLA support of the Scottish Natural Heritage Review of the Ranger Statement;
- ii. Noted that COSLA will write to the Public Petitions Committee to positively set out the role played by Rangers employed by Local Government;
- iii. Noted that they will be updated as required at future meetings.

Items in Private Session

9. European Union

i. Interruption of European Social Fund Payments

The Environment and Economy Spokesperson shared COSLA's views on the report and stressed the urgency of resolving the interruption to ESF payments. COSLA will meet Scottish Government officials 11 June and will have further meetings with colleagues from SLAED and SOLACE. A letter will be written to Ivan McKee MSP, Minister for Trade, Investment and Innovation, to seek clarification of issues.

Members engaged in questions on the report and commented on lack of information from Scottish Government. Given the importance of these funds throughout Local Government, Members would appreciate further information as it becomes available.

COSLA Director of Development and Integration indicated that a paper to Leaders will be written once more information is received.

The Board:

- i. Noted the developments surrounding the potential suspension of payments from the European Social Fund;
- ii. Agreed that COSLA will seek further clarification when possible to update the Board;
- iii. Agreed that COSLA work with relevant partners to seek a solution;
- iv. Noted that a paper will be brought to Leaders once position is clarified.

ii. UK's Exit from the European Union – verbal update

COSLA Director of Development and Integration provided a verbal update on the UK's exit from the EU. The Scottish Government is expected to restart preparations for a 'no deal' exit around mid-July. Councils are as prepared as they can be given the uncertainty, and a 'no-deal' exit is still a possibility. COSLA will renew its work on preparing for an exit on the 31 October in the coming weeks

10. Broadband

An update was provided on the reaching 100% or R100 broadband project. The procurement exercise for R100 is underway, and the intention is to invite Scottish Government to a future Board when the outcome of the procurement exercise is clearer.

Members made a range of comments on the paper, including on the scope of R100 and on expected size of the aligned intervention. Comments were made about broadband in urban areas and on the importance of having good upload speed.

The Board:

- i. Agreed that Scottish Government be invited to a future Board to brief Members on the R100 programme;
- ii. Noted that COSLA will highlight the importance of upload speeds in discussion with the Scottish Government

11. Planning (Scotland) Bill – Performance Provisions

COSLA Officers provided an update on the report and activity on the Planning (Scotland) Bill. Members expressed concern at the stage 3 amendments on performance provisions, particularly the references to impropriety and corruption, which Members believed had the potential to undermine the relationship between actors in the planning system.

Members voiced their support for COSLA's lobbying strategy to oppose these amendments and the Environment and Economy Spokesperson urged Members to communicate with their local party Members to grow support for this position in Parliament.

The Board:

- i. Noted the reintroduction of planning performance provisions at Stage 3 of the Planning (Scotland) Bill;
- ii. Agreed to COSLA's position and lobbying activity to Stage 3;
- iii. Agreed to go back to their local parties and lobby for support in Holyrood.

12. Transport (Scotland) Bill and Restricted Roads (20mph Limit) (Scotland) Bill – verbal update

COSLA Officers provided an update on the both Bill and took questions from Members.

A range of comments were made about the Restricted Roads (20mph Limit) (Scotland) Bill, with the Board noting that the Bill was now unlikely to proceed to stage 2.

COSLA Officers gave an update on the Workplace Parking Levy. COSLA was not invited to give evidence recently to the Rural Economy and Connectivity Committee but gave written evidence on behalf of the Board. A debate will be held on 19 June on the Workplace Parking Levy, and Members will be updated on progress.

13. Public Energy Company

COSLA Officers provided an update on the report. COSLA is represented on the Scottish Government Steering Group for the Outline Business Case, along with SOLACE and others. Members engaged in questions on the practicalities of a public energy company, as well as how to help tackle fuel poverty.

The Board:

- i. Noted the options presented in the Outline Business Case for Local Authorities to be involved in the production of a public energy company;
- ii. Weighed up political ambitions and the financial and reputational risks and opportunities arising from such a venture as part of local decision making;
- iii. Agreed that COSLA continues work with the Scottish Government on the interim assumption that a model which allows different levels and depths of involvement by individual Local Authorities is the best way to progress, until all Local Authorities have had the opportunity to consider the findings of the Outline Business Case and had fuller discussions at the local level.

14. Waste Management

The ban on biodegradable waste to landfill was discussed with a variety of views of expressed. It was mentioned that COSLA was in active discussions with Scottish Government about how the ban could be practically delivered.

The Deposit Return Scheme was also discussed with members asking how the scheme will operate and practice.

The Board:

- i. Endorsed COSLA's submission to the UK consultation on Extended Producer Responsibility;
- ii. Agreed to take a longer-term view on the collective impact of recent waste management initiatives on service delivery;
- iii. Agreed that COSLA work with the Scottish Government to develop a more strategic and long-term approach;
- iv. Requested that the Spokesperson contacts the Cabinet Secretary for Environment, Climate Change and Land Reform, if there is no agreement likely on a transition plan that is practically and financially acceptable to Local Government.

15. Date of Next Meeting

The next meeting will take place on Friday 6 September 2019.

FORTH VALLEY NHS BOARD

TUESDAY 6 AUGUST 2019
For Approval

Item 3.2 - Draft Minute of the Special Meeting of Forth Valley NHS Board held on Tuesday 11 June 2019 at 9am, in the NHS Forth Valley Headquarters, Carseview House, Castle Business Park, Stirling.

Present	Mr Alex Linkston (Chair)	Mrs Cathie Cowan
	Mrs Julia Swan	Mr John Ford
	Mr Stephen McAllister	Dr Michele McClung
	Councillor Susan McGill	Councillor Les Sharp
	Mr Robert Clark	Dr Graham Foster
	Mr Andrew Murray	Mr Scott Urquhart
	Professor Angela Wallace	Miss Linda Donaldson, Director of HR

In Attendance Mrs Sonia Kavanagh, Corporate Governance Manager (*minute*)

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillor Allyson Black, Dr James King, Mr Allan Rennie.

2. DECLARATION(S) OF INTEREST(S)

There were no declarations of interest.

3. FORTH VALLEY NHS BOARD ANNUAL ACCOUNTS FOR THE YEAR ENDED MARCH 2019

The NHS Board considered a paper "Forth Valley NHS Board Annual Accounts for the Year Ended March 2019", presented by Mr Scott Urquhart, Director of Finance.

Mr Urquhart advised that NHS Boards were required to submit a set of accounts, signed by the relevant Board members and Auditors, to the Scottish Government Health Department by 30 June 2019.

The Forth Valley NHS Board Accounts would be made available in the public domain once they had been laid before Parliament, with confirmation usually received in September 2019. The Audit Committee members had received a full set of accounts and these were available to Board members on request.

Mr Urquhart confirmed that the audited 2018/19 Annual Accounts confirmed a revenue surplus of £0.217m, comprising a £0.172m initial surplus, as reported to the Performance and Resources Committee in April, plus a further £0.045m surplus arising from an accounting adjustment made in relation to the Board's share of a movement in the final outturn position for Clackmannanshire and Stirling IJB, and a further adjustment in relation to income. The Annual Accounts also confirmed a balanced capital out-turn and achievement of the cash target, in line with projections.

The Audit Committee had met on 7 June 2019 where they reviewed and considered the respective Internal and External Audit Reports and a full set of Accounts. The Audit Committee had also prepared an Annual Report on their activities and performance during 2018/19.

A draft letter of representation had also been presented which was the written assurance provided by the Chief Executive, as Accountable Officer, on aspects of the financial statements, judgements and estimates made. This letter had now been finalised for submission to the Auditors of the Accounts.

The External Auditor had provided an unqualified auditor's report subject to receipt of the final set of financial statements for review, to which there were no changes. There were no specific issues to highlight and the Accounts were submitted for approval.

The Audit Committee had considered the Patient Funds Auditors Report which recommended approval of the draft audited annual accounts of the Patient Private Funds. There were no significant issues to highlight and the Accounts were submitted for approval. The Endowment Funds Auditors Report had recommended approval of the draft audited accounts. There were no significant issues to highlight and the Accounts were submitted for approval.

The NHS Board congratulated Mr Urquhart and his team for their performance and the balanced accounts.

The NHS Board:

- **Noted the 2018/19 surplus revenue out-turn of £0.217m, a balanced capital out-turn and achievement of the cash requirement**
- **Approved the Forth Valley NHS Board Annual Accounts for the year ended 31 March 2019**
- **Approved the Patients Private Funds Annual Accounts of NHS Forth Valley for the year to 31 March 2019**
- **Approved the Endowment Accounts of NHS Forth Valley for the year ended 31 March 2019**
- **Noted that the approved Annual Accounts would be made public on receipt of confirmation that they have been laid before Parliament, which was anticipated to be during September 2019**

4. STANDING ORDERS (INCLUDING SCHEME OF DELEGATION AND STANDING FINANCIAL INSTRUCTIONS)

The NHS Board considered a paper "Standing Orders (including Scheme of Delegation and Standing Financial Instructions)", presented by Mr Scott Urquhart, Director of Finance.

Mr Urquhart advised that national work with the development of model Standing Orders and Committee remits, as highlighted at the March NHS Board meeting, was yet to be finalised. Therefore a review of NHS Forth Valley's current Standing Orders, Scheme of Delegation (SoD) and Standing Financial Instructions (SFIs) had been undertaken to ensure they reflected a number of recent changes. These had been considered by the Audit Committee at their meeting on 7 June 2019 and Mr Urquhart outlined the amendments and confirmed that further review would be taken once the 'Once for Scotland' model templates were complete.

The NHS Board:

- **Approved the updated Standing Orders, Standing Financial Instructions and Scheme of Delegation**

5. REVIEW OF COMMITTEE MEMBERSHIP 2019/20

The NHS Board considered a paper “Review of Committee Membership 2019/20”, presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan explained that in accordance with the NHS Forth Valley Standing Orders, an annual review of the NHS Board’s Committee membership had been undertaken by the Chairman and informed by the Committee self assessments completed. Key updates regarding members of the NHS Board and Governance Committee were outlined.

Mr Linkston highlighted the Scottish Government’s recent review regarding the role and function of Remuneration Committees across NHS Scotland. The Forth Valley NHS Board Remuneration Sub Committee had discussed the outcome from the review at their meeting on 7 June 2019 and agreed with the recommendation that Remuneration was a stand-alone Committee of the Board. This would be brought to the next NHS Board meeting for formal approval.

The NHS Board:

- **Approved the ongoing appointment of Mrs Julia Swan as Vice Chair**
- **Noted the approval of Dr Michele McClung as Vice Chair of the Falkirk IJB**
- **Approved the proposed Chairs of the Governance Committee as detailed**
- **Noted the Committee structure as summarised in Appendix 1, subject to the Clinical Governance Committee being updated to reflect that Dr McClung was no longer a member**

6. CODE OF CONDUCT FOR MEMBERS FOR MEMBERS OF FORTH VALLEY NHS BOARD

The NHS Board considered a paper “Code of Conduct for Members of Forth Valley NHS Board”, presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan reported that the Code of Conduct for Members of Forth Valley NHS Board, which detailed the principles and rules of conduct for Members, had been reviewed in line with Scottish Government Guidance and highlighted that no additional guidance had been received since February 2014.

The NHS Board:

- **Approved the reviewed Code of Conduct for Members of Forth Valley NHS Board**
-

7. ANY OTHER COMPETENT BUSINESS

Mr Urquhart advised that two audit reports had been highlighted to the Audit Committee on 7 June 2019. It was proposed that the Board seminar due to take place on 18 June 2019 would be replaced with a special meeting of the Audit Committee. Mr Linkston supported the proposal and explained that due to the nature and priority of these reports this would provide all Board members the opportunity to attend.

The NHS Board:

- **Approved the proposal to hold a special meeting of the Audit Committee on 18 June 2019**

There being no further competent business the Chairman closed the meeting at 9.20am



CWB Item 1.2

MINUTE OF MEETING OF COMMUNITY WELLBEING BOARD

Friday 21 June 2019

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh

Present

COSLA Spokesperson	Councillor Kelly Parry
Scottish Fire and Rescue Service	Martin Blunden (Guest)
Scottish Fire and Rescue Service	Kirsty Darwent (Guest)
Argyll and Bute	Councillor Robin Currie
City of Edinburgh	Councillor Amy McNeese-Mechan
Clackmannanshire	Councillor Jane McTaggart
Dumfries and Galloway	Councillor Andy Ferguson
East Lothian	Councillor Jim Goodfellow
East Renfrewshire	Councillor Colm Merrick
Falkirk	Councillor Jim Flynn
Fife	Councillor Mary Lockhart (Substitute)
Glasgow City	Councillor Jennifer Layden
Inverclyde	Councillor Jim Clocherty (Video Conference)
Moray	Councillor Louise Laing
North Lanarkshire	Councillor Danish Ashraf
Scottish Borders	Councillor George Turnbull
Shetland Islands	Councillor Alastair Cooper (Video Conference)
Shetland Islands	Councillor Stephen Leask (Video Conference, Observer)
South Ayrshire	Councillor Ian Davis (Tele Conference)
South Lanarkshire	Councillor Maureen Chalmers
Stirling	Councillor Chris Kane
West Dunbartonshire	Councillor Diane Docherty
West Dunbartonshire	Councillor Caroline McAllister (Observer)
ALACHO	Tony Cain
Directors of Public Health	Professor Alison McCallum
Scottish Community Safety Network	Dawn Exley (Substitute)

Apologies

COSLA Spokesperson	Councillor Elena Whitham
Aberdeen City	Councillor Lesley Dunbar
Aberdeenshire	Councillor Iris Walker
Angus	Councillor Colin Brown
Comhairle nan Eilean Siar	Councillor Kenny John MacLeod
Dundee City	Councillor Kevin Cordell
East Dunbartonshire	Councillor Sandra Thornton
Fife	Councillor Judy Hamilton
Highland	Councillor Margaret Paterson
Midlothian	Councillor Stephen Curran
North Ayrshire	Councillor Louise McPhater
Orkney Islands	Councillor Andrew Drever
Perth and Kinross	Councillor Peter Barrett
Renfrewshire	Councillor Marie McGurk
West Lothian	Councillor Dave King
CIPFA-Directors of Finance	Gary Fairley
Directors of Public Health	Allyson McCollam
Scottish Community Safety Network	Lorraine Gillies
Social Work Scotland	Lillian Cringles
Social Work Scotland	Jane Martin
SOLACE	Sandra Black
SOLACE	Malcolm Burr

Public Session**1. Introduction****1.1. Welcome and Apologies**

The Chair welcomed everyone to the meeting and noted apologies. Additionally, permission was sought from Members to undertake livestreaming of the meeting; this was agreed.

1.2. Minute of Previous Meeting of 3 May 2019

The minute was agreed as an accurate record.

2. Community Safety

2.1. Presentation by Scottish Fire and Rescue Service (Martin Blunden, Chief Fire Officer, and Dr Kirsty Darwent, Chair of Scottish Fire and Rescue Service Board)

The COSLA report provided Members with a brief background on the Scottish Fire and Rescue Service (SFRS). As well as a summary of the current consultation by the SFRS on their strategic plan and key issues relating to it. The Spokesperson welcomed the two guest speakers from SFRS to the Board Meeting, noting Martin Blunden's new appointment as Chief Fire Officer.

The presentation covered common challenges being faced by both SFRS and Councils. It also covered SFRS' outcomes for a Safer Scotland and their Strategic Plan Timeline as well as recognising the need to consider how best to work together in the wider context of partner agency collaboration, at a time when demand is increasing, and challenges and resources are changing.

The Strategic Plan set out some distinct outcomes. Response is an essential element of the Plan: Certain types of responses are reducing, whilst others are increasing including working with the Ambulance Service and Police Scotland, population changes such as migration and numbers of older people. There is a need to consider how a cross agency approach can assist those at risk. The guest speakers highlighted how essential it is to deliver public value: managing every-changing budgets, what does the future look like and how can we adapt and plan to ensure best use of public assets within communities.

The guest speakers highlighted and encouraged Members to respond to the consultation process currently underway which closes in July 2019.

A comprehensive Q&A session followed the presentation which covered aspects such as:

- Hoarding risks – Where this is identified, fire crews and community action teams would refer onwards to partner agencies as appropriate and by engaging with Public Health to ensure the right data is shared in the right way.
- GDPR – It was confirmed that GDPR has completely changed the environment we work in and that a tension exists between personal data and personal safety. SFRS is working on how to share data, whilst ensuring confidentiality and privacy, but also mitigating risks for vulnerable people.
- Partnership working - Members confirmed that the partnership working that has been established is already very good.
- Community Impacts - Members highlighted that the removal of services can cause alarm in communities e.g. closure of fire stations. This has been recognised by SFRS and they are committed to discussing at an early stage any intentions with local authorities to understand what the impacts are and to ensure the right messages are delivered and managed within communities.
- Role of the original firefighter – Members commented that this has changed significantly over the years in terms of working practices, changes in crew numbers and appliances. SFRS confirmed it needs to consider what resources are appropriate across Scotland for staffing and vehicles for instance: what is needed where and why, based on skills and equipment requirements and technological developments.

- Retained firefighters – Members highlighted that there are specific challenges in rural areas with difficulty in recruitment and terms and conditions. SFRS set out that it is reviewing current terms and conditions and has placed full time members of staff in the Orkney Islands, Shetland Islands and Bute for instance. The organisation is exploring how to ensure the right level of fire cover across all of Scotland with the Fire Brigade Union.
- Unwanted Fire Alarm Signals – Members expressed their view that UFAS incidents seems to be a major problem given such specific references within the report. SFRS confirmed that it is a significant issue. Businesses who have most UFAS are most often the public authority ones such as hospitals, colleges, care homes. SFRS tries to work together with those who have many UFAS incidents to try to reduce these.
- Artificial Intelligence – Members raised this in regard to identifying threats in communities. SFRS indicated this would require significant development investment but is always keen to explore all avenues.

SFRS guest speakers closed their session by thanking Members for their time and contribution and confirmed that the discussion would inform the consultation response. The Chair of the meeting extended thanks on behalf of Members for this valuable and constructive presentation and discussion time.

Members:

- Noted Martin Blunden's appointment as the new Chief Officer of the SFRS;
- Provided questions or observations on SFRS's presentation; and
- Agreed COSLA's next steps to respond to the SFRS's Strategic Plan consultation.

2.2. Response to the Scottish Government's Fireworks Consultation

The COSLA report outlined COSLA's draft provisional response to the Scottish Government's Fireworks consultation.

Members' discussion included highlighting that the definition of what constitutes a 'display' needs more clarity, the online sale of fireworks should be considered in the response, a request for the language to be stronger in our response (*should* instead of *could* for instance), seeking licencing input through Trading Standards, needing more controls on the storage of fireworks, consideration of awareness campaigns to ensure people know their responsibilities when obtaining a licence for a firework display and improvements in information sharing between local authorities.

The Spokesperson thanked Members for their views and confirmed that the comments and strength of responses will be taken forward. There is potential for further discussion at a future CWB meeting in advance of fireworks activity in November 2019.

Members:

- Provided views on COSLA's draft provisional submission;
- Provided comments on substantive issues within the response; and
- Agreed the COSLA submission, subject to any proposed amendments.

2.3. Equally Safe – Violence Against Women and Girls (VAWG) as a Public Health Priority

The paper outlined a proposal for a COSLA hosted national multi-agency event focussing on Violence Against Women and Girls (VAWG) in the context of the reform of public health in Scotland, the public health priorities and the establishment of the new national body, Public Health Scotland.

Members expressed full support for this work and the action plan. It was agreed that local public health leads should be made fully aware of the work. It was also agreed that consideration of vulnerable victims within terrorism scenarios would be taken back for discussion. Members are keen for a suite of resources to be developed that would allow councils to cover key issues and messages; it was confirmed that this is being done in conjunction with VAWG co-ordinators.

COSLA's Equally Safe Co-ordinator indicated that activity will focus on the framework of the Equally Safe Strategy. This includes prevention, early intervention and accountability. Where there are potential weaknesses, there will be focus on intervention and safety of victims. There will be a need in the future to identify how to balance responses including those for perpetrators and it is recognised there is still much work to be done. Members also referred to the impact of violence in terms of financial abuse relevant to universal credit such as delays in payments to women due to irregular allegations by former partners. The ES strategy focus at moment is about controlling behaviour; financial abuse is a huge part of this and is being considered alongside all the other spheres.

Members:

- i. Considered VAWG as a public health issue; and
- ii. Approved suggested next steps.

3. Community Empowerment and Cohesion

3.1. Scottish Government Social Isolation and Loneliness Strategy – Implementation

The purpose of the report was to agree a COSLA position on priority action areas to inform the development of a delivery plan for the initial delivery stage of the Scottish Government's Social Isolation and Loneliness Strategy.

COSLA officers confirmed that in regard to island-proofing, there was a Scottish Government consultation process last year inviting views. It was recognised that some councils may be unaware. The Spokesperson confirmed that COSLA officers can be raised at the meeting of the Implementation Group on 3 July, to ensure this information is accessible to councillors and also the work that might be done with the Improvement Service.

Other Members' comments included welcoming transport connectivity in rural areas as well as the links between mental health, other illnesses and transport, needing to consider physical infrastructures such as outside safe places and planning public transport and placing an emphasis on carers and young carers. It was noted that information gather is vital.

COSLA officers informed Members that the strategy is a starting point. The Implementation Group will be identifying priorities and as it is at an early stage, we are in a good position to influence this.

The Spokesperson indicated it is likely that updates will go through COSLA Health and Social Care board and, if there are financial implications, it would go to COSLA Leaders as per governance procedures. She confirmed she will follow up to ensure cross working and appropriate updates occur between CWB and HSC Boards.

Members:

- i. Noted the progress that has been achieved since the Board's discussion in December 2018;
- ii. Members took a view of priority action areas from a Local Government perspective, reflecting on the suggestions made in paragraphs 9 and 10 and the larger list attached as Appendix 1;
- iii. Highlighted any additional priority action areas they would like the NIG to consider.

3.2. Participatory Budgeting and Democracy – Training, Social Inclusion and CONSUL Update

The paper updated on the work of the recently appointed Training Officer and Social Inclusion Officer in Participatory Budgeting with Member councils.

Comments from Members included:

Para 12 should not be digital by default. We have hard to reach communities and need this flexibility. Sometimes we may need some practical support to deliver PB. COSLA officers confirmed that we are working with local authorities to understand needs and respond to them. In regard to the training survey, COSLA officers are working on with initial responses to consider the way forward within the PB Officers Group and putting together an internal approach on how we respond. The team would welcome any case study evidence. Members set out some examples of good practice within their own areas such as crating a handbook for volunteers and using booster voting to prioritise more targeted outcomes. Some Members expressed concern about whether CONSUL delivers what is needed and noted the value and interest within communities of off-digital platforms; some evidence is showing that online engagement has been poor and running in-person events ahs been very effective. Members were keen to learn and share good practice.

Members:

- i. Noted the update regarding training in participatory budgeting;
- ii. Noted the social inclusion update;
- iii. Provided comment to inform the further development of these strands of work.

Private Session**3.3. Alcohol and Drug Partnerships Delivery Framework**

The report sought Members' comments on the draft "Partnership Delivery Framework to Reduce the Use of and Harm from Alcohol and Drugs", a joint COSLA and Scottish Government document to replace the 2009 Memorandum of Understanding on Alcohol and Drug Partnerships.

Following comments about the governance requirements and interaction with IJBs, COSLA officers confirmed there are various approaches depending on where the partnerships are located and agreed to clarify the governance route. Members also asked for clarity on timescales.

Members:

- i. Commented on the draft Delivery Framework.

Public Session

4. Human Rights and Equalities

4.1. United Nations Convention on the Rights of the Child Incorporation

The report asked Members for their comments and views on the best way of incorporating the UNCRC within the context of Scots Law, public services and the powers of the Scottish Parliament which COSLA can use in our response to the consultation.

Members suggested that SOLAR would need to take view on this.

Members:

- i. Discussed and provided comments on UNCRC incorporation to inform COSLA's response to the consultation;
- ii. Noted officers will use these early comments to inform COSLA's response to the consultation over the summer months;
- iii. Noted approval for the COSLA submission will be via the Children and Young Peoples Board at their meeting in August with updates provided to the CWB Board as work in this policy area progresses.

4.2. Equally Safe – Violence Against Women and Girls and Information Sharing

The paper sought to enable the Board to discuss and reach an agreed position in response to concerns about how protocols are impacting on the risk to safety of women, children and young people who access their services and those employed by expert services to provide support to victims.

Public Health representatives on the Board indicated they would be keen take this forward given the concern about incongruence of approach by other agencies from a public health protection and prevention perspective. COSLA officers would make contact separately to progress this. COSLA will consider writing to the Minister as a next step.

Other comments included highlighting that sets of regulations indicate obligation to information share, noticing a reduction in perpetrator details being shared, needing a final arbitration on GDPR legislation interpretation. Public Health officers highlighted that whilst GDPR is a reserved matter, governance for legal sharing lies with the Deputy First Minister. A UK Committee is discussing this, and we need to ensure DFM is aware and included. COSLA officers confirmed we are being very clear about the needs and risks whilst also maintaining a partnership approach; re-assuring Members that progress is being made in conjunction with the expert group set up.

In regard to timescales, the Scottish Government workshop is on 15 July at COSLA offices. COSLA has been the organisation that has led the way in challenging the current stance and has been highly vocal in not tolerating the current position.

Whilst indicating agreement with the recommendations, Members also highlighted that they seek for stronger language to be used and expect more progress to be made.

Members:

- i. Noted, considered and discussed the contents and recommendations of the report including:
 - writing to the Chief Constable of PSoS, in part to lobby for change to their approach
 - writing to the Minister about the consensus building approach that is being developed
 - more generally working towards a Gold Standard Multi-Agency Statutory Guidance on VAWG
- ii. Provided further direction or recommendations to COSLA's Equally Safe Policy Co-ordinator to progress work in this area

5. Poverty

5.1. Scottish Welfare Fund Update

This report updated Members, advised that a similar report will be presented to COSLA Leaders meeting at the end of June and asked the Board for its advice and views to inform Leaders' decision making and how the matter is presented to the Scottish Government.

Members discussed the funding and allocations. The Spokesperson provided reassurances that discussions are continuing and will take back to SG some of the feedback which included from some that if councils are not using allocation, it should be based on need, and that money not used should go to councils that have more need. At the same time, it was also noted that because the money is not spent, does not mean there is no need. There are various reasons currently for the money not being spent.

Members:

- i. Noted the discussions at COSLA Leaders and a subsequent meeting with the Cabinet Secretary for Social Security and Older People;
- ii. Specifically reconsidered the condition that COSLA Leaders agreed on coupling preparation on Brexit impacts with a core funding review and provided its advice to inform a Leaders decision;
- iii. Offered advice to Leaders on whether COSLA should progress work with Scottish Government to prepare for additional SWF impacts which may arise from Brexit; and
- iv. Agreed the proposed COSLA position and next steps outlined in this report.

5.2. Devolved Social Security

This report built on previous updates provided and, following a discussion at the recent Health and Social Care Board, drew attention to the next wave of policy development and implementation.

Members did not require discussion on this item.

Members:

- i. Noted the progress on the implementation of the devolved social security programme;
- ii. Noted the COSLA response to the Scottish Government's consultation on disability assistance and offered additional comments to help with a stepping-up of COSLA engagement with Scottish Government; and
- iii. Agreed the next steps highlighted in paragraph 16 in the report.

Private Session

6. Housing

6.1. Rapid Rehousing Transition Plans – Funding Update

The report provided an update on the portion of the 'Ending Homelessness Together Fund' made available to Councils support Rapid Rehousing Transition Plans (RRTPs), as part of the Scottish Government ambitions to eradicate homelessness in Scotland and see those affected by homelessness have the opportunity to move into settled accommodation. It also clarified the position of the other allocations made from the Fund. COSLA officer provided a verbal update: Local Connexion and Intentionality – draft response was reviewed following the last meeting. COSLA has been advised by SG that the provisions will commence in November. That means for intentionality it will be a duty. For Local Connexion, a ministerial statement will be published in November 2020 following a consultation. Any amendments thereafter would be by statutory order and a Code of Guidance is to be issued also.

Detailed discussion took place in regard to distribution amounts across the years and how the amounts have been calculated and distributed.

Members:

- i. Commented on the information in the report; and
- ii. Provided further views on the capacity of councils to deliver the Plans.

6.2. Draft Responses on Housing Consultations

The report shared three draft responses to Scottish Government consultation on

- Improving Temporary Accommodation
- Short-term Lets
- Fire Safety for People in Domestic High-Rise Buildings

Members did not require discussion on this item and agreed the recommendations. The Spokesperson asked that any submissions should be emailed to the lead COSLA officer for this paper.

Members:

- i. Provided views on the draft responses; and
- ii. Agreed that Councillor Parry and Councillor Whitham will sign off finalised responses incorporating any agreed additional positions due to the closing dates for these consultations being in July and August.

6.2.1 Improving Temporary Accommodation

No discussion was required on this item.

6.2.2 Short Term Lets

No discussion was required on this item.

6.2.3 Fire Safety Information in High-Rise Buildings

No discussion was required on this item.

Public Session

7. Other

7.1. Communities Team Business Plan

The paper set out the business plan for the work of the Communities Team as it relates to the portfolios overseen by the Community Wellbeing Board for 2019/20.

Members:

- i. Noted and agreed this part of the team's business plan for 2019/20.

7.2. General Update

The report provided general updates on the following topics:

- Equally Safe Quality Standards and Performance Framework Self-Assessment Returns
- Housing's role in ending domestic abuse and sexual violence
- Scottish Women's Aid / Recounting Women Exhibition
- Equally Safe Primary Prevention Guidance for Community Planning Partnerships
- Buffer Zones and Reproductive Rights
- Policy Development for Sexual Entertainment Venues – Consultation underway
- Football Stadia Review
- Public Space CCTV
- Destitution and No Recourse to Public Funds
- Gypsy Travellers Action Plan

AOCB

Councillor Jennifer Layden asked for thanks to be noted to COSLA officers for the work being done around buffer zones and reproductive rights.

The Spokesperson extended thanks to Michael McClements of COSLA, for his work to date on the team and wished him well in his retirement.

It was noted also that Simon Cameron who had been dealing with Participatory Budgeting within the team will be moving to a Corporate Policy Manager role within the organisation. The Board thanked him for his contribution.

It was confirmed that the date of the next meeting is Friday 20 September 2019



HSC Item 10

MINUTE OF MEETING OF HEALTH AND SOCIAL CARE BOARD

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh
2 August 2019

Present

Scottish Government (Guest)	David Rowland
Aberdeenshire Council	Councillor Anne Stirling (Teleconference)
Angus Council	Councillor Lois Speed
Argyll and Bute Council	Councillor Kieron Green
City of Edinburgh Council	Councillor Ricky Henderson
East Dunbartonshire Council	Councillor Susan Murray
East Lothian Council	Councillor Fiona O'Donnell
Highland Council	Councillor Isabelle Campbell
Orkney Islands Council	Councillor Rachael King
Perth and Kinross Council	Councillor Colin Stewart
Scottish Borders Council	Councillor Tom Weatherston
South Ayrshire Council	Councillor Julie Dettbarn
South Lanarkshire Council	Councillor Maureen Chalmers (Substitute)
Stirling Council	Councillor Graham Lambie
IJB Chief Officers	Julie Murray
Public Health Directors	Chris Littlejohn

Apologies

COSLA Spokesperson	Councillor Stuart Currie
Aberdeen City Council	Councillor Sarah Duncan
Clackmannanshire Council	Councillor Les Sharp
Comhairle nan Eilean Siar	Councillor Kenny John MacLeod
Dumfries and Galloway Council	Councillor Stephen Thompson
Dundee City Council	Councillor Ken Lynn
East Ayrshire Council	Councillor Iain Linton
East Renfrewshire Council	Councillor Caroline Bamforth
Falkirk Council	Councillor Fiona Collie
Fife Council	Councillor Samantha Steele
Glasgow City Council	Councillor Mhairi Hunter
Inverclyde Council	Councillor Robert Moran
Midlothian Council	Councillor Derek Milligan

Moray Council	Councillor Shona Morrison
North Ayrshire Council	Councillor Robert Foster
North Lanarkshire Council	Councillor Paul Kelly
Renfrewshire Council	Councillor Jacqueline Cameron
Shetland Islands Council	Councillor Allison Duncan
South Lanarkshire Council	Councillor John Bradley
West Dunbartonshire Council	Councillor Marie McNair
West Lothian Council	Councillor Harry Cartmill
CIPFA – Directors of Finance	Donald Forrest
ENABLE	Councillor Paul O'Kane
IJB Chair	Peter Murray
IJB Chief Officers	Val de Souza
Public Health Directors	Dr Susan Webb
Social Work Scotland	Dr Jane Kellock
SOLACE	Andrew Kerr
SPDS	Laura Simpson

Private Session

Welcome and Apologies

COSLA's Chief Officer for Health and Social Care welcomed everyone to the meeting and extended his apologies for absence on behalf of the interim Spokesperson for Health and Social Care. He welcomed today's guest speaker, David Rowland, who is seconded to the Scottish Government and who would be delivering a presentation on Integrated Services.

The Chief Officer took the opportunity to update Members on COSLA's Spokesperson for Health and Social Care, Councillor Peter Johnston, who has been taking a period of leave due to some personal circumstances for almost a year. COSLA officers have been in regular contact with Councillor Johnston and were delighted to confirm he has started to pick up on Council work which is excellent news; the Board continue to wish Councillor Johnston well.

1. Minute of Previous Meeting of 24 May 2019

No amendments were highlighted at the meeting today from Members; the intention is to submit the draft minute for formal approval to the full Board meeting in September.

3. Draft Framework for Community Health and Social Care Integrated Services and Good Practice

Please note that item 3 was taken at this point

Presentation

The Chair welcomed David Rowland, Professional Adviser to the Scottish Government on Integration, who gave a presentation.

Mr Rowland set out his background and experiences to date. The framework stems from the work of a Ministerial Group last year. The aim is to identify and share good practice and to develop effective integration of services.

He provided details on the context for a framework: delivering extant policy, reviewing progress, undertaking reform, modernisation and innovation. He explained the Principles of Integration and encouraged the spreading of good practice to integrate care and improve outcomes: Promoting healthy, independent living and supporting people, improving outcomes by working more effectively to deliver, and making services more accessible and responsive through development. He then went on to set out how the plan could be achieved, such as through providing guidance, use of toolkits for self-evaluation and planning, developing measures to monitor progress and impact, introducing standardised reporting, reviewing and sharing good practice.

In order to achieve the above, the guest speaker highlighted that some things need to be done differently such as by exploring and changing mechanisms of support in not only healthcare locations but also in the community, creating enablers, using shared systems and making the most of changing technologies.

Engagement from Members, service deliverers and users is vital and will help to refine, develop and adapt the Framework. This will be achieved through robust governance, clarity of vision, shared accountability and effective contribution.

Presentation - Questions and Answers Session

Points raised by Members included:

- Reinforcing the message to ensure all service providers are involved in agreeing shared systems and processes including full support from Scottish Government (SG) where there are changes to services.
- The need to create a viable alternative to hospital-based care and ensure it works in the community.
- Virtual Community Wards have had a significant positive impact in some council areas by allowing Acute Services to concentrate on those who require hospital admissions and allow others to be maintained in their communities. The Acute Resource Transfer and Acute Services need to be solidified in order to achieve the community-based sustainable alternatives approach.
- Seeking the alignment with Health Improvement Scotland expectations for the self-evaluation toolkit and for it to be woven into the system, whilst avoiding additional bureaucracy. Consider also social work practice for sharing experiences. Self-evaluation could sit within the Annual Report to make all the information accessible in one place.
- The need to build in and use Third and Independent Sectors more and ensure they are represented.
- The Ministerial review referred to training for IJB chairs and vice chairs; there was suggestion that training needs to be for all Members to ensure appropriate challenge and support for change. The guest speaker confirmed that this point has been reflected in the next iteration of the document.
- Ensuring the messages issued by the Scottish Government are promulgated more publicly to ensure everyone hears the message about their entitlements and what changes are happening – particularly those who may struggle to engage.
- In regard to accountability, there needs to be more rigour in this. Clarity of approach to commissioning would also be welcomed.
- Alternatives to the 'three bodies' suggestion is welcomed by the presenter.

COSLA's Chairperson thanked the guest speaker for his informative presentation and undertaking the question and answer session. It was confirmed that discussions will continue on this with the Scottish Government.

2. Health and Social Care Board Plan – Discussion Paper

The paper outlined the policy context in which the COSLA Health and Social Care Board's work sits and proposed a revised set of priority areas for the Board.

COSLA's Chief Officer for Health and Social Care summarised the points in the paper.

The three key overarching strands are:

- National Performance Framework;
- COSLA Plan – Purpose, Vision and Principles;
- Public Health Priorities.

Members were asked to consider the 'forward look' for the next three years. The Board Plan content currently has taken account of Members' inputs at Board meetings and intelligence gathered in relation to policy issues.

Five key priority themes have been developed by the HSC team (Figure 3 of the paper):

- Adult Social Care
- Implementing Integration
- Public Health
- Mental Health
- Workforce

In addition, there are some cross-cutting themes (Figure 3 of the paper):

- Strengthening Local Democracy
- Working Together Locally
- Delivering Outcomes
- Focusing on Communities
- Defending Local Choices

Subsequent to this update, the Chief Officer introduced HSC team members who each gave brief inputs on their current key pieces of work. Updates on each area will be provided at appropriate intervals to the Board and the officers are keen to hear about Members' expectations.

Adult Social Care – Clare Thomas, Policy Manager

- Development of the reform of ASC programme, extensive engagement across sector, development of priorities. Programme launched in June. Next stage is to develop programme objectives. There are key emerging workstreams: workforce, investment in care and support, models of care. This is a significant body of work.
- National Care Home Contract reform – feeding in to workstreams
- Implementation of Carers Act.
- Charging Policies – work undertaken on COSLA Charging Guidance against a set of key priorities.
- COSLA as Chair of national contingency planning.
- Social Security Developments

Implementing Integration – Alan Aitken, Policy Manager

- Implementing Integration - Reflects continuation of Local Government involvement in integration. One element is the delivery of the 25 proposals. COSLA is currently taking lead role in several of the workstreams for delivery.
- Integrated Finance and Planning.
- Development of Statutory Guidance for Community Engagement.

Public Health – Emma Kennedy, Policy Manager

- Joint Public Health Reform – the majority of attention currently is on joint public health reform along with Scottish Government; COSLA is working closely with the SG policy team. This is a critical period in its development. Consideration is being given to the practicalities of creating a new strategic body – reporting, performance framework, recruitment and governance.
- Drugs Deaths - It is important to give consideration at this time to COSLA's response to drugs deaths.
- There is a gap in current Board Plan on health improvement, protection and primary care. The team will pick these up in the future.

Public Health cross-cuts across COSLA policy teams and consideration of how this will be managed in future is being given.

Mental Health – Laura Caven, Policy Manager

- Children and Young People Mental Health Taskforce - work continues and a Programme Board is being created which will be chaired jointly by COSLA and SG.
- National Suicide Prevention Leadership Group – established at same time as the Taskforce and is focussing on 10 actions from SG for the Prevention Plan. COSLA and the Samaritans are leading on one of the actions.
- Mental Health Act – a group is meeting to take this forward.
- Adult Support and Protection – a scoping exercise was conducted to understand the national picture. A number of other groups were identified that are undertaking similar work; we are ensuring these are functioning in a coherent and complementary way.
- Responding to new initiatives to ensure a more joined up approach.

Social Care Workforce – Louise Wright, Policy Manager

- Living Wage and the Fair Work – COSLA signed up to the Living Wage in Social Care. We are hoping it will now move into a more sustainable position. A Fair Work Framework was developed within Social Care in particular. It has been assessed that Fair Work is not being implemented in the industry.
- National Workforce Plan – Part 2 of the Plan was around social care. Specific work along with SG is being done on Labour Markets and is near conclusion. This includes both adult social care and children's social care and how they interlink. These are quite distinct workforces and there does not seem to be much movement between the two. Research has been done on the motivations for joining the workforce with results showing it tends to be values-based engagement. When staff leave, it is usually for improved pay or moving from the voluntary sector to the Local Government sector. The make-up of the workforce is about 85% female, of a slightly older age bracket, with temporary and zero hours contracts. Employers are already having challenges with recruitment and retention. UK's Exit from the EU is also being considered for impact.
- Professions – research being undertaken to understand this sector. Large scale campaign next year to attract more people into workforce.
- Health and Care (Staffing) (Scotland) Bill - this went through Parliament this year. It is expected that it will be another year before enactment. The task now is to develop statutory guidance; this is a complex process.

In summarising, COSLA's Chief Executive reflected that COSLA underwent a strategic review a few years ago; the Health and Social Care Board Members have a pivotal and proactive role in developing and influencing policy, by being driven by the 32 Member Councils and Professional Associations. The Chief Executive highlighted that in being half way through this political term, the time seemed right to look at and refresh the Board's priorities. It was accepted that the HSC portfolio is extensive and there is a need to focus on key priorities. The Chief Executive commended the work done on the review of HSC Integration. The Board and COSLA HSC team drove this forward with a national leadership requirement. The whole system has been involved in the development of proposals and this has been widely welcomed. The model of engagement and collaboration that has been adopted by COSLA and HSC Board Members to achieve this has been very effective and is good practice that can be shared wider.

Round Table Discussions

Round table discussions took place with Members invited to explore the three questions contained in the COSLA paper. Facilitators and notetakers captured the key points of discussions and these will be reviewed by the HSC Team.

- Does the context outlined reflect what the Board recognises to be the main drivers in health and social care policy? Is anything missing?
- Is the Board happy with the proposed priorities and underpinning themes / principles? Is anything missing?
- Which of the proposed reporting templates does the Board prefer?

Topics raised included:

- Inclusion of housing in the context of health – a common theme across all breakout groups
- Sport and Culture
- Drugs and Alcohol
- Health Inequalities
- Generic flexible professional roles
- Workforce - Early Learning and Childcare Flexible Workforces
- Workforce – Professionalising social care workforce, skills, expertise, moving up through professions
- UK Exit from the EU – impact of leaving
- Social Media
- Transition from Youth to Adult Services
- Use of the Adults and Older People heading rather than purely Adults
- Adult Protection
- Community-led support and engagement – how to? Where is best practice sharing?
- Identifying the differences between social work and social care and valuing both
- Role of COSLA in relation to IBJs and the creation of a policy officer role that supports IBJs
- Relationship with Scotland Excel and how to influence their procurement frameworks.
- HSC Board and where it sits within the wider context across health and social care
- Review how the links between the Boards work in relation to cross cutting issues and updates
- Retain the RAG system in the reporting framework

All Members were encouraged to feed in to the team separately with any additional points as appropriate, including those who were not able to attend the meeting.

A refreshed Board Plan would be worked up and presented to the next Board meeting.

Members:

- i. Noted the content of the discussion paper on the Board's priorities for 2019-22; and
- ii. Provided views on the proposed priorities and approach to reporting.

4. Spending Review – Discussion Paper

COSLA officers emphasised that we are trying to be as proactive at the earliest stage possible on the Review and some major pieces of work are about to be started.

In June 2019, Leaders agreed key messages for the Spending Review on the basis of a possible three-year settlement. This included consideration of what our vision for Local Government in Scotland is and should be, and the need to ensure money flows from SG to Local Government to deliver on those themes. Themes selected were: inclusive economic growth, climate change, tackling child poverty and wellbeing.

Current work includes looking at pre-budget scrutiny across Parliament. COSLA is doing a targeted finance message to each Committee. This includes highlighting the need for investment, but that ring-fencing is not helpful.

COSLA officers are developing the 'Essential Services' document, with the aim of launching in December 2019, in line with the timings of the SG budget announcements. This document strategy a key tool used previously by COSLA for lobbying and for engaging with the media and this successful practice will be adopted in 2019.

Some caveats around the 3-year settlement were mentioned:

- Capital may only be for year 1 with years 2 and 3 following in 2020. COSLA recognises the challenges for LG of this in planning ahead for capital budgets.
- UK Exit's from the EU – If the UK Government sets an emergency 1-year budget in October 2019, Scottish Government may respond with something similar. This is an unknown entity currently.

Similar updates to HSC Board Meetings by the COSLA's Local Government Finance Team (LGF) can be provided at appropriate junctures if this would be helpful.

One Member highlighted that in regard to Section 5, Mental Health funding has been received but it has been reduced. There is a need to express that message. COSLA officers agreed this as a good example and encouraged other Members to contact the COSLA LGF team directly if they have any other examples. Contact details would be provided to Members following the Board meeting.

Other points made by Members included:

- Expectations attached to funding for IJBs may not have been set properly. This needs to be worked through.
- Important for the Boards to feed in to Leaders on finance positions.
- Last minute funding is never helpful. Are we in a difficult position in that by identifying priorities, SG responds by ring fencing for those priorities (living wage as an example).
- IJBs were set up so they could not get funding directly and as an amalgamated partnership, it should be joint decision making. COSLA's agreed position on ring-fencing is that we do not wish this.
- Query about the 50% of savings for Acute Sector redirection.
- There are different starting points and changing pressures on different areas.
- There should be innovation and transformation funding that goes beyond 3 years.

COSLA officers confirmed that they are exploring this further with the Scottish Government. Members agreed that they would like to receive a Local Government Finance paper delivered to the next HSC Board.

AOCB

Date of next meeting: Friday 13 September 2019

In closing, the Chair thanked Members for their attendance and their constructive input; this was additionally appreciated, keeping in mind recess dates and the Summer holiday period.