



Falkirk Council

**VOLUME OF COUNCIL
AND COMMITTEE MINUTES**

**VOLUME 2
2019/2020**

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Minute of meeting of the Planning Committee held On Site on Tuesday 10 September 2019 commencing at 9.30 a.m.

Councillors: David Alexander (Convener)
Allyson Black
Jim Blackwood
Gary Bouse
Robert Bissett
Provost William Buchanan (Depute Convener)
David Grant
Gordon Hughes
Lynn Munro
Laura Murtagh

**Local Members
in Attendance:**

Councillor Harris (for item P46)
Councillor L Binnie (for item P47)
Councillor J Patrick (for item P47)

Officers: Karen Chambers, Committee Services Officer
Arlene Fraser, Committee Services Officer
Stuart Irwin, Graduate, Democratic Services
Karen Quin, Senior Solicitor
Julie Siedel, Planning Officer
Russel Steedman, Network Co-ordinator
Bernard Whittle, Development Management Co-ordinator

P44. Apologies

Apologies were intimated on behalf of Councillors Bisset, Blackwood and Coombes.

P45. Declarations of Interest

There were no declarations of interest.

P46. Erection of 3 Dwellinghouses and Associated Infrastructure at Victoria House, Braeface Road, Banknock, Bonnybridge, FK4 1UE for Mr Logan Dunsmore – P/19/0190/FUL

With reference to the minute of the meeting of the Planning Committee held on 28 August 2019 (ref P41), committee gave further consideration to a report by the Director of Development Services on an application for the erection of 3 dwellinghouses and associated infrastructure at Victoria House, Braeface.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant's agent, Daniel Henderson, was heard in relation to the application.

The applicant, Logan Dunsmore was also heard in relation to the application.

Questions were then asked by members of the committee.

Questions related to:-

- the outbuildings on the land and their previous use;
- clarification on the coal authority's position;
- clarification on the difference between a brownfield and a greenfield site, and
- vehicular and pedestrian access.

Councillor Collie, a local member for the area had submitted a representation by email, with the agreement of the Convener, this was read out on her behalf by Councillor Harris.

Councillor Harris, a local member for the area was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 24 September 2019.

P47. 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

With reference to the minute of the meeting of the Planning Committee held on 28 August 2019 (ref P37), committee gave further consideration to a report by the Director of Development Services on an application for part demolition of dwellinghouse, substation of garden ground and erection of dwellinghouse with associated infrastructure at 6 Booth Place, Falkirk and in particular to the amended plans submitted by the applicant.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant, John Anderson was heard in relation to the application.

Alan Hutchison, an objector, was heard in relation to the application.

Robert Lee, an objector, was heard in relation to the application.

Mark Dimmock, a supporter, was heard in relation to the application.

Alec Fish, an objector, was heard in relation to the application.

Mary Fish, an objector, was heard in relation to the application.

Ian Scott, an objector, was heard in relation to the application.

Kate Sinclair, an objector, was heard in relation to the application.

Mairi Summers, an objector, was heard in relation to the application.

Graeme Sinclair, an objector, was heard in relation to the application.

The representations included the following issues:-

- that if granted planning permission would set a precedent for similar builds in the area, contributing to over development;
- that such a development would spoil the look of the area due to its height and design.
- if is granted, guidelines previously drawn up on historical sites in the area will have been ignored and such a grant of planning permission will be chipping away at the Victorian and Edwardian streetscapes of Falkirk;
- infrastructure in the area could not cope with increased building;
- the new building would encroach on the bedroom privacy of 6 Rosehall Terrace;
- the ground floor level would be looking over the wall of number 6 Rosehall Terrace;
- the building would be 2.5 times the height of the existing hut which is on the land;
- there will be overshadowing on the grounds of numbers 4 and 8 Booth Place;
- applicant used the 45 degree test for shadowing but did not submit the results of the 3 failed tests;
- adequate privacy could not be given to neighbours;
- the scale, density, disposition and design do not respect the townscape value of the area;
- it impacts the privacy and daylighting of adjoining properties due to its elevation and quantity of windows.

Ryan Marshall, the applicant's agent, was heard in response to the issues raised.

Councillor Lorna Binnie, a local member for the area, was heard in relation to the application.

Councillor John Patrick, a local member for the area, was heard in relation to the application.

Questions were then asked by members of the committee in relation to the following issues:-

- to ascertain the height of the new build;
- the position of the new build in relation to the garden hut;
- if there could be a comparison of the profile of the proposed new build compared to the property at number 8 Rosehall Terrace.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 24 September 2019.

FALKIRK COUNCIL

Minute of meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 12 September 2019 at 9.30 am.

Councillors: David Balfour
Lorna Binnie
Jim Blackwood
Niall Coleman
David Grant
John Patrick (Convener)

**Councillors
in attendance for
Service
Performance
Report:**

Robert Spears

Officers: Fiona Campbell, Head of Policy, Technology and Improvement
Colin Frame, Principal Surveyor (Strategic Projects)
Rhona Geisler, Director of Development Services
Stuart Irwin, Democratic Services Graduate
Jacquie McArthur, Economic Development Officer (Comm)
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Carron Smith, Principal Business Support Officer
Pamela Smith, Employment and Training Manager

S18. Appointment of Convener

Councillor Grant nominated Councillor Patrick.

Decision

The committee appointed Councillor Patrick as its convener.

S19. Apologies

An apology was intimated from Councillor Black.

S20. Declarations of Interest

No declarations were made.

S21. Minute

Following a question, the Head of Policy, Technology and Improvement confirmed that work was being progressed to account for concerns raised by members in regard to the operation of the CRM system. She noted that previous attempts to engage with members on their use of the system had met with a disappointing response.

Decision

The minute of the meeting of the Scrutiny Committee held on 6 June 2019 was approved.

S22. Rolling Action Log

A rolling action log detailing the status of actions which had yet to be completed was presented for consideration.

The Democratic Services Manager explained, following a question, that it had been the intention of Children's Services to report on the Follow-up Inspection of Slammanan Primary and Nursery (action 439) to today's meeting. However the inspection process had not been completed as anticipated and consequently the report would be submitted to the next meeting.

Decision

The committee noted the Rolling Action Log.

S23. Development Services Performance Update – January to June 2019

The panel considered a report by the Director of Development Services setting out a summary of performance for the period 1 January to 30 June 2019. The Director of Development Services provided an overview of the report.

The report provided information on:-

- significant challenges, risks and changes in service pressures since the last update;
- relevant performance reports, audits and inspections

The Director of Development Services provided an update on the following workstreams:-

- Revenue Budget
- Strategic Property Review
- Waste recycling and compliance with the Household Waste Recycling Charter
- Smart Working Smart Travel
- Grangemouth Flood Protection Scheme
- Decriminalisation Parking Enforcement (DPE)
- Falkirk Tax Incremental Financial (TIF) /Investment Zone
- Welfare Reform/Fair Start
- Town Centres

She also gave an update on the following strategies:-

- Local Development Plan (LDP2), which was agreed by the Council in June 2019 following a period of consultation
- Dig in Falkirk, the local food growing strategy which has been the subject of consultation
- Revised Core Plans Path was finalised after a consultation was completed

Mrs Geisler also provided an update in regard to the following:-

- Development Services (Roads and Engineering Design) Quality Management System – ISO 9001 : 2015
- the Planning Performance Framework

In regard to performance, which was set out in the appendices to the report, Mrs Geisler highlighted:-

- the progress of the TIF in particular in regard to the crossing at Westfield
- a bid made by the Lottery Heritage Fund in regard to Zetland Park in Grangemouth
- Brexit preparations
- Impact of the Falkirk Townscape Heritage Initiative
- the Strategic Property Review

Following a question on the suite of performance indicators which were reported to the committee, the Director explained that those included in the LGBF, or when an aspect of the service had been deemed as not to have been performing well by an external reviewer, by scrutiny reviews, or by internal assessment, would be reported to the Committee.

The committee discussed the cost of the Grangemouth Flood Protection Scheme. Different sums had been quoted in the report (£132m and £180m). The Director undertook to confirm the correct figure. In response to a question in regard to the measures to protect Skinflats the Director explained that the area was subject to Coastal, Pluvial and Fluvial Flooding so the

Grangemouth scheme would tie in with neighbouring flood prevention schemes to protect areas such as Skinflats. Where possible measures would include using natural measures such as tree planting; attenuation.

The committee discussed the potential impact of Brexit, particularly in a no deal situation, on the Investment Zone aims and on Grangemouth in particular, given the recent reporting of the Government's Yellowhammer document which had suggested that oil refineries would close as a consequence of a no deal Brexit. The Director stated that the Council had been assessing the risks in conjunction with the Scottish Government and she was unaware of any risk of closure of Grangemouth Refinery. The Scottish Government's planning assumptions had not factored in the assumptions set out in Yellowhammer; if there were to be an impact it may be in regard to tariffs. This made investment from the Scottish Government more vital. It may be that the area would be affected indirectly for example if refineries closed then this could lead to industrial action at Grangemouth. It was important to analyse the detail of Yellowhammer. A briefing on Brexit and the impact of Yellowhammer on the council's preparations would be held for all members. Preparations were already underway, in areas such as the provision of care and in food supply. The Director was confident the Council's preparations were sound. Following a question in regard to the Smart Working Smart Travel project the Director advised that 60 new pool vehicles had been delivered, with 30 more to follow in 2019/20. The aim was to reduce travel costs and achieve budget savings. The project was capital investment with revenue benefits flowing from a reduction in staff mileage claims. There was a hierarchy for travel and if staff had to drive they were encouraged to use pool cars. The fleet was green, with a large proportion of vehicles being electric.

Following a question in regard to the Tax Incremental Financing and roadworks in Grangemouth the Director stated that the £10m gap, resulting from the £90m project receiving £50m from the Scottish Government, needed to be closed. Road improvements would be addressed through the Investment Zone growth deal, including access to Grangemouth town centre. Following a question as to whether this included preventing HGVs using the town centre to access industry the Director stated that the project included access to the town centre. In response to a question on the frequency of gully clearing in Grangemouth the Director undertook to provide detail following the meeting.

The committee returned to Yellowhammer and stated that there was an urgent need to ensure there were adequate food supplies in place ahead of Brexit and that plans were in place to deal with food shortages. If the worst case scenario as set out in Yellowhammer unfolded the Council would play a key role in supporting the local community. The Director stated that the Scottish Government planning assumptions had included food supplies and this was covered in the council's planning. In this respect Yellowhammer had contained no new information. The Director stated that the significant long term issues would be around the impact on the economy. The Scottish Government's Chief Economist had predicted that the UK economy would

see a short sharp shock and that the consequences could be significant. The Council was engaged with the Scottish Government as part of its readiness preparations. For example the Business Gateway team had been actively supporting local businesses to prepare. There was particular risk for small and medium businesses as they were unlikely to have spare resources to mitigate the impact.

The committee returned to the issue of HGVs using Grangemouth town centre to access industry. There was, it was stated, a lack of facilities in the town for HGV parking. This had, it was stated, been raised as a concern for a number of years. The Director repeated that roads infrastructure was part of the Investment Zone business case and that there would be a report to the Executive on 29 October 2019 on the Investment Zone. It was stated in reply that HGVs did impact on the town centre with car parks used as toilet facilities by drivers. In response to a statement that the Council had not been addressing the situation the Director disagreed and repeated that there was a project to look at this in the shorter term.

The committee turned to waste recycling and sought detail on the current saving projections. The Director stated that the overspend was previously in the order of £1.4m. The aim of the project was to deliver a service that was Charter Compliant. An approach to service delivery had been agreed by the Executive earlier in the year and funding had been secured from Zero Waste Scotland. The rollout of the “burgundy” bin would be complete soon. It was anticipated that the new collection and disposal service would produce efficiency savings which would contribute to budget reduction savings. For example the cost (£9) to sort material from bins was reduced from more effective recycling by the public. The Director stated her thanks to the local residents, to whom the service had been called out, for their support.

In regard to the Grangemouth Flood Prevention Scheme, the Director confirmed this was a 5-10 year project linked to a phased programme of works and to funding options.

Mrs Geisler stated, following a question, that the Decriminalized Parking Enforcement (DPE) scheme was self funded, based upon income generation, and was established to break even. She also confirmed in response to a question in regard to a TIF project with West Lothian Council on joint roundabout upgrade works, that the work was ongoing and that the bulk of the funding was from Transport Scotland. The service looked to align Transport Scotland, Falkirk Council and West Lothian Council funding to drive the project. Any works could not start until autumn of a given year. The project was ready to start when the funding was in place.

The Director stated that tests in the use of polymer bitumen road surface particles were going well. There had been a number of developments in the use of recycled plastics. The service was looking to develop a business case, following trials of the road surface at a local and national level. The committee returned to the rollout of the “burgundy bins” and sought clarification of the breakdown of the percentage of card which could be

recycled from the bins. The Director stated that there was a “picking line” at the Roughmote centre to take out products which could not be recycled. It was important that residents utilized the bins correctly and again she asked the public for its support following the introduction of the new bins. She undertook to provide information on the percentage of recycled material. The Director praised the response to the Dig in Falkirk local food growing strategy. She confirmed that there had been high demand for allotments and there was an intention to expand the scheme further. The focus had been on using Council owned property but it could be developed beyond this.

The committee then considered the service performance information set out in appendix 1 to the report. Members praised the performance of the service in the reported period, however the committee sought information on the Strategic Property Review Project, which was behind target. The Director set out the work which had been carried out to date on hubs and the review of sports and leisure facilities, which had been reported to Council in June. A consultation exercise had been called for by Council and this was underway. Work was ongoing in regard to other assets of the Council’s portfolio. The review looked at Council assets and applied the agreed SPR principles. A number of recommendations would come out. Those were, Mrs Geisler stated, unsurprising. A report would be submitted to the Executive on 29 October 2019. The Director also advised that work was continuing in regard to the HQ/Arts centre project. The committee sought detail on vacant premises in Denny Town Centre. Colin Frame confirmed two units were vacant and although there had been interest there had been no material interest. It was anticipated that as the development progressed on phases 2 and 3 they would generate interest in phase 1 vacant units. The Council had engaged a marketing consultant for phase 2 of the project. In regard to indicator Econ9 (town vacancy rates) members noted an improvement with a reduction in the rate from 14.86% to 11.94%. The Director agreed and stated that Falkirk Town Centre was one of the better performing town centres. While the rate was not good, it compared favourably to rates across the country where town centres faced significant challenges. She gave a summary of work with the Falkirk town centre partnership which aimed to address vacancies and restoring vibrancy to the town centre.

The committee highlighted the LGBF indicators on regard to the percentage of roads that should be considered for roads maintenance (Env b-d). The Director stated that the Council was 23rd for class A, 20th for class B and 22nd for class C roads. Nationally Councils had the same approach to roads maintenance. The performance was not related to the Council’s approach – it related directly to funding. The investment made by Falkirk Council would see roads continue to deteriorate. This was the case for other authorities across Scotland.

Members highlighted a decrease (86.5% in 2010-14 to 69% in 2015-18) in satisfaction with refuse collection. In 2015-18 the national average was 78.7%. The Director responded that this was based on a small sample. Nonetheless she wanted to see an improvement and work was ongoing to engage with the public to understand their dissatisfaction in order to improve

the service. Mrs Geisler agreed with a statement that contamination was an issue and there was a need to continue to engage with the public to promote and understand the need to separate materials correctly.

Following a statement criticising the condition of roads in Grangemouth the Director repeated she had not stated that roads would not be 'fixed'. There was a maintenance programme but the funding required to 'fix' all roads was significant. Council had considered a report setting out the issues and costs in 2018. In response to a statement that volunteers had collected significant amounts of litter in Grangemouth the Director praised the endeavor of the volunteers and stated that while the service was not responsible for creating the vast amount of litter alluded to, their team worked hard to clear it in conjunction with the community. In response to a statement that HGV drivers littered extensively, including human waste, the Director stated that such criminality was a matter for the Police.

Following a question in regard to contaminated bins not being collected the Director advised that there was a hierarchy of response. It was important that material in blue bins was not contaminated as it affected the Council's ability to sell the waste. Not collecting contaminated bins would drive change. There was plenty of information available and officers engaged with the community. Contamination costs the Council money.

Decision

The Scrutiny Committee noted the performance of Development Services over the period 1 January to 30 June 2019.

S24. Economic Strategy Update

The committee had previously considered the Economic Strategy on 1 February 2018 (ref S30) and had asked for an annual update to be submitted. The committee had received an update presentation on the strategy on 4 April 2019 (ref S8). Although detailed, the committee had considered that the format had not afforded suitable opportunity for scrutiny and requested that a report be submitted at a later date.

The Economic Strategy 2015-2025: Growth, Investment and Inclusion had been developed with the Falkirk Economic Partnership. The aim of the partnership was to support the Council and its partners to enable the growth of the area's economy, attract investment and ensure benefits for the wider community. Key to this work would be the establishment of an Investment Zone to help grow the areas economy. A business case for creating an Investment Zone had been submitted to the UK and Scottish Governments and the confirmation of the outcome of the bid for £200m funding was awaited.

The report set out work and outcome to date in processing the three themes of the Economic Strategy. These were:-

- Growth
- Investment
- Inclusion

In regard to growth the report provided updates in regard to

- Business growth
- Town centres

In regard to Investment the report focussed on:-

- Tax Incremental financial (TIF) initiative
- Falkirk Gateway
- Investment Zone
- Kelvin Valley Falkirk LEADER

In regard to inclusion the report provided an update on the principal strand of employability.

The committee congratulated Pam Smith on her secondment to the Improvement Service. Mrs Geisler explained that there were benefits to the Council in the secondment and congratulated Mrs Smith on her achievements and successes during her long service with Falkirk Council.

Following a question on the Council's work in regard to Grangemouth Town Centre, Jacquie Mcarthur explained that as part of the action plan it was proposed to establish a youth hub. Members of the committee stated that the Council had promised to listen to the views of Grangemouth High School in regard to the Youth Hub over a year ago and it had not yet been established.

The committee highlighted that the LEADER project was an EU programme and sought assurance on the impact of BREXIT on this initiative. Pam Smith stated that the Treasury had agreed to underwrite any funding committed up to the point of BREXIT.

The Scottish Government and COSLA planned to discuss a shared prosperity fund which the UK government intended to establish to replace the EU structure funding. This would be devolved to Scotland (both revenue and capital funding). The cliff edge was, she said, 2024. Funding was guaranteed until 2023. Officers were in contact with the Scottish Government and COSLA to determine what Falkirk's share would be. There was a risk that it could be less than current funding levels. In response to a question, Mrs Smith stated that there had been political statements to the effect that the new UK fund would match current funding.

The committee noted the Townscape Heritage Initiative funding had been used to refurbish shop fronts. Now that the funding was no longer available for such work, members asked if the planning requirement was now removed and consequently the High Street would see a return to cheaper frontages.

Mrs Geisler confirmed that the standard of frontages remained a planning aspiration. In terms of the planning process, applicants could argue that in meeting the standard they were not liable.

The committee then sought clarification in the Denny Town Centre regeneration project, in particular the distinction between phase 2 and 3. The director gave a detailed response. Phase 3 was a small site. Phase 2 had been marketed but no success. Phase 3 had been marketed successfully. Colin Frame advised that phase 2 had been marketed 3 times. It had arguably been marketed for retail and there had been interest but this had not been successful, it was now being considered for social/mixed use.

The committee congratulated the service on attracting external funding and asked for details on the breakdown between capital and revenue funding. The director stated that the service had an enviable track record in successfully attracting funding. She highlighted the work to develop the Investment Zone business case and the funding this would attract. She undertook to provide the committee with a breakdown of external funding by project and funding type.

The committee praised the service's success in developing the tourism sector. Members noted that a number of attractions, such as the Wheel and Kelpies, were out of town and asked that work was done to attract visitors from these attractions into the town centre. The Director acknowledged the question but stated that there were attractions in the town centre such as the Steeple and the Churchyard. There was a need, she recognised, to attract out of town visitors to the town centre. There was a bus service for example from the Kelpies to the town. There was a need to encourage visitors to stay for a number of days. Falkirk was in an excellent location for visitors to see local sights and to travel to both Glasgow and Edinburgh. There was a need to establish better transport links to and from the town and to make the town centre more attractive. There was a Town Centre action plan, and also a Grangemouth town centre action plan.

The committee then discussed the Modern Apprentice programme. The number had reduced from 340 in 2018/19 to 179 at the first quarter of 2019/20. Pam Smith stated that the number was directly related to reduced budgets. Work had focused on those people who needed a more supported placement. The figures had been maintained by Children's Services through for example the expansion of Early Years and social care. The biggest hit had been in business administration, mainly due to the change in the arrangements for Business Support across the Council. The Director added that there had been a significant intake of graduates, with 9 placed in Development Services. The Committee asked about the work of the Individual Placement Support (IPS) Service. Pam Smith explained it worked in partnership with the Scottish Association for Mental Health (SAMH). Falkirk was the only fair start provider to deliver this with 30 individuals having participated in the support to date. The service was for job seekers receiving support from Community Mental Health Service.

The committee discussed the work being carried out in Falkirk Town Centre had highlighted the need for events, such as the Arts Festival, to draw footfall to the town centre. The Director concurred with an observation that it was important to encourage communities to take part in the activities which promote the town and make it a better place to be. She highlighted the Council of the Future theme of enabling communities which sought to do just this.

Following a question in regard to the indicator OP5 – percentage of immediately available employment and which had been 58.9% in 2017/18, the Director stated that there was a requirement in the Development plan to identify use for employment land. Part of the work of the TIF had been to make land available. The Investment Zone would do so also.

Decision

The Scrutiny Committee noted the progress on the Falkirk Economic Strategy.

S25. Complaints Annual Report 2018/19

The committee considered a report by the Director of Corporate and Housing Services presenting the Council's Complaints Annual Report for 2018/19.

The Complaints Annual Report set out the Council's performance against 8 indicators set by the Scottish Public Services Ombudsman in 2016/17. They were:-

- Complaints received per 1,000 population
- Number of complaints closed
- Complaints upheld, partially upheld and not upheld
- Average response times
- Performance against timescales
- Number of cases where an extension is authorised
- Customer satisfaction
- Learning from complaints

Over the period, the Council had received 3670 complaints compared to 2832 in the previous year. Of these, 90% had been closed at stage 1 of the Complaints Handling Process.

In regard to performance against timescale, 87% of stage 1 complaints had been closed within the 5 day deadline and 58% of stage 2 complaints had been closed within the 20 day deadline (compared to 69% in 2017/18 and 79% in 2016/17).

51% of complaints had been upheld or partially upheld at stage 1 with 39% upheld or partially upheld at stage 2 (compared to 54% and 43% respectively in 2017/18)

In 2018/19 the areas of service which had received the most complaints had been:-

Stage 1 Complaints

	Totals
Housing repairs	717
Household waste collection	436
Staff conduct	391
Local schools	125
Council tax account enquiries	113
Road maintenance	102
Household waste assisted collection	98
Bulky household waste collections	78
Other	76
Tenant support	57

Stage 2 Complaints

	Totals
Housing repairs	42
Staff conduct	32
Local schools	29
Household waste collection	20
Development control	14
Road maintenance	14
Communal housing repairs	13
Housing nuisance	13
Housing Services	10
Children & young people, preventative	9 services

Following a question the Head of Performance Technology and Improvement advised that national benchmarking data had not been available at the time of publication. Normally the Council's performance was close to or better than the national benchmark. Should this not be the case then this would be reported to the committee.

Following a suggestion that visitors to the advice hubs had been advised to contact the Council by telephone when trying to make an enquiry, Fiona Campbell stated that the aim of the Hub model was to resolve issues at the point of contact. The staff should take the enquiry and advise of the best approach. It could be in some cases that this would be online. She did not expect however that the public would be turned away as suggested. Members responded that the caller had been advised that Hub staff could only deal with financial enquiries. Fiona Campbell stated that this should not be the case.

Members then asked for information on the process after stage 2, if a complaint remained unresolved. In such a case, Fiona Campbell advised, the matter could be taken to the SPSO. In 2019/20 22 such cases were

investigated by the SPSO. The aim of the complaints process was she explained, to resolve, or explain why an issue couldn't be resolved.

Decision

The Scrutiny Committee noted the Council's Complaints Annual Report 2018/19.

S26. Summary of Local Government in Scotland Challenges and Performance 2019

The committee considered a report by the Director of Corporate and Housing Services providing an overview of the Accounts Commission's report on 'Local Government in Scotland – Challenges and Performance 2019' report.

The Challenges and Performance report was an annual report that focused on the wider challenges and issues facing local authorities in Scotland, their performance over the last year and also set out the impact of reduced financial resources. The report had been prepared by Audit Scotland and published by the Commission in March 2019. The report was about local government in general and not specifically about Falkirk Council.

The Challenges and Performance report was in three sections:

- the challenges for councils
- councils responses to the challenges; and
- councils performance and the impact on communities

The report set out the financial landscape within which Councils operate. It highlighted a number of financial and legislative changes that affected Local Government, these included:-

- Fairer Scotland Act
- Early learning and childcare
- Impact of welfare reform
- Local Outcome improvement plans
- National performance framework with a focus on delivering social housing, free nursery places for 2-3 year olds, Pupil Equity Funding
- Health and Social Care integration
- Child Poverty Act
- Community Empowerment including community asset transfer, community engagement and public participation in decision making including participatory budgeting
- City Region and Growth deals
- Barclay Review
- Local Governance review
- Brexit

Additionally, Councils must also respond to local pressures such as:-

- Increasing levels of poverty
- Increasing number of older people with multiple issues
- Changes in communities and more mobile populations
- An increased focus on sustainability
- Need to re invigorate partnership working
- The need to transform services to keep pace with the needs and aspirations of customers

Scottish Government funding had reduced in real terms since 2013/14 although it had increased slightly between 2018/19 and 2019/20. However, an increasing number of national policy objectives had impact on Council's abilities to make efficiency savings. Most Councils had responded to these challenges by undertaking transformational work. The report stressed that such work should not be internal focussed but should contribute to Council's strategic priorities and outcomes.

While Councils on the whole had understood the challenges facing their communities these needed to be better linked to their visions and priorities and the need to link budgets to strategic priorities and plans needed to be evidenced by councils.

The report reaffirmed the need for Councils to consider their approach to demonstrating best value including performance management and, self assessment. Despite reduction in funding Councils had improved, or maintained performance. Notably, Falkirk Council had recorded the largest improvement of any Council in regard to education and closing the attainment gap.

The report noted that despite reductions in funding, Councils had maintained or improved performance against national indicators – though performance did vary across Councils.

The report stressed that to continue to improve the outcomes for their communities, Councils needed to be open to transformational change and implement new ways of working. In this regard:

- Members need to assure themselves that they have adequate leadership and management capacity in place. This should include arrangements that prepare and support councillors and senior managers to respond to the challenging and changing local and national demands.
- Councils need to undertake long-term financial planning to set out how they will deliver national policy commitments, while continuing to sustain local services with reducing budgets and increasing demands.
- Services must continue to seek and implement innovative ways of working and collaborate with communities, partners and the third sector to drive transformational change.

- Councils must improve data to:
 - help inform the difficult decisions councils have to make
 - support benchmarking, learning and sharing of experience and effective practice with others that will contribute to improving service quality, efficiency and outcomes for communities
- Services must ensure they have workforce planning that was clear about the workforce needed now and in the future, where the gaps are and what training or other action is needed to fill them. This should be supported by better workforce data.
- Councils must be able to demonstrate how spending decisions and priorities have impacted on service delivery and the outcomes of residents, as well as how they are delivering against the national performance framework.

Decision

The Scrutiny Committee noted the key messages and recommendations set out in the Accounts Commission's report on 'Local Government in Scotland – Challenges and Performance 2019'.

S27. Scrutiny and Audit of the Council and its Services

The committee considered a report by the Director of Corporate and Housing Services advising of the revised arrangements for risk assessment by external auditors and inspectors and also advised of the Council's next best value audit.

A report by Audit Scotland on the Local Area Network (LAN) audit arrangements for Councils had concluded that while there was a value to be gained by the LAN meeting and engaging with Councils on their key challenges, performance and risk, the practice was not consistently embedded across the country. New proposals had been implemented which set out a clear structure for the work of LANs which would include a strategic scrutiny group, an operational group and then local networks. A lead auditor would bring together the networks and oversee their work.

In its audit plan for 2020 Audit Scotland had indicated that Falkirk Council would be subject to audit in 2010. The audit would focus on:

- Does the council have clear strategic direction?
- How well is the council performing?
- Is the council using its resources effectively?
- Is the council working well with its partners?
- Is the council demonstrating continuous improvement?

These issues had been identified in the Local Government in Scotland – challenges and performance 2019 report published by the Accounts

Commissioner which had been considered earlier in the meeting as well as in the audit reports

The Committee sought further information on the previous Best Value audit of Falkirk Council. Fiona Campbell explained that this had been in 2014. It had highlighted significant issues in regard to:-

- Medium Term Financial Planning
- Scrutiny arrangements
- Performance reporting
- Transformation of services

The Council had responded with rigour to address the key points in the action plan. Audit Scotland had followed up its initial review with two 6 monthly follow up audits of progress in implementing the action plan.

Prior to the audit, officers would brief elected members on the Council's response to the most recent review and on Council performance. She stressed that while all relevant background will be made available to elected members as part of the briefing, answers would not be provided. How members responded was a matter for themselves.

Decision

The Scrutiny Committee noted:-

- (1) the changing role of the local area network;**
- (2) that the Council will be subject to a Best Value Audit in 2020;**
- (3) Members are briefed on the audit process once timescales etc. are known.**

FALKIRK COUNCIL

Minute of meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 16 September 2019 at 9.30 a.m.

Members:

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

Officers:

Danny Cairney, Senior Service Manager Corporate Finance
Rhona Geisler, Director of Development Services
Kenneth Lawrie, Chief Executive
Kenny McNeill, Children's Services Resources Manager
Brian Pirie, Democratic Services Manager
Stuart Ritchie, Director of Corporate and Housing Services
Bryan Smail, Chief Finance Officer
Isabel Wright, Senior Auditor

A13. Apologies

An apology was intimated on behalf of Councillor Nimmo.

A14. Declarations of Interest

No declarations were made.

A15. Minute

Decision

The minute of the meeting of the Audit Committee held on 17 June 2019 was approved.

A16. Order of Business

The Convener varied the order of business to take item A17 (Internal Audit) next to allow more time for representatives of EY to join the meeting.

The following items are recorded in the order in which they were taken at the meeting.

A17. Internal Audit Progress Report

The committee considered a report by the Internal Audit Manager presenting the Internal Audit Plan for 2019/20.

Following a question in regard to a planned reciprocal audit review with West Lothian Council the Chief Executive stated that dialogue was ongoing with West Lothian Council in regard to the timing of the review. He also stated that officers continued to work with West Lothian Council in regard to sharing services although there was no progress to report at this point.

The Committee noted that a number of audit recommendations remained outstanding beyond their agreed implementation date. Kenny McNeill gave updates in regard to actions relating to a review of Serious Organised Crime (IA-1819-20.02) and of access to Moray Primary School and Oxbang Primary School (IA – 256) however members of the committee expressed dissatisfaction that revised completion dates had not been provided for those which were outstanding beyond the agreed implementation date. Following discussion the committee asked that an update position together with realistic implementation dates was provided.

Following a question in regard to the Internal Audit team's consultancy work and income generation, Isabel Wright explained that the unit was often called upon to review guidance, policy and procedures and specific areas of work by services. She then explained, following a question, the process for self assessment, which was based upon the Public Sector Internal Audit Standards. Every 5 years the unit was assessed by another authority with the next review planned for 2022 (by Fife Council).

The committee then discussed the planned review of Falkirk Community Trust, and sought information in regard to the scale of outstanding debtors. Isabel Wright confirmed that the amount was not significant, around £30k, but it had been a concern for the Trust and a review would explain how the debt had been able to come about.

The committee returned to outstanding actions and asked for an explanation for the mechanism of removing groups from the Register of Tenants Associations (IA – 222). The Director of Corporate and Housing undertook to provide a response following the meeting.

Decision

The Committee noted the report.

A18. Corporate Risk Management Update

The committee considered a report by the Director of Corporate and Housing Services presenting an update report on progress with embedding Corporate Risk Managements. The report provided a summary of actions since 1 April 2019 and set out as appendices:-

- Risk Management and Assurance dashboard
- Corporate Risk Register summary of risks

In regard to the risk 'Public Protection (Adults and Children)' the Chief Finance Officer explained that by its nature there was inherent high risk in this area of Council activity. It was vital therefore that the Council was able to mitigate against the risks in protecting vulnerable children and adults. The Chief Executive gave as an example the work of the Public Protection Chief Officer Group which ensured that a robust regime was in place to manage risks. Nevertheless the risks remained.

Following a question the Chief Finance Officer explained the risk management and assurance dashboard which was set out as appendix 1 to the report. The approach to risk management was robust but there were areas where improvements could be made.

The committee discussed the assurance provided in regard to the Community Planning Strategic Board, which was 'limited'. The Chief Executive stated that going forward he anticipated a more focussed approach by partners and the Board. Work had been in play to develop a more focussed approach by partners, recognising that all had a role to play. The committee sought further detail on the risk around 'failure to undertake proper engagement and consultation with service users'. The Chief Executive explained that the Council was looking to adopt a 'One Council' approach to engagement. Work was ongoing to map the various consultation methodologies and practices. It was important, he stated, that the Council followed up on consultations to explain what the outcomes had been.

Decision

The Committee agreed to refer the report to the Executive for approval.

The committee then adjourned for 10 minutes to allow representatives of EY to join the meeting and reconvened at 10.15 am with all members present as per the sederunt. The convener stated that due to unforeseen circumstances the external auditors would not be in attendance for the meeting.

A19. Annual Accounts 2018/19

The committee considered a report by the Director of Corporate and Housing Services presenting the audited accounts for 2018/19. The accounts had been audited by the Councils external auditors Ernst and Young and were expected to be free from qualification. They would be submitted, following consideration by the Audit Committee, to Council, for approval.

The committee noted that, at 31 March 2019 the value of heritage assets had been £266k. Following a question the Chief Finance Officer gave an overview of what this category of asset included. Mr Smail then, following a question, provided an explanation of the payment schedule for the Class 98 contract and confirmed the end date of 2026 for payments. There was an advance period of three years where the parties would negotiate future arrangements – i.e. continue with an arrangement or take the schools back. A working group was examining options and no decisions had been made at this point.

The committee noted that 32% of General Fund Capital Resources projects had not been delivered. The Chief Finance Officer explained that slippage was normal and that the key was to manage the slippage. The Executive received regular reports on progress with the Capital Programme and had identified slippage as a concern. As a consequence Internal Audit had reviewed the control processes and had made a number of recommendations, all of which had been implemented.

The committee then discussed the management commentary. It was highlighted that this did not comment on in-year savings. The Chief Finance Officer explained that savings options, to bridge to the budget gap, were regularly reported to the Executive and Council had considered a suite of options as part of its budget setting exercise in February. The financial position, reported to the Executive in June 2019 had shown the outturn to be satisfactory, albeit with ebbs and flows in the detail. He explained the process for tracking the financial position and monitoring savings and highlighted the processes for managing Council of the Future projects.

In regard to the revaluation of the Council's land and buildings, the Chief Finance Officer explained that work was ongoing.

Decision

The Committee agreed to refer the Audited Accounts for 2018/19 to Council for consideration and approval.

A20. 2018/19 Annual Audit Report to Members and the Controller of Audit

The Committee considered a report by the Director of Corporate and Housing Services presenting the 2017/18 Annual Audit Report by the Council's External Auditors, Ernst & Young LLP, together with proposed Audit opinion and letter of representation by Ernst & Young LLP.

The Chief Finance Officer provided background to the Auditor's Report highlighting the key messages.

These focussed on:-

- financial management
- financial sustainability
- governance and transparency
- value for money

The Audit Report set out the Auditor's assessment of the Council's arrangements identifying the degree of risk potentially facing the Council in regard to each (described by red, amber or green colour coding). An action plan, showing the potential risk together with management response was set out in an appendix to the Audit Report.

The Chief Finance Officer gave an overview of the Audit report.

The committee questioned the Auditor's finding that preparations for 'Brexit appear appropriate'. The Director of Development Services explained that a corporate working group had for some time been looking at Brexit preparations. These had been based upon Scottish Government planning assumptions. These had been updated using UK Government planning assumptions which had included the elements covered by the Yellowhammer document. Mrs Geisler stated that in Falkirk the main concern was around supply of goods and services, such as food stuffs and medicines. In regard to longer economic impacts Mrs Geisler advised that briefings had been held for all members. Following a discussion the convener stated that detailed discussions on the preparations were not within the scope of the discussion at hand. The Director repeated that the assumptions to which the working group was basing its focus included those issues set out in the Yellowhammer document.

The Leader of the Council stated that over the last five years Audit reports had been positive and given a fair review of the Council. They had identified the same concerns, as set out in the commentary. She reflected that without representatives of EY present any questions should be held for Council when the representatives would be in attendance.

Following a question the Chief Finance Officer confirmed that the audit was now completed and that the Auditor's certificate was free from qualification.

Following a question in regard to Falkirk Community Stadium the Chief Finance Officer confirmed that a report on the stadium would be submitted to the Executive shortly.

The committee considered the Medium Term Financial Plan and commented on the graph on p19 of the Auditor's report which showed that savings identified to date would reduce the budget gap to £24m. The committee asked if the savings were being made. The Chief Finance Officer explained that mechanisms were in place to track and manage savings. The Executive received regular budget updates following the budget setting by Council in February each year. Savings identified in the five year business plan would evolve and emerge over time. The five year plan would roll, year on year. Following further questions on the 2024 projected position the Chief Finance Officer stated that the table was perhaps misleading. The committee stated that the Auditor's report was clear that if delivered, the gap would reduce to £24m. Mr Smail explained that with 19/20 balanced, 2023/24 would be the 'new year 5' of the 5 year plan. In aggregate, over 5 years the gap would be £24m. However this was a snapshot and work would continue to identify further savings options.

In regard to bridging the budget gap members asked if Falkirk Community Trust had been given savings targets. Mr Smail confirmed that the Trust and the Integration Joint Board both had targets. He explained the current budget position in regard to the Trust noting that Council had agreed to direct its reserves to cover gaps relating to the Trust.

Decision

The Committee agreed to refer the report to the Executive.

A21. Temperance Trust

The Committee considered a report by the Director of Corporate and Housing Services presenting Falkirk Temperance Trust's audited annual Trust's accounts 2018/19 for consideration ahead of their submission to the Trustees.

Following a question on the various Trusts which had been established in the area over the years, the Chief Finance Officer explained that the Temperance Trust was unique given the status of its Trustees.

Decision

The Committee agreed to recommend approval of the audited annual accounts of the Temperance Trust to its Trustees.

FALKIRK COUNCIL

Minute of meeting of the EDUCATION, CHILDREN & YOUNG PEOPLE EXECUTIVE held in the Municipal Buildings, Falkirk on Tuesday 17 September 2019 at 9.30 am.

COUNCILLORS:

David Alexander
Fiona Collie
Joan Coombes
Nigel Harris
Cecil Meiklejohn (Convener)
Lynn Munro
Laura Murtagh
Malcolm Nicol
Alan Nimmo
Pat Reid

**REPRESENTATIVES
OF RELIGIOUS
BODIES:**

Evelyn Crosbie
Maureen Harkins
Rev. Michael Rollo

CO-OPTEES:

John Chalmers, Teacher Representative
Ryan Farmer, Pupil Representative
Siobhan O'Neill, Care Experienced Young Person
Karen Procek, Parent Representative
Merle Stevenson, Parent Representative
Beth Wallace, Pupil Representative

OFFICERS:

Karen Chambers, Committee Services Officer
Arlene Fraser, Committee Services Officer
Gary Greenhorn, Head of Planning and Resources
Sara Lacey, Head of Social Work Children's Services
Kenneth Lawrie, Chief Executive
Mark Meechan, Community Learning & Development Manager
Colin Moodie, Chief Governance Officer
Robert Naylor, Director of Children's Services
Karen Thomson, Childcare Provision Co-ordinator
Vivien Thomson, Service Manager

ECYE11. Apologies

Apologies were intimated on behalf of Councillors Bissett and McCue, and Fiona Craig, Teacher Representative

ECYE12. Declarations of Interest

There were no declarations.

ECYE13. Minute**Decision**

The minute of the meeting of the Education, Children and Young People Executive held on 4 June 2019 was approved.

ECYE14. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 4 June 2019 was provided.

Decision

The Education, Children & Young People Executive noted the rolling action log.

ECYE15. Education, Children and Young People Executive Membership

The Education, Children & Young People Executive considered a report by the Director of Corporate and Housing Services to appoint two pupil representatives and a care experienced young person as non-voting members to the Education, Children and Young People Executive.

In line with Children's Services current selection process for pupil representatives, the Head Teacher of Graeme High School had nominated two pupils, Ryan Farmer and Beth Wallace, as the representatives for this year.

Falkirk Council had agreed at its meeting on 8 May 2019 (ref FC8b) to create a new category of non-voting member for a care experienced young person, and that the appointment be by nomination of the Champions Board. The Champions Board had nominated Siobhan O'Neill.

Decision

The Education, Children and Young People Executive agreed to appoint:-

- (1) Ryan Farmer and Beth Wallace as the two Pupil Representatives on the Education, Children and Young People Executive, with immediate effect for a period of one year, and**
- (2) Siobhan O'Neill as the Care Experienced Young Person on the Education, Children and Young People Executive, with immediate effect until the next local government elections.**

The Education, Children and Young People Executive welcomed Ryan, Beth and Siobhan to their first meeting.

ECYE16. Devolved School Management (DSM) Scheme – Issue of New Guidelines

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing information on the Scottish Government's Fair Funding Review, and New Devolved School Management (DSM) Guidelines, together with proposals on how Children's Services take forward the recommendations within these new Guidelines.

As part of the wider "Fairer Funding to Achieve Excellence and Equity in Education" consultation, the Scottish Government consulted on changes to DSM. A Fair Funding Group was established to oversee the extensive consultation work, which concluded earlier in 2019.

The Scottish Government issued the new DSM Guidelines in June 2019, which were attached as Appendix 1 to the report.

The report set out the DSM's important links to a number of other Scottish Government national strategies, the key principles applying to DSM, and the key aims of the new DSM guidelines.

Local authorities were expected to use the new guidelines when reviewing their existing DSM schemes, with a view to developing and implementing new local DSM schemes by April 2021. In order to review and take forward the new DSM guidelines, it was proposed that Children's Services establish a "DSM Review Group" to oversee the work and to consult with stakeholders as required.

Decision

The Education, Children and Young People Executive:-

- (1) noted the contents of the report;**
- (2) agreed that Children's Services establish a DSM Review Group to oversee the work and to consult with stakeholders, as required;**
- (3) noted that the Group will report to the Director of Children's Services, and**
- (4) requested that the Director of Children's Services bring a further report to the Education, Children and Young People Executive with proposals on how Children's Services plan to align Falkirk's DSM Scheme with the revised DSM Guidelines in 2020.**

ECYE17. Early Learning and Childcare (ELC) – 2020 Expansion Plan Update

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing an update on the progress of the Early Learning and Childcare (ELC) Expansion plans, together with additional

information on new and individual projects and work stream proposals which support the overall ELC Expansion and Implementation Plans.

Information was provided on the work undertaken by officers on the design and expansion plans for the 9 major projects. This included details on the reasons for the additional costs incurred at the Kinnaird ELC Campus, which were expected to be off-set from anticipated savings from the Phase II and Phase III expansion plans for this school. The procurement and tendering process for the Woodburn ELC was underway, and to allow for demolition of the existing nursery building, it was proposed that current staff and children be decanted to Queen Street Nursery by the October 2019 mid-term break.

Progress information on the current plans for each educational establishment in the Phase 3 programme was set out. Progress on the infrastructure improvement work planned for each project, on a ward by ward basis, was provided as Appendix 1 to the report.

As the new ELC centres would operate outwith the traditional school term, have separate management structures, and be subject to separate inspection by both the Care Inspectorate and Education Scotland, it was proposed that they be given individual names. It was proposed that, if agreed, that this be the subject of a consultation exercise.

It was proposed that 2fte staff be recruited to the Central Support Team on a temporary basis. These professional support posts would help assist with the significant workload and infrastructure challenges in the final year of the expansion project.

Decision

The Education, Children and Young People Executive:-

- (1) noted the overall content of the progress report;**
- (2) noted the updates given on the projects outlined in Sections 4.1 and 4.2 of the report;**
- (3) agreed that the Director of Children's Services progresses with the decant arrangement at Woodburn ELC Centre as outlined in Section 4.1(v) of the report;**
- (4) noted the reasons provided in Section 4.1 (ii) of the report for the additional costs incurred in the Kinnaird ELC Centre project and to agree the proposals outlined to address this;**
- (5) agreed that the Director of Children's Services progresses with the consultation exercises outlined in Section 4.10, regarding naming the new ELC Centres and that a report summarising the findings and making suitable recommendations is brought to a future meeting of the Education, Children and Young People Executive, and**
- (6) agreed that the Central Support Team can recruit the additional temporary posts as detailed in Section 4.12 of the report.**

ECYE18. Forth Valley and West Lothian Regional Improvement Collaborative - Progress Report

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing an update on the work of the Regional Improvement Collaborative.

Education Scotland had developed regional teams to support the work of the 6 Regional Improvement Collaboratives. The Lead Officer (FVWL) met with the individual team members from Education Scotland to outline progress of the work streams and discuss future plans and proposals for Education Scotland colleagues to engage with the work of the FVWL.

The FVWL Regional Collaborative received £900k of funding support from the Scottish Government for the period 1 August 2018 to 31 July 2019. The main use of the grant was to recruit a full time team of lead people to develop and progress the aims of the Phase 2 plan and to support the work stream priorities across the 4 councils. Details on the progress of the implementation of the Phase 2 plan, was outlined in the report.

Decision

The Education, Children and Young People Executive:-

- (1) noted the contents of the report, and**
- (2) agreed that a further progress report is presented to the Education Children and Young People Executive in January 2020.**

ECYE19. Gaelic Medium Education in Falkirk Council

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing an overview of the provision of Gaelic Medium Education (GME) for children in Falkirk and seeking approval to survey a cohort of parents to establish the future demand for GME.

Scottish education authorities provide access to GME for parents who request this for their children. Provision exists in 14 of the 32 Scottish Council areas. To meet local demand, the 18 remaining authorities access places in neighbouring councils.

There are around 20 pupils residing within the Falkirk Council area who currently access GME from either Stirling or North Lanarkshire councils. This number has remained static for many years.

To enable the council to determine whether the existing arrangements are sustainable, it is proposed that a survey exercise be undertaken to establish the future demand for GME within Falkirk Council. The proposed survey was attached as an appendix to the report.

Decision

The Education, Children and Young People Executive:-

- (1) noted the contents of the report;**
- (2) agreed that the parents of children starting their ante pre-school year are asked to complete a survey to determine the future demand for GME;**
- (3) agreed that the proposed survey attached as appendix 1 to the report be used, and**
- (4) request that the Director of Children's Services provides a further report to the Children and Young People Executive detailing the outcome of the survey.**

ECYE20. SQA Attainment in Falkirk Secondary Schools (2019)

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing information on the initial analysis of Scottish Qualifications Authority (SQA) attainment within Falkirk Council secondary schools in 2019.

The report, at this stage, provided information obtained solely from the Council's management information system (SEEMIS) and detailed only passes in National 3 and 4 courses and A-C passes of graded courses within the National Qualifications framework. Figures would be updated later in the session by the Scottish Government's Insight information system. This would be refreshed in February 2020 to include outcomes for school leavers', national and comparator authority figures.

The actions and strategies which were being implemented to further improve attainment levels and performance at senior level, were also set out.

Decision

The Education, Children and Young People Executive:-

- (1) noted the SQA attainment of Falkirk Council secondary schools, and**
- (2) agreed that a future report would be presented to the Education, Children and Young People Executive in the spring of 2020 to take account of updated and additional SQA and other attainment data.**

ECYE21. Falkirk Community Learning and Development (CLD) Annual Update on Action Plan 2018-2021

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing an annual update on Falkirk's CLD Action Plan (2018-2021).

The action plan set out how Falkirk's CLD partners continued to deliver and meet the CLD needs within the Falkirk Council area, as required by the Community Learning and Development (CLD) (Scotland) Regulations 2013.

The updated action plan, which was attached as an appendix to the report, summarised the 15 Priority Actions and their progress to date.

The report provided examples on the progress made in a number of priority action themes which, during 2018/19 had focused on developing interventions and projects aimed at mitigating the impact of poverty and reducing inequalities.

Decision

The Education, Children & Young People Executive:-

- (1) noted progress on the updated Action Plan and the progress made on the 3 year CLD Action Plan 2018-2021 (as per Appendix 1 of the report), and**
- (2) agreed that an annual update report detailing the progress and impact of Falkirk's CLD Action Plan 2018-2021 is brought to the Education, Children's and Young People's Executive in September 2020.**

Maureen Harkins left the meeting during consideration of the previous item.

ECYE22. Summary of HMI Inspections

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing an overview of the performance of schools and early years provisions inspected by Her Majesty's Inspectorate (HMI) and Care Inspectorate between August 2018 and June 2019.

Four Early Learning and Childcare (ELC), including a private partner provider establishment, 2 primary schools and 1 secondary school were inspected by HMI, together with 15 nursery or ELCs inspected by the Care Inspectorate.

Details of achievement against the quality indicators for these inspections, was provided as Appendix 1 to the report.

Currently any report with evaluations of "weak" or less were referred to the Council's Scrutiny Committee. However, to embrace the Council's drive for continuous improvement to further raise expectations, it was proposed that any report with an evaluation of "satisfactory" or less be referred to the Scrutiny Committee.

Decision

The Education, Children & Young People Executive:-

- (1) noted the evaluation of each educational establishment, and
- (2) agreed that reports with any evaluations of Satisfactory or less are referred to the Scrutiny Committee as of August 2019.

Councillor Coombes and Rev Michael Rollo left the meeting at this point.

ECYE23. Falkirk's Attainment Challenge: National Strategic Partnership – Young Scot Looked After Children Project

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing details of Falkirk's successful funding bid via the Scottish Governments Attainment Challenge: National Strategic Partnership – Young Scot for a Looked After Children Project.

Falkirk Council was one of three local authorities selected for Phase 2 of the Scottish Government's Attainment Challenge: National Strategic Partnership – Young Scot Looked after Children Project. The award of £100,000 was to develop a project which would run until March 2020.

The key aims of the project were to make it easier for looked after children and young people to access services and activities that were available to them. The project would also support them to access information and opportunities to improve their outcomes in a non-stigmatising way.

Decision

The Education, Children & Young People Executive:-

- (1) noted the award of £100,000 funding from the Scottish Government for Falkirk's Attainment Challenge: National Strategic Partnership (Young Scot Looked after Children Project), and
- (2) requested that the Director of Children's Services provide a report detailing the progress and impact of Falkirk's Looked After Children Project to the Education, Children and Young People Executive at the end of the 2019/20 academic year.

Councillor Nicol and Evelyn Crosbie left the meeting during consideration of the previous item.

Ryan Farmer, Merle Stevenson and Beth Wallace left the meeting at this point.

ECYE24. Summary of Care Inspectorate Inspections

The Education, Children & Young People Executive considered a report by the Director of Children's Services providing an overview of the performance of the regulated services within Children & Families Social Work division which were inspected by the Care Inspectorate between January 2018 and June 2019.

The services inspected included Falkirk Council's Adoption and Fostering Services, Tremanna Children's House, Wallace Crescent Children's House and Falkirk Activity Play Scheme. Details of these inspections and quality grades were provided in Appendix 1 to the report.

In line with school evaluation reporting arrangements, it was proposed that any care inspectorate inspection report with evaluations of "Adequate" or less be referred to the Council's Scrutiny Committee.

Decision**The Education, Children & Young People Executive:-**

- (1) noted the evaluation of each registered service (Appendix 1 to the report);**
- (2) agreed that an overview report on Care Inspectorate inspections is reported to the Education, Children and Young People Executive on an annual basis, and**
- (3) agreed that reports with any evaluations of Adequate or lower on any establishment are taken to Scrutiny Committee as of August 2019.**

FALKIRK COUNCIL

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Thursday 19 September 2019 at 9.30 a.m.

Councillors:

David Alexander
Gary Bouse (Convener)
Lynn Munro
John Patrick
Pat Reid
Robert Spears

Officers:

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

A11. Apologies

Apologies were intimated on behalf of Councillors Blackwood and Collie.

A12. Declarations of Interest

There were no declarations.

A13. Minute

Decision

The minute of meeting of the Appeals Committee held on 16 August 2019 was approved.

A14. 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.

A15. 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 Chief Finance Officer dated 4 September 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 S, was present and accompanied by Mr Roger Ridley, Unison.

The Chief Finance Officer and HR Team Leader, Operations were present as representatives of the Council.

As a preliminary matter, the Interim Legal Services Manager advised that a copy of the most recent report from Occupational Health to the Appellant's manager had been omitted from the Council's submission. With the Agreement of the parties and the Committee, its late inclusion as part of the Council's submission was permitted.

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

The Chief Finance Officer asked questions of the Appellant's representative.

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

The Chief Finance Officer presented the case on behalf of the Council.

The Appellant's representative then asked questions of the Chief Finance Officer.

Members of the Committee then asked questions of the Chief Finance Officer.

The Chief Finance Officer 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 agreed to a short adjournment at 11.20 a.m. and re-convened at 11.30 a.m. with all members present as per the sederunt.

Councillor Spears thereafter, during consideration of the matter and prior to the decision being taken, left the meeting due to a prior commitment.

The Committee, having given careful consideration to all of the submissions made, the Committee was satisfied that the decision taken by management to dismiss Ms S from Council service was not reasonable, in all the circumstances. The Committee, therefore, **AGREED** to **UPHOLD** the appeal and to reinstate Ms S to the post of Catering Assistant from the date of her dismissal. This would be subject to a further period of monitoring for six months at Stage 2 of the Council's Capability Policy to provide a further opportunity for Ms S to demonstrate a reasonable level of attendance at work.

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

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Tuesday 24 September 2019 at 9.30 a.m.

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

OFFICERS: Donald Campbell, Development Management Co-Ordinator
Karen Chambers, Committee Services Officer
Ian Dryden, Development Manager
Iain Henderson, Legal Services Manager
Julie Seidel, Planning Officer
Russell Steedman, Roads Co-ordinator

P44. Apologies

Apologies were intimated on behalf of Councillors Black and McCue.

P45. Declarations of Interest

There were no declarations of interest.

P46. Minutes

Decision

- (a) the minute of meeting of the Planning Committee held on 28 August 2019 was approved, and
- (b) the minute of meeting of the Planning Committee – On-Site held on 10 September 2019 was approved.

P47. 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 (Continuation)

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 (Continuation).

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

Councillor Munro seconded by Councillor Coombes moved that the committee agrees to refuse the application for planning permission on the grounds that it considers, exercising its planning judgement, that the development:

- (1) would not respect the setting of the surrounding area of townscape value and the neighbouring conservation area. The design, materials and proportions would not respect the character and settlement pattern of the area;
- (2) would have a detrimental impact on privacy and sunlight for neighbouring properties;
- (3) would constitute overdevelopment of the site; and
- (4) could create an undesirable precedent for future development.

As an amendment, Councillor Bouse seconded by Councillor Grant moved that the committee agrees to grant the application for planning permission 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, Bisset, Blackwood, Coombes, Hughes, Munro and Murtagh.

For the amendment (2) – Councillors Bouse and Grant.

Decision

The committee agreed the motion.

P48. Erection of 3 Dwellinghouses and Associated Infrastructure at Victoria House, Braeface Road, Banknock, Bonnybridge, FK4 1UE for Mr Logan Dunsmore - P/19/0190/FUL (Continuation)

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. (Continuation).

Decision

The committee, exercising its planning judgement, agreed to grant planning permission for the erection of 3 dwellinghouses and associated infrastructure on the grounds that it considered that the proposed development constituted appropriate development in the location, it was satisfied on issues of transportation and road safety and it considered that the site could be a brownfield site given the evidence of previous workings on the site.

The Director of Development Services was delegated authority to determine appropriate conditions to which the permission would be subject.

P49. Subdivision of Garden Ground and Erection of 2 Dwellinghouses at 6 Thistle Avenue, Grangemouth, FK3 8YH for Mr Neil Foy - P/19/0280/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the subdivision of garden ground and erection of 2 dwellinghouses at 6 Thistle Avenue, Grangemouth.

With reference to Standing Order 33.2 the Convener referred to a deputation request received from an objector.

The committee agreed to hear the deputation.

Decision

The committee refused planning permission for the following reason(s):-

- 1. The backland nature of the development proposed fails to respect the well established building lines and pattern of development within the surrounding area and would result in the unacceptable erosion of privacy, through overlooking, within the rear garden ground of the donor property to the detriment of townscape character and residential amenity. The proposal is contrary to policy HSG05 'Infill Development and Subdivision of Plots' of the Falkirk Local Development Plan and Falkirk Council Supplementary Guidance SG02 'Neighbourhood Design'.**

2. The proposal fails to adequately address potential noise impacts from transportation (M9 Motorway traffic) within the proposed properties to the potential detriment of residential amenity levels. The proposal is contrary to the terms of policy HSG03 'Windfall Housing' 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) 01A and 02B.

P50. Extension to Dwellinghouse at 19 Craigs Crescent, Rumford, Falkirk, FK2 0ET for Mr and Mrs J Duffy - P/19/0335/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the extension to dwellinghouse at 19 Craigs Crescent, Rumford, Falkirk.

Councillor Bouse seconded by Councillor Murtagh moved that the committee agrees 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. Noise associated with the completed development shall not give rise to a noise level, assessed with the windows open, within any dwelling as noise sensitive buildings in excess of the equivalent to Noise Rating curve (NRC) 35 between 0700 hours and 2200 hours at any time.

Reason(s):-

1. As these drawings and details constitute the approved development.
2. To ensure that the occupants of adjacent residential premises are protected against excessive noise intrusion.

Informative(s):-

1. 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.

2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01C, 02B, 03A, 04B, 05B, 06A, 07 and 08C.
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 that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.

As an Amendment, Councillor Hughes seconded by Provost Buchanan moved that committee agrees not to determine the application at this meeting but rather to continue consideration of the matter to a future meeting in order to allow the committee to undertake a combined site inspection and hearing session at the development site.

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) –Councillors Alexander, Bisset, Blackwood, Bouse, Coombes, Grant, Munro and Murtagh.

For the amendment (2) – Councillors Buchanan and Hughes.

Decision

The committee agreed the motion.

- P51. Amendment to Planning Permission P/13/0513/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 1 at Land to the South East of Byways, Glen Road, Torwood, for Mr Peter Hoggan - P/19/0348/FUL**

The committee considered a report by the Director of Development Services on an application for amendment to planning permission P/13/0513/FUL - repositioning of 20m native broadleaf species tree planting, formation of individual vehicular access and re-positioning of dwellinghouse – Plot 1 at Land to the South East of Byways, Glen Road, Torwood.

Decision

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

- P52. Amendment to Planning Permission P/13/0514/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse - Plot 2 at Land to the South East of Byways, Glen Road, Torwood, for Roy Mitchell, - P/19/0349/FUL**

The committee considered a report by the Director of Development Services on an application for amendment to planning permission P/13/0514/FUL - repositioning of 20m native broadleaf species tree planting, formation of individual vehicular access and re-positioning of dwellinghouse - Plot 2 at Land to the South East of Byways, Glen Road, Torwood.

Decision

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

- P53. Amendment to Planning Permission P/13/0509/FUL – Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 3 at Land to The South East of Byways, Glen Road, Torwood, for Mr Allan Gilmour - P/19/0350/FUL**

The committee considered a report by the Director of Development Services on an application for amendment to planning permission P/13/0509/FUL - repositioning of 20m native broadleaf species tree planting, formation of individual vehicular access and re-positioning of dwellinghouse - Plot 3 at Land to the South East of Byways, Glen Road, Torwood.

Decision

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

P54. Erection of 2 Dwellinghouses at Lochview House, Limerigg, Falkirk, FK1 3BZ, for Mrs Norma Moffat – P/19/0386/PPP

The committee considered a report by the Director of Development Services on an application for the erection of 2 dwellinghouses at Lochview House, Limerigg, Falkirk.

Decision

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

P55. Formation of Vehicle Access at 138 Main Street, Bonnybridge, FK4 1AJ, for Mrs Mary Kinloch, P/19/0298/FUL

The committee considered a report by the Director of Development Services on an application for the formation of vehicle access at 138 Main Street, Bonnybridge.

Decision

The committee agreed to continue consideration of the application to a future meeting of the committee to allow the applicant's application for a disabled parking space to be considered.

FALKIRK COUNCIL**Minute of Joint Meeting of the Pensions Committee and Board held in the Municipal Buildings, Falkirk on Thursday 26 September 2019 at 9.30 a.m.****Present:**

Committee:-

Councillors Falkirk Council:-

Jim Blackwood

Niall Coleman

Pat Reid

Councillor Donald Balsillie, Clackmannanshire Council

Andy Douglas, Unison

Douglas Macnaughtan, Pensioner Representative

Board:-

Simon Hunt, Scottish Autism

Tommy Murphy, GMB

Jennifer Welsh, SEPA

Attending:

Justyna Korszen-Bennett, Senior Accountant

Alastair McGirr, Pensions Manager

Bryan Smail, Chief Finance Officer

Antonia Sobieraj, Committee Services Officer

**Also in
Attendance:**

Albert Chen, Lothian Pension Fund

Scott Jamieson, Independent Advisor to the Pension Fund

Alan McDougall, PIRC

Olga Potapova, Ernst & Young

PE14. Convenership of Meeting

The Clerk presided at the start of the meeting in the absence of the Convener and invited a member of the Committee to take the Chair for the duration of the meeting. Councillor Jim Blackwood, Falkirk Council thereafter took the Chair with the consent of members present.

PE15. Apologies

Apologies were intimated on behalf of Provost Buchanan; Councillors McCue and Patrick; Susan Crook, Unison and Sandy Harrower, Unite.

PE16. Declarations of Interest

There were no declarations.

PE17. Minute

Decision

The minute of the joint meeting of the Pension Committee and Board held on 27 June 2019 was approved.

PE18. Pensions Committee Appointment

The Committee and Board considered a report by the Director of Corporate and Housing Services advising that the vacancy for Pensioner Representative on the Committee had been filled.

Decision

The Committee and Board noted that Mr Douglas Macnaughtan had been appointed as Pensioner Representative on the Committee.

PE19. Annual Audit Report 2018/19

The Committee and Board considered a report by the Director of Corporate and Housing Services providing details on the Internal Audit Report of the Pension Fund by Ernst and Young, Fund External auditors.

Decision

The Committee and Board noted:-

- (1) the Annual Audit Report for 2018/19 as detailed in Appendix 1 to the report); and**
- (2) the intended unqualified audit opinion as detailed in the report); and**

The Committee agreed:-

- (1) the letter of representation addressed to Ernst and Young, Fund External Auditors from the Chief Finance Officer and Convener of the Committee as detailed in Appendix 2 to the report; and**
- (2) the response to the Ernst and Young letter dated 7 May 2019 addressed to the Pensions Committee as detailed in Appendix 4 to the report.**

PE20. Audited Pension Fund Annual Report and Accounts 2018/19

The Committee and Board considered a report by the Director of Corporate and Housing Services detailing the Audited Pension Fund Annual Report and Accounts for 2018/19.

Decision

The Committee and Board noted the Audited Pension Fund Annual Report and Accounts 2018/19; and

The Committee approved for signing the Audited Pension Fund Annual Report and Accounts 2018/19 and their publication on the Fund website.

PE21. 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;
- guaranteed minimum pension reconciliation;
- corporate governance issues;
- institutional Investors Group on Climate Change/ Climate Action 100+;
- voting; and
- training matters.

Decision

The Committee and Board noted the report.

The Committee agreed to the issuing of an open letter to the EU European Council in line with the Fund's membership of the Institutional Investors Group on Climate Change (IIGCC).

PE22. PIRC Shareowner Voting Guidelines 2019

The Committee and Board considered a report by the Director of Corporate and Housing Services advising of the key principles adopted by the Pensions and Investment Research Company Ltd ("PIRC") when voting shares on behalf of the Fund.

A copy of PIRC's Shareowner Voting Guidelines 2019 was attached as an Appendix to the report.

Alan MacDougall, PIRC gave a short presentation including information as undernoted:-

- what was asked of companies;
- key principles;
- new areas of emphasis;
- the PIRC submission to the FRC;
- watching the outsourcers;
- auditor accountability;
- research engagement advice voting; and
- employee representation.

Decision

The Committee and Board noted the information detailed in the presentation and report.

PE23. 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) the recent investment market developments;**
- (2) the Fund's strategic allocation;**
- (3) the Fund's performance for the period ending 30 June 2019; and**
- (4) the investment monitoring activity of the Joint Investment Strategy Panel (JISP).**

PE24. 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.

PE25. Commentary on Fund Manager Performance

The Committee and Board considered a report by the Director of Corporate and Housing Services reviewing the overall performance of the Fund, the individual manager mandates, including current developments and issues identified through the wider monitoring process for the period to 30 June 2019.

Decision

The Committee and Board noted the report and associated Appendix.

PE26. Joint Investment Strategy Panel Update

The Committee and Board considered a report by the Director of Corporate and Housing Services summarising the key matters discussed at the meeting of the Joint Investment Strategy Panel (JISP) on 10 September 2019.

Decision

The Committee and Board noted the report.

FALKIRK COUNCIL

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Friday 27 September 2019 at 9.30 a.m.

Councillors:

Jim Blackwood
Gary Bouse (Convener)
Pat Reid

Officers:

Jack Frawley, Committee Services Officer
Tracey Gillespie, Human Resources Manager
Rose Mary Hoey, Interim Legal Services Manager

A16. Apologies

Apologies were intimated on behalf of Councillors Collie, Munro, Patrick and Spears.

A17. Declarations of Interest

There were no declarations.

A18. 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.

A19. Appeal Against Dismissal

The Committee considered papers relating to an Appeal against capability dismissal which included (a) Note of Procedure; (b) Submission from the Appellant; (c) Submission from the Head of Education dated 16 September 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, AMcG, was present and accompanied by Stewart Cook, Unison.

The Head of Education and Team Leader (Operations) were present as representatives of the Council.

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

The Head of Education asked questions of the Appellant's representative.

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

The committee adjourned at 10.30am and reconvened at 10.40am with all members present as per the sederunt.

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

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

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

The Head of Education 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 discipline Mrs McG was justified in the circumstances but considered that the decision to dismiss her was excessive.

The Committee, therefore, **AGREED** to uphold the appeal by Mrs McG, to reinstate her to her post from the date of the dismissal and to substitute a final written warning with a requirement to undertake appropriate training for the sanction of dismissal.

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

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

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

Officers: Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Hoey, Interim Legal Services Manager

CL53. Apologies

An apology was intimated on behalf of Councillor David Aitchison.

CL54. Declarations of Interest

There were no declarations of interest.

CL55. Minute

The minute of Meeting of the Civic Licensing Committee held on 3 September 2019 was approved.

CL56. List of Applications Granted under Delegated Powers in August 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 August 2019 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL57. Knowledge Test Failures

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

Decision

The committee agreed to refuse to grant the Taxi Driver licences in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the grounds that the applicants, having failed to pass the knowledge test, have 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.

CL58. 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.

CL59. Application for the Grant of a Temporary Second Hand Dealer Licence (used vehicles)

The applicant, Mr D, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a temporary second hand dealer licence (used vehicles) (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr D 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 temporary second hand dealer licence (used vehicles) for six weeks, subject to the standard conditions and instructed officers to grant the full application under delegated powers should there be no further issues.

C60. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr J, and Sergeant C McKenzie, Police Scotland both entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new 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 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.

Sergeant McKenzie was heard in relation to the Chief Constable's letter of representation and in clarification of questions raised by members. There was no questions to Sergeant McKenzie from the applicant.

The applicant was then heard in support of the application and in clarification of questions raised by members.

Both parties were invited to sum up.

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

Decision**The committee agreed:-**

- (1) 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 six months with a warning letter, and subject to the standard conditions, and**
- (2) should the applicant apply to renew his licence after the initial six month period, that this renewal be restricted to a maximum of one year.**

CL61. Application for the Grant of a New Private Hire Car Operator Licence

The committee were advised that the applicant Mr A, was not in attendance. Mrs A, the applicant's spouse, was in attendance on his behalf.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new private hire car operator licence advising on the background to the application, and detailing the consultations undertaken.

Mrs A 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 a new private hire car operator licence, being satisfied that the circumstances justified a departure from the current policy in respect of the age of the proposed vehicle; subject to the appropriate insurance documentation; V5 certificate and taxi inspection test certificate being submitted to the satisfaction of officers, and subject to the standard conditions for a period of one year.

CL62. Request to Vary a Private Hire Car Operator Licence

The committee were advised that the applicant Mr A, was not in attendance. Mrs A, the applicant's spouse, was in attendance on his behalf.

The committee considered a report by the Chief Governance Officer on a request to vary two private hire car operator licences and advising on the background to the request, and detailing the consultations undertaken.

Mrs A spoke in support of the variation 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 the request to vary condition 8 of private hire car operator licence Nos 16 & 136 in order to allow the signs referred to, to be magnetic signs of similar size and design supplied by the Licensing authority and paid for by the applicant. The applicant will be excused the requirement to display the signs when the vehicles are not undertaking private hire car activities, but the signs must be kept within the vehicles at all times.

Minute of meeting of the Planning Committee held On Site on Monday 7 October 2019 commencing at 9.30 a.m.

Councillors: David Alexander (Convener)
Jim Blackwood
Gary Bouse (Items P58 / P59 / P60 only)
Provost William Buchanan (Depute Convener)
Gordon Hughes
Lynn Munro

**Local Members
in Attendance:**

Councillor McLuckie (for item P61)

Officers: Karen Chambers, Committee Services Officer
Karen Quin, Senior Solicitor
John Milne, Senior Planning Officer
Craig Russell, Senior Roads Development Officer
Bernard Whittle, Development Management Co-ordinator

P56. Apologies

Apologies were intimated on behalf of Councillors Bissett, Black, Coombes, Grant, McCue and Murtagh.

P57. Declarations of Interest

There were no declarations of interest.

P58. Amendment to Planning Permission P/13/0513/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 1 at Land to the South East of Byways, Glen Road, Torwood, for Mr Peter Hoggan - P/19/0348/FUL

With reference to the minute of the meeting of the Planning Committee held on 24 September 2019 (ref 51), committee gave further consideration to a report by the Director of Development Services on an application for the amendment to Planning Permission P/13/0513/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 1 at Land to the South East of Byways, Glen Road, Torwood.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant's agent, Roy Mitchell, was heard in relation to the application.

There were no objectors to the application.

Questions were then asked by members of the committee.

Questions related to:-

- the position of the future buildings and their distance from the road;
- the positioning of the 20m tree planting to the rear of the area and the creation of a "wildlife corridor"
- the types of planting which will take place to the front of the property;
- the proposals for the existing mature trees surrounding the property;
- if there had been any input from the Biodiversity Officer.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 23 October 2019.

P59. Amendment to Planning Permission P/13/0514/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse - Plot 2 at Land to the South East of Byways, Glen Road, Torwood, for Roy Mitchell, - P/19/0349/FUL

With reference to the minute of the meeting of the Planning Committee held on 24 September 2019 (ref P52), committee gave further consideration to a report by the Director of Development Services on an application for the amendment to Planning Permission P/13/0514/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse - Plot 2 at Land to the South East of Byways, Glen Road, Torwood.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant, Roy Mitchell, was heard in relation to the application.

There were no objectors to the application.

Questions were then asked by members of the committee.

Questions related to:-

- the position of the future buildings and their distance from the road;
- the positioning of the 20 m tree planting to the rear of the area and the creation of a “wildlife corridor”
- the types of planting which will take place to the front of the property;
- the proposals for the existing mature trees surrounding the property;
- if there had been any input from the Biodiversity Officer.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 23 October 2019.

P60. Amendment to Planning Permission P/13/0509/FUL – Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 3 at Land to The South East of Byways, Glen Road, Torwood, for Mr Allan Gilmour - P/19/0350/FUL

With reference to the minute of the meeting of the Planning Committee held on 24 September 2019 (ref P53), committee gave further consideration to a report by the Director of Development Services on an application for the amendment to Planning Permission P/13/0509/FUL – Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 3 at Land to The South East of Byways, Glen Road, Torwood.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant’s agent, Roy Mitchell, was heard in relation to the application.

There were no objectors to the application present.

Questions were then asked by members of the committee.

Questions related to:-

- the position of the future buildings and their distance from the road;
- the positioning of the 20 m tree planting to the rear of the area and the creation of a “wildlife corridor”
- the types of planting which will take place to the front of the property;
- the proposals for the existing mature trees surrounding the property;
- if there had been any input from the Biodiversity Officer.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 23 October 2019.

P61. Erection of 2 Dwellinghouses at Lochview House, Limerigg, Falkirk, FK1 3BZ, for Mrs Norma Moffat – P/19/0386/PPP

With reference to the minute of the meeting of the Planning Committee held on 24 September 2019 (ref P54), committee gave further consideration to a report by the Director of Development Services on an application for the erection of 2 dwellinghouses at Lochview House, Limerigg, Falkirk.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant's agent, Adam Toleman, was heard in relation to the application.

There were no objectors to the application.

Councillor Hughes, a local member for the area, was heard in relation to the historical background of the area and its previous use as a chapel and cottages.

Councillor McLuckie, a local member for the area, was heard in relation to the application.

Questions were then asked by members of the committee in relation to the following issues:-

- The extent of the previous farm building on the site;
- The site of the proposed properties on the land.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 23 October 2019.

Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 8 October 2019 at 9.30 a.m.

Councillors: David Alexander
Robert Bissett
Joan Coombes
Nigel Harris
Gordon Hughes
Cecil Meiklejohn (convener)
Lynn Munro
Alan Nimmo
Pat Reid

Officers: Mandy Brown, Planning Officer
Patricia Cassidy, Chief Officer Health & Social Care Partnership
Karen Chambers, Committee Services Officer
Arlene Fraser, Committee Services Officer
Rhona Geisler, Director of Development Services
Kenny Gillespie, Head of Housing
Kenneth Lawrie, Chief Executive
Laura McIntyre, Principal Economic Development Officer
Colin Moodie, Chief Governance Officer
Robert Naylor, Director of Children's Services
Bryan Smail, Chief Finance Officer
Stuart Ritchie, Director of Corporate and Housing Services
Richard Teed, Senior Forward Planning Officer

EX50. Apologies

Apologies were intimated on behalf of Councillors Bouse, Garner and Nicol.

EX51. Declarations of Interest

Councillor Bissett declared a non-financial interest in agenda item 7 (ref EX56) as the holder of an allotment and stated that he considered that this required him to recuse himself from consideration of the item having regard to the objective test in the Code of Conduct.

EX52. Minute

Decision

The minute of the meeting of the Executive held on 27 August 2019 was approved.

EX53. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 27 August was provided.

Decision

The Executive noted the rolling action log.

**EX54. Audit Committee – 16 September 2019
Corporate Risk Management Update**

The Executive considered a report by the Director of Corporate and Housing Services presenting the Corporate Risk Management Update report which had been referred by the Audit Committee at its meeting on 16 September 2019.

Information was provided on the Corporate Risk Register and on the progress with embedding Corporate Risk Management arrangements. The updated corporate Risk Register was attached to the report for approval.

Decision

The Executive approved the Corporate Risk Register.

EX55. Strategic Housing Investment Plan 2020/21 – 2024/25

The Executive considered a report by the Director of Corporate and Housing Services which sought approval of the Strategic Housing Investment Plan (SHIP) 2020-2021 to 2024-25 prior to submission to the Scottish Government, and agreement to progress actions to support delivery of additional housing projects.

The SHIP's purpose was to set out strategic investment priorities for affordable housing over the next 5 years in order to achieve the outcomes contained in the Local Housing Strategy (LHS).

Details of the resources and funding available to deliver affordable housing were set out, together with the list of projects covering the full 5 years of the SHIP.

The report also included information in relation to the Council's proposed new build projects and the requirements to acquire these sites, including the land identified at King Street, Stenhousemuir. The programme included some larger strategic sites, as well as continuing to develop some smaller infill development sites to meet specific housing needs.

A total grant funding requirement of £102 million is necessary to deliver all the projects detailed in the SHIP. There is a funding shortfall of c£35 million over the next 5 years, to deliver all the projects listed in the SHIP. Although the total available funding is not sufficient to meet the full list of projects, discussions

were on-going with the Scottish Government regarding the potential to secure additional funding and with partners regarding timing and project deliverability.

In addition, the report advised that a request had been made by Link Housing Association for the Council to discharge title burdens. It was recommended the request be agreed and subject to identical contractual obligations replacing them.

Decision

The Executive:-

- (1) agreed the SHIP 2020-2021 to 2024-25 for submission to the Scottish Government;**
- (2) agreed to authorise officers to enter into negotiations to transfer the land at King Street, Stenhousemuir to the Housing Revenue Account;**
- (3) agreed to discharge the title burdens on Link Housing Association developments at Lochside Crescent, Redding, Lomond Drive, Langlees and Hazel Road, Banknock, and to replace these with identical contractual obligations, and**
- (4) noted that officers will adapt the SHIP in line with available resources in order to maximise the supply of affordable housing locally and provide updates to Members of any changes.**

Councillor Bissett left the meeting prior to consideration of the following item of business.

EX56. Dig In: Community Food Growing Strategy

The Executive considered a report by the Director of Development Services presenting a revised “Dig In”: Community Food Growing Strategy, 2019-2024 following a recent consultation. An Allotments Action Plan detailing the Council’s responsibilities in terms of meeting the demand for allotments in the area, was also included.

The Executive had agreed at its meeting on 15 January 2019 (ref EX101) to undertake a 12 week consultation exercise on the draft Community Food Growing Strategy. Details of the consultation exercise, the formal responses received and the proposed changes to the draft strategy, where relevant, were set out in the report.

The final strategy contained a series of action plans, which would be developed in phases. These detail how the Council and partner organisations would help groups set up and develop their community growing projects across the area, highlighted the resources required, and explained how progress will be monitored and reviewed.

The Allotments Action Plan, was a 5 year plan, which set out how the Council, by working with allotment organisations, aimed to deliver sufficient allotment space to meet local demand, and assist in setting up and managing new allotment sites within the local area. The Plan was attached as appendix 3 to the report.

Mandy Brown, Planning Officer gave a presentation on the “Dig In”: Community Food Growing Strategy.

Decision

The Executive agreed:-

- (1) the “Dig In”: Community Food Growing Strategy (2019-2024), attached as appendix 1 to the report, and**
- (2) the Allotment Action Plan, attached as appendix 3 to the report.**

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

EX57. Falkirk Local Development Plan – Revised Supplementary Guidance SG10 Education and New Housing Development

The Executive considered a report by the Director of Development Services presenting the revised Supplementary Guidance on Education and New Housing Development (SG 10) for approval and, subject to the outcome of referral to Scottish Ministers, adoption.

The Executive had agreed at its meeting on 19 February 2019 (ref EX120) to undertake a 6 week statutory consultation exercise on the draft revised SG10. It had also agreed that if significant objections were raised during the public consultation, a further report be brought for members’ consideration.

Appendix 1 to the report, provided a detailed summary of the important issues/ comments received during the consultation process on the draft guidance, the recommended Council response, together with details of resultant changes that were suggested be made to the guidance.

A copy of the revised guidance was attached as Appendix 2 to the report. Approval of the revised SG10 would enable it to be submitted to Scottish Ministers for their approval, prior to it proceeding to the final stage of adoption.

Decision

The Executive:-

- (1) noted the comments received on the consultative draft of the revised SG10;**

- (2) agreed the suggested Council responses and the resultant changes made to the guidance as summarised in Appendix 1 to the report, and**
- (3) agreed to refer the revised SG10 to Scottish Ministers, and thereafter adopt it subject to any intervention or modifications which Scottish Ministers may direct.**

EX58. Falkirk and Grangemouth Investment Zone

The Executive considered a report by the Director of Development Services summarising the work undertaken to prepare an outline business case for the Falkirk and Grangemouth Investment Zone, and sought agreement for this to be forwarded to the UK and Scottish Governments for approval as a means to progress this initiative.

The Executive had, at its meeting on 16 October 2018 (ref EX73), agreed to move to the next stage of the bid process and develop the Outline Business Case (OBC).

The Investment Zone initiative was intended to accelerate economic growth in the Falkirk area and aligned closely with the Falkirk Tax Incremental Finance (TIF) programme and other investment programmes being pursued by public and private sector partners in the Falkirk-Grangemouth area.

A presentation was given by Rhona Geisler and Laura McIntyre in respect of the bid. Falkirk and Grangemouth Investment Zone aimed to deliver transformational, inclusive and clean economic growth. It has 3 themes, Innovative Industry, Strategic National Infrastructure and Great Places.

It is anticipated there will be significant returns on investment, and delivery will generate an additional 6,000 jobs and boost the economy by around £400 m annually.

Decision

The Executive:-

- (1) noted the progress of work on the Falkirk-Grangemouth Investment Zone initiative;**
- (2) endorsed the Investment Zone Outline Business Case (OBC), summarised in Appendix 1 to the report, and**
- (3) agreed that this be forwarded to the UK and Scottish Governments for their approval.**

EX59. Capital Programmes Update 2019/20

The Executive considered a report by the Director of Corporate and Housing Services which provided details of the forecast position for the General Fund Services and Housing Capital Programmes along with the Prudential Indicators.

The General Fund Services Capital Programmes was approved by Council on 27 February 2019 whilst the Housing Capital Programmes was approved by Council the previous month, on 23 January 2019.

The Chief Finance Officer spoke to the report and confirmed 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 approved 2019/20 budget for the General Fund had been revised to £41.734m.

The forecast spend for the General Fund was £41.2m, which was £0.5 less than budget. The forecast spend for the Housing Capital Programme was £44.6m.

Decision

The Executive noted the:-

- (1) forecast spend for both the General Fund Services (£41.2m) and Housing Capital Programmes (£44.6m);**
- (2) Prudential Indicators, and**
- (3) external borrowing requirement.**

EX60. Residential Short Breaks – Thornton Gardens, Bonnybridge

The Executive considered a report by the Head of Integration in respect of a proposal to relocate the residential short breaks service from the Rowans bungalow, owned by NHS Forth Valley at the Lochview Hospital site but managed by the Social Work Adults Service, to a council owned property at Thornton Gardens, Bonnybridge.

The Chief Officer of Health and Social Care partnership explained that this arose because the Rowans bungalow had developed a major structural fault and the current tenant at Thornton Gardens, Bield Housing Association Limited (Bield), had ceased their residential care service there and wished to renounce the lease.

The lease with Bield contained provisions governing liability as between the landlord and tenant for funding obtained by Bield in 1991 to build the property. There is an outstanding Housing Association Grant owed by Bield to the Scottish Government. Discussions had taken place between the Council, Bield and the Scottish Government to resolve the question of liability by agreement.

Decision

The Executive:

- (1) noted the requirement for the residential short breaks service delivered currently at the Rowans to relocate due to the building having developed a structural fault;**
- (2) noted the proposed relocation of the residential short breaks service to the Council owned facility at Thornton Gardens, Bonnybridge, and**
- (3) to facilitate the relocation of the residential short breaks service, authorised:**
 - (i) acceptance of the renunciation of the current lease at Thornton Gardens by the tenant Bield, so returning the beneficial ownership of the property to Council;**
 - (ii) acceptance by the Council of the continuing Housing Association Grant liability equivalent of £524,630 which is tied to the property on the terms agreed with Scottish Government as set out in paragraph 4.7 below.**

EX61. Decision Taken Under Delegated Powers

The Executive considered a report by the Director of Corporate and Housing Services informing of the decision taken under delegated powers. The decision taken was:-

- Award of contract for refurbishment of upper floor of the Mariner Centre to form new Health and Fitness Facility.

Decision

The Executive noted the decision taken under delegated powers.

FALKIRK COUNCIL

Minute of meeting of the Scrutiny Committee (External) held in the Municipal Buildings, Falkirk on Thursday 10 October 2019 at 9.30 a.m.

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

Officers: Fiona Campbell, Head of Policy, Technology and Improvement
Stuart Irwin, Graduate, Democratic Services
Lesley James, Senior Service Manager, Social Work
Cathy Megarry, Team Manager, Social Work
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager

Also attending: Neil Brown, General Manager, Falkirk Community Trust
Jane Clark, Policy Development Manager, Falkirk Community Trust
Patricia Cassidy, Chief Officer, Health and Social Care Partnership
Amanda Templeman, Chief Finance Officer, Health and Social Care Partnership
Damian Armstrong, Police Scotland
Tracy Robinson, Police Scotland
Chris Stewart, Police Scotland

SE16. Apologies

No apologies were intimated.

SE17. Declarations of Interest

Councillor Black declared a non-financial interest in appendices 5 and 6 of item SE20 as a Board member of NHS Forth Valley and as a member of the Integration Joint Board stated that notwithstanding the specific exclusion in the code she would not take part in the consideration and scrutiny of these parts of the business.

Councillor Black declared a non-financial interest in item SE23 Falkirk Health and Social Care Partnership as a board member of NHS Forth Valley as a board member of the Integration Joint Board and notwithstanding the specific exclusion in the code stated that she would take no part in the consideration and scrutiny of this item.

Councillor Coleman declared a non-financial interest in item SE21 as a director of Falkirk Community Trust and stated that notwithstanding the specific exclusion in the code that he would not take part in the consideration and scrutiny of this item of business.

SE18. Convener's Remarks

The Convener remarked that this meeting of the committee would be Fiona Campbell's last before her retirement on 25 October 2019.

Councillor Blackwood led the committee in thanks to Fiona for her support and contribution to scrutiny in particular and to the Council more generally and wished her a happy retirement.

SE19. Minute

Decision

The minute of meeting held on 29 August 2019 was approved.

SE20. Following the Public Pound: Services To Children & Young People 2018/19 Annual Reporting Statements

The committee considered a report by the Director of Children's Services which provided an update regarding the work of the external organisations that received funding, provided services to children and young people, which fell within the Following the Public Pound reporting and monitoring arrangements. The reporting period was April 2018 to March 2019.

Funding was provided by Children's Services to 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).

Organisation	2017/18	2018/19
Aberlour Early Years Outreach	£227,705	£159,060
Aberlour Family Support Centre - Langlees	£168,811	£110,937
Barnardo's	£732,285	£500,000
Home-Start Falkirk West	£28,014	£28,014
NHS Forth Valley CAMHS Clinical Psychologist for Looked After Children	£68,472	£64,904
NHS Forth Valley Speech & Language Therapy Service	£465,040	£465,040
One Parent Families Scotland Falkirk	£92,523	£82,523
Quarriers Children's Rights Service	£86,200	£86,200
Signpost Recovery Time 4 Us	£38,869	£38,869
"Who Cares?" Scotland Advocacy Service	£27,970	£27,970
TOTAL	£1,935,889	£1,563,517

The Director of Children's Services summarised the key national and local priorities on the background context to the services provided by the organisations. These were:-

- Getting It Right For Every Child
- Early Years Framework
- Strategic Outcome Local Delivery
- Integrated Children's Services Plan
- Closer To Home
- Realigning Children's Services

The convener stated that funding from the Council to each of the organisations had decreased over recent years and was likely to continue to do so. He highlighted, as an example the funding to the Early Years Outreach project which had resulted in 33 fewer children receiving support compared to the previous year.

Cathy Megarry stated that this was due to reduced staffing but stressed that it was not the case that the 33 children would not receive support. There were other means, such as Pupil Equity Funding, to support those in need. In response to a statement by the convener that as the financial gap widens the number of families in need of support increases, Ms Megarry stated that there was increasing need in the area but the service would, for example through the Closer to Home project, direct resources to those in need and have the greatest impact. For example, in regard to Family Support, the service would re-align in-house services and look at unmet needs, taking families views into accounts. Nevertheless there was concern at the continued reduction in funding.

Following a statement that the inclusion of staff numbers involved, in each of the monitoring reports, would better assist members' scrutiny of value for money, Ms Megarry stated that often there was not a direct correlation between Council funding and staff numbers. The organisations had, in the main, other sources of funding. Generally the managers worked to maintain staff levels in the face of reduced funding.

In response to a question on whether services employed trauma-informed staff and whether staff were trained in this specialisation. Ms Megarry agreed that it was important that staff were trauma-informed and agencies were aware of this specialism and at the forefront of delivering trauma-informed services.

The committee asked, In regard to the WhoCares? Scotland advocacy project, for further detail on the 400 interactions reported for the year. Ms Megarry stated that she would provide further information.

In regard to the Signpost recovery Time 4 Us project, Lesley James stated that the number given of people who directly benefit from the organisation of 30 appeared to be low and undertook to confirm the number with the organisation and to provide feedback to members.

In regard to the Quarriers Children's Rights Service, Ms James confirmed that referrals could be made by a range of agencies and could be made by the children.

Decision

The committee approved the reports and acknowledged progress by the following organisations in meeting Council priorities:-

- (1) Aberlour Early Years Outreach**
- (2) Aberlour Family Support Centre - Langlees**
- (3) Barnardo's**
- (4) Home-Start Falkirk**
- (5) NHS Forth Valley CAMHS Clinical Psychologist for Looked After Children**
- (6) NHS Forth Valley Speech & Language Therapy Service**

- (7) **One Parent Families Scotland Falkirk**
- (8) **Quarriers Children's Rights Service**
- (9) **Signpost Recovery Time 4 Us**
- (10) **"Who Cares?" Scotland Advocacy Service**

In accordance with his declaration of interest in the following item Councillor Coleman left the meeting.

SE21. Following the Public Pound – Falkirk Community Trust

The committee considered a report by the Director of Corporate and Housing Services which provided the Committee with an update of the performance of Falkirk Community Trust (the Trust) in line with Following the Public Pound guidance. The report covered the performance of the Trust between 1 April 2018 and 31 March 2019 and also provided an update on the period April -June 2019.

Neil Brown gave a detailed overview of the highlights of the Trust's performance as set out in the Annual Report. He stated that financial support from the Council had decreased and that income had grown, with the Trust continuing to reduce its financial dependency on the Council (from 72% of its funding to 57%). He highlighted:

- increased customer income
- increased customer admission
- external funding of £1m
- the change in membership of the Board, with inductions carried out for new members
- the first professional pantomime, held in Falkirk Town Hall and its success
- the refurbishment of level 1 of the Marnier Centre creating the first immersive fitness studio
- the creation of Carron Gymnastic Centre
- improvements to Bo'ness Recreation Centre

He also stated that there was an ongoing deterioration of facilities and highlighted the ongoing financial challenges which the Trust faced. He cited recent failures at Hallglen Sports Centre which he advised had been expected by the Trust for a number of years. Going forward, Mr Brown stated that the 50% reduction in funding by the Council would present a challenge to the Trust and stated that the forthcoming business strategy would aim to increase income rather than reduce staff numbers.

The convener thanked Mr Brown for his overview of the Trust's performance and concurred that the Trust faced challenges going forward. In response to a question in regard to measuring attendance at the Helix Mr Brown stated that there was consistent methodology employed to allow year on year comparison.

In response to a question in regard to the popularity of the Kelpies, Mr Brown stated that this was a weather dependent attraction. It was a popular attraction for tour visits. The Helix was used by the local community for walks etc.

The committee noted that neither the Helix nor Callendar House charged admission and as such did not generate income for the Trust. Mr Brown stated that charging had been considered by the Trust recently. The Helix had not been designed to be a chargeable attraction. The visitor centre boosted income. There was a balance to be struck.

Following a statement by a member that at a recent visit to Callendar House there had been a lack of staff serving afternoon teas, Mr Brown stated that he was aware that at that time staff had been off sick and conceded that he would need to look at resilience to avoid a repeat.

In regard to the pantomime Mr Brown responded to a statement that some Falkirk schools had attended a show in Dunfermline rather than go to the Falkirk show by stating that it was disappointing but was a sign that the shows were full. All seats for Falkirk schools had been taken.

The committee discussed and praised the fireworks event. Mr Brown agreed that it was a spectacular event and praised the volunteers who collected donations from the public. Because of charity regulations the volunteers could hold but not shake collection buckets. If everyone who attended gave £1 the event would break even.

Returning to the pantomime the committee recalled Mr Brown's assertion that it had been a success and asked if it had broken even. Mr Brown said it had made a loss of £20k but that this had been projected. This had been the first year in which a professional pantomime had been staged and was a year of transition. The aim had been to grow the project. The Trust had knowledge based on its experience – that schools will attend, that people will book early and pay more for better seats. The target had been 50% capacity in the first year. Which 60% had been reached this was satisfactory and the target had been optimistic for a first year. Mr Brown, following a question, undertook to provide details on targets for 2019 shows.

The committee then discussed Bo'ness Recreation Centre. Members highlighted instances when visitors had called the centre to book classes and been told to try elsewhere. Mr Brown stated that following the Council meeting in June when it had considered proposals for Trust facilities there had been rumour mongering in communities and these had hit Bo'ness in particular. It was a major concern for the Trust – the rumours that the centre was closing had hit business. The Trust, he stated, was not deliberately running down the Centre. It was put to Mr Brown that there was a proposal for the centre in the report to Council and it was a consequence of this that business, who advertised in the centre, would not want to spend money here given it was written 'in black and white'. It was not 'black and white' in the Trust's view according to Mr Brown. The Council had stated that there had to

be a rationalisation of its assets and there were options to provide alternative facilities. This was a matter for the Council Mr Brown stated. He undertook to provide an answer to the question in regard to calls to the centre. Members highlighted further similar instances. Members also highlighted an issue with floodlights at the Centre which had not been working. Mr Brown stated that the failure had been reported to the Council, which was responsible, but it had taken the Council 18 months to fix the problem.

Members then questioned the programme at the Bo'ness Hippodrome. It did not cater to local tastes, it was suggested. Furthermore a survey of preferred types of films for presenting had been carried out by the Trust but to date there had been no feedback from the Trust on how the outcomes would be taken forward. Mr Brown stated that the programme was varied and included both popular moves and more specialist niche movies. He would provide information on the survey results. He stated that the programme had been revamped and that the mix catered for a variety of tastes.

Members highlighted an issue with the sauna at the Centre. Again, Mr Brown stated that the Council had been responsible for the repair under the terms of the working agreement with the Trust. The delay illustrated he stated that the Trust was not on the Council's list of properties. Members stated that the problems with the facilities and the choice of films at the Hippodrome impacted on the Trusts ability to generate income.

The committee praised the work of Friends of Kinneil which had seen an increase in visitor numbers at Kinneil House.

The committee returned to the issues at Bo'ness Recreation Centre and the time taken to rectify the problems. The committee suggested that this was a Bo'ness issue and confirmed to the community that services were being run down. Mr Brown responded that he could cite more issues across the wider area – it was not particular to Bo'ness. He cited in particular Hallglen Sports Centre, and said 'repairs' was a consistent issue across the estate, not specific to Bo'ness.

The committee turned to the performance of the Trust noting an increase year on year in the number of accidents involving staff and customers (367 in 2017/18). Mr Brown stated that every instance was recorded. He listed several factors, such as the increase in foot fall at the Mariner soft play facility and the fact that the figure included minor accidents including bumps and grazes.

The committee then discussed patronage of Callendar Park Golf Course. Mr Brown stated that this was open for half the year and the course was not maintained when the course was not used. It needed daily treatment all year round. However the grounds maintenance staff were utilised at Grangemouth Golf Course which was open all year. Nonetheless the number of times the course was played had increased. The committee asked whether, in that case, more funding could be allocated to the course maintenance. Mr Brown stated that it was a business decision, funding was

not available and it would not be appropriate to move staff from an income generating facility to one which was closed.

Following a question Mr Brown confirmed that the work on a changing places facility would begin within the week and there would be disruption during the 8 week programme.

The convener returned to Mr Brown's earlier comments that the Trust faced a 50% reduction in funding from the Council. Mr Brown stated that this was over 5 years and not in 2020/21.

The committee asked whether income from the Bo'ness Hill Climb would be spent on Bo'ness estate. Mr Brown stated that he was unable to recall the fee charged to the organisers but it would not go back to the estate. Income would go back to the Trust.

Decision

The Committee approved the report and acknowledge progress by the Trust in meeting Council priorities.

The committee then adjourned for a ten minute comfort break and reconvened at 10.30am with all members present.

SE22. Police Scotland – Falkirk Area Performance

The committee considered a report by the Director of Corporate and Housing Services presenting the latest performance report from Police Scotland. The report included as appendices:

- Area performance report for the period April 2019 – June 2019
- Local policing priority updates for the reporting period.

Chief Inspector Armstrong provided a summary of the key activities during the period under the four policy priorities:

- Responsive to the concerns of our community
- Enhancing our collective resilience to emerging threats
- Protecting people most at risk from harm
- Promoting confidence through our actions

The committee highlighted speeding as a local concern and remarked that it was unhelpful that people identified the location of speed enforcement activity on social media. Members noted that there had been an increase in van thefts and break-ins in the Bonnybridge area and suggested that this could be linked to the proximity to the motorway network. Chief Inspector Armstrong concurred but considered that this had peaked. He explained that a team based at Falkirk had co-ordinated activities between neighbouring

eastern divisions and this had achieved results. A number of break-ins had been by organised groups. Additional patrols had been put in place in risk areas such as Bonnybridge and Denny. Technology such as Automatic Number Plate Registration (ANPR) had been used to good effect. A number of the vehicles used in break-ins had themselves been stolen which made catching perpetrators more difficult. A number of cars which had been stolen had been retrieved at Grangemouth Docks, having been stolen to order. He added that road policing arrangements had been changed to ensure that there was a presence during the night with pursuit capability and work was ongoing in regard to thefts and break-ins.

The committee asked if the incoming area commander, Chief Inspector Stewart if he planned to change the community policy model to include weekend working. Chief Inspector Stewart stated that he was committed to community planning but would have to review the model before he would make such an undertaking. Chief Inspector Armstrong stated that there had been alterations to the model – community officers had been removed from night time shifts which meant that they could be in their areas until 1am. Officers did work on Sundays but not routinely.

The committee pointed out that detection rates were mixed across the various crime group indicators, with detection decreasing in serious assault and robbery. Chief Inspector Armstrong explained that at the end of the reporting year the rates tended to rise, for a number of reasons and he was comfortable with the reported performance. For example in the case of robberies the detection may be reliant on examination of forensic evidence and at times there was a backlog in the examination of forensic materials. In regard to instances of domestic abuse he stated that this was a particularly difficult crime to solve as often there were no independent witnesses. Some domestic abuse cases could also be passed on to the National crime unit.

Councillor Balfour left the meeting at this point.

The detection rate for domestic abuse was the same as the previous year. He was not duly concerned at this point about current detection rates. Chief Inspector Stewart agreed and stated that he was confident that for serious assault and robberies the detection rate would increase, again in part due to the outcome of forensic examination.

Following a question Chief Inspector Armstrong explained the various reporting strictures which ensured that senior officers were aware of local issues, including briefings for the Chief Constable.

Following a comment that instances of domestic abuse in adults had reduced (544 to 489), Chief Inspector Armstrong agreed that in part this was due to good publicity campaigns and praised the 'Ask for Angela' campaign which had had an impact on the number of reported sexual crimes in Falkirk

(decreased by 67). He praised the work of partner agencies and highlighted the role of the Falkirk Alcohol and Drug Partnership. He also highlighted a concerted social media campaign- all of which had an effect on the positive performance for Falkirk.

The committee remarked that policing had changed since 2013 when Police Scotland was formed and appeared to be more centralised. Members stated that there was more work to be done in regard to community confidence in the police – in particular in regard to responses to reports of crime. Often, members stated, the public do not call the police because they do not expect a response, even in the case of violent crime. Chief Inspector Armstrong acknowledged that the public wanted trust and confidence in the police. He explained that often the first contact with the police was by phone. He stated that a model had been trialled in Forth Valley and then rolled out nationally which used a triage model to ensure calls were graded properly, calls were dealt with on the phone if possible and officers released to attend more serious incidents. The model released capacity. He stated it was not easy to hear members' comments but praised the commitment and dedication of all officers.

The C.A.M model would he anticipated yield positive results as would the change in community police officers shift patterns discussed earlier. He stated that the force had to manage public expectations. It was not always possible or practicable to respond immediately to every call.

The committee praised a reduction in violence and anti social behaviour in Falkirk stating that the night time economy was now a safer place. Chief Inspector Armstrong agreed and praised the work of the national resource, the Safer Communities Task Force, which had focussed on Camelon and was now working in the town centre.

The committee then discussed the performance in relation to drugs. Citing Denny as an example the convener stated that a recent meeting with local businesses had been a success. However while it seemed that issues around drugs had quietened down they remained a concern in the community. The convener stated that users did not seem to hide their addiction noting that often addicts queued for methadone while children were going to school. Chief Inspector Armstrong concurred that drugs remained an issue and a priority. He cited work with agencies such as the ADP and other agencies to provide support as well as enforcement. Drugs was not as issue which Police Scotland could deal with alone. He cited work in Hallglen, set out in the report, which showed that a difference could be made. Drugs were prevalent across all communities. It was important to provide users with support, through pathways for example. Not all users committed crimes to support their addiction although some did. The role of the ADP was crucial, as was that of other partnerships across the area. Police were out and about

in communities and had increased the number of enforcement actions. However the issue had to be tackled holistically. It was commented that the police were not visible on the streets and that police offices had closed reducing opportunities for contact. Chief Inspector Armstrong explained the rationale for the closing of police offices nationally. This was part of an estates management strategy. He commended the current hub model. Again referring to earlier comments, Chief Inspector Armstrong stated that it was disappointing that the public did not feel able to contact police officers.

The committee noted that the number of instances of stop and search had increased dramatically. Chief Inspector Armstrong stated that searches were now more consensual than previously and were recorded appropriately. They should be made on the right people at the right time. The increase was in part due to an increase in searches when addressing community concerns.

Decision

The Committee considered the performance of Police Scotland and approved the report and acknowledge progress by the organisation in meeting its priorities.

In accordance with her declaration of an interest in the following item Councillor Black left the meeting.

SE23. Falkirk Health and Social Care Partnership

The committee considered a report by the Chief Officer, Falkirk Health & Social Care Partnership which provided a summary of the progress made by the Falkirk Health and Social Care Partnership (HSCP) since the last update to the Scrutiny Committee on 7 March 2019.

The report provided updates on:-

- Falkirk IJB scrutiny arrangements
- The IJB Audit and Clerical and Care Governance committees
- The 2018/Annual Audit report findings
- The Health and Social care partnerships (HSCP) strategic plan
- The national review of progress with integration of Health and social care
- Local progress with integration
- The financial position
- Falkirk Carers Strategy
- The Falkirk HSCP Annual performance report for 2018/19
- The IJB performance monitoring report for June 2018 – June 2019

The report provided:

- recent information contained in the IJB reports;
- the Annual Performance Report 2018 – 19;
- the Performance Monitoring Report presented to the Integration Joint Board on 6 September 2019;
- summary updates from the Integration Joint Board Audit Committee and Clinical and Care Governance Committee.

Patricia Cassidy gave a detailed overview of the report, highlighting the findings of the Annual Audit report by the external auditors, Ernst and Young. The auditors had found that the pace of integration had fallen significantly short of expectations. A number of improvement points had been identified around financial sustainability, governance and transparency, and value for money.

Following a question in regard to sickness absence, Ms Cassidy stated that an initiative to employ a temporary HR officer had resulted in improvements and as a consequence the HSCP had invested in the resource.

Following a question on the reduction in waiting time for Child and Adolescent Mental Health Services Ms Cassidy responded that credit was due to the Health Board.

The convener returned to the Auditor's report and recommendations in regard to financial sustainability and asked whether there would be an overspend in 2019/20. Ms Cassidy explained that currently, the HSCP did not manage services and didn't have the required oversight. Once integration had taken place the HSCP would be better able to manage resources. However as the auditors had noted integration had not taken place at a satisfactory pace. Both the Health Board and Council operated within different financial systems. The Board could effect its spend although it was effected by factors which were not within its control, which effected its ability to remain in budget. A number of factors were outwith the Health Board's control, which affected its budget, including the introduction of new drugs or drugs coming out of patent. In terms of the budget, the Health Board had a projected overspend. She explained that in terms of a previous Risk Sharing Agreement both the Health Board and Council undertook to manage their respective budgets and contain any overspends. Overspends in the Adult Services side had been reversed and savings had been delivered. However an overspend was projected for the Health Board. It had not been possible to get a Risk Sharing Agreement agreed by the Health Board for this year.

The committee discussed delayed discharge and asked why this was, despite a number of initiatives, still an issue. Again Ms Cassidy stated that until the services were integrated the HSCP was restricted in its ability to address a number of issues. For example there were still instances of patients in hospital being assessed as needing care by their consultant during crisis situations. This should not happen and was completely at odds with the national position. There was a higher rate of admissions into care homes in Falkirk compared to Scotland and people were admitted younger than before. She stated that there was a need to keep people at home for as long as possible. The current practice within hospitals did not support this – the consultant in hospital had the final say. The role of the HSCP was to change this culture and cited the 'Home First' trial as a way forward.

Decision

The Committee noted the report and progress by the HSCP in meeting its priorities under the Strategic Plan.

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 23 October 2019 at 9.30 a.m.

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

OFFICERS: Donald Campbell, Development Management Co-Ordinator
Karen Chambers, Committee Services Officer
Ian Dryden, Development & Buildings Standards Manager
Iain Henderson, Legal Services Manager
Russell Steedman, Roads Co-ordinator
Brent Vivian, Senior Planning Officer

P62. Apologies

An apology was intimated on behalf of Councillor Murtagh.

P63. Declarations of Interest

There were no declarations of interest.

P64. Minutes

Decision

- (a) Minute of Meeting of the Planning Committee held on 24 September 2019 was approved, and**
- (b) Minute of Meeting of the Planning Committee – On-site held on 7 October 2019 was approved.**

P65. Amendment to Planning Permission P/13/0513/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 1 at Land to the South East of Byways, Glen Road, Torwood, for Mr Peter Hoggan - P/19/0348/FUL - Continuation

With reference to Minute of Meeting of the Planning Committee held on 24 September 2019 (Paragraph P51 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for amendment to planning permission P/13/0513/FUL - repositioning of 20m native broadleaf species tree planting, formation of individual vehicular access and re-positioning of dwellinghouse – Plot 1 at Land to the South East of Byways, Glen Road, Torwood.

Decision

The committee agreed to grant the application for amendment to planning permission P/13/0513/FUL on the grounds that the committee were satisfied that the proposals:

- (a) would be acceptable in terms of the visual amenity of the area;**
- (b) were appropriate to integrate the development into its surroundings; and**
- (c) would assist to compensate for the loss of woodlands at the site; and**

The Director of Development services was delegated authority to determine appropriate conditions which the permission would be subject to and including a condition as follows:-

Prior to the construction of the dwellinghouse, a scheme of soft landscaping shall be submitted to and approved in writing by the Planning Authority. Not least, the scheme shall include (a) the provision of a 20m depth of native broadleaf species tree planting along the rear of the site, (b) a scheme of planting and maintenance and (c) provision to retain this feature in perpetuity.

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, 04, 05 and 06.**

P66. Amendment to Planning Permission P/13/0514/FUL - Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse - Plot 2 at Land to the South East of Byways, Glen Road, Torwood, for Roy Mitchell, - P/19/0349/FUL – Continuation

With reference to Minute of Meeting of the Planning Committee held on 24 September 2019 (Paragraph P52 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission for amendment to planning permission P/13/0514/FUL - repositioning of 20m native broadleaf species tree planting, formation of individual vehicular access and re-positioning of dwellinghouse - Plot 2 at Land to the South East of Byways, Glen Road, Torwood.

Decision

The committee agreed to grant the application for amendment to planning permission P/13/0514/FUL on the grounds that the committee were satisfied that the proposals:

- (a) would be acceptable in terms of the visual amenity of the area;**
- (b) were appropriate to integrate the development into its surroundings; and**
- (c) would assist to compensate for the loss of woodlands; and**

The Director of Development services was delegated authority to determine appropriate conditions which the permission would be subject to and including a condition as follows:-

Prior to the construction of the dwellinghouse, a scheme of soft landscaping shall be submitted to and approved in writing by the Planning Authority. Not least, the scheme shall include (a) the provision of a 20m depth of native broadleaf species tree planting along the rear of the site, (b) a scheme of planting and maintenance and (c) provision to retain this feature in perpetuity.

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, 04, 05 and 06.**

P67. Amendment to Planning Permission P/13/0509/FUL – Repositioning of 20m Native Broadleaf Species Tree Planting, Formation of Individual Vehicular Access and Re-positioning of Dwellinghouse – Plot 3 at Land to The South East of Byways, Glen Road, Torwood, for Mr Allan Gilmour - P/19/0350/FUL - Continuation

With reference to Minute of Meeting of the Planning Committee held on 24 September 2019 (Paragraph P53 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission for amendment to planning permission P/13/0509/FUL - repositioning of 20m native broadleaf species tree planting, formation of individual vehicular access and re-positioning of dwellinghouse - Plot 3 at Land to the South East of Byways, Glen Road, Torwood.

Decision

The committee agreed to grant the application for amendment to planning permission P/13/0509/FUL on the grounds that the committee were satisfied that the proposals:

- (a) would be acceptable in terms of the visual amenity of the area;**
- (b) were appropriate to integrate the development into its surroundings; and**
- (c) would assist to compensate for the loss of woodlands; and**

The Director of Development services was delegated authority to determine appropriate conditions which the permission would be subject to and including a condition as follows:-

Prior to the construction of the dwellinghouse, a scheme of soft landscaping shall be submitted to and approved in writing by the Planning Authority. Not least, the scheme shall include (a) the provision of a 20m depth of native broadleaf species tree planting along the rear of the site, (b) a scheme of planting and maintenance and (c) provision to retain this feature in perpetuity.

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, 04, 05 and 06.**

P68. Erection of 2 Dwellinghouses at Lochview House, Limerigg, Falkirk, FK1 3BZ, for Mrs Norma Moffat – P/19/0386/PPP – Continuation

With reference to Minute of Meeting of the Planning Committee held on 24 September 2019 (Paragraph P54 refers), Committee gave further consideration to a report to that meeting by the Director of Development Services.

Decision

The committee, on the basis that the proposed development was considered to constitute appropriate development in the location having regard to visual amenity and its relationship to the surrounding area and consideration having been given to historical uses of the development site, was minded to grant planning permission in principle subject to:

1. A favourable consultation reply from the Coal Authority following the submission of the required Coal Mining Risk Assessment relating to the proposed development; and
2. Thereafter, following approval of the said Coal Mining Risk Assessment, the committee agreed to the grant of planning permission in principle subject to conditions as determined appropriate by the Director of Development Services.

Informative(s):-

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

P69. Change of Use of Land to Private Garden Ground (Retrospective), Demolish Existing Dwelling and Outbuilding and Erection of Dwellinghouse and Domestic Garage at Hillroy, 18 Mannerston Holdings, Blackness, Linlithgow, EH49 7ND for Peter and Karen Mushet – P/19/0375/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the change of use of land to private garden ground (retrospective) demolish existing dwelling and outbuilding and erection of dwellinghouse and domestic garage at Hillroy, 18 Mannerston Holdings, Blackness, Linlithgow, EH49 7ND.

With reference to standing order 38.1 (x) the Convener referred to a request to be heard from Councillor Ann Ritchie in respect of this item. The Convener, having given his consent, then invited Councillor Ritchie to address the committee. With reference to Standing Order 33.2 the convener referred to a deputation request received from an objector, Mr Archibald, to be heard in relation to this item.

The committee agreed to hear the deputation.

With reference to Standing Order 33.2 the convener referred to a deputation request received from the applicants' agent, Mr Smith, to be heard in relation to this item.

The committee agreed to hear the deputation.

Councillor Munro seconded by Councillor Grant moved that the committee agrees not to determine the application at this meeting but rather to continue consideration of the matter to a future meeting in order to allow the committee to undertake an unaccompanied site inspection at the development site.

As an amendment, Councillor Black seconded by Councillor Coombes moved that the committee agrees not to conduct an unaccompanied site inspection and to refuse the application for planning permission in accordance with the recommendations in the officer's report. Councillor Alexander gave notice of a further amendment.

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

For the motion (8) – Provost Buchanan and Councillors Bissett, Blackwood, Bouse, Grant, Hughes, McCue and Munro.

For the amendment (2) – Councillors Black and Coombes.

Abstentions (1) – Councillor Alexander.

Decision

The committee agreed the motion that it not determine the application at this meeting but rather continue consideration of the matter to a future meeting in order to allow the committee to undertake an unaccompanied site inspection at the development site.

As a further amendment to be moved on the original motion, Councillor Alexander seconded by Councillor McCue moved that the committee agrees not to conduct an unaccompanied site inspection and, being satisfied in relation to matters of scale, visual amenity and impact on the surrounding area of the proposed development, to grant planning permission subject to conditions as determined by the Director of Development Services.

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

For the motion (6) - Provost Buchanan and Councillors Bissett, Blackwood, Grant, Hughes and Munro.

For the further amendment (3) - Councillors Alexander, Bouse and McCue.

Abstention (2) – Councillors Black and Coombes.

Decision

The committee agreed the motion that it not determine the application at this meeting but rather continue consideration of the matter to a future meeting in order to allow the committee to undertake an unaccompanied site inspection at the development site.

P70. Development of Land for Residential Use with Associated Infrastructure at Land to the North of Crownerland Farm, Linlithgow for Malcolm Whitecross Ltd – P/17/0797/PPP

The committee considered a report by the Director of Development Services on an application for planning permission for the development of land for residential use with associated infrastructure at land to the North of Crownerland Farm, Linlithgow.

Decision

The committee refused planning permission for the following reason:-

The applicant is unwilling to negotiate any further in respect of a Section 75 Planning Obligation. As a consequence, the applicant has failed to demonstrate that the impacts of the proposed development on existing infrastructure and facilities would be suitably addressed and so the application is contrary to policies INF02 ‘Developer Contributions to Community Infrastructure’, INF04 ‘Open Space and New Residential Development’, INF05 ‘Education and New Housing Development’, INF06 ‘Healthcare and New Housing Development’, INF07 ‘Walking and Cycling’, INF08 ‘Bus Travel and New Development’ and INF10 ‘Transport Assessments’ of the Falkirk Local Development Plan. In addition, the application is contrary to policy HSG02 ‘Affordable Housing’ of the Falkirk Local Development Plan as the affordable housing provisions have not been agreed and secured through a Section 75 Planning Obligation.

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings,
Falkirk on Tuesday 29 October 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
Alan Nimmo
Pat Reid

Officers: Patricia Cassidy, Chief Officer, Health & Social Care
Partnership
Jack Frawley, Team Leader - Committee Services
Rhona Geisler, Director of Development Services
Craig Isdale, Manager (Asset Management)
Kenneth Lawrie, Chief Executive
Colin Moodie, Chief Governance Officer
Mari-Claire Morgan, Climate Change Officer
Robert Naylor, Director of Children's Services
Bryan Smail, Chief Finance Officer
Stuart Ritchie, Director of Corporate and Housing Services

EX62. Apologies

There were no apologies.

EX63. Declarations of Interest

There were no declarations of interest.

EX64. Minute

Decision

The minute of the meeting of the Executive held on 8 October 2019 was approved.

EX65. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 8 October was provided. Items 434 – Sale of Former Seabegs Road Depot Site, Bonnybridge; 475 - Motion – Pest Control; 477 – Motion – Climate Emergency, and 479 – Street Signs, were the subject of reports on the agenda for the meeting and consequently fell from the action log.

Decision

The Executive noted the rolling action log.

EX66. Employee Wellbeing Strategy

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the wellbeing survey feedback received from employees alongside an employee wellbeing action plan for Falkirk Council until 2022.

There were 844 responses to the survey which represented 12% of the Council's workforce. The draft action plan had been developed having taken the responses into consideration and was provided as an appendix to the report. The main headings which the action plan sought to address were:-

- Promote Physical Activity Across the Workforce
- Encourage Improved Healthy Eating Across the Workforce
- Supporting Mental Wellbeing in the Workplace
- Introduce Smoke Free Grounds

Decision

The Executive:-

- (1) noted that the Council would continue to retain the Gold Healthy Working Lives award;**
- (2) agreed the proposed actions outlined in the report and summarised in Appendix 1, which form the Council's workforce Wellbeing Strategy, and**
- (3) noted that a Wellbeing Group would be established to oversee the implementation of the Strategy and other associated actions which supported the improvement of workforce wellbeing, as well as implementation of the Healthy Working Lives award.**

EX67. Scottish Housing Regulator Annual Assurance Statement

The Executive considered a report by the Director of Corporate and Housing Services providing an Annual Assurance Statement on the activities of the Council's Housing Service for approval.

The Scottish Housing Regulator (SHR) was formed as part of the Housing (Scotland) Act 2010. The SHR had statutory powers to monitor, assess, report and, where they deem appropriate, intervene in relation to social landlords' performance of housing activities. In order to comply with the requirement contained in SHR's new Regulatory Framework, the Council had to submit their Annual Assurance Statement by no later than the 31st of October each year.

The statement was required to be signed off by the Executive and would provide assurance that the service was compliant with all the requirements set out in of the Chapter 3 of the Regulatory Framework.

A self-assessment approach on compliance with the regulatory requirements was undertaken. The evidence checklist relating to each of the requirements was set out as an appendix. The key points arising from the self-assessment were compliance with the regulatory requirements set out in Chapter 3 of the Regulatory Framework. That included:-

- achieving all the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services, and
- compliance with legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety.

Decision**The Executive:-**

- (1) approved the Annual Assurance Statement that will be submitted to the Scottish Housing Regulator (SHR) on the 31st October 2019, and
- (2) authorised the Convener to sign the Annual Assurance Statement.

EX68. Review of How the Climate is Changing in the Falkirk Area and Actions in Place to Adapt

The Executive considered a report by the Director of Development Services providing an update on how the climate was changing in the Falkirk area and development of a strategy on how the Council could adapt services and spaces to ensure that the area remained a pleasant place to live, work and visit.

The Corporate Sustainability Working Group agreed to focus on development of an up to date Local Climate Impact Profile (LCLIP). This would be a comprehensive analysis of weather trends within the area and would be used to inform the development of adaptation strategies and climate risk assessments. Upon completion of the LCLIP and in line with its findings, the Climate Change team would determine areas of potential risk in the form of service area climate impact assessments. It was expected that these would become embedded within key projects going forward to mitigate detrimental impacts to service delivery.

In order to put adaptation at the forefront of shaping projects, an adaptation strategy would be developed setting out the Council's strategic approach to future proof service delivery. The strategy would complement and enhance existing key strategies within the Council such as the Local Heat & Energy Efficiency Strategy (LHEES), Local Housing Strategy (LHS), Local Development Plan (LDP), flood risk strategy and the Falkirk and Grangemouth Investment Zone.

Decision

The Executive:-

- (1) noted the progress of work to develop a Local Climate Impact Profile;**
- (2) endorsed that consideration of adaptation requirements (to be highlighted in an adaptation strategy) be embedded in all Council projects & initiatives, and**
- (3) endorsed that climate change risk assessments were embedded in future service delivery provision and budget considerations.**

EX69. Projected Financial Position 2019/20

The Executive considered a report by the Director of Corporate and Housing Services presenting an update on the financial position of the Council for 2019/20 and an update on the position with Reserves consistent with the policy approved by the Executive in January 2015.

Net expenditure at 31 March 2020 was forecast to be £347.4m which was £0.077m (0.02%) below the resources available. This was an adverse movement of £0.426m from the August position and was primarily due to a reduction in the projected underspend in Corporate & Housing Services along with the increased projected overspend in Children's Services.

Spend against budget by service was provided with the significant reasons for deviation. The spend was:-

- Children's Services – over budget by £2.663m
- Corporate & Housing Services – under budget by £0.078m
- Development Services – under budget by £0.029m.

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.**

EX70. Revenue Budget/Medium Term Financial Plan [MTFP]

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the Revenue Budget and Medium Term Financial Plan [MTFP]. There was updated information on the Budget Gap projections along with savings options identified by officers and means of Budget engagement with stakeholders.

Councillor Meiklejohn, seconded by Councillor Bouse, moved that the Executive notes:-

- (1) the overall position set out in the report, and**
- (2) that Services will continue work to identify further savings options.**

As an amendment, Councillor Nimmo, seconded by Councillor Bissett, moved that the Executive agrees a continuation of this report to enable more detailed information on budget proposals to be brought forward.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (8) – Councillors Alexander, Bouse, Garner, Harris, Hughes, Meiklejohn, Munro and Nicol.

For the amendment (4) – Councillors Bissett, Coombes, Nimmo and Reid.

Decision

The Executive agreed the motion.

EX71. Falkirk Council's Five-Year Business Plan

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the implementation of the Council's Business Plan through wave two on the Council of the Future change programme. The business plan brought together the key strategies including the Medium Term Financial Plan, Workforce Plan, Technology Plan and Wave Two of the Council of the Future (COTF) Programme of Change.

The refreshed COTF Programme of Change: Falkirk Council's Five-Year Business Plan and the COTF Governance Framework were appended to the report.

Decision

The Executive noted the refreshed Council of the Future Programme of Change within Falkirk Council's Five-Year Business Plan as the framework for future transformation and financial planning (2019 – 2024).

EX72. Strategic Property Review – Update & Draft Property Strategy

The Executive considered a report by the Director of Development Services providing an update on the Strategic Property Review (SPR) and the preparation of a draft Property Strategy and Implementation Plan. The draft strategy had been informed by the findings of the Strategic Property Review (SPR) and the report includes an update on the ongoing SPR work streams, consultation and projects previously approved.

A set of 5 key objectives had been established and together with applying the SPR principles provided direction to inform future decisions on delivery of services in communities and associated property solutions. The objectives were:-

- Property being managed corporately to support the Council's corporate objectives and priorities;
- Property meets the needs of our customers and services;
- Property is providing value for money and is affordable;
- Council property supports sustainable and inclusive economic Growth, and
- Working effectively with partners to maximise shared opportunities.

Decision

The Executive:-

- (1) the draft Property Strategy and Implementation Plan;**
- (2) that a workshop for elected members is arranged to review the implementation plan, potential asset rationalisation programme and outcome of public consultation currently ongoing, and**
- (3) that the finalised strategy is presented to a future meeting of the Executive for approval**

EX73. Council HQ/Arts Centre – Update

The Executive considered a report by the Director of Development Services providing an update on the progress of work relating to the council's civic headquarters (HQ) and arts centre replacement project.

Work had taken place to specify the Council's civic and office headquarters/arts centre requirements in order to prepare for procurement of this facility. At the Council's budget meeting in February 2019 a capital allocation of £45m was established (£30m for offices and £15m for the arts centre replacement of the town hall). Falkirk Community Trust (FCT) commissioned a project to develop a brief and specification for an arts centre to replace Falkirk Town Hall. It was intended that the Council should finalise its requirements in order to commence procurement for the replacement facility. This involved seeking delivery of a site in the town centre as defined in the Local Development Plan.

Councillor Meiklejohn, seconded by Councillor Alexander, moved that the Executive:-

- (1) notes the progress in the delivery of the Council's civic headquarters (HQ) and arts centre replacement project;
- (2) notes the outcome of the options appraisal contained in this report and agrees to progress further consideration of Options 4 & 5 as outlined in Table 1 and summarised in Appendix 3, as a basis for development of the project specification;
- (3) agrees that a further report be prepared for the meeting of the Executive in December to confirm the proposed specification and approach to procurement of this project, and

- (4) agrees to work with Scottish Futures Trust (SFT) and partners on the scope to include additional office space to meet partners' accommodation needs in the town centre and commission work to assess the zero-carbon potential for the new facility at a cost of £45k, to be funded by SFT.

As an amendment, Councillor Bissett, seconded by Councillor Nimmo, moved that the Executive agrees to refer the report to Council and to request that the Provost agrees a special meeting to allow a full discussion of the proposals.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

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

For the amendment (7) – Councillors Bissett, Coombes, Harris, Munro, Nicol, Nimmo and Reid.

Decision

The Executive agreed the amendment.

EX74. Street Signs – Provenance Information

The Executive considered a report by the Director of Development Services presenting information on the cost, practicality and road safety implications of the proposal to add provenance information to street name signage, following the decision of the Executive on 27 August 2019.

The cost for a developer to provide signage with provenance information would not be borne by the Council, as it would be provided as part of the Road Construction Consent. The Council had undertaken replacement of 97 street name signs over the previous two years at an average supply cost of £55 per sign, with installation costs varying from £60 per sign to £280. The Council's supplier had a cost of £3.95 per letter (for a reinforced sign suitable for post mounting) and £2.95 per letter (for a wall mounted sign).

A sign incorporating provenance information would contain a second line of smaller text, around half the size of the principal text. The Council's current signage supplier had advised that the cost per letter of an additional line of smaller text would be similar to that of the primary street name lettering.

Councillor Garner, seconded by Councillor Hughes, moved that the Executive:-

- (1) recognises the importance of protecting our heritage for this generation and indeed future generations;

- (2) agrees to task officers with producing an online web based solution in which the provenance of current and future street names can be found at the request of the community;
- (3) agrees this will be useful reference point and help instil a greater sense of community, and
- (4) agrees that officers work with local historical societies when researching the provenance of street names.

As an amendment, Councillor Reid, seconded by Councillor Coombes, moved that the Executive agrees that:-

- (1) in future, street names should identify in brief the provenance of the name where it is that of a person;
- (2) if the name is to be repeated throughout an estate, for example, the provenance should only be shown at the most prominent location, e.g. the entry to the estate;
- (3) if street names plates bearing the name of a person require replacement, the addition of the provenance of the name should be included retrospectively, and
- (4) officers work with local historical societies when researching the provenance of street names.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

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

For the amendment (7) – Councillors Bissett, Coombes, Harris, Munro, Nicol, Nimmo and Reid.

Decision

The Executive agreed the amendment.

EX75. Pest Control

The Executive considered a report by the Director of Development Services providing an update in relation to pest control within the Falkirk Council area, following the decision of the Executive on 27 August 2019.

In compliance with procurement duties it would not be appropriate for the Council to promote any particular pest control company over any other. However the Council website had been updated to link to the national “Buy with Confidence Scheme”.

Suitable information in relation to good waste housekeeping and examples of best practice regarding general vermin control were also now detailed on the Council website.

Following removal of the pest control service, there had not been an increase in vermin/pest control complaints directly to council officers however. There had been no change to the weekly food collection service, which should be the only food source for vermin. The charge for the collection of bulky items was only for the uplift of household items which did not provide a food source for vermin.

Decision

The Executive noted what actions had been taken since changes were made to waste collections and disposal arrangements with effect from 1 April 2019.

EX76. Exclusion of Public

The Executive 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 grounds that they would involve the likely disclosure of exempt information as defined in paragraphs 6 and 9 of part 1 of schedule 7A to the said Act.

EX77. thinkWhere Limited (formerly Forth Valley GIS)

The Executive considered a report by the Chief Executive updating Members on progress being made by thinkWhere Limited, in developing their products and business including the need to attract external investment and seeking delegated authority to negotiate and agree any external investment proposal that materialises. The Executive were asked to propose and nominate a new director.

Decision

The Executive:-

- (1) noted the current position on the Council's investment in thinkWhere Limited;**
- (2) agreed the nomination of Allan Stewart, Improvement Manager, as one of the Council's nominated directors, and**
- (3) agreed to delegate authority to the Chief Executive, in consultation with the Leader of the Council together with the Leaders of the main Opposition Groups, to negotiate and conclude a deal in relation to any external investors proposals.**

EX78. Sale of Former Seabegs Road, Depot Site, Bonnybridge

The Executive considered a report by the Director of Development Services providing an update on the work to identify a preferred option for the disposal or transfer of the former Seabegs Road depot site.

Decision

The Executive agreed to split the site and land price on an apportioned basis on terms to be agreed via the District Valuer as detailed in appendix 3 between Storage UK and Corporate & Housing Services.

FALKIRK COUNCIL

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Thursday 31 October 2019 at 1.30 p.m.

Councillors:

David Alexander
Jim Blackwood
Gary Bouse (convener)
John Patrick
Pat Reid

Officers:

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

A20. Apologies

An apology was intimated on behalf of Councillors Collie and Spears.

A21. Declarations of Interest

No declarations were made.

A22. Minutes

As a preliminary matter, the Interim Legal Services Manager advised that the minute of the meeting of 16 August 2019 had been issued in error, having been approved at an earlier meeting. It had been replaced within the supplementary agenda issued in respect of today's meeting by the minute of the meeting on 19 September 2019.

Decision

The minutes of meetings of the Appeals Committee held on 19 September and 27 September 2019 were approved.

A23. 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.

A24. Appeal Against Dismissal

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Notification of Appeal from the Appellant; (c) Submission from the Head of Integration, Falkirk Health and Social Care Partnership dated 22 October 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 A, was present and accompanied by Mr Raymond Smith, GMB.

The Head of Integration and Team Leader Operations (Aileen Reid) were present as representatives of the Council.

As a preliminary matter, the Appellant's representative advised he wished to lodge character references on behalf of the Appellant. With the Agreement of the parties and the Committee, their late inclusion as part of the Appellant's submission was permitted.

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

The Head of Integration Services asked questions of the Appellant.

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

The Head of Integration commenced his presentation of the case on behalf of the Council by leading evidence from a witness Ms H.

The Appellant's representative then asked questions of the witness Ms H.

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

The committee adjourned at 2.45 p.m. and reconvened at 2.55 p.m. with all members present as per the sederunt.

The Head of Integration then presented the remainder of his case on behalf of the Council.

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

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

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 discipline Ms A was justified and the decision to dismiss Ms A from Council Service was reasonable in the particular circumstances of the case. Accordingly the appeal was **REFUSED**.

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

**Minute of meeting of the Planning Committee held On Site (Unaccompanied)
on Monday 4 November 2019 commencing at 9.30 a.m.**

Councillors: Jim Blackwood
Gary Bouse
Provost William Buchanan (Depute Convener)
David Grant
Lynn Munro

Officers: Karen Chambers, Committee Services Officer
David Paterson, Planning Officer

P71. Apologies

Apologies were intimated on behalf of Councillors Alexander, Bissett, Black, Coombes and Murtagh.

P72. Declarations of Interest

There were no declarations of interest.

**P73. Change of Use of Land to Private Garden Ground (Retrospective),
Demolish Existing Dwelling and Outbuilding and Erection of
Dwellinghouse and Domestic Garage at Hillroy, 18 Mannerston
Holdings, Blackness, Linlithgow, EH49 7ND for Peter and Karen Mushet
– P/19/0375/FUL**

With reference to the minute of the meeting of the Planning Committee held on 23 October 2019 (Ref P69), committee gave further consideration to a report by the Director of Development Services on an application for the change of use of land to private garden ground (retrospective), demolish existing dwelling and outbuilding and erection of dwellinghouse and domestic garage at Hillroy, 18 Mannerston Holdings, Blackness, Linlithgow.

The Depute Convener introduced the parties present and explained the nature of the unaccompanied site visit.

The Planning Officer outlined the nature of the application.

Questions were then asked by members of the committee.

Questions related to:

- Whether the design amounted to a storey or 1.5 storey building.
- The gutter level of the property.
- The fact that the house is in a special landscape area.

The Depute Convener concluded by thanking the parties for their attendance. The matter would be considered by the Planning Committee at its meeting on 20 November 2019.

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 6 November 2019 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Lorna Binnie
Jim Blackwood
Jim Flynn
Gordon Hughes (Convener)
Depute Provost Ann Ritchie

Officers: Bryan Douglas, Licensing Co-ordinator
Jack Frawley, Team Leader - Committee Services
Frances Kobiela, Senior Solicitor

CL63. Apologies

Apologies were intimated on behalf of Provost Buchanan and Councillor Goldie.

CL64. Declarations of Interest

There were no declarations of interest.

CL65. Minute

The minute of Meeting of the Civic Licensing Committee held on 3 October 2019 was approved.

CL66. List of Applications Granted under Delegated Powers in September 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 September 2019 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL67. 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.

CL68. Application for the Renewal of a Public Entertainment Licence

The Managing Director, Mr C appearing on behalf of the Director Mr F, entered the meeting.

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

Mr C was heard in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment and reconvened with all members present as per the sederunt.

The committee agreed to continue consideration of this item to later in the meeting to allow Mr C to obtain further information from the Director by telephone.

CL69. Application for the Grant of a New Second Hand Dealer Licence (Used Vehicles)

The applicant, Mr H, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details of an application for the grant of a new second hand dealer licence (used vehicles), the consultations carried out, the responses received and the applicant's record.

Mr H spoke in support of his application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment and reconvened with all members present as per the sederunt.

Decision

The committee agreed to grant the new second hand dealer licence (used vehicles) subject to the standard conditions.

CL70. Application for the Renewal of a Public Entertainment Licence (Continuation)

The Managing Director, Mr C appearing on behalf of the Director Mr F, re-entered the meeting.

The committee resumed consideration of the application for the renewal of a public entertainment licence.

Mr C spoke in support of the application and clarification of points previously raised by the committee.

The committee agreed to a short adjournment and reconvened with all members present as per the sederunt.

Questions were then asked by members of the committee.

The committee agreed to a further short adjournment and reconvened with all members present as per the sederunt.

Decision

The committee agreed to grant the renewal of the public entertainment licence.

CL71. Application for the Renewal of a Late Hours Catering Licence

The applicant, Mr S, entered the meeting.

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

Mr S spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment and reconvened with all members present as per the sederunt.

Decision

The committee agreed to grant the renewal of the late hours catering licence subject to the standard conditions.

CL72. Application for a New Late Hours Catering Licence

The applicant, Mr K accompanied by the day to day manager Mr L and the previous licence holder Mr R, 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 K was heard in support of his application.

Questions were asked by members of the committee.

The committee agreed to a short adjournment and reconvened with all members present as per the sederunt.

Decision

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

CL73. Application for the Grant of a New Taxi Operator Licence

The applicant, Mr McL accompanied by his partner Ms C and his father Mr J McL, 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 operator licence, the consultations carried out, the responses received, and detailing the vehicle proposed to be operated.

Mr McL was heard in support of his application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment and reconvened with all members present as per the sederunt.

Decision

The committee agreed to grant the new taxi operator licence, being satisfied that the circumstances justified a departure from the current policy in respect of the age of the proposed vehicle; subject to the appropriate insurance documentation; V5 certificate and taxi inspection test certificate being submitted to the satisfaction of officers, and subject to the standard conditions for a period of one year. The committee noted the undertaking from the applicant that at the end of the vehicle's natural life any replacement car would be within policy.

C74. Application for the Grant of a New Taxi Operator Licence

The committee considered a report by the Chief Governance Officer providing details on an application for the grant of a new taxi operator licence, the consultations carried out, the responses received, and detailing the vehicle proposed to be operated.

Decision

The committee agreed to grant the new taxi operator licence subject to the appropriate insurance documentation; V5 certificate and taxi inspection test certificate being submitted to the satisfaction of officers, and subject to the standard conditions for a period of one year.

FALKIRK COUNCIL

Minute of meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 11 November 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:

Rhona Geisler, Director of Development Services
Gary Greenhorn, Head of Planning and Resources
Stuart Irwin, Democratic Services Graduate
Kenneth Lawrie, Chief Executive
Gordon O'Connor, Audit Manager
Brian Pirie, Democratic Services Manager
Stuart Ritchie, Director of Corporate and Housing Services
Bryan Smail, Chief Finance Officer

Also Attending:

Stephen Reid, Ernst and Young
Grace Scanlin, Ernst and Young

A22. Apologies

There were no apologies.

A23. Declarations of Interest

No declarations were made.

A24. Minute**Decision**

The minute of the meeting of the Audit Committee held on 16 September 2019 was approved.

A25. The Role of the Audit Committee

Grace Scanlin and Stephen Reid gave a presentation to the Committee on the role of the Audit Committee. The presentation also addressed the role of elected members on Audit Committees. The presentation covered:

- CIPFA's position statement on the role of the Audit Committee;
- The key characteristics of an effective Audit Committee;
- The role of the Convener;
- The four key functions of an Audit Committee - oversight of Internal and External audit, the effectiveness of risk management arrangements, the effectiveness of the central environment and review the financial statements and external audit reports;
- The range of functions which other Local Authority 'Audit' Committee cover;
- Overlaps between the role of scrutiny Committees and Audit Committees; and
- Common areas of challenge for Audit Committees.

The Committee asked Ms Scanlin and Mr Reid for their opinion on the effectiveness of Falkirk Council's Audit Committee. Ms Scanlin remarked that in general she was impressed with the Committee and that its effectiveness was dependant on the quality of scrutiny. Mr Reid added that the effectiveness of any Audit Committee was related to a number of factors – including the quality of the reports, the support provided by officers, the input from internal and external auditors, Falkirk Council was, he suggested, broadly comparable with others in these regards. The vital factor was he considered the degree of preparation and engagement by members of the Committee.

Following a question about the composition of the Committee the Chief Executive stated that this was determined by Council and Council was currently deciding how it would deal with the composition of Committees given the number of independent Councillors currently on the Council. This would be determined by Council in December 2019. The Convener explained that the Committee should not be political in nature and that politics should be 'left at the door'. Mr Reid agreed with this – he considered it to be a fact that those which functioned best were non political in nature. Ms Scanlin concurred and noted that currently only 3 Audit Committees out of 32 in Scotland were chaired by an independent, non elected member, of which Falkirk Council was one.

Following a discussion on the control environment, Mr Reid suggested that the Committee might, given that the Accounts Commission had a focus on public performance reporting, wish to dedicate a development session to this area.

The Committee considered its role in regard to risks. Ms Scanlin emphasised that it was not the role of the Committee to focus on operational matters. Its view was strategic. Its role was to scrutinise the assurances in

place for each service and to ensure that processes were in place to mitigate the risks. In response to a statement that it was not an easy task for members the Leader of the Council agreed, but repeated the point that the Committee should not focus on operational matters. Ms Scanlin stated that the least effective Committees were those whose focus was on management rather than strategic issues. The Committee then discussed the support in place for members of the Committee. It was recognised that it was important that the members of an audit Committee need to have an in depth understanding of how the Council works and of specific areas of Council business, such as the Council of the Future (COTF) programme or budget working group. There was an argument, it was suggested, that the membership should comprise members with particular experience and therefore understanding of these areas, notwithstanding the fact that training could be provided to those who did not. Members of the Committee agreed, adding that there was a need for continuing briefings to all members in key aspects of the Council's business.

The Chief Executive welcomed the key points made in the presentation and the discussion which followed. It was vital, he suggested, that the Committee build on these going forward. He had experience of a number of Committees, some of which had weaknesses and some had strengths. At Midlothian Council, he advised, members had ability to be forensic and to challenge management. At Falkirk he had witnessed less of both to date. Mr Lawrie proposed that the slides be circulated after the meeting and that the Committee meets informally to discuss on how to build on the key messages from the presentation and discussion today. This would provide the opportunity for open and frank discussion on how to improve the effectiveness of the Committee. He cited the checklists provided in the presentation as an example of a useful tool for members going forward. The Leader of the Council concurred and added that a self assessment, led by External Auditors, would be beneficial. Stephen Reid supported the proposal, remarking that such self reflection should lead to an action plan for improvement.

Decision

The Committee agreed to hold an informal meeting of the Committee to discuss how to build on the themes and key points of the presentation.

A26. Order of Business

The Convener varied the order of business to allow the Committee to consider agenda item 6 – Audit Committee Workplan 2020 next given that it related to discussions on the previous item. The following items are recorded in the order in which they were taken at the meeting.

A27. Audit Committee Workplan 2020

The Committee considered a report by the Director of Corporate and Housing Services setting out a workplan for the Audit Committee for 2020.

The Committee had agreed a workplan for 2019 at its meeting on 19 November 2018 (ref A30). All planned reports had been submitted with the exception of the Convener's report to Council. It was proposed that this be considered at the meeting of the Committee on 6 April 2020 to accord with the end of the financial year.

A workplan for 2020 was set out. In addition to the 'traditional' suite of reports which were submitted to Committee at set times during the year it was proposed that each meeting include a development session for members. These would assist members in their understanding of the role of the Committee and support their role as members of the Committee. The Plan would be indicative and could be added to with reports called for by the Committee or which officers considered fell within the remit of the Committee. The workplan was based around the five meeting dates set by Council in September 2019 – 6 April, 15 June, 24 August, 21 September and 9 November 2020.

The Committee questioned the programme itself commenting that the Committee would meet 5 times in 7 months (April – November), but would not meet before April. The Democratic Services Manager explained that the programme was set by Council and took account of the Council budget setting process which took place between January and late February. The Chief Executive recognised the rationale for the programme, but nonetheless considered that the programme could be revisited with a view to being more balanced. Earlier in the meeting the members of the Committee had for example, agreed to hold an informal session on the Committee arrangements early in the New Year. While there was general agreement on the workplan as set out members questioned whether the Committee should receive reports on the Council of the Future programme as a standing item on each agenda. The Director of Corporate and Housing Services explained that progress on the Council of the Future was reported to a number of bodies, such as the Project Board and the Executive. Mr Ritchie also added that members were regularly provided with the opportunity to attend briefing sessions. The Leader of the Council added that there was an onus on all members to keep themselves informed by attending the sessions which had not been well attended generally.

Decision

The Committee agreed its workplan for 2020.

A28. Internal Audit Progress Report

The Committee considered a report by the Internal Audit Manager updating members on the progress with completing the 2019/20 Internal Audit Plan.

Of the 23 assignments set out in the Audit Plan for 2019/20, 5 had been completed, 13 were in progress or had not started.

The report provided a summary of findings from those assignments which had been completed and a final report published which had not previously been reported to Committee.

Following a question in regard to the nature of the 'all services' assignments – consultancy work and income generation; Continuous Auditing; National Fraud initiative and Follow Up of Internal Audit Recommendations, the Internal Audit Manager explained that these were ongoing pieces of work which were carried out over the course of the year. For example, in regard to creditor's payments, 39 had been reviewed and as a result £27k had been returned to Council budgets. Similarly in regard to National Fraud initiative work, 122 errors had been identified in regard to Council Tax Single Person Discounts, with a value of £88k. Mr O'Connor undertook to provide updates on these areas of work to every second meeting of the Committee.

The Committee discussed the report format and asked that reports include the following information:-

- where an assignment is "in progress" or not stated the report should provide detail on when the work is due to be completed.
- where a final report has been issued following completion of an assignment the report to Committee should provide the number of recommendations made.

Decision

The Committee noted progress made with completing the 2019/20 Internal Audit Plan.

A29. Accounts Commission Report: Safeguarding Public Money: Are you Getting it Right?

The Committee considered a report by the director of Corporate and Housing Services presenting the key messages arising from the Accounts Commission report entitled "Safeguarding Public Money: Are You Getting it Right?".

The report by the Accounts Commission had been produced as part of a series of reports aimed at supporting Council's drive for continuous improvement. The report stated that:-

- Councils faced complex, challenging financial pressures. Rising demand for many of the diverse services Councils provide must be met despite tightening budgets for numerous services, and significant uncertainty stemming from external factors including the UK's planned withdrawal from the EU.
- In 2017/18, Councils' net revenue expenditure totalled £12.4 billion. If Councils could save one per cent by improving their financial management, risk management and internal controls, they could potentially free-up an extra £124 million for providing public services.
- Scotland's 1,227 Councillors had multi-faceted responsibilities and constantly make difficult decisions when prioritising and allocating their Council's finite resources. With so much at stake, it is more important than ever that the impact of their decisions on communities and individuals is transparent and clearly understood. This requires an organisational culture that is open to candid discussions about risks and recognises the importance of scrutinising decisions.
- This report aimed to reinforce the importance of Councils having effective internal controls.
- The Accounts Commission expected Councillors to use this report to ensure that they:
 - had a good understanding of the main risks facing their Council and how well these risks were being managed;
 - were assured that appropriate internal controls were in place and, where weaknesses have been identified, effective action was being taken to address them; and
 - were kept aware of the outcome of any significant risk occurring; the failure of internal controls; and what remedial actions are being taken.

The key messages from the report were:-

- An effective system of internal controls and risk management helped Councils to safeguard their finances; ensures they implement their policies; and helps them to deliver high-quality services.
- Standards of internal controls may be strained. Some recurring weaknesses were becoming apparent among Councils and the consequences could be serious, including the loss of significant amounts of public money, impacts on services and reputational damage.

Ultimately, Councillors were accountable for scrutinising a Council's use of public money.

- Councillors should seek assurances from officers that a rigorous system of internal controls was in place. Scrutiny and audit Committees had leading roles, but every Committee and Councillor had a scrutiny role too.
- The Committee discussed the funding of external organisations and the Following the Public Pound Framework. Currently funding of less than £10k was not reported to the Scrutiny Committee (External) which meant that there was no elected member oversight of such awards. The Committee also sought clarification in regard to the award process and the process for applying for funding. The Director of Corporate and Housing Services undertook to investigate.

The Committee then discussed the role of the Community Planning Partnership in regard to Community Asset Transfers. Members sought assurance around the risk assessment procedures and advice given to the community. The Head of Planning and Resources stated that the Service signposted groups to Community Asset Scotland, which was an independent body. It was important that groups were able to access independent advice. Feedback suggested that the support which was signposted had been effective. Mr Greenhorn advised that a report would be submitted to the next meeting of the Education, Children and Young People Executive. Following a question Mr Greenhorn confirmed that it was a requirement that once the transfer was completed that the groups' governance and financial arrangements were stable going forward, recognising the point made by members that membership of the groups could change over time. He added that there should be annual reviews.

Following a question the Director of Corporate and Housing Services explained the process for scrutinising the Falkirk Community Trust performance.

Decision

The Committee noted the report.



Convention Item 01

MINUTE OF MEETING OF CONVENTION

Friday 29 March 2019
Brunton Hall, Musselburgh

Present

COSLA President	Cllr Alison Evison
COSLA Vice President	Cllr Graham Houston
Aberdeen City	Cllr John Reynolds
Aberdeen City	Cllr Douglas Lumsden
Aberdeenshire	Cllr Isobel Davidson (Substitute)
Aberdeenshire	Jim Savege
Aberdeenshire	Cllr Ross Cassie
Aberdeenshire	Cllr Richard Thomson
Aberdeenshire	Cllr Jim Gifford
Angus	Margo Williamson
Angus	Cllr David Fairweather
Angus	Cllr Ben Lawrie
Angus	Cllr Lynne Devine
Angus	Cllr Craig Fotheringham
Argyll and Bute	Cleland Sneddon
Argyll and Bute	Cllr Aileen Morton
Argyll and Bute	Cllr Sandy Taylor
City of Edinburgh	Cllr Adam McVey
City of Edinburgh	Cllr Cameron Rose
City of Edinburgh	Cllr Iain Whyte
City of Edinburgh	Cllr Mary Campbell
Clackmannanshire	Stuart Crickmar (Substitute)
Clackmannanshire	Cllr Dave Clark
Clackmannanshire	Cllr Ellen Forson
Comhairle nan Eilean Siar	Malcolm Burr
Comhairle nan Eilean Siar	Cllr Norman A MacDonald
Comhairle nan Eilean Siar	Cllr Roddie Mackay
Comhairle nan Eilean Siar	Cllr Alasdair MacLeod

Dumfries and Galloway	Cllr Jane Maitland
Dumfries and Galloway	Cllr Elaine Murray
Dumfries and Galloway	Cllr Rob Davidson
Dumfries and Galloway	Cllr Ian B Carruthers
Dumfries and Galloway	Cllr Gail Macgregor
Dundee City	Cllr Lynn Short (Substitute)
Dundee City	Cllr Mark Flynn (Substitute)
Dundee City	Cllr Kevin Keenan
Dundee City	Cllr Willie Sawers
East Ayrshire	Paul McGowan (Substitute)
East Ayrshire	Cllr John McGhee
East Ayrshire	Cllr Douglas Reid
East Ayrshire	Cllr Elena Whitham
East Ayrshire	Cllr Tom Cook
East Dunbartonshire	Cllr Stewart MacDonald (Substitute)
East Dunbartonshire	Cllr Susan Murray
East Dunbartonshire	Cllr Gordan Low
East Dunbartonshire	Cllr Vaughan Moody
East Lothian	Cllr Norman Hampshire (Substitute)
East Lothian	Angela Leitch
East Lothian	Cllr Stuart Currie
East Lothian	Cllr Jane Henderson
East Renfrewshire	Cllr Colm Merrick (Substitute)
East Renfrewshire	Lorraine McMillan
East Renfrewshire	Cllr Paul O'Kane
Falkirk	Kenneth Lawrie
Falkirk	Cllr Robert Bissett
Falkirk	Cllr David Alexander
Falkirk	Cllr Cecil Meiklejohn
Fife	Cllr Jonny Tepp (Substitute)
Fife	Steve Grimmond
Fife	Cllr Judy Hamilton
Fife	Cllr David Ross
Fife	Cllr David Alexander
Fife	Cllr Karen Marjoram
Fife	Cllr David Dempsey
Glasgow City	Cllr Aileen McKenzie (Substitute)
Glasgow City	Cllr Martin Bartos (Substitute)
Glasgow City	Annemarie O'Donnell
Glasgow City	Cllr Archie Graham
Glasgow City	Cllr Susan Aitken
Glasgow City	Cllr Alan Casey
Glasgow City	Cllr Christina Cannon
Glasgow City	Cllr Rhiannon Spear
Highland	Cllr Andrew Jarvie (Substitute)
Highland	Cllr Bill Lobban (Videoconference)
Highland	Donna Manson
Highland	Cllr Margaret Davidson
Inverclyde	Cllr Jim McEleny (Substitute)
Inverclyde	Aubrey Fawcett

Inverclyde	Cllr Jim Clocherty
Inverclyde	Cllr Stephen McCabe
Midlothian	Dr Grace Vickers
Midlothian	Cllr Russell Imrie
Midlothian	Cllr Kelly Parry
Moray	Cllr Frank Brown (Substitute)
Moray	Cllr Graham Leadbitter
Moray	Cllr Shona Morrison
North Ayrshire	Craig Hatton
North Ayrshire	Cllr John Bell
North Ayrshire	Cllr Joe Cullinane
North Ayrshire	Cllr Marie Burns
North Lanarkshire	Cllr Allan Graham (Substitute)
North Lanarkshire	Cllr Paul Kelly (Substitute)
North Lanarkshire	Des Murray
North Lanarkshire	Cllr Tom Johnston
North Lanarkshire	Cllr David Stocks
North Lanarkshire	Cllr Sandy Watson
Orkney Islands	Gavin Barr (Substitute)
Orkney Islands	Cllr Steven Heddle
Orkney Islands	Cllr Leslie Manson
Orkney Islands	Cllr James Stockan
Perth and Kinross	Karen Reid
Perth and Kinross	Cllr Peter Barrett
Perth and Kinross	Cllr Murray Lyle
Renfrewshire	Cllr John McNaughtan (Substitute)
Renfrewshire	Sandra Black
Renfrewshire	Cllr Iain Nicolson
Scottish Borders	Tracey Logan
Scottish Borders	Cllr Stuart Bell
Scottish Borders	Cllr Shona Haslam
Shetland Islands	Maggie Sandison
Shetland Islands	Cllr Malcolm Bell
Shetland Islands	Cllr Steven Coutts
South Ayrshire	Cllr Douglas Campbell
South Lanarkshire	Cllr Maureen Chalmers (Substitute)
South Lanarkshire	Cllr Peter Craig (Substitute)
South Lanarkshire	Cllr Walter Brogan
South Lanarkshire	Cllr Joe Fagan
South Lanarkshire	Cllr Alex Allison
Stirling	Jim Boyle (Substitute)
Stirling	Cllr Danny Gibson
Stirling	Cllr Scott Farmer
West Dunbartonshire	Cllr Jonathan McColl (Substitute)
West Dunbartonshire	Cllr Caroline McAllister
West Lothian	Graham Hope
West Lothian	Cllr Lawrence Fitzpatrick
West Lothian	Cllr Kirsteen Sullivan
West Lothian	Cllr Frank Anderson
West Lothian	Cllr Damian Tion

Apologies

Aberdeen City	Angela Scott
Aberdeen City	Cllr Ian Yuill
Aberdeen City	Cllr M Taqeer Malik
Aberdeen City	Cllr Stephen Flynn
Aberdeenshire	Cllr Peter Argyle*
Aberdeenshire	Cllr Norman Smith
Angus	Cllr Bob Myles
Argyll and Bute	Cllr Alastair Redman
City of Edinburgh	Andrew Kerr
City of Edinburgh	Cllr Cammy Day
City of Edinburgh	Cllr Lesley Macinnes
Clackmannanshire	Nikki Bridle*
Clackmannanshire	Cllr Mike Watson
Dumfries and Galloway	Gavin Stevenson
Dundee City	Cllr Ken Lynn*
Dundee City	Cllr John Alexander*
Dundee City	David Martin
Dundee City	Cllr Philip Scott
East Ayrshire	Fiona Lees*
East Dunbartonshire	Cllr Alan Moir*
East Dunbartonshire	Cllr Andrew Polson
East Dunbartonshire	Gerry Cornes
East Dunbartonshire	Cllr Billy Hendry
East Lothian	Cllr William Innes*
East Renfrewshire	Cllr Tony Buchanan*
East Renfrewshire	Cllr Stewart Miller
Falkirk	Cllr John Patrick
Fife	Cllr Timothy Brett*
Glasgow City	Cllr Frank McAveety*
Glasgow City	Cllr Jon Molyneux*
Glasgow City	Cllr David Meikle
Highland	Cllr Struan Mackie*
Highland	Cllr Ian Cockburn
Highland	Cllr Maxine Smith
Inverclyde	Cllr Christopher McEleny*
Midlothian	Cllr Pauline Winchester
Midlothian	Cllr Derek Milligan
Moray	Cllr Tim Eagle*
Moray	Roderick Burns
North Ayrshire	Cllr Tom Marshall
North Lanarkshire	Cllr Paul Kelly*
North Lanarkshire	Cllr Jim Logue*
North Lanarkshire	Cllr Heather McVey
Orkney Islands	Alistair Buchan*
Perth and Kinross	Cllr Dave Doogan
Perth and Kinross	Cllr Xander McDade
Renfrewshire	Cllr Jim Paterson*

Renfrewshire	Cllr Eddie Devine
Renfrewshire	Cllr John Shaw
Renfrewshire	Cllr James MacLaren
Scottish Borders	Cllr David Parker
Scottish Borders	Cllr Simon Mountford
Shetland Islands	Cllr Alastair Cooper
South Ayrshire	Eileen Howat
South Ayrshire	Cllr Brian McGinley
South Ayrshire	Cllr Peter Convery
South Ayrshire	Cllr Brian Connolly
South Lanarkshire	Cllr John Ross*
South Lanarkshire	Cllr Maureen Chalmers*
South Lanarkshire	Lindsay Freeland
South Lanarkshire	Cllr Margaret Cooper
Stirling	Carol Beattie*
Stirling	Cllr Neil Benny
West Dunbartonshire	Cllr Marie McNair*
West Dunbartonshire	Joyce White
West Dunbartonshire	Cllr John Mooney
West Lothian	Cllr Peter Johnston

**Denotes substitute provided*

Apologies are recorded where notified in advance or sederunt not signed

Public Session

Welcome by the President of COSLA

The President, Councillor Alison Evison, welcomed delegates to COSLA's 'on the road' Convention at Brunton Hall. In referring to the Hall as an excellent performing arts theatre venue and community hub, she noted in its history the local businessman who bequeathed the kindly sum of £700,000 in the 1950s to create a community space where people could come together. Over 60 years later the President commented how apt it was for COSLA and representatives from across all our communities in Scotland to be using the facilities for Convention. The President went on to thank Council Leader Willie Innes, Provost John McMillan, Chief Executive Angela Leitch and the East Lothian Council staff – including Hazel Board in particular for her co-ordination role - for making today possible. She also thanked East Lothian for hosting a very enjoyable and productive civic reception the previous evening.

Welcome by the Provost of East Lothian Council

The Provost, Councillor John McMillan, welcomed everyone to the event. He commented that, across Scotland, councils continue to face challenges to deliver services to our communities. In looking to the future, whilst delivering change, councils also need to recognise and preserve the traditions within our communities. He specifically highlighted the school estates expansions that is underway, the need to manage and benefit from population growth and changes, tackling inequalities and making improvements to infrastructures. He also reminded delegates that there are real challenges such as the significant and much needed demand for spending on health and social care, ensuring support to the most vulnerable. The Provost positively highlighted this event as an opportunity to build networks, share experiences and ensure continuing partnership working, with and for our communities and using our collective passion and power to influence a better future for all.

1. Minute of Previous Meeting of 14 December 2018

Two amendments were proposed to the draft minute by Jonathan McColl, Leader of West Dunbartonshire Council:

Amendment 1 - To record as present at the meeting Councillor Caroline McAllister for West Dunbartonshire Council.

Amendment 2 - To record as present at the meeting Councillor Jonathan McColl acting as a substitute for Councillor Marie McNair of West Dunbartonshire Council.

Following the agreement to incorporate those two amendments, the minute was agreed as an accurate record.

2. National Performance Framework

The report provided Convention with some information on the National Performance Framework, co-signed and jointly launched by Scottish Government and COSLA in the middle of last year. Convention was asked to endorse the work being pursued by COSLA to achieve greater and more meaningful partnership working with the Scottish Government, towards delivering on the outcomes in the National Performance Framework. Members welcomed the positive engagement being undertaken.

Convention:

- i. Noted the detail of the National Performance Framework, co-signed by Scottish Government and COSLA;
- ii. Endorsed the ongoing efforts to work more meaningfully in partnership with Scottish Government, and where appropriate other partners, to pursue delivery of the ambition set out in the eleven outcomes; and
- iii. Agreed that further reports on progress be brought back as and when required.

3. COSLA Annual Progress Update 2018/2019

The draft Annual Progress Update provided Convention with a high-level overview of progress for the second year. The report set out the planned reporting developments to enable COSLA to effectively measure and demonstrate progress against our priorities going forward.

Convention:

- i. Considered and agreed the draft annual progress update report; and
- ii. Noted that, once finalised, the update will be shared with all Elected Members

4. COSLA Strategic Review Follow Up

A Strategic Review of COSLA was undertaken between 2015 and 2017, resulting in reports to Convention in March and June 2017. 28 recommendations were made, and it was agreed that these should be reviewed in 18 months or shortly thereafter.

An initial internal officer review of the recommendations has been undertaken and, coupled with feedback from elected members, officers and external stakeholders over the last 20 months, a brief assessment on progress was provided to Convention in December 2018. It was agreed that a fuller report would be provided to Convention in March 2019.

The report submitted provided an overarching summary of progress made against the recommendations.

Convention:

- i. Agreed the further work to be done with elected members, officers and external stakeholders as listed in the report and appendix;
- ii. Noted that, if required, a paper will be submitted at a future time for any identified changes needed to the COSLA Constitution; and
- iii. Agreed that a further Strategic Review progress report be submitted to Convention in October 2019.

5. COSLA Budget 2019/20 and 2020/21

As Chair of COSLA's Audit Group, Councillor Kevin Keenan presented the paper and the two-year budget for Convention's consideration. He highlighted that the budget was last discussed at COSLA's December 2018 Convention where some further detail was requested; as a result, a Convention decision was deferred to the March 2019 meeting.

The Audit Group considered the budget for the two years, reflecting on comments from December 2018 Convention, and remained of the view that it is sensible and prudent to introduce a 1% levy increase for each of the two years. The reasons for this were set out throughout the report but in summary were:

- The budget has been frozen for two years and this is not sustainable going forward;
- A small staggered increase of 1% is better than a big jump later; (for the largest councils this is just over £3k a year and the smallest £250);
- Significant efficiencies will still need to be made by the organisation to deliver this budget;
- There is still a significant deficit in year two which will need to be managed;
- Every opportunity is being taken to maximise income from other sources;
- Whilst it has been a difficult settlement for local government, we have seen today that there is an ever-increasing workload for the organisation which is of critical importance to local government.

Voting

Motion: To move the recommendations in the COSLA paper.

Councillor James Stockan, Orkney Islands Council, proposed.
Councillor Douglas Reid, East Ayrshire Council, seconded.

77 votes counted in favour of the motion.

Amendment: To have a standstill budget.

Councillor Jim Gifford, Aberdeenshire Council, proposed.
Councillor Shona Haslam, Scottish Borders Council, seconded.

17 votes recorded in favour of the amendment.

Voting Outcome

The recommendations in the COSLA paper were carried.

Convention:

- i. Agreed the budget as recommended by the Audit Group;
- ii. Agreed a 1% increase to the levy on councils in each of the two years shown;
- iii. Noted the allocation of reserves and the future events they are intended for.

6. Local Governance Review

The report provided Convention with an update on the work COSLA is undertaking as part of the Local Governance Review (LGR) following Leaders approval of the COSLA submission to Strand 2. The report also provided an update on the steps being taken by COSLA to develop the joint political arrangements required to consider all aspects of the review and its findings and seeks agreement on next steps.

Convention:

- i. Noted that Leaders approved the COSLA submission to the Local Governance Review at their meeting in January 2019;
- ii. Agreed that the Review and its findings will be taken through a small joint political oversight group involving COSLA and the Scottish Government;
- iii. Agreed that COSLA continues to work with Scottish Government to progress the LGR through the establishment of workstreams based around COSLA's submission response strands of empowerment – community, functional, fiscal.

Items to be taken in Private Session

7. UK Exit from EU Update

The paper provided an update on a range of work including the outcome of recent meetings with David Mundell, the Secretary of State for Scotland and Mike Russell, the Cabinet Secretary for Government Business and Constitutional Relations. It also provided information on the development of a request to the Scottish Government to seek adequate resourcing to help councils mitigate the local impacts of the UK's exit. Further, it looked forward beyond exit from the EU and to the broader international relations' opportunities.

Issues highlighted by Members during discussion included: finance - consequential, resourcing of resilience work and EU resilience funding, funding sustainability, equality of funding with other parts of the UK, COSLA's work with Directors of Finance; discussion also included mapping and scoping of international links and network building, animal welfare, export licences and the impact on Scottish ports and airports.

Convention:

- i. Noted COSLA's ongoing work preparing for the UK's withdrawal from the EU, including regular reports to Leaders meetings and the creation of a webpage containing useful links - <http://www.cosla.gov.uk/about/cosla-europe/brexit> ;
- ii. Noted the progress COSLA has made seeking a commitment from Scottish Government to meet any appropriate additional costs councils experience as a result of EU withdrawal;
- iii. Noted that more focused communications and messaging will begin once the terms of the withdrawal are known;
- iv. Noted how international engagement is changing, partly as a result of ongoing discussions on the future relationship with the EU, but more widely due to new international engagement opportunities becoming available for Scottish Local Government, as well as in terms of cooperation with the UK and Scottish Government in international fora; and
- v. Agreed that a scoping exercise of COSLA and Scottish Local Government ongoing and potential future international engagement opportunities be undertaken over the next few months.

8. COSLA Governance – Appointments

The report covered appointments required to be made by COSLA.

Improvement Service Board

Appointments to the Improvement Service Board made by COSLA are important in maintaining and developing the interests of Scottish Local Government collectively. The Convention was notified that one replacement Board Member was being sought.

Convention was notified that COSLA's Chief Executive would be stepping down from the Board. This is in light of the Improvement Service & COSLA review being undertaken and to ensure there is no conflict of interest in governance roles. COSLA's Chief Executive clarified that with all four representatives from COSLA being elected members, COSLA officers would ensure professional advice would be provided to support the elected members representation.

Spokesperson for Community Wellbeing

Last year, Councillor Elena Whitham acted as Interim Community Wellbeing Spokesperson whilst Councillor Kelly Parry was on a period of leave. As of December, Councillor Parry returned and, at Convention on 14 December 2018, an interim split for the Spokesperson duties was agreed to accommodate various other commitments. It was agreed Councillor Parry would serve at 80% of the role and Councillor Whitham at 20%, working to specific subject areas. The proposal in the paper was for this split to continue.

Committee of the Regions (CoR)

The Committee of the Regions provides the opportunity for Scotland to have a direct influence in Europe and COSLA has long nominated four members (two full and two alternates, reflecting the political balance of COSLA). Membership remains important during negotiation of the UK Exit from the EU, and, as reported elsewhere on the agenda, also beyond that point to make sure that our communities retain as many links as possible with our European counterparts. Nominations to CoR require to be approved by Local Government, Scottish Government, UK Government and the EU Council of Ministers. The paper highlighted that one nomination remained outstanding for an alternate member and that the vacancy would be filled by the SNP Group.

A brief discussion took place at which time Councillor Douglas Reid reiterated that the SNP nomination is Councillor Christopher McEleny (Inverclyde Council); Councillor Reid expressed concern about the length of time it is taking for clarity to be secured through the CoR process about the decision making on this in order to progress the nomination.

Convention:

- i. Improvement Service Board – Agreed to nominate the COSLA Vice President as COSLA's replacement representative on the Improvement Service Board from 1 April 2019;
- ii. Spokesperson for Community Wellbeing – Agreed that the 80/20 split of responsibilities between Councillor Kelly Parry and Councillor Elena Whitham as Community Wellbeing Spokesperson continues; and
- iii. Committee of the Regions – Agreed the nomination by the SNP Group for an Alternate Member representative on the Committee of the Regions.

Close

- The COSLA and Improvement Service Excellence Awards
The President highlighted that the Excellence Awards were launched the previous day and encouraged Members to watch out for further details and activity on this in the run up to the Awards Ceremony at the Annual Conference on 10 October 2019.
- Inside COSLA Issue 2
All councillors in Scotland received an email copy of the new Inside COSLA publication in February. Members were encouraged to read and share it with their elected members colleagues.
- Brain Tumour Research Awareness Photo Shoot
The President noted that today was also Brain Tumour Research Awareness day, as highlighted to us by a councillor colleague from North Lanarkshire. To mark this day and raise awareness of the charity, Members were invited to visit the awareness stand in the hall.

- Special Leaders Meeting
The President reminded Members that a Special Leaders meeting would take place immediately after the close of Convention.

In closing the Convention meeting, the President thanked everyone for attending.

Minute of Meeting of the Falkirk District Twinning Association held within the Municipal Buildings, Falkirk on Wednesday 24 April 2019 at 6.30pm

Attending: Elaine Mitchell (Chair), Cllr Laura Murtagh, Cllr Pat Reid, Ian Burt, Andy Christie, Laura McEwan, Roy Robertson, Gray Allan and Ewan McWilliams

Apologies: Provost William Buchanan, Janet Weir and Cllr Ann Ritchie

Meeting began at 18:30

1. Note of meeting held on 05 February 2019

The note of the meeting of the Falkirk District Twinning Association held on the 05 February 2019 was circulated and **APPROVED**.

2. Matters Arising

a. Erasmus +

In Janet's absence Elaine provided a brief update to the Association on the Erasmus+ project.

b. Wee Tree Theatre

The Wee Tree Theatre project is currently on hold - EM spoke to Romaine – personnel changed in Créteil – Calum & Jamie still have it in mind to follow up for future opportunities.

c. UPEC – Université Paris-Est Créteil

EM updated the Committee on the successful placement of two students from UPEC. Each would spend 7 weeks in Falkirk from 02 June with placements at Falkirk Community Trust. The Falkirk District Twinning Association can support them by taking them on day visits.

The possibility of another student on a 4 week placement was requested, primarily to help them improve their English. The group discussed potential options but were unable to settle on a specific avenue of help for the student.

d. Bibliotheque

EM introduced and handed over the Gray Allan (GA) (retired Librarian) who talked in depth about the library visit in Créteil. GA reflected on the different books taken across to Créteil and highlighted the books that were brought from the other twinning countries of Germany and Spain.

EM spoke to Anna Heron who is keen enhance the status of the works that are on exchange from Créteil; however, it was noted that Anna would

benefit from support from the Twinning Association to help promote the works.

e. Social

The proposal remains to hold a social event at the Abbotsinch in Grangemouth during the period when the exchange students are in Falkirk.

The high likelihood for a reduction in the grant from Falkirk Council led the Association to look to into social events as having potential fundraiser activities. The Association discussed ideas but there are no definitive plans currently set.

3. Electronic Banking

EM updated the Association on their current finances. The current balance stood at £3,300. EMC confirmed that Falkirk Council will provide the £2,000 grant towards the Association for 2019/20; however, noting that in future this would reduce in line with budget reductions.

There was no update on the transition Electronic Banking.

4. Any Other Business

EM shared with the Association that they remained in need of a person who could take on the role of website administrator. The request would remain open until a person could be found.

5. Date of the Next Meeting

The next meeting of the Association will be on **Monday 24 June 2019** to be held in the Municipal Buildings, Falkirk.

Meeting ended at 19:00

Minute of Meeting of the Central Scotland Valuation Joint Board held within Hillside House, Stirling on Friday 28 June 2019 at 9.30 a.m.

Councillors

David Balfour (Convener)
Lorna Binnie
Kenneth Earle
Danny Gibson
Craig Holden
Gordon Hughes
Jeremy McDonald
Bill Mason
Alan Nimmo
John Patrick
Robert Spears
Jim Thomson

Officers:

Russell Hewton, Divisional Valuer
Gordon O'Connor, Internal Audit Manager
Brian Pirie, Assistant to the Clerk
Lynn Previn, Assistant to the Treasurer
Darryl Rae, Divisional Valuer
Linsey Sim, Treasurer
Peter Wildman, Assessor and Electoral Registration Officer

VJB1. Apologies

Apologies were intimated on behalf of Councillors Alexander and Grant.

VJB2. Declarations of Interest

No declarations were made.

VJB3. Minute

The minute of the meeting held on 1 February 2019 was approved.

Councillor Binnie and McDonald joined the meeting during consideration of the previous item.

VJB4. Draft Financial Statements as at 31 March 2019

The Board considered a report by the Treasurer presenting the draft Financial Statements as at 31 March 2019.

The Board was required by law to prepare a Statement of Accounts setting out its financial position at the end of the financial year. Draft accounts must be submitted by 30 June to the Controller of Audit who will audit their accuracy and completeness. The 2018/19 draft accounts had been drawn up in accordance with the local authority Code of Practice (which reflected International Financial Reporting Standards) and showed an underspend of £49k against a budget of £2.583m.

The Board considered a report by the Treasurer presenting the draft financial statements for 2018/19. The Board had approved ear marked reserves of £318k for 2018/19, with £33k ear marked for 2019/20. The balance of un-earmarked reserves was £137k.

The Board was legally obliged to complete the draft accounts and submit them by 30th June to the Controller of Audit so that they can be scrutinised by the appointed external auditor for accuracy and completeness.

The final audited set of accounts, and the auditor's report, would be presented to the Board at the next appropriate meeting.

Decision

The Board noted the 2018/19 Draft Statement of Accounts and agreed to their submission to the Controller of Audit.

VJB5. Internal Audit Annual Assurance Report 2018/19

The Board considered a report by the Internal Audit Manager presenting a report on the Internal Audit work undertaken during 2018/19.

Based on the work undertaken during 2018/19 Internal Audit was able to provide substantial assurance on the adequacy of the Boards arrangements for risk management, governance and control for the year to 31 March 2019.

In providing this opinion Internal Audit had taken account of the findings arising from reviews of:-

- Arrangements for Recording, Monitoring, and Responding to Freedom of Information Requests;
- Business Continuity Management Arrangements; and

- Input to the Annual Governance Statement of Assurance Questionnaire process.

The report summarised the findings of the reviews and summarised the input of Internal Audit into the Annual Governance Statement of Assurance checklist. This provided a high level assessment of the Board's arrangements in regard to areas such as leadership, stakeholder relationships, risk management, internal control, planning and performance and information management.

Following a question in regard to the audit of Freedom of Information requests, the Internal Audit Manager stated that of the 6 requests which had been reviewed 2 had been responded to slightly outwith the 20 day limit.

Following a question the Internal Audit Manager explained the term 'broadly compliant' in respect of Internal Audit's compliance with the Public Sector Internal Audit Standards 2017. This, he confirmed, equated to substantial assurance.

Decision

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

VJB6. Internal Audit Plan 2019/20

The Board considered a report by the Internal Audit Manager presenting the 2019/20 Internal Audit Plan.

The focus of Internal Audit's work in 2019/20 would be on:-

- Payroll: a review of CSVJB policies, procedures, roles, and responsibilities, and will test a sample of Payroll transactions to ensure these are: properly authorised; actioned in a timely manner; and accurately processed;
- Data Protection: this work would focus on governance and operational roles and responsibilities, and processes and procedures for ensuring compliance with Data Protection legislation; and
- Inputting to the Annual Governance Statement Assurance Questionnaire process.

In regard to compliance with GDPR the Assessor confirmed that the Board was compliant. The review would ensure that the arrangements had been embedded and were effective.

Decision

The Board:-

- (1) agreed the planned Internal Audit coverage for 2019/20, and**
- (2) noted that progress against the Plan will be reported to the Board and summarised in an Annual Assurance Report.**

VJB7. Best Value Report 2018/19

The Board considered a report by the Assistant Assessor presenting service performance information for the period 1 April 2018 to 31 March 2019.

The service performances as measured by performance indicators for valuation roll work and for valuation list work were set out.

In regard to valuation roll work, which measured the period taken to change the valuation roll, of these 77% had been amended within 3 months, 93% within 6 months and 7% took longer – against targets of 75%, 90% and 10% respectively.

In regard to the valuation list work, the time taken to add houses to the valuation 96% had been added within 3 months, 99% added within 6 months and 1% took longer – as against targets of 97%; 99% and 1% respectively.

The report provided background and context as to why the targets had not been met. It was proposed that the targets remain unchanged in 2019/20.

Decision

The Board noted the report.

VJB8. Valuation Team Appeals Report

The Board considered a report by the Divisional Valuer presenting the Valuation Team Appeals report.

The report provided detail on appeals in regard to:-

- 2017 Revaluation Appeal progress to October 2018
- 2017 running roll Appeals
- Appeals lodged against 2005 and 2010 Valuation rolls
- Council Tax proposals and appeals

Following a question, the Divisional Valuer stated that it was not clear that a decrease in property value had been a factor in the number of Council Tax appeals. The Assessor stated, following a question, that his team were expert and did not utilise consultants, other than if professional advice was required for areas outwith their professional expertise. In regard to amenity housing the District Valuer confirmed that all properties were valued at the market value, adaptations were excluded.

Decision

The Board noted:-

- (1) the significant Appeal workload arising from the 2017 Revaluation;**
- (2) progress in disposal of Appeals relating to the 2005 and 2010 Revaluations, and**
- (3) progress in disposal of Council Tax Proposals and Appeals.**

VJB9. Risk Assessment Report

The Board considered a report by the Assessor and Electoral Registration Officer presenting the Risk Assessment Report.

The Board had agreed its Risk Management Strategy on 24 February 2012 (ref VJB31).

The report set out the findings of the latest Risk Analysis. Following the review the Assessor was proposing no amendment to the current Strategy.

The Assessor highlighted 3 risks to the Board, these were:

- computer virus/hacking attack
- loss of programming capability
- data breach

He also highlighted, as a potential risk, the outcome of the Barclay Review of Non Domestic Rates which was before the Scottish Parliament. This could see the 5 year revaluation cycle reduced to 3. This would impact on the work cycles and workload of the Valuation Team. An additional Principal Valuer had been appointed and it was likely that further staff would be required.

Mr Wildman also highlighted potential changes to the appeals system and the ongoing financial landscape as potential risks to the Board.

Following questions about the security of the Board's IT systems, Mr Wildman stated that external consultants were employed to test the Board's systems for vulnerabilities.

Decision

The Board approved the Risk Strategy and noted the current general risk assessment analysis for all functions.

VJB10. Capability Policy Report

The Board considered a report by the Assessor and Electoral Registration presenting an updated Capability Policy and Procedure for approval.

The Board's current Capability Policy and Procedures had been approved in September 2010 (ref VJB14). The revised policy and procedure was based on that adopted by Clackmannanshire Council. The principal changes were:-

- separate approaches to Performance Related and Health Related capability.
- clearer guidance on each stage.
- streamlined procedure to a two stage process.

Decision

The Board approved the new Capability Policy and Capability Procedure.

Falkirk Community Trust

Board Meeting Minute

Minute of a meeting of the Board of Directors of Falkirk Community Trust Limited (the "Company") held at Callendar House on **29th August 2019** at 09.30am. David White (DW) chaired the meeting throughout.

One member of the press attended, no members of the public attended.

Present: David White (DW) Chair; Suzanne Arkinson (SA); Cllr Lorna Binnie (LB); Cllr Niall Coleman (NC); Cllr Joan Coombes (JoC); Derek Easton (DE); Cllr Jim Flynn (JF); Cllr John McLuckie (JM); Andrew Roberts (AR) Alan Stewart (AS).

Apologies: Simon Rennie (SR);

In Attendance: Maureen Campbell (MC); Neil Brown (NB); Paul Finnie (PF); Lesley O'Hare (LoH); Susie Crawford (SC); Jane Clark (JaC); Margaret Smith (MS); David Wheeler (DWh), Drummond Laurie (Items 1-9).

No.	Agenda Item	Agreement / Action	Due Date	Who
		Agenda Part 1: Business Items		
	Welcome	DW welcomed Cllrs Niall Coleman and John McLuckie to their first Board meeting.		
1	Minute of Meeting	The minute of the meeting held on 30 th May 2019 was approved.		
2	Matters Arising	<u>Provisional Financial Outturn 2018/19</u> The Board noted that Appendix 2 of the Projected Financial Outturn Report provides 2018/19 outturn and 2019/20 budget for each division. <u>Health & Safety Update</u> The Board noted that an update on Safeguarding is included in this Agenda item.		
3	2018/19 Audited Annual Accounts	The Board noted that no significant matters have arisen in the external audit undertaken by Drummond Laurie and that the year end financial figures have not changed since those reported to the Board in May and show a planned deficit and a year on year increase in income of 2%. DWh confirmed that all results are presented properly and compliant with OSCR; that assurance was gained that assets were not materially overstated and are disclosed correctly; and that assurance was gained that liabilities were not materially understated, are accurate and disclosed correctly. The Board expressed appreciation to the financial team for their work in preparing for the audit and thanked Drummond Laurie for their work over the past 3 years and noted that during that time there had been significant changes in compliance requirements. Decision The Board approved the Trust's Financial Statements for the period to March 2019.		
4	2018/19 Annual Report	JaC presented the draft Annual Report and the Board noted that it is at final design stage with the format as last year featuring a range of customer feedback and profiling two members of staff. The work of the Trust is highlighted under the themes of <i>Inspiring Active Lives</i> and the report includes a		

No.	Agenda Item	Agreement / Action	Due Date	Who
		<p>financial summary and trading report.</p> <p>The Board noted that income secured through grants and fundraising was static; that the competitive fundraising environment tends to favour small community organisations; that the Trust works with a number of groups to support them to secure funds; and that the Trust is carrying a vacancy for a fundraising position.</p> <p>AR flagged that Community Access Schools are missing from the list of venues and it was agreed that these should be added.</p> <p>Decision</p> <p>The Board approved the publication of the Annual Report 2018-19 and a condensed version and noted that it will be reported to Falkirk Council.</p>		JaC
5	Projected Financial Outturn 2019/20	<p>MS presented the project outturn based on actual performance to end of June 2019. The Board noted that income is up by 2% on the same period as last year and at this point the projected position is a deficit on charitable activities. This is mainly due to projected income being lower than budgeted targets. Work is underway to re-profile income and expenditure.</p> <p>The Board discussed the following factors:</p> <ul style="list-style-type: none"> • The anticipated reserves position over the life of the Business Strategy; • The impact of business growth initiatives on income generation and impact of any project delays; • Trading Company driving improvement in sales and customer focus; • Difficulties of accurate budgeting and ambitious targets masking actual year on year income growth; • High staff turnover in Libraries and time lag between leaving and recruiting; • Timescales and difficulties associated with potential asset transfer. <p>The Board noted the projected year end financial position for 2019/20.</p>		
6	Board Administration	<p>The Board agreed the proposed membership of the sub groups and noted that Cllr Niall Coleman and Alan Stewart will join the Audit & Performance Sub Group and that Cllr John McLuckie will join the People Sub Group. The Board approved the schedule of meeting dates for 2020 and noted the revised remits of the Audit & Performance and People Sub Groups.</p>		
7	Risk Update	<p>The Board noted 3 risks and mitigation action affecting the Trust at this time. These are associated with delays in securing agreement to investment proposals and work that is ongoing with the Council to take forward a consultation exercise; income generation; and potential impact of the poor condition of some facilities.</p>		
8	Health & Safety Update	<p>The Board noted the update on Health & Safety and that performance results for incidents and accidents is very small in comparison to the volume of admissions across our venues. The Board welcomed the update on safeguarding arrangements and noted that the Trust has implemented the new guidance for Child wellbeing and Protection in Sport Training which have been introduced by sportscotland and Children 1st.</p>		

No.	Agenda Item	Agreement / Action	Due Date	Who
		The Board discussed the recent incident of Summer Branch Drop in Callendar Park and consequent injury to a member of the public and praised the prompt action of staff to deal with the incident. The Board noted that this is an unusual accident and noted the regular programme of action in place to inspect trees in all our parks.		
9	Verbal reports from Sub Groups	This item was dealt with under items 14-16.		
10	AOCB	Nil		



Environment and Economy Board Item 02

MINUTE OF MEETING OF ENVIRONMENT AND ECONOMY BOARD
 Friday 6 September 2019
 COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh

Present

COSLA Spokesperson	Councillor Steven Heddle
Improvement Service	Irene Beautyman (Guest)
Communities Inshore Fisheries Alliance	Elaine Whyte (Guest)
Orkney Fisheries Association	Fiona Matheson (Guest) (Teleconference)
Aberdeen City Council	Councillor Alan Donnelly
Aberdeenshire Council	Councillor Jeff Hutchison
Argyll and Bute Council	Councillor Aileen Morton
City of Edinburgh Council	Councillor George Gordon
Clackmannanshire Council	Councillor Donald Balsillie
Dumfries and Galloway Council	Councillor Archie Dryburgh
East Ayrshire Council	Councillor Jim Roberts
East Lothian Council	Councillor Norman Hampshire
Falkirk Council	Councillor John Patrick
Fife Council	Councillor Altany Craik
Glasgow City Council	Councillor Anna Richardson
Highland Council	Councillor Duncan Macpherson
Moray Council	Councillor Amy Taylor (Substitute)
Perth and Kinross Council	Councillor Kathleen Baird (Substitute)
Renfrewshire Council	Councillor John McNaughtan
Scottish Borders Council	Councillor Mark Rowley
South Lanarkshire Council	Councillor John Anderson
West Dunbartonshire Council	Councillor Iain McLaren
NHS Health Scotland	Diane Stockton (Substitute)
Regional Transport Partnership	Tom Flanagan
SCOTS	Stewart Turner
SOLACE	Jim Valentine
Waste Services Managers Network	Bruce Reekie

Apologies

Angus Council	Councillor Ron Sturrock
Comhairle nan Eilean Siar	Councillor Donald Crichton
Dundee City Council	Councillor Alan Ross
East Dunbartonshire Council	Councillor Graeme McGinnigle
East Renfrewshire Council	Councillor Alan Lafferty
Inverclyde Council	Councillor Colin Jackson
Midlothian Council	Councillor Russell Imrie
Moray Council	Councillor David Bremner
North Ayrshire Council	Councillor Alex Gallagher
North Lanarkshire Council	Councillor Meghan Gallacher
Orkney Islands Council	Councillor Graham Sinclair
Perth and Kinross Council	Councillor Angus Forbes
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 McDiarmid
NHS Health Scotland	Gerry McCartney
Regional Transport Partnership	Rab Dickson
SLAED	Pamela Smith
SOLACE	Steve Grimmond
Sustainable Network Scotland	Lorna Jarvie

Public Session

1. Welcome and Apologies

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

2. Minute of the Previous of 7 June 2019 and Matters Arising

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

Clean Air for Scotland Strategy - The review of the Strategy was published on 29 August and is available on the Scottish Government website. COSLA officers confirmed the expectation that Scottish Government will consult later in the year on new proposals to improve air quality.

Countryside Rangers – A series of meetings has been undertaken. COSLA wrote to the Petitions Committee over the summer and officers have met both Scottish National Heritage (SNH) and the Countryside Ranger Association to discuss the review of the 2008 statement. COSLA will be contributing to the Review.

3. Environment and Economy Board Plan June 2019

The Board Plan was presented to the Members for approval.

COSLA officers highlighted their update at the last Board meeting regarding the R100 Programme and the intention to invite Scottish Government (SG) to come to the Board once procurement had been completed.

Members highlighted an issue around the planning process when determining planning applications for development of homes. Additionally, comment was made that there is a need to push for higher fees where a retrospective planning application is required.

4. Local Government's Role in Supporting Fishing Communities – presentation by the Communities Inshore Fishing Alliance and Orkney Fishing Association

The Spokesperson welcomed Elaine Whyte from the Communities Inshore Fisheries Alliance and, by teleconference, Fiona Matheson of the Orkney Fisheries Association, who delivered a joint presentation.

The guest speaker set out the structure and representation of the Communities Inshore Fisheries Alliance. The presentation provided Members with familiarisation about the organisation and how to make the best of our national fisheries. The importance of developing resilience and reducing dependency was highlighted. The guest speaker set out the challenges of changing species, stocks, use of marine space and the markets and the opportunity to do things differently.

Government is working closely with national fishermen and international benchmarking is being undertaken; examples given of where benchmarking has been explored included tuna fishing in The Azores, consolidation and vertical integration in the Icelandic Fishing industry and the coastal communities approach in Norway. In considering a future strategic vision, other aspects referred to included developing national and local communication and networking structures, addressing training and recruitment in careers, improving science and partnership working and effective monitoring support.

The potential exists to develop and support fishing communities. The industry is keen to hear views that will help inform their future. The guest speaker encouraged Members to contact her if they would like to discuss the topic further, and to raise any matters with Fergus Ewing MSP, Cabinet Secretary for Rural Economy, relating to the impact of the UK's Exit from the EU.

Members engaged in a comprehensive discussion which included existing and building relationships with the fishing community, control and planning of quotas allocations, the impact of a No Deal UK Exit, fishing as a major resource, improvement of awareness and economic benefits to build a robust infrastructure and improve resilience, building international markets, protecting zones and supporting sustainability.

The Spokesperson thanked the guest speakers for their contribution and encouraged Members to contact the guest speakers directly by way of further engagement.

5. Climate Change

- i. **Climate Change Bill and Policy Update**
- ii. **Climate Change and Future Economic Policy**

The implications of the transition to a carbon neutral economy are profound and will necessitate a review of how we approach economic development. The report instigated discussion on the issue and agreed statements to inform COSLA's immediate next steps.

A verbal update was provided by COSLA officers. The Programme for Government which has just been issued has a focus on this topic. Regarding national developments, the Climate Change Bill is now in Parliament at stage 3 and the expectation is that it will complete its passage through Parliament soon. The focus is mainly on the numerical target with a net zero by 2045 agreed.

SG plan to publish a consultation on how Scotland takes forward climate change work. We expect some thinking on public sector reporting duties and governance structures.

It is recognised that climate change considerations are cross cutting across all Local Government work and COSLA itself is looking across all its own policy portfolios and priorities in this regard. COSLA officers will report back to the Board at appropriate junctures.

Members welcomed the work that has been done to date. There were comments relating to the role of industry, transportation of waste, low emission zones, lack of economic development in rural areas impacting on travel volumes, danger of shifting the emissions to other parts of the world, the importance of education and the need to learn from others on a global scale.

The Board

- i. Provided initial views on the arguments presented in the report, including whether we need to review our approach to delivering economic development to achieve the net zero climate change target.
- ii. Agreed, with any changes, the statements set out in paragraph 14 and the next steps.

6. **Regional Approaches to Maximising Inclusive Economic Growth: Local Authorities' Perspective – Presentation on Next Steps**

A presentation was delivered by COSLA officers following engagement across Local Government in Scotland. The reasons for undertaking the study were set out, alongside the approach that was taken: this included the primary focus of facilitating large scale conversation and consultation across Local Government. Details of the findings were presented, which included setting out the principles of effective regional working using feedback secured.

Some considerations for development were highlighted that would contribute to shaping the future and a summary of the proposed next steps. Some Members indicated they would be interested in receiving support to explore streamlining regarding cross-border councils between England and Scotland. Comment was made that the final report on the Improvement Service website talks about widening and developing partnerships and engagement with the private sector; Climate change needs to be at the heart of developing an inclusive, zero carbon economy.

7. Transport (Scotland) Bill

The paper provided an update on the Bill which passed stage 2 in June. Several amendments were passed. The paper specifically sought the Board's views on Section 28 and Section 28A of the Bill on Local Authority bus provision as amended following stage 2.

Members expressed mixed views both for and against running services at arms-length. Discussion was raised in regard to the need to provide crucial services such as hospital bus routes, as well as young people who previously benefited now having to pay adult prices, unreliability of transport, sharing of poor service and good practices.

The Board

- i. Noted the content of the report, and the verbal update provided on the draft Bill;
- ii. Debated and agreed COSLA's views on section 28 and section 28A in relation to local authority bus provision as outlined in paragraph 4.
- iii. Agreed that COSLA will continue to engage with Scottish Government on the bus element of the Bill and more widely lobby on stage 3 on the basis of the positions agreed by the Board.

Private Session

8. Waste Management

The report provided an opportunity for Members to consider how we approach the medium to longer term future of Local Government kerbside waste and recycling collection, to hear of recent Scottish Government announcements in the Programme for Government and receive an update on current initiatives such as the ban on biodegradable waste to landfill.

The Board

- i. Agreed that COSLA supports the expected initiative to set up a joint Local and Scottish Government Group to look at the long-term direction and implications of waste policy;
- ii. Noted that Scottish Government has announced a new Circular Economy Bill in the Programme for Government although details of what it will contain are currently limited, and
- iii. Noted that we continue to work with Scottish Government on delivering a transition period for the ban on biodegradable waste to landfill and are hopeful Scottish Government will be in a position to make clear its position shortly.

9. Programme for Government

A verbal update was provided. COSLA officers will be reporting to Leaders on key aspects of the announcement at end of month including those of Environment and Economy Board relevance. Lots of relevant work in the announcement.

Members were asked to contact the Environment and Economy Team officers to highlight any points they would like to convey.

10. European Union

i. Interruption of European Social Fund Payments

The report updated the Board on the work which has taken place over the summer to resolve the current pre-suspension of European Social Fund payments.

Members did not require further discussion.

The Board:

- i. Noted the update on the work to resolve the current pre-suspension of European Social Fund payments, including developments arising from the Leaders meeting on 30 August.

ii. UK's Exit from the European Union

A verbal update was provided on the work of COSLA's UK Exit Team. Three key issues were highlighted in the context of Environment and Economy Board work:

Export Health Certificates - There are 12000 certificates currently and the expectation is it could increase significantly to 200,000. A lot of exports may not be able to leave the country if they do not have an EHC in place. COSLA is currently trying to secure a solution with UK Government to mitigate against this; it is unlikely that this will remove the risk. COSLA is seeking to meet with the SG to resolve two key issues: exploring funding for the extra costs involved and identifying workloads that can be paused to alleviate the burden on Environmental Health Officers during this period; it is recognised that there are risks involved in relaxing the work on other areas.

Business Awareness – there remains a large number of businesses who feel they are not ready for EU Exit. Business Gateway is working with partners to raise awareness of actions that exporters and importers must take prior to EU Exit date. Everyone should do all they can to raise awareness amongst their local business community.

EU Settled Status – COSLA has played a promotional role to ensure access to the information.

11. Planning (Scotland) Act 2019 and Planning Fees Consultation

The paper provided the Board with an analysis of changes made to the Planning (Scotland) Bill at stage 3 and updated Members on the anticipated impact of additional duties now contained in the Act.

Members expressed concerns about the costs involved for additional resources.

The Board

- i. Noted that, despite the removal of many additional duties at stage 3, the Planning (Scotland) Act 2019 will incur a resource burden on Local Authorities; and
- ii. Agreed that COSLA will work with Scottish Government and stakeholders to ensure reform of planning fees in order to fund this resource burden, with the ambition of achieving full cost recovery.

12. Date of Next Meeting

Thursday 17 October 2019



HSC Item xx

MINUTE OF MEETING OF HEALTH AND SOCIAL CARE BOARD

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh
13 September 2019

Present

COSLA Spokesperson	Councillor Peter Johnson
Aberdeen City Council	Councillor Sarah Duncan
Aberdeenshire Council	Councillor Anne Stirling
Angus Council	Councillor Lois Speed
Argyll and Bute Council	Councillor Kieron Green
City of Edinburgh Council	Councillor George Gordon
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
Midlothian Council	Councillor Margot Russell
Moray Council	Councillor Shona Morrison
Orkney Island Council	Councillor Rachael King
Perth and Kinross Council	Councillor Colin Stewart
Renfrewshire Council	Councillor Jacqueline Cameron
Scottish Borders Council	Councillor Tom Weatherston
Shetlands Islands Council	Councillor Robbie McGregor
South Ayrshire Council	Councillor Julie Dettbarn
South Lanarkshire Council	Councillor John Bradley
Stirling Council	Councillor Graham Lambie
Carers Representative	Peter Burke
IJB Chair	Peter Murray
IJB Chief Officers	Val de Souza
Public Health Directors	Chris Littlejohn
Social Work Scotland	Jane Kellock

Apologies

Clackmannanshire Council	Councillor Les Sharp
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
Inverclyde Council	Councillor Robert Moran
North Ayrshire Council	Councillor Robert Foster
North Lanarkshire Council	Councillor Paul Kelly

West Dunbartonshire Council
 West Lothian Council
 CIPFA Directors of Finance
 SOLACE
 SPDS

Councillor Maire McNair
 Councillor Harry Cartmill
 Donald Forrest
 Andrew Kerr
 Laura Simpson

1. Welcome and Apologies

The Spokesperson welcomed Members to the meeting and noted apologies.

The Spokesperson extended his thanks and those of the Board Members to Councillor Stuart Currie who has done an excellent job as interim Spokesperson, standing in on behalf of Councillor Johnston.

Peter Burke, the proposed carers representative for the Board, was introduced and welcomed.

Public Session

2. COSLA Health and Social Care Board Plan

The Spokesperson highlighted that a lot of work has been going on over summer to refresh the Board plan.

The Chief Officer provided a specific update on some items

- UK Exit from EU
- Spending Review campaign
- Programme for Government

Some points of clarity were requested on the workplan. Members felt that:

- Carers should be referenced in SDS section;
- Waiving of charges for carers should be highlighted as an issue in relation to the 'willing and able' references;
- There is a need to ensure effective communication between policy boards in relation to cross cutting areas;
- Digital aspects of policy work should be made clear in the Board Plan;
- There should be clarity on Red Amber Green (RAG) scoring criteria

The Board agreed a revised Board Plan based around five key priority areas of work: Implementing Integration, Social Care Support for Adults and Older People, Workforce, Mental Health, and Public Health.

3. Carers Representation

The Spokesperson introduced and welcomed the new Carers Representative to the meeting. Peter Burke is based in Angus, sits on the HSCP there, and is involved in the Coalition of Carers at a national level.

The Carer's Representative delivered a presentation setting out his background, extensive experiences, and involvement in the carers' community. The Board noted thanks to the representative for agreeing to sit on the Board and look forward to him being an important advisor.

Members are asked to formally agree for the Carers Representative to join the Board and provide a view on the role description that has been developed in partnership.

Members:

- i. Noted the presentation from the prospective Carers Representative;
- ii. Discussed and agreed the role description set out in Annex A; and
- iii. Agreed for the prospective representative to join the Health and Social Care Board with immediate effect.

Private Session

4. Public Health Scotland

The Spokesperson welcomed Professor Jim McGoldrick, newly appointed Shadow Chair of Public Health Scotland. Professor McGoldrick then set out progress to date on the establishment of Public Health Scotland. This offered an opportunity to cover some key points for consideration such as the make-up of the PHS Board, how COSLA will be represented on the Board, and broader governance and accountability of the organisation. Members will also receive a COSLA paper for agreement.

He set out that it is a whole-system approach and that dual accountability to the Scottish Government and COSLA is vital to the success of Public Health Scotland. It was noted that a paper will be taken to Leaders.

Members:

- i. Noted the update on the continued progress of the reform programme;
- ii. Considered their views on the make-up of and process for COSLA representation on the Board of Public Health Scotland; and
- iii. Provided comment on the proposed next steps in taking forward the recommendations of the Specialist Public Health Workforce (SPHW) Commission.

Public Session

5. Drug Deaths Taskforce

The paper sought Member's views on COSLA's involvement in the Scottish Government's 'Drug Deaths Taskforce' and wider policy work surrounding the recent increase in drug-related deaths. Members were asked to consider how COSLA can make the most meaningful and effective contribution to this high-profile and politically sensitive policy area, and to agree the policy lines proposed below. It is anticipated that papers will be taken to Leaders and the Board on this topic over the coming months and the work will be fast-moving.

Members asked for clarity on the paper, seeking to 'allow for space between SG and COSLA to develop their policy lines'. Officers clarified COSLA will seek to have joint position where viable but need to account for challenges of previous experiences of joint policy work.

Cllr Duncan raised issues about treatment. This should be about preventing the addiction developing in the first place including tackling poverty, housing, education and employment. Members emphasised the whole-system approach and the need for early prevention and not early treatment.

Points were also raised around housing, ensuring dignity when medical issuing of drugs is done in controlled environments, stigma, peer support, the role of carers, parents and families. Officers noted a range of examples that were raised by members.

Members:

- i. Considered the drug deaths statistics in Scotland and discuss the contribution Local Government can make to preventing drug related deaths;
- ii. Considered the terms of reference of the Scottish Government's Drug Deaths Taskforce and the broader policy context; and;
- iii. Agreed the proposed policy position and agree that COSLA officers make a constructive contribution to this work.

6. Diet and Healthy Weight

The report provided Members with an update on the progress of the delivery of Scotland's diet and healthy weight delivery plan, highlighting the links to the reform of public health and the 'early adopter' sites.

Members raised the issue of licencing of mobile vans outside schools and large retailers, and responsibilities at local level such as advertising and resource implications.

Members:

- i. Noted the update on the delivery of the plan;
- ii. Noted the whole systems approach to diet and weight led by Early Adopters in North Ayrshire, Dundee and the East region – and where necessary connect with, and support, local activity; and
- iii. Considered the future implications for Local Government through the continued implementation of the plan.

7. Health and Social Care Integration

This paper updated members on recent work undertaken, offering the opportunity to provide comment on progress against the proposals and guide the future direction of this substantial programme of work. The Board were invited to consider an update on the Draft Framework for Community Health and Social Care Integrated Services. They were also asked to consider the Cabinet Secretary's request in July for further information to be sought from Integration Joint Boards.

On the Framework for integrated health and social care, members raised various points about the draft, including that:

- There are issues around the language and tone of the document
- There is a need to ensure that the Framework allows for flexibility to suit local demographics, workforces and services
- It is important the Framework does not add another layer of bureaucracy
- The Framework feels too prescriptive for IJBs (particularly the table within it)
- The review processes
- The nature of the definition is unclear
- The Framework should be more about sharing best practice
- It is too health focussed, with less consideration given to social work and other professions

- It could be more focussed on lived experiences
- It is important to bring in a range of services provided by councils and CPPs

It was noted that officers would feed back the views of the Board to SG and work with them to redraft the Framework.

Members:

- Considered the update on the Review of Progress Under Integration Authorities;
- Noted and discussed the update in relation to the Draft Framework for Community Health and Social Care Integrated Services; and
- Did not agree the draft Framework

8. Living Wage and Fair Work in Adult Social Care

The purpose of the report was to ask for Members' endorsement on the revised joint guidance to support the continued implementation of the Living Wage for adult social care. It also asked Members to provide a view on the scope of work to enhance fair work in the social care workforce, based on the recommendations of the Fair Work Convention.

Members discussed the benefits of Fair Work and links to other areas of pension provision and sickness absence. They highlighted the disparity between third sector versus council workforces and the requirement to ensure Personal Assistants are included in this work.

Members:

- Agreed the revised draft guidance to support the continued implementation of the Living Wage policy;
- Noted that joint work is being progressed to understand the longer term implications of the policy; and
- Discussed and provided a view on the scope and remit of Fair Work in Social Care.

Private Session

9. Minute of Previous Meeting of 2 August 2019

The minute of the meeting was agreed as an accurate record.

10. National Care Home Contract

Members were updated on deliberations between Local Government (led by Scotland Excel) and care home providers (led by Scottish Care) regarding the finalisation of the NCHC Cost Model. The Board was asked for a steer on some proposed changes to the NCHC and the Cost Model.

Janine Hunt from Scotland Excel joined the meeting for the discussion. She indicated consideration is being given to an independent benchmark approach and they have been exploring this as an option. The clear message from councils is that having a cost model in place is vital. However, the cost model will need to retain its integrity.

Members discussed the need to think about the longer-term future and the shift towards care in community. They expressed a desire to maintain the national arrangement.

Members:

- i. Noted the content of this report and a verbal update on progress to date on finalising the National Care Home Contract Cost Model by Scotland Excel and Scottish Care;
- ii. Provided views on the verbal update including the desirability to maintain a national contract and the disagreement with Scottish Care on the provision for return within the Cost Model; and
- iii. Agreed that a conclusion must be reached by the end of September 2019.

11. Integrated National Health and Social Care Workforce Plan for Scotland

The purpose of the report was to update Board Members on further progress with the development of an Integrated National Health and Social Care Workforce Plan ('the Plan') and to request approval of the version appended, along with workforce planning guidance and a further appendix. Members will recall earlier delays with the document, which were beyond COSLA's control. The Board had agreed a previous version of the Plan, in principle, subject to several issues being addressed. The Cabinet Secretary had subsequently asked for a more thorough review of the draft Plan over the summer.

Government colleagues had worked with COSLA, SSSC, NES and third and independent sector contacts to undertake the most recent review. The resulting Plan is much shorter and COSLA has been able to secure several changes and commitments which should benefit local government. Nonetheless, the document remains weighted towards NHS content, with the NHS's existing requirements to undertake workforce planning. There is a desire to redress the NHS/social care balance in future iterations of the Plan, the planning for which has already commenced, reflecting lessons learned. The timescale for local integrated workforce plans being published by all Health and Social Care Partnerships will be altered, to reflect that the Plan and associated guidance had been delayed.

The report also drew Members' attention to the Scottish Government's financial assumptions underpinning the scenarios in the Plan, noting that these should be interpreted carefully. COSLA aims to work with the Scottish Government and partners to develop refined understanding of the demands for social care. The Plan was undoubtedly complex and would be enhanced over time. The need to support workforce planning capacity in councils and workforce planning skills, in relation to social care, is highlighted in the report. National and regional workforce planning events were currently being organised by government and national agencies.

Members:

- i. Noted the progress made over the summer to develop a final draft Integrated Health and Social Care Workforce Plan for Scotland;
- ii. Agreed the Integrated Plan and supporting documentation, to enable Scottish Government and COSLA to publish under the terms described in this report;
- iii. Agreed that the Integrated Plan continues to be seen as an iterative document on an annual basis, and that COSLA will continue to work towards the Plan having an increasing regard to social care;
- iv. Agreed that the assumptions used for % projected growth in demand for social care services, stem from the Scottish Government's *Medium-Term Financial Framework for Health and Social Care*, with reductions, and related scenarios should be interpreted carefully; and
- v. Noted proposals to ensure an improved and more inclusive development approach to preparing the next Integrated Plan.

12. Children and Young People's Mental Health

The paper updated Members on the Children and Young People's Mental Health and Wellbeing Programme Board. Views were sought on a series of project initiation documents (PIDs) which will form the basis of the Programme Board's work. The Board was asked to give particular regard to Scottish Government proposals for the development of 'community-based services' and '24/7 crisis support for children and young people and their families'; two proposals which were specifically referenced in the Programme for Government.

It was noted that the Programme Board has a challenging and wide agenda. Members raised general comments on the work of the Programme Board including:

- the importance of ensuring that young people are involved in influencing the Programme Board and that its work is co-designed on this basis
- the importance of taking a whole system approach
- the need to ensure carers are involved as they play an important part in the wellbeing of young people
- the need to carefully consider the impact that inspections could have on a fragile system
- recognition of the role digital can play, but that the importance of face to face interaction in this work cannot be overlooked

An example of good practice in Giffnock was shared where whole-family therapy is used to support children and young people. Officers noted they would be in touch for more information on this work.

Members:

- i. Noted the update on the work of the CYPMH Taskforce and the newly established Programme Board;
- ii. Considered and provided comment on the project initiation documents (PIDs) setting out a proposed programme of work for the Programme Board; and
- iii. Agreed to the COSLA position set out and next steps.

13. Mental Health Officers

The paper outlined a Scottish Government proposal for a funding scheme which will help close the apparent shortfall in the number of qualified Mental Health Officers (MHOs) working in local authorities. It set out background information and evidence reported by Scottish Local Authorities in their annual workforce returns to the Scottish Social Services Council (SSSC).

Members sought reassurance that unintended consequences were being considered and mitigated (e.g. movement in the workforce).

Members:

- i. Considered, and provided views, on the Scottish Government proposal for a MHO funding scheme; and
- ii. Agreed that a future paper will be taken to the Board and to COSLA Leaders to secure the detail of the funding scheme; and
- iii. Recognised that pressure on core local authority budgets are a key driver of any shortages in the MHO and broader social work workforce.

14. National Suicide Prevention Leadership Group

This report presented Members with the draft annual report from the National Suicide Prevention Leadership Group (NSPLG). The paper also presents an overview of the work of the NSPLG to date.

Members:

- i. Considered and endorsed the draft annual report of the National Suicide Prevention Leadership Group.

AOCB

Date of next meeting: Friday 1 November 2019



CWB Item 1.2

MINUTE OF MEETING OF COMMUNITY WELLBEING BOARD

Friday 20 September 2019

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh

Present

Elected Members

Argyll and Bute	Cllr Robin Currie	Highland	Cllr Margaret Paterson
City of Edinburgh	Cllr Amy McNeese-Mechan	Inverclyde	Cllr Jim Clocherty
Clackmannanshire	Cllr Jane McTaggart	Midlothian	Cllr Stephen Curran
COSLA Spokesperson	Cllr Elena Whitham	Moray	Cllr Louise Laing
COSLA Spokesperson	Cllr Kelly Parry	North Lanarkshire	Cllr Danish Ashraf
Dumfries and Galloway	Cllr Andy Ferguson	Orkney Islands	Cllr David Dawson
East Lothian	Cllr Jim Goodfellow	Scottish Borders	Cllr George Turnbull
East Renfrewshire	Cllr Colm Merrick	South Ayrshire	Cllr Ian Davis
Falkirk	Cllr Jim Flynn	Stirling	Cllr Chris Kane
Glasgow City	Cllr Jennifer Layden	West Dunbartonshire	Cllr Diane Docherty

Guests and Advisors

Audit Scotland	Jillian Matthew
Directors of Public Health	Professor Alison McCallum
Improvement Service	Joanna McLoughlin

Apologies

Elected Members

Aberdeen City	Cllr Lesley Dunbar	North Ayrshire	Cllr Louise McPhater
Aberdeenshire	Cllr Iris Walker	Orkney Islands	Cllr Andrew Drever
Angus	Cllr Colin Brown	Perth and Kinross	Cllr Peter Barrett
Comhairle nan Eilean Siar	Cllr Kenny John MacLeod	Renfrewshire	Cllr Marie McGurk
Dundee City	Cllr Kevin Cordell	Shetland Islands	Cllr Alastair Cooper
East Dunbartonshire	Cllr Sandra Thornton	South Lanarkshire	Cllr Maureen Chalmers
Fife	Cllr Judy Hamilton	West Lothian	Cllr Dave King

Public Session

1. Introduction

1.1. Welcome and Apologies

The Spokesperson welcomed those present and noted apologies.

Private Session

1.2. Minute of Previous Meeting of 21 June 2019 – PRIVATE

Re Item 6.1 a correction was agreed to rectify the omission of the view that in the east of Scotland there were increasing levels of homelessness being experienced, that the current budgets were not proportionate to the demand and that the potential distribution of the future budget would not reflect the current growing demand. There was also strong concerns over the new provisions concerning local connection and intentionality around homelessness coming through legislation and guidance.

It was also agreed that as the rapid rehousing transition plans were not explicitly on the agenda today that it be considered under the programme for government section of the agenda.

With the above amendments Members agreed the minute was an accurate record.

Public Session

2. Community and Consumer Matters

2.1. Consumer (Scotland) Bill

The purpose of this paper was to introduce the proposed response to the Economy, Energy and Fair Work Committee's call for views on the Consumer Scotland Bill.

During discussion it was noted that there are always resources implications and we need to be clear on what support is needed. It was also highlighted that the relationship between public bodies and partners clients is not being one of producer and consumer as has been specified in paper. A point was raised about strengthening the wording over the impact for Citizens Advice Scotland. Lastly, the point was made that the creation of a new body should not lead to the continuing underfunding of advice services including within local government. Extra burdens on Local Government need to be met through financial support.

Members agreed a final version, which responded to the above be submitted to the Committee.

2.2. Participatory Budgeting – Short Film Presentation

A short presentation of a recently completed video promoting community budgeting was made. It incorporated a series of messages from those engaged in and supporting participatory decision making and encouraged viewers to make enquiries about PB.

Members agreed the video clip gave a positive message. The challenge agreed by Members is how to get communities involved. After this was a considerable discussion broadly positive and supportive between members with a variety of points being made about PB locally. These included some frustration by applicants when submitting proposals as they can feel the goalposts change as the application process is progressed and changed over the years. Financial pressures have resulted in the

slowing down of community grants PB in some wards even coming to a halt while working well in a member's rural area.

Elena Whitham – invited feedback from councils to be made to the PB Officers – it would be helpful to know who is going beyond community grants and widening PB out to other areas for instance to direct the spending for services.

In one authority area it was felt that those who had been engaging are expecting positive outcomes and may now be disengaging due to the limited results and through not having gained support for their proposals in the communities. It was suggested that this is quite a common dynamic in the small grants version of PB that depends on public vote, whereas mainstream PB does not. COSLA's PB team is working with local authorities over ways forward to provide support for and flexibility in the development of mainstreaming budgeting.

It was suggested that if rules are being changed for PB processes it must be coming from within the councils themselves so it's up to councillors to check on this and challenge if it is inappropriate. Sharing good practice from experience was highlighted as was the need for PB to be flexible to accommodate that every local authority is different. In one authority work is underway to get improved engagement with black and ethnic community groups so that they can take applications forward.

A large authority is keen to move from small grants processes with more work to be done by Cllrs to ensure elected members understanding of PB developed so that they change their own thinking towards it and its role alongside their representative one. It was agreed that a role of Cllrs is to give the people who elected them the voice they should have. PB is about how individuals influence provisions to meet needs in their community. For members PB allows them to working with communities rather than doing things to them. There is a need to get this message out.

COSLA staff mentioned the International PB conference coming up on the 23 October and a workshop at the COSLA annual conference also in October. Details are to circulated to all elected members.

2.3. Community Justice

This report provided an update on Local Government's role in taking forward Scotland's Community Justice agenda as joint partners with the Scottish Government. In addition, the paper asked members for any comments on potential workstreams to be taken forward by the National Community Justice Leadership Group as well as the issues to be discussed with the Cabinet Secretary of Justice on 25 September by COSLA.

This report was approved and members:

- i. Noted the brief update on the Community Justice agenda;
- ii. Noted the Community Justice Partnership Chairs Event on 23 September

Private Session

2.4. Policing Update - PRIVATE

This report provided an update on Local Government's policing relations in respect of governance and our areas of joint work. In addition, the paper asked members to agree the draft note of the last COSLA Police Scrutiny Conveners Forum meeting held on 14 March 2019.

With respect to Community Action Teams (CAT) there was concern about the total resources being used. There was no mention of local partnerships in the member's area and money has been put aside across Scotland to support this by councils.

It was noted that a joint officer group between the Police and COSLA was trying to ensure that there is transparency on resources such as with CAT teams. HMICS have asked COSLA officials to provide comment on Scottish Police Authority around particularly engagement and inclusiveness and would welcome comment from Members on this.

Other members stated there was a need for improved alignment between national strategic and local arrangements and that councillors or PB should be being used to direct local partnership initiative funds. It was noted that decisions will be delegated down to local policing commanders, and that COSLA officials will raise the matter of how Councillors and PB can be more directly involved.

A point was raised on the matter of information sharing. Public Health officials had raised this with the Scottish Government and they agreed that what the Police Service had come up with was a floor for information sharing, and an improvement on where we have been. Nonetheless, the forensic setting is still challenging.

Members:

- i. Noted the brief update on police governance issues;
- ii. Agreed the draft note of the COSLA Police Scrutiny Conveners Forum held in March, subject to any amendments;

Public Session

2.5. Programme for Government

The Programme for Government was launched in early September. At the Leaders' Meeting at the end of the month consideration will be given to COSLA's stances on a variety of the commitments contained in it. Members made a variety of comments and contributions.

Rapid Rehousing: The statistics being used take no notice of need and demand, only one side of that which is need. As there are years 2 and 3 of funding still to come, can we ask the Minister to consider the plans and projected funding requirements compiled by councils to reflect allocations. It was noted that the allocation decision is due to take place in the next few months and that leaders have already expressed some concerns. Concern was expressed over the unsuitable accommodation order, in both its parts, local connection and intentionality. Elena Whitham – Agreed with the comments and said this has been relayed to Minister. We aren't yet clear on distribution method in years 2 and 3 and are seeking clarity on this. With regard to the unsuitable accommodation order, we have been successful in influencing this. COSLA has reiterated concerns to Ministers over the impacts for some councils and has been reiterated to Minister also. We need to figure out the totality of the system and where the money lies. Members were assured that what is said at the Board and Leaders will be expressed at a political and official level

The Public Health network contacts are also accessible to us and can be used to ensure we get the right messages out on homelessness, health and funding.

It was noted that the last sentence contradicted what SG were saying; that it was COSLA's decision. It was agreed that this will be checked for clarity. Edinburgh offered to use their contacts that COSLA's could tap into to repeat the Board's concerns. An Island council asked for assurances that there will be an opportunity to island proof the programme for government. One member wanted the Scottish Government to be reminded that councils' capacity is really stretched. Every time SG passes legislation, there is an expectation that we deliver. It would have been useful to note that depopulation is a major problem in the west of Scotland, and that it should be acted on.

2.6. **Audit Scotland's Community Empowerment Principles**

This paper provided an overview of the principles for community empowerment that have been developed by Audit Scotland, working with a Community Empowerment Advisory Group (CEAG). The aim of the principles is to help set out what is meant by community empowerment. Audit Scotland are keen to see this as a living document that helps not only scrutiny bodies but also public bodies as a whole better share and develop strong working practice.

Jillian Matthew from Audit Scotland attended the meeting to talk about the Principles. It's a live document so she is keen to receive ongoing feedback from Members.

Members:

- i. Noted the principles; and
- ii. Endorsed engagement with and promotion of the principles document.

3. Human Rights

3.1. **Human Trafficking and Exploitation Local Authority Guidance**

The purpose of this report was to introduce draft guidance on human trafficking and exploitation for Scottish local authority officers and frontline staff. One Cllr stated that there had been really positive feedback from her council. There was some concern around the duty to notify, and a need for some more clarity. Also resourcing, there is a need for realism on resources and the demands on officers.

Board members:

- i. Agreed that the finalised guidance is published and distributed on Anti-Slavery Day, 18th October 2019;
- ii. Agreed to the approved guidance being shared as widely as possible to raise awareness and to support their local authority's approach to identifying, referring and supporting victims of human trafficking and exploitation, and deterring and disrupting criminal activity; and
- iii. Supported COSLA in establishing a list of lead contact officers in all local authorities in order to support our future work in this area.

3.2. **Human Trafficking and Exploitation Duty to Notify Consultation**

The purpose of this paper was to seek approval from the Community Wellbeing Board for COSLA's proposed response to the Scottish Government's consultation on the Duty to Notify provision, which is to be brought in under Section 38 of the Human Trafficking and Exploitation (Scotland) Act 2014.

There was concern over any inappropriate referral to Border Force. While it is acceptable that the Border Force refer matters to Public Health, the opposite is not the case with respect to individuals. There is a need to consider wording to ensure this point. The community based group TARA is one of a number that has requested that a Duty to Notify is not part of their grant agreement with the UK Government.

Another member felt that what was being proposed looks like duplication of legislation. Everyone who comes under this comes under protection of vulnerable adults and duty to report comes under PVA. Another Cllr agreed, and stated that less detailed, softer intelligence should be being sought and that there was a danger of duplication.

Board members:

- i. Endorsed COSLA's consultation response, subject to the above comments.

3.3. Gypsy/Traveller Action Plan

This paper advised the Board on the finalising of the joint action plan with Scottish Government to 'improve the lives of Scotland's Gypsy/Travellers', and gave an update on current progress in meeting Leaders' requirements for publication. The following comments were made:

The events are excellent. They are trying to give a good balance of support and maintaining traditions whilst supporting settled communities. Another welcomed the plan as really good report, and one that diverts negativity.

A question was asked about how the £2m is being accessed – the spokesperson said that robust negotiations are underway currently, and that the Board will be provided with an update when we know more. It was stated that we need to ensure clear messages are delivered to SG about funding. It was noted that the £2m is to enhance existing sites, but that an Island council which doesn't have a site does have travellers visiting. They rely on 'friendly farmers' providing temporary sites.

COSLA's lead officer said they are keen to progress the messages to SG about the longer-term strategic vision. It was noted that in one authority area a new site has been developed, with very little community opposition. It provided a good example of partnership working, where communication with settled public and traveller community was excellent.

A concern was expressed over the issues around sustainable funding rather than innovation. There is a need to ensure sustainable funding is created.

The Board:

- i. Noted the invitation to attend an event to promote local leadership and meet with Gypsy/Traveller activists, which will be held on Wednesday 9 October in Edinburgh.

Private Session

3.4. Asylum Dispersal Update – PRIVATE

This paper provided an update on the current position over the dispersal of asylum seekers to Scotland. It highlighted the work being undertaken by COSLA in this regard, and sought endorsement from the Board for COSLA's lobbying approach going forward.

The MOU was welcomed by Glasgow City Council's representative as the council is under huge pressure with numbers as well as on going work to protect asylum seekers. Edinburgh also welcomed the MOU, but would like more detail and confidence on costs. Currently the city has pressure on its own housing stock. It would be good to leverage in third sector support in this. It was noted that similar points had been made in other forums.

The member from Dumfries and Galloway stated that in a UK Exit, one of borders would be Stranraer and asked what arrangements are being made for a potential explosion of arrivals post 31 October? The COSLA official said that ports are one of the strands being considered but that currently Glasgow City Council is the sole dispersal area in Scotland, so destitute asylum seekers who require accommodation would be routed to Glasgow.

A member was concerned about failed asylum seekers being locked out with nowhere to go. Glasgow City Council explained what it is doing, including trying to intervene at an earlier stage before the planned evictions happen. The link was made with COSLA's work on No Recourse to Public Funds.

The lead COSLA official rounded off the item saying that pieces of work are being looked at such as the impact on Glasgow, wrap around services and support. The

current dispersal authorities around the UK are pushing the same points about the need to put in place the building blocks before other local authorities can take this on. The points are to be raised in the drafting of the final version of the MOU.

Board members:

- i. Noted the ongoing work and progress to date to improve asylum dispersal processes, both in Glasgow and at a UK level;
- ii. Agreed, subject to final agreement on wording being reached at a UK level, that COSLA should be signatory to a Memorandum Of Understanding between the Home Office and the UK Local Government associations; and
- iii. Noted the joint letter from Glasgow City Council, COSLA and Scottish Government to the Home Secretary highlighting significant concerns about how asylum is being managed, and the ongoing issues associated with the eviction of ineligible service users in Glasgow.

3.5. Zero Tolerance - Improvement Service Guidance for Community Planning Partnerships on Prevention Presentation

Joanna McLoughlin of the Improvement Service provided information on the Zero Tolerance work. She talked about the guidance for Violence Against Women and Girls including housing, education, poverty, community planning aspects and identifying tangible actions to support a primary prevention approach. Guidance was launched last month. It will be refreshed on an annual basis.

The guidance was developed following partnership aspirations to identify locally driven actions to take forward particularly around Priorities 1 and 2 of Equally Safe Delivery Plan. COSLA's strategy for Equally Safe is hugely ambitious particularly around tackling root causes. A particular area cited was of tackling child poverty and poverty experienced by women and families, particularly the most vulnerable families where women may be experiencing abuse. Reference was made to the section on education, considering unequal outcomes between genders after school and tackling gender stereotypes at an early stage.

Feedback from local authorities have been very positive and constructive workshops have been developed. The document is a live one and webinars will be set up on various topics. Series of briefings and training sessions will be provided to accompany use of guidance. Members were asked to promote the use of the guidance locally it is a useful resource. COSLA officers were to circulate the guidance document link to Members separately.

A member, who was happy to support queried the difference in performance in education based on gender. Currently SQA results suggest the gap had been eliminated, or more. This was acknowledged, but the issue is more about channelling young men and women to specific subject choices rather than performance. In the general framing of the report a member was concerned about wording. There is an increasing use of gender rather than sex. We should be more explicit about male violence against women.

3.6. Equally Safe – 16 Days of Activism Against Gender Based Violence Campaign 2019

The paper asked Board members to endorse the approach now being taken over the design of the COSLA 2019 16 Days of Activism against gender-based violence (or VAWG) Campaign, in line with its aim to encourage a co-ordinated approach across local authorities, with other public sector and expert VAWG sector stakeholders.

A member noted that an event in September, with good media coverage showed issues being faced in Dumfries and Galloway on sex workers. The information was provided was quite stark. Communities were surprised by the level of the activity.

The Cllr endorsed the need for the Campaign, with all other members agreeing to do so with no different perspectives being identified.

Board Members agreed to:

- i. raise awareness across their own Councils of the COSLA flagship event 'Violence Against Women and Girls is a Public Health Issue'
- ii. contribute any further ideas towards the 2019 campaign
- iii. refer the programme to council leaders for information, consideration and where required amendment.

4. Housing & Poverty

4.1. SHORE Standards

This report provided an update on actions taken by the Scottish Prison Service in recent months to remove throughcare staff from the delivery of the SHORE Standards. The report also noted the SG plan to review the SHORE Standards.

A few members had several comments and it was agreed that these would be sent on directly to COSLA officers directly. The Public Health adviser said the move had come as quite a surprise and asked for assurances that we will get more notice in future on these matters allowing time to work together so that we can lobby the SG. There is a need to consider the arrangements in privately run prisons too. Cllr Whitham stated this was on the agenda for the meeting with Justice Cab Sec the next week.

Members agreed to fully support COSLA's stance and there was concern that some public bodies are taking decision on areas of vital and mutual interest with no consultation with Members and COSLA.

Board members:

- i. Noted the actions taken to date
- ii. Noted the interest of SG in the three options for addressing housing options, as developed in a starter discussion paper by ALACHO,
- iii. Noted that a review of the SHORE Standards has been agreed by the Housing Minister, and

4.2. Housing (Scotland) Act 2001 - Section 5 Agreement

This report sought the views and agreement of the Board on the updates being proposed to the Model Section 5 Agreement, being the agreement between a council and a housing association/registered social landlord (RSL) with regard to the housing of homeless households.

Members of the Board to:

- i. Agree the updated Model and associated documents

4.3. Supporting 'Challenge Poverty Week' 7-13 October

This report set out how COSLA could support the ambitions of Challenge Poverty Week and promote awareness of the crucial role that Local Government plays in tackling poverty. The report also intended to promote local thinking on the engagement of councils and their partners.

Members agreed that it is important to ensure the balance is right and supportive. A member said that the lead organisation had visited their council and was very impressed by their work to tackle poverty. It is not simply about a lack of money, but also about poor transportation links and access to employment.

Board Members:

- i. noted COSLA's intention to promote Challenge Poverty Week 2019, and in doing so, raise awareness of the crucial role of Local Government in tackling poverty; and
- ii. and agreed next steps as set out in paragraph 9.

5. Updates

5.1. Equally Safe Update

This report presented an update on activity between June 2019 and September 2019 and suggested proposed COSLA positions and next steps.

Briefly the lead officer covered the following – having received a report by a short term expert working group on information sharing the Spokesperson wrote to the Chief Constable outlining concerns over the potential dangers to victims of violence against women and girls. Since then COSLA staff have worked with SG officials and a range of experts to consider GDPR matters arising from Police Scotland's. It was really useful in crystallising the different approaches that could be taken.

Over the previous few days a letter had been received from the Chief Constable outlining a change in position. They will now rely on a legal basis for 'public task' instead of consent. Police Scotland assured full commitment to information sharing across Scotland. COSLA has welcome positive outcome. On request it was agreed that a copy of the letter was to be shared with Members of CWB.

Board members noted the progress since June 2019 and approved the next steps outlined in the report.

5.2. Community Wellbeing General Update

This update report covered a range of work that is underway but did not require a decision from Board members. These are provided for information and possible comment.

The items covered include:

- i. Shelter Scotland – Are You With Us Campaign
- ii. Consultation on Practical Fire Safety Guidance for existing Specialised Housing and other supported domestic accommodation
- iii. Devolved Social Security - Funeral Support Payment
- iv. Next Delivery Priorities for Devolved Social Security
- v. Benefit Take-Up Strategy for Devolved Social Security
- vi. Scottish Child Payment and Parental Employability Support (Devolved Social Security)
- vii. Devolved Social Security Conference Opportunity
- viii. Child Poverty
- ix. Scottish Welfare Fund
- x. Community Justice - Strategic Commissioning Guidance Update
- xi. Community Safety – Unintentional Harm
- xii. Buffer Zones For Sexual Health Clinics

One member highlighted the crossovers in the four Boards' work and suggested that there is a need to ensure cross pollination over cross cutting matters with relevant Boards being aware of what the others are doing and which board takes the lead.

COSLA's Chief Executive said that the focus on attention on public health has currently been about setting up the agency. The next piece of work will be the meat that will come to different boards depending on appropriateness. The Public Health Advisor stated that they have directors of health on all of the COSLA boards, and would like to get together with COSLA's Chief Officers, Chairs and others to ensure collaborative approach.

In discussing the "Shelter - Are You With Us?" Campaign, Members agreed that more detail should be brought back to next board meeting.

It was stated that there are growing concerns about the affordable housing supply subsidies beyond 2021 – very little information is available and it essential that this is pursued. COSLA's official lead on housing confirmed that staff have had various representations on this over last few weeks. There is a meeting with SG on housing to 2040 with a potential consultation to come out in Autumn. COSLA staff will continue to push for information on subsidies. It was noted that ALACHO is making a strong pitch on this matter to the SG too.

Date of Next Meeting: Friday 8 November 2019

Minute of Meeting of the Central Scotland Valuation Joint Board held within Hillside House, Stirling on Friday 27 September 2019 at 9.30 a.m.

Councillors David Balfour (Convener)
 Lorna Binnie
 Kenneth Earle
 David Grant
 Gordon Hughes
 Jeremy McDonald
 Martha Benny
 Robert Spears
 Jim Thomson

Officers: Elizabeth Hutcheon, Assistant Treasurer
 Stuart Irwin, Democratic Services Graduate
 Brian Pirie, Assistant to the Clerk
 Lindsay Sim, Treasurer
 Pete Wildman, Assessor and Electoral Registration Officer

Also Attending: Emma-Rose Mackie, Audit Scotland
 Tom Young, Audit Scotland

VJB11. Apologies

Apologies were intimated on behalf of Councillors Alexander, Dodds, Holden, Mason, Nimmo and Patrick.

VJB12. Declarations of Interest

No declarations were made.

VJB13. Minute

The minute of the meeting held on 28 June 2019 was approved.

VJB14. Revenue Budget 2018/19 – Review as at 31.07.19

The Board considered a report by the Treasurer presenting the revenue budget position at 31 July 2019 together with the forecast year end out turn.

The budget for 2019/20 was £2.748m. An underspend of £85k was forecast in regard to employee costs. An overspend of £4k was projected in regard to supplies and services. Overall an underspend of £81k was projected. £6k, which had been earmarked from reserves for the records management project had been met from the underspend in revenue budget and as a consequence the £6k had been released to general reserves.

The Assessor explained, following a question, that the £7,390 spent to date on disaster recovery had been related to contingency arrangements and not on an 'event'.

He also explained that there had been delays in recruiting staff required for the Barclay review.

Decision

The Board noted the report.

VJB15. Final Financial Statements as at 31 March 2019

The Board considered a report by the Treasurer on the arrangements for preparing and auditing the draft final accounts as at 31 March 2019.

The Board was required by law to prepare a Statement of Accounts setting out its financial position at the end of the financial year. Draft accounts must be submitted by 30 June to the Controller of Audit who will audit their accuracy and completeness. The 2018/19 draft accounts had been drawn up in accordance with the local authority Code of Practice (which reflected International Financial Reporting Standards) and showed a draft surplus of £36k. This meant that the Board now had a usable reserve of £541k.

In considering the final accounts the Board was required to have regard to the Audit Report by the External Auditors, Audit Scotland, which was appended to the report and which included the final accounts for 2018/19. The accounts were unqualified and included an action plan which had been agreed by management.

Decision

The Board noted the 2018/19 Financial Statements – as appended to the report and agreed their submission to the Controller of Audit.

VJB16. Annual Report to Those Charged With Governance and the Controller of Audit for Financial Year Ended 2018/19

The board considered a report by the Treasurer presenting the Annual Audit Report to those charged with governance and the Controller of Audit for the financial year 2017/18 which had been prepared by the Board's auditors, Audit Scotland.

The Auditor's report was provided together with:-

- A letter from the Auditor together with the proposed independent auditors report
- A letter of representation to the Auditor from the Board confirming the representation that had been made in connection with the audit of the Board's annual accounts, which on approval of the Board would be signed by the Treasurer.

The audit work on the Board's annual accounts was substantially complete and the auditor had issued an unqualified audit opinion.

Tom Young gave an overview of the work of the auditors together with a summary of the Annual Audit Report findings. An action plan to address 2 issues (In regard to Financial Sustainability, and Governance, Policies and Procedures) had been agreed with management. The Action Plan included two issues which had been brought forward from 2017/18 Action Plan.

Following a question Mr Young expanded on the financial sustainability risk which had been identified in the report. He noted that the Board had identified the budget gap and had been taking steps to close it. The Board was working with the constituent authorities in regard to funding. Mr Wildman added that while the Board was a requisitioning body it worked closely with the 3 constituent Authorities in regard to funding and cited examples of the pressures faced by the Board. He also stated that work was ongoing to drive out efficiencies (for example the document scanning project). The Board worked with each authority, for example with Falkirk Council in regard to streamlining the transfer of planning and building warrant information. The lease on Hillside House was due to end in 2023 and work had begun to identify options. The scanning of documents, all domestic files had now been scanned, would yield savings and improve flexibility in regard to working arrangements which in turn would facilitate any move to smaller premises. He also added that where possible interactions with the public would increasingly be based online. Any requisition to the 3 constituent authorities is based on a proportional basis.

Decision

The Board:-

- (1) noted the content of the Independent Auditor's Report;**

- (2) approved the content of the Letter of Representation (ISA 580);**
- (3) noted the significant audit findings within Exhibit 2 of the Internal Audit Report, and**
- (4) noted the recommendations for improvement and the follow up on prior year recommendations within Appendix 1 of the Annual Audit Report.**

VJB17. Report on Mail and Printing Contract

The Board considered a report by the Assessor seeking authority to enter into a contract with the Royal Mail for the period 1 October 2019 – 30 September 2020.

The Board's current call-off contract with the Royal Mail for mail priority and postage had been procured through the Scottish Government's Mail Framework. It was proposed to extend this call-off contract.

Mr Wildman confirmed, in response to a question that, by 30 September 2020, he anticipated that a further contract would be agreed. Utilising a national contract Framework represented better value and reduced costs. He also confirmed that the volume of documents which were printed in house had reduced significantly over recent years and that the UK and Scottish Governments had recently issued a Joint Statement of Policy on Canvass Reform which, if implemented, would further permit a reduction in the number of paper forms.

Decision

The Board agreed to enter into a call off contract with the Royal Mail for physical and hybrid mail and scheduled/regular mail bulk mail until 30 September 2020 at a cost of £165k.

VJB18. Occupational Health Policy Report

The Board considered a report by the Assistant Assessor presenting a draft occupational health policy for approval.

The policy which was based on that of Clackmannanshire Council had been subject to consultation with the staff consultation forum.

Decision

The Board approved the draft Occupational Health policy as appended to the report.

VJB19. Employee Mental Health Policy Report

The Board considered a report presenting a draft Employee Mental Health policy for approval.

The policy which was based on that of Clackmannanshire Council had been the subject of consultation with the Staff Consultation Forum.

The Board welcomed the policy. Mr Wildman confirmed that he was looking to buy in training for managers from the NHS and that there would be annual refresher training. He confirmed in response to a question that the Board did not currently run well-being activities for staff but this could be explored, possibly in conjunction with other organisations.

Decision

The Board approved the draft Employee Mental Health policy as appended to the report.

VJB20. Salary Over and Under Payment Policy Report

The Board considered a report presenting a draft Salary Over and Under Payment Policy for approval.

The policy which was based on that of Clackmannanshire Council had been the subject of consultation with the Staff Consultation Forum.

Ms Hutcheon confirmed that underpayments would be rectified immediately and that the length of pay back for over payments was negotiable dependent on the amount in question and the ability to pay back.

Decision

The Board approved the Salary Over and Under Payment Policy as appended to the report.

VJB21. Electoral Registration Update

The Board considered a report by the Assessor & Electoral Registration Officer summarising work since February 2019. The report also highlighted future work.

The report provided updates on:

- EU Parliamentary direction 2019
- Annual canvass 2019
- Stakeholder engagement

In regard to future work the report highlighted:

- Reform of the annual canvass
- Extensions of the voting franchise
- The referendums (Scotland) Bill
- Electoral reform

Following a question in regard to EU electors voting in the EU parliamentary election in May 2019, Mr Wildman confirmed that there had been time pressures caused by the late confirmation that the UK would participate in the elections. He explained the process for registering EU nationals, and that 26% of registered EU electors in the electoral area had returned forms to permit them to vote in the election.

Mr Wildman confirmed that the outcome of any boundary review would be implemented. The service was making contingency arrangements for a UK Parliamentary election. While the date was not yet known, political statements indicated that it was likely..

Decision

The Board noted the report.

VJB22. Programme of Meetings for 2020

The Board considered a report by the Clerk setting out proposed meeting dates for 2020.

Decision

The Board:-

- (1) approved the dates of Friday 7 February; Friday 26 June; Friday 25 September and Friday 20 November 2019 for ordinary meetings of the Board; and**
- (2) noted that special meetings may be convened as necessary outwith the planned timetable.**



CYP Item 03

MINUTE OF MEETING OF CHILDREN AND YOUNG PEOPLE BOARD

Friday 4 October 2019

COSLA Offices, Verity House, 19 Haymarket Yards, Edinburgh

Present

COSLA Spokesperson	Councillor Stephen McCabe
Carers Scotland (Guest)	Kelly Munro
Carers Scotland (Guest)	Anna Gray
Carers Scotland (Guest)	Lee Mackenzie
Carers Scotland (Guest)	Robyn Johnston
Carers Scotland (Guest)	Denim Coughlin
Young Scot (Guest)	Kirsten Urquhart
Aberdeenshire Council	Councillor Gillian Owen (Substitute)
Angus Council	Councillor Ben Lawrie (Substitute)
Comhairle nan Eilean Siar	Councillor Paul Finnegan (Substitute) (VC)
Dundee City Council	Councillor Roisin Smith
East Ayrshire Council	Councillor Fiona Campbell
East Dunbartonshire Council	Councillor Jim Goodall
East Lothian Council	Shamin Akhtar
East Renfrewshire Council	Councillor Paul O'Kane
Falkirk Council	Councillor David Alexander (Substitute)
Fife Council	Councillor Fay Sinclair
Glasgow City Council	Councillor Chris Cunningham
Midlothian Council	Councillor Russell Imrie (Substitute)
Moray Council	Councillor Sonya Warren (Teleconference)
North Ayrshire Council	Councillor John Bell
Orkney Islands Council	Councillor Gwenda Shearer
Perth and Kinross Council	Councillor John Duff
Scottish Borders Council	Councillor Carol Hamilton
South Ayrshire Council	Councillor William Grant
South Lanarkshire Council	Councillor Peter Craig (Substitute)
Stirling Council	Councillor Susan McGill (Teleconference)
West Dunbartonshire Council	Councillor Karen Conaghan
West Lothian Council	Councillor David Dodds
Directors of Public Health	Dona Milne
SOLACE	Angela Leitch

Apologies

Aberdeen Council	Councillor John Wheeler
Argyll and Bute Council	Councillor Yvonne McNeilly
City of Edinburgh Council	Councillor Ian Perry
Clackmannanshire Council	Councillor Graham Lindsay
Dumfries and Galloway Council	Councillor Jeff Leaver
Highland Council	Councillor John Finlayson
Inverclyde Council	Councillor Natasha Murphy
North Lanarkshire Council	Councillor Frank McNally
Renfrewshire Council	Councillor Jim Paterson
Shetland Islands Council	Councillor George Smith
ADES	Professor Michael Wood
CIPFA - Directors of Finance	Alan Puckrin
SPDS	Kristine Johnson
Social Work Scotland	Ben Farrugia

Welcome and Apologies

The Spokesperson welcomed everyone to the meeting and noted apologies.

Public Session

1. Children and Young People Board Workplan

Chief Officer – CYP provided updates on the CYP Board Workplan by exception.

Violence Against Women and Girls Event information to be circulated around Board Members after the meeting.

National Suicide Working Group – will circulate some information

Angela Morgan has been appointed as the independent chair to review the implementation of Additional Support for Learning. Angela will attend the November Board meeting to hear from Board members directly.

Scottish Parliament this week voted on a motion around deferred school entry in support of the Give them Time Campaign. CYP Board agreed previously to seek transparency on decision making and ensure access to appropriate information across Scotland. This is a very recent development and COSLA Officers have meetings scheduled with Scottish Government Officials to consider the implications of a change in policy – with updates being provided to members as soon as they are available.

Board Members asked whether COSLA was still actively pursuing changes to the Apprenticeship Levy. Reimbursement of local authorities is still being pursued by COSLA and has been raised again with the Cabinet Secretary for Finance Derek McKay.

Board Members queried the how Councils were represented on the working Group on Suicide Prevention. Jane O'Donnell advised both COSLA and SOALCE were represented on the working group and there will shortly be a resource within COSLA to move forward work relevant to Community Planning Partnerships and Councils more generally.

2. Young Carers Presentation

Representatives from Carers Scotland joined the meeting to deliver a presentation about the Young Carers Statement and the role of education in support for young carers. The presentation will be circulated to Members of the Board.

The Guest Speakers highlighted the requirements of the Carers (Scotland) Act 2016 and the remit of local authorities in that regard. The aim of Carers Scotland is to support educational professionals by raising awareness of young carers and providing access to young carer resources. The organisation works in partnership with universities and local authorities to deliver this. A goal is to have a Young Carers Co-ordinator in every establishment; but there is still much work to be done to achieve this outreach. The speakers highlighted rewarding good practice for supporting young carers in schools and the “We Care” awards.

A comprehensive discussion followed the presentation which included the following:

How schools can best identify and support young carers? A lot of young carers are hidden a whole school approach and staff training is critical to have an awareness and be able to identify indicators. Being aware of indicators and professionals stepping in diplomatically and sensitively. Also raising awareness in students how to recognise when they are young carers and to ask for support. Important to have understanding from teachers, have regular check-ins, to take initiative to link in with Young Carers service.

How are the needs of young carers picked up during teacher training and CLPD and are young people influencing the training? Young Carers are engaged with four universities for a pilot scheme working with young adult and young carer groups to influence and contribute as well as Education Scotland.

CYP Spokesperson thank the young carers and their representatives for attending and providing such a though provoking presentation. If Members wish any additional information, they should contact Eddie Follan in first instance to progress link with Carers Scotland. The presentation and links to some supporting materials will be shared following the meeting.

3. Young Scot Presentation

Kirsten Urquhart, Digital Services Director from Young Scot, joined the Board to give a presentation on the COSLA/Young Scot collaboration as was agreed by the Board in September 2018.

CYP and Young Scot have worked collaboratively to deliver a series of seminars for Local Authorities focussing on the evolution of Young Scot services, supporting cost and resource efficiencies locally, developing scalable and adaptable service models and enhancing use of data to provide insight to drive innovation.

Part of the work being done is to consider smart-tech to tackle inequalities including considering food insecurity and holiday hunger. Models and practical applications are being undertaken in conjunction several local authorities and community infrastructures; the ideas and developments are being influenced by young people themselves, such as spending credit facilities, discounted transportation and access to hot breakfasts.

Collaboration is ongoing, a programme of learning events is taking place across Scotland and a national conference is planned for 2020. Members encouraged to get in touch if they would like to discuss any aspect further.

CYP Spokesperson thanked Young Scot for attending and looked forward to future collaboration between local authorities and YoungScot. The presentation and links to some supporting materials will be shared following the meeting.

CYP Board Members noted the absence of three colleagues trying to dial in unsuccessfully this morning. CYP Spokesperson was asked to consider position of continuing meeting.

CYP Spokesperson advised the COSLA Digital Team are actively exploring a fix and asked if Members were happy to continue with the meeting. The meeting is quorate currently with those in the room.

Members all agreed to continue.

The Board:

- i. Noted the presentation and written submission provided by Young Scot;
- ii. Discussed the proposals in paragraph 6 of this report
- iii. Agreed COSLA Children and Young People Team should continue to work to strengthen the links between Young Scot and COSLA in line with these proposals.

4. Challenge Poverty Week

This report set out how COSLA can support the ambitions of Challenge Poverty Week, promoted awareness of the crucial role that Local Government plays in tackling poverty and encouraged local thinking on the engagement of councils and their partners.

The Board

- i. Noted COSLA's intention to promote Challenge Poverty Week 2019, and in doing so, raise awareness of the crucial role of Local Government in tackling poverty; and
- ii. Considered and commented on the outline plan, and agreed next steps as set out in paragraphs 7-8.

Private Session

5. Minute of Previous Meeting of 9 August 2019

The minute was approved as an accurate record.

6. Period Products (Free Provision) (Scotland) Bill

This paper provided the Children and Young People Board with the opportunity to comment on the Period Products (Free Provision) (Scotland Bill) in response to the Local Government and Communities Committee's call for evidence.

A comprehensive discussion followed which included the Board members being broadly supportive of the sentiments of the bill but with queries being raised around the costs quoted. Board members confirmed it's important to ensure there is adequate funding for policy. Board members agreed more data on cost impact would be beneficial to ensure informed agreement. Suggestion to consider product placement in NHS establishments and pharmacies. The model going forward should allow local flexibility and uphold the comprehensive guiding principles to which Local Authorities currently work on this initiative.

COSLA Officials would welcome any work that has been done locally being forwarded to the COSLA team for inclusion in our response by November 5th. Any inputs should be sent to our policy lead on this, Hannah Axon. COSLA keen to build a strong evidence base on this to include on our response.

The Board

- i. Commented on the Period Poverty (Scotland Bill) in response to the Local Government and Communities Committee's call for evidence.

7. Named Person, Child's Plan and Information Sharing

In September the Deputy First Minister (DFM) announced to Parliament that the Scottish Government would accept all of the recommendations of the Getting it Right for Every Child Practice Development Panel. The prime recommendation is that Ministers should not pursue a binding Code of Practice for information sharing. The COSLA paper set out the main findings of the report, the Scottish Government response and a series of issues for Members' consideration and seeks approval of the proposed COSLA position. Work will be required to take forward the multi-year funding package announced by DFM to support ongoing consolidation work around GIRFEC.

The Board:

- i. Noted the recommendations contained in the report of the Getting it Right for Every Child Practice Development Panel;
- ii. Noted the [statement to Parliament by the Deputy First Minister](#) and the [response from the Scottish Government](#) (Appendix B) in relation to the withdrawal of the Children and Young People (Information Sharing) (Scotland) Bill and the repeal of Parts 4 and 5 of the Children and Young People (Scotland) Act 2014;
- iii. Agreed the proposed COSLA position at paragraph 13-14

8. Education Appeal Committees

This paper sought views from Members on the potential transfer of Education Appeals Committees to the Scottish Tribunals and asked Board members to agree with the proposed COSLA position set out in the paper.

CYP Board Members had a wide-ranging discussion on this issue. Board members remain unconvinced there is a need for such a transfer and that local decision making is paramount to getting decisions to support children and young people to have the best outcomes. There are several issues and further dialogue is needed. Principle should be that decisions should be taken locally. No data available to support the need for transfer on challenges and anyone seeking to support/pursue this transfer. Board members agreed the CYP Spokesperson should write to the DFM on the issue and bring back further report in due course.

The Board:

- i. Gave views on the transfer of Education Appeal Committees to the Scottish Tribunals
- ii. Agreed the proposed COSLA position at paragraph 9-10

9. Education Committee Subject Choice Inquiry

This paper updated members on the Scottish Parliament's Education and Skills Committee completed an inquiry into subject choices in schools and [published their report on 16th September](#). COSLA did not submit formal evidence but the Children and Young People Spokesperson [wrote to the Committee Convenor](#) outlining the strong Local Government support for the Curriculum for Excellence, Getting it Right for Every Child (GIRFEC) and the ongoing education reforms. The inquiry aims several recommendations at COSLA.

Board members discussed the report and confirmed the position articulated in the COSLA paper and COSLA position as helpful basis to respond to the Committee.

The Board:

- i. Noted the Inquiry report provide comments particularly on the recommendations aimed at COSLA
- ii. Agreed the proposed COSLA position at paragraph 9.

10. Home School Link Workers

This paper updated Members on a change in the Scottish Government's position in relation to the 2018/19 Programme for Government commitment on Home School Link Workers.

Board members noted their disappointment on this change.

The Board:

- i. Noted the decision of the Scottish Government in the latest Programme for Government.
- ii. Agreed the proposed COSLA position in paragraph 11.

11. Additional Support for Learning – Additional Funding

The purpose of this report was to seek Members' views on the additional funding announced by Scottish Government for additional support for learning, and the principles which describe the purpose of the funding.

Board members discussed concerns about funding posts and duration of commitment. We are dependent funding being available on a timescale so we can undertake sensible planning. SDG and Leaders would both be made aware of CYP concerns for any papers going to them.

The Board

- i. Discussed and agreed the principles which have been developed with Scottish Government; and
- ii. Provided views which will be communicated in a paper to COSLA Leaders on 25 October 2019, where recommendations on distribution of the £15m will also be presented.

12. AOCB and Close

Date of Next Meeting: 15 November 2019

It was noted that technical difficulties were experienced this morning for the three Members who had intended to dial in, resulting in Members dialling in for only part of the meeting. The Spokesperson apologised sincerely for this. COSLA officers committed to ensuring they would contact the three members to ensure their input to agenda items is

secured. Board members questioned the process if Members cannot dial in. When is it that the meeting would go ahead or would not? CYP Spokesperson advised the meeting would go ahead assuming it was quorate as per COSLA standing orders agreed by Convention.

Board members also reflected on the impact on Board Members and scheduling of meetings to locations outside of Edinburgh including over school summer holidays and Edinburgh Festival. COSLA officers will reflect on this request.

Dona Milne will circulate some reports around Board Members around current public health policy in order to ensure wide reach.