

Draft

**FALKIRK COUNCIL**

**Minute of meeting of Falkirk Council held in the Municipal Buildings, Falkirk on Wednesday 25 September 2019 at 9.30 a.m.**

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

**Officers:** Danny Cairney, Senior Service Manager Corporate Finance  
Fiona Campbell, Head of Policy, Technology & Improvement  
Patricia Cassidy, Chief Officer, Health and Social Care Partnership  
Douglas Duff, Head of Planning & Economic Development  
Jack Frawley, Committee Services Officer  
Rhona Geisler, Director of Development Services  
Sara Lacey, Head of Social Work Children's Services  
Kenneth Lawrie, Chief Executive  
Colin Moodie, Chief Governance Officer  
Robert Naylor, Director of Children's Services  
Brian Pirie, Democratic Services Manager  
Stuart Ritchie, Director of Corporate and Housing Services  
Bryan Smail, Chief Finance Officer  
Martin Thom, Head of Integration

**Also**

**Attending:** Maureen Campbell, Chief Executive, Falkirk Community Trust  
Grace Scanlin, Ernst & Young

**FC24. Sederunt**

The sederunt was taken by way of a roll call. Apologies were intimated on behalf of Councillors Aitchison, Bissett and McCue.

## **FC25. Declarations of Interest**

Councillors Binnie, Coleman, Coombes, Flynn and McLuckie each declared a non-financial interest in item FC37 as Directors of Falkirk Community Trust, but did not consider that this required them to recuse themselves from consideration of the item, having regard to the specific exclusions contained in the Code of Conduct.

Councillor Patrick declared the financial interest of a family member in item FC37 as an employee of Falkirk Community Trust but stated that he did not consider that this required him to recuse himself from consideration of the item, as the interest was so remote that it could not reasonably be taken to fall within the objective test.

## **FC26. Order of Business**

In terms of Standing Order 14.2 the Provost advised of a change to the order of business. The following items have been recorded in the order they were considered at the meeting.

## **FC27. Valedictory**

The Provost stated that Fiona Campbell, Head of Policy, Technology & Improvement would be retiring from the Council next month. The Provost, Leader of the Council and Councillors Coombes, Munro, Black, Spears and McLuckie each thanked her for her support and dedication over many years.

## **FC28. Minute Silence**

The Council observed a minute silence in memory of the victims of the 1923 Redding Pit Disaster in which 40 men were killed.

## **FC29. Minutes and Information Bulletin**

- (a) Minute of Meeting of Falkirk Council held on 26 June 2019 - agreed as a correct record;
- (b) Volume of Minutes – Volume 1 2019/20 – noted, and
- (c) Information Bulletin – Volume 5 2019/20 - noted.

### **FC30. Questions**

No questions were submitted.

### **FC31. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 26 June was provided. Items 464 – Revenue Budget Concessions Policy, 470 – Falkirk Community Trust Joint Working and 471 – Review of Standing Orders were all the subject of reports on the agenda and accordingly fell from the action log.

#### **Decision**

**Council noted the rolling action log.**

### **FC32. Falkirk Health & Social Care Partnership Update**

Council considered a report by the Chief Officer, Health & Social Care Partnership providing an update on Falkirk Integration Joint Board (IJB) activity since the Council meeting in March 2019. The report also provided an update on the progress with implementation of the Scottish Government Mental Health Strategy and associated work as requested by Council at its March meeting. The Partnership had appointed two Heads of Integration and two of the three Locality Managers, with recruitment ongoing for the third post.

The report provided information on:-

- Local Progress with Integration
- Financial Position
- Home First: Reablement and Bed Based Intermediate Care Services
- Unscheduled Care and Delayed Discharges
- Redesign of Day Services for Younger Adults
- Residential Short Breaks Service
- Home Care
- Summerford House
- HSCP Scotland Power of Attorney Campaign 2019/20
- Falkirk Carers Strategy
- Falkirk's Rapid Rehousing Transition Plan
- Progress with the Mental Health Strategy

#### **Decision**

**Council noted the report.**

**FC33. Referral from Audit Committee – 16 September 2019  
Annual Accounts and Annual Audit Report 2018/19**

Council considered a report by the Director of Corporate and Housing Services presenting the Audited Accounts for the year 31 March 2019 for approval together with the Annual Audit Report for 2018/19.

**Decision**

**Council:-**

- (1) approved the Audited Annual Accounts for 2018/19, and**
- (2) noted the External Auditor's Annual Audit Report to Members and the Controller of Audit for 2018/19.**

**FC34. Review of Polling Districts and Polling Places 2018/20**

Council considered a report by the Chief Executive advising of the review of the current scheme of polling districts and polling places, outlining the responses received during the consultation process and proposing a number of amendments to the existing polling scheme.

Comments on the existing polling scheme were invited from:-

- All elected Members of Falkirk Council, MPs and MSPs
- Community Councils
- Returning Officers in the constituencies wholly or partly in the Falkirk Council area
- Electoral Registration Officer, Central Scotland Valuation Joint Board
- Falkirk Council's Core Election Team
- Falkirk Council's Corporate Management Team (Chief Executive and Service Directors or equivalent)
- Local community and disability groups
- Keyholders of current polling places
- Police Scotland

Electors would be made aware of any changes made to the place they must attend. This would be done by way of highlighted wording on poll cards in advance of the next electoral event following conclusion of the review process.

Council considered the proposals on a ward by ward basis and invited comment from the local members. Council took account of the comments made by local members in reaching its decision. Where local members were not unified in their view Council gave greater weight to the majority opinion.

## **Decision**

### **Council:-**

- (1) noted the requirements of the Representation of the People Act 1983 and the Electoral Registration and Administration Act 2013 to review the existing UK parliamentary polling districts and polling places within the period 1 October 2018 and 31 January 2020;**
- (2) considered the proposals contained in the Returning Officer's submission and made the following decisions on which options were implemented:-**

#### **Ward 1 – Bo'ness and Blackness**

**Agreed to stop using Kinneil Primary School as the polling place for this polling district and designate the Chemical Workers' Social Club, Cairns Hall, 69 Linlithgow Road, Bo'ness EH51 0DS (function hall) as the polling place.**

#### **Ward 2 – Grangemouth**

**Agreed, as Dundas Resource Centre was no longer available for polling purposes, to designate Kersiebank Community Project premises, Oxgang Road, Grangemouth FK3 9EE, as the polling place, with the option of using either hall within the premises (there is a hall at each end of the building).**

#### **Ward 3 – Denny and Banknock**

**Noted that there were no changes to the Polling Scheme.**

#### **Ward 4 – Carse, Kinnaird and Tryst**

**Polling District: FW426 – agreed that St Bernadette's PS be designated as the polling place for this polling district replacing Stenhousemuir PS.**

**Polling District: FE440 – agreed to designate Bothkennar Primary School or a mobile unit on the school grounds as the polling place, whichever is the more practicable at the time of each electoral event.**

#### **Ward 5 – Bonnybridge and Larbert**

**Polling District: FW511 - agreed that Larbert Old Parish Church Hall, Denny Road, Larbert, FK5 3AB, be the designated polling place for this polling district, replacing Larbert Village Primary School.**

**Polling District: FW515 – agreed that Torwood Scout Hall be designated polling place for this polling district.**

**Ward 6 – Falkirk North**

**Polling District: FW611 – agreed the continued use of mobile units in the Carron Co-op car park, subject to change and to permission of the landowner from one electoral event to the next, with the siting of mobile units at an alternative location within the polling district to be identified by officers in consultation with local Members as a contingency if required, again subject to consent by the landowner as appropriate.**

**Ward 7 – Falkirk South**

**Amalgamation of current polling districts allocated to Bantaskin Primary School: FW721 and FW755 – agreed that the polling districts be amalgamated, forming the new polling district FW722 with a total electorate of 2,167 at the time of writing.**

**Amalgamation of current polling districts allocated to Woodlands Games Hall: FW731 and FW765 – agreed that the polling districts be amalgamated, forming the new polling district FW732 with a total electorate of 3,855 at the time of writing.**

**Amalgamation of Current Polling Districts: FW740 and FW746 – agreed to amalgamate both polling districts, forming the new polling district FW747 with Hallglen Sports Centre as the polling place and a total electorate of 3,400 at the time of writing.**

**Hallglen Sports Centre - noted that there were heating issues at Hallglen Sports Centre which may impact on its future use. Any closure of the premises during the lifetime of the revised polling scheme would result in the requirement to seek an alternative polling place. This would be brought to Council for consideration as and when required.**

**Polling Districts: FW731, FW760 and FW765 – agreed the amalgamation of Arnot Street to one polling district and that it be delegated to officers, in conjunction with the Electoral Registration Officer for Central Scotland, to determine the appropriate polling district boundaries and designate the polling place accordingly, in consultation with local Members.**

## **Ward 8 – Lower Braes**

**Proposed amalgamation of polling districts FE801 and FE806 – agreed to retain the status quo, with Laurieston Community Hall and Laurieston Primary School continuing as designated polling places respectively.**

## **Ward 9 – Upper Braes**

**Polling District: LE925 – agreed to designate California Community Hall or a mobile unit on the hall grounds as the polling place, whichever is the more practicable at the time of each electoral event.**

- (3) agreed the proposed polling scheme as detailed within Section 7 of the report, subject to the decisions taken at (2) above, for use at elections, by-elections and referendums held between 1 December 2019 and the next review, scheduled to be held between 1 October 2023 and 31 January 2025, with any ad hoc changes being reported to Council in the interim period.**

Council adjourned at 12.05pm and reconvened at 1.05pm with all members present as per the sederunt with the exception of Provost Buchanan and Councillors Kerr and Reid.

In the absence of the Provost, the Depute Provost took the Chair.

## **FC35. Programme of Meetings 2020**

Council considered a report by the Director of Corporate and Housing Services presenting a draft timetable of meetings for 2020.

### **Decision**

**Council agreed the programme of meetings for 2020.**

## **FC36. Execution of Deeds**

Council considered a report by the Director of Corporate and Housing Services, the purpose was to provide details of those deeds which have been signed and sealed on behalf of the Council.

### **Decision**

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

### **FC37. Falkirk Council/Falkirk Community Trust Joint Working**

Council considered a report by the Chief Executive providing an update on the actions taken following the meeting of 26 June 2019 in relation to the joint working between Falkirk Council and Falkirk Community Trust, identifying the next steps and timelines in relation to the 2020/21 budget process.

A community consultation on Transforming Services opened on 16 September 2019 and would remain open until 31 October 2019. The purpose of the consultation was to test the principles that the Council and partners had been working towards with regards to changing services and ultimately reviewing assets. The consultation sought to engage communities in what that meant in practice while not at the time being specific about the impact this would have on individual communities or buildings.

The target audience for the consultation was those who lived or worked within the Falkirk Council area. In addition to the survey, focus group sessions were planned in Denny, Bo'ness and Grangemouth in order to better understand the effect of applying the principles.

The Council, Trust and appropriate partners would prepare a prospectus for each town that would seek to address the following:-

- Identifying the current and future use of schools as community resources first and foremost
- The needs of those communities now and in the future
- Identifying properties that are underutilised, in poor condition or not used by that community
- Identifying what services need to be provided in each community e.g. older persons lunch clubs, health and well being activities, advice and support services etc.
- What is the provision of assets in the future for that community including areas for investment, disposal and other use?

The Trust was required to submit its annual business plan and associated documents by 15 November each year. Council had given a commitment to work together with the Trust to prepare a five year investment and savings plan and this work remains ongoing. It was proposed that Council postpone its requirement of the Trust to submit its Business Plan from 15 November 2019 until 6 January 2020. This would allow additional time for the Joint Working Group to reflect on the consultation feedback, to discuss the implications and to offer initial direction and guidance to the Trust on the way ahead.

Council adjourned at 2pm and reconvened at 2.10pm with all members present as per the sederunt with the exception of Provost Buchanan and Councillors Kerr and Reid.

## **Decision**

### **Council:-**

- (1) noted the actions taken to implement the decision made by Council on 26 June 2019;**
- (2) noted the intention to report back on the outcomes of the consultation exercise to Council on 4 December 2019, and**
- (3) agreed that the deadline for submission of the Falkirk Community Trust Business Plan for 2020/21 is extended to 6 January 2020.**

## **FC38. Fees & Charges - Concessions**

Council considered a report by the Director of Corporate and Housing Services providing an update on the actions taken following the decision of Council on 27 February 2019 where it requested that a report be presented on the implementation of proposals for fully developed concessions for 2020/21.

The Corporate Charging and Concessions Policy's aims and principles, included ensuring there was a consistent approach to applying concessions. To ensure a degree of consistency the policy noted that for any new charges, free concessions would be available to all customers who were in receipt of means tested income related state benefits. For existing charges in place before the approval of the Policy, the eligibility and level of concessions offered were to be reviewed by Services. If there were reasons that free provision was not possible, that should be clearly justified as part of the Equality and Poverty Impact Assessment. Extending concessions for other services would be considered as part of the budget process for 2020/21, in particular those services provided by Falkirk Community Trust.

As part of the budget process for 2019/20 it was proposed not to change the eligibility for free provision for free school meals and breakfast clubs as they were assessed in line with national standards. In addition there was also universal free entitlement to school meals for all children in primary 1-3. To fully align with the Policy, consideration was also be given to extend free entitlement to those children whose families were in receipt of housing benefit, council tax reduction and pension credit. Based on current claimant data free school meal entitlement would be extended to c700 children across both primary and secondary schools. While for breakfast clubs there was a reduced rate of £0.75 per breakfast for those in receipt of housing benefit and council tax reduction. For music tuition alignment with the Policy would extend free provision to those in receipt of the means tested benefits noted above.

Other than the charges detailed above, the only other fees and charges managed by Children's Services were school and community lets. Ideally these charges and concessions would be aligned to those managed by Falkirk Community Trust. It was proposed that this would be reviewed alongside the Trust business planning arrangements for the 2020/21 budget.

The Trust undertook a general review of its charges each year. Their annual charges review process adhered to a set of 'key principles': -

- FCT 'charges' should not be seen by potential customers as a 'barrier to their participation'.
- Concessionary charges should ensure that those who can least afford to pay for our services are supported the most.
- FCT charges should be easily accessible and simple to understand.
- The timing of the introduction of any revised charge should consider the impact this will have on customers.
- Charges can be flexible with the ability to offer promotional discounts at appropriate times to actively promote new services or boost falling attendances.
- Charges will be levied which fully consider local competitors and neighbouring Trusts' and Local Authorities' charges.
- Charges will enable improved levels of income generation, where market rates and the ability of our customers to pay, allow.

The Health and Social Care Partnership was drafting a delivery plan. The delivery plan included a review of the charging practice and policy. This was scheduled to be complete, with a revised policy in place by April 2021. In the intervening period, a focus would be given to ensuring the infrastructure was in place to implement the revised charging policy.

For Corporate and Housing Services and Development Services the scope for extending concessions was minimal, primarily as they were business focused and not suitable for applying the Council's concessions policy. However there were a few charges, such as the small handyman service, special uplift arrangements and blue badge applications, that still needed to be reviewed and it was proposed that these were addressed during the 2020/21 budget process.

## **Decision**

### **Council:-**

- (1) agreed to extend the entitlements for free school meals, breakfast clubs and music tuition as detailed in sections 4.2 – 4.4 of the report from April 2020;**
- (2) noted the proposals for extending concessions managed by Falkirk Community Trust will be considered as part of the Business Plan process for the 2020/21 budget;**

- (3) noted that proposals for extending concessions managed by the Integration Joint Board will need to be considered alongside the charging review, and**
- (4) noted that although the scope for increasing concessions for charges managed by other Council Services is minimal, this will reviewed further as part of the budget process.**

#### **FC39. Annual Report of the Chief Social Work Officer 2018/19**

Council considered a report by the Chief Social Work Officer providing an overview of how the statutory responsibilities had been fulfilled by the Chief Social Work Officer (CSWO) during 2018/19, CSWO's were required to submit an annual report in accordance with Scottish Government guidance.

The report provided information on:-

- Summary of Performance
- Partnership Working
- Social Services Delivery Landscape
- Finance and Resources
- Service Quality and Performance including delivery of statutory functions
- Workforce Planning and Development
- Good Practice Examples

#### **Decision**

#### **Council:-**

- (1) noted the contents of the CSWO's Annual Report, which is attached at Appendix 1;**
- (2) agreed to its onward submission to Scottish Government and the Integration Joint Board, and**
- (3) acknowledged the commitment, skills and experience of Social Work staff in continuing to deliver high quality services to Falkirk citizens.**

#### **FC40. Review of Standing Orders**

Council considered a report by the Director of Corporate and Housing Services presenting the outcome of a review of Standing Orders.

The report invited Council to consider the:-

- position of the Council of the Future Board and the 5 year Business Plan within the Standing Orders
- size of committees
- political balance of committees in light of the increase in the number of Independents
- position of Portfolio Holders in relation to the Scrutiny Committees
- relationship between the Council and the Integration Joint Board
- efficiency of the planning process
- arrangements for Twinning and Friendship Pacts
- correction of a drafting issue concerning Notices of Motion.

Council adjourned at 3.20pm and reconvened at 3.40pm with all members present as per the sederunt with the exception of Provost Buchanan and Councillors Flynn, Grant, Kerr and Reid.

Council then adjourned at 3.45pm and reconvened at 3.50pm with all members present as per the sederunt with the exception of Provost Buchanan and Councillors Flynn, Grant, Kerr and Reid.

## **Decision**

### **Council:-**

- (1) agreed that the following changes are made of Standing Orders with detailed drafting to be reflected in revised Standing Orders for consideration by Council in December**
  - (i) the list of Corporate Plans in SO 47.1 (3) should be revised and updated as outlined in para 4.3;**
  - (ii) where a Board or working group is established by the Council the membership should be decided by Council or the relevant Executive and there should always be Terms of Reference publicly accessible;**
  - (iii) portfolio holders will be entitled to attend and speak (but not vote) at a Scrutiny Committee where the item relates to their portfolio;**
  - (iv) twinning arrangements, friendship pacts and other like arrangements should be a decision reserved to Council;**
  - (v) motions submitted by notice should be considered at the next ordinary meeting, and**
- (2) agreed to consider further a proposal that a member who submits a motion which is referred to an Executive must be present at that meeting in order for it to be considered;**

- (3) agreed to continue to the next meeting consideration of the size of its committees and their political balance in light of the increase in the number of independents;**
- (4) agreed to seek an increase in representation on the Integration Joint Board from three to four in the forthcoming review of the Integration Scheme, and**
- (5) noted that further recommendations on the review of the planning process may give rise to further recommendations in December.**

Council adjourned at 3.55pm and reconvened at 4pm with all members present as per the sederunt with the exception of Councillors Flynn, Grant and Kerr.

Provost Buchanan resumed the Chair.

#### **FC41. Motions**

Three motions had been submitted. Agenda Items 15(a) and (b) referred to matters reserved to Council. Agenda item 15(c) referred to matters within the remit of the Executive. The Provost advised that, having heard from Group Leaders and in light of the civic nature of the subject matter he was content that the item was suitable for consideration by Council.

- (a) Council considered the following motion by Councillor Black, seconded by Councillor Coombes, that:-**

At the beginning of August due to unforeseen circumstances our Scottish Welfare Fund team found itself with one person holding the fort rather than a team of 6. Our staff worked very hard to try and alleviate the situation but they were working against the odds and this meant that some of our most vulnerable citizens saw significant delays in receiving their community care grant.

Council recognises that in order to process and deliver crisis grants and community care grants from the Scottish Welfare Fund, it is vital to have a team of well trained staff, with back up from other resources where necessary.

Council acknowledges that that planned reduction in staffing from 7 to 4.5 was not realistic to provide required resilience.

Council recognises that improved, tailored, signposting could also help alleviate this issue, showing claimants where else they could get help, whilst awaiting their decision, will both help the individual and relieve pressure on the Scottish Welfare Fund.

Council asks that the sum of £67,352 per annum, be taken from reserves for the next 2 years to pay for another 2 FTE advisors. This will give some stability to the team and will ensure that the situation at the beginning of August 2019 does not happen again.

As an amendment, Councillor Hughes, seconded by Councillor Meiklejohn, moved, that Council requests the Director of Corporate and Housing Services to present a progress report in relation to the Social Welfare Fund at the December 2019 meeting of the Executive.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 24 members present with voting as undernoted:-

For the motion (10) – Provost Buchanan, and Councillors Black, Blackwood, Coombes, Goldie, McLuckie, Munro, Nicol, Nimmo and Reid.

For the amendment (14) –.Depute Provost Ritchie, and Councillors Alexander, Balfour, Binnie, Bouse, Coleman, Collie, Garner, Harris, Hughes, Meiklejohn, Murtagh, Patrick and Spears.

### **Decision**

#### **Council agreed the amendment.**

Councillor Garner left the meeting prior to consideration of the following item.

- (b) Council considered the following motion by Councillor McLuckie, seconded by Councillor Goldie, that Council:-
- (1) recognises and values the progress made in delivering an accessible online resource for paying bills etc;
  - (2) asks that further work be done to enable those on low incomes to pay their bills in whatever way they find easiest;
  - (3) will ensure that all 3 hubs are open at lunchtime and that members of the public are able to pay their bills at a time convenient to them and in particular during lunchtime;
  - (4) asks that the Director of Corporate and Housing Services report back to the next meeting to confirm that this has been done and that if there are any budgetary implications to advise what those are, and
  - (5) requests that the Scrutiny Committee considers the impact and effectiveness of the hubs as a subject for scrutiny.

As an amendment, Councillor Hughes, seconded by Councillor Meiklejohn, moved, that Council requests the Director of Corporate and Housing Services to present a progress report in relation to the Support and Advice Hubs at the December 2019 meeting of the Executive.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 23 members present with voting as undernoted:-

For the motion (12) – Provost Buchanan, and Councillors Black, Blackwood, Coombes, Goldie, Harris, McLuckie, Munro, Nicol, Nimmo, Patrick and Reid.

For the amendment (11) – Depute Provost Ritchie, and Councillors Alexander, Balfour, Binnie, Bouse, Coleman, Collie, Hughes, Meiklejohn, Murtagh and Spears.

### **Decision**

**Council agreed the motion.**

Councillors Goldie and Nicol left the meeting prior to consideration of the following item.

- (c) Council considered the following motion by Councillor Murtagh, seconded by Councillor Coombes, that:-

Council notes the success of many recent cultural events celebrating Falkirk's links with both our past; in big Roman week, and our international Friendships; such as through the summer Twinning excursions to Odenwald, involving many of our talented young people.

While we are proud in Falkirk to celebrate many aspects of our cultural heritage, including our Roman sites, such as the Antonine Wall; Council believes that such structures belong in the past and modern societies should be striving to break down physical and cultural barriers that hinder peace.

The Antonine Friendship Link, so named to mirror this principle, has been working since 2004 to highlight the suffering of the Palestinian people around the community of Jayyous, whose basic human rights are put under daily pressure through blockade and illegal occupation of land.

Council reaffirms the link between Falkirk District and Jayyous in Palestine and commends the work of the Antonine Friendship Link for their peaceful and inclusive approach to assisting the people of Jayyous and raising awareness of their circumstances.

Council notes the intention of the Antonine Friendship Link to renew their scroll, previously signed by many local politicians past and present and displayed at a number of prominent venues including the Scottish Parliament and Falkirk Municipal Buildings. Council resolves to offer what practicable assistance it can to the Antonine Friendship Link in helping them renew their scroll and invites current councillors to sign the finished work, should any individual councillor desire to do so.

Council commits to displaying the finished scroll within the Municipal Buildings at a mutually agreed point in the future and extends our warmest friendship to the people of Jayyous. In doing so, Council vehemently rejects all forms of religious bigotry and sectarianism, including anti-Semitism and Islamophobia and mutually with the Antonine Friendship Link, believes in the rights of all people to express themselves and practice their chosen religion, or none, in complete freedom and without fear or persecution.

### **Decision**

**Council agreed the motion.**