

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant depicts a stag's head with large antlers. The bottom-left quadrant contains a beaver. The bottom-right quadrant shows a grizzly bear standing on its hind legs. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "CITY OF VANCOUVER" in a stylized font.

# **Agenda Item 3**

## **Minute**

Draft

**FALKIRK COUNCIL**

**Minute of meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 30 January 2020 at 9.30 am.**

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

**Councillors Also  
Attending:** Lynn Munro  
Laura Murtagh

**Officers:** Douglas Duff, Head of Planning and Economic Development  
Michelle Duncan, Policy and Research Officer  
Douglas Gardiner, Waste Manager  
Kenny Gillespie, Head of Housing and Communities  
Stuart Irwin, Democratic Services Graduate  
Marina Miller, Performance Management Systems Developer  
Natalie Moore-Young, Customer and Business Support  
Manager  
Brian Pirie, Democratic Services Manager  
Stuart Ritchie, Director of Corporate and Housing Services  
Lesley Scott, Waste Strategy Co-ordinator  
Allan Stewart, Improvement Manager

**S37. Apologies**

No apologies were intimated.

**S38. Declarations of Interest**

No declarations were made.

**S39. Minute**

**Decision**

**The minute of the meeting of the Scrutiny Committee held on 14 November 2019 was approved.**

Following a question in regard to item S33 the Director of Corporate and Housing Services provided an update on discussions between the Council and the Citizens Advice Bureau in regard to proposals to place the arrangements for service delivery on a formal basis. Members indicated that they valued the work of the Citizens Advice Bureau. In particular, in periods of economic uncertainty. The Director also provided an update in regard to the consultation on the outcomes of the Housing Allocations review (item S34). The consultation was currently being finalised and the service would work with a broad range of partners such as registered tenants, organisations and hard to reach groups in order to consult as widely as possible.

#### **S40. Rolling Action Log**

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

#### **Decision**

**The committee noted the Rolling Action Log.**

#### **S41. Reporting Service Performance by Theme**

The committee considered a report by the Director of Corporate and Housing Services which set out a proposal to allow members to view performance information using the Council's performance management system, Pentana. An 'elected member' portal would be created to allow members to monitor performance by 'theme'. This would allow day-to-day access rather than the current model whereby members receive performance information in committee reports every four months or so. Training would be provided to those members who wished to use the system.

The Director of Corporate and Housing Services gave a short overview of the report and the Performance Management Systems Developer gave a short presentation of the members' portal.

Ms Miller explained, following questions, aspects of the process for updating the system and practical features of the members' portal. The Director explained, following a question, that services regularly scrutinised the performance information, in particular the key performance indicators, to ensure that improvement actions were both in place and effective. The Improvement Manager confirmed Pentana, had been purchased on licence and had been used by services for many years. It was a system which a number of other Local Authorities utilised he confirmed, following a question, that the system was accessible to officers and elected members. It was not accessible by the public. Following a statement that scrutiny should be in the public domain the question was put on whether, in fact, access should be widened to the public.

The Director stated that the reports, which were based on the information held on the system, were publicly available. The committee discussed the reporting of performance information. It was not the case that reporting would only be by exception. There was a programme for reporting performance information to the committee and this would not change as a consequence of the elected members portal. Services would continue to report by exception as and when it was necessary to do so. Members could now monitor and interrogate performance information at any time and could raise concerns at committee. All reports which were submitted to the committee were published on the Council website. The committee discussed the role of the performance panel and Council's decision, in 2019, that performance information would fall within the remit of the Scrutiny Committee. Members questioned whether this had resulted in less frequent performance reporting and whether the members' portal was a less satisfactory way of open replacement. The Director stated that the reporting frequency had not changed and providing access to members was intended to allow them to monitor performance information to provide a fuller picture and understanding - the scrutiny of Services' performance would be carried out by the Committee. The Democratic Services Manager concurred and added that by accessing performance information members were not carrying out the scrutiny function. Scrutiny was carried out by the Scrutiny Committee and it was proper that this was done in public view. Council had reviewed the scrutiny process and had moved the scrutiny of performance information from the panel to the Committee for a number of reasons – primarily to allow the committee to better carry out its role. At no time was the intention to reduce the scrutiny of performance information.

The committee then discussed how the system would be practically used by elected members. Officers and elected members had different levels of accessibility – some could 'see' only where as some officers could edit and update the information. Following a question Ms Miller confirmed that the data could be inputted manually or pulled from other sources such as spreadsheets. Members concurred that the system could be useful to allow them to better understand performance. Initially, however, it would take time for their understanding to bed in. Tracking key performance information – such as the cost of planning – had allowed the committee to undertake effective scrutiny of an area of service and it was hoped that access to Pentana information would augment their role.

## **Decision**

**The Scrutiny Committee noted the new way to access service performance information and performance information contained therein.**

The committee adjourned for a short break at 10.35 a.m. and reconvened at 10.40 a.m. with all members present as per the sederunt, with the exception of Councillor Munro who had left the meeting during questions.

#### **S42. Monitoring and Reporting on the Corporate Plan – One Council – Place**

The committee considered a report by the Director of Corporate and Housing Services which provided performance information on the Place priority of the Corporate Plan.

The Head of Planning and Economic Development provided an update on the following workstreams:-

##### Growing our economy

- Tax Incremental Financing (TIF)
- Falkirk Gateway
- Falkirk-Grangemouth Investment Zone
- Fair Start
- Business Gateway
- Tourism

##### Improving the neighbourhoods we live in

- Grangemouth Flood Protection Scheme
- Road Infrastructure
- Active Travel and Electric Vehicle (EV) Infrastructure Investment
- Housing Provision
- Open Spaces
- Climate Change

##### Promoting vibrant town centres

- Town Centres
- Strategic Property Review (SPR)

The Head of Planning and Economic Development provided an update on the following workstreams:- Housing Audits; the Leader Programme Audit; and the Engineering Design and Roads Audit.

Following a question the Head of Planning and Economic Development gave an update on the current position on the Tax Incremental Financing programme in respect to the Avonbridge Gorge. Mr Duff explained that officers had held discussions with Transport Scotland and Ministers. The project was in the programme but there was an acceptance that it needed to be accelerated. This required funding from parties including West Lothian Council. In regard to the likely timescale, Mr Duff estimated it could begin within 2 years.

Mr Duff also gave an update on the upgrading works at Icehouse Brae (North). The timescale for this, he estimated was 2025/26. It was currently programmed at the end of the series of projects but officers were looking at ways to bring this forward tying in with works at Westfield.

The committee sought an indication of when Council would receive confirmation of the outcome of bids for the Investment Zone. Mr Duff confirmed that the Council had received feedback from the Scottish Government and was waiting to hear from the UK Government. Mr Duff anticipated a summer announcement on the outcome of the bids.

Following a question on the likely impact of Brexit on external funding, Mr Duff anticipated that it was likely to impact in a number of ways such as on investment and the performance of business (such as transport). The Council could monitor impacts and look at ways to counteract these for example through TIF or the Investment Zone.

The committee then discussed the public consultation on TIF projects, highlighting a 'relatively positive response' and sought clarification from Mr Duff on this assessment. Mr Duff explained that there had been extensive consultation from the early stages of the initiative in 2013. The consultation to which he had referred was in regard to the Westfield roundabout. Of the 1000 consultees 70% of responses had been positive. Mr Duff explained that as the green network was developed there would be further engagement, for example through the planning process. Mr Duff then explained the complex funding structure for the TIF. He stated that the funding did not include monies raised through Council Tax.

Members returned to Brexit and asked for detail on the likely impact of this on the tourism industry. Mr Duff stated that the Council was alert to the potential impacts. Risk assessments had been developed. The Council had responded to the financial crash in 2008 by developing an action plan. Existing actions would be scaled up and additional support may be required. In regard to tourism, Brexit could result in economic pressure on everyone and therefore on spending power. There could be benefits however. There may be an increase in domestic holidays for example and Falkirk was well placed with a number significant tourist attractions.

The committee discussed the Falkirk Gateway and asked if the planned retail activity would impact on the High Street, noting that the regeneration of the Town Centre was a priority. Mr Duff responded that the proposed retail outlets would be 'big box' retailers which would not be suited for the High Street. It was important that the retail mix was balanced and that there was a 'route' to the High Street from the Gateway.

The committee turned to the Fair Start service and sought detail on the 'measures' in place to reach the most isolated and distant from the labour market. Mr Duff explained that the Council was working with the Job Centre who referred the long term unemployed to the project. Referrals could also be made by partners such as the Health Service, Social Work and Advice Hubs. The project could change people's lives and the initiative had begun to show benefits.

The committee noted that tourism had contributed £110m to the economy and asked whether this represented a peak. Mr Duff stated that it was not a peak. The Council's central location and attractions made it an attractive area for tourism. The Council need to continue to 'talk itself up' and be ambitious. The business case was an example of the ambition. The gateway would retain visitors. The aim was to attract visitors from the Gateway to the town centre. At the moment this did not happen. Projects such as the proposed Arts Centre would be a draw in the town centre.

The committee asked for a timescale for the commencement of the Flood Protection Scheme. Mr Duff stated that this was given in the report as 2024. There was a significant stream of work currently underway in preparation for the sign off – approvals and design schemes were underway. There would be sign off when all the various work streams were in place. The works could be phased but funding from the Scottish Government was both critical and key. There was constant dialogue between the Council and the Scottish Government to ensure its ongoing support.

Following a question on the road infrastructure programmes Mr Duff was advised of concerns in regard to the programme for line painting and undertook to investigate.

The committee turned to the Electric Vehicle (EV) Infrastructure Investment Programme and asked if Brexit would have an impact on the scheme. Mr Duff explained that Brexit would have an impact on the UK car industry. There was also a lack of investment generally as a consequence of Brexit.

Turning to climate change the committee asked if initiatives such as 'wind powered trees' (which could be seen in Paris) had been explored. Mr Duff stated that there was a local heat and energy efficiency strategy (LHEFS) pilot underway which looked at initiatives and could explore these.

The committee discussed the INTEREG project. As part of this the Council and 21 European Partners were looking to establish a living lab in Grangemouth to deliver energy efficiency and technological innovation and this was a key strand of the Investment Zone. The committee asked if Brexit would impact on the work. Mr Duff said this was the kind of project which was at risk due to Brexit. There was work ongoing to try and maintain such projects. Carbon emissions was a global concern and funding was required to develop projects in Scotland. Work needed to be completed to complement that going on in Europe to ensure that Scotland was competitive in the global market. The committee returned to the Council's Road Safety Programme. It was suggested that the Council's approach unduly focussed on 'the cosmetic' and there would be a financial impact in the future.

The committee considered the Strategic Housing Investment Plan, (SHIP). The housing which would be building would predominately, it was stated, be private and members of the committee cited issues in Denny arising from investment by the private sector. The service was, Mr Duff stated, working closely with Housing Services to identify appropriate sites.

Often the Council did not own the sites and these complicated matters.

Following a question the Director of Corporate and Housing Services undertook to look into resources in place to support digitisation in particular to support those without access to, or understanding of, technology.

The committee returned to the Investment Zone and asked whether work had begun in Grangemouth. Mr Duff stated that a community action plan was being developed for the area. A masterplan would be developed for the area – the Council was looking to secure funding from the Scottish Government to assist with this. Following a statement that the community was frustrated by the apparent lack of progress following the consultations. Mr Duff stated that the situation in town was complex – for example in the town centre there were 3 different owners. However, it was important to scope out the exercise and this took time. Mr Duff conceded there were resourcing issues. The team was small. Support from the Scottish Government was vital. It was suggested by the committee that the Strategic Property Review was at odds with the Council's Placemaking Priority. There was a need, members suggested, to retain historic areas such as the Charing Cross area in Grangemouth.

The committee then turned to the performance statement which was appended to the report.

Members asked why, given the reported slippage of £3.1m compared to the planned expenditure of £47.7m, was the action 'improve and improve our housing estates' regarded as 'in progress'. The director Corporate and Housing Services stated that this was due to the investment in the Capital Programme. The SHIP had been agreed by Council in January and the work would begin.

The committee highlighted the 3 year on year increase on the % of rent lost through properties being empty (from 0.91% to 1.23% in 2019/20). The target was 0.9%. The Director of Corporate and Housing explained that there was a number of reasons why properties were 'void'. For example, the Council had brought a number of long term voids back into the pool of properties. There had also been significant investment (for example in Charlotte Dundas Square in Grangemouth) which has added to the indicator. Mr Ritchie also cited the impact of the Homeless Strategy. The increase was a sign of positive activity.

The indicators for time taken to undertake emergency and non-emergency repairs had both increased. Mr Ritchie stated that these were lower than in the private sector. There were a number of factors which had contributed to the increase - such as the often specialist nature of the work. There was a work stream to develop a higher performance framework for external contractors. The committee noted that there was an indicator '% of tenants who have had repairs or maintenance carried out in the last 12 months satisfied with the repairs and maintenance service'.



It was put to the Director that a more valuable measure would be 'number of tenants who are given a timescale for repairs to be carried out when they move to the property when the repairs are not carried out in the timeframe'.

## **Decision**

**The Scrutiny Committee noted the performance of the Council against the priority of Place within the Corporate Plan.**

The committee then adjourned for a short break at 12.10 p.m. and reconvened at 12.20 p.m. with all members present as per the sederunt, with the exception of Councillors Munro and Murtagh.

### **S43. Order of business**

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

### **S44. Anti-social Behaviour Scrutiny – Progress Report**

The committee considered a report by the Director of Corporate and Housing Services which provided an update on the implementation of the recommendations of the review of Anti-social Behaviour.

As part of the Scrutiny Plan the committee had established a Scrutiny Panel in 2018 to undertake a review of the anti-social behaviour. The panel reported to the Committee on 4 April 2019. The committee had agreed the panel recommendations and requested a 6 month update on progress.

The actions were:

- Encourage the good partnership working in place by all agencies in addressing Anti-social Behaviour. These to continue and be built upon as opportunities arise. Services should actively engage with communities when activity has been reported, being proactive rather than reactive, Services should work in partnership with other Councils ensuring that proven good practice on Anti-social Behaviour- is shared and routinely updated.
- Services should actively seek to engage with all individuals outwith community facilities giving particular consideration to young people, elderly isolated people, those with recognised substance abuse issues, and those with recognised mental health issues and through methods which, best suit them;

- Services should review the support offered to victims of Anti-social Behaviour, whether the victim be directly or indirectly affected Anti-social Behaviour or whether the victim be the recipient of vexatious Anti-social Behaviour complaints against them;
- Guidance should be provided for Councillors to assist in dealing with complaints relating to Anti-social Behaviour, including best practice regarding mediation, mental health training and how to have challenging conversations, the Council also recognises the role of local members in issues relating to Anti-social Behaviour as legitimate advocates on behalf of constituents. The Council must recognise the role of the elected member and the expectations on the elected member of the general public;
- Requests that the Housing Allocations Scrutiny Panel includes in its work plan consideration of the link between allocations and perceived Anti-social Behaviour, thus giving us a more rounded approach to dealing with Anti-social Behaviour from a specific service delivery point;
- Council though recognising the complex nature of Anti-social Behaviour ensures that collective and holistic approach is taken to information given to Councillors to enable them to assess situations correctly while being mindful that all Councillors are Registered Data Controllers, with the Information Commissioner's Office and doing so within the parameter of GDPR and potential future legislation relating to data protection.

The report set out progress made in respect of each of the actions.

The committee welcomed the restructure of services to create a centralised team and noted the ability of services to be more proactive. Following a question the Head of Housing confirmed that the arrangement facilitated better communication, in particular with hard to reach groups. Nonetheless members asked examples which indicated that anti-social behaviour remained prevalent. In regard to support to victims Ms Young stated that officers both investigate and provide support. This can be face to face or by signposting partner agencies. It was important to note that not everyone wanted to be seen as a 'victim'. The aim Ms Young stated was to support and build pro social rather than anti-social behaviour and uplift communities. The Head of Housing added that the Council sought to build communities citing locality planning as an example, building a One Council approach.

In response to a question, the Head of Housing, confirmed that noise monitoring equipment had been effective and stated that officers were currently evaluating the cost: benefit with a view to purchasing additional equipment.

During the discussion it was stated that in flatted accommodation noise was exacerbated when the property wasn't completed. Conversely members stated that by refusing applications for grants for carpets there was a potential lurch in regard to instances of anti social behaviour.

Following discussion the committee asked for a further update in 6 months.

### **Decision**

**The Scrutiny Committee noted the progress being made towards implementing the Committee's recommendations on Anti-social Behaviour, and requested that a further progress report be made to the Committee in six months.**

## **S45. Fly Tipping 12 month Update Report**

The committee considered a report by the Director of Development Services which provided an update on the implementation of the Scrutiny Committee's recommendations on fly tipping.

The Executive in April 2019 had considered the recommendations of the Scrutiny Committee following a panel review of Fly Tipping. The Executive had instructed officers to provide 6 month and 12 month updates to the Scrutiny Committee on the implementation of the recommendations. The committee had received a 6 month update on 6 June 2019 (S16). The report detailed the progress made since the last update report.

Following a question the Waste Manager (Douglas Gardiner) confirmed that the £30,093 referred to in the report was in regard to the list to the Council of disposing of fly tipped waste. For waste left on private land the cost was that a disposal plus officer time (i.e. full cost recovery). The service was exploring whether it could pursue full cost recovery in regard to waste left on Council property.

The committee considered progress made in reminding tenants of their obligations to dispose of waste and rubbish appropriately. Specifically members considered the aim for all households to have access to a local fill recycling provision by June 2020. While this was praised it was asserted that the recommendations had been made in April 2019. The Waste Manager was asked whether the length of time was reasonable. Mr Gardiner explained that it was, citing the change to the recycling system with the introduction of the burgundy bins in 2019. It was important that this had been introduced first. There wasn't a one size fits all approach and the service had to prioritise its activities. The timescale was therefore reasonable. Members concurred and praised the Hallglen initiative. There wasn't, Mr Gardiner explained, a plan to work on a ward to ward basis. A bespoke arrangement based on need would be put in place.

The committee considered the work carried out in regard to the recommendation to establish a trusted trader scheme. It was proposed to extend the existing buy with confidence scheme and to have this in place by 1 April 2021. Again members sought reassurance in the timescale for carrying out this work – 2 years since the recommendation had been made. Mr Gardiner stated that this was the latest by which it would be in place and suggested it could be in place sooner. Mr Gardiner stated that he was in dealing with the communications team to maximise public awareness of the scheme.

In regard to enforcement the committee asked whether the Council had projected offenders. The Waste Manager confirmed that cases had been put to the Procurator Fiscal but there had been no prosecution. Mr Gardiner confirmed that there had been no increase in fly tipping since the introduction of the charge for the bulky uplifts. Members queried this statement and stated that, in Grangemouth for example, there was a perception that fly tipping was increasing.

Members of the committee praised the work to date to establish a free cycle scheme. However some members questioned the time taken to do so. Members who had saved on the panel stated that it had not been the panel's intention that any scheme is run by the 3<sup>rd</sup> sector. There was a key role for the Council in any scheme. Mr Gardiner confirmed that the Council would work with the 3<sup>rd</sup> sector and was not stepping back.

Members praised the introduction electronic payment at Kinneil and sought an update on when this would be introduced at each site. The Waste Manager confirmed that officers were looking to introduce electronic payment at rough mite but there was no timescale for this currently.

The committee then discussed the permit system for small businesses and occasions where there has been confusion between domestic business and trade.

## **Decision**

**The Scrutiny Committee considered the progress made in implementing the Executive's decisions following the Scrutiny Panel's review of fly tipping in 2018.**

### **S46. Scrutiny Plan 2020**

The committee considered a report by the Director of Corporate and Housing Services outlining the arrangements for establishing scrutiny panels in 2020.

Council had agreed on 4 December 2019 that the Scrutiny Plan for 2020 will contain two areas for review. The first panel would examine the Pupil Equity Fund and its outcomes in closing the attainment gap. This panel was expected to begin in January and complete its work by June.

The committee was invited to establish a scrutiny panel to undertake the review of the Pupil Equity Fund. In terms of Standing Orders a panel could be made up of up to 5 members. The committee agreed that the panel should comprise 3 members – one from each of the main political groups.

Members of the Conservative group confirmed that their group had appointed Councillor Flynn to the panel. Nominations for the remaining places would be sought by the clerk from the group leaders.

Council had agreed, when setting its diary for meetings in 2020, to reserve Thursday afternoon for meetings of Scrutiny and Performance Development Panels. Where possible the scrutiny panel would meet on Thursday afternoons.

### **Decision**

#### **The Scrutiny Committee:-**

- (1) noted the Scrutiny Plan for 2020;**
- (2) formed a 3 member scrutiny panel, with a member from each of the main political groups to undertake the review of the Pupil Equity Fund; (PEF), and**
- (3) noted that Group Leaders would confirm their respective appointments to the panel.**

#### **S47. Workplan 2020**

The committee considered a report by the Director of Corporate and Housing Services which presented a draft workplan for the Scrutiny Committee for 2020.

### **Decision**

**The Scrutiny Committee agreed its workplan for 2020.**