

The background of the slide is the coat of arms of the City of Vancouver. It features a shield divided into four quadrants. The top-left quadrant shows a sailing ship on the water. The top-right quadrant shows a stag's head with antlers. The bottom-left quadrant shows a beaver. The bottom-right quadrant shows a grizzly bear. Above the shield is a crown with four maple leaves. A banner at the bottom reads "A NE FOR A".

## **Agenda Item 3**

## **Minutes**

**Draft**

**FALKIRK COUNCIL**

**Minute of meeting of the EXECUTIVE held on Tuesday 18 January 2022 at 10.00 a.m.**

**Councillors:** Robert Bissett  
Gary Bouse  
Joan Coombes  
Paul Garner  
Nigel Harris  
Gordon Hughes  
James Kerr  
Cecil Meiklejohn (Convener)  
Lynn Munro  
Alan Nimmo

**Officers:** Karen Algie, Head of People, Technology and Transformation  
Malcolm Bennie, Director of Place Services  
Patricia Cassidy, Chief Officer – Falkirk Health and Social Care Partnership  
Alistair Dawson, Infrastructure Projects Manager  
Jack Frawley, Team Leader – Committee Services  
Kenny Gillespie, Head of Housing & Communities  
Jennifer Kerr, Communities & Fairer Falkirk Manager  
Kenneth Lawrie, Chief Executive  
David Maley, Engineering Design Manager  
Colin Moodie, Chief Governance Officer  
Robert Naylor, Director of Children's Services  
Dot Reid, Roads & Grounds Manager  
Stuart Ritchie, Director of Corporate and Housing Services  
Bryan Smail, Chief Finance Officer

In accordance with section 43 of the Local Government in Scotland Act 2003 the Convener had directed that the meeting would be conducted by video conference to allow remote attendance by elected members.

In accordance with section 50A of the Local Government (Scotland) Act 1973 the public were excluded from this meeting as it was likely that, if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination with coronavirus.

**EX94. Apologies**

An apology was intimated on behalf of Councillor Alexander.

**EX95.     Declarations of Interest**

There were no declarations.

**EX96.     Minute**

**Decision**

**The minute of the meeting of the Executive held on 30 November 2021 was approved.**

**EX97.     Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 30 November 2021 was provided. Item 572 – Platinum Jubilee Holiday 2022 was the subject of a report on the agenda and accordingly fell from the action log.

**Decision**

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

**EX98.     Referral from Corporate Partnership Forum**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on matters referred from the Corporate Partnership Forum.

There had been revisions made to a number of existing policies and details of the changes were provided in an appendix to the report. The affected policies were the:-

- Learning and Development Policy;
- Managing Sickness Absence Policy, and
- Retirement (Non-Teaching) Policy.

There was also a new Menopause Policy presented for adoption.

Following discussion at the Tripartite and as requested by Trade Unions, the Partnership Agreement had been reviewed. The agreement had been updated to provide clarity regarding the roles, responsibilities and governance within the partnership between the Council and Trade Unions.

The report sought approval of one additional discretionary policy statement in relation to Shared Cost Additional Voluntary Contributions for the Local Government Pension Scheme.

In August 2020 the Executive had agreed to join the Breastfeeding Friendly Scotland Scheme. Additional information on the scheme to support implementation had been requested but as yet not received. The scheme was being reviewed/updated with the intention of further guidance specific to Local Authorities being issued. It was highlighted that early indications suggested that the new updated scheme may be more onerous and require additional resource.

## **Decision**

### **The Executive:-**

- (1) approved for immediate implementation changes to the:-**
  - **Learning & Development Policy**
  - **Managing Sickness Absence Policy**
  - **Retirement (Non-Teaching) Policy;**
- (2) approved for immediate implementation the Menopause Policy;**
- (3) approved for immediate implementation the revised Partnership Agreement;**
- (4) approved for immediate implementation the updated Employer Discretions Scheme;**
- (5) noted the Severance report, and**
- (6) noted the update on the Breastfeeding Friendly Scotland Scheme.**

## **EX99. Implementation of 20mph Speed Limits**

With reference to Standing Order 33.5 the convener referred to a deputation request received from the Gartcows Road Junction Improvement Group to be heard in relation to this item.

The Executive agreed to hear the deputation.

The Executive then considered a report by the Acting Director of Development Services which sought agreement to implement 20mph speed limits within the Falkirk Council area, commencing with all town and village centres as a first step.

20mph speed limits did not require any physical measures other than signage. 20mph speed limit zones used traffic calming measures, such as speed humps and road narrowing to ensure that the limit was self-enforcing on a road that would otherwise experience minimal reductions in vehicle speeds.

It was proposed to hold a series of online engagement sessions with communities for the first phase. These sessions would be focussed on the geographical areas where 20mph speed limits were being considered. It was proposed that the sessions comprise a short presentation of information outlining the reasons for implementing 20mph speed limits and the comments received from stakeholders used to inform the final scope of the speed limits in an area.

It was proposed that traffic speeds through all Phase 1 sites were monitored to assess compliance with the 20mph speed limit. Where variances were identified, consideration could be given to enhancing signage and lines to assist in reminding drivers that they were within a 20mph limit.

### **Decision**

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

- (1) the proposed approach to implementation of 20mph speed limits with a view to improving the lives of people, supporting inclusive and sustainable economic growth and creating more successful places;**
- (2) to progress 20mph speed limits in all town and most village centres as a first step, and**
- (3) to proceed with a phased approach to the introduction of 20mph restrictions across the road network as described in paragraph 3.4 of the report and following consultation with the communities involved.**

### **EX100. Grangemouth Flood Protection Scheme**

The Executive considered a report by the Acting Director of Development Services which provided an update on the progress made in relation to the Grangemouth Flood Protection Scheme (GFPS) and next steps in development of the Scheme.

Investment in the Grangemouth Flood Protection Scheme was essential to provide resilience against future flood events for the thousands of residential homes and commercial businesses currently at risk of fluvial and coastal flooding. The major infrastructure project was critical to the economic wellbeing of the Council area and the safety of local communities. The project continued to be developed taking due consideration of the best available data and technical knowledge, with the aim of delivering a scheme that would meet all the project objectives.

The Options Appraisal stage had been concluded and development of the preferred design solution was proceeding. It was anticipated that formal Scheme Notification (as defined by the Flood Risk Management (Scotland) Act 2009) would commence in late 2022. Subject to gaining the necessary approvals and securing project funding, construction of the major engineering works were not expected to commence until around 2024/25 and could take up to 10-years to complete.

A new governance structure had been put in place to ensure the project was progressed in a controlled environment with clear authority and accountability. Professional and experienced staff had been engaged throughout the project team to ensure all technical, commercial and engagement aspects of the project were effectively managed. A Gateway Review process had been introduced to control the progress through development stages and provide the necessary challenge and accountability to achieve successful project outcomes.

Further reports would be brought forward to the Executive in line with the project Gateway Review process, in order to take any key decisions necessary as the project progressed through each delivery stage.

## **Decision**

### **The Executive:-**

- (1) noted the conclusions of the Grangemouth Flood Protection Scheme Options Appraisal (Stage 3) and that the project would proceed through the next stage of project development (Stage 4 -Outline Design), as outlined in paragraphs 4.2 to 4.6 of the report;**
- (2) agreed the proposed governance structure for the project;**
- (3) noted the work underway to establish dedicated capacity to deliver the project in the Invest Falkirk Division being created within Place Services;**
- (4) noted the anticipated timescales for preparation of the Outline Business Case and Scheme Documents, as required by the Flood Risk Management (Scotland) Act 2009, prior to Scheme Notification (Stage 5), and**
- (5) agreed that further reports be submitted to the Executive related to project development and implementation, to include the outcome of the formal gateway review process involving Scottish Government and other matters as appropriate.**

#### **EX101. Strategic Surface Water Management Plan**

The Executive considered a report by the Acting Director of Development Services which provided an update on the progress made in relation to the Strategic Surface Water Management Plan (Strategic SWMP) and the next steps to be taken to ensure the management of surface water within the Falkirk Council area.

The Strategic SWMP allowed the Council to meet its statutory obligations under the FRM Act 2009 and fulfilled the required surface water actions from the SEPA Forth Estuary Flood Risk Management Strategy 2015 - 2022.

Surface water flooding was becoming a regular occurrence in the Falkirk Council area, causing disruption to people's lives and damage to their property. With the increasing volatility in weather patterns due to climate change, the effect of surface water flooding was anticipated to become even more unmanageable without pre-emptive interventions, such as those described in the Strategic SWMP. The delivery of the detailed SWMP and Operational Flood Plan would help establish the required investment and resources to take future projects forward.

#### **Decision**

**The Executive agreed:-**

- (1) the conclusions of the Strategic SWMP, and**
- (2) that work proceeded to deliver detailed Surface Water Management Plans and an Operational Flood Plan.**

#### **EX102. Review of Whistleblowing Policy, Anti-Fraud and Corruption Strategy and Procedure for the Investigation of Corporate Fraud Referrals**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the review of its Whistleblowing Policy, and Anti-Fraud and Corruption Strategy, to ensure that they remained in line with good practice.

The overall purpose and substance of the Whistleblowing Policy remained the same; the main change was to Section 6 Responsible Officer. This section had been expanded to provide more detail on the Monitoring Officer's oversight role in relation to whistleblowing concerns received by the Corporate Fraud Team.

The Internal Audit, Risk, and Corporate Fraud Manager would liaise with the Monitoring Officer, the Chief Finance Officer, and the Head of People, Technology, and Transformation on referrals which were deemed by her

to be either significant and/or particularly sensitive. This would determine the action to be taken by the Corporate Fraud Team and the Council in response to the concern.

The Anti-Fraud and Corruption Strategy's main revisions had been to further highlight the Council's zero tolerance to fraud and corruption, ensuring there was a flow from the Whistleblowing Policy. This also included updating the language used (such as the inclusion of compliance with data protection legislation). The Strategy made clear that the Corporate Fraud Team took initial ownership of the referral maintaining their independence, however, fact finding may need to be flexible, collegiate and collective, involving the relevant Head of Service and possibly others, such as the Monitoring Officer, Human Resources, Information Technology, or other technical experts depending on the nature and materiality of the referral.

Section 6 of the Strategy clarified that investigatory "Fact Find" meetings would be conducted, as appropriate, by the Corporate Fraud Team either on a 'witness' basis or with the 'subject' of the allegations. The section also set out how interviews were conducted.

## **Decision**

### **The Executive:-**

- (1) approved for implementation changes to the: Whistleblowing Policy; Anti-Fraud and Corruption Strategy; and Procedure for the Investigation of Corporate Fraud Referrals, and**
- (2) noted the Code of Conduct for Members and Officers and Register of Interests and Gifts were being reviewed and would be routed via a future Corporate Partnership Forum prior to consideration at the Executive.**

## **EX103. Platinum Jubilee Holiday 2022: Update from Children's Services**

The Executive considered a joint report by the Director of Corporate and Housing Services and of Children's Services which provided an update on the proposal to celebrate the Queen's Platinum Jubilee by reallocating the May Bank Holiday in 2022 to 2 June 2022 and adopting an additional fixed day of leave on 3 June 2022.

It was intended that all ELC establishments would close, along with all schools, on Thursday 2 June 2022, meaning parents who normally accessed ELC provision on a Thursday would lose out on 1 day (or 6 hours). To ensure that the service met the statutory obligation to provide the shortfall of the hours, impacted parents would be offered the following options, should they wish to take it up:-



- ELCCs – parents would be offered the option of either an extra full day or two extra ½ days within their ELCC establishment during the summer of 2022.
- ELC Nursery Classes (within Primary Schools) – to compensate for the loss of up to 6 hours an additional 45 mins provision per day would be offered during:-
  - Week commencing Monday 23 May 2022 – 5 days
  - Week commencing Monday 30 May 2022 – 3 days
- Parents who had contracted extended day care on Thursday 2 June 2022 would not be charged for that day.
- The arrangements could be met from within the existing staff contracts/ resources.

227 pupils from the Falkirk area attended St Modan's High School and 63 families had children attending both St Modan's HS and a Falkirk primary school. Whilst term dates were aligned between Falkirk and Stirling, there were usually differences in the in-service days to the extent that 2 or 3 of the 5 INSET days would be different. As such families were experienced in dealing with these small differences. Stirling Council had decided not to move their May Public Holiday (Monday, 2 May 2022). This meant that Stirling schools' days would be out of sync with Falkirk schools on both Monday, 2 May 2022 and Thursday 2 June 2022.

## **Decision**

**The Executive noted Children's Services intention to close establishments on 2 June 2022 and the subsequent arrangements for maintaining the ELC hours offering.**

### **EX104. Communities Shaping Falkirk's Future**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on Communities Shaping Falkirk's Future (CSFF), a Council of the Future priority project. It reported to the Communities Workstream Board and supported the Council's Corporate Plan Community priority. The project was core to Falkirk Council successfully delivering on the Community Empowerment obligations, a focal area in the Council's recent Best Value audit process.

The Project had established a Community Partnership change team comprising of one coordinator and three officers and re-formed the cross-Council Community Empowerment Action Team (CEAT) which was formerly known as the Participation group. The group had reviewed and assessed progress against the Strategy Community Engagement 2019-2024 and helped to identify barriers to effective community engagement across the organisation. The project would create indirect savings through

reduced duplication of engagement and use of external contractors to conduct engagement.

During the development of the project it became clear that the project's timescales were too short, limiting full implementation of the project objectives. This was due to the need to review and consider how to organise different aspects and functions of the work across the Council. Additionally, an unanticipated need for improved facilitation skills and improved qualitative data planning and analysis skills arose through the project's development phase, impacting on project resources. A second phase of the project would enable the recommendations from the project to be taken forward.

## **Decision**

**The Executive noted the progress made in the project.**

### **EX105. Scottish Government Budget & Local Government Settlement**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the key elements in the Scottish Government Budget which impacted on local government, together with the Local Government Financial Settlement.

The report provided information on the:-

- Scottish Fiscal Commission Assessment;
- Revenue Grant;
- Council Tax;
- National Insurance Levy;
- Fiscal Flexibilities;
- Reserves;
- Public Sector Pay;
- Capital, and
- Non-Domestic Rates.

The Local Government Financial Settlement was below the expected level in terms of the core support. Although the immediate focus was on 22/23, there were significant implied adverse implications for local government in the financial years beyond that. This reinforced the need for Budget decision-making to be taken through a multi-year and strategic lens.

Council was going to need to take very tough decisions in March when setting its budget (and the following year) to achieve the statutory requirement of a balanced Budget. The key variables in this decision framework related to:-

- Service savings Options.
- Council Tax.
- Application of Reserves.

## **Decision**

**The Executive noted the report.**

### **EX106. Capital Programmes Update Report**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the 2021/22 for the Capital Programmes for Housing and the General Fund. This was the final projection report on the Capital Programmes for financial year 2021/22.

The projected outturn by Services for the 2021/22 for the General Fund was £54.3m which was £14.8m lower than budget. The outturn for the 2021/22 Housing capital programme was £40.7m, which was £12.8m less than budget. There was a high level of risk around deliverability and affordability of the capital programme for 2021/22, as set out in section 4.1 of the report. The recent omicron variant issues were likely to impact on delivery till the end of the financial year.

The report provided information on the:-

- General Risks and Uncertainties;
- General Fund Services Capital Programme;
- Resources – General Fund;
- Housing Capital Programme;
- Resources -Housing;
- Prudential Indicators, and
- Capital Investment Plans & Treasury Management.

## **Decision**

**The Executive noted the:-**

- (1) **forecast spend by Services for both the General Fund Services (£54.3m) and Housing Capital Programmes (£40.7m), and**
- (2) **Prudential Indicators.**