

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 city skyline with a diagonal beam of light. The top-right quadrant depicts a stag's head with antlers. The bottom-left quadrant shows a three-masted sailing ship on wavy water. The bottom-right quadrant features a grizzly bear standing on a rocky outcrop. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "A NE FOR A".

Agenda Item 3

Minutes

Draft

FALKIRK COUNCIL

Minute of meeting of Falkirk Council held in the Lesser Town Hall, Falkirk with remote participation on Wednesday 28 September 2022 at 10.00 a.m.

<u>Councillors:</u>	David Aitchison	Bryan Deakin	Laura Murtagh
	Margaret Anslow	Stacey Devine	Alan Nimmo
	Depute Provost David Balfour	Jim Flynn	Siobhan Paterson
	Lorna Binnie	Gordon Forrest	Sarah Patrick
	Provost Robert Bissett	Paul Garner	Ann Ritchie
	Gary Bouse	Anne Hannah	Jack Redmond
	Claire Brown	Alf Kelly	Jim Robertson
	William Buchanan	James Kerr	Iain Sinclair
	James Bundy	Brian McCabe	Robert Spears
	Fiona Collie	Cecil Meiklejohn	Euan Stainbank

Officers: Karen Algie, Director of Transformation, Communities and Corporate Services
Malcolm Bennie, Director of Place Services
Patricia Cassidy, Chief Officer – Health & Social Care Partnership
Sophie Dick, Graduate Trainee – Committee Services
Jack Frawley, Team Leader - Committee Services
Kenny Gillespie, Head of Housing & Communities
Paul Kettrick, Head of Invest Falkirk
Sara Lacey, Head of Social Work Children's Services
Kenneth Lawrie, Chief Executive
Rebecca McDonald, Change Manager
Lesley Malkin, Project Manager (HQ & Arts)
Colin Moodie, Chief Governance Officer
Robert Naylor, Director of Children's Services
Lesley O'Hare, Culture & Libraries Manager
Brian Pirie, Democratic Services Manager

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

FC23. Death of Queen Elizabeth II

This was the first meeting of Council since the death of Her Majesty Queen Elizabeth II on 8 September 2022. In a mark of respect to the Queen, the Provost led Council in observing a minute's silence. Tributes were then paid to Her Majesty by the Provost, Group Leaders, and Independent Members.

FC24. Sederunt

The sederunt was taken by way of a roll call. There were no apologies.

FC25. Declarations of Interest

Councillor Bouse declared an interest as a Director of Dobbie Hall Trust in terms of section 5 of the Code of Conduct for Councillors, referring to a potential benefit the Trust may gain from decisions taken on items 10a and 10b. Having applied the objective test Councillor Bouse stated that he considered that this required him to recuse himself from consideration of the item of business.

FC26. Minutes and Information Bulletin

- (a) Minute of Meeting of Falkirk Council held on 23 June 2022 – agreed as a correct record;
- (b) Information Bulletin – Volume 1 2022/23 – noted, and
- (c) Volume of Minutes – Volume 1 2022/23 – noted.

FC27. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 23 June was provided.

Decision

Council noted the rolling action log and agreed to remove item 607 from the log.

FC28. Referral from Executive Treasury Management Annual Review 2021/22

Council considered a report from the Director of Transformation, Communities and Corporate Services presenting the Treasury Management Annual Review 2021/22 for approval.

The report had been considered by the Executive on 23 August 2022 and was referred to Council for consideration and approval.

Decision

Council noted the Treasury Management Annual Review 2021/22.

FC29. The Council Plan 2022/23 – 2026/27

Council considered a report from the Chief Executive presenting the Council Plan 2022/23 – 2026/27 for approval.

The Council Plan which was attached as Appendix 1 to the report, sets out what the Council aims to achieve over the next five years and how this will be undertaken, making the most effective use of resources to deliver services. The Plan recognises that the Council cannot achieve these goals on its own and must work with partners, including the public, private and voluntary sectors and, most importantly our communities.

The vision of the Council is to create “strong communities where inequalities are reduced and lives are improved”.

The proposed Council priorities which aim to support the vision and focus on are:

1. supporting stronger and healthier communities.
2. promoting opportunities and educational attainment and reducing inequalities.
3. Supporting a thriving economy and green transition.

Details of the actions/projects which will be undertaken to deliver on the Council vision and priorities, are set out in the Plan.

Decision

Council approved the Council Plan 2022/23 – 2026/27.

FC30. Financial Strategy

Council considered a report from the Director of Transformation, Communities and Corporate Services presenting the Council with an updated Financial Strategy which incorporated the Council’s approach to tackling the financial challenges.

The budget report presented to Council in March 2022 highlighted a projected gap of £52m for the next four years, however due to financial pressures increasing, this financial gap is likely to increase significantly.

Financial sustainability is crucial and allows the Council to deliver on its priorities, keep services and invest where necessary. The key to financial sustainability is having a clear plan on how to meet the challenges ahead.

The Financial Strategy, attached as Appendix 1 to the report, sets out how the Council aims to address this.

The Strategy sets out two main themes to work towards balancing the budget, each with associated workstreams and the suggested savings which could be achieved. Updated information on service concession was also provided.

A Council Tax Strategy was also set out with a plan to increase Council Tax to the Scottish average over a five-year period.

The Council is committed to taking a transformation approach where possible, streamlining and generating efficiencies across all Services. The Strategy sets out three routes to financial savings by Services:

- Council of the Future - Transformation projects
- Council of the Future Improvement activity which will include transformation enabler projects, efficiency and continuous improvement initiatives which will be reported through Service Plans
- Service reductions

Services have identified significant savings but the Strategy identifies that there is still a gap of £43.1m and officers will continue to develop solutions for bridging this gap.

To ensure the Council is working towards a financially sustainable position will require a strong collaborative approach from both member and officers. In order that an open forum for discussion on the challenges, opportunities and actions can be taken to reach a more financially sustainable position, it is proposed that a Financial Strategy Group be established.

Councillor Meiklejohn, seconded by Councillor Bouse, moved that Council:-

- (1) approves the Financial Strategy, recognising that the figures therein are indicative and will be updated as required;
- (2) agrees in principle the Council Tax Strategy and notes that formal Council Tax approval will be required as part of the Revenue Budget setting process;
- (3) agrees the approach set out to work towards bridging the financial gap, as outlined in the Financial Strategy and section 5.2 of the report, and
- (4) agrees the establishment of a Financial Strategy Group.

As an amendment, Councillor Kerr, seconded by Councillor Bundy, moved the terms of the motion subject to the deletion of clause (2) until the budget meeting.

For the motion (12) – Depute Provost Balfour, and Councillors Binnie, Bouse, Collie, Deakin, Devine, Forrest, Garner, Meiklejohn, Murtagh, Robertson and Sinclair.

For the amendment (18) – Provost Bissett, and Councillors Aitchison, Anslow, Brown, Buchanan, Bundy, Flynn, Hannah, Kelly, Kerr, McCabe, Nimmo, Paterson, Patrick, Redmond, Ritchie, Spears and Stainbank.

Decision

Council agreed the:-

- (1) Financial Strategy, recognising that the figures therein were indicative and would be updated as required;**
- (2) approach set out to work towards bridging the financial gap, as outlined in the Financial Strategy and section 5.2 of the report, and**
- (3) establishment of a Financial Strategy Group.**

Council adjourned at 11.50am and reconvened at 12.10pm with all members present as per the sederunt.

FC31. Capital Programme Review

Council considered a joint report from the Directors of Place Services and of Transformation, Communities and Corporate Services providing an update on the review of the Council's General Fund Capital Programme.

Decision

Council approved the redistribution of funding to support the:-

- (1) Learning Estate Investment Programme submission as outlined at section 5.4 of the report, and**
- (2) projects as set out in section 5.5 of the report.**

Council adjourned at 1.05pm and reconvened at 2.05pm with all members present as per the sederunt with the exception of Councillor Bouse who left the meeting in accordance with his earlier declaration of interest.

FC32. Council Headquarters and Arts Centre

(a) Council Headquarters & Arts Centre (HQ+AC) Update

Council considered a report by the Director of Place Services which provided an update on the progress of work on the Council's civic headquarters (HQ) and arts centre project in relation to the further review requested by Council at its meeting on 8 December 2021.

The external design team were recommissioned to carry out the requested further feasibility for the revised HQ requirements, namely:

- to build an HQ building (c.200 workstations) incorporating civic accommodation on the current site, as close to the front as possible (taking in the footprint of Westbank) and agreed to the external design team undertaking a design review, land take assessment and update costing; and
- to consider the structural disentanglement of the Municipal Office Block from Falkirk Town Hall (FTH) and review the possible scope for a refurbishment of the Town Hall reflecting upon updated cost of repairs and meeting energy efficiency targets.

The Team went back to first principles and reviewed the spatial requirements and linkages, possible massing and layout on the frontage of the existing Municipal Buildings site reflecting upon the additional Westbank building area which has been acquired. The results of this study and costings are contained within Appendix 1 to the report.

Since the commission, the Council has adopted hybrid/flexible working and uses accommodation differently and therefore the scale and scope of the proposed HQ has materially changed.

The Council has now acquired the Westbank Clinic from NHS Forth Valley (April 2022), and it is being demolished and is programmed to be completed by November 2022.

The external design team has evaluated the disentanglement of the office block and FTH to allow it to be safely capable of continuing occupation as a standalone facility. Appendix 3 to the report, summarises the options considered and the outcome of the investigations including identification of a preferred solution in terms of operational, technical, structural and cost implications. In summary, minimising the area of retention proposals (option A), was concluded as the most viable solution, with a "cut point" near to the rear of the FTH stage considered the simplest and lowest risk option to implement.

With reference to Standing Order 33.5, the Provost referred to two deputation requests received from, Amy Sutherland, Treasurer of Falkirk

Operatic Society, and Marie Rutherford, Member of Scottish Association of Flower Arrangement Societies, to be heard in relation to this item.

Council agreed to hear both deputations.

Councillor Meiklejohn, seconded by Councillor Garner, moved that Council:-

- (1) notes the findings of the appraisal for the delivery of a new standalone HQ located to the front of the former Municipal Building site and agrees that this does not represent best value and should not be progressed further;
- (2) agrees that the complex disentanglement of Falkirk Town Hall (FTH) from the former Municipal Buildings does not represent value for money, and is not progressed;
- (3) agrees that due to the poor condition and suitability of FTH, the modernisation of the building does not represent best value and is not progressed;
- (4) recognises the risks associated with the continued operation of FTH and notes the officer recommendation to close the building from March 2023 which will also be considered in a separate report to Council;
- (5) agrees that should approval be reached through this and the separate report to permanently close FTH, that officers, subject to the consultation process referred to at 2.1(6), can progress with the demolition of the building;
- (6) agrees that as a common good asset a follow up consultation on the acceleration of the timescale for the demolition of FTH under the Community Empowerment (Scotland) Act 2015 is undertaken;
- (7) agrees that £200,000 from any capital receipt generated from the sale of the Municipal Buildings/FTH site is provided to the Falkirk Common Good Fund.
- (8) agrees that officers revisit the business case for a new Council HQ and Civic facility;
- (9) agrees that officers progress the development of proposals for the delivery of a new Falkirk Town Hall civic and arts facility based on the framework outlined in the report; and
- (10) agrees that officers report back to Council on the findings of revised outline business case and locational options for the new Falkirk Town Hall project.

As an amendment, Councillor Hannah, seconded by Councillor Paterson, moved that Council agrees:-

- (1) that officers revisit the business case for a new Council HQ and Civic facility;
- (2) that officers progress the development of proposals for the delivery of a new Falkirk Town Hall civic and arts facility based on the framework outlined in the report, and
- (3) that officers report back to Council on the findings of revised outline business case and locational options for the new Falkirk Town Hall project including the option of building on the currently owned Municipal Building site.

Councillor Spears gave notice of a further amendment.

Council adjourned at 3.10pm to allow members to consider the terms of the further amendment and reconvened at 3.30pm with all members present as per the sederunt with the exception of Councillor Bouse.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 29 members present with voting as undernoted:-

For the motion (16) – Depute Provost Balfour, and Councillors Binnie, Brown, Bundy, Collie, Deakin, Devine, Flynn, Forrest, Garner, Kerr, Meiklejohn, Murtagh, Patrick, Robertson and Sinclair.

For the amendment (13) – Provost Bissett, and Councillors Aitchison, Anslow, Buchanan, Hannah, Kelly, McCabe, Nimmo, Paterson, Redmond, Ritchie, Spears and Stainbank.

The motion was carried and became the substantive motion against which the further amendment was then considered.

As a further amendment, in substitution for the motion, Councillor Spears, seconded by Councillor McCabe, moved that Council:

- (1) urgently commission a revised business case for a new Council HQ and Civic Centre facility;
- (2) acknowledges the condition of the FTH as dated, though entirely safe and compliant with all relevant building standards; awaits submission of the stated “separate report” and response to the “consultation process referred to at 2.1(6)”, and receipt of the developed proposals as referred to in 2.1(9); and critically, a detailed business case with specific location identified, and
- (3) understands the grave concern of the wider Falkirk Arts Community and will honour its prior commitment, set out in section 5.26 of the

report that, “FTH remain until a new replacement facility was constructed.”

In terms of Standing Order 22.4(i), the vote was taken by roll call, there being 29 members present with voting as undernoted:-

For the motion (16) – Depute Provost Balfour, and Councillors Binnie, Brown, Bundy, Collie, Deakin, Devine, Flynn, Forrest, Garner, Kerr, Meiklejohn, Murtagh, Patrick, Robertson and Sinclair.

For the amendment (12) – Provost Bissett, and Councillors Aitchison, Anslow, Buchanan, Hannah, Kelly, McCabe, Nimmo, Paterson, Redmond, Spears and Stainbank.

Abstention (1) – Councillor Ritchie.

Decision

Council agreed the motion.

In terms of Standing Order 34.1, Council agreed to continue beyond the 5pm closure time to complete the following item of business.

(b) Arts and Heritage Proposal for the Falkirk Area

Council considered a report from the Director of Place Services advising on proposals for a re-imagining of the cultural offer for the Falkirk Council area, this would allow the Council to achieve significant efficiencies in the coming years, while still retaining a varied and engaging cultural offer.

The Falkirk Town Hall building is recognised as being no longer fit for purpose for modern performing arts purposes and a replacement has actively been considered by Council since 2015. The building has continued to deteriorate in recent years and become even more unsuitable for both professional and voluntary sector use.

The report summarised the proposal to demolish the current FTH and which would allow the Council to receive a bigger capital receipt from the sale of the existing site, enable the Council to make a significant revenue saving, and create an opportunity for the Council to launch an engaging community arts programme.

Councillor Meiklejohn, seconded by Councillor Garner, moved that Council agrees:-

- (1) the permanent closure of Falkirk Town Hall Theatre (FTH) after the panto at the end of December 2022;

- (2) that operational arrangements are progressed to find an alternative location/s for Council meetings in 2023 and beyond;
- (3) to invest £208k per year to deliver an arts programme across the Falkirk area in the period between the FTH closure and the opening of a new Falkirk Town Hall;
- (4) to create a new Voluntary Arts budget of £10k per year to provide financial assistance to this sector to support delivery of their programmes in alternative venues;
- (5) to allocate £50k from the Change Fund on an annual basis to allow for external match funding bids for the new arts programme, and
- (6) an efficiency of £425k per annum from the proposal to help the Council close its budget gap. This would be phased in at £300k in 2023/24 as it would only be a partial year saving, and £425k in future years.

As an amendment, Councillor Kerr, moved that the terms of the motion subject to the replacement of clauses (1) and (4) with the following:-

- (1) the permanent closure of Falkirk Town Hall after the Big Bad Wolf Production run which concludes 4th February 2023 in recognition of the commitments that have already been made and the work which has been carried out by the company to deliver the production; and
- (4) following the agreement to close FTH, request officers engage with the Voluntary Arts with regard to the financial assistance required to the sector to support the delivery of their programmes in alternative venues and that officers report back on the engagement with groups to the next meeting.

Councillor Meiklejohn, with the consent of the Provost and Councillor Garner, as her seconder agreed to adjust her motion to incorporate the terms of Councillor Kerr's proposed motion.

As an amendment, Councillor Hannah, seconded by Councillor Stainbank, moved that Council agrees:-

- (1) the proposal to close the Town Hall in December 2022 should not proceed at this stage;
- (2) to instruct officers to bring forward further reports to the December Council Meeting with options, costings and timescales for:
 - a. Upgrading and maintaining the existing Town Hall to ensure viability until the replacement Town Hall is available with fuller information than is available in the current report; and
 - b. Alternative venues that are suitable for use by groups currently using the Town Hall;

- (3) to inform the development of new options, to instruct officers to consult with all the groups and organisations using the Town Hall, to ensure proposed alternative venues meet their needs.
- (4) when new options have been drafted, we instruct officers to ensure all Councillors are briefed on the draft proposals and given an opportunity to help with the development of the final proposal.
- (5) following the agreement to close FTH, that Officers engage with the Voluntary Arts with regard to the financial assistance required to the sector to support the delivery of their programmes in alternative venues. and that officers report back on the engagement with groups to the next meeting;
- (6) to allocate £50k from the Change Fund on an annual basis to allow for external match funding bids for the new arts programme.

Councillor Spears gave notice of a further amendment.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 29 members present with voting as undernoted:-

For the motion (16) – Depute Provost Balfour, and Councillors Binnie, Brown, Bundy, Collie, Deakin, Devine, Flynn, Forrest, Garner, Kerr, Meiklejohn, Murtagh, Patrick, Robertson and Sinclair.

For the amendment (13) – Provost Bissett, and Councillors Aitchison, Anslow, Buchanan, Hannah, Kelly, McCabe, Nimmo, Paterson, Redmond, Ritchie, Spears and Stainbank.

The motion was carried and became the substantive motion against which the further amendment was then considered.

As a further amendment, in substitution for the motion, Councillor McCabe, seconded by Councillor Spears, moved that Council agrees:

- (1) an alternative TH venue is identified, and Officers instructed to actively upgrade the IT and seating capacity at the new facility, to permit the convening of hybrid meetings for all Council business in 2023 and beyond;
- (2) the proposed Voluntary Arts programme identified in the report be abandoned and the funding re-purposed for refurbishment of the alternative venue, and
- (3) the existing Falkirk Town Hall will remain open until the promised new TH building is completed and commissioned.

In terms of Standing Order 22.4(i), the vote was taken by roll call, there being 29 members present with voting as undernoted:-

For the motion (16) – Depute Provost Balfour, and Councillors Binnie, Brown, Bundy, Collie, Deakin, Devine, Flynn, Forrest, Garner, Kerr, Meiklejohn, Murtagh, Patrick, Robertson and Sinclair.

For the amendment (12) – Provost Bissett, and Councillors Aitchison, Anslow, Buchanan, Hannah, Kelly, McCabe, Nimmo, Paterson, Redmond, Spears and Stainbank.

Abstention (1) – Councillor Ritchie.

Decision

Council agreed the motion.

Having concluded the previous item of business in line with the decision to continue beyond the 5pm closure time, Council then adjourned at 5.20pm and noted that the remaining items of business would be continued to a reconvened meeting to be held on 27 October 2022 at 11am.