

AGENDA ITEM 1 (a)

DRAFT

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 1 DECEMBER 2008 at 7.00 PM.

PRESENT: Provost Reid; Depute Provost Black; Councillors Alexander, Blackwood, Buchanan, Carleschi, Coleman, H Constable, J Constable, Fry, Goldie, Hughes, Jackson, Kenna, Lemetti, A MacDonald, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNally, McNeill, Meiklejohn, Nicol, Nimmo, Oliver, Patrick, Spears, Thomson and Waddell.

CONVENER: Provost Reid.

APOLOGY: Councillor Gow.

ATTENDING: Chief Executive; Directors of Corporate and Neighbourhood and of Community Services; Acting Director of Law and Administration; Head of Treasury and Investment and Democratic Services Manager.

DECLARATIONS OF INTEREST:

Depute Provost Black declared a non-financial interest in item (b) as the owner of a business on Council owned property and took no part in the discussion and decision.

Councillor Nicol declared a non-financial interest in item (b) as a family member was a Council tenant and took no part in the discussion and decision.

FC78. MOTIONS

(a) Air Weapons

Councillor Meiklejohn, seconded by Councillor Thomson moved that:-

“Council notes with concern the decision of the UK Government not to press ahead with legislation seeking tighter control of air weapons.

Council believes that the Scottish Government position seeking greater control over the use of and access to such weapons is the correct course of action to preserve the safety and well-being of our community.

Council therefore resolves to seek to introduce a by-law similar to that being pursued by Aberdeen City Council and asks officers to begin this process and report back to members of the Community Health and Safety Committee progress as soon as possible.”

By way of an amendment Councillor C Martin seconded by Councillor C MacDonald moved that:-

“Council is aware that Aberdeen City Council is no longer pursuing a by-law to control air weapons after taking advice that adequate legal provisions already exist to deal with misuse of air weapons.

Council is of the opinion that such a by-law would have little effect and be difficult to implement and therefore proposes a local public awareness campaign to draw attention to the dangers of misuse of air weapons and the legal penalties for misuse.”

Following discussion, Councillor Nimmo seconded by Councillor C R Martin moved “that the question be now put.”

On a division 17 Members voted for the Motion with 14 against following which the mover of the original motion exercised her right to reply.

Members then voted for the motion and amendment.

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call there being 31 Members present, with Members voting as undernoted.

For the Motion (13) – Councillors Alexander, Carleschi, Coleman, H Constable, J Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver and Thomson.

For the Amendment (17) – Provost Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

Abstention (1) – Councillor Spears

Accordingly, **RESOLVED** in terms of the Amendment.

Depute Provost Black and Councillor Nicol withdrew from the meeting following consideration of the foregoing item of business.

(b) Rent Recalculation

Councillor A MacDonald seconded by Councillor Hughes moved that:-

“Council notes with concern the impact the current crisis is having on local businesses, particularly small to medium sized businesses (SMEs).

To assist local SMEs who are tenants of the local authority council agrees to an in principled halt to rent recalculation exercises that would result in a rent rise over the next two financial years.

Council therefore seeks a report from Community Services to be submitted to the Economic Development Committee on the mechanism and issues for implementing such a policy.

Council further instructs officers of the Economic Development Section to develop further initiatives, as a matter of urgency, to assist SMEs during the economic downturn, with a report presented to the Policy and Resources Committee at the earliest opportunity”.

There followed a 10 minute adjournment to allow members to consider the terms of the motion and reconvened with all members present as per the sederunt with the exception of Depute Provost Black and Councillor Nicol.

With the consent of the Provost and Councillor Hughes, as seconder, in accordance with Standing Order 19.7, Councillor A MacDonald withdrew the motion having been advised that the issues referred to in the motion would be considered in a report to Council on 10 December 2009.

Depute Provost Black and Councillor Nicol rejoined the meeting following the conclusion of the foregoing item of business.

(c) Falkirk Council – Consultation Responses

Councillor Alexander, seconded by Councillor J Constable moved that:-

“Council notes with approval the previous commitment of the Leader of the Council to ensure that all submissions to the Scottish Government on consultation documents reflect the views of all parties represented within Falkirk Council.

We view this as an example of good practice and have rightly praised the leader of Falkirk Council for this stance.

Council therefore notes with concern the refusal of the Convener of Falkirk Council’s Community Health and Safety Committee to honour the commitment given by his leader on the issue of the government’s consultation on the Alcohol Legislation. In particular council notes with concern the answer given by the Convener to the question of the assurance offered by the leader to the effect that “that is between you and her.”

Council therefore endorses the stance made by the leader of the council by making her commitments council policy thus ensuring that all consultations carry the views of all elected members who express an opinion.”

By way of an amendment Councillor C Martin seconded by Councillor Mahoney moved that:-

“Council re-affirms its commitment to allow scrutiny committees to respond to consultation exercises, where no financial issues arise.

Council also welcomes the opportunity of any individual grouping or party within the Council to express views directly to Government as part of a consultation process.”

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call there being 31 Members present, with Members voting as undernoted.

For the Motion (14) – Councillors Alexander, Carleschi, Coleman, H Constable, J Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

For the Amendment (17) – Provost Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

Accordingly, **RESOLVED** in terms of the Amendment.

(d) Repair and Improvement Programmes

Councillor Alexander, seconded by Councillor McNally moved that:-

“Recent report considered by Falkirk Council has indicated that the Credit Crunch has had a significant impact on Falkirk Council’s ability to meet commitments and implement policies and programmes.

Council recognises that this will also impact on the ability of individual households to deal with circumstances that may arise from the changes we have all seen within the financial markets.

In particular Council believes that the ability of owner occupiers to meet requirements to participate in communal repairs and improvement programmes may be compromised by the lack of ability to obtain funding from the banks.

Council therefore agrees to,

- (1) recognise that we are living within unique times.
- (2) ask officers to bring forward a report on how occupiers can be assisted using the reports approved by Falkirk Council on the high rise flats contracts as a model for this and future year’s capital programme; and
- (3) present the findings and recommendations from this piece of work to a meeting of the Housing and Social Work Committee at the earliest opportunity”

By way of an amendment Councillor Goldie seconded by Councillor McNeill moved that:-

“Council recognises communities are living in unique times, and asks officers to bring forward a report on how owner-occupiers could be assisted to take part in repair/refurbishment programmes in mixed tenure estates.

Council asks officers to present these findings to a future meeting of the Housing and Social Work Committee, including any adverse impact on tenanted properties.”

On a division 14 Members voted for the Motion and 17 for the Amendment.

Accordingly, **RESOLVED** in terms of the Amendment.

(e) Grangepans Post Office

Councillor J Constable, seconded by Councillor H Constable moved that:-

“Council re-affirms its opposition to the closure of the Grangepans Post Office and resolves to enter into immediate negotiations with Post Office Ltd with a view to Falkirk Council in partnership with the proprietor of the Grangepans Post Office and General Merchants offering a full post office service within the office’s catchment area.”

By way of an amendment Councillor Mahoney seconded by Councillor Goldie moved that:-

“Council re-affirms its opposition to the closure of post offices, including Grangepans in Bo’ness. Given the financial constraints placed upon it by the SNP Government. Council calls on the Scottish Government to provide extra funding to local authorities to help it save local post offices. If this is forthcoming, Council would ask officers to enter into discussions with Post Offices Ltd to consider partnerships to offer post office services in threatened communities such as Grangepans.”

Council adjourned for 15 minutes following a fire alarm and reconvened with all Members present as per the sederunt.

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call there being 31 Members present, with Members voting as undernoted.

For the Motion (14) – Councillors Alexander, Carleschi, Coleman, H Constable, J Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

For the Amendment (17) – Provost Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

Accordingly, **RESOLVED** in terms of the Amendment.