

AGENDA ITEM 1 (c)**DRAFT****MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 12 DECEMBER 2008 at 4.00 PM.**

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

CONVENER: Provost Reid.

APOLOGIES: Depute Provost Black; Councillors Blackwood and Nicol.

ATTENDING: Chief Executive; Directors of Community Services, of Corporate and Neighbourhood Services, of Education Services, of Finance and of Social Work Services; Acting Director of Law and Administration; Acting Head of Planning and Transportation; and Democratic Services Manager.

DECLARATION OF INTEREST: None.

FC91. AUDIT COMMITTEE – ROLE AND REMIT

With reference to Minute of Meeting of Falkirk Council held on 25 June 2008 (Paragraph FC47 refers), there was submitted Report (circulated) dated 19 November 2008 by the Chief Executive (a) summarising the three fundamental audit committee principles identified in the guidance issued by the Chartered Institute of Public Finance & Accountancy (CIPFA), (b) advising that the principles would form the core role of the audit committee, and (c) outlining CIPFA's suggested guidance in respect of membership of the committee.

Councillor C Martin, seconded by Councillor C MacDonald moved that Council agrees:-

- (1) the proposed role and remit of the Audit Committee as set out in paragraphs 2.1 to 2.3 of the report;
- (2) that the membership of the Committee should be set at 6 with a quorum of 4;
- (3) that the Committee should report directly to Council;
- (4) to amend the Standing Orders of the Council to reflect these decisions,
- (5) to appoint Councillors Gow, Blackwood and Lemetti as the Labour Group Members on the Audit Committee, and

- (6) to appoint Councillor Gow as Convener of the Audit Committee.

By way of an amendment Councillor Alexander, seconded by Councillor J Constable moved the following:-

“Recent examples of Council meetings being held at 7pm in the evening due to congested diaries indicates that the Council must streamline its decision making structures to allow for proper scrutiny and balance.

Council therefore agrees that the new Audit Committee should mirror the membership of the Policy and Resources Committee, similar to that of the Emergency Committee.

Audit Committee meetings would follow on from the completion of Policy and Resources agenda on the dates within the Council diary that both Committees would be due to meet.

When the Standing Orders of the Audit Committee are drawn up the content of paragraph 3.4 of the Report should be amended to delete “as the committee considered appropriate” after “other members of the council” as all members should have the right to sit in on the deliberations of all Committees of the Council.

Council also notes the failure of the Working Group established by the Administration to even meet since the recess. Council therefore agrees to allow opposition members to chair future Working Groups thus ensuring their remits are properly driven”.

Councillor Buchanan seconded by Councillor Waddell moved that Councillor Patrick be appointed to the Committee from the Conservative/Independent/Non-Aligned Independent groupings. Both Members also moved, in terms of Standing Order 25.2 (ii), that “the questions be now put”. Said motion was not put to the vote as the Provost was of the opinion that, at that stage, the matter had been discussed insufficiently.

Following further discussion and on a division, 14 Members voted for the Motion and 14 for the Amendment.

There being an equality of votes and in terms of Standing Order 21.6, the Provost used his casting vote in favour of the Motion.

Accordingly, **AGREED:-**

- (1) the proposed role and remit of the Audit Committee as set out in paragraphs 2.1 to 2.3 of the report;
- (2) that the membership of the Committee would be set at 6 with a quorum of 4;
- (3) that the Committee should report directly to Council;
- (4) to amend the Standing Orders of the Council to reflect these decisions;
- (5) to appoint Councillors Gow, Blackwood, Lemetti and Patrick to the Audit Committee;

- (6) to appoint Councillor Gow as Convener of the Audit Committee; and
- (7) to note that the 2 SNP Group nominations to the Committee would be intimated to the Clerk in due course.

FC92. CORPORATE PLAN UPDATE

With reference to Minute of Meeting of Falkirk Council held on 5 March 2008 (Paragraph FC69 refers), there was submitted Report (circulated) dated 25 November 2008 by Chief Executive (a) advising of the progress made against the outcomes contained within the Corporate Plan, and (b) attaching as Appendix 1, performance indicators contained within the Single Outcome Agreement showing the progress made by Council Services.

Councillor Gow, seconded by Councillor Martin moved the recommendations in the Report.

By way of an amendment Councillor Alexander, seconded by Councillor A MacDonald moved the following:-

“Council recognises that since the agreement of the Corporate Plan the UK economy has fallen into recession with all the implications for this failure.

Council therefore believes that the existing Corporate Plan should be re-worked and re-focussed along with our partners on finding solutions to the new problems we now face as a community from even a few short months ago.

Council therefore agrees to urgently establish an all party working group entrusted with the specific task of bringing forward proactive policy initiatives to stimulate the local economy through a review and re-prioritisation of the Corporate Plan.

This working group will operate on a tight timescale and report back to a special meeting of Falkirk Council to be held early in the new year”.

On a division, 15 members voted for the Motion and 14 for the Amendment.

NOTED:-

- (1) the progress against outcomes contained within the Council’s Corporate Plan, and
- (2) the progress the Council and its Services are making against the performance indicators contained within the Single Outcomes Agreement and set out in appendix one of the report; and

AGREED that the refreshed and updated Single Outcome Agreement is presented to Members in the New Year.

Councillor Fry entered the meeting during consideration of the foregoing item of business.

FC93. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 24 November 2008 by the Acting Director of Law and Administration advising of the deeds which had been signed and sealed on behalf of the Council since its last meeting.

NOTED the signing and sealing by the Acting Director of Law and Administration Services of the Deeds as detailed in the Appendix to the Report.

FC94. CENTRAL SCOTLAND JOINT FIRE AND RESCUE BOARD – APPOINTMENT OF SUBSTITUTE MEMBERS

There was submitted Report (circulated) dated 3 December 2008 by the Acting Director of Law and Administration advising of the need to appoint two substitute members to Central Scotland Joint Fire and Rescue Board following the appointment of Councillor Alexander to the Board and the resignation, as a substitute, of Councillor A Macdonald.

AGREED to appoint Councillors Carleschi and Meiklejohn as substitute members of Central Scotland Joint Fire and Rescue Board.

Councillor Patrick withdrew from the meeting following consideration of the foregoing item of business.

FC95. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A (4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A of the said Act.

FC96. FALKIRK GATEWAY

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors Alexander and Kenna.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 18 November 2008; and (b) Report by the Director of Community Services submitted to the said meeting providing an update on the status of the Falkirk Gateway project and outlining options for consideration.

Councillor Gow, seconded by Councillor C MacDonald, moved the recommendations in the Report.

By way of an amendment, Councillor A MacDonald, seconded by Councillor Carleschi, moved that:-

“Council notes with disappointment the failure to develop a Plan B for commencement of the Falkirk Gateway Project and the reluctance of the Administration to open constructive dialogue on the issue.

Council also notes the potential to develop the site on a phase basis by working to attract both public and private sector organisations to the area and believes this could be possible with a more pro-active stance by Falkirk Council.

Council therefore accepts the recommendations contained in the report with additional proposals to:

- (a) arrange an all party meeting with Macdonald Estates to discuss the options they have presented to Falkirk Council to date;
- (b) report on the feasibility of bidding to bring agencies such as Scottish Water to the Gateway and the capital Falkirk Council would have to invest in the short term to achieve such a goal;
- (c) have Macdonald Estates present regular updates, at least two per year, on progress made to the Economic Development Committee”.

On a division, 14 members voted for the Motion and 12 for the Amendment.

Accordingly, **NOTED** the further change in market circumstances that have impacted on the delivery of the Falkirk Gateway scheme on its existing terms.

AGREED to:-

- (1) Macdonald Estates’ request to extend the proposed longstop dates for a period of two years; and
- (2) enter into an amended Development Agreement jointly with the landowners and Falkirk Gateway Partnership.

Councillor Spears and Meiklejohn withdrew from the meeting during consideration of the foregoing item of business.