

AGENDA ITEM 1 (b)
DRAFT

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 23 JANUARY 2012 at 1.00 pm.

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

CONVENER: Provost Reid.

APOLOGIES: Councillors Fry and Lemetti.

ATTENDING: Chief Executive; Directors of Corporate and Neighbourhood Services, of Development Services, of Education Services and of Social Work Services; Chief Finance Officer, Depute Chief Governance Officer; Head of Policy, Technology & Improvement; Accountancy Services Manager (D Cairney), Employment & Training Manager, Waste Strategy Co-ordinator; Legal Services Manager; Team Leader, Legal Services (D Blyth) and Democratic Services Manager.

ALSO

ATTENDING: Maureen Campbell, Chief Executive, Falkirk Community Trust.

**DECLARATIONS
OF INTEREST:**

Provost Reid and Councillors Gow, Nicol, Mahoney and Waddell, as Directors of the Falkirk Community Trust, and Councillors C R Martin and Gow, as members of the Helix Trust Board, declared non financial interests in item FC81 but did not consider that this required them to recuse themselves from consideration of the item, having had regard to the objective test in the Code of Conduct and the relevant specific exemption contained in the Code.

FC81. THE HELIX

With reference to the Minute of the Meeting of the Policy and Resources Committee held on 10 March 2009 (Paragraph PR117 refers) there was submitted Report (circulated) dated 16 January 2012 by the Chief Executive (a) advising of the progress to date of the Helix Project, (b) advising of a request by the Helix Trust Board that Council consider a revised governance structure for the Project and specifically that the Falkirk Community Trust be nominated as the successor to the Helix Futures Trust and (c) summarising the implications of the proposal.

Councillor C Martin, seconded by Councillor Mahoney, moved the recommendations as detailed in the Report.

By way of an Amendment, Councillor Alexander, seconded by Councillor McNally, moved that:-

“Council notes not only the failure of the current Administration to remain even close to the original delivery timetable and project specification but also to properly consult with the architects of the Helix project, opposition SNP and non aligned Independent Councillors.

Members are particularly concerned that a decision is being rushed in this matter without all facts being known and it would appear more for the benefit of Falkirk Leisure Trust than the Helix Project.

Council therefore agrees to defer a decision on this matter until all parties within Falkirk Council have had the opportunity to meet both Trust Boards to assess the long terms implications for all concerned.”

Following discussion on the background to the proposal by the Helix Trust, Council agreed to continue consideration of this item of business until later in the agenda to allow the Chief Executive of Falkirk Community Trust and the interim Chief Executive of the Helix Trust to be contacted and given the opportunity to attend the meeting and address questions from Members.

FC82. FOOD WASTE COLLECTION

With reference to the Minute of the Meeting held on 7 December 2011 (Paragraph FC67 refers) there was submitted a joint Report (circulated) dated 16 January 2012 by the Director of Development Services and the Director of Corporate and Neighbourhood Services (a) advising of the requirement on Council to introduce food waste collections, (b) summarising options for the introduction of food waste collections and (c) detailing the risks and costs associated with the options.

AGREED:-

- (1) the introduction of phase one of the separate food waste collection on an ‘opt out’ basis covering c30,000 households and;
- (2) that officers report to the Policy & Resources Committee in due course highlighting the findings of the review of the new collection arrangements and detailing appropriate steps required moving forward.

FC83. TREASURY MANAGEMENT – INTERIM REVIEW 2011/12

There was submitted Report (circulated) dated 12 January 2012 by the Chief Finance Officer presenting a mid year review of the Treasury Management function.

NOTED the progress of the Council’s Treasury Management Strategy for 2011/12.

FC84. IMPLEMENTING ‘TOWARDS A FAIRER FALKIRK’ – UPDATE REPORT

With reference to the Minute of the Meeting held on 2 March 2011 (Paragraph FC82 refers) there was submitted Report (circulated) dated 22 December 2011 by the Director of Corporate and Neighbourhood Services providing an update on the implementation of the Council’s Poverty Strategy, highlighting key strands of work being taken forward.

Councillor C Martin, seconded by Councillor Nimmo, moved that Council:-

- “(1) notes the progress made to date with Towards a Fairer Falkirk;
- (2) notes the series of seminars being developed for Members as part of the Poverty Strategy which focus on the changes to benefits under the Welfare Reform Act;
- (3) notes the work being undertaken on the implementation of the charging and concessions strategy, and
- (4) agrees further reports are presented on the implementation of the Council’s Poverty Strategy, including an update on the use of the Fairer Falkirk Fund”.

Councillor Alexander, seconded by Councillor Oliver, moved an Amendment to the Motion in the following terms:-

- (i) the insertion of “lack of” before “progress in (1) and the addition, at the end, of “and notes the lack of outcomes within the paper”, and
- (ii) the replacement of (4) with “notes with disappointment the lack of acknowledgement of the impact on low paid groups of the Labour/Tory coalition charging regime for services previously delivered free to vulnerable people. Council therefore agrees to receive a report back on this matter at the March meeting of full Council.”

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 30 members present with voting as undernoted:-

For the Motion (16) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (14) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Ritchie, Spears and Thomson and Turner.

Accordingly **NOTED:-**

- (1) the progress made to date with Towards a Fairer Falkirk;
- (2) the series of seminars being developed for Members as part of the Poverty Strategy which focus on the changes to benefits under the Welfare Reform Act, and

- (3) the work being undertaken on the implementation of the charging and concessions strategy.

AGREED that further Reports will be presented on the implementation of the Council's Poverty Strategy, including an update on the use of the Fairer Falkirk Fund.

FC85. THE HELIX (Continued)

With reference to item FC81 earlier in the agenda, the Chief Executive advised that the Chief Executive of Falkirk Community Trust, Maureen Campbell, was now in attendance but that the interim Chief Executive of the Helix Trust was unable to attend due to prior engagements.

Council then resumed its consideration of the proposal by the Helix Trust.

Following discussion and, in terms of Standing Order 21.4 (i), a vote was taken by roll call on the Motion and Amendment made earlier in the meeting. There being 30 members present, the voting was as undernoted:-

For the Motion (16) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (14) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Ritchie, Spears and Thomson and Turner.

Accordingly **AGREED**:-

- (1) in principle, to the proposals contained in Appendix 2 to the Report, as supplemented by the terms of section 4 and Appendix 3 which include the dissolution of Helix Trust and the assumption by Falkirk Council and Falkirk Community Trust of the services to be delivered by Helix Trust and Helix Futures Trust;
- (2) that, subject to all necessary approvals and consents being agreed by the various stakeholders detailed at paragraph 5.1 in the Report, to authorise the Chief Executive or her nominee take forward work required to implement these proposals, and
- (3) to instruct the Chief Executive to report back to the Council meeting in March for final approval of the detailed proposal for transition, noting that, in the event that the work referred to at recommendation (2) above results in any significant changes being made to the proposals, such changes will be specifically drawn to the attention of Members.