

FALKIRK COUNCIL

MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 7 MARCH 2006 at 10.30 a.m.

PRESENT: Provost Johnston; Councillors Alexander, D Goldie, Gow, Graham, Kenna, Patrick and Reid.

CONVENER: Councillor Alexander.

ATTENDING: Chief Executive; Directors of Community Services, of Corporate & Commercial Services, of Development Services, of Education, of Finance Services, of Housing & Social Work Services and Acting Director of Law & Administration Services; Heads of Policy and Performance Review, of Service (Housing Management); Planning and Environment Manager; Transport Planning Manager; Service Manager (Housing & Social Work Services); and Acting Democratic Services Manager (I Tough).

Prior to commencement of the formal business of the meeting, Members noted that Item 13(a) – “Contract for the Supply of Energy” had been withdrawn from the Agenda, with a revised Report to be submitted to a future meeting of the Committee.

PR138. MINUTES

There was submitted (circulated) and **APPROVED:-**

- (a) Minute of Meeting of the Policy and Resources Committee held on 7 February 2006; and
- (b) Minute of Special Meeting of the Policy and Resources Committee held on 8 February 2006.

PR139. FREEDOM OF INFORMATION – ONE YEAR ON: CONSULTATION

There was submitted Report (circulated) dated 21 February 2006 by the Acting Director of Law and Administration Services (a) summarising freedom of information activity with Services of the Council since the introduction of the Freedom of Information (Scotland) Act 2002, and (b) enclosing a proposed response to a consultation issued by the Scottish Executive as part of its review of the impact of freedom of information.

AGREED:-

- (1) to authorise submission of the consultation response as attached as an appendix to the Report; and

- (2) to the inclusion of an addendum to the response to request that the Scottish Executive consider providing financial assistance to local authorities to cover the costs associated with compliance with the Freedom of Information obligations.

PR140. THE PLANNING etc (SCOTLAND) BILL – EVIDENCE TO THE SCOTTISH PARLIAMENT COMMUNITIES COMMITTEE

There was submitted Report (circulated) dated 2 March 2006 by the Director of Development Services setting out a proposed response to the Scottish Parliament's Communities Committee which is seeking written evidence on Stage 1 of consideration of the Planning Etc (Scotland) Bill.

AGREED to approve the contents of the Report and the Appendix attached thereto as the Council's response to the Scottish Parliament Communities Committee.

PR141. APPOINTMENT OF CHIEF INSPECTOR OF WEIGHTS AND MEASURES

There was submitted Report (circulated) dated 27 February 2006 by the Director of Development Services seeking appointment of an officer to the position of Chief Inspector of Weights and Measures in terms of Section 72(1) of the Weights and Measures Act (1985).

AGREED to appoint Alison Cairns, Trading Standards Co-ordinator to the position of Chief Inspector of Weights and Measures.

PR142. PLANNING GAIN SUPPLEMENT

There was submitted Report (circulated) dated 28 February 2006 by the Director of Development Services setting out a proposed response to a consultation issued jointly by HM Treasury, HM Revenue and Customs and the Office of the Deputy Prime Minister on a proposed Planning Gain Supplement that will effectively be a tax on developments in the UK.

AGREED to approve the content of the Report and submit it to HM Treasury as the Council's consultation response.

PR143. FINANCIAL POSITION 2005/06

There was submitted Report (circulated) dated 22 February 2006 by the Director of Finance (a) providing an update on the Council's financial position for the 10 month period ending 31 January 2006, and (b) incorporating a projection of the year-end financial position.

NOTED the projected financial position as at 31 January 2006.

AGREED that Directors be instructed to continue to monitor expenditure against their approved spending plans.

PR144. CAPITAL PROGRAMMES UPDATE REPORT

There was submitted Report (circulated) dated 16 February 2006 by the Director of Finance providing an update on the progress of both the General Services and Housing Capital Investment Programmes for 2005/2006.

NOTED the status of the General Services and Housing Capital Investment Programmes for 2005/2006.

PR145. DISCRETIONARY RATES RELIEF FOR SPORTS CLUBS

Councillor D Goldie declared a non-pecuniary interest in this item on the basis of his membership of a Social Club but had concluded that he could nevertheless speak and vote on the matter under consideration.

There was submitted Report (circulated) dated 23 January 2006 by the Director of Finance (a) advising of the provisions of a Commencement Order that brings into effect changes introduced in the Charities and Trustee Investment (Scotland) Act 2005 which extend mandatory rates relief currently available to Registered Charities to include Community Amateur Sports Clubs, with the exception of gun clubs, and (b) proposing a change to the Council's existing policy to take account of the provisions of the Commencement Order.

AGREED:-

- (1) that Falkirk Council continues to operate the rates relief scheme as approved by Members in March 2004 for clubs that are not registered as Community Amateur Sports Clubs, other than gun clubs; and
- (2) that the Council adopts, with effect from 1 April 2006, the revised scheme for registered Community Amateur Sports Clubs, other than gun clubs, as detailed in paragraphs 4.1 and 4.2 of the Report.

PR146. CVS FALKIRK AND DISTRICT – FOLLOWING THE PUBLIC POUND – FUTURE FUNDING

With reference to Minute of Meeting of the Policy and Resources Committee held on 13 September 2005 (paragraph PR70 refers), there was submitted Report (circulated) dated 2 March 2006 by the Director of Corporate and Commercial Services (a) providing an update on the issues previously raised with CVS Falkirk and District regarding accommodation; (b) referring to the work of the organisation, and (c) making recommendations regarding future funding.

Councillor Alexander, seconded by Councillor Kenna, moved that the recommendations detailed in the Report be approved.

By way of an amendment, Councillor Gow, seconded by Councillor Reid, moved that the recommendations detailed in the Report be approved with the exception that the core grant provided to CVS Falkirk and District is not reduced by £25,000 at this time and that a full review of the organisation be undertaken first.

In terms of Standing Order 21.4(i), a vote was taken by way of a roll call, there being 8 Members present, with Members voting as undernoted:-

For the Motion (5) – Provost Johnston; Councillors Alexander, Graham, Kenna and Patrick.

For the Amendment (3) – Councillors D Goldie, Gow and Reid.

Accordingly, **AGREED** to:-

- (1) note the contents of the Report;
- (2) welcome the positive steps CVS Falkirk and District have made in securing new accommodation;
- (3) reduce the core grant to CVS Falkirk and District by £25,000 to £121,700 per annum. This proposal takes account of the move from the Old Sheriff Court and the proposed level of service outlined in the Draft Service Agreement;
- (4) approve the service agreement for one year, with officers concluding on negotiations with CVS Falkirk and District on the level of service provided through the delivery plan; and
- (5) report back to Committee on the proposed independent best value review of the future funding arrangements for the organisation.

In terms of Standing Order 26.1, the Convener checked Councillor D Goldie for interruptions during the debate on this item.

PR147. CLOTHING AND FOOTWEAR GRANTS FOR CHILDREN PLACED IN EDUCATION SETTINGS OUTWITH FALKIRK COUNCIL AREA

There was submitted joint Report (circulated) dated 1 March 2006 by the Directors of Education Services and of Housing and Social Work Services advising on the proposed process for the allocation of resources for Clothing and Footwear for pupils placed in education settings outwith Falkirk Council and that applies to parents resident in the Council area.

AGREED to approve the proposals detailed in the Report.

PR148. CENTRAL SHOPMOBILITY LTD AND ORDER OF MALTA DIAL-A-JOURNEY LTD

There was submitted Report (circulated) dated 1 March 2006 by the Director of Development Services on the Council's funding of Central Shopmobility Ltd and Order of Malta Dial-a-Journey Ltd.

AGREED to extend the existing Service Level Agreements with Central Shopmobility Ltd and Order of Malta Dial-a-Journey Ltd for a further period up to 12 months.

PR149. ASSETS SURPLUS TO OPERATIONAL REQUIREMENTS – MAYFIELD DRIVE, LONGCROFT

There was submitted joint Report (circulated) dated 27 February 2006 by the Director of Development Services and of Housing and Social Work Services seeking approval to sell a large area of open space ground at Mayfield Drive, Longcroft to the Link Group on the basis of affordable/social housing land use value as determined by the District Valuer.

AGREED that the site at Mayfield Drive, Longcroft be declared surplus to operational requirements and referred to the Director of Community Services to arrange negotiated disposal to Link Group on the basis of affordable/social housing land use value as determined by the District Valuer.

PR150. CONTRACTS

(a) Contract for the Supply of Energy

There was submitted Report (circulated) dated 21 February 2006 by the Director of Corporate and Commercial Services.

NOTED that this item had been withdrawn from the agenda.

(b) Acceptance of Tenders – Contract Value Over £350,000 – Contract for Supply of Tyres – Extension

There was submitted Report (circulated) dated 21 February 2006 by the Director of Corporate and Commercial Services proposing the extension of a contract for the supply of tyres as part of a Purchasing Consortium.

AGREED:-

- (1) in accordance with Standing Order 6.2(iv), to approve the extension of the existing contract for the supply and service of tyres to Falkirk Council, with an estimated total value for 6 months of £95,025 as detailed in Appendix 1 to the Report, and
- (2) as lead authority for the Purchasing Consortium, to note the value of the proposed 6 month extension to the contracts for the supply and service of tyres to Clackmannanshire Council and Central Scotland Fire and Rescue Service with an estimated total value for 6 months of £29,925 and £9,603 respectively, as detailed in appendix 1 to the Report, in order to permit these bodies to rely on this authorisation to enter into such contracts if that is their decision.

(c) **Contract for the Supply of Mobile Telephones as part of a Framework Agreement**

There was submitted Report (circulated) by the Director of Corporate and Commercial Services advising of tenders received in respect of the tender for the supply of Mobile Telephones to Falkirk Council as part of a Framework Agreement.

In accordance with Standing Order 6.2(iv), **AGREED** to accept the tenders submitted as detailed in the appendix to the Report in the sum of circa £379,300 for the initial two year period of the Framework Agreement for the supply of Mobile Telephones to Falkirk Council.

(d) **Contract for the Supply of Cleaning Materials & Brushes, Paper Towels & Toilet Tissues**

There was submitted Report (circulated) dated 21 February 2006 by the Director of Corporate and Commercial Services advising of tenders received in respect of the Supply of Cleaning Materials & Brushes, Paper Towels and Toilet Tissues for Falkirk Stirling and Clackmannanshire Councils.

In accordance with Standing Order 6.2(iv), **AGREED**

- (1) to accept the tenders received from Bunzl Cleaning & Hygiene Supplies Ltd, Grangemouth, in the sum of £128,052 annually and one part tender received from Best Chem Ltd, Stourport, in the sum of £12,568 annually in respect of the supply of Cleaning Materials & Brushes (approximately £70,310 of which relates to Falkirk Council) and the tender received from Georgia Pacific GB Ltd, Oughtibridge, in the sum of £115,250 annually for the supply of Paper Towels & Toilet Tissues (approximately £57,625 of which relates to Falkirk, Council), for an initial period of 5 years from 1 April 2006 until 31 March 2011 with an option to extend for a further 2 years until 31 March 2013; and
- (2) in respect of Stirling and Clackmannanshire Councils, and as lead authority for the purchasing consortium, to note the value of the proposed contracts, in order to permit these authorities to rely on this authority to enter into such contracts if that is their decision.

(e) **Tender for the Supply of Library Books as part of a Framework Agreement to Falkirk, Stirling & Clackmannanshire Councils (Extension)**

There was submitted Report (circulated) dated February 2006 by the Director of Community Services seeking approval for the extension of a contract for the supply of Library Books as part of a Framework Agreement to Falkirk, Stirling and Clackmannanshire Councils.

AGREED to approve the extension of the existing Framework Agreement, with an estimated annual expenditure of £505,100 (£252,550 of which relates to Falkirk Council) in respect of the Supply of Library Books to Falkirk, Stirling and Clackmannanshire Councils.

(f) **Tender for the Supply of Occupational Therapists Equipment as part of a Framework Agreement to Falkirk, Stirling and Clackmannanshire Councils**

There was submitted Report (circulated) dated 27 February 2006 by the Director of Housing and Social Work Services advising of tenders received in respect of the supply of Occupational Therapists Equipment for Falkirk, Stirling and Clackmannanshire Councils.

In accordance with Standing Order 6.2(iv), **AGREED** to accept the tenders submitted as detailed in the Appendix to the Report in the sum of £1,700,000 for the initial two years of the contract (approximately £850,000 of which relates to Falkirk Council) in respect of a Framework Agreement for the Supply of Occupational Therapists Equipment to Falkirk, Stirling and Clackmannanshire Councils.

(g) **Tender for the Supply of Street Lighting and Illuminated Sign Materials to Falkirk Council as part of a Framework Agreement**

There was submitted Report (circulated) dated 27 February 2006 by the Director of Development Services advising of tenders received in respect of the supply of Street Lighting and Illuminated Sign Materials to Falkirk Council as part of a Framework Agreement.

In accordance with Standing Order 6.2(iv), **AGREED:-**

- (1) to accept the tenders submitted as detailed in the Appendix to the Report with an estimated annual value of £350,000 in respect of a Framework Agreement for the Supply of Street Lighting and Illuminated Sign Materials to Falkirk Council; and
- (2) to approve acceptance of the fourth year (1 April 2009 to 31 March 2010) and fifth year (1 April 2010 to 31 March 2011), with the same companies should the estimated average annual value of the contract not increase by more than the current rate of inflation.

(h) **Acceptance of Tender over £350,000 in Value – Contract for Re-Roofing and Re-Roughcasting, Ettrick Court, Hallglen (FAL-5871)**

There was submitted Report (circulated) dated 1 March 2006 by the Director of Development Services advising of a tender received in respect of Re-Roofing and Re-Roughcasting, Ettrick Court, Hallglen.

In accordance with Contract Standing Order 6.2(iii), **AGREED** to accept the tender submitted by Corporate and Commercial Services, Seabegs Road, Bonnybridge in the sum of £362,849.85 in respect of Re-Roofing and Re-Roughcasting, Ettrick Court, Hallglen.

(i) **Acceptance of Tender over £350,000 in value – Contract for Re-Roofing and Re-Roughcasting, Dochart Place, Hallglen (FAL-5870)**

There was submitted Report (circulated) dated 1 March 2006 by the Director of Development Services advising of a tender received in respect of Re-Roofing and Re-Roughcasting, Dochart Place, Hallglen.

In accordance with Contract Standing Order 6.2(iii), **AGREED** to accept the tender submitted by Corporate and Commercial Services, Seabegs Road, Bonnybridge in the sum of £621,154.32 in respect of Re-Roofing and Re-Roughcasting, Dochart Place, Hallglen.

(j) **Tender Report – Remodelling of Balconies and Addition of Stairs at St Margaret’s Primary School**

There was submitted Report (circulated) dated 27 February 2006 by the Director of Development Services advising of tenders received in respect of Remodelling of Balconies and Addition of Stairs at St Margaret’s Primary School.

AGREED to accept the tender submitted by LPS Contracts Ltd, Lochlands Industrial Estate, Larbert in the sum of £468,059.82 subject to appropriate insurance and performance bond.

(k) **Contract for Alterations to Balcony Enclosures, Glenfuir Court, Camelon (FAL-5535)**

With reference to Minute of Meeting of the Policy and Resources Committee held on 16 November 2006 (Paragraph PR 130 refers), there was submitted Report (circulated) dated 1 March 2006 by the Director of Development Services advising of costs associated with additional work now identified as part of the Contract for alterations to balcony enclosures at Glenfuir Court, Camelon.

AGREED to note that, in accordance with Contract Standing Order 15.1, the Director of Development Services had approved and authorised a variation to the contract awarded to Mackenzie Construction Ltd, Glasgow in the sum of £834,574.26 in respect of alterations to balcony enclosures, Glenfuir Court, Falkirk to allow for additional works required at an additional cost of £170,277.00.

(l) Extension of Consultancy Services Term Commission for Roads, Transportation and Environmental Related Professional Services

With reference to Minute of Meeting of the Policy and Resources Committee held on 10 February 2004 (Paragraph PR146 refers), there was submitted Report (circulated) dated 28 February 2006 by the Director of Development Services seeking approval for an extension of the Council's consultancy services term commission framework arrangements with Atkins and Mouchel Parkman for provision of roads, transportation and environmental related professional services, until 31 March 2008.

AGREED:-

- (1) to note the arrangement of the current consultancy services term commission in providing additional support to roads, transportation and environmental related projects in accordance with Contract Standing Order 8.5; and
- (2) that, in accordance with Contract Standing Order 6.2(iv), approve the extension of the term commission arrangements with Atkins and Mouchel Parkman for a further 2 years until 31 March 2008.

(m) Callendar Park CHP District Heating (FAL-4569A)

There was submitted Report (circulated) dated 1 March 2006 by the Director of Development Services advising of tenders received in respect of a contract for the supply and installation of the heat distribution mains system at Callendar Park.

AGREED to accept the tender submitted by PPSL District Energy, Hertfordshire in the sum of £504,019, subject to appropriate insurance and performance bond.

PR151. REFERRALS FROM ENVIRONMENT AND HERITAGE COMMITTEE – 14 FEBRUARY 2006

With reference to Minute of Meeting of the Environment and Heritage Committee held on 14 February 2006, (Paragraphs EH32-EH34 and EH36 refers), there was submitted Report (circulated) dated 21 February 2006 by the Director of Community Services listing Reports considered by the Environment and Heritage Committee at its meeting on 14 February 2006, namely:-

- The Hippodrome Cinema, Bo'ness
- Code of Ethics for Museums
- Falkirk Council Museums Service: Acquisition and Disposal Policy 2006-11
- Scottish Railway Preservation Society: Joint Working Agreement

The Reports considered by the Environment and Heritage Committee on 14 February 2006 were appended for Members' information.

Councillor Alexander, seconded by Councillor Kenna, moved acceptance of the recommendations detailed in the Reports.

By way of an amendment, Councillor D Goldie, seconded by Councillor Gow, moved that, in relation to the item on The Hippodrome Cinema, Bo'ness, that the Council deletes any reference to closure of Kinneil Museum from the Report.

In terms of Standing Order 21.4(i), a vote was taken by way of a roll call, there being 8 Members present, with Members voting as undernoted:-

For the Motion (5) – Provost Johnston; Councillors Alexander, Graham, Kenna and Patrick.

For the Amendment (3) – Councillors D Goldie, Gow and Reid.

Accordingly, **AGREED** to approve the recommendations as outlined in the respective Reports as considered by the Environment and Heritage Committee on 14 February 2006.

PR152. REFERRAL FROM BEST VALUE AND AUDIT FORUM

With reference to Minute of Meeting of the Best Value and Audit Forum held on 17 February 2006, (Paragraph BV52 refers), there was submitted Report (circulated) dated 21 February 2006 by the Chief Executive enclosing a Report on a proposed Best Value Framework for the Council.

AGREED to approve the Best Value Framework as the Council's formal improvement model.

PR153. 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 items of business on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 8 of Part 1 of Schedule 7A of the said Act.

Councillor Reid left the meeting prior to consideration of the following item of business.

PR154. IRRECOVERABLE DEBTS 2005/06

There was submitted Report (circulated) dated 21 February 2006 by the Director of Finance providing details of Council Tax, Rents, Housing Benefit Overpayments, Non-Domestic Rates and Sundry Accounts, which, for a variety of reasons, may not be recoverable and, therefore, require to be written out of the Accounts in the financial year 2005/06.

AGREED:-

- (a) that Housing Benefit Overpayments in excess of £5,000 totalling £33,657.88 as detailed within Appendix 1 to the Report, be written out of the Accounts in 2005/06 subject to further recovery action being taken should the opportunity arise;

- (b) that Non-Domestic Rates Debts in excess of £5,000 amounting to £779,587.83 as detailed within Appendix 2 to the Report be written off, with an appropriate adjustment to the Rate Income Return for year 2005/06, subject to amendments should further information on the debtors concerned become available, and
- (c) that Sundry Account Debts in excess of £5,000 totalling £72,587.77 as detailed in Appendix 3 to the Report be written out of the Accounts in 2005/06 subject to further recovery action being taken should the opportunity arise.

PR155. ACCEPTANCE OF TENDERS – GARDEN AID SERVICE 2006 – CONTRACT HDC/37

There was submitted Report (circulated) dated 20 February 2006 by the Director of Housing and Social Work Services advising of tenders received in respect of the Council's Garden Aid Services 2006.

AGREED:-

- (1) to approve the award of the 2006 Garden Aid Service contracts as stated within paragraph 3.1.5 of the Report;
- (2) to approve the absorption of the existing waiting list into the service;
- (3) to instruct the Director of Housing and Social Work Services to seek to contain expenditure within the level of resources available in the approved budget; and
- (4) to note the ongoing Best Value Review of Garden Aid and that the findings of that review will be submitted to Housing and Social Services Committee in May 2006.