

The report also set out the proposed spend and transfers within the Council's reserves and earmarked funds in addition to indicative expenditure on the Housing Revenue Account.

#### **Decision**

**The Executive;**

- 1) approved the transfer and spending plans set out in the report; and
- 2) noted the initial projection of revenue spending for 2013/14 and the position with Reserves.

### **EX74. CAPITAL PROGRAMMES UPDATE REPORT**

The Executive considered a report by the Chief Finance Officer on the Council's Capital programme.

Details were given of the audited year end position of the General Services and Housing capital programmes for 2012/13 together with year end forecasts for 2013/14.

Following adjustment for the 2012/13 year end position, the 2013/14 General Services capital expenditure was forecast at £36.04m (against the budget of £38.812m). Consent was sought to adjust the social work capital programme to accommodate revised priorities.

The forecast year end position of the Housing Capital programme was £50.42m (against a budget of £47.419m)

Consent was sought to adjust the social work capital programme to accommodate higher priorities. The 2012/13 audit of the Housing Capital Investment plan confirmed slippage of £2m. The year end forecast for 2013/14 currently shows an overspend of £1.5m to be met by additional borrowing and capital receipts.

#### **Decision**

**The Executive noted the status of the General Services and Housing Capital Investment Programmes for 2012/13 and agreed revisions to the Social Work Capital Programme.**

### **EX75. SCOTTISH GOVERNMENT DRAFT BUDGET 2014/15**

The Executive considered a report by the Chief Finance Officer summarising the implications for local government of the Scottish Government draft budget 2014/15.

The Scottish Government's draft budget 2014/15 (including figures for 2015/16) includes an allocation to local government of £10,531.4m for 2014/15 and £10,608.2m for 2015/16. In return for the proposed settlement, Councils would be expected to deliver certain specific commitments, including:

- maintenance of a council tax freeze
- maintenance of teacher numbers in line with pupil numbers and securing places for all probationers who require one under the teacher induction scheme.

Given the draft budget and the long term profile of the austerity regime, the most financially challenging cuts were expected in 2016/17 and beyond with the three year (2014-17) cumulative budget gap for Falkirk Council forecast at £35m.

### **Decision**

The Executive noted the Scottish Government's draft budget for 2014/15 and the indicative position for 2015/16 together with the Council's currently estimated financial position and agreed that a budget seminar be held for all members.

## **EX76. RAIL STATIONS INVESTMENT FUND**

The Executive considered a report by the Director of Development Services on the findings of a study into the Scottish Government's Station Investment fund and of an appraisal of the possibility of new stations at Bonnybridge and Grangemouth.

Falkirk Council had, along with SEStran, appointed consultants to audit car parking provision and access arrangements at Falkirk Stations. The findings also identified highlighted enhancements which could be funded or part funded from the Stations Investment fund.

Additionally the Council, through SEStran, had appointed a consultant to review and update previous work undertaken to investigate the possibility of new stations being developed in Bonnybridge and Grangemouth. The review had concluded that it would be advisable to delay any detailed appraisal and business case until the current Edinburgh-Glasgow electrification programme (EGIP) is complete and decisions are made on the Greenhill Junction improvements and on High Speed Rail between Glasgow and Edinburgh.

### **Decision**

The Executive agreed:-

- 1) that further detailed appraisal work on potential new stations is delayed until more details are available on the following:
  - Timetable for completion of the EGIP Project in the Falkirk Council area
  - Greenhill Junction Improvements
  - High Speed Rail link between Glasgow and Edinburgh
- 2) to submit in partnership with SEStran, a bid for funding of the Falkirk High Station Car Park from the Scottish Government's Station Improvement Fund, and

- 3) to liaise with SEStran, who are submitting a bid for minor improvements at existing railway stations in the SEStran area, to include any appropriate or eligible improvements to stations in the Falkirk Council area.

#### **EX77. CONTRACT FOR M9 JUNCTION 6 TO EARLSGATE INTERCHANGE SIGNALISATION (IA0151)**

The Executive considered a report by the Director of Development Services on her decision to award the contract for signalisation at the M9 Junction 6 to Earlsgate Interchange, conform to a previous decision taken by the Executive on 6 August 2013.

The Executive had previously delegated authority to the Director of Development Services to award the contract for the M9 Junction 6 to Earlsgate Interchange signalisation works. The contract had been advertised and 7 tenders had been received by the due date. The lowest priced tender, from Wills Bros. Ltd, in the sum of £1,827,000 was considered to represent best value. The contract was therefore awarded to Wills Bros. Ltd.

##### **Decision**

The Executive noted the decision of the Director of Development Services to award the contract for the M9 Junction 6 to Earlsgate Interchange signalisation to Wills Bros. Ltd. for the sum of £1,827,000.00.

#### **EX78. OUTDOOR ACCESS PROJECTS – ACQUISITION OF LAND**

The Executive considered a report by the Director of Development Services seeking approval for the promotion of a compulsory purchase order for land between Shieldhill and California should the Council and the land owner fail to reach a negotiated agreement.

##### **Decision**

##### **The Executive:-**

- 1) instructed officers to continue in their attempts to purchase the land by agreement with the landowner, and
- 2) approved, in the event that officers determine that a voluntary acquisition is unlikely to be achieved, the Council's promotion of a Compulsory Purchase Order in terms of the Land Reform (Scotland) Act 2003 over the private interests outlined in the report and subsequent referral to the Scottish Ministers, for the construction of the following project:
  - (i) Footbridge across Polmont Burn to replace collapsed culvert.
  - (ii) Path reinstatement and improvements along Core path 018/686 between Main Street, Shieldhill and Bellsrigg Community Woodland, California.

**EX79. COMMUNITY COUNCIL ELECTIONS**

The Executive considered a report by the Chief Executive on the outcome of the nomination process for the Community Council elections 2013.

The Executive had previously agreed the 2013 Community Council election timetable. Details were given of the number of nominations received by the close of the nomination period on 2 October. Of the 23 Community Council areas, 4 had received nominations equal to the number of vacant places and as such could be established on 31 October. Of the remaining 19 Community Councils all had received fewer nominations than there were places. The report set out options available to the Executive.

**Decision**

The Executive:-

- 1) noted the formation of Airth Parish; Banknock, Haggs and Longcroft; Bo'ness and Maddiston Community Councils;
- 2) agreed to permit the following Community Councils to form with the remaining vacancies being filled by co-option- Avonbridge and Standburn; Brightons; Denny and District; Falkirk South; Grahamston, Middlefield and Westfield; Larbert, Stenhousemuir and Torwood; Reddingmuirhead and Wallacestone; and Shieldhill and California, and
- 3) agreed to extend the nomination period to 30 October 2013 for the following Community Councils:- Blackness; Bonnybridge; Camelon, Bantaskine and Tamfourhill; Carron and Carronshore; Falkirk Central; Grangemouth; Langlees, Bainsford and New Carron; Lower Braes; Polmont; Slamannan and Limerigg; and Whitecross.

**EX80. EXCLUSION OF PUBLIC**

The Executive agreed, in terms of s50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraphs 6&9 of Part 1 of Schedule 7A of the said Act.

**EX81. WHITECROSS SIRR – MORSTON ASSETS LTD**

The Executive considered a report by the Director of Development Services on the current position in regard to negotiations for the payment of the Council's land value.

The Executive had previously agreed the process to be followed in regard to the sum to be sought from Morston Assets Ltd. for their purchase of land owned by the Council. Details were given of negotiations with Morston Assets Ltd., and of advice given by the District Valuer on a proposal by Morston Assets Ltd. The Executive was requested to determine how to proceed with negotiations.

**Decision**

The Executive agreed to seek premium overage payments in respect of the land referred to in the report.



## FALKIRK COUNCIL

**MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 10 OCTOBER 2013 at 9.30 AM.**

**COUNCILLORS:** Allyson Black  
Baillie William Buchanan  
Charles MacDonald  
John McLuckie  
Baillie Joan Paterson  
Provost Pat Reid (Convener)

**OFFICERS:** Margaret Anderson, Director of Social Work Services  
Danny Cairney, Accountancy Services Manager  
Iain Henderson, Legal Services Manager  
Derek Kelly, Senior Committee Services Officer  
Lesley MacArthur, Corporate Policy Officer  
Des McCart, Service Manager  
Colin Moodie, Depute Chief Governance Officer  
Mary Pitcaithly, Chief Executive  
Andrew Wilson, Community Planning Manager

**IN ATTENDANCE:** Neil Brown and Jane Clark, Falkirk Community Trust

### S23. APOLOGY

No apologies were intimated

### S24. DECLARATIONS OF INTEREST

Councillor Black declared a non financial interest in item S26 as a board member of Grangemouth CAB and indicated that she would take no part in the discussion or decision making on this item of business.

Provost Reid and Baillie Paterson declared non financial interests in item SC27 as directors of the Falkirk Community Trust but did not consider that this required them to recuse themselves from consideration of this item, having regard to the objective test in the Code of Conduct and the relevant specific exclusion contained in the code.

Provost Reid declared a non financial interest in item S28 (13) as a former director of Open Secret and indicated that he would take no part in the discussion or decision making on this item of business.

**S25. MINUTE****Decision**

The minute of the meeting held on 12 September 2013 was approved.

In accordance with her declaration of interest, Councillor Black left the meeting at this point.

**S26. SCRUTINY PANEL CONCLUSIONS AND RECOMMENDATIONS: CITIZENS ADVICE BUREAUX FALKIRK**

Falkirk Council had, at its meeting on 26 June 2013, agreed to establish a pilot scrutiny panel to examine the role of the Citizens Advice Bureaux (CABx) within the Falkirk Council area.

Comprising of Provost Reid; Baillie Paterson and Councillor McLuckie, the Panel, had, defined its scope as “How well do CABx work together in order to deliver consistent services across the Falkirk Council area?”

The Panel had taken evidence at public sessions and heard from Citizens Advice Scotland (CAS); the three local CABx and partner agencies.

The Committee considered a report by the Director of Corporate and Neighbourhood Services summarising the scrutiny process; chronicling the evidence submitted, and, appending the Report for the Scrutiny Panel which included recommendations for the Committee to consider.

**Decision**

The Committee agreed the following recommendations for referral to the Executive with a view to officers working with the CABx to incorporate any actions arising from the recommendation in the Strategic Joint Action Plan:

**Outreach**

- Outreach should be revised and modernised to maximise access to vulnerable groups, particularly for those who would not otherwise access the service;
- The CABx identify further opportunities for targeted outreach, to work alongside other service providers in the Falkirk Council area;
- CABx work with Council Officers to identify rooms within Council buildings across the area, which can regularly be used as interview rooms; and
- CABx ensure that the availability of home visits is publicised.
- A decision to be reached locally as to what CAB office should represent the interests of the residents of Larbert/Stenhousemuir.



## Decision

The Committee noted the progress and performance of the Trust during the period 2012/13. The Committee also requested a report on the current and planned use of Falkirk Town Hall.

## S28. FOLLOWING THE PUBLIC POUND (FPP) – 2012/13 MONITORING REPORT

Council had previously agreed that the scrutiny of those organisations which receive full or part funding by Falkirk Council would be undertaken by the Scrutiny Committee. The committee had agreed a reporting schedule based around the service which provides the financial support.

The committee considered a report by the Director of Social Work Services presenting individual reports on 13 organisations which receive funding from Social Work Services. Each report set out the service provided, the agreed outcomes/objectives, performance information and the financial support from Social Work Services.

In terms of the Following the Public Pound framework a monitoring officer had been appointed by the funding service to each of the external organisations.

The monitoring officers were in attendance and were invited to give an overview of the role of their organisation, its funding arrangements together with performance and risks.

Members of the committee then asked questions of the monitoring officer with regard to the performance of the organisation. Committee was invited, for each organisation to (1) approve the report and acknowledge the progress made by the organisation; (2) request further information on specific aspects of the organisation; or (3) request action with follow up at a future meeting of the Committee.

A summary of the discussion and outcome for each organisation is given below:-

- (1) **Barnardo's – Cluaran**  
Total support provided by Falkirk Council - £464,579  
Monitoring Officer – Matthew Davies

The committee approved the report and acknowledged its progress in meeting Council objectives.

- (2) **Barnardo's – AXIS services**  
Total support provided by Falkirk Council - £110,952  
Monitoring Officer – Matthew Davies

The committee approved the report and acknowledged its progress in meeting Council objectives.

- (3) **Who Cares? Scotland**  
Total support offered by Falkirk Council - £27,970  
Monitoring Officer – Jenny Kane

### **Working with other agencies**

- In conjunction with other agencies, consider the development of a client signposting and referral tracking system; and
- Provide the opportunity for advice providers to participate in a planning group, which will develop a strategic approach to provision of a consistent pathway of advice across the Falkirk Council area. This could include CABx, Community Advice, Department of Work and Pensions, Homelessness Welfare Advice Team.

### **Pace of Change**

- Joint Action Group continue the excellent work;
- JAG consider the use of the totality of the resource in terms of funding, staff and volunteers to ensure that best value is being achieved; and
- JAG provides Members with a follow-up report in 6 months regarding progress and any further proposed actions.

### **Communication between CABx and Community Advice Services**

- Ensure that communication between agencies is adequate and consistent; and
- Ensure that procedures across agencies in terms of referrals are clear and consistent.

### **Premises**

- Council Officers work with Falkirk CAB to consider alternative premises arrangements for the future.

Councillor Black re-entered the meeting at this stage.

## **S27. FOLLOWING THE PUBLIC POUND: FALKIRK COMMUNITY TRUST**

The Council had previously agreed that the scrutiny of those organisations which received full or part funding be undertaken by the Scrutiny Committee.

The Committee considered a report by the Chief Executive presenting information about the agreement between the Council and Falkirk Community Trust for the period 1 April 2012 to 31 March 2013, in line with Following the Public Pound procedure.

Details were given of the organisations objective and service outcomes; performance; financial overview and policy and risk implications. The Committee also considered the Trust's performance report for 2012/13 together with its Annual Report and Financial Statement

- (4) Quarriers  
Total support provided by Falkirk Council - £86,200  
Monitoring Officer – Jenny Kane

The Committee noted the disparity in information provided by Quarriers compared with Who Cares? The Committee was satisfied with the information provided in relation to Who Cares? And that this was a useful service. Further information was required in relation to Quarriers. A further report should be provided in relation to both services given the potential for linkages between them.

- (5) Signpost  
Total support provided by Falkirk Council - £45,000  
Monitoring Officer – Matthew Davies

The committee approved the report and acknowledged the progress made in meeting Council objectives.

- (6) SACRO  
Total support provided by Falkirk Council - £81,296  
Monitoring Officer – Matthew Davies

The committee approved the report and acknowledged the progress made in meeting Council objectives.

- (7) CAHMS NHS Forth Valley  
Total support provided by Falkirk Council - £63,630  
Monitoring Officer – Morag O'Dwyer

The committee approved the report and acknowledged the progress made in meeting Council objectives.

- (8) Independent Living Association  
Total support provided by Falkirk Council - £29,604  
Monitoring Officer – Margaret Petherbridge

The committee approved the report and acknowledged the progress made in meeting Council objectives.

- (9) Princess Royal Trust for Carers  
Total support provided by Falkirk Council - £141,898  
Monitoring Officer – Suzanne Thomson

The committee approved the report and acknowledged the progress made in meeting Council objectives.

- (10) WRVS  
Total support provided by Falkirk Council - £10,400  
Monitoring Officer – Liz McGhee

The committee approved the report and acknowledged its progress in meeting Council objectives.

- (11) **Falkirk and District Association for Mental Health**  
 Total support provided by Falkirk Council - £177,777  
 Monitoring Officer – Carole Jones (presented by Marion Reddie)

The committee approved the report and acknowledged its progress in meeting Council objectives.

- (12) **Alzheimer Scotland**  
 Total support provided by Falkirk Council - £63,219  
 Monitoring Officer – Susan Nixon

The committee approved the report and acknowledged its progress in meeting Council objectives.

In terms of his declaration of interest, Provost Reid vacated the chair and left the meeting at this stage. Baillie Paterson, assumed the chair.

- (13) **Open Secret**  
 Total support provided by Falkirk Council - £149,442  
 Monitoring Officer – Carole Jones (presented by Margaret Anderson)

The committee agreed that a further, more detailed report be submitted to future meeting of the Scrutiny committee.

DRAFT**FALKIRK COUNCIL**

**MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 24 OCTOBER 2013 at 9.00 AM.**

<b><u>COUNCILLORS:</u></b>	David Alexander	Linda Gow	Alan Nimmo
	David Balfour	Steven Jackson	Martin Oliver
	Stephen Bird	Charles MacDonald	Baillie Joan Paterson
	Allyson Black	Brian McCabe	John Patrick
	Jim Blackwood	John McLuckie	Provost Pat Reid
	Baillie William Buchanan	John McNally	Ann Ritchie
	Steven Carleschi	Adrian Mahoney	Robert Spears
	Colin Chalmers	Craig Martin	Sandy Turner
	Dennis Goldie	Dr Craig R Martin	
	Gerry Goldie	Cecil Meiklejohn	
	Gordon Hughes	Malcolm Nicol	

<b><u>OFFICERS:</u></b>	Douglas Duff, Head of Economic Development & Environmental Services
	Rhona Geisler, Director of Development Services
	Rose Mary Glackin, Chief Governance Officer
	Colin Moodie, Depute Chief Governance Officer
	Brian Pirie, Democratic Services Manager
	Mary Pitcaithly, Chief Executive
	Bryan Smail, Chief Finance Officer

**FC55. SEDERUNT**

The sederunt was taken by way of roll call. Apologies were intimated from Councillors Coleman and Murray.

**FC56. DECLARATIONS OF INTEREST**

Members of the Council declared the following interests in item FC56:

- (a) Councillor Spears declared a non-financial interest as a member of the trade union, Unite.
- (b) Councillors Blackwood and Dr CR Martin each declared a non-financial interest as a member of the trade union, Unite and advised that they had received election expenses from the union at the last local government elections.
- (c) Councillor D Goldie declared a non-financial interest as a member of the trade union, Unite and advised that he had received election expenses from the union at a previous election.

The members considered that their interests did require them to recuse themselves from consideration of the item, having regard to the objective test in the Code of Conduct.

## FC57. MOTION

### INEOS Plant, Grangemouth

The meeting had been requisitioned to allow Council to consider the terms of the following motion:-

“Council notes with concern the uncertainty over the future of the INEOS Plant in Grangemouth and the impact closure would have on the local economy.

Council therefore seeks an urgent statement from the relevant portfolio holder outlining the outcomes of meetings with both the Ineos management and the trade union, Unite, on this issue.

In addition Council requires a full statement on the actions Falkirk Council are taking to play our part in a positive resolution of the issue”.

The Leader of the Council provided an update on negotiations between management and Unite and advised that he would participate in a meeting with the Secretary of State for Scotland and the Cabinet Secretary for Finance, Employment and Sustainable Growth later that day. He stated that the UK and Scottish Governments and Falkirk Council were committed to securing the future of the site and that it was his intention to set up an all party task force, including local MSPs and business leaders and members from across the Council, to respond to the situation.

The following joint statement had been prepared by the group leaders in response to the decision by INEOS:-

“The announcement by INEOS is devastating news for Grangemouth and the local area. The planned closure will have a massive impact on the future of our communities. Falkirk Council has a critical role in supporting our communities through this difficult time and we are committed to working together in the best interests of the area.

Generations of local workers and local families have served the petrochemical industry in Grangemouth and the impact of the news cannot be overestimated. The crisis facing our local economy is huge. That is why we have agreed to set our political differences aside, put the needs of our community first and work together to respond to the situation we are facing as effectively as possible.

As well as the 800 INEOS jobs in the petrochemical plant directly affected, the plant is a major contributor to the wider local and national economy. The future of the refinery in Grangemouth is also under threat. This is of grave concern and it is essential that all parties get round the table again as soon as possible.

The Council will be setting up a task force to respond to the situation. We are liaising closely with the Scottish and UK Governments and will continue to work closely with Scottish Enterprise. We are also seeking further talks with INEOS and Unite as a matter of urgency and will be meeting local MPs and MSPs later this week”.

#### **Decision**

**Council agreed the terms of the joint statement.**





DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the EDUCATION EXECUTIVE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 29 OCTOBER 2013 at 9.30 AM.**

**COUNCILLORS:** Malcolm Nicol  
Linda Gow  
Denis Goldie  
Jim Blackwood  
Craig Martin (Convener)  
Dr Craig R Martin  
Alan Nimmo

**REPRESENTATIVES  
OF RELIGIOUS  
BODIES:** Margaret Coutts  
Hector Cairns  
Rev Michael Rollo

**CO-OPTEES:** Fiona Craig (Teacher Representative)  
Margaret Smith (Teacher Representative)  
Ross Nixon (Pupil Representative)  
Martin Craigen (Parent Representative)

**OFFICERS:** Shona Barton, Committee Services Officer  
Danny Cairney, Accountancy Services Manager  
Crawford Campbell, School Estates Co-ordinator  
Steve Dougan, Support Officer  
Nigel Fletcher, Joint Acting Director of Education Services  
Gary Greenhorn, Joint Acting Director of Education Services  
Eileen Hutton, Childcare Provision Co-ordinator  
Kenny McNeill, Acting Head of Service Support, Resources and Infrastructure  
Colin Moodie, Depute Chief Governance Officer  
Richard Teed, Senior Forward Planning Officer

**ALSO ATTENDING:** Ken Thomson, Principal and Chief Executive, Forth Valley College  
Fiona Brown, Head of Curriculum, Quality & Learning Services, Forth Valley College

**EE19. APOLOGIES**

Councillor G Goldie, Jude Ainsley (Parent Representative) and Marnie Mackay (Pupil Representative).

**EE20. DECLARATIONS OF INTEREST**

No declarations were made.

**EE21. MINUTE****Decision**

The minute of the meeting of the Education Executive held on 27 August 2013 was approved.

**EE22. OPENING REMARKS**

The Convener advised that one of the pupil representatives on the Education Executive, Marnie Mackay, was currently attending "Space School" in Houston, Texas. A short message was read out which had been received from Marnie's mum, and thereafter Members watched a short video message sent by Marnie.

The Executive passed on their congratulations to Marnie.

**EE23. SCHOOL/COLLEGE PARTNERSHIP**

The Education Executive considered a Report by the joint Acting Director of Education which (a) set out the ongoing partnership between Falkirk Education Service and Forth Valley College, and (b) highlighted current and future collaborative projects.

Falkirk Education Service and Forth Valley College have had a close working relationship for a number of years with consortium arrangements being in place since 2001. An average of 300 pupils attend the College each year undertaking study in a range of courses not on offer within their own secondary school.

Ken Thomson and Fiona Brown from Forth Valley College were in attendance and provided an outline of the School/College Partnership and also answered questions from Members.

**Decision**

The Education Executive agreed to:-

- (1) note the further development of close partnership working between Education Services and Forth Valley College; and
- (2) approve the strategies which have been adopted to further improve the destination outcomes of young people within Falkirk Council.

**EE24. TRANSPORT ENTITLEMENT UNDER CONTINUED ATTENDANCE**

The Education Executive considered a Report by the joint Acting Director of Education which sought agreement to revise the wording of the Transport Policy with respect to Continued Attendance to reflect the current Curriculum for Excellence policy on studying for national qualifications.

The introduction of the Curriculum for Excellence has meant that studies towards national qualifications begin in year stage S4 in all secondary schools from 2013/14. Previously this could take place at year stage S3, and at S2 in schools that offered 'early presentation'.

#### **Decision**

The Education Executive agreed:-

- (1) the change to the Continued Attendance Policy;
- (2) the recommended change to the Transport Policy with respect to continued Attendance (as detailed in Appendix 1 to the report), and
- (3) that these changes take place with immediate effect and apply to all new transport requests.

#### **EE25. SCHOOL ESTATE MANAGEMENT PLAN – PROGRESS UPDATE**

The Education Executive considered a Report by the joint Acting Director of Education which highlighted the improvements made across the school estate and summarised (a) major works carried out in financial year 2012/13; (b) the work planned for 2013/14, and (c) the assessment of the current estate, including the condition, suitability and sufficiency ratings of each school.

The School Estate Management Plan (SEMP) is reviewed and updated by the Education Services Property Team annually and is submitted to the Scottish Government together with the annual 'Core Facts' data collection exercise.

#### **Decision**

The Education Executive agreed to:-

- (1) note the progress made in the implementation of the School Estate Management Plan (SEMP);
- (2) note the current condition, suitability and sufficiency ratings, and
- (3) instruct the joint Acting Director of Education Services to continue the process of implementation, monitoring and review of the plan.

Councillor Nicol left the meeting during discussion of the foregoing item of business.

## **EE26. CHILDREN & YOUNG PEOPLE BILL EXPANSION OF EARLY LEARNING AND CHILDCARE TO 600 HOURS PER ANNUM**

The Education Executive considered a Report by the joint Acting Director of Education which (a) provided information on the Scottish Government's commitment to increase the entitlement to nursery provision for 3 and 4 year olds from 475 to 600 hours from August 2014; (b) informed of the requirements to consult with affected parents on their needs and their potential demand for childcare places, and (c) sought permission to consult parents and other stakeholders on the feasible options for the delivery of the 600 hours.

The report outlined the options available and the potential impact of the increase in provision, and outlined the possible future service delivery options and the proposed consultation arrangements.

### **Decision**

The Education Executive agreed to:-

- (1) note the background information;
- (2) note the current position and future challenge this change presents Education Services, and
- (3) proceed with the consultation as outlined in Section 8 within the report, with a report on the findings and recommendations coming back to Education Executive on 4 February 2014.

# FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 30 OCTOBER 2013 at 9.30 A.M.

## COUNCILLORS:

Baillie William Buchanan (Convener)  
Steven Carleschi  
Colin Chalmers  
Adrian Mahoney  
Craig Martin  
Cecil Meiklejohn  
John McLuckie  
Alan Nimmo  
Baillie Joan Paterson  
Sandy Turner

## OFFICERS:

John Angell, Head of Planning and Transportation  
Kevin Collins, Transport Planning Co-ordinator  
Ian Dryden, Development Manager  
Rose Mary Glackin, Chief Governance Officer  
Iain Henderson, Legal Services Manager  
Alfred Hillis, Environmental Health Officer  
Craig Russell, Roads Development Officer  
Antonia Sobieraj, Committee Officer  
Russell Steedman, Network Co-ordinator  
Bernard Whittle, Development Management Co-ordinator

## P89. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Alexander and Nicol.

## P90. DECLARATIONS OF INTEREST

No declarations were made.

## P91. MINUTE

### Decision

The minute of the meeting of the Planning Committee held on 18 September 2013 was approved.

Councillor McLuckie entered the meeting during consideration of the following item of business.

**P92. THE FALKIRK COUNCIL (40MPH SPEED LIMIT) (A905 GLENSBURGH TO SKINFLATS) ORDER 2013**

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (40mph Speed Limit) (A905 Glensburgh to Skinflats) Order 2013 to implement a 40mph speed limit on the section of the carriageway between Skinflats and the newly installed Helix lifting bridge at the River Carron.

**Decision**

The Committee agreed to make the Traffic Regulation Order referred to in the Report.

**P93. THE FALKIRK COUNCIL (ELPHINSTONE CRESCENT, MAIN STREET AND MILLER PLACE, AIRTH) (PROHIBITION OF WAITING) ORDER 2013**

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (Elphinstone Crescent, Main Street and Miller Place, Airth) (Prohibition of Waiting) Order 2013 to implement waiting restrictions on the junctions outside Airth Primary School.

**Decision**

The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee.

**P94. LANDSCAPE RESTORATION OF QUARRY VOID, COMPRISING PLANTING AND EARTHWORKS RESTORATION AND UPGRADING OF SOUTHERN SECTION OF SITE ACCESS ROAD LEADING TO THE A803 AT COWDENHILL QUARRY, CONEYPARK CRESCENT, BANKNOCK, BONNYBRIDGE FK4 1TX FOR AGGREGATE INDUSTRIES UK LTD - P/12/0380/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 29 May and 25 June 2013 (Paragraphs P17 and P36 refer), Committee (a) gave further consideration to a report by the Director of Development Services, and (b) considered an additional report by the said Director on an application for full planning permission for the restoration of an existing quarry void, comprising planting and earthworks restoration and the upgrading of the southern section of site access road leading to the A803 at Cowdenhill Quarry, Coneypark Crescent, Banknock, Bonnybridge.

Baillie Buchanan, seconded by Councillor McLuckie, moved that Committee be minded to grant the application in accordance with the recommendations in the Report.

By way of an amendment, Councillor Turner, seconded by Councillor Carleschi, moved that that Committee be minded to grant the application in accordance with the recommendations in the report but subject to the amendments as undernoted:-

- that recommendation 6.1(2)(i) be amended to read ‘a timescale, not to exceed 12 months, for the restorations of Cowdenhill and the proposed period of vegetation establishment’;
- that recommendation 6.1(2)(viii) be amended to read ‘a method statement on the management and eradication of the Japanese Knotweed at the southern end of the site, to include the option for the provision of an alternative access to assist in the containment of this species until the eradication process is completed’; and
- that an additional recommendation 6.1(12) to be added to read ‘that prior to the start of the work an independent Liaison Group shall be formed, in consultation with the Banknock, Haggs and Longcroft Community Council and local residents, to represent the interest of local residents in relation to this development. This Liaison Group shall be in addition to, and completely independent of, that which represents Banton residents’.

Having received advice from the Development Manager on the scale and complexity of the site and the reasonableness of a 12 month restoration period, Councillor Turner with the agreement of his seconder, and with the unanimous consent of the meeting in accordance with Standing Order 20.8, deleted the first part of his amendment under bullet one above.

On a division, 6 Members voted for the motion and 4 for the amendment.

### Decision

The Committee agreed that it is MINDED to GRANT planning permission subject to the satisfactory completion of an obligation within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to prevent future extraction from Cowdenhill Quarry whilst any quarry exists at Tomfyne Farm. And thereafter, on conclusion of the foregoing matter, remit to the Director of Development Services to grant planning permission subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.

- (2) Prior to the extraction operations commencing at Tomfyne Farm the following details shall be submitted to and approved in writing by the Planning Authority:-
- (i) A timescale for the restorations of Cowdenhill and the proposed period of vegetation establishment;
  - (ii) Details of the final re-graded landform for the Doups Burn corridor;
  - (iii) A method statement for the regrading/levelling of the remainder of the quarry area and the regrading of the Doups Burn corridor;
  - (iv) A method statement for the hydro-seeding of the quarry face together with a specification of the seed mix proposed;
  - (v) Final confirmation of proposed management and treatment of water into the Doups Burn;
  - (vi) A detailed specification for all areas to be tree and shrub planted;
  - (vii) A fully detailed maintenance schedule for the initial maintenance to aid establishment of all planted and seeded areas for a five year period following completion of planting/seeding; and
  - (viii) A method statement on the management and eradication of the Japanese Knotweed at the southern end of the site.

Thereafter, the restoration works shall be carried out in accordance with the details unless otherwise agreed in writing with the Planning Authority.

- (3) Prior to extraction operations commencing at Tomfyne Farm full details of road markings and proposed signage shall be submitted to and approved in writing by the Planning Authority, thereafter the development shall be carried out in accordance with these details unless otherwise agreed in writing by the Planning Authority.
- (4) The hours of operation for works relating to the regrading of the Doups Burn and upgrading of the access road shall be restricted to 0800 hours to 1700 hours Monday to Friday only. All other restoration work shall be restricted to 0700 hours to 1830 hours Monday to Friday and 0700 hours to 1300 hours on Saturdays.
- (5) The access road from the A803 shall be maintained in a tidy condition, free from mud or slurry throughout the period of restoration and quarry operations at Tomfyne Farm and prior to the commencement of development at Tomfyne Farm, details of operations and measures to be taken to minimise dust generation including vehicle sheeting and the use of water bowsers to dampen road surfaces shall be submitted to and approved in writing by the Planning Authority. Thereafter the site shall be operated in accordance with these details unless otherwise agreed in writing by the Planning Authority.



- (6) Prior to the commencement of development at Tomfyne Farm, a wheel wash facility in accordance with details and specifications to be submitted to and approved in writing by the Planning Authority shall be installed on the site access road leading from the A803 in a position to be agreed with the Planning Authority. Thereafter the wheel wash facility shall be maintained in an efficient working order for the use of all heavy goods vehicles leaving the Tomfyne or Cowdenhill Quarry sites. Such facilities shall be retained, maintained and in operation for the duration of the restoration and quarrying operations.
- (7) All access road upgrade and bunding works shall be completed prior to extraction operations commencing at Tomfyne Farm as proposed under North Lanarkshire application reference 12/0729/FUL or other permissions granted for quarrying operations at Tomfyne Farm, whichever is the sooner.
- (8) Any mud, slurry or spillages deposited on the public highway (A803) as a result of quarry or restoration operations shall be removed by the operator to the satisfaction of the Planning Authority.
- (9) Unless otherwise agreed in writing by the Planning Authority, the following blasting limitations shall be adhered to in full:-
  - (i) Any blasting operations shall take place five minutes either side of 1000 hours Monday - Friday inclusive and no blasting shall occur on weekends or public holidays. In the event of a blast failure, one blast shall be permitted five minutes either side of 1100 hours or 1200 hours and at no other time;
  - (ii) There shall be no more than one blast per day;
  - (iii) Blasting shall be carried out such that no component of peak particular velocity measured at any vibration sensitive building shall exceed 12mm/sec;
  - (iv) All blasting shall be carried out in accordance with current regulations for the use of explosives at quarries;
  - (v) All blasting shall be by down the hole initiation;
  - (vi) There shall be no storage of explosive material on site at any time;
  - (vii) In the event of emergency, where, in the interests of safety, blasting outwith the permitted times is considered necessary, the operator shall ensure that the Planning Authority is advised as soon as practicable of the nature and circumstances of such events; and
  - (viii) All blasting shall be carried out in accordance with the requirements of the Director of Development Services, Falkirk Council, which would include prior notification of the intention to blast of at least three days, to the Environmental Health Team.

- (10) Prior to the start of work on site full details of the proposed security fencing and signage including ongoing maintenance and inspection arrangements shall be submitted to and approved in writing by the Planning Authority thereafter the fencing and signage shall comply with these details unless otherwise agreed in writing by the Planning Authority.
- (11) Prior to the start of work on site, full details of proposed pipeline protection and quarry face stabilisation measures in the vicinity of the Scottish Gas Networks high pressure gas pipeline shall be submitted to and approved in writing by the Planning Authority in consultation with Scottish Gas Networks. Thereafter all work on site shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Planning Authority.

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.
- (2) To ensure suitable restoration of the site is achieved.
- (3) To safeguard the interests of the users of the highway.
- (4) To ensure that occupants of nearby properties are safeguarded against excessive noise intrusion.
- (5-6,8) To safeguard road safety and air quality.
- (7) To ensure that the access road is upgraded to an acceptable standard.
- (9) To ensure that safe working practices are adhered to and environmental amenity levels are safeguarded.
- (10) To ensure that the site is adequately secured.
- (11) To ensure protection of the adjacent high pressure gas pipeline.

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 - 12, 13A - 23A, 24B, 25A, 26 - 31 and supporting documents.

- (2) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.

NOTE: Planning Officers will update Members at a later date on the progress and phasing of the restoration work at Cowdenhill Quarry. They will also, in reflection of Members' views during discussion, make a request to North Lanarkshire Council that representatives from Banknock, Haggs and Longcroft Community Council and local ward members are invited to participate in the Community Liaison Group to be established by North Lanarkshire Council in accordance with their approval of planning permission in relation to the Tomfyne Quarry.

**P95. DEMOLITION OF A SINGLE STOREY COTTAGE AND WORKSHOP AND ERECTION OF DWELLINGHOUSE AT CADGERSLOAN COTTAGE, BONNYBRIDGE FK4 2EU FOR DR PAUL FLANIGAN - P/13/0458/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the demolition of a single storey cottage and workshop and the erection of a single storey dwellinghouse at Cadgersloan Cottage, Bonnybridge.

**Decision**

The Committee agreed grant to planning permission subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
- (2) Before the development commences, the exact details of the colour and specification of the proposed external finishes shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

- (3) Unless otherwise agreed in writing by the Planning Authority, before the development commences a contaminated land assessment shall be submitted to and approved in writing by the Planning Authority. Before the development is brought into use, any necessary remedial works to make the ground safe shall be carried out in accordance with any approved remediation strategy, and any necessary remediation completion report/validation certificate shall be submitted to and approved in writing by the Planning Authority.

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.
- (2) To safeguard the visual amenity of the area.
- (3) To ensure the ground is suitable for the proposed development.

**Informative(s):-**

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02A, 03, 04A and 05.
- (3) The builder is advised to ensure that noisy work which is audible at the site boundary is only conducted between the following hours:-

Monday to Friday	0800 to 1800 hours
Saturday	0900 to 1700 hours
Sunday/Bank Holidays	1000 to 1600 hours

Any deviation from these hours is not permitted unless in emergency circumstances and with the prior written approval of the Environmental Protection Unit.

- (4) Scottish Water have advised that:-
- There are no public sewers in the vicinity of the proposed development;
  - Carron Valley Water Treatment Works may have capacity to serve the proposed development;

- In some circumstances it may be necessary for the developer to fund works on existing infrastructure to enable their development to connect;
- Their current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require pumping arrangements installed, subject to compliance with the current water byelaws; and
- If the connection to public sewer and/or water main requires to be laid out with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

**P96. FORMATION OF A MULTI USE GAMES AREA COURT (MUGA COURT) AT DUNCAN STEWART PARK, HIGH STREET, BONNYBRIDGE FOR FALKIRK COUNCIL - P/13/0419/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the formation of a multi use games area court (MUGA Court) at Duncan Stewart Park, High Street, Bonnybridge.

**Decision**

The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee.

