



Falkirk Council

VOLUME OF COUNCIL AND COMMITTEE MINUTES

VOLUME 3 2014/2015

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DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PENSIONS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 25 SEPTEMBER 2014 at 9.30 A.M.

PRESENT:

Councillors:
 Jim Blackwood
 Steven Carleschi
 Tom Coleman
 Depute Provost Patrick (Convener)
 Craig Martin

Councillor Callum Campbell, Stirling Council
 Mary Keggan
 Alistair Redpath

ATTENDING:

Jason Koumides, Pensions Accountant
 Alastair McGirr, Pensions Manager
 Bruce Miller, Investment Manager, Lothian Pension Fund
 Elliot Roy, Trainee Committee Services Officer
 Bryan Smail, Chief Finance Officer
 Antonia Sobieraj, Committee Services Officer

**ALSO IN
ATTENDANCE:**

Christopher Down, Hearthstone Investment Management
 Bruce Miller, Investment Manager, Lothian Pension Fund
 Catherine McFadyen, Hyman's Robertson
 Allan MacDougall and Janice Hayward, PIRC Ltd
 Jim Rundell and Brendan Clark, Audit Scotland

PE15. APOLOGIES

No apologies were intimated.

PE16. DECLARATIONS OF INTEREST

No declarations were made.

PE17. MINUTES**Decision**

- (a) The minute of the meeting of the Pensions Committee held on 5 June 2014 was approved; and

- (b) The minute of the meeting of the Pensions Panel on 11 September 2014 was noted and that the Panel had during discussion indicated that it would be supportive of an independent review of the Fund's Private Equity programme should this be taken forward by the Pensions Committee.

PE18. FALKIRK COUNCIL PENSION FUND – REPORT TO THOSE CHARGED WITH GOVERNANCE ON THE 2013/14 AUDIT

The Committee considered a report by the Chief Finance Officer on a report by Audit Scotland issued in accordance with the International Standard on Auditing (ISA 260) "Report to those charged with Governance on the 2013/14 Audit".

The report indicated that Regulation 31A of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008 required administering authorities to publish a Pension Fund Annual Report and Accounts which were separate from the other accounts of the administering authority. The report and associated accounts were also subject to a separate audit. The Pension Fund's Unaudited Annual Report and Accounts for 2013/14 were submitted for audit on 30 June 2014 in line with the required statutory deadline.

Under the International Standard on Auditing 260 (ISA 260), auditors, before certifying the accounts, were required to communicate matters relating to the audit to those charged with governance. The report, referred to as the ISA 260, was to be provided in sufficient time to enable remedial action to be taken if necessary.

The ISA 260 reported that, subject to a final review, the audit would be unqualified.

The matters on which the auditor has specifically commented were as follows: -

- Investment Management Expenses;
- Presentational Matters;
- Employee/ Employer Contributions;
- Bank Account; and
- Cash Balances.

The Fund's external auditors, Audit Scotland, had completed their report to those charged with governance and anticipated being able to issue an unqualified audit certificate. Matters arising from the audit would be taken forward as appropriate in preparing the 2014/15 accounts.

Decision

The Committee noted the report.

PE19. PENSION FUND - ANNUAL ACCOUNTS 2013/14

The Committee considered a report by the Chief Finance Officer on the Falkirk Pension Fund's Annual Accounts for 2013/2014 and (a) referring to Regulation 31A of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008, which requires administering authorities to publish a Pension Fund Annual Report, recognising that Pension Fund accounts were separate from other accounts of the administering authority, and (b) attaching as an appendix for inspection, a copy of the Fund's Audited Accounts for 2013/14.

Decision

The Committee agreed to approve the Falkirk Council Pension Fund Annual Report and Audited Annual Accounts for 2013/14.

PE20. LONGEVITY ANALYSIS REPORT - CLUB VITA - UPDATE BY HYMANS ROBERTSON

The Committee considered a report by the Chief Finance Officer on the initial findings of the Pension Fund's participation in the Club Vita longevity analysis.

The Committee had agreed at its meeting on 12 December 2013 to the proposal from Hymans Robertson for the Fund to participate in Club Vita. This would enable a detailed analysis of the Fund's longevity experience to be undertaken and allowed for the use of data which was specific to the Falkirk Pension Fund. The availability of the more accurate longevity data meant that Fund calculations, such as cessation valuations, bulk transfers and funding assessments would in future be of a more reliable nature. Other benefits included having robust evidence based longevity assumptions allowing the Fund to pay due attention to longevity risk

The Committee also heard from Catherine McFadyen, Hyman's Robertson who provided detail on the following:-

- The longevity risk including addressee and scope;
- The longevity, affluence, lifestyle, retirement health and occupational 'DNA' data;
- The concentration of longevity risk;
- The implications for funding; and
- The future longevity uncertainty.

The Convener thanked Ms McFadyen for her comprehensive presentation.

Decision

The Committee noted the report and presentation.

PE21. LOCAL GOVERNMENT PENSION SCHEME - NEW SCHEME DEVELOPMENTS

The Committee considered a report by the Chief Finance Officer providing an update on the recent developments in relation to the ongoing reform of the Local Government Pension Scheme (LGPS) through the Public Service Pensions Act 2013 with effect from 1 April 2015.

The report detailed that a Heads of Agreement on scheme design and governance had now been reached between COSLA, Trades Unions and the Scottish Government.

The statutory arrangements requiring to be set in place were as undernoted:-

- The main scheme regulations were made and described how benefits and contributions would be determined under the CARE arrangements. A number of defects had been identified in the Regulations and a set of amendments was awaited;
- The transitional regulations were made and described how existing members' accrued rights would be treated in the new scheme; and
- Governance regulations would be available in first draft in October 2014 with the final version expected in January 2015 and would specify how the governance requirements of the 2013 Act were to be applied in the LGPS.

The report thereafter highlighted that the necessary work on the main scheme and transitional regulations was unlikely to impede software development or Fund implementation plans. In contrast however the timetable for the production of the governance regulations meant that in order to comply with the April 2015 deadline, Funds would have to undertake their governance reviews in advance of final regulations being available.

The other pertinent developments included:-

- Employer training - training events for fund managers on 18 September and 2 October 2014 aimed mainly at Payroll and HR practitioners. Around 35 employer delegates were signed up for each event. A further resource for employers was provided at www.lgpsregs.org for scheme rules and explanatory guides;
- Employee information - the Fund members' information website www.scotlgps2015.org; and
- The new Pensions Administration System would replace the existing in-house system and was Heywood's "Altair" product used by the majority of Scottish and English/Welsh LGPS Funds.

Decision

The Committee noted the latest developments in relation to the implementation of the LGPS (Scotland) 2015.

PE22. LOCAL GOVERNMENT PENSION SCHEME - GOVERNANCE ISSUES

The Committee considered a report by the Chief Finance Officer providing an update on the recent developments in relation to the governance arrangements in respect of the ongoing reform of the Local Government Pension Scheme (LGPS) through the Public Service Pensions Act 2013 with effect from 1 April 2015.

The report detailed that a Heads of Agreement on scheme governance had now been reached between COSLA, Trades Unions and the Scottish Government and the statutory regulations underpinning governance rules would be finalised in early 2015.

The key milestones were as detailed below:-

- The consultation period for the draft regulations from 16 October to 27 November 2014;
- The Scottish Public Pensions Agency (SPPA) review of consultation comments from 28 November to 19 December 2014;
- The final drafting of regulations from 5 to 16 January 2015; and
- The ministerial signing off of the regulations on 27 January 2015.

The report thereafter detailed the following requirements within the Act for the operation of the Pensions Board including:-

- Ensuring the secure compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme and the Pensions Regulator;
- To undertake any such other matters as the scheme regulations may specify;
- Having an equal number of employer and member representatives (a minimum of 4 trade union and 4 employer);
- That the scheme manager should be satisfied that members did not represent a conflict of interest; and
- That meetings should take place concurrently with the Pensions Committee.

In furtherance of the requirement to establish a Pension Board it was proposed to consult Fund Employers and Trade Unions for their views as to how the new arrangements could best operate and the report provided information on the consultation action plan and associated implementation timescales.

Decision

The Committee:-

- (1) noted the report; and**
- (2) agreed that a joint meeting between the Committee and the Panel would be convened in December 2014 at a date to be confirmed.**

PE23. GENERAL GOVERNANCE MATTERS

The Committee considered a report by the Chief Finance Officer presenting an update on various matters associated with the governance of the Falkirk Council Pension Fund.

The areas covered within the report included the following:-

- The Pension Fund's Risk Register;
- Social Housing;
- Local Infrastructure;
- Prudential Additional Voluntary Contributions (AVC's); and
- The Local Authority Pension Fund Forum (LAPFF) of 58 local authority Pension Funds.

Decision

The Committee noted the report.

Councillor C Martin entered the meeting prior to consideration of the following item of business.

PE24. CORPORATE GOVERNANCE UPDATE

The Committee received a presentation by Allan MacDougall and Janice Hayward, PIRC Ltd

The presentation included information on the undernoted:-

- The value of corporate governance including the key milestones and fundamental objectives;
- The Regulators including the Financial Conduct Authority, the Prudential Regulatory Authority (PRA) and the Financial Reporting Council (FRC);
- The Boardroom themes; and
- Practice and Stewardship including shareholder engagement in terms of the UK Stewardship Code principles, responsible investment and the development of a broader Stewardship Plan and the protection of shareholder value.

The Convener thanked Mr MacDougall and Ms Hayward for their comprehensive presentation.

Decision

The Committee noted the presentation.

PE25. ORDER OF BUSINESS

In terms of Standing Order 14.2(i), the Depute Provost Patrick advised of a variation to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

PE26. FUND MANAGER REVIEW

The Committee received a verbal update by Christopher Down, Hearthstone Investment Management which had been appointed by the Committee at its meeting on 17 March 2014 to manage a £30m investment in social housing and affordable housing.

The areas covered in the update included:-

- The investment of £15m in a Places for People Bond to back the social and affordable housing programme;
- The expected associated grant funding of £10m;
- The proposals for the first development at Bellsdyke, Larbert on a 50:50 ratio for social and affordable housing by early 2015;
- The development of other projects by 2016/2017 and that options included Bonnybridge, Stirling and Clackmannanshire; and
- The ongoing discussions with Castle Rock, Edinvar on future projects.

The Convener thanked Mr Down for his comprehensive presentation and welcomed further updates in due course.

Decision

The Committee noted the progress in relation to the investment in social and affordable housing.

PE27. PRIVATE EQUITY AND ALTERNATIVES UPDATE

The Committee Panel considered a report by the Chief Finance Officer on the progress of the Pension Fund's private equity and alternatives programme arising from the Investments Programme of SL Capital (Standard Life), Wilshire Associates, Grosvenor Capital and M&G for the quarter ending 30 June 2014.

Decision

The Committee:-

- (1) **noted the progress of the Pension Fund's private equity, infrastructure and credit markets programme for the quarter ending 30 June 2014; and**
- (2) **agreed that it would be supportive of an independent review of the Fund's Private Equity programme.**

PE28. FUND MANAGER PERFORMANCE REVIEW

The Committee considered a report by the Chief Finance Officer reviewing the overall performance of the Fund and of the undernoted Fund Managers:-

- Aberdeen Asset Management;
- Baillie Gifford Bonds;
- Baillie Gifford Diversified Growth;
- Legal and General;
- Newton Investment Management;
- Schroder Investment Management UK Equities; and
- Schroder Investment Management Property.

Decision

The Committee noted the Fund Managers' performance and the action taken by them during the quarter to 30 June 2014, in accordance with their investment policies.

FALKIRK COUNCIL

MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 25 SEPTEMBER 2014 at 2.30 PM.

COUNCILLORS:

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

OFFICERS:

Fiona Campbell, Head of Policy, Technology and Improvement
Jack Frawley, Committee Services Officer
Colin Moodie, Depute Chief Governance Officer
Brian Pirie, Democratic Services Manager

ALSO ATTENDING:

Moi Ali, Scottish Police Authority
Joe Andrews, Group Manager, Scottish Fire and Rescue Service
David Flynn, Chief Superintendent, Police Scotland
Gary Laing, Local Senior Officer, Scottish Fire and Rescue Service
Amy McGregor, Performance Support, Police Scotland
Mandy Paterson, Chief Inspector, Police Scotland

S23. APOLOGIES

No apologies were intimated.

S24. DECLARATIONS OF INTEREST

No declarations were made.

S25. MINUTE

Decision

The minute of the meeting of the scrutiny committee held on 14 August 2014 was approved.

S26. ORDER OF BUSINESS

In terms of Standing Order 14.2(i), Provost Reid varied the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

S27. SCOTTISH FIRE AND RESCUE SERVICE – FALKIRK & WEST LOTHIAN COMMAND PERFORMANCE REPORT

The committee considered a report by the Director of Corporate and Neighbourhood Services presenting the quarter 1 local performance report by the Local Senior Officer, Scottish Fire and Rescue Service.

In terms of the Fire (Scotland) Act 2005, the Council, through this committee, monitors the performance of the Scottish Fire and Rescue Service in the council area.

The committee asked whether cooking fires affected particular age groups, the Local Senior Officer advised they affect people of all ages.

Members acknowledged and welcomed the reduction in the number of deliberate fires and asked what caused the decrease. The Local Senior Officer suggested that one reason was the good work carried out by the Community Planning Partnership in tackling anti-social behaviour. Scottish Fire and Rescue Service work closely with partners to reduce deliberate fire setting and were carrying out extra patrols. The committee recognised that such work provided public reassurance.

The committee considered the future direction of the service, the Local Senior Officer stated that the service was examining new potential areas of service provision such as providing first response medical care.

Decision

The committee noted the report.

S28. POLICE SCOTLAND – FALKIRK AREA COMMAND PERFORMANCE REPORT

The committee considered a report by the Director of Corporate and Neighbourhood Services presenting the local performance report by the Local Commander. The report also provided information previously requested by members on road traffic collisions; armed policing; traffic wardens; and the impact of the Commonwealth Games on local policing.

Local Commanders are required, in terms of the Police and Fire Reform (Scotland) Act 2012, to report performance of local policing as measured against the Local Policing Plan and to provide information about complaints against the police or other information in regard to policing.

Chief Superintendent Flynn gave a summary of his report and drew members' attention to the new reporting format.

The committee discussed the forthcoming implementation of the digital road tax system and asked how the police service was making the public aware of the change. Chief Superintendent Flynn advised that the promotion and advertisement of the digital road tax system were part of the remit of a national campaign and that member's concerns would be fed back. Further, around the time of the change local advertising would be carried out through social media.

Members asked for clarification about on-going incidents involving lorry delivery drivers at the Scotmid store in Carronshore; Chief Superintendent Flynn stated Police Scotland would continue to monitor these incidents and encouraged people to report issues. Chief Inspector Paterson stated that there would be a focus on this issue and that a reply would be provided directly to members.

Members asked for information on the cause of the rise in violent crime, Chief Inspector Paterson stated that there had been a number of incidents in June in the Denny and Larbert areas. Police Scotland had put extra units in place, carried out appropriate stop and searches and had carried out licensing checks in the Denny area.

The committee asked if there was a link between the media coverage of high profile historic sexual abuse cases and the increased number which had been reported locally. Chief Superintendent Flynn cited a number of factors which had led to increased reporting by victims: improved support offered to victims from Police Scotland; societal change; a professional partnership approach; and the level of media coverage. Following discussion on a public perception that sexual crimes were increasing, Chief Superintendent Flynn stated that the number of physical sexual assaults had not increased. He did however highlight the increased number of indecent offences being committed online.

The committee discussed the increased demand on local officers' workloads during the Commonwealth Games. Chief Inspector Paterson stated that during the Commonwealth Games local policing had remained at the normal level. Further, as the Commonwealth Games and large amounts of annual leave were over it was stated that community policing meet and greets would take place in the Denny and Larbert areas in the near future. Chief Superintendent Flynn stated that he was keen for the community to have an insight into the challenge of policing. Members were advised that there was an open invitation to visit and see the work of the police.

Members discussed the proportion of violent incidents occurring in public and private places and questioned the role of town centre CCTV systems given that approximately half of violent crime takes place indoors. Chief Superintendent Flynn stated that CCTV is a very valuable asset and that its use was focussed on town centres and places where people congregate. It was further stated that the relevancy of camera placement was kept under review.

The committee asked if violent crimes occurring in private residences were reported to the housing department. Chief Inspector Paterson stated that this was the case in some instances but that where incidents involved a vulnerable person a different procedure is followed.

Members asked for information on complaints received by the police. Chief Superintendent Flynn described the complaints handling process; the appeal process as

handled by the Police Investigations and Review Commissioner; and stated that the number of complaints upheld is low. However, it was stated that Police Scotland looked to these upheld complaints as opportunities to learn lessons, in particular to evaluate the way in which their service impacts on people.

The committee discussed the local provision of traffic wardens raising concern that there was not sufficient cover in place to enforce parking regulations effectively. Chief Superintendent Flynn advised that resources would be tasked to where they were needed and that information on problem areas should be passed to Russell Steedman, who is the lead officer for the council.

The committee discussed instances where sheds and lock-ups had been tampered with, Chief Inspector Paterson provided members with information on the occurrence of incidents, detection rates and outcomes.

Following the creation of Police Scotland there had been concerns that the local approach to policing could be lost amid national structures. Members considered however that this had not been the case making reference to the recent example of local policing at the Free Colliers march and Bo'ness Fair. Chief Superintendent Flynn advised that following reorganisation the local senior management team were officers who had served the former central Scotland police force which retained local knowledge. Further, police numbers would not be reduced in the local area.

Moi Ali, of the Scottish Police Authority (SPA), gave a presentation providing information on her background and describing the work of the board.

Members discussed the centralisation of back room services such as call centres and expressed concerns over armed policing. Ms Ali stated that it is the job of the SPA to hold Police Scotland to account and in that capacity had identified armed policing and stop and search as areas for scrutiny. Further, Ms Ali stated that the new call centre set up was working well and that she had seen first hand the way dispatchers work to respond quickly to calls. Members were advised that they would be welcome to visit the call centres. Ms Ali stated that centralised call centres were more appropriate for the modern era as mobile technology has led to increased reporting of incidents.

In relation to members' concerns about the closure of police front counters Ms Ali assured the committee that the SPA had asked for evidence that closures would not have a detrimental impact on service and ensured that there would be no closures where there was sufficient footfall. Chief Superintendent Flynn advised the committee that there had been no closures in the Falkirk area.

Further to previous discussion the committee discussed the role of the SPA in regard to the changes to the provision of traffic wardens. Ms Ali conceded that the SPA could have asked questions more thoroughly in advance of the changes but that lessons had been learned.

Members expressed concern about future cuts to police provision in order to meet savings targets, Ms Ali stated that there would need to be cuts such as those to front counters given that the Scottish Government had pledged that there would not be a cut to the number of police officers. Further, Ms Ali stated that voluntary redundancy within backroom staff would take place as the wage bill is a significant cost; this would also

remove some of the duplication arising from the merge of the eight former forces into one. Police Scotland had also been advised that they could reinvest cash receipts from the sale of assets. Ms Ali advised that in looking at the future of policing the SPA would evaluate what a police officer was. The SPA would examine which duties must be carried out by police officers and which could be carried out by civilian staff.

Decision

The committee noted the report.

S29. SCRUTINY PANEL – APPOINTMENT OF ELECTED MEMBERS TO OUTSIDE ORGANISATIONS

The committee considered a report by the Chief Governance Officer which presented the scrutiny panel's recommendations in regard to elected member participation on outside organisations.

The committee discussed the panel's recommendations as set out in the report. Members highlighted the need for appropriate training and the impact of outside appointments on members' workloads.

The Convener suggested that consideration of the report be continued to the next meeting. He advised that the next meeting would not take place on the scheduled date in October and that a date later in the month would be arranged. Members advised that 31st October would be a suitable date. Members then discussed the frequency of scrutiny committee meetings. The committee discussed the benefits of moving to a six week cycle of meetings in order to better fulfil its scrutiny role. The committee agreed to recommend to Council that meetings of the committee take place on a six week cycle.

Decision

The committee agreed to continue consideration of the report to the next meeting to allow the panel to consider the report further.

FALKIRK COUNCIL

MINUTE of MEETING of the PERFORMANCE PANEL held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 26 SEPTEMBER 2014 at 11.00 AM.

CORE MEMBERS: Rosie Murray
Baillie Joan Paterson
Depute Provost John Patrick

MEMBERS
ATTENDING: David Alexander
Stephen Bird
Jim Blackwood
Gordon Hughes
Cecil Meiklejohn
Provost Pat Reid

OFFICERS: Fiona Campbell, Head of Policy, Technology and Improvement
Megan Farr, Policy Officer
Paul Ferguson, Revenue Manager
Nigel Fletcher, Joint Acting Director of Education
Jack Frawley, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Gary Greenhorn, Joint Acting Director of Education
Elliot Roy, Trainee Committee Services Officer
Bryan Smail, Chief Finance Officer

PP6. MINUTE

Decision

The minute of the meeting of the Performance Panel held on 19 June 2014 was approved.

PP7. SERVICE SCRUTINY REPORT

The panel considered a report by the Joint Acting Director of Education Services setting out the performance for the service from April to July 2014. Nigel Fletcher gave an overview of the report.

Members asked why the new highers had not been implemented in all subject areas, Nigel Fletcher advised that the issue was linked to workload as some teaching departments present multiple courses. Head teachers and faculty heads discussed the best programme of implementation for their school. The implementation of the new highers in Falkirk fit with the national pattern and Her Majesty's Inspectorate (HMI) were happy with the phased implementation.

The panel asked if there was a particular issue causing the number of amber indicators for 'Increasing our efforts to tackle disadvantage & discrimination'. Nigel Fletcher stated that the 'named person' proposal of the Children and Young People (Scotland) Act 2014 would create substantial work. This anticipated work had caused a number of indicators to be reported as amber, but the service was not behind in delivery.

The panel asked if there was benchmarking information available in relation to school inspections. Nigel Fletcher advised that a list of ratings was presented to the senior management team but was not reported to the panel. Nigel Fletcher stated that he would provide members with the information directly.

Members sought further information on the implementation of a single point of contact for all school and community hall lets. Gary Greenhorn stated that simplified charging had been introduced from August 2014. This ensured uniformity in charges for venues operated by Falkirk Community Trust, community learning and development and schools. Education services had supported a number of groups through the change, such as providing the Boys Brigade with information that it met HMRC criteria for VAT exemption. Gary Greenhorn advised that a letter would be sent to all groups who qualify for the VAT exemption.

The panel sought clarification on the charges previously applied to Boys Brigade groups. Gary Greenhorn advised that charges had varied and that there had been some free lets. Previously, more free lets were provided in the Falkirk area than was the national average; the position had been reviewed following the publication of Audit Scotland's 'Charging for Services: are you getting it right?' report. Gary Greenhorn stated that with rises to energy costs, free lets were unsustainable. He stated that the Council had introduced a fair and equitable charging regime which compared favourably with other local authorities. Further, a review of the charging system would be carried out in December 2014 and feedback from organisations would be taken into account. The panel highlighted that support should be provided to groups in non-affluent areas to prevent discrimination and disadvantage.

The panel asked how the anti-bullying policy was being taken forward. Nigel Fletcher advised that each school has an anti-bullying policy and that education services liaise with head teachers to continually refresh the policy, which keeps the policy prominent in the mind of teaching staff.

The panel asked for clarification in regard to pupils being moved schools due to bullying. Nigel Fletcher advised that education services aims to never move pupils because of bullying, although parents can request moves. Nigel Fletcher stated that bullying was challenged and addressed in schools and that education services work to meet the needs of young people who are affected by bullying.

The panel asked about the cost of repairs due to vandalism. Gary Greenhorn advised that repairs are carried out as soon as possible to ensure the safety of all school users. However, it is difficult to retrospectively define whether repair work had arisen from vandalism or wear and tear. Education services liaise with the resource manager to identify vandalism and then take action. Further challenge is present in community use schools as these facilities are open out with school hours and the cause of a repair cannot always be identified. Gary Greenhorn referenced the success of devolving energy budgets to schools and stated that devolving vandalism budgets was being looked at.

The panel asked about the decreased number of people who achieved an accreditation award or qualification. Nigel Fletcher advised that external funding had been reduced which led to the decrease shown from 2012/13 to 2013/14. However, it was also stated that up to July 2014 there had been 59 awards and that if that pattern of awards continued then the current year's figure would be the highest achieved.

Members challenged the relevancy of the targets provided in the report. Members felt that there were a number of targets which were not specific or measureable. The panel also questioned the validity of some of the ratings, especially where targets were perceived not to be challenging enough.

Members referenced the outcome 'We will be greener' as lacking specificity and challenge. The panel asked if the service's energy bill was known. Gary Greenhorn advised that he could not provide the total bill but that the service has 113 properties. The service was committed to carbon reduction and had implemented spend to save initiatives such as replacing ordinary lighting with light-emitting diode (LED) lighting. Gary Greenhorn highlighted pupil involvement such as green champions and eco-committees challenging staff in primary schools to reduce electricity use. Nigel Fletcher stated that Rannoch Nursery had introduced litter police as a method of pupil involvement. Gary Greenhorn stated that there had been a challenge in maintaining pupil enthusiasm at high school but that progress was being made. The devolution of energy budgets had been received positively and the effect was shown in the monthly corporate figures.

The panel asked for information about the amount of developer contributions education services received from Section 75 agreements and how this money was spent. Gary Greenhorn advised that education and development services work together in this regard. For developments where a marginal impact is expected the contribution level is known in advance through the guide on expected contributions. For more major developments, services have direct dialogue with developers to calculate the level of contribution required. Further, Section 75 agreements detail the way in which the finance gained through developer contributions can be used.

The panel asked about the ambiguity of the target 'Continue to monitor' in relation to the outcome for the occupancy rate of primary schools. Gary Greenhorn advised that it was difficult to set targets in this area due to the variance of birth rates and the number of families moving in and out of the area. He also highlighted the annual census of pupils and teachers in publicly funded schools carried out by the Scottish Government, advising that this data would drive resource allocation.

The panel asked about the use and cost of the community learning development (CLD) service. Nigel Fletcher described the work of CLD in relation to youth clubs, detached youth work and summer schools. The number of young people using CLD services in 2013/14 had dropped but if the performance of the current quarter was maintained then usage would exceed previous levels. Gary Greenhorn stated that one part of the cost was providing youth workers and that approximately 60 part time youth workers were based at community centres. The total annual cost of CLD was around £4m.

The panel discussed that Langlees Boys Brigade was previously not charged for the use of facilities. The group had calculated that their costs for the year, based on 52 weeks hire, would be £5,300. Gary Greenhorn advised that the figure was incorrect as charges would be made for only 30 weeks per year, as that was the actual usage. Education services had provided the correct information to the group in an e-mail and this would be provided to members.

The panel expressed concern that as the Boys Brigade did not receive any grant funding they would need to charge their members to cover hire costs. Fiona Campbell stated that she would look into the availability of external grant funding and provide this to members.

The panel asked what recourse was available to the Council if developers appeal to have Section 75 agreements removed. Gary Greenhorn advised that if the developer was successful then the capital programme would be affected.

The panel asked about capacity at Larbert High School and the effect of building Carrongrange Primary School. Gary Greenhorn stated that Carrongrange would come on stream for 2016/17. It was stated that capacity pressure at Larbert High School had not affected attainment. In the previous year the roll at Larbert High School had dropped by 75. The roll would increase for five years consecutively from when the current primary 5 cohort reached high school. Education services were taking action to ensure that appropriate accommodation would be provided.

Members asked about improvements made at Airth Primary School prior to a follow through visit from the inspectorate. Nigel Fletcher advised that the inspectorate were impressed during their follow through visit and that he would make details of the improvements available to members.

The panel sought information on the Psychology of Parenting Project (PoPP). Nigel Fletcher stated that PoPP was aimed at families experiencing difficulties and provided parenting classes which children and parents attend. Nigel Fletcher stated that he would provide members with background and statistical information relating to PoPP.

The panel expressed concern that joint working agreements could prevent the building of a strong sense of community and of relationships between CLD and community organisations. Gary Greenhorn advised that joint working agreements were necessary to meet key outcomes and to measure resources. However, he recognised the challenge in ensuring that joint working agreements were implemented with common sense. Gary Greenhorn advised that management committees had worked through the joint working agreements and they would be fine tuned to meet local needs. For organisations within the following the public pound framework, joint working agreements are required.

The panel asked about the work targeted to meet the needs of S3 and S4 pupils at risk of not progressing to a positive destination. Nigel Fletcher made reference to the skills based approach which is emphasised at leadership meetings with all head teachers. It was stated that CLD plays an important role in reaching some young people who schools struggle to engage. To help support at risk young people Nigel Fletcher stated that close links between CLD and schools were important.

The panel asked if the Detached Youth Work team were carrying out evening street work. Gary Greenhorn advised that at the start of the year there had been difficulties maintaining an on street presence in the evenings due to staff absence. It was stated that this issue has been addressed and resources had been redirected to support this work.

The panel asked about temporary accommodation provided at Maddiston primary school. Gary Greenhorn advised that both Kinnaird and Maddiston primary schools had experienced significant catchment area growth. At both schools the temporary accommodation was being used to create ancillary space for music and drama teaching, parent councils had been consulted and were happy with the arrangements. There was recognition in the capital programme of the need to extend these schools within the next five to seven years and bids had been submitted.

The panel asked for information about the Early Years Collaborative (EYC) in terms of the amount of resources dedicated and outcomes achieved. Nigel Fletcher stated that EYC and the Getting it Right for Every Child (GIRFEC) agenda were well matched and could be brought together. Reference was made to the 'named persons' proposal and the large amount of work which would be created. Nigel Fletcher stated that EYC began as a health initiative and that education services are one of a number of agencies involved.

The panel sought comparison figures to show longer term trends, for example in relation to attainment, Nigel Fletcher stated that historical figures were available in a number of areas. Nigel Fletcher highlighted a number of areas in regard to improved attainment. School leadership had improved and the Council had invested significantly in recruiting the best teachers, which was important as teachers lead attainment. In secondary schools, tracking individual pupil's progress had enabled early intervention where difficulties arose and led to sustained improvement. Further, Gary Greenhorn stated that improvements to the physical learning environment had ensured that schools were fit for purpose.

Decision

The panel noted the performance statement.

Councillors Blackwood and Meiklejohn left the meeting during the following item.

PP8. CHIEF EXECUTIVE OFFICE SCRUTINY REPORT

(i) Chief Executive – Finance Services

The panel considered a report by the Chief Finance Officer setting out the performance for the service from April to July 2014. Bryan Smail gave an overview of the report.

The panel asked what the main issues were in maintaining projected levels of income, Bryan Smail suggested that business rates and pressure on disposable household income were two main issues. The panel asked what actions were in place to improve this area. Paul Ferguson advised that the use of direct debit, text message reminders and home visits had been implemented.

The panel asked about the support in place for people who were struggling to maintain payments. Paul Ferguson stated that 13 tenancy support officers provide help and support in financial management to people in low level arrears.

The panel asked if benchmarking data was available for benefit overpayment collection. Paul Ferguson advised that no benchmarking data was available. However, having liaised with colleagues in other local authorities he stated that most local authorities targeted 60% benefit overpayment collection, which was the break even mark, while the Council's target was 65%.

The panel discussed the impact of the welfare reforms and stated that a flexible commonsense approach should be used in terms of collection, providing people with support where needed. Bryan Smail stated that the service was aware of and sensitive to the serious challenges facing people. The service target early intervention in debt situations and through engagement with customers create realistic payment plans.

The panel asked about the speed with which cases of arrears were referred to sheriff officers. Paul Ferguson stated that delays in clearing arrears can be built into repayment schedules but that on-going charges needed to be kept up to date. Further, it was stated that the service was proactive in managing arrears and that having people engage with the service allows for the best solution to be found. As well as this the service works with third sector organisations to ensure that appropriate support is available for all.

The panel asked a question in relation to e-procurement and e-invoicing at Callendar Square. Paul Ferguson advised that from 2009 all communication had been stored electronically. In 2010 a document management system had been procured for council tax and since 2012 all applications had been processed electronically. From April 2016 it was expected that there would no longer be paper records held in relation to council tax, while housing benefit would be stored entirely electronically by 2017/18.

The panel sought information on the speed of processing Discretionary Housing Payment (DHP). Paul Ferguson advised that funding from the Scottish Government had been confirmed on 16 September 2014 and would allow a more proactive approach with people who had not yet applied. Paul Ferguson advised that applications which had been received had been processed.

The panel asked for information about the time taken to serve customers at Callendar Square. Paul Ferguson advised that the target of serving customers within fifteen minutes was not currently being met and that this was caused by the loss of experienced members of staff. It was stated that it had been difficult to develop and retain knowledge due to high staff turnover.

Decision

The panel noted the performance statement.

(ii) Chief Executive – Governance

The panel considered a report by the Chief Governance Officer setting out the performance for the service from April to July 2014. Rose Mary Glackin gave an overview of the report.

The panel asked about the availability of mobile devices for members, Fiona Campbell stated that before implementing new technologies a number of conditions needed to be met, such as Public Services Network compliance. Tablet devices had been issued at the proof of concept stage in order to demonstrate security compliance. The cost of software and infrastructure requirements would be calculated before mobile devices could be rolled out. Fiona Campbell stated that a report would be submitted to the corporate management team and members advised in due course.

The panel asked how many parades and processions had taken place locally. Rose Mary Glackin stated that there had been 94 parades and processions last year. Further, she stated that the implementation of a policy framework for public processions would ensure a consistent approach.

The panel asked what work was being done to increase the amount of in-house business being sent to Printworks. Rose Mary Glackin stated a print policy was being developed to formalise that Printworks was always the first port of call for services. Schools had been contacted to ensure that any large volume printing was done by Printworks; the printing of homework diaries was already carried out by Printworks. It was stated that an analysis of the business was on-going. The panel asked for further information on the analysis, Rose Mary Glackin advised that after it had been through the stage of service review it would be submitted to a future meeting.

The panel asked how officers throughout the Council check that written responses to members' enquiries were sufficient. Rose Mary Glackin stated that officers should check with members that responses are meaningful and include the information sought.

The panel asked about the pressures on the licensing section. Rose Mary Glackin advised that there had been a period of settling into new roles following the planned loss of a senior member of staff. Over the summer a number of significant pieces of work had been carried out including personal licence refresher training.

The panel asked if training for members could be improved, making particular reference to the lack of engagement during sessions. Members stated that they would prefer interactive sessions rather than being given power point presentations.

The panel discussed that actions arising from the training needs analysis exercise needed to be moved forward. The panel asked for detail on the new system for logging members' complaints. Rose Mary Glackin stated that a briefing session on the CRM system had been run for members and that it could be provided again, possibly in October.

The panel discussed communication between members and officers, highlighting situations where enquiries are raised by e-mail but letters are sent in response. The panel requested that where possible officers reply in kind using e-mail due to the speed of this form of communication.

Decision

The panel noted the performance statement.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 29 SEPTEMBER 2014 commencing at 9.30 a.m.

COUNCILLORS:

Baillie William Buchanan (Convener)
 Steven Carleschi
 Colin Chalmers
 Adrian Mahoney
 Craig Martin (for applications P/13/0234/PPP and P/14/0203/FUL)
 Cecil Meiklejohn (for applications P/12/0196/FUL and P/13/0234/PPP)
 John McLuckie
 John McNally
 Malcolm Nicol
 Baillie Paterson
 Sandy Turner

OFFICERS:

Kevin Brown, Planning Officer (for application P/12/0196/FUL)
 Donald Campbell, Development Management Co-ordinator (for applications P/13/0234/PPP and P/14/0203/FUL)
 Kevin Collins, Transport Planning Co-ordinator (for applications P/12/0196/FUL and P/13/0234/PPP)
 Ian Dryden, Development Manager
 Stuart Henderson, Environmental Health Officer (for application P/14/0203/FUL)
 Antonia Sobieraj, Committee Services Officer
 Russell Steedman, Network Co-ordinator
 Karen Quin, Solicitor

P60. APOLOGIES

No apologies were intimated.

P61. CHANGE OF USE OF LAND TO FORM EXTENSION TO EXISTING RESIDENTIAL CARAVAN PARK AND ANCILLARY ENGINEERING OPERATIONS (PART RETROSPECTIVE) AT 1-50 BEECHTREE PARK, DENNY FK6 6BU FOR BEECHTREE PARK HOMES – P/12/0196/FUL

With reference to Minute of Meeting of the Planning Committee held on 10 September 2014 (Paragraph P59 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the change of use of land previously used as a travelling persons site to form an extension to existing residential caravan park for retired and semi retired occupants and ancillary engineering operations (part retrospective) on a site to the east of Denny to the south west of the River Carron at 1-50 Beechtree Park, Denny FK6 6BU.

The Convener introduced the parties present.

The Planning Officer (K Brown) outlined the nature of the application.

Mr Pollock, the applicant's agent, was heard in relation to the application.

Ms Smith, the applicant's representative, was heard in relation to the application.

Questions were then asked by Members of the Committee.

Councillor McCabe, a local Member for the area, was heard in relation to the application.

Councillor Blackwood, a local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 29 October 2014.

P62. DEVELOPMENT OF LAND FOR RESIDENTIAL USE WITH ASSOCIATED CAR PARKING, SERVICING, LANDSCAPING AND ACCESS AT FIRS PARK, FIRS STREET, FALKIRK FK2 7AY FOR EAST STIRLINGSHIRE FC – P/13/0234/PPP

With reference to Minute of Meeting of the Planning Committee held on 10 September 2014 (Paragraph P57 refers), Committee gave further consideration to a report by the Director of Development Services on an application for planning permission in principle for the development of land for residential use with associated car parking, servicing, landscaping and access within a former site of east Stirlingshire Football Club at Firs Park, Firs Street, Falkirk.

The Convener introduced the parties present.

The Development Management Co-ordinator (D Campbell) outlined the nature of the application.

Mr Kopszywa, the applicant's representative, was heard in relation to the application.

Ms McPhail, an objector, was heard in relation to the application.

Ms Sharkey, an objector, was heard in relation to the application.

Ms Caligen, an objector, was heard in relation to the application.

Ms McKinnon, an objector, was heard in relation to the application.

The objections included the following issues:-

- The negative impact on local amenities and resources;
- The privacy and security issues;
- The loss of mature landscaping and natural habitat;
- The increase in traffic;
- The adverse impact on natural drainage;
- The construction noise nuisance; and
- The lack of information relating to building height.

Questions were then asked by Members of the Committee.

Councillor Alexander, a local Member for the area, was heard in relation to the application.

Provost Reid, a local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 29 October 2014.

P63. INSTALLATION OF A SINGLE WIND TURBINE, NEW ACCESS ROAD, HARDSTANDING, SUBSTATION BUILDING, TRANSFORMER HOUSING AND AREA FOR MICROSITING ON LAND TO THE SOUTH OF WESTERGLLEN FARM, FALKIRK FOR BESPOKE COMMUNITY DEVELOPMENT COMPANY - P/14/0203/FUL

With reference to Minutes of Meetings of the Planning Committee held on 10 September 2014 (Paragraphs P55 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the erection of a single wind turbine measuring 50 metres to hub and 79 metres to blade tip located on a site to the north of Greenrigg Farm on agricultural land accessed via an existing farm track off the B803 Falkirk to Slamannan Road and to the south of Westerglen Farm, Falkirk. The proposal also included a new access road, hardstanding, substation building, transformer housing and an area for micrositng.

The Convener introduced the parties present.

The Development Management Co-ordinator (D Campbell) outlined the nature of the application.

Mr Bennet, the applicant's representative, was heard in relation to the application.

Mrs Hall, a supporter, was heard in relation to the application.

Mr Wedderburn, a supporter, was heard in relation to the application.

Mr Reid, a supporter, was heard in relation to the application.

Mr Leitch, a supporter, was heard in relation to the application.

Mr O'Neill, a supporter, was heard in relation to the application.

The intimations of support included the following issues:-

- The financial benefits for community and its wellbeing and local projects;
- The contribution to the maintenance of local paths for visitors and local people;
- The community organisation's major contribution to local training and employment, environmental projects including the local path network; and
- The education and training of local school children in relation to outdoor activities and the local environment.

Mr Muldoon, an objector, was heard in relation to the application.

Mr Sandeman, an objector's representative, was heard in relation to the application.

Mrs Aitken, an objector, was heard in relation to the application.

Mr Cattanach, an objector, was heard in relation to the application.

The objections included the following issues:-

- The visual impact in respect of views from residential properties and on landscape character;
- The noise pollution;
- The adverse impact on wildlife;
- That generated income would not achieve anticipated environmental improvements;
- The adverse impact on the successful operation of The Three Kings in respect of open views for wedding celebrations and photographs; and
- That the marker placed by the applicant for the site visit to depict the location of the proposed turbine was inaccurate and therefore the turbine would be more visible.

Mr Muir, on behalf of Sheildhill and California Community Council, was heard in relation to the application and intimated no major opposition to the application.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by a special meeting of the Planning Committee to take place on after this site visit on 29 September 2014.

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 29 SEPTEMBER 2014 at 2.15 P.M.

COUNCILLORS:

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

OFFICERS:

Donald Campbell, Development Management
 Co-ordinator
 Ian Dryden, Development Manager
 Iain Henderson, Legal Services Manager
 Stuart Henderson, Environmental Health Officer
 Antonia Sobieraj, Committee Services Officer

P64. APOLOGIES

Apologies for absence were intimated on behalf of Councillor Cecil Meiklejohn.

P65. DECLARATIONS OF INTEREST

Baillie Paterson declared a non financial interest in item 3 (minute P66) by virtue of her partner being a member of the applicant company, in consequence of which she recused herself from consideration of the item, having regard to the objective test in the Code of Conduct.

Councillor McLuckie declared a non financial interest in item 3 (minute P66) by virtue of being a Director of the Falkirk Environment Trust which had given funding on a number of occasions to the applicant organisation, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

In accordance with their declarations of interest, Baillie Paterson and Councillor McLuckie left the meeting prior to consideration of the following item of business.

P66. INSTALLATION OF A SINGLE WIND TURBINE, NEW ACCESS ROAD, HARDSTANDING, SUBSTATION BUILDING, TRANSFORMER HOUSING AND AREA FOR MICROSITING ON LAND TO THE SOUTH OF WESTERGLLEN FARM, FALKIRK FOR BESPOKE COMMUNITY DEVELOPMENT COMPANY - P/14/0203/FUL (CONTINUATION)

With reference to Minutes of Meetings of the Planning Committee held on 10 September 2014 (Paragraphs P55 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the erection of a single wind turbine measuring 50 metres to hub and 79 metres to blade tip located on a site to the north of Greenrigg Farm on agricultural land accessed via an existing farm track off the B803 Falkirk to Slamannan Road and to the south of Westerglen Farm, Falkirk. The proposal also included a new access road, hardstanding, substation building, transformer housing and an area for micrositng.

Councillor Nicol, seconded by Councillor Carleschi, moved that Committee continue consideration of this item of business to allow a further inspection of the site by Committee to ensure that the location of the marker by the applicant for the proposed turbine was accurate in terms of positioning and height.

By way of an amendment, Councillor Chalmers, seconded by Councillor Turner, moved that the application be approved as detailed in the report.

On a division, 6 Members voted for the motion and 3 voted for the amendment.

Decision

The Committee agreed to continue consideration of this item of business to allow a further inspection of the site by Committee to ensure that the location of the marker by the applicant for the proposed turbine was accurate in terms of positioning and height.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 29 SEPTEMBER 2014 at 3.00 P.M.

COUNCILLORS:

Colin Chalmers
 Craig Martin
 John McLuckie (Convener)
 Sandy Turner

OFFICERS:

Iain Henderson, Legal Services Manager
 Antonia Sobieraj, Committee Services Officer
 Brent Vivian, Senior Planning Officer

PRC32. APOLOGIES

No apologies were intimated.

PRC33. DECLARATIONS OF INTEREST

No declarations were made.

PRC34. OPENING REMARKS

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

The Committee **AGREED** to hear the following three agenda items together as the applications had been continued from the meeting on 9 June 2014 (Paragraphs PRC15, PRC16 and PRC17 refer) and were of a similar nature and referred to immediately adjoining sites.

PRC35. PLANNING APPLICATION P/13/0513/FUL ERECTION OF DETACHED DWELLINGHOUSE AND DETACHED DOMESTIC DOUBLE GARAGE (PLOT 1) ON LAND TO THE SOUTH EAST OF BYWAYS, GLEN ROAD, TORWOOD (CONTINUATION)

PRC36. PLANNING APPLICATION P/13/0514/FUL ERECTION OF DETACHED DWELLINGHOUSE AND DETACHED DOMESTIC DOUBLE GARAGE (PLOT 2) ON LAND TO THE SOUTH EAST OF BYWAYS, GLEN ROAD, TORWOOD (CONTINUATION)

PRC37. PLANNING APPLICATION P/13/0509/FUL ERECTION OF DETACHED DWELLINGHOUSE AND DETACHED DOMESTIC DOUBLE GARAGE (PLOT 3) ON LAND TO THE SOUTH EAST OF BYWAYS, GLEN ROAD, TORWOOD (CONTINUATION)

With reference to the Minutes of Meetings of the Planning Review Committee held on 9 April (Paragraphs PRC8, PRC9 and PRC10 refer) and 9 June 2014 (Paragraphs PRC15, PRC16 and PRC17 refer), the Committee considered submitted documents (circulated) in relation to the Applications for Review for three planning applications P/13/0513/FUL, P/13/0514/FUL and P/13/0509/FUL each being for the erection of a detached dwellinghouse and a detached domestic double garage (Plots 1, 2 and 3) on land to the south east of Byways, Glen Road, Torwood.

The Committee heard a short presentation from Mr Vivian, who provided a summary of the application, the papers before the Committee referring to the Report of Handling, the reasons for the refusal of the applications now being reviewed and the further written submissions which had been requested following the meeting held on 9 June 2014.

After discussion, and having heard advice from Mr Henderson and Mr Vivian, and give consideration to the benefit of the unaccompanied site inspection following the meeting on 9 April 2014 and the material contained within the further written submissions, the Committee considered:-

- (1) the responses in the form of written submissions from Scottish Ministers, Falkirk Council's Director of Development Services and Biodiversity Officer and from the Forestry Commission; and
- (2) the response from the applicant to the written submissions.

Councillor Chalmers, seconded by Councillor Turner, moved that Committee continue consideration of this item of business to allow for the decision of the Directorate for Planning and Environmental Appeals (DPEA) on the appeal against the enforcement notice issued by the Forestry Commission in respect of tree felling on the site.

By way of an amendment, Councillor McLuckie, seconded by Councillor Martin, moved that the Committee make a determination on the application at this meeting as it had sufficient information within the papers before it to assist its decision making.

On a division, 2 Members voted for the motion and 2 voted for the amendment.

There being an equality of votes, and in terms of Standing Order 22.6, the Convener used his casting vote in favour of the amendment.

Accordingly, the Committee **AGREED** to make a determination at this meeting.

Having heard advice from Mr Henderson, detailed discussion thereafter took place on the documents contained within the agenda papers and the reasons for refusal, with particular reference made to the following policies:-

- (1) Policy Env.1 of the Falkirk Council Structure Plan;
- (2) Policies EQ19, SC03, SC08 and EQ26 of the Falkirk Council Local Plan;
- (3) Policies CG01, HSG05, CG03 and GN04 of the Falkirk Council Local Development Plan - Proposed Plan; and
- (4) Scottish Planning Policy.

Councillor Chalmers, seconded by Councillor Turner, moved that Committee refuse planning permission for the reasons detailed in the decision by the officer made under delegated authority.

By way of an amendment, Councillor McLuckie, seconded by Councillor Martin, moved (a) that the Committee be minded to grant the planning permissions subject to the completion of an appropriate legal agreement in terms satisfactory to the Director of Development Services in relation to the provision of off site mitigation measures in relation to trees and planting on the basis that the sites for the proposed developments can be considered to be an identifiable gap site between existing properties, the proposals would not constitute ribbon development being in keeping with the established settlement pattern which has developed on both sides of Glen Road and appropriate mitigation measures could be implemented in respect of trees and planting, and (b) that approval be subject to such conditions considered appropriate by the Director of Development Services.

On a division, 2 Members voted for the motion and 2 voted for the amendment.

There being an equality of votes, and in terms of Standing Order 22.6, the Convener used his casting vote in favour of the amendment.

Accordingly, the Committee **AGREED:-**

- (1) that it is **MINDED** to **GRANT** the planning permissions subject, in each case, to the satisfactory conclusion of an appropriate legal agreement in terms satisfactory to the Director of Development Services to secure the provision of off site mitigation measures in relation to trees and planting. Thereafter, on conclusion of the said legal agreement to the satisfaction of the Director of Development Services, the matter be remitted to the Director of Development Services to grant planning permission, subject to the other appropriate conditions as determined by her including a condition requiring access to the three properties being taken from one point of access and egress from Glen Road; and
- (2) to delegate to the Chief Governance Officer the preparation of the decision notice.

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 30 SEPTEMBER 2014 at 9.30 a.m.

COUNCILLORS:

Jim Blackwood
Dennis Goldie
Linda Gow
Adrian Mahoney
Craig Martin (Convener)
Dr Craig R Martin
Malcolm Nicol
Alan Nimmo

OFFICERS:

Margaret Anderson, Director of Social Work Services
Robin Baird, Waste Strategy Co-ordinator
Rhona Geisler, Director of Development Services
Rose Mary Glackin, Chief Governance Officer
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Stuart Ritchie, Director of Corporate and Neighbourhood Services
Elliot Roy, Trainee Committee Officer
Bryan Smail, Chief Finance Officer

EX57. APOLOGIES

An apology was intimated on behalf of Councillor Gerry Goldie.

EX58. DECLARATIONS OF INTEREST

No declarations were made.

EX59. MINUTE

Decision

The minute of meeting of the Executive held on 19 August 2014 was approved.

EX60. REFERRALS FROM JOINT CONSULTATIVE COMMITTEE

The Joint Consultative Committee had, on 12 August 2014 referred the following policies to the Executive for approval:-

- Severance Policy
- Acting Up and Secondments Policy
- Recruitment and Selection Policy

- Short-term Supply/Fixed Term Employment Policy for Teachers
- Smoking Policy

Decision

The Executive approved implementation of the following policies with immediate effect – Severance Policy; Acting Up and Secondments Policy; Recruitment and Selection Policy; Short term Supply/Fixed Term Employment Policy for Teachers; and Smoking Policy. With regard to the last of those policies, the Executive also asked for a report to be submitted to a future meeting on the health impact of smoking at work.

EX61. REVIEW OF CIVIC LICENSING POLICIES

The Executive considered a report by the Chief Governance Officer proposing that a policy development panel be established to review certain aspects of civic licensing policy.

The Civic Licensing Committee had, on the 3 September (ref CL69), agreed to recommend the establishment of a policy development panel to consider two particular aspects, namely:-

- the duration of taxi and private hire car licenses; and
- the terminal hour for late hours catering establishments

A further two areas of licensing work were also suggested for consideration as part of the review. These were:-

- development of a policy covering parades and processions; and
- looking again at the Resolution identifying the areas of activity Council has determined should be subject to the civic licensing regime.

The report provided background to each of the areas the panel may wish to review together with a suggested order of review.

Decision

The Executive agreed:-

- (1) to establish a policy development panel of up to 5 members, chaired by Councillor Blackwood, with a remit to review the 4 areas of licensing activity set out in paragraph 2 of the report; and**
- (2) that nominations for the remaining places on the panel (2 members from the Administration and 2 members from the Opposition) should be submitted to the Chief Governance Officer.**

Councillor Gow joined the meeting during the previous item.

EX62. FINANCIAL POSITION – SOCIAL WORK SERVICES

The Executive considered a report by the Director of Social Work Services advising of the projected impact of budget pressures on the Social Work Services revenue budget and the steps being taken to monitor and manage expenditure.

In 2013/14 the Social Work Services budget had been overspent by £0.60m, however an overspend of £2.4m was projected for 2014/15 due, in the main, to increased demand for community care services and children and families' services. The report set out the main factors contributing to the projected overspend in each service area together with the actions being taken to manage the issue.

Decision

The Executive noted the current financial position, the pressures contributing to it and the actions being taken to address these pressures.

EX63. CAPITAL PROGRAMMES UPDATE REPORT

The Executive considered a report by the Chief Finance Officer presenting the 2013/14 outturn position of the general services and housing capital programmes together with the projected 2014/15 outturn for both programmes.

The outturn position, subject to audit, of the general services capital programme was £33.59m against a budget of £48.38m. The report detailed the areas of slippage within the programme.

The outturn position of the housing capital investment programme for 2013/14 was, subject to audit, £48.73m against a budget of £47.42m. The additional spend had been funded from higher Council house sales and grant income.

The revised general services capital programme for 2014/15, including carried forward slippage from 2013/14, is £34.185m. The projected outturn is £29.492m. The report identified projected areas of slippage and reasons for it. A number of projects were identified which could augment the 2014/15 plan. Details of the proposed projects were summarised for consideration.

The current forecast for the housing capital investment programme for 2014/15 is £36.50m against a budget of £36.53m.

An additional capital grant settlement of £2.147m for 2015/16 has been confirmed by the Scottish Government together with a further award £0.901m for children and young people. The additional funding will be considered as part of the 2015/18 capital budget setting exercise.

Decision

The Executive agreed to:-

- (1) note the outturn position for 2013/14;**
- (2) note the explanation for slippage for the 2013/14 General Capital Programme;**
- (3) note the forecast position for 2014/15;**
- (4) note the Prudential Indicators per Appendix 1 to the report;**
- (5) note the additional capital grant settlement for 2015/16; and**
- (6) approve the acceleration of projects as identified at section 7 of the report.**

EX64. CCTV PROVISION IN THE FALKIRK COUNCIL AREA

The Executive considered a report by the Director of Corporate and Neighbourhood Services advising that both Stirling and Clackmannanshire Councils have given notice to quit the Forth Valley CCTV partnership and setting out options for future CCTV provision in the Falkirk Council area.

The Council is, together with Clackmannanshire Council, Stirling Council and Police Scotland, a member of the Forth Valley CCTV partnership. Both Clackmannanshire and Stirling Councils have given notice to quit the partnership on 1 April 2015.

Additionally, Stirling Council has reduced its funding for the current year by 50%.

The report set out the implications of these decisions on the partnership and, in particular, on CCTV provision in Falkirk and provided four options for consideration. These were:-

- full in-house provision;
- managed monitoring service by Enigma CCTV Ltd;
- managed monitoring service by TCA Ltd; and
- recorded only service.

An appraisal of each option together with estimated costs was provided.

Decision

The Executive:-

- (1) noted that Clackmannanshire and Stirling Council have given notice to quit the Forth Valley CCTV partnership with effect from 1 April 2015 and the implications for Falkirk Council as a result; and**

- (2) agreed that option 2 set out in the report (a managed monitoring service) was the preferred option at this stage subject to a more detailed report on that option being submitted to the next meeting of the Executive including an overview of the justification for, and viability of, CCTV provision in the Falkirk Council area.

EX65. DENNY TOWN CENTRE REGENERATION – UPDATE REPORT

The Executive considered a report by the Director of Development Services providing an update in regard to the regeneration of Denny town centre.

The next stage of the regeneration project was due to commence in November 2014 with a site start if late 2104 and a project completion date in June 2017.

The report set out two matters that may impact slightly on that timetable: progress with the demolition contract and the potential to harness £1.4m for the project by way of a bid to the Regeneration Capital Grant Fund (RCGF). With regard to the latter, the stage 1 bid had been successful a stage 2 bid had been submitted. The outcome of the bid would be known in November 2014. If successful, the funding would be available in 2015/16 but would be conditional on no work starting on site before 1 April 2014. While this would postpone the site start date for two months, completion of the project by June 2017 was not anticipated to be affected.

The Executive was invited to consider the options for delivery of phase 1 of the project as set out in the report.

An update was also provided on the re-siting of the war memorial and on the work to date of the lead artist on the regeneration project, Icecream Architecture.

Decision

- (1) The Executive agreed to await the outcome of the RCGF bid and to amend the timetable accordingly as set out in part 4 of the report.

EX66. NATIONAL CONTRACT FOR THE SUPPLY OF WATER AND WASTE WATER SERVICES

The Executive considered a report by the Director of Development Services seeking approval to continue the Council's involvement in the Scottish Procurement Directorate's national contract for the supply of water and waste water services from 31 March 2015 onwards.

The current national contract which provides for all of the Council's water and waste water services, including additional benefits such as water efficiency measures and leak detection, commenced in April 2011 and will end on 31 March 2015. The Council's estimated savings, to date, from the contract are £198,485 (in 2013/14 the waste and water services budget was £825,000). The Council is required to determine if it wishes to enter into a new agreement for 2015/18 by 15 October 2014.

The report summarised the benefits of extending the Council's participation in the contract beyond 2015.

Decision

The Executive agreed:-

- (1) to sign an agency agreement allowing continued participation in the national contract for the supply of water and waste water services from 31 March 2015 onwards, before the deadline of 15 October 2014; and**
- (2) continued participation in the national contract for the supply of water and waste services from 31 March 2015 onwards.**

EX67. DECISIONS TAKEN UNDER DELEGATED POWERS: ACCEPTANCE OF TENDER FOR LONG TERM COMMISSION OF FLOODING AND DRAINAGE RELATED PROFESSIONAL SERVICES

The Executive considered a report by the Director of Development Services advising of a decision taken, following appropriate consultation, under delegated powers; namely the award of a tender to procure expert specialist services in flooding and drainage to augment the existing staff within Development Services.

Decision

The Executive noted the report.

EX68. BONNYBRIDGE SOCIAL CLUB – UPDATE

The Executive considered a report by the Director of Development Services on a proposal by Bonnybridge Social Club that the Council sells the Club's ground lease to it to allow it to consolidate its debts by using the premises as security for a loan.

The Executive had, on 18 March 2014 (ref Ex31), considered a motion by Baillie Buchanan and a report by the Director of Development Services on the proposal by the social club and agreed to seek further information from the club in regard to its business plan and to the loan.

A meeting of club representatives, the Council for Voluntary Service and Council officers had recently taken place at which it was agreed to examine the option for funding in more depth and to use this to help finalise a business plan.

Decision

The Executive noted the progress made and that a further report would be submitted in due course.

EX69. NEW CARRIDEN CEMETERY, BO'NESS

The Executive considered a report by the Director of Corporate and Neighbourhood Services in response to issues raised in regard to New Carriden Cemetery, Bo'ness.

The report outlined the condition of the cemetery and action being taken to address certain issues that had been raised in regard to:-

- boundary treatment
- road kerbs
- welfare/storage facilities
- grass cutting operations
- water tap
- soil deposits

Decision

The Executive noted the action and work undertaken to date in New Carriden Cemetery, Bo'ness.

EX70. EXCLUSION OF PUBLIC

The Executive agreed 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 ground that it would involve the likely disclosure of exempt information as defined in Paragraph 8 of Part 1 of Schedule 7A to the said Act.

EX71. OPTIONS FOR PROCESSING CO-MINGLED DRY RECYCLATE

The Executive had, on 19 August 2014 (ref Ex40) continued consideration of a report by the Director of Development Services on the non-availability of waste management facilities.

An update report, by the Director of Development Services, which included the earlier report as an appendix, was provided.

The current contract for the processing of co-mingled dry recyclate, with Oran Environmental Solutions Ltd. (OES) will end on 9 February 2015. OES have requested that the Council novate this contract to a new company, Green Circle Recycling (GCR).

The report set out 4 options for the Council in regard to the processing of Co-Mingled Dry Recyclate.

Decision

The Executive:-

- (1) noted the request by Oran Environmental Solutions Limited (OES) to novate the existing contract, for the processing of Co-mingled Dry Recyclate, to Green Circle Recycling Limited (GCR);
- (2) agreed not to novate the contract to GCR and to utilise the West Lothian Council Contract with SITA UK Limited; and
- (3) expressed their view that only vehicle journeys which currently utilise Camelon and Bonnybridge as through routes to the Roughmute Transfer Station should continue to do so, with other vehicle journeys to Roughmute being routed away from town centre routes wherever possible.

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 1 OCTOBER 2014 at 9.30 A.M.

COUNCILLORS:

Jim Blackwood
Baillie Buchanan
Gordon Hughes
John McNally
Baillie Paterson
Depute Provost Patrick
Provost Pat Reid (Convener)
Sandy Turner

OFFICERS:

Alison Barr, Consumer Protection Manager
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Isabel Renton, Licensing Assistant
Brian Samson, Licensing Enforcement Officer (for agenda item 5 (minute CL64))

CL72. APOLOGY

An apology was intimated on behalf of Councillor Ann Ritchie.

CL73. DECLARATIONS OF INTEREST

No declarations were made.

CL74. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee on 3 September 2014 was approved.

CL75. ORDER OF BUSINESS

In terms of Standing Order 14.2(i), Provost Reid advised of a variation to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

CL76. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS AND NOTIFICATIONS OF PUBLIC PROCESSIONS RECEIVED IN AUGUST 2014

The Committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 and 31 August 2014 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002, and (b) notifications of public processions received during the same period.

Decision

The Committee noted the Report.

Depute Provost Patrick joined the meeting during consideration of the foregoing item of business.

CL77. CIVIC LICENSING ENFORCEMENT – AUGUST 2014

The Committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during August 2014.

Decision

The Committee noted the Report.

CL78. 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 ground that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

CL79. APPLICATION FOR THE VARIATION OF A SECOND HAND DEALER LICENCE CONDITIONS

The applicants, Mr M and Mr G, on behalf of the applicant company, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the variation of the conditions attached to a second hand dealer licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and the responses received.

Mr M spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to grant the variation of the second hand dealer licence.

CL80. APPLICATION FOR THE RENEWAL OF LATE HOURS CATERING LICENCE NO.48

The applicant, Mr D, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the renewal of a late hours catering licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) attaching as appendices 1 to 3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed that there remained justification to depart from Council policy with regard to these premises and to renew late hours catering licence No.48 for a period of three years.

CL81. APPLICATION FOR THE RENEWAL OF LATE HOURS CATERING LICENCE NO.45

The applicant, Mr D, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the renewal of a late hours catering licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) attaching as appendices 1 to 3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed that there remained justification to depart from Council policy with regard to these premises and to renew late hours catering licence No.45 for a period of three years.

CL82. APPLICATION FOR THE RENEWAL OF A WINDOW CLEANER LICENCE

The applicant, Mr C, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the renewal of a window cleaner licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr C spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to renew the window cleaner licence for a period of three years subject to the standard conditions.

CL83. APPLICATION FOR THE GRANT OF A NEW WINDOW CLEANER LICENCE

The applicant, Mr S, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new window cleaner licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr S spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to grant the window cleaner licence with a warning letter, for a period of three years subject to the standard conditions.

CL84. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr B, together with his employer, Mr B, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr B spoke in support of the application.

Decision

The Committee agreed to instruct officers to arrange for the applicant to undertake a medical and should the applicant pass the medical to grant the private hire car driver licence with a warning letter, subject to the standard conditions.

CL85. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr McC, Inspector D Gibson and PC A Kane, Police Scotland, all entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) detailing the applicant's record.

There being no preliminary matters raised, the letter of objection from Police Scotland was circulated.

Inspector Gibson then spoke in amplification of the letter of objection.

Mr McC advised that, at this point he had no questions for Police Scotland but, due to a forthcoming Court appearance, sought a continuation of the matter.

Decision

The Committee agreed to continue consideration of the application to a future meeting pending the outcome of the court proceedings.

CL86. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr M, Inspector D Gibson and PC A Kane, Police Scotland, all entered the meeting.

With reference to Minute of Meeting of the Civic Licensing Committee held on 19 March 2014 (Paragraph CL.132 refers), the Committee considered a report by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, which included an objection submitted by Police Scotland, and (c) detailing the applicant's record.

Mr M advised that he had no preliminary points to make on the competency of the objection following which it was circulated.

Inspector Gibson then spoke in amplification of the objection.

Members of the Committee asked questions of Inspector Gibson.

Mr M was then heard in relation to the objection and his application.

Questions were then asked by Members of the Committee.

AGREED that a short adjournment take place to enable the Committee to consider the submissions.

The applicant, Mr M, Inspector Gibson and PC Kane left and were then recalled to the meeting.

Decision

The Committee agreed to renew the taxi driver licence with a warning letter, subject to the standard conditions. However, the Committee expressed concern about the applicant's actions and, in light of these concerns, determined that the licence should be granted for only six months. Should the applicant apply to renew the licence thereafter, then the application will be remitted back to the Committee for consideration.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 3 OCTOBER 2014 at 9.30 A.M.

COUNCILLORS:

Baillie William Buchanan (Convener)
Steven Carleschi
John McLuckie

OFFICERS:

Iain Henderson, Legal Services Manager
Alastair Shaw, Development Plan Co-ordinator
(for agenda item 5, minute PRC42 and PRC44)
Antonia Sobieraj, Committee Services Officer
Bernard Whittle, Development Management Co-ordinator
(for agenda item 4, minute PRC41 and PRC43)

PRC38. APOLOGIES

No apologies were intimated.

PRC39. DECLARATIONS OF INTEREST

No declarations were made.

PRC40. OPENING REMARKS

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

PRC41. PLANNING APPLICATION - P/14/0315/FUL - EXTENSION TO DWELLINGHOUSE, 36 CAMBUS AVENUE, LARBERT

The Committee considered documents which related to the Application for Review for planning application P/14/0315/FUL for a two storey extension to the rear and side of a detached dwellinghouse at 36 Cambus Avenue, Larbert.

The Committee heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, referring to the Report of Handling, the reasons for refusal of the application now being reviewed and the applicant's supporting statement.

After discussion, and having heard advice from Mr Henderson, the Committee **AGREED** that they did not have sufficient information to allow them to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

PRC42. PLANNING APPLICATION - P/13/0147/PPP - DEVELOPMENT OF LAND FOR HOUSING PURPOSES (RENEWAL OF PLANNING PERMISSION P/09/0789/PPP) 31-33 LINKS ROAD, BO'NESS

The Committee considered documents which related to the Application for Review for planning application P/13/0147/PPP for the development of land for housing purposes (renewal of planning permission P/09/0789/PPP) at 31-33 Links Road, Bo'ness.

The Committee heard a short presentation from Mr Shaw, who provided a summary of the application and the papers before the Committee, referring to the Report of Handling and the reasons for refusal of the application now being reviewed.

After discussion, and having heard advice from Mr Henderson, the Committee **AGREED** that they did not have sufficient information to allow them to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 10.10 a.m. for the purpose of conducting the site inspections and reconvened at 12.05 p.m. with all those present as per the sederunt.

PRC43. PLANNING APPLICATION - P/14/0315/FUL - EXTENSION TO DWELLINGHOUSE, 36 CAMBUS AVENUE, LARBERT

The Committee reconvened to give further consideration to the Application for Review for planning application P/14/0315/FUL for a two storey extension to the rear and side of a detached dwellinghouse at 36 Cambus Avenue, Larbert.

After discussion, and having heard advice from Mr Henderson and Mr Whittle, the Committee **AGREED** that they had sufficient information (a) within the papers provided in relation to the application for Review, and (b) from the unaccompanied inspection of the site, and considered:-

- (1) Policies SC09 of the Falkirk Council Local Plan;
- (2) Policies HSGO7 of the Falkirk Local Development Plan – Proposed Plan;
- (3) Supplementary Planning Guidance Note - House Extensions and Alterations;
- (4) The benefit of the site inspection; and

- (5) The design of the extension in relation to the existing dwellinghouse and the overlooking of rear gardens of the neighbouring dwellinghouses to the west.

After discussion the Committee **AGREED**:-

- (1) That the decision of the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** for the reasons set out in the original notice of decision, being:-
 - The proposed development does not accord with the terms of Policy SC9 of the Falkirk Council Local Plan, Policy HSG07 of the Falkirk Local Development Plan (Proposed Plan April 2013) or with the Falkirk Council House Extensions and Alterations Supplementary Planning Guidance Note. The proposed extension would not respect the original dwelling or established residential character of the surrounding area, in terms of scale and design. In addition, the proposed extension would significantly affect the amenity and privacy of the neighbouring dwellings rear garden ground.
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

PRC44. PLANNING APPLICATION - P/13/0147/PPP - DEVELOPMENT OF LAND FOR HOUSING PURPOSES (RENEWAL OF PLANNING PERMISSION P/09/0789/PPP) 31-33 LINKS ROAD, BO'NESS

The Committee reconvened to give further consideration to the Application for Review for planning application P/13/0147/PPP for the development of land for housing purposes (renewal of planning permission P/09/0789/PPP) at 31-33 Links Road, Bo'ness.

After discussion, and having heard advice from Mr Henderson and Mr Shaw, the Committee **AGREED** that they had sufficient information (a) within the papers provided in relation to the application for Review, and (b) from the unaccompanied inspection of the site, and considered:-

- (1) Policies EQ03, SC02, SC08, SC11 and SC13 of the Falkirk Council Local Development Plan;
- (2) Scottish Planning Policy;
- (3) Public Open Space, Falkirk Greenspace and New Development SPG;
- (4) Extract from Falkirk Open Space Strategy;
- (5) Planning Obligation and Good Neighbour Agreements Circular 3/2012;
- (6) Policies HSG03, HSG05, INF02 and INF04 of the Falkirk Council Local Development Plan - Emerging Plan;

- (7) Policy COM.5 of the Falkirk Council Structure Plan;
- (8) Falkirk Council Supplementary Guidance SG13;
- (9) The benefit of the site inspection; and
- (10) The degree of open space in the vicinity of the proposed development

The Committee **AGREED**, Councillor Carleschi dissenting:-

- (1) To **GRANT** planning permission in principle subject to such conditions as the Director of Development Services shall deem appropriate; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

DRAFT**FALKIRK COUNCIL****MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 8 OCTOBER 2014 at 9.30 A.M.**

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

<u>OFFICERS:</u>	Margaret Anderson, Director of Social Work Services
	Karen Algie, Head of Human Resources and Customer First
	John Angell, Head of Planning and Transportation
	Fiona Campbell, Head of Policy, Technology and Improvement
	Nigel Fletcher, Joint Acting Director of Education Services
	Rhona Geisler, Director of Development Services
	Rose Mary Glackin, Chief Governance Officer
	Gary Greenhorn, Joint Acting Director of Education Services
	Robert McMaster, Head of Roads and Design
	Colin Moodie, Depute Chief Governance Officer
	Brian Pirie, Democratic Services Manager
	Mary Pitcaithly, Chief Executive
	Stuart Ritchie, Director of Corporate and Neighbourhood Services
	Bryan Smail, Chief Finance Officer
	Alan Urquhart, Manager (Asset Management)

FC28. SEDERUNT

The sederunt was taken by way of a roll call. An apology was received on behalf of Baillie Buchanan.

FC29. DECLARATIONS OF INTEREST

No declarations were made.

FC30. MINUTES AND INFORMATION BULLETIN

(a) Meeting of Falkirk Council held on 25 June 2014.

Decision

The minute of the meeting held on 25 June 2014 was agreed as a correct record.

(b) Volume of Minutes – Volume 2 2014/2015.

Decision

The Volume of Minutes – Volume 2 2014/15 was noted.

(c) Information Bulletin – Volume 2 2014/2015.

Decision

The Information Bulletin – Volume 2 2014/2015 was noted.

Councillor Spears joined the meeting during the previous item.

FC31. QUESTIONS

In terms of Standing Order 32.1, written questions may be submitted to the Leader of the Council and/or the portfolio holders on any matters relating to business transacted at any meeting of the Executive or Education Executive since the last volume of minutes was published.

No questions had been submitted.

FC32. REFERRAL FROM JOINT CONSULTATIVE COMMITTEE – DIGNITY AT WORK POLICY

Council considered a report by the Director of Corporate and Neighbourhood Services presenting a revised Dignity at Work policy for approval in implement of a decision of Council taken on 12 March 2014 (ref FC94).

The Joint Consultative Committee considered a revised policy on 12 August 2014 (ref JCC18) incorporating the changes requested by Council, which referred to complaints against members, together with other minor amendments. The JCC agreed to refer the policy to Council for approval.

Decision

Council approved, for immediate implementation, the revised Dignity at Work policy as appended to the report.

FC33. REFERRAL FROM AUDIT COMMITTEE - ANNUAL ACCOUNTS 2013/14

Council considered a report by the Chief Finance Officer, presenting the audited Annual Accounts for 2013/14 for approval.

The audited Annual Accounts for 2013/14, which were unqualified, had been reviewed by the Audit Committee on 22 September 2014 (ref AC20) before being referred to Council.

Decision

Council approved the audited Annual Accounts for 2013/14.

FC34. THE AUDIT OF THE FALKIRK COMMUNITY PLANNING PARTNERSHIP

Council considered a report by the Chief Executive on the audit of the Falkirk Community Planning Partnership (CPP).

Audit Scotland had undertaken, on behalf the Accounts Commission, a review of the CPP in early 2014 and reported its findings in May 2014. The review report was provided as an appendix to the report.

The report by the Chief Executive summarised the key findings arising from the audit together with the key improvement and development priorities identified by the CPP. These will be overseen by an Improvement Group focusing around 4 workstreams:- governance, participation, review and performance/risk management.

Councillor C Martin, seconded by Baillie Paterson, moved the recommendations as set out in the report.

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved the following in substitution for the motion:-

- (1) Council notes the report on the Audit of the Falkirk Community Planning Partnership, published by the Accounts Commission for Scotland and the Auditor General;
- (2) Council notes the key issues and recommendations arising from the report which has clearly indicated that the current approach requires to be radically reviewed. It is therefore agreed a full review of the Community Planning Partnership structures and objectives be undertaken and reported back to Council; and
- (3) as the Community Planning Partnership is the main vehicle for the future strategic planning of services it will form a standing item on every other full Council agenda.

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 31 members present with voting as undernoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

For the amendment (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council noted:-

- (1) the report on the audit of Falkirk Community Planning Partnership published by the Accounts Commission for Scotland and the Auditor General; and**
- (2) the key issues and recommendations arising from the report and the work being done to address these.**

Councillor D Goldie joined the meeting during consideration of the previous item.

FC35. COUNCIL HEADQUARTERS ACCOMMODATION

Council considered a report by the Director of Development Services presenting the key findings of a business case for the provision of a replacement Council headquarters.

The Executive had considered, on 25 February 2014 (ref EX29), options for the provision of Council headquarters accommodation and had established a member/office working group (including the Leader, Leader of the Opposition, Provost and portfolio holder) to develop the project. The existing Municipal Buildings site was identified as the preferred site by the Executive on 17 June 2014 (ref EX29) and a business case was then developed.

The report summarised the project rationale, the key findings of the business case and options should Council not progress the business case further.

Councillor C Martin, seconded by Councillor Nicol, moved that Council agrees to-

- (1) note the content of the report and its summary of the business case for the replacement Council office headquarters; and**
- (2) progress the project on the basis of the report and accompanying business case and instructs officers to:-**
 - (i) initiate the next stage of design for the Council HQ project, commissioning HubCo to prepare the stage 1 design and project documentation;**

- (ii) prepare a delivery plan for the project detailing the works and procurement method necessary to the provision of a new office headquarters building and the ancillary measures required for its successful delivery;
- (iii) progress detailed consideration of options for maintaining an appropriate One-Stop-Shop presence in Falkirk Town Centre;
- (iv) continue with a detailed options appraisal analysis of potential sites and funding sources, and development of a business case for a replacement Town Hall in conjunction with Falkirk Community Trust;
- (v) cancel the proposed security alarm installation to the existing Municipal Buildings and continue with current security arrangements; and
- (vi) report back to Council prior to any final decision being made.

As an amendment, Councillor Meiklejohn, moved the following in substitution for the motion:-

Council:

- (1) notes the content of the report and its summary of the business case for the replacement of Council headquarters; and
- (2) believes there has been insufficient consultation with staff and stakeholders and opportunities for scrutiny of the proposals and therefore agrees to :-
 - (i) initiate the next stage of the design for the Council HQ project in conjunction with Hubco and establishing a stakeholders working group, (similar to that used in the development of the NPDO Schools project) which should include staff, trade unions, appropriate Community Planning partners, Town Centre Management and in house IT staff;
 - (ii) carry out a public consultation including statutory consultees and the citizens panel on the development of the project and bring a report back to Council; and
 - (iii) cancel the proposed security alarm installation to the existing Municipal Buildings and continue the current security arrangements.

Council then adjourned, at 11.55a.m., to allow members of the Administration to consider the terms of the amendment and reconvened at 12.55p.m. with all members present as per the sederunt.

Councillor Jackson seconded the amendment by Councillor Meiklejohn.

After discussion, Councillor Nicol gave notice of a further amendment.

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 31 members present with voting as undernoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

For the amendment (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

The motion was agreed.

As a further amendment, Councillor Nicol, seconded by Councillor D Goldie, moved, in supplement to the motion, that:-

“Council is fully committed to public consultation when there is a firm proposal to put to the public including a full cost benefit analysis.”

In accordance with Standing Order 20.8, Councillor C Martin, with the consent of the Provost and Councillor Nicol, as the seconder, adjusted the terms of the motion to include the terms of the proposed further amendment.

Councillor D Goldie then gave notice of, and subsequently withdrew, a further amendment.

Council then adjourned, at 1.40p.m. for lunch and reconvened at 2.30p.m. with all members present as per the sederunt.

With no general agreement on the terms of the adjusted motion, it was put to the vote in accordance with Standing Order 20.11.

In terms of Standing Order 22.4(i), the vote was taken by roll call, there being 31 members present with voting as undernoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

Against the motion - (0)

Abstain (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed:-

- (1) to note the content of the report and its summary of the business case for the replacement Council office headquarters; and**
- (2) to progress the project on the basis of the report and accompanying business case and instructs officers to:-**

- (i) initiate the next stage of design for the Council HQ project, commissioning HubCo to prepare the stage 1 design and project documentation;
 - (ii) prepare a delivery plan for the project detailing the works and procurement method necessary to the provision of a new office headquarters building and the ancillary measures required for its successful delivery;
 - (iii) progress detailed consideration of options for maintaining an appropriate One-Stop-Shop presence in Falkirk Town Centre;
 - (iv) continue with a detailed options appraisal analysis of potential sites and funding sources, and development of a business case for a replacement Town Hall in conjunction with Falkirk Community Trust;
 - (v) cancel the proposed security alarm installation to the existing Municipal Buildings and continue with current security arrangements; and
 - (vi) report back to Council prior to any final decision being taken.
- (3) to a public consultation when there is a firm proposal to put before the public including a full cost benefit analysis.

FC36. ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER

Council considered a report by the Director of Social Work Services presenting the annual report of the Chief Social Work Officer (CSWO).

Council is required, in terms of the Social Work (Scotland) Act 1968, to appoint a Chief Social Work Officer. The CSWO is required to prepare an annual report on the statutory, governance and leadership functions of the role. The report for 2013/14 presented as an appendix to the report, provided an overview of how the CSWO's statutory responsibilities had been fulfilled during that period. It also referred to key challenges for the year ahead including the integration of adult health and social care services.

Councillor Gow, seconded by Councillor Murray, moved the recommendations as set out in the report.

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved, in substitution for the motion, that Council:-

- (1) notes the content of the report;

- (2) acknowledges that despite the commitment, skills and experience of staff in continuing to deliver social work services to vulnerable citizens of Falkirk there has been a lack of improvement in particular areas such as adult social care. A review of the improvement plan should be carried out and presented to the next scheduled Council; and
- (3) agrees that the policy on the role of the Chief Social Work Officers is revised to reflect the changes which will come into effect as a consequence of the integration of Adult Health & Social Care and is presented to a future meeting of Council.

In terms of Standing Order 22.4(i), a vote was taking by roll call, there being 31 members present with voting as undernoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

For the amendment (15) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed:-

- (1) to note the contents of the Annual report 2013/14 by the Chief Social Work Officer;
- (2) to acknowledge the commitment, skills and experience of staff in continuing to deliver high quality Social Work Services for the benefit of Falkirk citizens; and
- (3) that the policy on the role of the Chief Social Work Officer is revised to reflect the changes which will come into effect as a consequence of the integration of Adult Health & Social Care and is presented to a future meeting of the Executive.

FC37. SCHEME OF DELEGATION

Council considered a report by the Chief Governance Officer presenting a proposed revision to the Scheme of Delegation.

Council had, on 25 June 2014 (ref FC26(a)), considered a motion on members' travel abroad on behalf of, or as part of, a delegation and agreed that Standing Orders be amended to replicate the requirements in place for members' attendance at conferences for trips abroad.

Councillor C Martin, seconded by Baillie Paterson, moved the proposed revision to the Scheme of Delegation set out in the report.

Councillor McCabe proposed an amendment which was subsequently withdrawn following advice from the Provost.

Decision

Council agreed to amend the scheme of delegation by adding an additional paragraph at section 60.14A, in the following terms:–

“Where any member of Council is invited to form or be part of a delegation to an event or place which involves overseas travel, the decision on whether to approve that travel will rest with the Chief Governance Officer where the cost does not exceed £200. In all other cases, decision making will rest with the Executive. This provision does not extend to travel by or on behalf of the Provost to any events of a civic nature, decision making on which will remain with the Chief Governance Officer in consultation with the Provost.”

FC38. PROGRAMME OF MEETINGS 2015

Council considered a report by the Chief Governance Officer requesting that Council agrees a programme of meetings for 2015.

The report set out two options for members’ consideration. The first followed the cycle agreed in 2013 as part of the review of decision making structures incorporating a 4 weekly cycle of meetings of the scrutiny committee.

An alternative programme was presented following a recommendation from the scrutiny committee at its meeting on 25 September 2014 (ref SCS29) that a 6 weekly cycle would better accommodate the work of any scrutiny panels and the performance panel.

Councillor C Martin, seconded by Baillie Paterson, moved that Council agrees the programme set out at appendix 2 of the report (6 weekly cycle of scrutiny committee meetings).

As an amendment, Councillor Meiklejohn, seconded by Councillor Jackson, moved that no changes be made to the current cycle of meetings pending changes to the decision making structures being approved and consequently that the programme set out at appendix 1 of the report (4 weekly cycle) be agreed.

On a division, 13 members voted for the amendment and 16 voted for the motion, with 2 abstentions.

Decision

Council (1) agreed the programme of meetings for 2015 incorporating a 6 weekly cycle for meetings of the scrutiny committee as set out in appendix 2 to the report, and (2) noted that special meetings of the Council or its committees may be called as necessary.

FC39. EXECUTION OF DEEDS

Council considered a report by the Chief Governance Officer detailing those deeds that had been signed by her since the last meeting.

Decision

Council noted the report.

FC40. EXCLUSION OF PUBLIC

Councillor C Martin, seconded by Baillie Paterson, moved that Council agrees, in terms of section 50A(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 involves the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

With no general agreement the motion was put to the vote, in accordance with Standing Order 20.11, with 16 members voting for the motion and 15 against.

Decision

Council agreed, in terms of section 50A(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 Paragraph 6 of Part 1 of Schedule 7A to the said Act.

FC41. thinkWhere – PROPOSAL FOR INVESTMENT

Council considered a report by the Chief Executive and the Chief Finance Officer setting out a proposal to invest in the company thinkWhere.

thinkWhere, formerly Forth Valley GIS, was founded in 2007 to provide a geographical information service to Clackmannanshire, Stirling and Falkirk Councils, other public bodies and the private sector. The company has 3 shareholders, namely Clackmannanshire, Stirling and Falkirk Councils.

In light of potential changes to the shareholding the report set out options for Falkirk Council including a proposal to invest further in the company.

Decision

Council agreed to continue consideration of the report to allow further information to be provided.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on THURSDAY 9 OCTOBER 2014 commencing at 2.00 p.m.

COUNCILLORS:

Baillie William Buchanan (Convener)
Adrian Mahoney
Sandy Turner

OFFICERS:

Ian Dryden, Development Manager
Allan Finlayson, Senior Planning Officer
Stuart Henderson, Environmental Health Officer
Antonia Sobieraj, Committee Services Officer
Karen Quin, Solicitor

APOLOGIES:

Baillie Paterson and Councillors Chalmers, Meiklejohn and McNally.

P67. INSTALLATION OF A SINGLE WIND TURBINE, NEW ACCESS ROAD, HARDSTANDING, SUBSTATION BUILDING, TRANSFORMER HOUSING AND AREA FOR MICROSITING ON LAND TO THE SOUTH OF WESTERGLEN FARM, FALKIRK FOR BESPOKE COMMUNITY DEVELOPMENT COMPANY - P/14/0203/FUL

P68. QUORUM

The Convener stated that quorum for the meeting was 4 members. In accordance with Standing Order 13, should a quorum not be reached 15 minutes after the time appointed for the meeting, the meeting will stand adjourned. At 2.15 p.m. a quorum was not present. The Convener, with the agreement of those members present allowed a further 15 minutes for the quorum to be reached. At 2.30 p.m. a quorum was still not present and accordingly the meeting stood adjourned.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 17 OCTOBER 2014 at 4.00 P.M.

COUNCILLORS:

Baillie William Buchanan (Convener)
 Craig Martin
 John McLuckie

OFFICERS:

Douglas Blyth, Team Leader, Legal Services
 Ged Hailey, Ryden, External Planning Adviser to the Committee
 Antonia Sobieraj, Committee Services Officer

ATTENDING:

Monica Forde, Ryden, External Planning Adviser to the Committee

PRC45. APOLOGIES

No apologies were intimated.

PRC46. DECLARATIONS OF INTEREST

No declarations were made.

PRC47. MINUTE

The minute of the meeting of the Planning Review Committee held on 22 September 2014 was approved.

PRC48. OPENING REMARKS

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Blyth, Team Leader, Legal Services, to provide a summary of the procedure to be followed at the Hearing.

PRC49. PLANNING APPLICATION P/14/0274/FUL - ERECTION OF 43 DWELLINGHOUSES, FORMATION OF ACCESS AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE, RODEL DRIVE, POLMONT

Mr Blyth provided a brief summary of the background to the application, referring to the meeting held on 22 September 2014 (minute PRC31) and the decision taken by members to hold a hearing - and prior to that hearing having an unaccompanied site inspection - to discuss the specified matters, namely:-

- (a) the impact of the proposed development on the existing surrounding area;
- (b) the ecological value of the development site and the impact of the development on that;
- (c) the roads, access and parking issues relative to the proposed development;
- (d) the visual impact of the proposed development including issues of height, skyline and landscape sensitivity;
- (e) the scale of the proposed development;
- (f) any impact on privacy of the proposed development;
- (g) impact of the proposed development on open space and any requirement for an open space condition or financial contribution (including the amount concerned); and
- (h) any requirement for an education financial contribution including the amount concerned.

The Committee noted that representatives of the applicant were in attendance, namely Neil Parry and David Jinks. Officers of the Council were also in attendance, namely, Kevin Collins, Transport Planning Co-ordinator; Donald Campbell, Development Management Co-ordinator; Russell Steedman, Roads Network Co-ordinator and Kevin Brown, Planning Officer, all attending as representatives of the Director of Development Services and Kenny McNeill, Acting Head of Service (Support, Resources and Infrastructure), representing the Joint Acting Directors of Education. Mr Trevor Colebrook, an objector to the application was also in attendance.

The Committee then discussed the procedure to be followed at the hearing and agreed in terms of the Regulations that they would allow the applicant's representatives, officers of the Council and the objector to present their statements in terms of the specified matters. Thereafter, the Committee would allow the applicant's representatives an opportunity to respond, followed by the Committee then leading discussion and questions before moving on to deliberation of the application.

The Committee heard a short presentation from Mr Hainey, who provided a summary of the application, the papers before the Committee including the previously requested written submissions, referring to the Report of Handling and the reasons for refusal of the application now being reviewed.

The Committee then heard submissions from Mr Parry and Mr Jinks, the applicant's representatives, who were heard in support of the application referring to the hearing statement submitted.

The Committee then heard submissions from Mr Collins, Mr Brown, Mr Steedman and Mr Campbell on behalf of the Director of Development Services and Mr McNeill on behalf of the Joint Acting Directors of Education on the background in relation to the specified matters and in accordance with their submitted hearing statements.

The Committee then heard submission from Mr Colebrook who provided information in relation to the specified matters and in accordance with the submitted hearing statement.

Mr Parry and Mr Jinks were then afforded an opportunity to provide a response to these submissions.

Members of the Committee then asked questions of all parties.

The Committee then proceeded to deliberate on the merits of the application, and took into account the following factors:-

- (i) Policies Com 6 and ENV 3 of the Falkirk Council Structure Plan;
- (ii) Policies EQ3, ED22, EQ24, EQ26, SC02, SC12, SC13, SC14 and ST11 of the Falkirk Local Plan;
- (iii) The planning permission granted for the erection of 6 dwellinghouses (reference P/12/0718/FUL);
- (iv) Public Open Space, Falkirk Greenspace and New Development SPG;
- (v) Education and New Housing Development SPG;
- (vi) Design Guidelines and Construction Standards for Roads in the Falkirk Council Area;
- (vii) The specified matters;
- (viii) The previous applications and the planning history of the site;
- (ix) The representations submitted and the concerns of local residents in the surrounding area particularly in relation to privacy issues and loss of open space;
- (x) The information provided by the representatives of the Director of Development Services and the Joint Acting Director of Education, by the applicant's representatives and by Mr Colebrook in their oral and written Hearing Statements; and
- (xi) The benefit of the site visit previously undertaken.

After extensive discussion, the Committee **AGREED:-**

- (a) That it was **MINDED** to **GRANT** planning permission, subject to satisfactory completion of an obligation within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 or other appropriate legally binding agreement to secure financial contributions of £111,800 to compensate for capacity risks at St. Margaret's Primary School, £15,050 contribution to nursery provision and a contribution of £36,120 towards active off-site open space enhancement/provision; and
- (b) Thereafter upon satisfactory conclusion of the said obligation or agreement, to 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 information 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) Revised details of the following:-
 - The proposed emergency access route, including finished levels be submitted and approved prior to the commencement of the development; and
 - The proposed finished ground levels including cross sections, to be submitted and approved prior to the commencement of the development.
 - (3) Unless otherwise agreed in writing by the Planning Authority, all road and footway construction shall be carried out in accordance with the "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area".
 - (4) Unless otherwise agreed in writing by the Planning Authority, full details, including levels and construction materials of the footpaths within the site and their linkages to Portree Crescent and Culduie Circle, shall be submitted and approved prior to the commencement of development.
 - (5) Unless otherwise agreed in writing by the Planning Authority, full details of the proposed sustainable Urban Drainage Scheme shall be submitted and approved prior to works commencing on site.
 - (6) Unless otherwise agreed in writing by the Planning Authority, details of soft landscaping works shall be submitted and approved prior to works commencing on site. Details shall include:-
 - Indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration/replacement;
 - Location of new trees, shrubs, hedges and grassed areas;
 - Schedule of plants to comprise species, plant sizes and proposed numbers/density; and

- Programme for completion and subsequent maintenance.
- (7) Unless otherwise agreed in writing by the Planning Authority, details of all walls, fences and means of enclosure shall be submitted and approved prior to works commencing onsite.
 - (8) Unless otherwise agreed in writing by the Planning Authority, details of all external finishing materials for the dwellinghouses and garages shall be submitted and approved prior to works commencing on site.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2-4) To safeguard the interests of uses of the highway and ensure pedestrian access into and through the site.
- (5) To ensure that the site is adequately drained.
- (6-8) To safeguard the visual and environmental amenity of the area.

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) 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 commence without the prior written approval of the Planning Authority.
- (3) For the avoidance of doubt the plan(s) to which the decision refer(s) bear the online reference number(s) 01 and 02.

The Committee had also agreed that the preparation of the decision notice would be delegated to the Chief Governance Officer.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 29 OCTOBER 2014 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
 Donald Campbell, Development Management
 Co-ordinator
 Kevin Collins, Transport Planning Co-ordinator
 Ian Dryden, Development Manager
 Rhona Geisler, Director of Development Services
 Rose Mary Glackin, Chief Governance Officer
 Iain Henderson, Legal Services Manager
 Alf Hillis, Environmental Health Officer
 Kenny McNeill, Acting Head of Service (Support,
 Resources and Infrastructure)
 Craig Russell, Roads Development Officer
 Antonia Sobieraj, Committee Services Officer
 Richard Teed, Senior Forward Planning Officer

P69. APOLOGIES

Apologies were intimated on behalf of Councillors Nicol and McNally.

P70. DECLARATIONS OF INTEREST

Baillie Paterson declared a non financial interest in item 6 (minute P76) by virtue of her partner being a member of the applicant company, in consequence of which she recused herself from consideration of the item, having regard to the objective test in the Code of Conduct.

Councillor McLuckie declared a non financial interest in item 6 (minute P76) by virtue of being a Director of the Falkirk Environment Trust which had given funding on a number of occasions to the applicant organisation, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

Councillor C Martin entered the meeting during consideration of the following item of business.

P71. REQUESTS FOR SITE VISITS

Having heard requests by members for site visits, the Committee agreed to the continuation of planning applications P/14/0349/FUL, P/14/0336/FUL, P/14/0214/FUL and P/14/0140/PPP.

P72. REMARKS PERTINENT TO AGENDA ITEM 6

Prior to further consideration of business, the Chief Governance Officer informed the Committee that an action of Interim Interdict had been raised against the Council in relation to item 6 (minute P76) seeking to prevent the Planning Committee from determining the application at this meeting. The action was currently being heard at Falkirk Sheriff Court. The Convener, with the consent of all members present, agreed to hear this item later in the meeting than scheduled in the agenda to assess what may come out of the Court hearing.

P73. MINUTES

Decision

- (a) The minute of meeting of the Planning Committee held on 10 September 2014 was approved;
- (b) The minute of meeting of the Planning On-Site Committee held on 29 September 2014 was approved;
- (c) The minute of special meeting of the Planning Committee held on 29 September 2014 was approved, and
- (d) The minute of inquorate meeting of the Planning Committee held on 9 October 2014 was approved.

P74. DEVELOPMENT OF LAND FOR RESIDENTIAL USE WITH ASSOCIATED CAR PARKING, SERVICING, LANDSCAPING AND ACCESS AT FIRS PARK, FIRS STREET, FALKIRK FK2 7AY FOR EAST STIRLINGSHIRE FC – P/13/0234/PPP (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 10 September 2014 (Paragraph P57 refers), Committee gave (a) 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 development of land for residential use with associated car parking, servicing, landscaping and access at Firs Park, Firs Street, Falkirk.

Councillor Meiklejohn, seconded by Councillor Chalmers, moved rejection of the application on the ground that it was contrary to the Falkirk Council Local Plan (specifically opportunity ED. FAL05) and that the material considerations did not justify a departure from the Plan.

By way of amendment, Councillor Martin, seconded by Councillor McLuckie, moved that Committee be minded to grant the application in accordance with the recommendations in the report. Following a suggestion from Councillor Mahoney, supported by Councillor Turner, that consideration of the application be continued for further information, the motion and amendment were withdrawn with the unanimous consent of those present at the meeting in accordance with Standing Order 20.9.

Decision

The Committee agreed to continue consideration of this item of business in order for further information to be provided by the applicant on the applicant's efforts (i) to market the site for retail/leisure/business use; and (ii) to secure access to the site by way of the retail park.

P75. CHANGE OF USE OF LAND TO FORM EXTENSION TO EXISTING RESIDENTIAL CARAVAN PARK AND ANCILLARY ENGINEERING OPERATIONS (PART RETROSPECTIVE) AT 1-50 BEECHTREE PARK, DENNY FK6 6BU FOR BEECHTREE PARK HOMES – P/12/0196/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 10 September 2014 (Paragraph P59 refers), Committee gave (a) 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 a change of use of land to form an extension to an existing residential caravan park and ancillary engineering operations (part retrospective) at 1-50 Beechtree Park, Denny.

Decision

The Committee agreed 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) (i) Development shall not continue on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contamination land assessment must be approved in writing by the Planning Authority.**

- (ii) Where contamination (as defined by Part (iiA) of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to and approved in writing by the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.
 - (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.
 - (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
- (3) Development shall not continue until details of the scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-
- (i) indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
 - (ii) location of new trees, shrubs, hedges and grassed areas;
 - (iii) schedule of plants to comprise species, plant sizes and proposed numbers/density; and
 - (iv) programme for completion and subsequent maintenance.

Thereafter the landscaping shall be maintained in accordance with these details unless otherwise agreed in writing by the Planning Authority.

- (4) Unless otherwise agreed in writing with the Planning Authority, the occupation of the residential units hereby approved shall be limited to a person or persons outwith school age and at no time shall children of school age occupy the units as their sole permanent residence.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure the ground is suitable for the proposed development.
- (3) To safeguard the visual amenity of the area.
- (4) In order to safeguard schools infrastructure provision within the wider catchment area.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01B and 02.**

Baillie Paterson and Councillors Meiklejohn and McLuckie left the meeting prior to consideration of the following item of business.

P76. INSTALLATION OF A WIND TURBINE, NEW ACCESS ROAD, HARDSTANDING, SUBSTATION BUILDING, TRANSFORMER HOUSING AND AREA FOR MICROSITING ON LAND TO THE SOUTH OF WESTERGLEN FARM, FALKIRK FOR BESPOKE COMMUNITY DEVELOPMENT COMPANY – P/14/0203/FUL (CONTINUATION)

The Committee was advised by Mr Donald Campbell that the interim interdict action had been refused at Falkirk Sheriff Court. It was agreed to circulate to all members of the Committee a letter dated 27 October 2014 from the solicitors for the objector who had raised the action of interim interdict. It was then agreed to have a 10 minute recess in order for the members of the Committee to read and consider the letter. The recess started at 10.15 a.m. and ended at 10.25 a.m.

Thereafter, with reference to Minutes of Meetings of the Planning Committee held on 10 September and 29 September 2014 (Paragraphs P55 and P66 refer), Committee gave (a) 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 erection of a single wind turbine measuring 50 metres to hub and 79 metres to blade tip located on a site to the north of Greenrigg Farm on agricultural land accessed via an existing farm track off the B803 Falkirk to Slamannan Road and to the south of Westerglen Farm, Falkirk. The proposal also included a new access road, hardstanding, substation building, transformer housing and an area for micro-siting.

The Committee heard from the Chief Governance Officer on the arrangements made for the site visits and the expectations of parties invited to them. In addition, Mr Campbell confirmed that the location of the 'blimp' used to illustrate the proposed site for the turbine at the first site visit was accurate, being within 8m to 10m of the site identified at the second site visit, that distance being an acceptable allowance for micro-siting where a variation of 10m to 20m is commonly used.

Councillor Martin, seconded by Baillie Buchanan, moved that consideration of this item of business be continued to allow a further inspection of the site by Committee.

By way of an amendment, Councillor Chalmers, seconded by Councillor Turner, moved that Committee grant planning permission in accordance with the recommendations in the Report. He noted that there had been clarification of the matters previously requested by Committee and the position of the marker at the original site inspection had been confirmed not to be inaccurate to the degree suggested.

On a division, 3 Members voted for the motion and 4 voted for the amendment.

Decision

The Committee agreed 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 operation, the proposed turbine shall be fitted with infrared aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.
- (3) Prior to initiation of development, the applicant shall inform, in writing, the Ministry of Defence of:-
 - the date construction will start and end;
 - the maximum height of construction equipment; and
 - the latitude and longitude of the turbine.
- (4) Should complaints of noise be received as a result of the operation of the wind turbine, the operator shall, at its expense, employ an independent consultant (not financially involved) approved by the Planning Authority to assess the level of noise emissions from the wind turbine in relation to that specified in the original application (35dB(A)) at the nearest noise sensitive receptor. The report shall be submitted to the Planning Authority for perusal with a view to prevent noise disturbance.
- (5) Prior to the initiation of development, the applicant shall confirm the exact colour of turbine colour, hub, blades and all approved infrastructure with the Planning Authority.
- (6) Prior to the initiation of development, the applicant shall provide a plan detailing any landscape features that require to be removed and reinstatement details and specification.
- (7) Prior to the initiation of development, a method statement shall be provided, confirming soiling and seeding works to ensure that the access road is reduced in width to 2.5 metres following construction.
- (8) All cable trenching shall follow the route of access.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) The development would not be acceptable without these additional works.

- (3) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (4) To ensure that the occupants of the property are safeguarded against excessive noise intrusion.
- (5-8) In the interests of visual amenity.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01- 06.
- (2) Falkirk Council have determined the application on the basis of available information relating to ground contamination/landfill gas. The responsibility for the safe development and secure occupancy of the site remains with the applicant/developer.
- (3) The applicant will be required to negotiate pre and post construction road and bridge surveys with Falkirk Council's Roads Services, Earls Road, Grangemouth and Bridge and Structures Design, Abbotsford House, David's Loan, Falkirk.

Baillie Paterson and Councillor McLuckie re-entered the meeting following consideration of the foregoing item of business.

P77. DELETION OF CONDITION 1 OF PLANNING PERMISSION P/13/0663/VRC REQUIRING THE MARKETING OF COMMERCIAL UNITS AT 1-11 (ODD) CROWN CRESCENT, LARBERT FK5 4XP FOR CALA HOMES WEST LTD - P/14/0339/VRC (CONTINUATION)

With reference to Minutes of Meetings of the Planning Committee held on 10 September 2014 (Paragraph P56 refers), Committee gave (a) 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 the deletion of condition 1 of planning permission P/13/0663/VRC requiring the marketing of ground floor commercial units at 1-11 (odd) Crown Crescent, Larbert.

Decision

The Committee agreed to refuse the application on the basis that (a) the Market Report of Retail Development submitted by the applicant was factually inaccurate; and (b) they were not satisfied about the adequacy of the steps taken to implement the relevant condition and consequently were not satisfied that the Development Plan policies were met.

In accordance with the decision taken at the start of the meeting, **NOTED** that the following items had been continued to a future meeting to allow an inspection of the sites by Committee:-

- P78. CONSTRUCTION OF UNDERGROUND ATTENUATION TANK ON LAND TO THE EAST OF 53 HAZEL ROAD, AUCHINCLOCH DRIVE, BANKNOCK FOR LINK GROUP – P/14/0349/FUL**
- P79. DEMOLITION OF FORMER SCOUT HALL AND ERECTION OF 3 DWELLINGHOUSES AT SCOUT HALL, GARTCOWS ROAD, FALKIRK FOR GRS HOMES LTD - P/14/0336/FUL**
- P80. DEMOLITION OF EXISTING VALET BAY AND ERECTION OF 4 NO. SINGLE STOREY COMMERCIAL UNITS (UNIT 1-3 CLASS 1 AND UNIT 4 CLASS 3) AT RUMFORD SERVICE STATION, MADDISTON ROAD, RUMFORD, FALKIRK FK2 0SB FOR N & N JAMAL PROPERTIES - P/14/0214/FUL**
- P81. DEMOLITION OF EXISTING STABLES AND DEVELOPMENT OF LAND FOR RESIDENTIAL USE AT HOME FARM, DROVE LOAN, HEAD OF MUIR, DENNY FK6 5LH FOR MR STEVEN RUSSELL – P/14/0140/PPP**
- P82. INSTALLATION OF A 15M SMART METERING COMMUNICATIONS MAST WITH ANCILLARY EQUIPMENT AT SITE TO THE SOUTH EAST OF STANDRIGG, CALIFORNIA FOR HARLEQUIN GROUP – P/14/0437/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the installation of a 15 metre high lattice Smart meter communications mast and two meter cabinets, within a small compound and bounded by a 2.1 metre high chainlink fence, at a site to the south east of Standrigg, California.

Decision

The Committee agreed 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) In the event that the development hereby approved ceases to be used for the purpose for which it was designed, the operator shall inform the Planning Authority, and the communications mast and related apparatus shall be removed from the site. Within two months of the date on which the use ceases, the site shall be reinstated to a condition agreed with the Planning Authority.**

- (3) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure the removal of redundant telecommunications installations.
- (3) To ensure the ground is suitable for the proposed development.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 1, 2, 3, 4 and 5.
- (2) The Roads Manager within Development Services should be contacted to obtain a Minor Roadworks Consent before forming a vehicular access onto the public road or undertaking any work on, or under, the public road.
- (3) Falkirk Council have determined the application on the basis of available information relating to ground contamination/landfill gas. The responsibility for the safe development and secure occupancy of the site remains with the applicant/developer.

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

P83. ERECTION OF DWELLINGHOUSE, DOMESTIC OUTBUILDING AND TEMPORARY SITING OF RESIDENTIAL CARAVAN (PARTIALLY RETROSPECTIVE) ON LAND TO THE NORTH WEST OF ATLANTA, SLAMANNAN, FALKIRK FOR MR DUNCAN BENNIE - P/14/0499/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the erection of a dwellinghouse with an associated outbuilding and the temporary siting of a residential caravan (partially retrospective) on a site comprising a vacant plot of land extending to 0.14 hectares, formerly the Shottrigg Farm steading, on land to the north west of Atlanta, Slamannan, Falkirk.

Decision

The Committee agreed 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) (i) No development shall commence on site until a contaminated land assessment has been submitted to and approved in writing by the Planning Authority. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined.
- (ii) Where contamination (as defined by Part (iiA) of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination should be submitted to and approved in writing by the Planning Authority.
- (iii) Prior to the commencement of development on site, the remediation works must be carried out in accordance with the strategy approved at (ii) above. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and approved in writing by the Planning Authority, unless otherwise agreed in writing by the local Planning Authority.
- (3) No development shall commence on site until a full specification for all exterior materials and finishes, including details of the proposed rooflights, exterior windows and doors shall be submitted to and approved in writing by the Planning Authority. Thereafter development shall proceed in accordance with the approved details.
- (4) No development shall commence on site until a specification for the re-use of all retained natural stone in the approved development is submitted to and approved in writing by the Local Authority. Thereafter development shall proceed in accordance with the approved details.
- (5) A residential caravan shall be sited in accordance with the approved plan (the online reference No. 01A) for a period not exceeding three years from the date of the permission unless otherwise agreed in writing with the Planning Authority. Thereafter all temporary residential accommodation shall be permanently removed from the site.
- (6) For the avoidance of doubt, the building hereby approved shall be for domestic purposes only, ancillary to the main use of the dwellinghouse.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure the ground is suitable for the proposed development.
- (3) To safeguard the visual amenity of the countryside.
- (4) To ensure that stone from the former farm steading is retained and used in the development.
- (5) As the caravan is not a suitable permanent form of development.
- (6) To ensure that the property is used for domestic purposes only.

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, 02 and 03 and Supporting Documents.
- (3) The application site is in the vicinity of a High Pressure Gas Transition Pipeline. The Scotland Gas Network Code of Practice document SSW22 must be circulated and signed a minimum of seven days prior to the commencement of any works. Contact for advice is via Angus Robertson, Scotland Gas Networks on telephone number 0141 418 4158.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPEALS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 30 OCTOBER 2014 at 9.30 a.m.

COUNCILLORS:

Colin Chalmers
John McLuckie (Convener)
Sandy Turner

OFFICERS:

Tracey Gillespie, Human Resources Manager
Colin Moodie, Depute Chief Governance Officer
Antonia Sobieraj, Committee Services Officer

A16. APOLOGIES

Apologies were intimated on behalf of Depute Provost Patrick and Councillors Blackwood, D Goldie, Gow and Jackson.

A17. DECLARATIONS OF INTEREST

No declarations were made.

A18. MINUTE**Decision**

The minute of meeting of the Appeals Committee held on 8 August 2014 was approved.

A19. 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 ground that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the said Act.

A20. APPEAL AGAINST DISMISSAL

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Submission from the Head of Roads and Design dated 2 September 2014; (c) copies of core documents relating to the Appeal, and (d) submission from the Appellant.

The Depute Chief Governance Officer and the Human Resources Manager were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Ms R, was present and was accompanied by L Turner, Unite.

The Head of Roads and Design, R McMaster, and Human Resources Adviser, J Simpson, were present as representatives of the Council.

The Appellant's representative presented the case on behalf of the Appellant and this was followed by the Appellant providing further points of clarification.

The Head of Roads and Design intimated that he had no questions for the Appellant or their representative.

Members of the Committee then asked questions of the Appellant.

The Head of Roads and Design presented the case on behalf of the Council.

The Appellant then asked questions of the Head of Roads and Design.

Members of the Committee then asked questions of the Head of Roads and Design.

The Head of Roads and Design summarised the case on behalf of the Council.

The Appellant summarised her case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the appeal **UPHELD** against the sanction of dismissal be substituted therefore with a 12 month monitoring period to commence on the date of this meeting. The Committee was concerned at the high level of absence and emphasised the importance of the Appellant's continued attendance at work after the return to work following the planned operation.

The parties to the appeal were recalled and the decision intimated to them.

FALKIRK COUNCIL

MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 31 OCTOBER 2014 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
Caroline Binnie, Communications and Participation Manager
Caroline Brown, Business Advisor
Fiona Campbell, Head of Policy, Technology and Improvement
Elaine Costello, Integration Support Manager
Matthew Davies, Service Manager
Douglas Duff, Head of Economic Development and Environmental Services
Andrew Facherty, Additional Support for Learning Manager
Jack Frawley, Committee Services Officer
Elizabeth Hood, Neighbourhood and Access to Housing Manager
Eileen Hutton, Childcare Provision Co-ordinator
Colin Moodie, Depute Chief Governance Officer
Brian Pirie, Democratic Services Manager
Linda Scott, Corporate Policy Officer
Bryan Smail, Chief Finance Officer
Carron Smith, Principal Business Support Officer
Celia Sweeney, Corporate Policy Officer (Equalities)
Vivien Thomson, Service Manager
Andrew Wilson, Policy and Community Planning Manager

ALSO ATTENDING:

Neil Brown, General Manager, Falkirk Community Trust
Jane Clark, Business Development Manager, Falkirk Community Trust

S30. APOLOGIES

No apologies were intimated.

S31. DECLARATIONS OF INTEREST

Councillor Black declared a non-financial interest in S34, as a director of a company which had utilised the Business Gateway service and S41, as a director of Falkirk Towns LTD and considered that this required her to recuse herself from consideration of the items having regard to the objective test in the Code of Conduct.

Provost Reid declared a non-financial interest in S33 as a director of Falkirk Community Trust but did not consider that this required him to recuse himself from consideration of the item, having regard to the objective test in the Code of Conduct and the relevant specific exclusion contained in the code.

S32. MINUTES

- (a) The minute of the meeting of the Scrutiny Committee held on 25 September 2014 was approved; and**
- (b) The minute of the meeting of the Performance Panel held on 26 September 2014 was noted.**

S33. FOLLOWING THE PUBLIC POUND: FALKIRK COMMUNITY TRUST

The committee considered a report by the Chief Executive presenting an update on the work of Falkirk Community Trust (the Trust) against key objectives for the period 1 April 2013 to 31 March 2014, in line with Following the Public Pound (FPP) and Council procedure.

Neil Brown, General Manager, Falkirk Community Trust gave a presentation on the Trust's achievements, areas for development, improvement actions and future direction. He described a number of key successes: management of the Helix park; winning the Creative Scotland Creative Place Award for places under 100,000 residents; Callendar House securing VisitScotland's 5 star status; Falkirk Archives at Callendar House being awarded Archive Service Accreditation, and securing the Commonwealth Games running track for Grangemouth stadium. He then described areas for development: the creation of delivery plans for arts, libraries and sport; creation of masterplans for Kinneil and Callendar Estates; development of an asset management plan with the Council, and opening the Kelpie visitor centre. He provided details of a number of improvement actions: creation of a library development plan; investment at the Mariner centre and Grangemouth sports complex; ICT investment to improve customer services; development of management plans for Muiravonside and Callendar park, and reviewing the active schools programme. Neil Brown stated that the Trust faced specific challenges regarding: income growth; efficiencies, and rationalisation of services and facilities. The key objectives for the next three years were: meeting customer needs; organisational development; and financial sustainability.

Members asked if there had been initial difficulties in securing external funding. Neil Brown stated that the Trust faced issues similar to other new organisations but that the Trust's successes increased its access to funding. Members questioned the challenge of the £500,000 target for external funding when that amount had been achieved in the previous year. Neil Brown stated that attracting funding was a challenge and that some areas of funding would shortly expire whilst others had required seed funding from the Council.

The Committee asked about the future of library services. Neil Brown stated that libraries faced many issues and the library development plan had been brought one year forward to fundamentally review library services. The introduction of Universal Credit was one reason for increased library computer use as most people apply online and manage their claim through an online account. Software and hardware at Falkirk library had been refreshed. Investment in online magazine and books, for download had been a success. Analysis of why some customers stopped using libraries was ongoing.

The committee asked how the Trust would ensure that facilities were available throughout the Council area. Neil Brown stated that new facilities would be located where opportunities arose. Some customers would have to travel to access unique facilities such as the ski slope, whereas library provision was Council wide. The Trust was mindful of community needs and tried to meet them.

Members asked about visitor number recording. Neil Brown advised that Kinneil Museum's figures no longer included visits to only use the conveniences, which gave increased accuracy. Recording at Callendar House was complex due to the number of attractions there. In six months over 600,000 visitors had been counted at the Helix park.

The committee expressed concern at missed revenue opportunities at the Helix park and that a gift shop should have been provided. Neil Brown advised there was a focus on income generation and work was ongoing. The committee asked why the visitor centre at the Helix park had not been completed given the high number of visitors. Fiona Campbell stated that she would provide members with information on the visitor centre project.

Members questioned the performance indicator for admissions to the Hippodrome being rated a tick with the 19% decrease. Neil Brown stated the figures were reported to the Trust's audit performance group as a tick if within 5% of target but work to improve admissions was ongoing.

The committee asked if, with a decrease of 8,000 visitors to Park Gallery, security cameras would better use resources. Neil Brown stated that staff presence was an insurance requirement of many artists and visual arts assistants were vital in explaining artworks, without which many visitors would not engage as well with the art.

The committee asked for financial information and reinvestment. Neil Brown stated that the Trust was not run for profit and its £18.2m income had been used. Reinvestment opportunities were limited as expenditure was outpacing income.

Members asked if commercial sponsorship had been considered for Trust properties. Neil Brown stated that cultivation events had been held to encourage sponsorship, but that it was challenging to attract sponsorship for pre-existing sites.

The committee sought an update on Stenhousemuir gym. Neil Brown advised that £1m of funding had been secured and that the Trust was on target to open in June 2015.

Members asked about investment in swimming pools and fitness facilities. Neil Brown stated that sustainability was the driver for investment. The Trust sought to address the decreased use of swimming pools by children and young people.

Members asked about the Trust's borrowing powers. Neil Brown advised that the Trust sought an increase to the funding agreement from £200,000 to £1m, to allow investment and generate further income.

The committee discussed ICT investment. Neil Brown stated that investment was required to deliver services which meet customer expectations, such as online booking. Box office opening hours were under review as they were not customer friendly.

Decision

The committee approved the report and acknowledged the progress Falkirk Community Trust has made in delivering on its core commitments for the Council.

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

S34. BENEFITS OF BRINGING BUSINESS GATEWAY IN HOUSE

The committee considered a report by the Director of Development Services presenting an update on the benefits of bringing the Business Gateway service in house. The report had been requested by the Committee on 14 August 2014 (ref S22).

The report provided information on the activities and outputs of Business Gateway in the operational year 1 April 2013 to 31 March 2014. Direct comparisons for activity previously delivered externally were given and details of other activities for which there were not direct comparisons available were provided. The report gave examples of the benefits to businesses since the service moved in house.

Douglas Duff provided an overview of the report and stated that external European funding had been secured. The service had worked with Scottish Enterprise in developing support to businesses. To encourage local entrepreneurship assistance was provided to new businesses as well as after care support. Douglas Duff highlighted a case study where Business Gateway had reacted quickly, relocating and safeguarding jobs.

Members asked for information in regard to redundancies. Carron Smith stated that Partnership Action for Continuing Employment, the Scottish Government's initiative dedicated to helping individuals and employers with advice and support when faced with redundancy are the lead organisation. Planned redundancies are notified to the Scottish Government and then the Council. Intervention processes are initiated and officers work with employers to look at options. Support to aid transition is provided, such as to claim benefits or become self employed.

The committee asked if there was an annual cap on the number of loans approved from the BP Business Loan Fund. Carron Smith advised that a budget of £150,000 is held and applicants must demonstrate that they meet the criteria. She stated that the BP Business Loan Fund panel were often more sympathetic than mainstream lenders.

Members asked about the support and financial help offered by Business Gateway. Carron Smith stated that the start up loan fund offered up to £10,000 and could be used in conjunction with the BP Business Loan Fund.

The committee asked how many customers had been surveyed to give the 100% satisfaction rating in the report. Carron Smith stated that the figures reported were part of external quality assurance which provided periodic snapshots. In the reported figures 9 or 10 clients had responded.

Members asked for more information on the Association of Town and City Management award for Developing the Evening and Night-Time Economy, which was awarded to Falkirk. Douglas Duff stated that the business development division had worked to promote Falkirk Delivers and the Best Bar None awards. The use of taxi marshalling reinforced night time safety in the town centre.

Decision

The committee continued consideration of whether the subject matter of the report is suitable for inclusion in the Council's scrutiny plan to the next meeting to allow consideration of all the reports requested on 14 August 2014.

Councillor Black re-entered the meeting at conclusion of the previous item of business.

S35. COUNCIL COMPLAINTS HANDLING PROCEDURE

The committee considered a report by the Director of Corporate and Neighbourhood Services presenting information requested by the committee on 14 August 2014 (ref S22) in regard to the Council's handling of complaints.

The report provided information on the Council's complaints handling procedure (CHP) and its implementation. The CHP was based on a two stage process, front line resolution and investigation. Only issues not resolved at the first stage or that are complex, serious or 'high risk' move to stage two. The report provided information on performance at frontline resolution and investigation and examples of services learning from complaints.

Caroline Binnie provided an overview of the report highlighting the response timescales for frontline resolution and investigation, five and twenty days respectively. Before implementing the CHP, staff had been trained by the Scottish Public Services Ombudsman (SPSO) training unit. All staff have access to online complaints training.

The committee asked if complaint numbers were compared against previous levels. Caroline Binnie stated that the numbers were fairly consistent. Subsequent to issuing the report the SPSO had supplied figures for the number of complaints referred to them regarding the Council. The number of referrals and the areas in which the complaints were made were in line with national figures.

Members asked about the reporting of complaints information. Caroline Binnie advised that the information is reported to the Performance Panel at service level, although corporate figures could be provided.

The committee asked for the results of national benchmarking. Caroline Binnie stated that benchmarking was in progress and she would ask for an indicative timetable.

Members asked if comparison against other Councils was available. Caroline Binnie stated that the Council compared well against information published by other Councils.

The committee asked if some complainants go direct to the SPSO rather than through the CHP. Caroline Binnie stated that there can be a lack of understanding of process but the SPSO will not consider a complaint if the Council's process has not been completed.

Decision

The committee continued consideration of whether the subject matter of the report is suitable for inclusion in the Council's scrutiny plan to the next meeting to allow consideration of all the reports requested on 14 August 2014.

S36. FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

The committee considered a report by the Chief Governance Officer which provided information requested by the committee on 14 August 2014 (ref S22) in regard to the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR).

The report provided statistical information for 2012, 2013 and the first two quarters of 2014 and information on charges and time spent on Freedom of Information (FOI) and EIR requests. An update on the work of the Scottish Information Commissioner, the Council's publication scheme and training and development were also provided.

Colin Moodie provided an overview of the report highlighting the increasing numbers of requests and compliance with timescales. Rarely were requests refused on the grounds of cost or fees notices served. In 2013 fees notices were issued in less than 1% of all cases.

Summarising the report, Colin Moodie suggested that there were four points for action and consideration to be taken from the report:-

1. that efforts continue to ensure a high rate of compliance with the response timescales for information requests;
2. work should continue to try to give better information on the source of requests;
3. consideration should be given to more active publication; and
4. better systems and processes should be developed to improve organisational learning from information requests.

The committee asked how many requests were made by politicians. Colin Moodie advised that some information was available for the current year and that requests from elected representatives were 3% of the total.

Decision

The committee continued consideration of whether the subject matter of the report is suitable for inclusion in the Council's scrutiny plan to the next meeting to allow consideration of all the reports requested on 14 August 2014.

Baillie Buchanan left the meeting during consideration of the following item of business.

S37. OPTIONS APPRAISAL – ARE YOU GETTING IT RIGHT? – NATIONAL AUDIT REPORT

The committee considered a report by the Director of Corporate and Neighbourhood Services which provided a summary of the Audit Scotland 'Options appraisal: are you getting it right?' report.

The report outlined the key messages contained in the Audit Scotland report and the Council's current practice in regard to options appraisal. Fiona Campbell provided an overview of the report and highlighted the 'Questions for councillors' document contained at appendix two to the Audit Scotland report.

The committee asked if all members would be provided with the Audit Scotland report. Fiona Campbell confirmed that all members would get a copy of the report.

Members commented that 'Questions for councillors' was a useful tool and asked why equality impact assessment was not included. Fiona Campbell stated that for any change of policy an equality impact assessment would be carried out.

Decision

The committee:

- (i) noted the national report on options appraisals;
- (ii) requested that guidance on service reviews is reviewed to ensure it reflects best practice as set out in the report;
- (iii) requested that a copy of the checklist is provided to all members; and
- (iv) requested that guidance provided to scrutiny panels and policy development panels is reviewed to ensure it incorporates relevant elements of the checklists and guidance.

S38. AUDIT REPORT – AN OVERVIEW OF LOCAL GOVERNMENT IN SCOTLAND 2014

The committee considered a report by the Director of Corporate and Neighbourhood Services which provided a summary of the Audit Scotland 'An Overview of Local Government in Scotland 2014' report.

The report outlined the key messages and key recommendations in the Audit Scotland report. The report highlighted that Falkirk Community Planning had undergone an audit of its work, published in May 2014, and that the Council was to be the subject of a best value audit on performance management and scrutiny.

Fiona Campbell provided an overview of the report and highlighted the checklist contained at appendix two to the Audit Scotland report.

Decision

The committee noted the report.

The committee agreed to an adjournment for lunch. The committee adjourned at 12.45 p.m. and reconvened at 1.35 p.m. with all members present as per the sederunt with the exception of Baillie Buchanan.

S39. FOLLOWING THE PUBLIC POUND: SERVICES TO EARLY YEARS CHILDREN & YOUNG PEOPLE (FPP) - 2013/2014 MONITORING REPORT

The committee considered a joint report by the by the Director of Social Work Services and Acting Joint Director of Education Services which provided an update on the work of external organisations in receipt of funding which provided services to early years, children and young people, and which fall within the FPP reporting and monitoring arrangements.

The report provided information on factors which impact service demand including national and local policy context and demographic change. An individual report was appended for each of the fourteen organisations which received funding. Each report set out the service provided, the agreed outcomes/objectives and performance information.

The committee heard from officers in relation to the individual reports.

(a) Aberlour Childcare Trust – Early Years Outreach

Elaine Costello provided an overview of the report, advising that the organisation received £315,162 of Council funding. The service worked with children 0 – 4 years.

The committee expressed concern that the report did not contain enough detail for the level of funding. Members stated that more information was needed in order to ensure that the level of funding was justified. Elaine Costello advised that more information could be provided.

Members asked about the secondment of the manager of the service. Elaine Costello stated that the manager had been in post until March 2014 and that the post had been backfilled internally.

The committee stated that figures needed to be reported transparently and that it would be beneficial to receive fuller reports at a future meeting of the committee.

Decision

The committee continued consideration of Aberlour Childcare Trust - Early Years Outreach to a future meeting to be provided with a more detailed report.

(b) Aberlour Childcare Trust – Family Support Centre – Langlees

The committee expressed concern that the report did not contain enough detail and information for the amount of funding provided.

Decision

The committee continued consideration of Aberlour Childcare Trust – Family Support Centre - Langlees to a future meeting to be provided with a more detailed report.

(c) Barnado's – AXIS Service

Matthew Davies provided an overview of the report, advising that the organisation received £110,952 of Council funding. The service provided support to young people experiencing difficulties related to alcohol or substance misuse. The service aimed to provide support to 15 to 18 young people at any one time through Early Doors and 10 to 12 young people at any one time through the Core Service.

The committee asked for information in regard to the challenge of legal highs. Matthew Davies stated that this issue was part of a national focus and that while substances are legal they are not all safe. The service had carried out awareness raising with parents and would monitor the situation as it was a new and increasing area.

Members asked if stores selling legal highs were part of national chains. Matthew Davies stated that locally stores were not part of a larger network and operate separately. Fiona Campbell advised that trading standards and environmental health work closely with Police Scotland in this regard.

The committee sought further information on early intervention. Matthew Davies highlighted the work of the Early Doors programme. He stated that there was no set formula and that the programme was effective in engaging with groups of young people. Paid counsellors currently undertake the work, although the use of volunteers was being looked at in providing aftercare to avoid slippage by clients after leaving the programme.

The committee asked what the average age of a service user was. Matthew Davies stated that the Early Doors programme had a younger client base than the Core Service and that the peak age was around 14/15 years.

Members commented that employability outcomes were not relevant to all service users. Matthew Davies stated that outcomes were targeted to each clients needs as appropriate.

The committee asked about the number of young people who refused contact with the Early Doors programme. Matthew Davies stated that it is a challenge to engage young people and there were high levels of drop off. The service was looking at utilising referrals from police custody and accident and emergency.

Members expressed concern that two thirds of service users disengage with the service. Matthew Davies stated that the service shared members concerns and that improving engagement was an ongoing issue.

Decision

The committee approved the report and acknowledged the progress made by Barnado's – AXIS Service in meeting Council priorities.

(d) Home Start

Elaine Costello provided an overview of the report, advising that the organisation received £29,488 of Council funding. This was used to fund core staff and office facilities. 35 families had been provided with support and practical assistance. Eileen Hutton stated that the support and practical assistance provided included helping people look after their home well, cooking nutritious meals and keeping appointments.

Members asked how people come to the attention of the project. Eileen Hutton stated that referrals come from health visitors, doctors and social workers. There had been an increase in referrals of ethnic minority families and the project was working to combat the isolation some families faced.

Decision

The committee approved the report and acknowledged the progress made by Home Start in meeting Council priorities.

(e) One Parent Families Scotland – Braes Children and Family Centre

Decision

The committee continued consideration of One Parent Families Scotland – Braes Children and Family Centre to a future meeting to be provided with a more detailed report.

(f) Barnado's – Cluaran Service

Elaine Costello provided an overview of the report, advising that the organisation received £628,819 of Council funding.

The committee asked for information on how many young people remained in the community. Matthew Davies stated that of those who completed the programme 88% remained in the community, with the majority staying with their families. In some cases it was not in the best interest of the individual to remain in the community.

The committee discussed that having young people remain in the community is cost effective and that this area may be suitable for a Spend to Save project.

Members asked for information about the wider situation in Falkirk in regard to vulnerable children. Margaret Anderson stated that there was sufficient demand in the area to justify another unit and that a business case was being looked at. The committee further discussed the possibility of a Spend to Save project.

Decision

The committee approved the report and acknowledged the progress made by Barnado's – Cluaran Service in meeting Council priorities.

(g) CAMHS, NHS Forth Valley – Clinical Psychologist, Looked After Children

Elaine Costello provided an overview of the report, advising that the organisation received £73,264 of Council funding. Margaret Anderson stated that the funding ensured that looked after children were getting the right care. The service was seen to pay for itself as it reduced the potential of children and young people entering residential care.

Members stated that the service was essential but that the NHS had a role in providing mental health care to children and adults and that the work of the service fit better with the remit of the NHS which the funding should reflect. Margaret Anderson stated that she would request a 50 – 50 share with the NHS for funding liability.

Decision

The committee approved the report and acknowledged the progress made by CAMHS, NHS Forth Valley – Clinical Psychologist, Look After Children in meeting Council priorities.

(h) Barnado's – New Beginnings

Decision

The committee continued consideration of Barnado's – New Beginnings to a future meeting to be provided with a more detailed report.

The Committee agreed to conjoin the following two items of business.

(i) Quarriers Scotland – Quarriers Falkirk Children's Rights

Elaine Costello provided an overview of the report, advising that the organisation received £86,200 of Council funding. The service had assisted the Council in developing its response to the Children and Young People (Scotland) Act 2014.

The committee asked why services were provided by both Quarriers and Who Cares? Scotland. Margaret Anderson stated that Who Cares? Scotland is the main national organisation in supporting looked after children and care leavers, bringing access to specialist knowledge. However, Quarriers provide for wider children's rights work.

Decision

The committee approved the report and acknowledged the progress made by Quarriers Scotland – Quarriers Falkirk Children’s Rights in meeting Council priorities.

(j) Who Cares? Scotland – Children’s Rights Service

Elaine Costello provided an overview of the report, advising that the organisation received £27,970 of Council funding.

Decision

The committee approved the report and acknowledged the progress made by Who Cares? Scotland – Children’s Rights Service in meeting Council priorities.

(k) SACRO – SACRO Restorative Justice Service

Decision

The committee continued consideration of SACRO – SACRO Restorative Justice Service to a future meeting to be provided with a more detailed report.

(l) Signpost Recovery – Time 4 Us

Fiona Campbell provided an overview of the report, advising that more information had been provided as previously requested. Matthew Davies stated that the project received £30,000 of Council funding and had secured five year funding worth almost £230,000 from the Big Lottery Fund.

The committee asked about demonstration of the agreed outcomes. Matthew Davies stated that demonstration of outcomes would be improved and that it was a challenge as the work linked in with other services. The annual audited accounts had been received. The committee requested that the accounts were submitted to a future meeting.

Decision

The committee requested that further information on the annual audited accounts of Signpost Recovery – Time 4 Us be provided to a future meeting.

(m) NHS Forth Valley – Speech and Language Therapy

Andrew Facherty provided an overview of the report, advising that the project received £515,040 of Council funding.

Members asked what funding contribution the NHS made. Andrew Facherty stated that seven Speech and Language Therapists were funded by the NHS and that they were supplemented by Council funding.

Members asked for further information on NHS funding and work allocation. Andrew Facherty stated that there were twelve Speech and Language Therapists in the area and that two solely focused on the NHS. Benefits of the existing arrangements were that the Council utilised specialist knowledge in clinical supervision, continuing professional development and team management.

Members asked what the service provided. Andrew Facherty advised that some benefits are difficult to measure. Therapists meet with children, provide guidance and advice and follow up with children.

Decision

The committee approved the report and acknowledged the progress made by NHS Forth Valley – Speech and Language Therapy in meeting Council priorities.

The committee agreed to a short adjournment. The committee adjourned at 3.05 p.m. and reconvened at 3.15 p.m. with all members present as per the sederunt with the exception of Baillie Buchanan.

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

S40. FOLLOWING THE PUBLIC POUND (FPP): MARGINALISED GROUPS

The committee considered a report by the Director of Corporate and Neighbourhood Services which provided an update on the work of external organisations in receipt of funding which provided services with a focus on marginalised groups, and which fall within the FPP reporting and monitoring arrangements.

The report provided information on the funding agreements Corporate and Neighbourhood Services had with external organisations during the period 1 April 2013 – 31 March 2014. An individual report was appended for each of the 5 organisations which received funding. Each report set out the service provided, the agreed outcomes/objectives and performance information.

The committee heard from officers in relation to the individual reports.

(a) The Action Group – Real Jobs Falkirk

Linda Scott provided an overview of the report, advising that the organisation received £90,000 of Council funding. 60 young people were engaged with the organisation. The organisation faced challenges in securing sustainable employment for service users.

The committee asked how the work of the project aligned with that of the employment training unit (ETU). Linda Scott stated that the ETU did not currently target disability. The ETU did not have as much capacity to deliver support to young people with a range of disabilities in the way that the project did. The Action Group works alongside school support workers to assist the transition for young people leaving Carrongrange school.

The committee asked how funding provided by the Council was spent. Linda Scott stated that the funding was used to secure employment support workers who were dedicated to the project.

Members asked if upon completion of placements service users were being retained in employment. Linda Scott stated that the project had secured successful outcomes for young people in smaller organisations, where relationships and trust were built up. She stated that the ETU was better placed to work with larger organisations and national chains.

The committee discussed the future challenges and risks facing the organisation and highlighted that Big Lottery Funding had expired in August 2014.

Decision

The committee requested that a further report on The Action Group - Real Jobs Falkirk is submitted to a future meeting of the Committee.

(b) LinkLiving – Smartliving

Elizabeth Hood provided an overview of the report, advising that the organisation received £14,114 of Council funding. The project utilised peer education to engage high school pupils to prevent homelessness. Scottish Government 'People and Communities' funding was due to expire in March 2015.

The committee asked if the project represented best value or if alternative methods of service delivery were available. Elizabeth Hood stated that peer educators provided a powerful message to young people in raising awareness of homelessness and the support services available. The project had also developed online information resources.

Members acknowledged the work done by the project and requested that officers arrange for the committee to visit the project.

The committee asked how the project used its funding. The project used funding for a variety of purposes including purchase of materials, booklets and publicity.

Members discussed the Council's statutory requirement to provide accommodation to people in crisis. Elizabeth Hood stated that whilst there is a statutory requirement to provide accommodation the project ensured that young people had the skill set to support themselves and avoid becoming homeless at all.

The committee asked about future funding of the project. Elizabeth Hood advised that the project had applied widely for funding achieving some success.

Decision

The committee approved the report and acknowledged the progress made by LinkLiving - Smartliving in meeting Council priorities.

(c) Salvation Army – Drop in Service (Soup Kitchen)

Elizabeth Hood provided an overview of the report, stating that the project had experienced increased usage over the previous three years. The project relied on volunteers and was jointly funded by the Council and NHS Forth Valley, with additional funding from donations. The project received £10,475 of Council funding.

Members asked if, as the service accessed multiple funding streams, Council funding was essential to service provision. Elizabeth Hood stated that the level of service would be dependent on gaining additional funding from other sources and continued funding from NHS Forth Valley. The project faced increased overheads and in the reporting period had used the entirety of its funding. Elizabeth Hood stated that the project signposted other services and this can lead to reengaging people who were not engaged with other support services.

Decision

The committee approved the report and acknowledged the progress made by Salvation Army – Drop in Service (Soup Kitchen) in meeting Council priorities.

(d) Central Scotland Regional Equality Council (CSREC)

Celia Sweeney provided an overview of the report, advising that the organisation received £15,200 of Council funding. She stated that the organisation works well with Police Scotland and had success in anti-sectarian community work. However, as the focus of the organisation shifted to incorporate a wider equality agenda the board needed to address its skills and knowledge gap in some areas to provide effective leadership and governance. Further, external funding would expire in March 2015. Clackmannanshire Council had withdrawn its funding and Stirling Council was reviewing its position.

Members discussed the return on funding provided by CSREC projects. Members expressed concern in regard to the use of the £159,000 of public money the organisation had secured as external funding and stated that other organisations operate on significantly less resources. The committee questioned if CSREC tackled a sufficiently broad range of equality issues. Members felt that more information was required to determine if outcomes were being delivered and if the Council's funding of CSREC represented best value.

Decision

The committee requested that a report providing information on outcomes achieved by Central Scotland Regional Equality Council and how the organisation would reprofile if other funding streams were withdrawn is submitted to a future meeting of the Committee.

(e) Falkirk Community Trust – Sport 4 Youth

Linda Scott provided an overview of the report, advising that the organisation received £38,637 of Council funding. The project encouraged young people to regularly participate in sport. Linda Scott stated that the project faced challenges in regard to staffing and a lack of attendance at some sessions. The project had reviewed its provision and only continued sessions with sufficient demand.

The committee asked how the Council funding was used. Linda Scott stated that two Sports Development Officers were funded through the project and delivered the service.

Decision

The committee approved the report on Falkirk Community Trust - Sport 4 Youth and acknowledged the progress made in meeting Council priorities.

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

S41. FOLLOWING THE PUBLIC POUND (FPP): COMMUNITY SAFETY

In accordance with Standing Order 13, should at any time after a meeting has commenced, the number of members present fall below the quorum, the proceedings will be suspended. The meeting was declared to be inquorate and this item of business was accordingly continued to the next meeting of the Committee.

Councillor Black re-entered the meeting at conclusion of the previous item of business.

S42. SCRUTINY PANEL – APPOINTMENT OF MEMBERS TO OUTSIDE ORGANISATIONS

The committee had, on 25 September 2014 (ref S29), continued consideration of a report by the Chief Governance Officer which presented the scrutiny panel's recommendations in regard to elected member participation on outside organisations.

Brian Pirie provided the Committee with an overview of the report.

Members stated that some organisations contact members directly and that it is difficult to know the required commitment, benefits and pitfalls. Members stated that a checklist would be useful and protective. Brian Pirie stated that the Panel's scope was focussed on Council appointments but that support for members would be considered.

The committee discussed the process for reporting back members' participation on outside organisations, stating that reporting back was important. The committee felt reporting back should be through publication of the external organisations' minutes.

Decision

The committee agreed to recommend to the Executive that:

- 1) the following principles be adopted in regard to the appointment of elected members to outside organisations:
 - i) where there is strategic benefit to the Council in appointing to a national or regional body (such as COSLA), it would be appropriate to consider making such an appointment. However, each request should be considered on a case by case basis;
 - ii) for those organisations which fall within the Following the Public Pound regime Council does not appoint an elected member to the organisation; and
 - iii) where the organisation does not operate at a strategic level and is not funded by the Council, Council should consider each request on a case by case basis to ensure that an appointment would benefit the Council.
- 2) based on these principles, the Executive considers the recommendations in respect of current appointments, set out in appendix 5 of the report;
- 3) when appointments are made training should be available – by the organisation and/or Council to ensure that the elected members are fully able to undertake the role of Council representative; and
- 4) reporting back should take place and should be done through the inclusion of outside organisations' minutes in the minute volume.

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 5 NOVEMBER 2014 at 9.30 A.M.

COUNCILLORS:

Baillie William Buchanan
Gordon Hughes
Baillie Joan Paterson
Depute Provost John Patrick
Provost Pat Reid (Convener)
Sandy Turner

OFFICERS:

Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor
Brian Samson, Licensing Enforcement Officer (for agenda item 5 (minute CL92))

CL87. APOLOGIES

Apologies were intimated on behalf of Councillors Blackwood, McNally and Ritchie.

CL88. DECLARATIONS OF INTEREST

No declarations were made.

CL89. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee on 1 October 2014 was approved.

CL90. ORDER OF BUSINESS

In terms of Standing Order 14.2(i), Provost Reid advised of a variation to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

CL91. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN SEPTEMBER AND NOTIFICATIONS OF PUBLIC PROCESSIONS PENDING

The Committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 and 30 September 2014 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002, and (b) notifications of pending public processions.

Decision

The Committee noted the Report.

CL92. CIVIC LICENSING ENFORCEMENT – SEPTEMBER 2014

The Committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during September 2014.

Decision

The Committee noted the Report.

CL93. 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 ground that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

CL94. APPLICATION FOR THE GRANT OF A NEW HOUSE IN MULTIPLE OCCUPATION LICENCE

Ms Q, applicant, accompanied by Mr V, the day to day manager of the premises, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new house in multiple occupation licence (a) advising of the background to the application; (b) providing confirmation of the premises to be licensed under the terms of the licence, and (c) detailing the consultations undertaken and the responses received.

Ms Q spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to grant the licence for a period of three years subject to the standard conditions.

Councillor Hughes entered the meeting after consideration of the foregoing item of business.

CL95. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr M, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr M spoke in support of the application.

Decision

The Committee agreed to grant the private hire car driver licence, for a period of one year subject to the standard conditions.

CL96. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr M, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) detailing the applicant's record.

Mr M spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to renew the taxi driver licence for a period of one year subject to the standard conditions and with a warning letter.

CL97. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO.1572

The Licensing Co-ordinator advised that, due to an administrative error in the citation process, he sought continuation of the matter to a future meeting to allow the licence holder to be cited in the correct manner.

Decision

The Committee agreed to continue consideration of the matter to a future meeting.

CL98. APPLICATION FOR THE GRANT OF A NEW MARKET OPERATOR LICENCE – FALKIRK HIGH STREET

The applicant, Ms S, was accompanied by Mr Y.

The Committee were advised that 2 objections had been received in relation to the application and that representatives of the objectors, were in attendance.

The Convener advised that due to one of the objections being received outwith the statutory objection period, the Committee required to determine whether or not to entertain the late objection.

Mr Reid, Manager, on behalf of the Growth & Investment Unit, Falkirk Council outlined the background and reasons for the objection not being made on time.

The Convener agreed to a short adjournment at 10.20 a.m. to enable the Committee to consider the submission. The meeting reconvened at 10.25 a.m. with all Members present as per the sederunt.

AGREED that the Committee were not satisfied that there was sufficient reason why the objection was not made in time as required by paragraph 3(2) of Schedule 1 to the Civic Government (Scotland) Act 1982 and accordingly it would not be entertained.

Pete Reid left the meeting at this point.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new market operator licence (a) advising of the background to the application; (b) providing details of the location and proposed operation, and (c) detailing the consultations undertaken and the responses received, which included comments from the Roads Authority and an objection from Falkirk Towns Ltd.

Ms S advised that she had no preliminary points to make on the competency of the letter of objection from Falkirk Towns Ltd, following which the letter was circulated.

Alastair Mitchell, Falkirk BID Manager, on behalf of Falkirk Towns Ltd, was heard in support of the objection and in clarification of questions raised by Members.

Ms S, applicant, circulated to Members, a petition signed in support of her application. She was then heard in support of her application, and in clarification of questions raised by Members.

Both parties were invited to sum up.

During his summing up, Mr Mitchell made reference to a Minute which detailed a decision taken by Argyll and Bute Council on an application for the grant of a market operator's licence made by the applicant, said decision having been referred to earlier in his submission.

The Clerk advised that as the Minute was a public document it could, if the applicant had no objection, be circulated to Members. The applicant confirmed she had no objection to the Minute being circulated.

The Convener agreed to an adjournment at 12 noon. The meeting reconvened at 12.15 p.m. with all Members present as per the sederunt.

Decision

The Committee refused to grant the new market operator licence application on the ground that the premises are not suitable or convenient for the conduct of the activity having regard to (i) the location, character or condition of the premises, and (ii) the nature and extent of the proposed activity, all in accordance with the terms of the Civic Government (Scotland) Act 1982, Schedule 1, s.5(3)(c)(i) & (ii).

CL99. APPLICATION FOR THE GRANT OF A NEW MARKET OPERATOR LICENCE – LA PORTE PRECINCT, GRANGEMOUTH

The applicant, Ms S, was accompanied by Mr Y.

The Committee were advised that an objection had been received in relation to the application and that representatives of the objector were in attendance.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new market operator licence (a) advising the background to the application; (b) providing details of the location and proposed operation, and (c) detailing the consultations undertaken and the responses received, which included comments from the Roads Authority and an objection from Falkirk Towns Ltd.

Ms S advised that she had no preliminary points to make on the competency of the letter of objection from Falkirk Towns Ltd, following which the letter was circulated.

Alastair Mitchell, Falkirk BID Manager on behalf of Falkirk Towns Ltd, was heard in support of the objection and in clarification of questions raised by Members.

Ms S, applicant, circulated to Members, a petition signed in support of her application. She was then heard in support of her application, and in clarification of questions raised by Members.

Both parties were invited to sum up.

The Convener agreed to an adjournment at 12.40 p.m. The meeting reconvened at 12.55 p.m. with all Members present as per the sederunt.

Decision

The Committee agreed to grant the application for a new market operator licence for a shortened period only, covering two markets from 18 March to 22 March 2015 and 17 June to 21 June 2015, subject to such conditions as the Chief Governance Officer determines to be reasonable, having specific regard to the concerns raised in the objection.

CL100. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr M, was not in attendance.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and responses received.

The Committee noted that the applicant had, on 3 occasions, failed to pass the knowledge test and had been invited to re-sit the test on 2 separate occasions, but was unable to attend.

Decision

The Committee refused to grant the taxi driver licence application in terms of the Civic Government (Scotland) Act 1982, Section 13(5) on the ground that the applicant, having failed to pass the knowledge test, has failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates and the layout of the roads in the area.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 10 NOVEMBER 2014 commencing at 9.30 a.m.

COUNCILLORS:

Baillie William Buchanan (Convener)
 Steven Carleschi (for application P/14/0214/FUL)
 Colin Chalmers
 John McLuckie
 John McNally (for applications P/14/0140/PPP
 P/14/0349/FUL and P/14/0336/FUL)
 Sandy Turner

OFFICERS:

Kevin Brown, Planning Officer (for application
 P/14/0214/FUL)
 Ian Dryden, Development Manager
 Allan Finlayson, Senior Planning Officer (for applications
 P/14/0336/FUL)
 Stuart Henderson, Environmental Health Officer (for
 applications P/14/0140/PPP and P/14/0214/FUL)
 Antonia Sobieraj, Committee Services Officer
 Russell Steedman, Network Co-ordinator
 Karen Quin, Solicitor
 Brent Vivian, Senior Planning Officer (for applications
 P/14/0140/PPP and P/14/0349/FUL)

P84. APOLOGIES

Apologies were intimated on behalf of Baillie Paterson and Councillors Mahoney, Meiklejohn and Nicol.

P85. DEMOLITION OF EXISTING STABLES AND DEVELOPMENT OF LAND FOR RESIDENTIAL USE AT HOME FARM, DROVE LOAN, HEAD OF MUIR, DENNY FK6 5LH FOR MR STEVEN RUSSELL - P/14/0140/PPP

With reference to Minute of Meeting of the Planning Committee held on 29 October 2014 (Paragraph P81 refers), Committee gave further consideration to a report by the Director of Development Services on an application for planning permission for the demolition of an existing stables, indoor riding school ménage and a car park the development of land at a site lying at the eastern edge of a complex of buildings including a retail shop, a coffee shop and cottages, all with access via a private road for residential use at Home Farm, Drove Loan, Head of Muir, Denny.

The Convener introduced the parties present.

The Senior Planning Officer (B Vivian) outlined the nature of the application.

Mrs Russell, the applicant, was heard in relation to the application.

Questions were then asked by Members of the Committee.

Councillor Blackwood, a local Member for the area, was heard in relation to the application.

Councillor Oliver, a local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 27 November 2014.

P86. CONSTRUCTION OF UNDERGROUND ATTENUATION TANK ON LAND TO THE EAST OF 53 HAZEL ROAD, AUCHINCLOCH DRIVE, BANKNOCK FOR LINK GROUP - P/14/0349/FUL

With reference to Minute of Meeting of the Planning Committee held on 29 October 2014 (Paragraph P78 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the construction of an underground attenuation tank to receive surface water from a housing development currently under construction on land to the east of 53 Hazel Road, Auchincloch Drive, Banknock.

The Convener introduced the parties present.

The Senior Planning Officer (B Vivian) outlined the nature of the application.

Mr Sweeney, the applicant's agent, was heard in relation to the application.

Mr Robertson, a contractor for the development, was heard in relation to the application.

Mr Henderson, on behalf of Banknock, Haggs and Longcroft Community Council, an objector, was heard in relation to the application.

The objections included the following issues:-

- The lack of information on the proposals;
- The attenuation tank would be too close to the existing houses;
- The capacity of the tank proposal was excessive and unnecessary;
- The SUDS system should be either retained within the site or consideration be given to using the fields to the south and east;
- That planning permission would have already have been given for the attenuation tank if the site had initially been assessed properly;
- The need for clarification on why the work was not carried out prior to the building works for the site;
- That the work could affect the integrity of an adjoining house;
- The noise and other inconvenience associated with the tank's construction; and

- The need for clarification on the safeguards in place should the tank fail.

Questions were then asked by Members of the Committee.

Councillor Blackwood, a local Member for the area, was heard in relation to the application.

Councillor Oliver, a local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 27 November 2014.

P87. DEMOLITION OF FORMER SCOUT HALL AND ERECTION OF 3 DWELLINGHOUSES AT SCOUT HALL, GARTCOWS ROAD, FALKIRK FOR GRS HOMES LTD - P/14/0336/FUL

With reference to Minute of Meeting of the Planning Committee held on 29 October 2014 (Paragraph P79 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the demolition of a former scout hall and the erection of three detached dwellinghouses on a site extending 0.33 hectares at the Scout Hall, Gartcows Road, Falkirk.

The Convener introduced the parties present.

The Senior Planning Officer (A Finlayson) outlined the nature of the application.

Mr Marshall, the applicant's agent, was heard in relation to the application.

Ms Taylor, the applicant's legal representative, was heard in clarification of some matters, relative to the application.

Ms Sommerville, an objector, was heard in relation to the application.

Mrs Gardiner, an objector, was heard in relation to the application.

Mr Ross, an objector, was heard in relation to the application.

Mr Robertson, an objector, was heard in relation to the application.

Mrs Robertson, an objector, was heard in relation to the application.

Mr Morrison, an objector, was heard in relation to the application.

The objections included the following issues:-

- That the site access was not owned by the applicant and that no right of access existed;

- That the only right of access to the site available to the applicant was a pedestrian one over the historic Well Road of a width incapable of accommodating vehicular traffic;
- The unsuitability of Well Road which was narrow vehicles accessing and egressing and associated traffic impacts;
- The inadequate parking facilities at present which would be exacerbated;
- The inability for cars to pass on the site access road (Well Road);
- The traffic speeds on Gartcows Road adjacent to the proposed site access and the previous road traffic accidents;
- The safety issues associated with traffic speeds at the blind summit at Maggiewoods Loan;
- The uncertainty over refuse and recycling bin storage and the associated collection arrangements; and
- The construction access difficulties when demolishing the existing Scout Hall and erecting new dwellinghouses.

Questions were then asked by Members of the Committee.

Depute Provost Patrick, a local Member for the area, was heard in relation to the application.

Members thereafter viewed the access to the site from Gartcows Road.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 27 November 2014.

P88. DEMOLITION OF EXISTING VALET BAY AND ERECTION OF 4 NO. SINGLE STOREY COMMERCIAL UNITS (UNIT 1-3 CLASS 1 AND UNIT 4 CLASS 3) AT RUMFORD SERVICE STATION, MADDISTON ROAD, RUMFORD, FALKIRK FK2 0SB FOR N & N JAMAL PROPERTIES - P/14/0214/FUL

With reference to Minute of Meeting of the Planning Committee held on 29 October 2014 (Paragraph P79 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the demolition of an existing car wash facility within an existing petrol station forecourt and the erection of four new single storey commercial units (unit 1-3 class 1 and unit 4 class 3) with associated parking at Rumford Service Station, Maddiston Road, Rumford, Falkirk.

The Convener introduced the parties present.

The Planning Officer (K Brown) outlined the nature of the application.

Mr Wilson, the applicant's agent, was heard in relation to the application.

Mr Jamal, the applicant, was heard in clarification of some matters relation to the application.

Mr Irvine, an objector, was heard in relation to the application.

Ms Loudon, an objector, was heard in relation to the application.

Ms Mitchell, an objector, was heard in relation to the application.

Mr Anderson, an objector, was heard in relation to the application.

Mr Lalli, an objector, was heard in relation to the application.

Mrs Beurskens, an objector, was heard in relation to the application.

The objections included the following issues:-

- The increase in traffic and associated road safety, access and parking concerns;
- The increase in general noise, disturbance and litter;
- The impacts on sewer network from cooking fat being put down drains;
- The over-proliferation of fast food outlets and the impacts on public health;
- The ground instability due to coal workings;
- The overshadowing of garden ground;
- The decrease in property values; and
- That the development would restrict capacity for land to the rear to be developed by adjoining landowner.

Questions were then asked by Members of the Committee.

The Convener read out an email from Councillor Murray, a local Member for the area, in relation to the application.

Members thereafter viewed the open space located behind six houses within the proximity of the site.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 27 November 2014.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the EDUCATION EXECUTIVE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 11 NOVEMBER 2014 at 9.30 AM.

COUNCILLORS:

Jim Blackwood
Dennis Goldie
Gerry Goldie
Linda Gow
Adrian Mahoney
Craig Martin (Convener)
Dr Craig R Martin
Alan Nimmo
Robert Spears

**REPRESENTATIVES
OF RELIGIOUS
BODIES:**

Hector Cairns
Margaret Coutts
Rev Michael Rollo

CO-OPTEES:

Fiona Craig (Teacher Representative)
Martin Craigen (Parent Representative)
Margaret Smith (Teacher Representative)

OFFICERS:

Nick Balchin, Principal Educational Psychologist
Elaine Costello, Integration Support Manager
Nigel Fletcher, joint acting Director of Education
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Gary Greenhorn, joint acting Director of Education
Mark Meechan, Community Learning & Development Manager
Anne Pearson, Curriculum Support Manager
Elliot Roy, Graduate Trainee
Richard Teed, Senior Forward Planning Officer

EE26. APOLOGIES

Apologies for absence were intimated on behalf of Councillor Nicol and Ross Nixon (Pupil Representative).

EE27. DECLARATIONS OF INTEREST

No declarations were made.

EE28. MINUTE**Decision**

The minute of the meeting of the Education Executive held on 9 September 2014 was approved.

EE29. REPORT BACK FROM CONSULTATION ON PROPOSAL TO CHANGE ADMISSIONS POLICY

The Education Executive considered a report by the joint acting Director of Education detailing the outcome of the formal public consultation exercise which had been undertaken in accordance with the regulations set out by the Schools Consultation (Scotland) Act 2010.

The Education Executive had agreed in April 2014 (ref EE6) to carry out a consultation on the proposal to make changes to the Falkirk Council Admissions Policy and that the results of the consultation be reported back to the Education Executive, with appropriate recommendations.

The report set out, in detail, a summary and analysis of the outcome of the consultation and highlighted the Council's responses to the main issues raised. The report also outlined the proposed transitional arrangements to assist families to continue with the education they had chosen for their children without financial and geographical disadvantage.

Councillor Nimmo, seconded by Councillor Martin moved that:-

- (1) the response to the consultation be noted;
- (2) the proposed changes to the Admissions Policy as set out in Appendix 2 to the report be agreed, and
- (3) that the transitional arrangements for non-RC baptised pupils that have older siblings already enrolled at the same denominational primary school be introduced to cover primary 1 enrolments in August 2015 and August 2016.

Decision

The Education Executive agreed the motion.

EE30. REVIEW OF INCLUSION AND ADDITIONAL SUPPORT NEEDS

The Education Executive considered a report by the joint acting Director of Education which sought approval to adopt a new approach to inclusive education within Falkirk schools. This proposal would require an extensive review of current provision, as well as a programme of consultation and workforce development.

The report set out the key aims of the review, the key principles of an inclusive education, together with the statutory duty placed on Councils to make provision for additional support needs of all children for whose education it is responsible. Information was also provided on how Education Services proposed to undertake the review of inclusion and additional support needs.

This followed a presentation from the Council's Principal Educational Psychologist which outlined proposals for redesigning the current provision in order to better meet the needs of children and young people in Falkirk, and improve their outcomes.

Decision

The Education Executive noted the report and agreed:-

- (1) the key principles of Inclusive Education as outlined in Section 2 of the report;**
- (2) that Education Services progress the Review of Inclusion and Additional Support Needs as outlined in Sections 5, 6 and 7 of the report, and**
- (3) that the joint acting Director of Education Services brings a further update report to a future meeting of the Education Executive showing the progress made.**

Councillor D Goldie left the meeting after conclusion of the previous item.

EE31. FALKIRK COUNCIL 1+2 LANGUAGES STRATEGY

The Education Executive considered a report by the joint acting Director of Education presenting the Council's draft 1+2 Languages Strategy for approval and submission to the Scottish Government.

The Council was required by the Scottish Government to develop its own strategy with regard to the implementation of 1 + 2 Languages. The report detailed the "ring fenced funding" from the Scottish Government and how this had been utilised for session 2013/14 and 2014/15 to allow the strategy to be taken forward.

The meeting adjourned at 10.40 a.m. as Councillor Spears had taken ill during the debate. The meeting reconvened at 10.50 a.m., with all members present as per the sederunt with the exception of Councillors Spears.

At 11.00 a.m., members and officers stood to observe a 2 minute silence to mark Remembrance Day.

Decision

The Education Executive agreed the draft 1+2 Languages Strategy, as detailed in Appendix 1 to the report for submission to the Scottish Government.

EE32. COMMUNITY LEARNING AND DEVELOPMENT (SCOTLAND) REGULATIONS 2013: GUIDANCE AND REQUIREMENTS FOR LOCAL AUTHORITIES

The Education Executive considered a report by the joint acting Director of Education which summarised the key issues set out in Guidance in relation to the Community Learning and Development (CLD) (Scotland) Regulations 2013, together with an overview of how actions would be taken forward.

The Regulations place two obligations on the Council, which are (i) to ensure that the need for CLD provision within the Council area is assessed, and (ii) to publish a 3 year plan by 1 September 2015 setting out what CLD provision the Council will make, how it will co-ordinate provision with other providers, what action the other providers intend to take during the period of the plan and what needs will be unmet. It also sets out 4 key policy goals for CLD and recommends developing a 3 year plan which addresses these key policy goals.

The report also detailed how Education Services plan to take forward the 4 key policy goals and proposed that Falkirk Community Learning and Development Partnership take the lead, whilst working with partners and learners, in developing the 3 year plan.

Decision

The Education Executive agreed:-

- (1) to note the key policy goals as set out in the Requirements for Community Learning and Development (Scotland) Regulations 2013 and the new Guidance (as detailed in Section 2.1 of the report);**
- (2) to endorse the plan, as detailed in Section 3 of the report, to take forward the development of the 3 year plan, and**
- (3) to receive a further update report detailing the progress made in developing the plan in due course.**

EE33. VALEDICTORY REMARKS

The Convener stated that Nigel Fletcher, acting joint Director of Education, would be retiring in December and today was his final Education Executive. He thanked Mr Fletcher on behalf of the Education Executive and the Council for his contribution to the work of Education Services, and commended his commitment to education services in the area throughout his career and wished him well in his retirement. The Executive also heard from Councillor Nimmo, portfolio holder for Education, who thanked Mr Fletcher for his years of service not only as an officer, but latterly as acting Director of Education and wished him a long and happy retirement. Other members of the Executive also expressed their thanks and good wishes to Mr Fletcher.

Mr Fletcher thanked members for their kind words and support shown over the years.

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 11 NOVEMBER 2014 at 12 noon

COUNCILLORS:

Jim Blackwood
Dennis Goldie
Gerry Goldie
Linda Gow
Adrian Mahoney
Craig Martin (Convener)
Dr Craig R Martin
Alan Nimmo

OFFICERS:

Karen Algie, Head of Human Resources & Customer First
John Angell, Head Of Planning & Transportation
Fiona Campbell, Head of Policy Technology & Improvement
Rose Mary Glackin, Chief Governance Officer
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Bryan Smail, Chief Finance Officer

EX72. APOLOGIES

Apologies were intimated on behalf of Councillors Nicol and Spears.

EX73. DECLARATIONS OF INTEREST

No declarations were made.

EX74. MINUTE

Decision

The minute of meeting of the Executive held on 30 September 2014 was approved.

Councillor Blackwood joined the meeting following the previous item.

EX75. REVIEW OF THE OPEN SPACE STRATEGY AND PARKS DEVELOPMENT PLAN

The Executive considered a report by the Directors of Corporate and Neighbourhood Services and Development Services recommending that the submission of an open space strategy and parks development plan is deferred to allow the policy development panel, currently reviewing both, to complete its work plan.

The Executive had, on 19 August 2014 (ref EX45), established a policy development panel to review the open space strategy and to include the parks development plan within the content of this review. It had been intended that a draft strategy would be submitted to the Executive by December 2014. However the panel's workplan set out a timescale for submission of the draft strategy in January/February 2015 with the final recommendations submitted by May/June 2015. The panel's scoping document which set out its work plan was provided for information.

Decision

The Executive agreed the rescheduling of the presentation of the consultative draft review of the open space strategy and parks development plan as noted in the timetable set out in the appendix to the report.

Councillor Gow joined the meeting during the previous item.

EX76. FINANCIAL POSITION 2014/15

The Executive considered a report by the Chief Finance Officer presenting the Council's projected year end financial position.

An overspend of £3.173m was projected in the General Fund. This was due in the main to overspends within the Education and Social Work Services' budgets. In both cases the overspend was attributed to an increase in demand for services. A summary was provided of the major deviations from budgets.

The General Fund balance was projected, at 31 March 2015, to be £7.102m. This was within the Council's reserves strategy range of £7m-10m, albeit at the lower end. However it was anticipated that the balance would decrease significantly below the lower limit over the next 2 years as reserves are utilised. A review of the reserves strategy would be reported to the Executive in January 2015.

The projected year end positions in regard to the Trading Account, Housing Revenue Account and General Fund reserves were also provided, together with details of movements on the Repairs and Renewals Fund.

Decision

The Executive noted :-

- 1) the Council's projected year-end financial position for 2014/15;**
- 2) transfers to the Repairs & Renewals Fund and Earmarked Reserves as outlined in Appendix 3 of the report; and**
- 3) the position on the General Fund Reserve as set out in paragraph 5.4 of the report.**

Councillor D Goldie withdrew from the meeting following the previous item.

EX77. CCTV PROVISION IN THE FALKIRK AREA

The Executive considered an update report by the Director of Corporate and Neighbourhood Services on the future provision of CCTV services in the Falkirk Council area.

A report on the future provision of CCTV services within the Falkirk Council area had been considered by the Executive on 30 September 2014 (ref EX64). The Executive had agreed that, in light of decisions by Clackmannanshire and Stirling Councils to withdraw from the Forth Valley CCTV partnership, a managed monitoring service was the preferred option for the future delivery of CCTV provision in the Falkirk area subject to a more detailed report being submitted on this option, including an overview of the justification for, and viability of, CCTV provision in the area.

The report summarised the current CCTV provision in the Falkirk area and detailed the Council's share of the cost of the service currently provided by Forth Valley CCTV Partnership. In the Falkirk Council area 88 cameras are monitored under the arrangements, with 2448 incidents recorded during 2013/14.

The cost of establishing a Falkirk Council managed service, consistent with the Executive's decision of 30 September 2014, were set out. It was estimated that the annual cost of a managed service would be £249,120. However, it was anticipated that Police Scotland will provide £50,000 annually towards the service.

Decision

The Executive :-

- 1) noted the information provided in section 2 of the report highlighting the number of incidents recorded by CCTV in the Falkirk Council area; and**
- 2) agreed to implement a managed CCTV service in the Falkirk Council area.**

EX78. WORKFORCE FLEXIBILITY

The Executive considered a report by the Director of Corporate and Neighbourhood Services summarising actions undertaken to bring added flexibility to the workforce to assist the Council in achieving sustainable savings through methods which avoid compulsory redundancies where possible.

The report summarised action taken in regard to :-

- Voluntary service
- Vacancy Management
- Redeployment
- Contractual matters

Decision

The Executive noted the report.

Councillor D Goldie rejoined the meeting during the previous item.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the JOINT CONSULTATIVE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 12 NOVEMBER 2014 at 9.30 A.M.

COUNCILLORS:

David Alexander
David Balfour
Stephen Bird
Adrian Mahoney
Dr Craig R Martin
Cecil Meiklejohn

**TRADE UNION
REPRESENTATIVES:**

Gray Allan, UNISON
Les Grant, UCATT
Bert McManus, GMB
Herbie Schroder, T&G
Margaret Smith, EIS
David Straiton, GMB
Lynne Tanner, UNISON
Lyn Turner, UNITE

OFFICERS:

Karen Algie, Head of Human Resources and Customer First
Kathleen Docherty, Senior Human Resources Advisor
Jack Frawley, Committee Services Officer
Rhona Geisler, Director of Development Services
Tracy Gillespie, Human Resources Manager
Margo King, Customer Services Manager
Kenny McNeill, Educational Resources Manager
Brian Pirie, Democratic Services Manager
Stuart Ritchie, Director of Corporate and Neighbourhood Services

JCC22. APOLOGIES

Apologies were intimated on behalf of Depute Provost Patrick, Councillor G Goldie; Margaret Cook (UNISON), Janet Stewart (UNISON), Colin Finlay (EIS) and Christina Lambie (GMB).

JCC23. DECLARATIONS OF INTEREST

No declarations were made.

JCC24. MINUTE**Decision**

The minute of the meeting of the Joint Consultative Committee held on 12 August 2014 was approved.

JCC25. RISK MANAGEMENT BY RISK ASSESSMENT

The committee had, on 12 August 2014 (ref JCC20), continued consideration of a report by the Director of Corporate and Neighbourhood Services which presented updates to the Risk Management by Risk Assessment policy. The committee had requested a report by the Director of Corporate & Neighbourhood Services on the implementation of the current policy.

The committee considered a report by the Director of Corporate and Neighbourhood Services presenting the findings of an audit on the implementation of the current policy on the risk assessment process within Property Services and a revised Risk Management by Risk Assessment Policy for approval.

The policy had been updated to include:

- Provision of additional information regarding Display Screen Equipment (DSE) risk assessment including a definition of a DSE user and details of the on-line DSE workstation self assessment;
- Provision of links to the on line learning module for General Risk Assessments;
- Improvements have been made to the layout of a number of the risk assessment proformas;
- A review section has been added to the end of all risk assessment proformas to allow the recording of reasons for any change to Risk Assessments.

Decision

The committee agreed:

- 1) to note the findings of the audit of the risk assessment process within Property Services; and**
- 2) the updates to the Risk Management by Risk Assessment policy and to refer it to the Executive for approval.**

JCC26. EMPLOYEE TURNOVER

The committee considered a report by the Director of Corporate and Neighbourhood Services detailing the employee turnover figures for the period April to August 2014 as set against the benchmark comparison figure for public sector organisations of 9.4%.

Decision

The committee noted the report.

JCC27. SICKNESS ABSENCE

The committee considered a report by the Director of Corporate and Neighbourhood Services providing updated information on sickness and absence across Services of the Council and the steps being taken to manage absence.

Decision

The committee noted the report.

JCC28. SERVICE BASED FORUMS

The committee considered a report by the Director of Corporate and Neighbourhood Services presenting minutes from the meetings of Neighbourhood and Development Service Based Forums for the period May to August 2014. Minutes from Central Support, Education and Social Work Service Based Forums would be submitted to a future meeting of the committee.

Decision

The committee noted the report.

JCC29. FLEXIBLE WORKING POLICY

The committee considered a report by the Director of Corporate and Neighbourhood Services presenting a Flexible Working Policy for approval.

The policy was presented to merge and condense the different options available to staff into one streamlined document. There were separate policies for: annualised hours, compressed working, job-share, voluntary reduced working time, part time, career breaks and flexi time.

Following discussion, Councillor Alexander, seconded by Councillor Meiklejohn, moved that committee agrees the changes to the Flexible Working Policy as appended to the report with the exception of the changes proposed in para 2.3 of the report to Voluntary Reduced Working Time, which were to be deleted and refers this to the Executive for approval.

As an amendment, in substitution for the motion, Councillor Dr Martin, seconded by Councillor Murray, moved that committee agrees the revised Flexible Working Policy as appended to the report and refers it to the Executive for approval.

In terms of the JCC's constitution a decision can only be reached when the majority of both sides present and voting agree. With a motion and an amendment proposed the JCC proceeded to vote on each.

	Employees Side	Employers Side
Amendment	8	3
Motion	0	4
Abstain	0	0

The majority of the employees' side supported the amendment; the majority of the employers' side supported the motion. With no majority support on both sides for the motion or the amendment, neither were agreed.

The convener proposed that a report be brought to a future meeting of the committee to provide further information in regard to the current take up of the Voluntary Reduced Working Time scheme and the number of employees by group.

Decision

The committee agreed to continue consideration of the report to allow further information to be provided.

JCC30. SEVERANCE REPORT 2013/14

The committee considered a joint report by the Director of Corporate and Neighbourhood Services and the Chief Finance Officer presenting a summary of numbers, costs and savings attached to early retrials for employees in 2013/14.

Decision

The committee:

- 1) noted the report; and**
- 2) requested that future Severance Reports include information on the number of applications made.**

JCC31. POLICY & PROCEDURE FOR THE MANAGEMENT OF OCCUPATIONAL HEALTH MONITORING & SURVEILLANCE

The committee considered a report by the Director of Corporate and Neighbourhood Services presenting updates to the Policy and Procedure for the Management of Occupational Health Monitoring and Surveillance.

The following updates had been made to the policy to meet legislative requirements and respond to guidance from HSE:

- Clarification of the requirement for employees to take part in Occupational Health Surveillance;
- Additional guidance to ensure that, where occupational health disease is suspected appropriate action is taken by managers;
- Clarification of the requirement to, and procedure for, reporting Occupational Health disease to the HSE;
- Addition of 2 new hazards to the table of hazards, Bioaerosols from composting operations and water/hand washing;
- A new appendix has been added providing a procedure for the Health Surveillance required for Skin Management. This supported the addition of hand washing to the list of hazards as a dermal sensitiser and provides the basis of Skin Management for a range of dermal sensitisers.

Decision

The committee agreed the revised Policy and Procedure for the Management of Occupational Health Monitoring and Surveillance and to refer it to the Executive for approval.

DRAFT**FALKIRK COUNCIL****MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 12 NOVEMBER 2014 at 2.30 P.M.**

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

<u>OFFICERS:</u>	Karen Algie, Head of Human Resources & Customer First
	Danny Cairney, Accountancy Services Manager
	Fiona Campbell, Head Of Policy, Technology & Improvement
	Nigel Fletcher, Joint Acting Director of Education Services
	Rhona Geisler, Director of Development Services
	Rose Mary Glackin, Chief Governance Officer
	Gary Greenhorn, Joint Acting Director of Education Services
	Brian Heron, Accountancy Services Manager
	Kathy McCarroll, Head of Children and Families and Criminal Justice
	Colin Moodie, Depute Chief Governance Officer
	Brian Pirie, Democratic Services Manager
	Mary Pitcaithly, Chief Executive
	Marion Reddie, Head of Community Care
	Stuart Ritchie, Director of Corporate and Neighbourhood Services
	Bryan Smail, Chief Finance Officer
	Amanda Templeman, Capital Manager

FC42. SEDERUNT

The sederunt was taken by way of a roll call. An apology was received on behalf of Councillor Meiklejohn.

FC43. DECLARATIONS OF INTEREST

No declarations were made.

FC44. OPENING REMARKS

Councillor Dr Martin confirmed that the Council's waste team had recently won awards, from the Chartered Institution of Wastes Management for Best Innovation and from Local Authority Refuse Collection Society for best new idea. Both awards were in recognition of the Council's three weekly green bin collection programme. Provost Reid congratulated those staff involved.

FC45. REVENUE BUDGET FRAMEWORK 2015/16 – 2017/18

Council considered a report by the Chief Executive and Chief Finance Officer setting out officer proposals to allow Council to address projected gaps in the revenue budget in financial years 2015/16 to 2017/18 and to seek authority to progress equality and poverty impact assessments and other necessary consultations necessary to inform future budget decisions.

The report set out the likely budget framework for the financial years 2015/16 to 2017/18. It was estimated that the budget gap in each the years would be:-

2015/16 - £7.8m
 2016/17 - £17.4m
 2017/18 - £15.2 m

Total £40.4 m

Councils have a statutory duty to approve a balanced budget and set a council tax. Additionally Councils are legally required to make arrangements for the proper administration of their financial affairs. It was anticipated that there would be an overspend of c.£3.1m in the 2014/15 general fund. Since 2007, the Council had identified savings of £70.6m, accommodated, in part, by underspends and a healthy reserves position. It was anticipated that the capacity to utilise reserves in future years will be seriously constrained.

It was predicted that to achieve aggregate savings of circa £40m over the three years will require significant contraction in service delivery and reduction of staffing. The report set out a proposed consultation and engagement process to ensure that this message is conveyed to stakeholders including the general public, service users, staff and trades unions.

Potential savings had been identified by each Service. These were set out in the appendix to the report. It was proposed that authority is given to officers to progress equality and poverty impact assessments and other necessary consultations, relating to the proposals, including those which extend beyond the next financial year, with a view to informing the budget setting process for 2015/16 and future years.

Decision

Council:-

- (1) noted the Scottish Government Budget set out in section 2 of the report;
- (2) noted the Council's financial position set out in section 3 of the report;
- (3) noted the Budget framework set out in section 4 of the report, and
- (4) approved the progression of equality and poverty impact assessments and other necessary consultations as set out at section 4.4 and appendix 3 of the report and that the Falkirk Council News would be utilised as part of the consultation process.

FC46. HEALTH AND SOCIAL CARE INTEGRATION

Council considered a report by the Chief Executive providing an update on the integration of health and social care services.

Council had agreed, on 14 May 2014 (ref FC7), to pursue the body corporate model of health and social care integration. This involves delegation by the Council and Health Board of the functions within the scope of integration to an Integration Joint Board which is responsible for overseeing the planning, management and delivery of all relevant functions. Since that meeting, a number of workstreams have been identified, including the preparation of a draft integration scheme.

The report provided updates in regard to:-

- the publication of Regulations issued thus far by the Scottish Government;
- the development of an Integration Scheme and the timeline leading to the submission of a Scheme to the Scottish Ministers by 1 April 2015;
- the vision for integration;
- the establishment of an Integration Joint Board;
- the delegation of functions to the Integration Joint Board;
- the appointment of a Chief Officer, including the role and remit of the post;
- the arrangements for the required consultations;
- funding available from the Integrated Care Fund;
- the integration timeline leading to the Integration Joint Board assuming full strategic and operational responsibility on April 2016.

It was proposed that a Transitional Board is established to take forward the integration. Its role will include oversight of consultation on the statement of vision and consideration of the process for appointing non-voting members to the Joint Integration Board. The Board will comprise an equal number of nominated representatives from the Council and the Health Board. The Transitional Board will also act as the appointment panel for the post of Chief Officer and will oversee the appointment. A job description for this post was presented for approval.

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

- (1) to note the progress that has been made on the arrangements for health and social care integration;
- (2) to note that further Regulations are due to be published that will inform arrangements for the Integration Scheme;
- (3) to approve the vision as set out in Appendix 1 of the report for wider consultation;
- (4) that a Transitional Board comprising 3 members each from Falkirk Council and from the Health Board be established to oversee the further development of the Scheme and that to appoint Councillors Black, D Goldie and Gow as the Council's representatives on the Board;
- (5) that the functions to be included within the scope of integration do not go beyond those listed in the draft regulations, but that the Scheme would be developed to allow further functions to be included in the future on the agreement of both the Council and Health Board;
- (6) that the Transitional Board oversees the recruitment and appointment of the Chief Officer;
- (7) to authorise Officers to submit proposals to the Government on the Integrated Care Fund subject to approval of the Transitional Board; and
- (8) that relevant consultation takes place on the areas noted in the report in order to inform the final Integration Scheme;

As an amendment Councillor Jackson, seconded by Councillor Coleman, moved the terms of the motion, with the exception of membership of the Board which he proposed should be split, with two places to be filled from the Administration and the third place taken by the Opposition with Councillor Meiklejohn being the Opposition representative.

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 31 members present with voting as undernoted:-

For the motion (17) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black, Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

For the amendment (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the motion.

FC47. SERVICE RE-DESIGN

Council considered a report by the Chief Executive summarising the implications for Falkirk Council of the integration of health and social care services and presenting options in regard to the structure of services within Falkirk Council. This followed a request from Council on 14 May 2014 (ref FC7) that such a report be submitted.

The integration of health and social care services will result in the majority of adult care services transferring to the Joint Integration Board. The functions within Social Work Services which will remain within the Council will include children and families services, criminal justice and money advice. The relationship between those services remaining within Social Work and those provided by Education Services was highlighted. In developing options, the vacant post of Director of Education Services and the forthcoming vacancies in the posts of Director of Social Work Services and Head of Educational Support and Improvement were considered.

Three options, based on the five principles set out below, were presented including the status quo:-

- any structure must continue to meet statutory requirements including maintenance of the role of Chief Social Work Officer;
- the structure arrangements must be effective and efficient. The costs should ideally result in savings but should cost no more than the current model;
- duplication should be avoided;
- the structure design should be logical and customer friendly;
- the structure should enable to Council to continue to deliver its Corporate Plan.

The options were:-

Status quo – retaining the current structure

Option 1 – Social Work and Education Services remain separate with Social Work Services renamed and delivering the current children and families and criminal justice services and community learning and development.

Option 2 - Social Work and Education Services integrate into a single service entitled, 'Children's Services', with the Director of Children's Services or the Head of Social Work undertaking the role of Chief Social Work Officer.

The benefits, issues and risks for each option were set out together with a structure plan.

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

- (1) to implement option 2 as the preferred model with regard to social work and education as a result of the impact of the changes arising from health and social care integration;
- (2) to note the requirement for further consultation with Trade Unions and employees on the determination and implementation of operational structure arrangements within any revised model;
- (3) to provide the Appointments Committee with delegated authority to make Chief Officer appointment(s) to any resulting vacant post(s), as required, to implement the new model;
- (4) that further consideration should be given to the remaining Services of the Council as a result of the new model for Social Work and Education;
- (5) to note the integration of the HR and Payroll functions within the current HR & Customer First Division as detailed in paragraph 4.3 of the report; and
- (6) to note the receipt of severance applications from Chief Officers and that these will now be considered as outlined in paragraph 4.5. of the report.

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the terms of the motion, with the following in substitution of paragraph (4)-

- (4) any service redesign will require to take into account the wider implications of the wider context, including the budget process. Therefore Council calls for a full management structure review. This process should actively include holding briefing sessions for elected members and consultation with the relevant Trade Unions before being brought back to members for approval.

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 31 members present with voting as undernoted:-

For the motion (17) – Provost Reid; Depute Provost Patrick; Baillie Paterson; Councillors Black , Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol and Nimmo.

For the amendment (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the motion.

Provost Reid stated that it was 5.40 pm. and the meeting had exceeded 3 hours in duration. In terms of Standing Order 34.1 it was agreed to continue the meeting to allow business to be concluded. The meeting then adjourned for 5 minutes and reconvened at 5.45 pm with all members present as per the sederunt.

FC48. DECISION MAKING STRUCTURES

Council considered a report by the Chief Executive presenting an overview of the operation of the Council's decision making structure since its implementation in 2013.

Council agreed a new decision making structure on 19 March 2013 (ref FC111) together with a Scheme of Delegation on 24 April 2013 (ref FC7) and Standing Orders on 26 June 2013 (ref FC18). The report on 24 April highlighted the benefit of reviewing how well the structure was working after a period of 12-18 months.

The report provided an overview of the implementation of the decision making structure, within the context of the drivers leading to its introduction, highlighting the work thus far of the Executive, Scrutiny Committee, Scrutiny Panels and Policy Development Panels.

As part of the review process the Leader of the Council, Leader of the Opposition and Provost met on several occasions throughout the year to consider how the structure is working and, recognising the absence of Opposition members from most decision making and scrutiny meetings, whether agreement could be reached which would result in greater participation.

The Leaders' meetings had highlighted areas of consensus and areas of concern.

Councillor C Martin, seconded by Baillie Paterson, moved that:-

- (1) Council establishes a working group of members to undertake a formal review of the decision making structures;
- (2) the working group will consist of 2 members from the Administration, 2 members from the Opposition and the Provost; and
- (3) the working group will report with its findings to the March meeting of Council.

Council then adjourned for 20 minutes to allow members of the Opposition to consider the terms of the motion, and reconvened at 6.20 pm with all members present as per the sederunt, with the exception of Councillor Dr Martin.

Councillor Jackson proposed that the working group comprise 3 members of the Administration and 3 members of the Opposition (including 1 from the Independent Group) and the Provost, and that substitutes be permitted.

Following discussion and with the consent of the Provost, and Baillie Paterson, as his seconder, Councillor Martin agreed to adjust his motion to accommodate the proposal.

Decision**Council agreed:-**

- (1) to establish a working group of members to undertake a formal review of the decision making structures;
- (2) the working group will consist of 3 members from the Opposition, 3 members from the Administration and the Provost with substitutes permitted, and
- (3) the working group will report with its findings to the March meeting of Council.

FC49. MOTION**Denny Town Centre Regeneration Capital Grant Fund Application**

The Provost stated that the motion related to matters within the remit of the Executive and, having consulted with the Council Leader and Leader of the Opposition in accordance with Standing Order 31.1, he was not of the opinion that special circumstances existed requiring an exception to that general rule and consequently the motion stood referred to the Executive.

FC50. EXCLUSION OF PUBLIC

Council agreed, in terms of section 50A(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 paragraph 6 of Part 1 of Schedule 7A to the said Act.

FC51. thinkWhere – PROPOSAL FOR INVESTMENT

Council considered a report by the Chief Executive and the Chief Finance Officer providing further information on the services provided by thinkWhere and setting out an appraisal of the options available to Council including investing in the company.

Council had continued consideration of a report on thinkWhere at its meeting on 8 October 2014 (ref FC42) to allow for further information to be made available.

thinkWhere provides the Council with a service for the management, development and interrogation of geographical information. The company has three shareholders – Clackmannanshire, Stirling and Falkirk Councils. Clackmannanshire Council decided in June 2014 not to invest in the company. Stirling Council will consider the same proposal as is before Council on 13 November 2014.

The report set out three options for Council:-

- to invest in the company;
- to not invest in the company; or
- to bring back the service in-house

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

- (1) the investment in thinkWhere of £238,000 in November 2014, £200,000 in April 2015 and £62,000 in April 2016 as detailed in paragraph 4.9 of the report to Council on 8 October 2014 subject to the same financial commitment being made by Stirling Council;
- (2) to authorise officers to continue to negotiate and agree with Clackmannanshire Council on a payment from them for their shareholding and liabilities;
- (3) to note that thinkWhere are required to take forward necessary actions to secure the future of the company as set out in paragraph 3.3 of the report to Council on 8 October 2014;
- (4) that officers monitor and review progress against the business plan prior to the 2015 and 2016 phases of investment being made; and
- (5) to consider plans for its shareholding in the company as part of that review process.

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved in substitution for the motion that:-

The current information does not give members a full range of options in order to make an informed decision.

It is therefore proposed that the matter should be continued to the full Council meeting scheduled for 17 December 2014, provide costs which would demonstrate an in house option of service provision as well as any potential of establishing collaborative working with other agencies or organisations such as other local authorities to provide this service.

The Chief Finance Officer advised that having continued consideration of the matters to this meeting, and as Stirling Council was to determine its position the following day, it was necessary that Council agreed its position at this meeting.

In terms of Standing Order 22.4(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 Patrick; Baillie Paterson; Councillors Black , Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Murray, Nicol and Nimmo.

For the amendment (14) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Oliver, Ritchie, Spears and Turner.

Decision

Council agreed the motion.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 17 NOVEMBER 2014 at 11.30 A.M.

COUNCILLORS:

Baillie William Buchanan (Convener)
 Craig Martin
 John McLuckie

OFFICERS:

Donald Campbell, Development Management
 Co-ordinator (for agenda item 4, minute PRC53 and PRC55)
 Iain Henderson, Legal Services Manager
 John Milne, Senior Planning Officer (for agenda item 5, minute PRC54)
 Antonia Sobieraj, Committee Services Officer

PRC50. APOLOGIES

No apologies were intimated.

PRC51. DECLARATIONS OF INTEREST

No declarations were made.

PRC52. OPENING REMARKS

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

PRC53. PLANNING APPLICATION - P/14/0046/PPP - DISTRIBUTOR ROAD AND ASSOCIATED EARTH WORKS, MILNQUARTER FARM, ROMAN ROAD, BONNYBRIDGE

The Committee considered documents which related to the Application for Review for planning application P/14/0046/PPP for a distributor road and associated earth works at Milnquarter Farm, Roman Road, Bonnybridge.

The Committee heard a short presentation from Mr Campbell, who provided a summary of the application, the papers before the Committee, referring to the Report of Handling, the reasons for refusal of the application now being reviewed and the applicant's supporting statement.

After discussion, and having heard advice from Mr Henderson, the Committee **AGREED** that they did not have sufficient information to allow them to make a determination and that consideration of the request for a review would be continued to allow Members to conduct an accompanied inspection of the site.

PRC54. PLANNING APPLICATION - P/14/0045/FUL - ERECTION OF TWO DWELLINGHOUSES (RENEWAL OF PLANNING PERMISSION P/08/0507/FUL), SEAFIELD, FALKIRK

The Committee considered documents which related to the Application for Review for planning application P/14/0045/FUL for the erection of two dwellinghouses (renewal of planning permission P/08/0507/FUL) at Seafield, Falkirk.

The Committee heard a short presentation from Mr Milne, who provided a summary of the application, the papers before the Committee, referring to the Report of Handling, the reasons for refusal of the application now being reviewed and the applicant's supporting statement.

After discussion, and having heard advice from Mr Henderson and Mr Milne, the Committee **AGREED** that they had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Policies EQ16, EQ19, SC03 and SC08 and the Main Issues Report of the Falkirk Council Local Plan;
- (2) Policies GN02, CG01, CG03, HSG05 and D13 and associated Maps 1 to 7 of the Falkirk Local Development Plan – Proposed Plan;
- (3) Policy Env. 1 of the Falkirk Council Structure Plan;
- (4) Scottish Planning Policy;
- (5) Housing Layout and Design Supplementary Planning Guidance Note (SPG);
- (6) Trees and Development Supplementary Planning Guidance Note (SPG);
- (7) Trees and Development Supplementary Guidance SG06;
- (8) Inventory of Historic Battlefields Falkirk 11;
- (9) Historic Battlefields Interim Guidance; and
- (10) Scottish Historic Environment Policy.

After discussion, and having heard advice from Mr Henderson, the Committee **AGREED:-**

- (1) To **GRANT** planning permission subject to such conditions as the Director of Development Services shall deem appropriate with the addition of an informatives (a) to allow the Council's Keeper of Archaeology to have a watching brief of the construction of the development; and (b) to ensure that access is maintained over the Right of Way with reference CF125; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

The meeting adjourned for the purpose of conducting a site inspection in relation to agenda item 4, minute PRC53 and PRC55) and reconvened at 2.20 p.m. with all those present as per the sederunt.

PRC55. PLANNING APPLICATION - P/14/0046/PPP - DISTRIBUTOR ROAD AND ASSOCIATED EARTH WORKS, MILNQUARTER FARM, ROMAN ROAD, BONNYBRIDGE

The Committee reconvened to give further consideration to the Application for Review for planning application for a distributor road and associated earth works at Milnquarter Farm, Roman Road, Bonnybridge.

After discussion, and having heard advice from Mr Henderson and Mr Campbell, the Committee **AGREED** that they had sufficient information (a) within the papers provided in relation to the application for Review, and (b) from the accompanied inspection of the site, and considered:-

- (1) Policies EQ01, EQ16, EQ17 and ST07 and the Main Issues Report of the Falkirk Council Local Plan;
- (2) Policies D02, D07 D08 and INF10 of the Falkirk Local Development Plan – Proposed Plan; and
- (3) The benefit of the site inspection;
- (4) The representations submitted and the effect on traffic congestion and the roads infrastructure; and
- (5) The responses from Historic Scotland and the Museum Service of Falkirk Community Trust and the impact on the heritage of the site.

After discussion, and having heard advice from Mr Henderson, the Committee **AGREED:-**

- (1) That it is **MINDED** to **GRANT** planning permission in principle subject to notification of the application to the Scottish Ministers by virtue of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and thereafter, on satisfactory conclusion of said notification, to **GRANT** planning permission in principle subject to such conditions as the Director of Development Services shall deem appropriate;

- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.