

FC96. PARKING ENFORCEMENT

Council considered a report by the Director of Development Services on a potential legal challenge to the Chief Constable of Police Scotland's decision to withdraw traffic warden provision and outlining the current position.

The Executive had considered a report on 19 November 2013 (ref EX92) advising of the Chief Constable's decision, following a review of traffic warden provision, to withdraw the service from 28 February 2014. The report also set out options available to the Council in regard to its on street enforcement powers.

Subsequent to the meeting of the Executive, the Local Commander confirmed that Police Scotland could provide a traffic warden service for the area should Falkirk Council meet the yearly costs of £48,000.

Having considered advice on the process followed by the Chief Constable in making his decision and having consulted with the Leader of the Council and relevant portfolio holders, the Chief Executive authorised participation in a legal challenge, with Scottish Borders and Stirling Councils, to seek a judicial review of the decision. The legal challenge did not proceed following an undertaking from the Chief Constable that he would maintain the current level of parking enforcement in the area for at least a further 2 months to allow for further discussion.

While the preferred outcome for the Council would be for Police Scotland to maintain its current level of parking enforcement without a cost to the Council, authorisation was sought, in the event that this proved to be not achievable, to negotiate a service level agreement with the Local Commander for a local service funded by the Council.

Decision

Council agreed to:-

- (1) note the decision to join Scottish Borders and Stirling Councils in the legal challenge to the Chief Constable;
- (2) maintain its stance in the forthcoming discussions with Police Scotland;
and
- (3) authorise the Director of Development Services, in consultation with the relevant portfolio holders, to agree a Service Level Agreement with the Local Commander.

APPENDIX 1

FALKIRK COUNCIL

QUESTIONS UNDER STANDING ORDER 32

Standing Order 32 enables Councillors to put questions to the Leader of the Council or the relevant portfolio holder on matters transacted at a meeting of the Executive or the Education Executive during the preceding cycle. The table below details the questions asked and answered at the meeting.

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
1	EXECUTIVE – 14 January 2014 REF EX103	Local Government Finance Settlement 2014/15 Why has the portfolio holder not reported back to Council on the changes occurring at COSLA? Councillor Cecil Meiklejohn	The Leader of the Council advised that most of the items discussed at COSLA were in private and therefore he was unable to report back. He was also not aware of any previous Leader reporting back on COSLA matters.	How did Councillor Martin vote at the Leader's meeting on the distribution formula and the freezing of it?	The Leader of the Council advised that at the last meeting in February 2014, a motion was put forward and he had voted in favour of the motion as did 20 other Leaders. He confirmed that he did have the terms of the motion, but required guidance from officers before circulating as this was a private item, as were 90% of COSLA papers.

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
					The Chief Executive advised that it would be acceptable to share the terms of the motion with Group Leaders but that it should not be read out at this time.
2	REF EX103	Local Government Finance Settlement 2014/15 What is the position that Falkirk Council occupies in the league table of the 29 Scottish mainland local authorities for the 2014/15 settlement figures as a % change from the previous finance year, and how has this influenced the Administration's budget strategy? Councillor Cecil Meiklejohn	The Leader of the Council advised that in terms of movement between 2013/14 and 2014/15, Falkirk Council received the 9 th largest movement for mainland Scotland authorities. Given that the final grant settlement for 2014/15 was not known until several weeks ago, the budget strategy had been influenced by the estimated grant settlement as per the Council's medium term financial strategy.	20 Leaders out of 32 voted for the motion. Why did Councillor Martin vote the way he did and disadvantage Falkirk Council by £2.3m?	The Leader of the Council advised that he had voted to enhance Falkirk Council and not to disadvantage it, and that once Councillor Meiklejohn saw the wording of the motion, she would see why.

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			The settlement had been better than anticipated as a result of the decrease in Council Tax Reduction Scheme funding not being as severe as anticipated and this had been incorporated within the final budget proposals presented to Council in February.		
3	REF EX106	Fairer Falkirk Proposals What Falkirk Council staff, or voluntary groups who work with the Council, have, or will be, contacted by the private contractors who have been, and will be, appointed to carry out the Fairer Falkirk survey at a cost of £35,000? Councillor Cecil Meiklejohn	The Leader of the Council advised that Falkirk Council staff and voluntary groups working with Falkirk Council who would be or had been contacted by those appointed to undertake the survey ranged from the following:- <ul style="list-style-type: none"> • Falkirk Council One Stop Shops • Criminal Justice Services • Learning Disabilities Team • Falkirk Alcohol and Drug 	Why are we spending £35,000 if we are asking our own staff to identify individuals and voluntary organisations, we already have information. Would Councillor Martin not agree that £35,000 would be better spent on frontline services?	The Leader of the Council advised that if the Council was doing as Councillor Meiklejohn suggests, it would be missing those individuals who are not engaging. The Council needed to know who and where these individuals were as they are the most vulnerable in our society.

ORDER QUESTION 'TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
			<p>Partnership</p> <ul style="list-style-type: none"> • Signpost Recovery • Citizens Advice Bureaux • Smartliving – Link Living Young Persons Project • Falkirk's Mental Health Association (FDAMH) • Falkirk Homelessness Project • Barnardos Falkirk Axis Service • Black and Ethnic Minority Advice Services • The Scottish Throughcare and Aftercare Forum • Action in Mind <p>Other organisations may also be involved.</p> <p>The purpose of engaging with these organisations would be to enable the researchers to reach the relevant target audience to participate in the research. This participation would involve a mix of in-depth</p>		<p>He stated that he would consider it a success if the process found one person who had not previously participated in welfare reform.</p>

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
			interviews and mini group discussions with individuals who are affected or are likely to be affected by the Welfare Reform changes.		
4	REF EX111	Contract for the Provision of Dry Recyclate Segregation and Resale Service What is the capacity of the current storage facility for dry recyclate? Councillor Stephen Bird	The portfolio holder for Environment advised that as it stands currently, the facility has the capacity to store nearly 1500 tonnes of material as per the existing waste management licence. Based on current volumes going through the site, this would equate to roughly 14 days of storage capacity, but after 7 days the Council would need to explore contingency measures. The tough new measures imposed on ORAN would benefit the people of Grangemouth.	The Roughmute site has been identified as the backup. However, at the Executive it was agreed that Roughmute was not to be used so what is Plan B?	The portfolio holder for Environment responded that a report would be submitted to the April Executive which would list possible Plan Bs.

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
5	REF EX111	Contract for the Provision of Dry Recycle Segregation and Resale Service When will the meetings on contingency measures commence? Councillor Stephen Bird	The portfolio holder for Environment advised that meetings had already taken place and a report would be submitted to the Executive meeting in April.	The fact that meetings have already taken place indicates the seriousness of the issue. Is it possible for quarterly update reports to be submitted to the Executive?	The portfolio holder for Environment responded that he received monthly updates and that ORAN are visited unannounced on a weekly basis. He did not see any reason why all members could not receive these monthly update reports.
6	EXECUTIVE – 14 January 2014 REF EX 120	New Waste Collection System – Implementation What effort has so far been made to engage the communities impacted by phase 1 of this implementation plan? Councillor Stephen Bird	The portfolio holder for Environment advised that there had been no engagement with communities so far, but that there was a list of actions to be undertaken. Having undergone a process with focus groups, Falkirk Council now has the correct message to go out to the public, and would letter every household and knock on every door.	Given that the pilot area includes some of the best and most engaged community council, in the area is an opportunity being missed to engage meaningfully with people who take their community duties seriously? Should we have having a conversation with the first showing them they have a wider role of	The portfolio holder for Environment responded that a number of focus groups had been set up and these had involved a wide spectrum of the local and national community. He acknowledged the role of community councils and confirmed that there

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
			<p>The portfolio holder stated that it was also planned to go to the community council meetings and he gave his undertaking that every resident would be made aware of the changes.</p>	<p>play?</p>	<p>would be an opportunity to engage with them during the process. Feedback would be taken on board and used to further tailor the message as needed.</p> <p>Prior to any correspondence being issued to residents, there would be engagement with all members included in the pilot area. They will also receive a comprehensive information pack containing all the information to be issued to householders.</p> <p>He advised that due to timescales, he didn't think it would be possible to approach community councils</p>

ORDER QUESTION TAKEN	COMMITTEE / MINUTE REFERENCE	TITLE OF REPORT AND QUESTION	ANSWER	SUPPLEMENTARY QUESTION	ANSWER
					<p>prior to materials being issued.</p> <p>The portfolio holder agreed to discuss the potential for engagement with community councils with Councillor Bird outwith the meeting.</p>

FALKIRK COUNCIL

MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 13 MARCH 2014 at 9.30 AM.

COUNCILLORS:

Baillie William Buchanan
Allyson Black
Provost Pat Reid
John McLuckie
Charles MacDonald

OFFICERS:

Shona Barton, Committee Services Officer
Fiona Campbell, Head of Policy, Technology and Improvement
Colin Moodie, Depute Chief Governance Officer

ALSO ATTENDING:

Joe Andrews, Group Manager, Scottish Fire and Rescue Service
Jim Cattanach, Divisional Business Assurance Officer, Police Scotland
David Flynn, Chief Superintendent, Police Scotland
Gary Laing, Local Senior Officer, Scottish Fire and Rescue Service
David Mitchell, Detective Inspector, Police Scotland
Mandy Patterson, Acting Chief Inspector, Police Scotland

S48. APOLOGIES

An apology was intimated on behalf of Baillie Joan Paterson.

S49. DECLARATIONS OF INTEREST

No declarations were made.

S50. MINUTE

Decision

The minute of the meeting of the Scrutiny Committee held on 13 February 2014 was approved.

S51. 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, Police Scotland. The report also included information on road collisions and the mapping of these incidents along with a paper on the proposed changes to the policing model operated across the Forth Valley division.

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

Chief Superintendent Flynn gave a presentation on the detail of the report which covered the period from April 2013 to January 2014 and highlighted the performance of local policing across the Falkirk Council area in accordance with the local policing plan. He also provided an update on the ongoing Traffic Warden Review, the work being undertaken in relation to the review of public counter services and the standardisation of hours and confirmed that with regard to the police estate there were no plans to close any police offices.

The committee heard information on the Stop and Search tool used by the Police and how this has contributed to the increase in detection of certain types of crime.

In response to a question relating to multi agency meetings with local Elected Members, Chief Superintendent Flynn and Acting Chief Inspector Paterson advised that they would be happy to arrange for such meetings to take place.

The committee discussed the implications of the closure of the control room in Stirling with particular reference to the contingency arrangements in relation to the Grangemouth petro-chemical site. Chief Superintendent Flynn advised that Police Scotland has a multi-agency command at Grangemouth, but there was a need to ensure that the communications for policing were in place. He advised that the consolidation of the control room function would not have any effect on local policing as it would be the same local police dealing with issues as part of local policing teams. Members raised concern in relation to the loss of support staff and the implications for frontline services.

In response to a question in relation to residential housebreaking, Chief Superintendent Flynn and Acting Chief Inspector Paterson provided some further clarification on the reasons behind these acts and the people who can be responsible for them.

The committee then discussed the attendance of local community officers at community meetings and the lack of police reports which are being provided. Chief Superintendent Flynn gave an undertaking to have a standardised report produced which would be made available for community meetings and that community officers would endeavour where possible to attend such meetings.

The committee also discussed the ongoing Traffic Warden review, and the perception within the area that the Wardens have ceased to operate. Chief Superintendent Flynn advised that although there has been a reduction in the numbers of Wardens due to early retirement and voluntary severance there is still a service being provided. He also advised that police officers still have a role to play with parking issues and can issue tickets when required.

The committee then heard a presentation from Detective Inspector David Mitchell on Serious and Organised Crime. The presentation related to the report which was submitted as part of the police performance report at appendix 4. Detective Inspector Mitchell provided an overview of the operation the Serious Organised Crime Task Force which was created by the Scottish Government and brings together the organisations involved in tackling Serious and Organised Crime. The committee also heard from Acting Chief Inspector Paterson who provided information on the work of an operation in the local area which directly related to a Serious and Organised Crime group.

Decision

The committee noted the report.

S52. 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 two reports by the Local Senior Officer, Scottish Fire and Rescue Service (1) the quarter 3 performance report for the Falkirk Council area, and (2) the fire safety enforcement audit process and auditing of licensed premises.

Gary Laing, Local Senior Officer provided a detailed summary of each report and questions were answered by Mr Laing and Joe Andrews, Group Manager.

(1) Quarter 3 performance report – Falkirk area

Details were provided of the quarter 3 outcomes in relation to accidental dwelling fires, non domestic property fires, deliberate secondary fires, road traffic collisions and unwanted fire signals. Additional information was also provided on special service incidents (which included road traffic collisions), violence to crews, incidents involving alcohol or drugs and smoking related activities. Mr Laing also outlined the work being carried out in terms of preventative activities such as premises audits, community engagement talks and visits and the work of the home safety visit programme.

The committee discussed the causes of accidental dwelling fires and the measures which are put in place following on from a fire fatality.

The committee also discussed the incidence of deliberate fire raising, and the public perception in terms of fires.

In response to a question asked in relation to the retained duty service, Mr Laing advised that it was recognised and accepted that the retained duty system is becoming increasingly difficult to maintain. He advised that the Scottish Fire and Rescue Service is proactive in managing staff and work was ongoing to look at ways to improve and secure the retained duty service. He also advised that there was a commitment to maintain the retained duty system, and that any changes that affect the Falkirk area will be brought to the Scrutiny committee.

A question was also asked on what measures are in place to refer incidents which occur as a result of fuel poverty or homelessness. Mr Laing advised that if such information came to light this would be referred to the appropriate agency, but also noted that current statistics did not show a high number of incidents which were as a result of fuel poverty or homelessness.

Decision

The committee noted the report.

(2) Fire safety enforcement audit process and auditing of licensed premises

This report had been produced following a specific enquiry from the Scrutiny Committee in relation to the inspection of licensed premises. Details were provided around the fire safety enforcement methodology and the reasoning for non-routine auditing of 'licensed' premises.

Decision

The committee noted the report.

The committee then heard a presentation from Joe Andrews which related to the Wester Shieldhill Road. The presentation was as a result of a request from the committee for this road to be considered for gritting during icy weather as due to the nature of the steep gradient on the road there was a perception that there had been a high number of road traffic collisions. Mr Andrews provided a detailed breakdown of the numbers of vehicles that use that road and related this to the reported number of road traffic collisions. From the data provided and due to the category of the road, there was no requirement or need for the road to be considered for gritting during bad weather.

The committee thanked Mr Andrews for his presentation.

S53. FOLLOWING THE PUBLIC POUND (FPP): BO'NESS CHILDREN'S FAIR FESTIVAL EXECUTIVE

The Committee considered a report by the Director of Corporate and Neighbourhood Services which provided an update on the progress and performance of the Bo'ness Fair Festival Committee for the period 2012/2013. The report is compliant with Falkirk Council procedure in relation to 'Following the Public Pound'.

The committee discussed the good work of the Fair Committee and the possibility of them obtaining funding from other sources, such as the Lottery Fund. The Head of Head of Policy, Technology and Improvement advised that advice on other funding sources has been given previously to the Fair Committee but it was for them to make any necessary applications.

Decision

The committee approved the report and acknowledged progress by Bo'ness Fair Festival Committee in meeting Council priorities.

S54. FORTH VALLEY FAMILY SUPPORT SERVICES

The Committee considered a report by the Director of Corporate and Neighbourhood Services which provided an update on the work that has been undertaken since last year to ensure the provision of an appropriate and sustainable family support service. At the meeting of the Scrutiny Committee held on 12 September 2013 (paragraph S21 (6) refers), the committee had asked for clarification on the status of the project and in particular in the transition from the pilot project to the full project.

The Forth Valley Family Support Service was piloted from April 2012 until June 2013. Information was provided in the report on the Pilot including details on the service provided, the number of families who used the service and the outcomes achieved by the families across a number of measured areas. The report also outlined the procurement for the service following on from the Pilot and noted that the contract had been awarded to Scottish Families Affected by Alcohol and Drugs.

Decision

The committee:-

- (1) noted the contents of the report, and**
- (2) asked for further updates to be provided on the operation of the Forth Valley Family Support Service.**

DRAFT**FALKIRK COUNCIL**

MINUTE of A SPECIAL MEETING of the PENSIONS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 17 MARCH 2014 at 9.30 A.M.

PRESENT:

Councillors:

Jim Blackwood

Steven Carleschi

Tom Coleman

Dr Craig R Martin

Depute Provost Patrick (Convener)

Mary Keggan

Councillor Callum Campbell, Stirling Council

ATTENDING:

Jason Koumides, Pensions Accountant

Alastair McGirr, Pensions Manager

Bryan Smail, Chief Finance Officer

Antonia Sobieraj, Committee Services Officer

**ALSO IN
ATTENDANCE:**

Linda Selman and Simon Jones, Hymans Robertson

PE95. APOLOGIES

Apologies were received from Alistair Redpath

PE96. DECLARATIONS OF INTEREST

No declarations were made.

PE97. MINUTE**Decision**

The minute of Meeting of the Pensions Panel held on 20 February 2014 was noted.

PE98. 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 9 of Part 1 of Schedule 7A to the said Act.

PE99. INVESTMENT IN SOCIAL/AFFORDABLE HOUSING

With reference to Minute of Meeting of the Pensions Committee held on 6 March 2014 (Paragraph PE90 refers), Committee considered a report by the Chief Finance Officer on the tendering process undertaken regarding the possibility of the Fund making an investment in social and affordable housing and their evaluation by Hymans Robertson, the Pension Fund's investment advisers.

The report detailed that four Fund Managers were invited to present their cases to the Committee.

The Committee thereafter heard presentations from the shortlist of four Managers.

Councillor Carleschi entered the meeting during the submission by the second Fund Manager.

Having heard submissions from two of the four Fund Managers, the Convener agreed an adjournment at 12.10 p.m. prior to consideration of the other two presentations. The meeting reconvened at 12.50 p.m. with all Members present as per the sederunt.

Councillor Campbell thereafter left the meeting prior to the conclusion of the third Fund Manager submission.

Depute Provost Patrick, seconded by Councillor Coleman, moved that Committee make an investment in social and affordable housing with the Fund operated by the fourth Manager of social housing and affordable housing on a ratio 2:1 basis.

By way of an amendment, Councillor Dr C R Martin, seconded by Ms Keggan, moved that that the Committee make a Pension Fund investment in social and affordable housing with the Fund operated by the fourth Manager of social housing and affordable housing on a ratio 1:2 basis.

Councillor Blackwood gave notice of a further amendment.

In accordance with Standing Order 21.9 Depute Provost Patrick and his seconder Councillor Coleman withdrew their motion.

By way of a further amendment, Councillor Blackwood, seconded by Councillor Coleman, moved that the Committee make a Pension Fund investment in social and affordable housing within the Fund operated by the fourth Manager (Hearthstone plc) on an equal basis (i.e. £15m to be invested towards Social housing and £15m towards affordable housing).

In terms of Standing Order 20.7, the amendment became the substantive motion upon which the further amendment could be moved.

On a division, 2 Members voted for the motion and 4 voted for the amendment.

Decision

The Committee agreed a Pension Fund investment of the sum detailed within the report in social and affordable housing with Hearthstone plc to be invested in an equal basis between social and affordable housing and subject to the appropriate conditions.

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 18 MARCH 2014 at 9.30 a.m.

COUNCILLORS:

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

OFFICERS:

Karen Algie, Head of Human Resources and Customer First
John Angell, Head of Planning and Transportation
Robin Baird, Waste Strategy Co-ordinator
Fiona Campbell, Head of Policy, Technology and Improvement
Kevin Collins, Transport Planning Co-ordinator
Christopher Cox, Public Transport Officer
David Crighton, Estates Manager
Rhona Geisler, Director of Development Services
Tracy Gillespie, Human Resources Manager
Rose Mary Glackin, Chief Governance Officer
Elizabeth Hood, Neighbourhood and Access to Housing Manager
David McGhee, Head of Resources and Procurement
John Paterson, Head of Operational Services
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Bryan Smail, Chief Finance Officer

ALSO ATTENDING:

Baillie William Buchanan (Item EX131)
Maureen Campbell, Chief Executive, Falkirk Community Trust.
Jane Clark, Business Development Manager, Falkirk Community Trust

EX127. APOLOGIES

Apologies were received from Councillor D Goldie and Councillor Spears.

EX128. URGENT BUSINESS

The Convener stated that, in accordance with Standing Order 9.1, he had determined that an additional item of business should be added to the agenda, namely a report by the Director of Development Services on the award of a contract for the design and construction of a play park in the Helix Park. The Convener was of the opinion that the item should be considered as a matter of urgency given that full funding for the project had now been confirmed and there was a the need for the facility to be open in time for the Helix launch in April.

EX129. DECLARATIONS OF INTEREST

Councillor Nicol declared a non-financial interest in item EX144 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 relevant specific exclusion contained in the Code of Conduct.

EX130. MINUTE**Decision**

The minute of the meeting of the Executive held on 25 February 2014 was approved.

EX131. BONNYBRIDGE SOCIAL CLUB

The following motion, by Baillie Buchanan, had been referred to the Executive by Council on 11 December 2013. The Executive had, on 14 January 2014, continued consideration of the motion because Baillie Buchanan had been unable to attend the meeting due to illness. On 25 February 2014, the Executive again continued consideration of the motion because Baillie Buchanan had been unable to attend the meeting. The Executive had also at that meeting requested a report on the implications of the motion. A Report by the Director of Development Services was accordingly included as item 5 on the agenda. The motion and the report were considered together. The motion was:-

“Bonnybridge Social Club like many other clubs eg. social, golf, bowling are all feeling the effects of not only the downturn in the economy, but also the changes in peoples social lives. Clubs are closing all the time and those that are not are struggling from week to week just to keep the doors open. Bonnybridge Social Club is no different and it's only through the sacrifices and hard work and endeavour of a few that it remains open for business. This club is an integral part of the community and is utilised by the whole community in a variety of ways, its closure would have a devastating effect on the community. They require the long term stability of clearing their debt and then starting afresh with the financial burden of debt off their shoulders. They firmly believe that they can continue to be viable. Those who have worked tirelessly deserve this opportunity, as do the community to safeguard the clubs future. So how can this Council support this club and show that they fully understand? The following motion simply spells it out.

Motion

Bonnybridge Social Club owns the building, the ground the club sits on is owned by the Council, they have been advised that the bank could give them the loan to remove their debt but only if they owned the ground. You therefore see the predicament, so I would move the following:-

1. The Council requests a valuation of the ground from the District Valuer.
2. The Council then transfers the ground to the Social Club with the following conditions:-

- (a) that a payback agreement is entered into between the Club and the Council; and
- (b) that should the transfer go through and if the Club in future closes without the Council being fully paid then the ground would then go back into the ownership of the Council.”

In terms of Standing Order 31.2, Baillie Buchanan was heard on the motion before it was considered.

Decision

The Executive agreed to seek the following information from Bonnybridge Social Club:

- (a) a business plan including the last 3 years’ certified accounts, and
- (b) details of the proposed loan including the amount, the proposed lender and confirmation from the lender that a loan will be provided on the basis of the proposal set out in the motion.

NOTED that Council officers were willing to work with the Social Club on the details of the proposal in order to bring a further report to the Executive for discussion.

EX132. REFERRALS FROM JOINT CONSULTATIVE COMMITTEE – 18 FEBRUARY 2014

The Joint Consultative Committee had referred the revised Capability and Driving at Work Policies to the Executive for approval.

The Executive considered a report by the Director of Corporate and Neighbourhood Services summarising the key revisions to the policies and presenting both for approval.

Decision

The Executive approved the following policies for immediate implementation:-

- (1) Capability at Work Policy; and
- (2) Driving at Work Policy.

At this point, Councillor Nicol declared a non-financial interest in the following item 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 relevant specific exclusion contained in the Code of Conduct.

EX133. POLICY DEVELOPMENT PANEL – CULTURE AND SPORT STRATEGY

The Executive considered a report by the Director of Corporate and Neighbourhood Services setting out the key findings and recommendations of the policy development panel established to review of the Culture and Sport Strategy.

The terms of reference for the panel were to reflect on the draft strategy and propose changes, to look at how the strategy would progress to implementation beyond the broad intent set within it and to make recommendations on a final strategy to the Executive.

Meetings of the panel were held between September 2013 and January 2014. All members of the Council together with key stakeholders were invited to contribute to the review.

The report provided an overview of the evidence submitted to the panel by Falkirk Community Trust and other key stakeholders, detailed outcomes from the panel meetings, summarised the panel's findings and presented a revised strategy, having made only relatively minor changes. The panel recognised that the Trust's delivery plans would set out in detail actions to implement the aims of the strategy and recommended that a protocol be established to enable members to participate meaningfully in the development of the plans.

Councillor Mahoney presented the findings of the panel.

Decision

Having noted the views and evidence provided to the Policy and Development Panel by Falkirk Community Trust and other stakeholders, the Executive agreed:-

- (1) the proposed protocol set out in the report to allow delivery plans supporting the strategy to be considered promptly by Members and to provide the Trust with the feedback it requires;
- (2) to take steps to ensure that the Council optimises the opportunities provided by the HELIX to contribute to the attainment of the strategy and its supporting delivery plans;
- (3) to advise the Trust, Falkirk Council and other partners to optimise opportunities and resources for collaborative and partnership working;
- (4) to ensure that effective links are made between the strategy and delivery plans and the Council's Single Outcome Agreement and Strategic Community Plan and that the contribution made to these is clear
- (5) to request officers in Corporate and Neighbourhood Services, Development Services and the Trust to progress the development of a Strategic Masterplan for our parks and to refresh the Parks Development Plan, as appropriate, by the end of 2014, and
- (6) to approve the final draft of the Culture and Sport Strategy attached at Appendix 3 to the report.

Councillor Gow joined the meeting during consideration of the foregoing item.

EX134. POLICY DEVELOPMENT PANEL – BEREAVEMENT SERVICES

The Executive considered a report by the Director of Corporate and Neighbourhood Services setting out the key findings and recommendations of the policy development panel review of bereavement services.

The terms of reference for the panel were to consider the Council's long term approach to the provision of cemetery space and other policies covering the Council's cemeteries and crematoria and to ensure that the Council's bereavement services were fit for purpose, met customer needs and had appropriate standards for the short, medium and longer term.

The report outlined the work of the panel and the input from stakeholders and included a summary of recommendations for consideration by the Executive.

Councillor Dr Martin presented the findings of the panel.

The Executive discussed the panel's recommendations and the work of the panel was commended. However, the following observations were made:-

- the views of bereaved persons with regard to the proposals were important and there should accordingly be public consultation on the panel's findings.
- there had to be flexibility within any policies and rules to recognise the views of bereaved persons.
- it was not practical to set a consistent maximum number of interments per grave across all cemeteries as the number would depend on variables including ground conditions.
- the Council's policies in regard to bereavement services had been in place for a number of years and it was likely that, in some cases, practice had developed which did not reflect the original policy. A review of all policies was therefore required.
- the proposal to ensure consistency in the material used for headstones was considered to be too rigid and it was suggested that the choice of material should be left to personal preference.
- while the health and safety risk of falling headstones was acknowledged, it was suggested that a limit in the size of headstones would not necessarily address those concerns, and that appropriate maintenance of all gravestones would have greater benefit.
- the length of services and the opening hours of the crematorium should be reviewed.

Councillor C Martin, seconded by Councillor Nicol, moved that the Executive:-

- (1) notes the recommendations of the policy development panel set out in appendix 1 to the report and agrees to consult on them with the residents of Falkirk and relevant counselling groups; and

- (2) requests a report on the outcome of the consultation exercise and on the issues raised with regard to the maintenance of headstones.

Decision.

The Executive agreed the motion.

EX135. PROTECTION OF VULNERABLE GROUPS SCHEME

The Executive considered a report by the Director of Corporate and Neighbourhood Services on the operation of the Protection of Vulnerable Groups (PVG) Scheme.

The PVG scheme was introduced by the Scottish Government in January 2011. It affects any employee working in regulated work, whether commencing or changing employment within the Council, and requires them to be PVG registered. The Policy and Resources Committee considered a report on the Scheme and how it would be applied within the Council at a meeting on 8 February 2011 (Ref PR74). Since then, a number of related issues had arisen and the purpose of the report was to address those issues, in particular: payment arrangements, repeat checking of existing employees and disclosure checks.

Councillor C Martin, seconded by Councillor Nicol, moved:-

- (1) that all employees (including teachers, modern apprentices and casual workers) would be responsible for payment of any fees (including scheme record updates and any additional costs that may be incurred following the disclosure of conviction information) relating to PVG scheme membership or Disclosure checks;
- (2) that the period for repayment for modern apprentices, casual workers and those on the minimum wage be extended to up to 2 years and that the same flexibility is applied to requests from other members of staff who may have difficulty making payment over 6 months;
- (3) to implement repeat checking for all PVG scheme members and those subject to Disclosure checks on a 5 yearly basis; and
- (4) that the Disclosure policy should be amended accordingly.

Decision

The Executive agreed the motion.

EX136. LOCAL HOUSING STRATEGY 2011-16 - 2013 UPDATE

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting an update on the Local Housing Strategy 2011-2016.

Council had agreed its Local Housing Strategy (LHS) for 2011-2016 in 2011. Since its introduction a number of changes at a national level had taken place which had impacted on the LHS, namely: the introduction of welfare reform, the requirements for the Strategic Housing Investment Plan and the Strategic Local Programme, and further development with regard to the integration of Health and Social Care. The report set out progress made towards achieving the 6 outcomes in the LHS.

Additionally, the report highlighted changes to the Strategic Local Programme following up on a review of Resource Planning Assumptions by the Scottish Government and provided an update on projects to be taken forward as part of the Strategic Housing Investment Programme/Strategic Local Programme, both of which form part of the overall LHS.

An update was also provided on the Joint Strategic Commissioning Plan for older people which includes, as an appendix to the plan, a housing contribution statement. The statement forms part of the LHS and is relevant to one of the 6 outcomes.

Decision

The Executive:-

- (1) noted progress to date in delivering the Local Housing Strategy Objectives;**
- (2) agreed the revised Strategic Local Programme outlined in section 4.2 of the report; and**
- (3) noted the approach undertaken in relation to progressing older peoples' housing issues detailed in section 5 of the report and that a Local Housing Strategy for Housing for Older People would be submitted to a future meeting of the Executive.**

EX137. LOCAL HOUSING STRATEGY UPDATE 2013: HOMELESSNESS & ALLOCATION OUTCOMES

The Executive considered a report by the Director of Corporate and Neighbourhood Services providing an update on Homelessness and Allocation outcomes during 2013.

The Local Housing Strategy (LHS) is the Council's sole strategy on housing, homelessness and support. An update on the LHS had been considered as part of the preceding item. This report set out the annual homeless statement for 2012/13 and a summary of the key housing allocations outcomes for 2013.

Decision

The Executive noted:-

- (1) progress in delivering the Local Housing Strategy objectives incorporated within the Annual Homeless Statement and the Allocations Outcomes Report 2013, and**
- (2) that a review of the Allocations Policy would be undertaken during 2014 and a further update would be submitted to a future meeting of the Executive.**

EX138. TECHNOLOGY STRATEGY

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting the Technology Strategy for approval.

The Technology Strategy had been developed in consultation with key stakeholders. The strategy set out the national and strategic context within which the Council operates, identified key priorities, set out a tactical response and included a summary of the services currently provided by the ICT Division.

Decision

The Executive agreed:-

- (1) the Technology Strategy set out in the report; and
- (2) that an update report be provided later in the year with regard to progress on the Technology Strategy and its component parts.

NOTED the way forward as set out in the report with regard to the proof of concept for the Council's mobile and remote working solution in order to comply with PSN accreditation in line with the decision of the Executive on 19 November 2013 (Ref EX91).

EX139. TREASURY MANAGEMENT STRATEGY 2014-15

The Executive considered a report by the Chief Finance Officer presenting the annual strategy report for consideration prior to referral to Council.

In terms of the CIPFA Code of Practice for Treasury Management, Council is required to agree an annual treasury management strategy. The recommended strategy for 2014/2015 was presented. The strategy set out:-

- the economic and interest rate outlook
- debt outstanding at 1 April 2014
- the long term borrowing requirement 2014/2015
- borrowing and investment strategies
- treasury indicators and management advisers
- requirements for member and officer training

Decision

The Executive agreed to recommend to Council that it:-

- (1) adopts the Borrowing Strategy for 2014/15 set out in section 5 of the report;
- (2) adopts the Investment Strategy for 2014/15 and approves the list of "Permitted Investments" set out in section 6 of the report;
- (3) approves the Treasury Indicators set out in section 7 of the report, and

- (4) instructs the Chief Finance Officer to arrange training for Members as outlined in section 9 of the report.

EX140. LOCAL TRANSPORT STRATEGY AND ROAD TRAFFIC REDUCTION PLAN

The Executive considered a report by the Director of Development Services presenting the Local Transport Strategy 2014 for approval.

Council had prepared its current Local Transport Strategy (LTS) in 2005 for the period 2008 – 2009. The LTS sets out the Council's transport policy and incorporates the Road Traffic Reduction Plan (RTRP).

A review of the LTS had been carried out to coincide with the development of the Council's Local Development Plan with initial consultations commencing in 2011. A public consultation had been undertaken in 2013, with traffic calming, bus services, potholes/state of the Council's roads and town centre parking emerging as the key issues. The revised Local Transport Strategy for 2014 was presented for approval.

Decision

The Executive approved the Local Transport Strategy 2014 including the Road Traffic Reduction Plan.

EX141. LEADERSHIP DEVELOPMENT

The Executive considered a report by the Director of Corporate and Neighbourhood Services proposing a review of the current process in place for Chief Executive and Chief Officer leadership development and assessment. The report also proposed a review of the CPD framework for members.

Councillor C Martin, seconded by Councillor Mahoney, moved that:-

- (1) a review of the current arrangements for the assessment of the Chief Executive and Chief Officers be undertaken and a report brought back to the Executive with recommendations on a process which can be implemented;
- (2) the work being undertaken to develop a leadership programme for the Chief Executive and Chief Officers which will support this process and address other identified needs be noted;
- (3) a review of the current CPD framework for elected members be undertaken in consultation with members and that a report be brought back to Council with any recommendations in this regard, and
- (4) options for a leadership programme for elected members be explored and a report be brought back to Council with any recommendations in this regard.

Decision

The Executive agreed the motion.

EX142. Sustrans Community Links Funding Applications

The Executive considered a report by the Director of Development Services (a) advising of bids made to the Sustrans cycling charity, (b) seeking authority to continue the bid process and to seek match funding for any approved bids and (c) seeking approval for the acquisition of land where required to deliver the projects.

The Council had been invited to bid for funding for community links projects by the Sustrans cycling charity. The deadline for bids for the funding, which was split into two categories (projects under £1m and projects over £1m) was 14 February 2014. Following consultation with the portfolio holder for the Environment, 9 bids had been made.

In the event that any bid is successful, match funding will be required. In most instances, that will include Council funding which has been reserved within the relevant capital and revenue budgets. It may also include applications to external funding bodies.

A table detailing each bid, highlighting the total cost, the contribution sought from Sustrans and potential sources of match funding, was presented.

Decision**The Executive:-**

- (1) approved the bids to the Sustrans Community Links funding stream set out in the report and, following notification of successful applications, authorised officers to seek match funding from appropriate sources;
- (2) agreed that, if any of the bids to Sustrans are unsuccessful, officers be authorised to continue with these projects, as approved resources allow, including seeking match funding;
- (3) agreed, subject to the Chief Finance Officer being satisfied that funds for acquisition are available, to authorise the Director of Development Services and the Chief Governance Officer to enter into negotiations and thereafter conclude a bargain for the acquisition of land or rights of access necessary for the projects listed in the report (irrespective of success in the current round of bidding), with each of the transactions being at a purchase price considered satisfactory to the Director of Development Services; and
- (4) agreed, in principle, to the promotion of Compulsory Purchase Orders under the Roads (Scotland) Act 1984 or the Land Reform (Scotland) Act 2003, as appropriate, subject to a further report to the Executive on the outcome of negotiations.

EX143. MEMBER ATTENDANCE AT CONFERENCE – REQUEST FOR APPROVAL

The Executive considered a report by the Chief Governance Officer advising of a request by Baillie Buchanan to attend a conference on Fracking: The Debate on Hydraulic Fracturing for Gas to be held in the Mermaid Conference Centre in London on 19 May 2014 at a cost of £395 + VAT. The Council would also meet travel, accommodation and subsistence costs.

Additionally, the Chief Governance Officer advised that a request to attend the conference had also been made by Councillor McNally subsequent to publication of the report.

Councillor C Martin, seconded by Councillor Nicol, moved that the Executive:-

- (1) approves the attendance of Baillie Buchanan and Councillor McNally at the Fracking: The Debate on Hydraulic Fracturing for Gas conference in London on 19 May 2014 at a cost of £395 + VAT; and
- (2) agrees that members provide verbal or written feedback to Council on any conference they attend.

Decision

The Executive agreed the motion

Councillor Gow left the meeting following consideration of this item.

EX144. THE HELIX : HELIX PARK PLAY AREA

The Executive considered a report by the Director of Development Services requesting (a) an exemption from the requirement for competition in accordance with Contract Standing Order 5.6; and (b) that a tender from Timberplay Scotland Ltd in respect of the Helix play park in the amount of £376,975 be accepted.

The report set out the background to a decision to seek a tender from a single source for the design and construction of a timber play area within the Helix park.

Decision

The Executive agreed to:-

- (1) grant an exemption under Contract Standing Order 5.6 to the requirement for competition; and
- (2) accept the tender submitted by Timberplay Scotland Ltd in the sum of £376,975 in respect of the Helix park play area.

EX145. EXCLUSION OF PUBLIC

The Executive 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 items of business on the ground that they would involve the likely disclosure of exempt information as defined in paragraphs 6, 8, 9 and 12 of Part 1 of Schedule 7A to the said Act.

EX146. CLOSURE OF AVONDALE ADVANCED WASTE TREATMENT FACILITY – PRACTICAL AND FINANCIAL CONSEQUENCES

The Executive considered a report by the Director of Development Services providing an update on the position with regard to the Avondale waste treatment facility and recommending a variation in the current contract price for the cost of landfill.

The Council's original contract for the disposal and treatment of residual waste, with Avondale Environmental Ltd, had been extended to 14 August 2015. In June 2013, the Executive had been advised of the closure of Avondale's processing plant with the effect that the company would only be able to landfill waste at the site. The Executive had agreed to landfill material with Avondale until 31 March 2014 and to consider its options. More recently, Avondale had advised the Council that the processing facility would not reopen to treat residual waste during the remaining term of the contract. Consideration, therefore, required to be given to the Council's options. Details were given of the financial and legal implications of the available options.

Decision

The Executive agreed:-

- (1) to continue to landfill at Avondale, Polmont for the remainder of the contract at a reduced landfill cost of £91.25 per tonne;
- (2) in exchange for the negotiated financial arrangement outlined in the report, to the Council waiving its rights against Avondale Environmental Limited in respect of any financial loss arising from the withdrawal of the waste treatment facility; and
- (3) to note that the recycling rate for the authority will decrease should it not divert additional material from landfill.

EX147. IRRECOVERABLE DEBTS 2013/14

The Executive considered a report by the Chief Finance Officer recommending that irrecoverable debts in regard to council tax, housing benefit overpayments, non domestic rates, sundry accounts and payroll overpayments are written out of the 2013/14 accounts.

In terms of Financial Regulations, debts not exceeding £5000 can be written out of the accounts by the Chief Finance Officer. For debts exceeding £5000, Executive approval is required to write them off.

Details were given of debts exceeding £5000 in regard to council tax, housing benefit overpayments, non domestic rates, sundry accounts and payroll overpayments and approval was sought to write off these debts.

Decision

The Executive agreed that:-

- (1) Council Tax debts in excess of £5,000 totalling £24,610.20 as detailed in Appendix A to the report be written out of the Accounts in 2013/14, subject to further recovery action being taken should the opportunity arise;
- (2) Housing Benefit Overpayments in excess of £5,000 totalling £71,840.92 as detailed in Appendix B to the report be written out of the Accounts in 2013/14, subject to further recovery action being taken should the opportunity arise;
- (3) Non-Domestic Rates debts in excess of £5,000 amounting to £437,704.27 as detailed in Appendix C to the report be written off, with an appropriate adjustment to the Rate Income Return for 2013/14, subject to amendments should further information on the debtors concerned become available, and
- (4) Sundry Account debts in excess of £5,000 totalling £106,281.31 (inclusive of VAT) as detailed in Appendix D to the report be written out of the Accounts in 2013/14, subject to further recovery action being taken should the opportunity arise.

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 19 MARCH 2014 at 9.30 A.M.

COUNCILLORS:

Jim Blackwood
Gordon Hughes
Baillie Joan Paterson
Depute Provost John Patrick
Provost Pat Reid
Ann Ritchie

OFFICERS:

Shona Barton, Committee Services Officer
Bryan Douglas, Licensing Co-ordinator
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor
Francesca Pozzo, Student
Isobel Renton, Licensing Assistant (for agenda item 7 (minute CL126))
Brian Samson, Licensing Enforcement Officer (for agenda item 5 (minute CL124))

CL120. APOLOGIES

An apology was intimated on behalf of Councillor Turner.

CL121. DECLARATIONS OF INTEREST

No declarations were made.

CL122. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee on 19 February 2014 was approved.

CL123. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS AND NOTIFICATIONS OF PUBLIC PROCESSIONS RECEIVED IN JANUARY 2014

The Committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 and 31 January 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.

CL124. CIVIC LICENSING ENFORCEMENT – JANUARY 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 January 2014.

Decision

The Committee noted the Report.

CL125. 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.

CL126. APPLICATION FOR THE GRANT OF A NEW HOUSE IN MULTIPLE OCCUPATION LICENCE

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.

Decision

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

CL127. APPLICATION FOR THE GRANT OF A NEW SECOND HAND DEALER LICENCE

The applicant, Mr Y, entered the meeting and was accompanied by his wife, Mrs Y.

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

Mr Y 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.

CL128. APPLICATION FOR THE VARIATION OF LATE HOURS CATERING LICENCE NO. 238

Mr C and Mr R, directors of the applicant company, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the variation of late hours catering licence no.238 (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 proposed menu, the late hours catering policy and the late hours catering conditions.

Mr C and Mr R spoke in support of the application. They advised that they wished for the application to be amended to include the serving of hot food until the terminal hour sought of 4 a.m.

Questions were then asked by Members of the Committee.

The Committee noted that Police Scotland had made comment in relation to the application, and had requested that CCTV be installed in the premises if the application were granted. It was also noted that the comments from Police Scotland had been made in relation to the application for cold food only being served between 1.30 a.m. and 4.00 a.m.

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

Mr C and Mr R left and were then recalled to the meeting.

Having heard from the Licensing Co-ordinator who advised that representatives from Police Scotland would be in attendance later in the meeting, the Committee **AGREED** to continue consideration of the matter to later in the meeting to allow Police Scotland to make comment on the application in relation to the hot food element being served after 1.30 a.m.

CL129. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

Mr S, the applicant, 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, and (b) detailing the consultations undertaken.

Mr S spoke in support of the application.

Questions were then asked by Members of the Committee.

The Committee agreed to grant the licence for a period of one year, subject to the standard conditions and the applicant having passed the Council's medical test.

CL130. APPLICATION FOR THE RENEWAL OF A TAXI OPERATOR LICENCE

The applicant, Mr Y, entered the meeting together with his representative, Mr S.

The Committee considered a report by the Chief Governance Officer on an application for the renewal of a taxi operator 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 S, on behalf of the applicant, spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to renew the taxi operator licence for a period of one year subject to the standard conditions and with a warning letter detailing the standards expected of taxi operators.

The applicant's representative asked that a Statement of Reasons be provided.

CL131. APPLICATION FOR THE VARIATION OF LATE HOURS CATERING LICENCE NO. 238

Mr C and Mr R, Directors of the Applicant Company and Inspector D Gibson and PC A Kane, Police Scotland all entered the meeting.

With reference to the decision taken earlier in the meeting (minute CL128), the Committee gave further consideration to the application for the variation of late hours catering licence no. 238.

Inspector Gibson, Police Scotland was heard in clarification of the consultation response which had been provided in relation to the application. Inspector Gibson advised that given that the applicants now wished to amend the application to include the serving of hot food between 1.30 a.m. and 4.00 a.m. that Police Scotland would have to give consideration to this change in circumstance.

Thereafter, the committee agreed to consider the terms of the original application for only cold food sales from 1.30 a.m. to 4.00 a.m.

Decision

The Committee agreed to grant the variation to late hours catering licence no. 238 for a period of 6 months subject to the standard conditions and the following additional conditions:-

- The premises will be open until 4am on Thursday to Sunday evenings only
- No hot food will be sold on the premises after 1.30am, and
- A CCTV system is to be installed in the premises

CL132. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 1734

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

With reference to the Minute of Meeting of the Committee held on 19 February 2014 (Paragraph CL119 refers), the Committee reconsidered a report by the Chief Governance Officer advising of a letter of complaint submitted by Police Scotland in respect of the licenceholder seeking a suspension of his taxi driver licence under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982.

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

Inspector Gibson then spoke in amplification of the complaint.

Members of the Committee and Mr M asked questions of Inspector Gibson.

Mr M was then heard in relation to the complaint, advising that he wished the matter to be continued pending the outcome of the court proceedings.

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

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