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## FALKIRK COUNCIL

**MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 24 FEBRUARY 2015 at 9.30 a.m.**

**COUNCILLORS:**

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

**OFFICERS:**

Margaret Anderson, Director Of Social Work  
Danny Cairney, Accountancy Services Manager  
Rhona Geisler, Director Of Development Services  
Rose Mary Glackin, Chief Governance Officer  
Brian Pirie, Democratic Services Manager  
Marion Reddie, Head Of Community Care  
Stuart Ritchie, Director Of Corporate & Neighbourhood

**ALSO ATTENDING:**

Maureen Campbell, Chief Executive Falkirk Community Trust  
Lesley O'Hare, Culture and Libraries Manager, Falkirk Community Trust

**EX118. APOLOGIES**

No apologies were intimated.

**EX119. DECLARATIONS OF INTEREST**

Councillor Gow declared a non financial interest in item EX124 as an advisor to the Board of Falkirk Citizens Advice Bureau but didn't consider that this required her to recuse herself from consideration of this item having had regard to the objective test in the Code of Conduct.

**EX120. MINUTES**

**Decision**

- (a) The minute of meeting of the Executive held on 13 January 2015 was approved, and
- (b) The minute of special meeting of the Executive held on 3 February 2015 was approved.

**EX121. TOURISM STRATEGY**

The Executive considered a report by the Director of Development Services presenting the recommendations of the policy development panel established to develop a Tourism Strategy.

The Executive had, on 17 June 2014 (ref EX27), established a policy development panel to prepare a tourism strategy for the Falkirk Council area. The panel comprised Baillie Paterson and Councillors Mahoney (chair) and D Goldie. The opposition did not take up its 2 places on the panel.

A draft strategy was approved by the Executive on 2 December 2014 (ref EX88) for consultation. The report summarised the issues raised during the consultation with tourism partners, operators and national organisations. Following the consultation, the panel met on 12 February 2015 and finalised the draft Tourism Strategy for 2015–2020 for consideration by the Executive. The report also set out arrangements for reviewing the strategy during its lifetime. The draft strategy was presented for consideration.

**Decision**

**The Executive agreed the Tourism Strategy 2015-2020 for publication and the arrangements for reporting annually on tourism as outlined at paragraph 5.1 of the report.**

**EX122. HOUSING REVENUE ACCOUNT LAND SALES UNDER £5000**

The Executive considered a report by the Director of Corporate and Neighbourhood Services proposing that applications to purchase Housing Revenue Account (HRA) land are suspended from 1 April 2015 pending a review of the procedures and costs of processing applications.

Applications to purchase land held on the Council's HRA are dealt with by the Head of Housing Services. The current procedure is considered to be staff intensive with a number of Services involved. Since 2012, of 71 applications received, only 13 have resulted in successful sales, with an income of £17,950 realised.

Additionally, reforms are proposed by the Scottish Government in regard to land sales which will impact on the Council's process.

It was proposed therefore to review and consult with stakeholders on the process and, to assist this, a moratorium on sales of land from the HRA as of 1 April 2015 was proposed. Current ongoing applications will continue to be processed.

**Decision**

**The Executive agreed:-**

- (1) a moratorium on Housing Revenue Account (HRA) land sales for 12 months commencing 1 April 2015;
- (2) that the current procedures for HRA land sales are reviewed in consultation with service users, Members and other services of the Council;
- (3) that a report outlining the outcome of the review and consultation will be presented to the Executive in due course; and
- (4) to note the proposed change for requesting Scottish Government consent as outlined in section 3 of the report.

### **EX123. BUSINESS TRANSFORMATION**

The Executive considered a report by the Chief Executive presenting an update on the Council's business transformation initiatives.

A workstream aimed at transforming Council business was established in September 2013 as part of the Council's approach to driving improvement in services. The work focusses on why, how, to what level and to whom, services are delivered with the aim of identifying corporate and service specific projects to drive positive change and development.

The report set out the project methodology and governance arrangements, together with an update on the progress of various projects and summarised emerging outcomes.

#### **Decision**

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

- (1) to note that business transformation is well embedded across Council Services;
- (2) to note the business transformation governance arrangements, approach, progress and emerging outcomes set out in the report; and
- (3) that further progress reports will be presented to the Executive as set out in the report.

#### **EX124. FRONTLINE SUPPORT FOR VULNERABLE PEOPLE – CAB RELOCATION**

The Executive considered a report by the Directors of Corporate and Neighbourhood Services and Development Services advising of a proposal to relocate Falkirk Citizens Advice Bureau to property owned by Falkirk Council and that the Council contribute up to £130,943 towards the fit out of the premises.

Falkirk Citizens Advice Bureau (CAB) is currently based at Vicar Street, Falkirk. It is considered that the property is not fit for purpose and provides insufficient capacity to allow the CAB to deal with an increasing demand for its services. The report summarised the benefits, to Falkirk CAB and Falkirk Council, in the relocation of the CAB to Falkirk Council owned property at 1-5 Meeks Road, Falkirk.

The cost of the fit out of the property was estimated at £202,610, with the Council's contribution to be capped at £130,943 and subject to conditions as set out in the report.

The report also provided an update on work to develop a long term co-ordinated, multi agency provision to support people at risk, or living in poverty within the Council area.

#### **Decision**

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

- (1) to note the ongoing review of services to support people at risk of, or affected by, poverty living in the Falkirk Council area and to request that officers report recommendations on conclusion;
- (2) to approve the funding package proposed at paragraph 6.3 of the report, which provides the total project cost of £202,610, including a capped contribution of £130,943 from Falkirk Council (to be conditional upon the suspensive conditions outlined in paragraph 6.5 of the report); and
- (3) that Falkirk Council project manage the fit out of 1-5 Meeks Road for use by Falkirk Citizens Advice Bureau.

#### **EX125. DENNY TOWN CENTRE REGENERATION: UPDATE REPORT**

The Executive considered a report by the Director of Development Services providing an update on the progress of the Denny Town Centre Regeneration project and setting out options, for consideration, to progress phase 2 of the project.

The report summarised progress made and the current position in regard to phase 1, phase 2 and phase 3 of the town centre regeneration project; the siting of the war memorial, and public art proposals. In particular, in regard to the phase 2 development, the report highlighted that 2 offers had been received from developers based on land value. However neither party had indicated a willingness to proceed with their offer if a contribution towards the delivery of the Denny Eastern Access Road (DEAR) would be required by the planning authority. The report summarised the implications of this and set out 3 options:-

- 1) re-market the site with an obligation for a contribution towards DEAR being payable in addition to the land purchase price;
- 2) as with Option 1 except market the site on completion of Phase 1 in 2017; and
- 3) Council takes responsibility for any balance outstanding for Phase 2's contribution to the DEAR and proceeds to remarket the site on this basis.

Of these, option 3 was recommended. The potential implications of this option were set out.

## **Decision**

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

- (1) to note the terms of the report on the progress of the Denny Town Centre regeneration project;
- (2) to note the award of £1.4m of Regeneration Capital Grant Fund (RCGF) support for delivery of Phase 1 of the project and the effect on the project budget;
- (3) that any financial contribution to be made by the Council towards the cost of DEAR for phase 2 of the town centre redevelopment be met through the project budget, and
- (4) that the Phase 2 site be remarketed in line with option 3, set out at paragraph 4.4 of the report, i.e. that Council takes responsibility for any balance outstanding for phase 2's contribution to the Denny Eastern Access Road (DEAR) and proceeds to remarket the site on this basis and that a further report be submitted to the Executive confirming the results of the marketing exercise.

**EX126. SYNTHETIC SPORTS PITCHES**

The Executive considered a report by the Chief Finance Officer presenting an application process for funding towards the provision of 3G synthetic pitches.

On 17 June 2014 (ref EX25) the Executive agreed to pursue a club led option in regard to the provision of funding for synthetic pitch provision and requested the development of a mechanism and criteria to support applications.

An application process was set out together with the proposed eligibility and scoring criteria. Up to £10,000 may be awarded to applicants progressing to stage 2 of the process to assist with the submission of detailed design, technical, functional and financial information.

**Decision****The Executive agreed:-**

- (1) the stage 1 application for funding form set out in appendix 1 to the report and the evaluation and scoring process for stage 1 detailed at section 3 of the report;
- (2) the targeted timescales for the receipt and assessment of applications;
- (3) to provide up to £10,000 to successful applicants at stage 1 to assist with their development costs for stage 2;
- (4) to note that a further report will be presented on the outcome of the stage 1 assessment process, with recommendations as to the applicants to take forward to stage 2 and the level of funding for each applicant, and
- (5) the stage 2 process set out at paragraph 3.6 of the report, in particular the authorisation to the Chief Executive or her nominee, to conclude the funding arrangements on the basis that all outstanding details have been provided to officers and there has been no significant change from the position reported after stage 1.

**EX127. CHARLOTTE DUNDAS REPLICA**

The Executive considered a report by the Chief Finance Officer setting out a recommendation from Falkirk Community Trust that the Charlotte Dundas replica vessel, currently held in storage by Falkirk Community Trust on behalf of the Council, is decommissioned.



A  $\frac{3}{4}$  scale replica of the Charlotte Dundas steam vessel is held, on behalf of the Council, by Falkirk Community Trust. The vessel has been stored in Abroath at a cost of £1820 p.a. since 2005.

The replica vessel is in a poor state of repair and the Trust has now recommended that it is decommissioned at a cost of £5,570, with the cost to be met by Falkirk Council.

It is proposed that the vessel's wheel and name plate are salvaged for uplift by the Friends of Charlotte Dundas. It is envisioned that a permanent memorial will be established and discussions are ongoing in regard to this.

### **Decision**

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

- (1) to the decommissioning of the Charlotte Dundas replica vessel at a cost of £5,670 to be met from existing Council budgets, and
- (2) that the vessel's wheel and name plate are salvaged on the understanding that the items will be uplifted from the boat yard by the Friends of Charlotte Dundas.

### **EX128. TELECOM SERVICE CENTRE, T/A WEBHELP UK CENTRAL PARK, LARBERT**

The Executive considered a report by the Director of Development Services setting out a proposal to extend the current lease agreement, at a reduced rent, at 1 Central Park Avenue, Larbert.

Falkirk Council leases the property at Central Park Larbert from Trumros Ltd, at an annual cost of £206,000 and subsequently leases it to Webhelp UK. It is then sublet to Telecom Service Centres (TSC) who pay an annual rent to the Council of £206,000.

The lease arrangement with TSC will expire on 18 June 2015. The report set out the financial implications and advantages of a proposal by TSC to extend the lease, at a reduced annual rent of £186,000 for the remainder of the Council's head lease which is due to expire in 2019.

### **Decision**

**The Executive agreed to approve the lease extension with TSC/Webhelp UK on the terms detailed in the report.**

**EX129. SCOTTISH CLIMATE CHANGE DECLARATION - PROGRESS REPORT 2013/14**

The Executive considered a report by the Director of Development Services presenting a draft Climate Change Annual Progress Report for approval.

In 2007 the 32 Scottish local authorities signed up to a Scottish Climate Change Declaration. Each signatory is required to report publicly on progress in addressing and leading on climate change. In May 2014 COSLA requested that all authorities submit their finalised annual progress report by 31 March 2015. To date the publication of such annual reports has been voluntary. From 2016, reporting will become mandatory. A draft Climate Change Annual Progress Report for 2013/2014 was presented for approval.

**Decision**

**The Executive agreed the Annual Progress Report as appended to the report, and its submission to COSLA by the deadline of 31 March 2015.**

**EX130. ADULT SUPPORT & PROTECTION BIENNIAL REPORT 2012-2014**

The Executive considered a report by the Director of Social Work Services presenting the Adult Support and Protection Biennial Report for 2012-2014 and setting out a proposal to establish a Falkirk Adult Support and Protection Committee.

The third biennial report, by the Chair of the Forth Valley Adult Support and Protection Committee, was presented. The report, for the period 2012-2014 set out the main issues including:-

- outcomes for service and users;
- national priorities;
- training and staff development; and
- Community Safety and Partnership

The report highlighted the importance of the committee's work being embedded in community planning arrangements and proposed that local Adult Support and Protection (ASP) committees are established, including a committee for the Falkirk Council area. Additionally it was proposed that, in light of the independent chair's retiral later in 2015, consideration be given to appointing an independent Chair of the proposed local ASP committee and to the Child Protection Committee, thereby facilitating a co-ordinated approach to protection issues.

**Decision**

**The Executive agreed:-**

- (1) to note the Biennial Report (2012-2014) of the Adult Support & Protection Committee and the plans contained therein;
- (2) to the establishment of a local Falkirk Adult Support & Protection Committee;
- (3) in principle to the recruitment of an Independent Chair for both the Adult Support & Protection and Child Protection Committees subject to the agreement of Community Planning partners, and
- (4) to express its appreciation of the leadership and commitment shown by the Independent Chair of Adult Support & Protection Committee and wish her well in her retirement.

**EX131. CHILD PROTECTION COMMITTEE BIENNIAL REPORT 2012-2014**

The Executive considered a report by the Director of Social Work Services presenting Falkirk Child Protection Committee's biennial report for 2012/2014 and its Business Plan for 2014-16 together with a proposal for joint chair arrangements with the proposed Falkirk Adult Support and Protection Committee.

The biennial report, by the Chair of the committee, set out the work of the committee over the period 2012 to 2014 in regard to:-

- continuous improvement activity;
- strategic planning; and
- public information and communication.

The committee is currently chaired by the Director of Social Work Services, Margaret Anderson, who is due to retire in March 2015. It was proposed that, following her retiral, an independent chair is appointed. Earlier in the agenda the Executive considered and approved a proposal (ref EX130) in principle that an independent chair is appointed to both the proposed Falkirk Adult Support and Protection Committee and the Falkirk Child Protection Committee.

**Decision**

**The Executive agreed:-**

- (1) to note the work of the Falkirk Child Protection Committee over the period 2012-2014 and endorse the priorities set out in the Committee's Business Plan;

- (2) in principle to the appointment of an independent chairperson to provide continued leadership of the Child Protection Committee following the retiral of Director of Social Work Services, subject to the formal agreement of partners, and
- (3) in principle to the same independent chairperson being appointed to the Adult Support & Protection Committee.

#### **EX132. 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 Chief Governance Officer setting out a request to attend a conference which had been submitted after the issue of the agenda for this meeting. The Convener ruled that the matter was urgent because the conference was to be held before the next meeting of the Executive

#### **EX133. MEMBER ATTENDANCE AT CONFERENCE – REQUEST FOR APPROVAL**

The Executive considered a report by the Chief Governance Officer advising of a request by Councillor Meiklejohn to attend the COSLA annual conference at Crieff Hydro on 12 and 13 March 2015 at a cost of £375 plus VAT. For conferences and seminars exceeding £200 approval requires to be sought from the Executive.

The Chief Governance Officer advised that a further request to attend the same conference had also been received from Councillor Gow.

#### **Decision**

The Executive agreed the attendance of Councillors Gow and Meiklejohn at the COSLA conference at the Crieff Hydro Hotel on 12 and 13 March 2015 at a cost of £375 per person plus VAT.

## FALKIRK COUNCIL

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 25 FEBRUARY 2015 at 9.30 a.m.**

**COUNCILLORS:**

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

**OFFICERS:**

John Angell, Head of Planning and Transportation  
 Donald Campbell, Development Management Co-ordinator  
 Kevin Collins, Transport Planning Co-ordinator  
 Ian Dryden, Development Manager  
 Allan Finlayson, Senior Planning Officer  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Alf Hillis, Environmental Health Officer  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator  
 Richard Teed, Senior Forward Planning Officer  
 Bernard Whittle, Development Management Co-ordinator

**P114. APOLOGIES**

Apologies were intimated on behalf of Councillor Turner.

**P115. DECLARATIONS OF INTEREST**

No declarations were made.

Prior to consideration of business, the Members below made the following statements:-

- Councillor Mahoney informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/14/0077/FUL (minute P118).
- Councillor Chalmers informed the Committee that, while he had not attended the site visit, he would take part in consideration of planning application P/14/0077/FUL (minute P118) as he was sufficiently familiar with the site.
- Councillor Nicol informed the Committee that, while he had not attended the site visit, he would take part in consideration of planning application P/14/0077/FUL (minute P118) as he was sufficiently familiar with the site.
- Councillor Meiklejohn informed the Committee that, while she had not attended the site visit, she would take part in consideration of planning application P/14/0077/FUL (minute P118) as she was sufficiently familiar with the site.
- Baillie Paterson informed the Committee that, while she had not attended the site visit, she would take part in consideration of planning application P/14/0077/FUL (minute P118) as she was sufficiently familiar with the site.

#### **P116. REQUEST FOR SITE VISIT**

Having heard requests by members for a site visit, the Committee agreed to the continuation of planning application P/14/0682/FUL (minute P119).

#### **P117. MINUTES**

##### **Decision**

- (a) The minute of meeting of the Planning Committee held on 28 January 2015 was approved; and
- (b) The minute of meeting of the Planning On-Site Committee held on 9 February 2015 was approved.

Councillor Mahoney left the meeting prior to consideration of the following item of business and re-entered during its consideration but took no part in consideration of the item.

Councillors Carleschi and C Martin entered the meeting during consideration of the following item of business.

**P118. ERECTION OF 4 RETAIL UNITS AND 4 FLATS WITH ACCESS AND PARKING FACILITIES ON LAND TO THE OF EAST OF 22A GLASGOW ROAD, GLASGOW ROAD, DENNY FOR MR NIMI DHILLON - P/14/0077/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 28 January 2015 (Paragraph P111 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 erection of a two storey building comprising four retail units and four flatted dwellings, with associated access and parking facilities, on land to the east of 22A Glasgow Road, Glasgow Road, Denny.

Councillor McLuckie, seconded by Baillie Paterson, moved that planning permission be granted in accordance with the recommendations in the Report and with the additional informative relating to relevant parties working together to consider options to deter the potential for unauthorised parking.

By way of an amendment, Councillor McNally, seconded by Councillor Meiklejohn, moved that Committee continue consideration to obtain further information from the applicant in relation to addressing the parking issues at the site and the arrangements for refuse collection and associated issues.

On a division, 7 Members voted for the motion and 2 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) Notwithstanding the approved plans, the development shall not commence until exact details of the colour and specification of all proposed external finishing materials have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (3) The development shall not commence until exact details of the height, location, specification and colour of all proposed fences, walls and any other means of enclosure have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**

- (4) The development shall not commence until a contaminated land assessment has been submitted to and approved in writing by the Planning Authority. Before the development is brought into use, any necessary remedial works to make the ground safe shall be carried out in accordance with an approved remediation strategy, and any necessary remediation completion report/validation certificate shall be submitted to and approved in writing by the Planning Authority.
- (5) The development shall not be brought into use until acoustic glazing with a specification of 6mm/12mm/6mm or acoustic equivalent and permanent ventilation (to ensure that windows can be kept closed without loss of ventilation) have been installed in the proposed flatted dwellings, in accordance with details to be approved in writing by the Planning Authority before the development commences. The acoustic glazing shall ensure that the internal levels with the windows closed do not exceed 35dB daytime and 30dB night-time, when measured at LAeq,T.
- (6) Before each proposed retail unit is occupied, exact details of the measures proposed to mitigate the potential for elevated levels of noise/vibration from refrigeration/ventilation plant shall be submitted to and approved in writing by the Planning Authority, where the submission of such details is considered to be necessary by the Planning Authority in view of the proposed use of that unit. The scheme of mitigation shall ensure that future occupiers of the proposed flatted dwellings will not be subject to noise levels in excess of 35dB daytime and 30db night-time. The development shall be carried out in accordance with the approved details.
- (7) Before the development is brought into use, the proposed new access shall be constructed in a manner to ensure that no surface material or loose material is discharged onto the public road.
- (8) The development shall not commence until the applicant has demonstrated to the satisfaction of the Planning Authority that the proposed development would not be constructed over a culverted watercourse.

**Reason(s):-**

- (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.
- (2-3) To safeguard the visual amenity of the area.
- (4) To ensure the ground is suitable for the proposed development.
- (5) To ensure that the occupiers of the properties are safeguarded against excessive noise intrusion.
- (6) To ensure that the occupants of the property are safeguarded against excessive intrusion from noise and vibration.



- (7) To safeguard the interests of the users of the public highway.
- (8) It is contrary to good practice to build over culverted watercourses.

**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) 01B, 02C, 03, 04B, 05B, 06B, 07B, 08B, 09B, 10B, 11B, 13A, 14 and 15.
- (3) Scottish Water have advised that, due to the size of the proposed development, it will be necessary for Scottish Water to assess the impact of the new demand on their existing infrastructure. With any development of 10 or more housing units, or equivalent, there is a requirement to submit to a fully completed Development Impact Assessment form to Scottish Water. These forms could be found at [www.scottishwater.co.uk](http://www.scottishwater.co.uk).
- (4) The applicant is advised to work together with the relevant parties to consider options to deter the potential for unauthorised parking.

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

**P119. DEMOLITION OF RUINED FARMHOUSE, ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE, FORMATION OF ACCESS, CHANGE OF USE OF AGRICULTURAL LAND TO GARDEN GROUND AT DOUBLEDYKES FARM, FALKIRK FOR MRS ALISON ARNOTT - P/14/0682/FUL**

Baillie Paterson and Councillor Carleschi left and re-entered the meeting during consideration of the following item of business.

**P120. RESIDENTIAL AND MIXED USE PHASED DEVELOPMENT FOR THE WHITECROSS SIRR, INCLUDING UP TO 1500 RESIDENTIAL UNITS, COMMUNITY AND ENTERPRISE FACILITIES, TRANSPORT AND ENVIRONMENTAL INFRASTRUCTURE AND EMPLOYMENT SPACE AT MANUEL WORKS, LINLITHGOW EH49 6LH FOR MORSTON ASSETS/MWL MAXINE DURY - P/10/0188/PPP**

The Committee considered a report by the Director of Development Services on an application for planning permission in principle for a residential and mixed use phased development for the Whitecross SIRR, including up to 1500 residential units, community and enterprise facilities, transport and environmental infrastructure and employment space at Manuel Works, Linlithgow, said application having been the subject of a minded to grant decision on 18 May 2011. The purpose of the report was to (a) give an update on progress with the Section 75 planning agreement which had still to be concluded; (b) advise on changes to the masterplan drawings and the planning conditions, and (c) set out further representations received with regard to the application.

**Decision**

**The Committee agreed:-**

- (1) to continue consideration of this item to allow officers to provide further information for members by way of a briefing session for all Council members in relation to the current issues pertaining to this matter; and**
- (2) that thereafter the Director of Development Services would submit a report to a future meeting of the Committee for further consideration.**

NOTE: the Director of Development Services confirmed that no planning permission would be issued if the Planning Obligation was concluded in the interim.

The Convener agreed an adjournment at 11.10 a.m. The meeting reconvened at 11.20 a.m. with all Members present as per the sederunt.

**P121. RESTORATION OF DUNMORE PARK HOUSE TO FORM 15 DWELLINGS, CONVERSION OF STABLES TO FORM 10 DWELLINGS, ERECTION OF 45 DWELLINGHOUSES, ASSOCIATED LANDSCAPING WORKS, AMENDMENTS TO A905 AND SITE ACCESS ROAD, DUNMORE PARK, FALKIRK FK2 8LP FOR MANOR KINGDOM (06/1099/FUL)**

**RESTORATION OF DUNMORE PARK HOUSE TO FORM 15 DWELLINGS AND CONVERSION OF STABLES TO FORM 10 DWELLINGS AT DUNMORE PARK, FALKIRK FK2 8LP (06/0377/LBC)**

The Committee considered a report by the Director of Development Services on applications for full planning permission and listed building consent for the erection of 45 new dwellinghouses within the policies of Dunmore Park House and the restoration of the house and associated stables to create 25 residential units at Dunmore Park, Falkirk, application 06/1099/FUL having been the subject of a minded to grant decision on 27 February 2008 while application 06/0377/LBC was still outstanding pending information requested from the applicant. The purpose of the report was to seek direction from the Committee on these two long outstanding applications.

**The Committee agreed:-**

- (1) to continue consideration of the item to allow time for the required Planning Obligation to be concluded in terms satisfactory to the Director of Development Services which Planning Obligation shall require an amended education contribution of £416,500 and shall not require a contribution in relation to the provision of mains gas and drainage;
- (2) in the event that the said Planning Obligation has been concluded to the satisfaction of the Director of Development Services by 31 August 2015, the said Director shall be authorised to grant planning permission subject to such conditions as are considered appropriate by her and continue to progress the assessment and determination of the related application for listed building consent. This will include referral to Historic Scotland, if minded to grant Listed Building Consent, and will also be subject to conditions considered appropriate by the said Director, and
- (3) in the event that the said Planning Obligation has not been concluded to the satisfaction of the Director of Development Services by 31 August 2015, the matter shall be reported back to the Committee for further consideration.

## **P122. UNDETERMINED “LEGACY” APPLICATIONS FOR PLANNING PERMISSION FOR HOUSING**

The Committee considered a report by the Director of Development Services (a) detailing old ‘legacy’ applications and other applications where insufficient progress had been made to allow a determination; and (b) requesting consideration of the most appropriate way forward to progress the applications.

### **Decision**

**The Committee:-**

- (1) Noted the report; and
- (2) Agreed:-
  - (a) that Planning Application P/07/0518/FUL by Konon Limited be reported to a future meeting of the Committee if it is still undetermined or not withdrawn by 30 June 2015;

- (b) that other applications on which little progress was being made (as detailed below and in the Appendix to the report) be reported to a future meeting of the Committee if they are still undetermined or not withdrawn by the timescales detailed on the Appendix to the report or the dates detailed below if different:-

<u>Application No.</u>	<u>Applicant</u>
F/2004/0178	County Homes
06/0377/LBC	Mrs Jeanette Sutherland (See minute ref: P121)
06/1099/FUL	Mrs Jeanette Sutherland (See minute ref: P121)
P/07/0635/FUL	JAD Homes Ltd
P/09/0508/OUT	MacTaggart and Mickel
P/10/0188/PPP	Morston Assets/MWL Maxine Dury (See minute ref: P120)
P/10/0360/PPP	I and H Brown Ltd
P/10/0512/PPP	British Waterways (Scotland) and Falkirk Council
P/11/0142/PPP	Stewart Homes
P/12/0314/PPP	Ms Jackie Kemp - 30 June 2015
P/12/0543/PPP	Mr Mark Agnew - 30 September 2015, and

- (c) the current practice of index linking developer contributions from the date of the minded to grant decision, unless otherwise agreed.

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 2 MARCH 2015 at 9.00 a.m.**

**COUNCILLORS:**

Allyson Black  
Tom Coleman  
Craig Martin (Convener)  
Cecil Meiklejohn  
Alan Nimmo  
Provost Pat Reid

**OFFICERS:**

Karen Algie, Head of Human Resources & Customer First  
Jack Frawley, Committee Officer  
Mary Pitcaithly, Chief Executive

**AP11. APOLOGIES**

None.

**AP12. DECLARATIONS OF INTEREST**

None.

**AP13. 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 grounds 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.

**AP14. APPOINTMENT OF DIRECTOR OF CHILDREN'S SERVICES**

The committee considered a report by the Chief Executive which outlined the selection process for the post of Director of Children's Services. The Committee interviewed a short list of 3 candidates for the post of Director of Children's Services.

**Decision**

The committee agreed to appoint Robert Naylor to the post of Director of Children's Services on the relevant Chief Officer salary and conditions of service.



# FALKIRK COUNCIL

**MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 9 MARCH 2015 commencing at 9.30 a.m.**

**COUNCILLORS:**

Baillie William Buchanan (Convener)  
Colin Chalmers  
Adrian Mahoney  
John McLuckie  
John McNally

**OFFICERS:**

Ian Dryden, Development Manager  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Karen Quin, Solicitor  
Brent Vivian, Senior Planning Officer

**P123. APOLOGIES**

Apologies were intimated on behalf of Baillie Paterson and Councillors Meiklejohn and Turner.

**P124. DEMOLITION OF RUINED FARMHOUSE, ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE, FORMATION OF ACCESS, CHANGE OF USE OF AGRICULTURAL LAND TO GARDEN GROUND AT DOUBLEDYKES FARM, FALKIRK FOR MRS ALISON ARNOTT - P/14/0682/FUL**

With reference to Minute of Meeting of the Planning Committee held on 25 February 2015 (Paragraph P119 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 ruined farmhouse and erection of dwellinghouse and domestic garage and formation of access and change of use of agricultural land to garden ground at Doubledykes Farm, Falkirk.

The Convener introduced the parties present.

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

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

Mr and Mrs Arnott, the applicants, were 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 McCabe, 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 25 March 2015.



DRAFT**FALKIRK COUNCIL**

**MINUTE of JOINT MEETING of the PENSIONS COMMITTEE/PANEL held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 12 MARCH 2015 at 9.30 A.M.**

**PRESENT:**

Councillors:

Jim Blackwood

Tom Coleman

Depute Provost John Patrick (Convener)

Dr Craig R Martin

Councillor Colin Campbell, Stirling Council

Councillor Archie Drummond, Clackmannanshire Council

Jim Boyle, Stirling Council

Gordon Laidlaw, Scottish Autism

Ian McLean, Pensioner Representative

Alistair Redpath, Pensioner Representative

Jennifer Welsh, SEPA

**ATTENDING:**

Alastair McGirr, Pensions Manager

Bryan Smail, Chief Finance Officer

Antonia Sobieraj, Committee Services Officer

**ALSO IN  
ATTENDANCE:**

Bruce Miller, Investment Manager, Lothian Pension Fund

Catherine McFadyen and Linda Selman, Hymans Robertson

Jim Rundell and Louise Dodds, Audit Scotland

Patrick Edwardson and Chris Murphy, Baillie Gifford

**PE40. APOLOGIES**

Apologies were intimated on behalf of Councillors Carleschi and C Martin, Falkirk Council.

**PE41. DECLARATIONS OF INTEREST**

No declarations were made.

**PE42. MINUTE****Decision**

**The minute of the joint meeting of the Pensions Committee and Panel on 11 December 2014 was approved.**

**PE43. PENSION FUND ANNUAL AUDIT PLAN**

The Committee considered a report by the Chief Finance Officer presenting Audit Scotland's Annual Audit Plan for 2014/2015.

A verbal update was provided by Audit Scotland representatives highlighting areas which were likely to be significant during the audit. These included Investment Management Expenses, preparations for the new CARE Scheme and the vacant Pensions Accountant post. The Committee and Panel members considered that these issues were important areas of oversight.

**Decision**

**The Committee and Panel noted the issuing of Audit Scotland's Annual Audit Plan for 2014/15 consistent with the audit of the Falkirk Pension Fund Annual Report and Accounts for that year.**

**PE44. PENSION FUND - FUNDING STRATEGY STATEMENT**

The Committee considered a report by the Chief Finance Officer on the Pension Fund's Funding Strategy Statement.

The report detailed that the Funding Strategy Statement had been updated to take account of the 2014 Actuarial Valuation process and included information on the governance arrangements.

**Decision**

**The Committee and Panel noted the report.**

**The Committee approved the revised Funding Strategy Statement of the Falkirk Pension Fund.**

**PE45. PENSION FUND - ACTUARIAL VALUATION AS AT 31 MARCH 2014**

The Committee considered a report by the Chief Finance Officer providing information on the detail of the valuation of the Pension Fund as at 31 March 2014 produced by the Fund Actuary, Hymans Robertson in accordance with Regulation 32 of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008.

The report indicated:-

- The purpose of the valuation to establish the financial position of the Fund and set an appropriate rate of employers' contribution for the next three years (i.e. from April 2015 to March 2018); and
- The signed valuation report on the whole Fund position and the contribution rates by each of the Fund's participating employers.

The Committee also heard from Catherine McFadyen and Linda Selman, Hyman's Robertson in clarification.

The Convener thanked Ms McFadyen and Ms Selman for the comprehensive information presented.

### **Decision**

**The Committee and Panel noted the report and associated presentations.**

## **PE46. PENSION FUND - REVIEW OF INVESTMENT STRATEGY**

The Committee considered a report by the Chief Finance Officer providing an update on the progress of the Pension Fund's Investment Strategy.

The report confirmed:-

- The level of risk associated with various investment strategies, the options for reducing that risk and how the chosen investment strategy can be put into practice;
- The attached an explanatory Appendix from the Fund Actuary Hymans Robertson;
- That the Committee on 11 December 2014 agreed that the Strategy review should proceed to determine:-
  - the level of risk that the Committee was prepared to tolerate;
  - the mix of growth and defensive assets that the Fund should target;
  - the mix of assets the Fund should hold to meet its objectives; and
  - the asset management arrangements; and.
- The required input from the in house Investment Team;
- The Strategy and associated Risk Management;
- The objective for a 100% fully funded Fund by 2035;
- The details of the Hymans Robertson Actuarial modelling;
- The market influences;
- The balance between active and passive management; and
- The implementation of the Strategy.

### **Decision**

**The Committee and Panel noted the report including the range of Strategies set out in paragraph 3. 5 of the report and the risks associated with these Strategies.**

**The Committee agreed:-**

- (1) that a de-risking plan be put in place to allow risk to be further reduced as the funding level improved;
- (2) that making recommendations regarding the implementation of the Strategy and the range of asset classes, asset allocations and the deployment of managers by the Fund be deferred to the first meeting of the Committee and Board on 26 June 2015; and
- (3) that the Chief Finance Officer submit a report on progress to the aforementioned meeting in June.

#### **PE47. 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 comprised:-

- Pension Fund Governance Arrangements including:-
  - that the Pensions Panel be discontinued from 1 April 2015;
  - the establishment of the Pension Board,
  - the terms of the final Regulations;
  - the preparation of a Board constitution based on the model constitution agreed by the Scottish Local Government Pensions Advisory Group;
  - the employers and Trades Unions being invited to make nominations to the Pension Board;
  - the first meeting of the Joint Pensions Committee and Pension Board on 26 June 2015; and
  - the proposals for initial training for new Board members in late May/early June followed by ongoing training as appropriate; and
- The risk register;
- The progress of the social and affordable housing investment with Hearthstone plc;
- The local infrastructure in relation to collaboration with Lothian Pension Fund;
- The data matching exercise known as the National Fraud Initiative;
- The abolition of contacting out;
- The staff transfer in relation to the Advice Service Partnership;
- The work of the Local Authority Pension Fund Forum (LAPFF) and its Conference in Bournemouth from 2 to 4 December 2015; and
- The Pension Fund's Annual Conference on Thursday 16 April 2015 at Callendar House, Falkirk.

#### **Decision**

**The Committee and Panel noted the report.**

**The Committee agreed that should members of the Committee be interested in attending the LAPFF Conference in Bournemouth in December 2015 contact be made with Pensions Manager for appropriate representation.**

#### **PE48. PENSION FUND – BUDGET 2015/16**

The Committee considered a report by the Chief Finance Officer the Pension Fund Budget for 2015/16.

##### **Decision**

**The Committee and Panel noted the report.**

#### **PE49. CLASS AND GROUP ACTIONS**

The Committee considered a report by the Chief Finance Officer providing information on two litigations in which the Pension Fund may be eligible to participate in terms of Class and Group Actions.

The report indicated:-

- The circumstances where Pension Funds considered it necessary to progress legal action against companies in which they had invested;
- The companies if considered in this instance being Petroleo Brasileiro (Petrobras) and Tesco plc;
- The Class or Group Actions undertaken in conjunction with other investors;
- The Fund's litigation adviser indicating the contemplated legal action in these cases; and possibly within coming weeks;
- The issues associated with the Fund agreeing to join one or other of the actions and an assessment of risk and return;
- The benefits of investors working collectively to obtain a better settlement than actions on an individual basis and in maintaining good standards of corporate governance.
- That the respective Fund Managers, Schroder and Aberdeen, should be consulted to determine their intentions regarding legal action;
- The legal complexities of constructing an action and the short notice for a final decision for participation; and
- The details of the companies concerned and the associated issues relating to the complaint allegations against each company.

##### **Decision**

**The Committee and Panel noted the report.**

**The Committee agreed to delegate the final decision on participating to the Chief Finance Officer.**

**PE50. ORDER OF BUSINESS**

In terms of Standing Order 14.2(i), 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.

**PE51. FUND MANAGER REVIEW**

The Committee received a presentation by Patrick Edwardson and Chris Murphy, Baillie Gifford.

The presentation covered the UK Equity and Property mandates and included information as undernoted:-

- Performance and Valuation;
- Government Bonds;
- Infrastructure;
- Commodities;
- Listed Equities; and
- High Yield Credit;

The Convener thanked Mr Edwardson and Mr Murphy for their comprehensive presentation.

**Decision**

**The Committee and Panel noted the presentation.**

**PE52. 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 and Panel noted the Fund Managers' performance and the action taken by them during the quarter to 31 December 2014, in accordance with their investment policies.**