



Falkirk Council

**VOLUME OF COUNCIL
AND COMMITTEE MINUTES**

**VOLUME 3
2016/2017**

INDEX

Committee Meetings	<u>Date</u>	<u>Page Nos</u>
1. Education Executive	6 September	165 – 169
2. Special Executive	6 September	170 – 172
3. Planning	14 September	173 – 177
4. Scrutiny	15 September	178 – 183
5. Planning Review	19 September	184 – 190
6. Special Civic Licensing	19 September	191 – 192
7. Pensions Committee and Board	22 September	193 – 198
8. Appeals	23 September	199 – 200
9. Planning On-Site	26 September	201 – 204
10. Audit	26 September	205 – 210
11. Executive	27 September	211 – 223
12. Civic Licensing	28 September	224 – 227
13. Scrutiny – External	6 October	228 – 234
14. Executive	18 October	235 – 242
15. Planning	26 October	243 – 253
16. Planning Review	27 October	254 – 257
17. Civic Licensing	2 November	258 – 265
18. Planning On-Site	7 November	266 – 272
19. Education Executive	8 November	273 – 277
20. Joint Consultative	9 November	278 – 285
21. Scrutiny	17 November	286 – 292

Approved Minutes of Outside Organisations to which Council appoints representatives	<u>Date</u>	<u>Page Nos</u>
1. Falkirk Community Trust	19 May	58 – 61
2. NHS Forth Valley Board	31 May	62 – 72
3. NHS Forth Valley Board	7 June	73 – 74
4. Central Scotland Valuation Joint Board	17 June	75 – 80
5. NHS Forth Valley Board	2 August	81 – 89
6. Integration Joint Board	5 August	90 – 99
7. Falkirk Community Trust	25 August	100 – 102

FALKIRK COUNCIL

Minute of meeting of the EDUCATION EXECUTIVE held in the Municipal Buildings, Falkirk on Tuesday 6 September 2016 at 9.30 am.

COUNCILLORS:

David Alexander
Jim Blackwood
Dennis Goldie
Linda Gow
Craig Martin (Convener)
Dr Craig R Martin
Malcolm Nicol
Alan Nimmo
Robert Spears

**REPRESENTATIVES
OF RELIGIOUS
BODIES:**

Margaret Coutts

CO-OPTES:

Mike Ablett (Parent Representative)
Jonathan Barclay (Pupil Representative)
Helena Barton (Pupil Representative)
Fiona Craig (Teacher Representative)
Martin Craigen (Parent Representative)
Margaret Smith (Teacher Representative)

OFFICERS:

Arlene Fraser, Committee Services Officer
Gary Greenhorn, Head of Planning & Resources
David Mackay, Head of Education
Colin Moodie, Depute Chief Governance Officer
Robert Naylor, Director of Children's Services

EE8. Minute's Silence

The Convener referred to the recent passing of former Councillor Joe Lemetti and that of George Boyle, a former Education Committee Church Representative. He paid tribute to both Mr Lemetti and Mr Boyle. The Education Executive observed a minute's silence in their memory.

EE9. Convener's Remark

The Convener welcomed David Mackay to his first meeting of the Education Executive as Head of Education.

EE10. Apologies

Apologies were intimated on behalf Councillors Coleman and Mahoney; and Rev M Rollo.

EE11. Declarations of Interest

No declarations were made.

EE12. Minute**Decision**

The minute of the meeting of the Education Executive held on 7 June 2016 was approved.

EE13. Delivering Excellence and Equity in Scottish Education – A Delivery Plan for Scotland

The Education Executive considered a report by the Director of Children's Services providing an update on the Scottish Government's delivery plan for Scottish education which was published in late June. The plan set out how the Scottish Government intends to deliver excellence and equity in education for children in Scotland.

The delivery plan would have considerable implications for the way in which education is delivered. The plan contained a number of actions which are focused around three key priorities, namely:

- closing the attainment gap
- ensuring we have a curriculum which delivers for our children and teachers, and
- empowering our teachers, schools and communities to deliver for children and young people

The report also highlighted the Scottish Government's launch of a Governance Review alongside the Programme for Government which will take place in September 2016.

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

The Education Executive agrees:

- (1) to note the publication of the plan, and

- (2) to request that the Director of Children's Services provides further reports on emerging issues associated with the national plan and its implementation in Falkirk.

Following discussion, Councillor Nimmo, with the consent of Councillor C Martin, as his seconder, adjusted the terms of his motion to include the following clause:-

- (3) that a letter be sent to the Cabinet Secretary for Education and Skills advising that the Council has the gravest concerns regarding the proposals contained within the "Delivering Excellence and Equity in Scottish Education – a Delivery Plan for Scotland".

Councillor Alexander, seconded by Councillor Spears, moved the following amendment:-

To delete from clause 3 of the motion "the gravest concerns" and to substitute therefor "some concerns".

On a division 8 members voted for the motion and 2 for the amendment, with the voting as follows:-

For the motion (8) – Councillors Blackwood, D Goldie, Gow, C Martin, Dr C R Martin, Nicol and Nimmo; and Margaret Coutts (Religious Representative).

For the amendment (2) – Councillors Alexander and Spears.

Decision

The Education Executive agreed the motion.

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

EE14. The Scottish Attainment Challenge Schools Programme

The Education Executive considered a report by the Director of Children's Services providing an update on the Scottish Attainment Challenge Schools Programme (SAC) within Langlees Primary School and Falkirk High School.

The report set out the background to the Scottish Attainment Challenge initiative which aims to raise attainment of children and young persons living in deprived areas and close the equity gap.

The report summarised the roll out of the SAC which now includes individual secondary schools. Falkirk High School has been identified for attainment challenge funding, and a bid to secure an annual allocation over the next 5 years was recently submitted.

Decision

The Education Executive agreed:-

- (1) to note that additional funds have been allocated to Langlees Primary School and Falkirk High School, and**
- (2) to request that the Director of Children's Services provide the Education Executive with regular updates on the impact and learning arising from the Attainment Challenge in these schools.**

EE15. Initial Report on Scottish Qualifications Authority (SQA) Attainment in Secondary Schools in 2015-16

The Education Executive considered a report by the Director of Children's Services setting out the initial Scottish Qualifications Authority (SQA) attainment within Falkirk Council secondary schools in 2016.

The report, at this stage, provided information obtained from the Council's management information system (SEEMIS) and details only A to C passes for pupils in S4-S6. Attainment figures would be updated later in the session by the Scottish Government Insight information system and would include post results outcomes, together with national and comparator authority figures.

The report also set out the future actions and strategies which were being implemented to further improve attainment levels and performance.

Decision

The Education Executive agreed:-

- (1) to note Falkirk Council secondary preliminary attainment results, and**
- (2) to request a further report following the publication of updated insight data in February 2017.**

Fiona Craig left the meeting after consideration of the previous item.

EE16. School Estate Management Plan (SEMP) (June 2016)

The Education Executive considered a report by the Director of Children's Services providing an overview of the annual School Estate Management Plan (SEMP) and seeking approval for its submission to the Scottish Government.

The SEMP is reviewed and updated annually by Children's Services and submitted to the Scottish Government, together with the outcome of the annual core facts data which assesses the condition, suitability and sufficiency of each school property. This data provides the service with a

basis for prioritising resources and investment in schools up to 5 years ahead.

Information on the major works carried out across the school estate during 2015/16 and the works planned for 2016/17 was contained within the SEMP, which was attached as an appendix to the report.

Decision

The Education Executive agreed:-

- (1) to note the content of the annual update of the School Estate Management Plan (SEMP) as detailed in Appendix 1, and**
- (2) to submit the SEMP to the Scottish Government.**

Councillor Nicol left the meeting during consideration of the previous item.

FALKIRK COUNCIL

Minute of special meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 6 September 2016 at 12.00 noon.

Councillors:

David Alexander
Jim Blackwood
Dennis Goldie
Linda Gow

Dr Craig R Martin
Craig Martin (Convener)
Alan Nimmo
Robert Spears

Officers:

Douglas Duff, Head of Economic Development and Environmental Services
Rose Mary Glackin, Chief Governance Officer
Iain Henderson, Legal Services Manager
Craig Isdale, Principal Surveyor (Asset Management)
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Bryan Smail, Chief Finance Officer

EX48. Apologies

Apologies were intimated on behalf of Councillors Coleman, G Goldie Mahoney and Nicol.

EX49. Declarations of Interest

Councillor C Martin declared a financial interest in item EX50 as a Director of Falkirk Football Club Foundation and stated he would take no part in the decision making on this item.

In accordance with his declaration Councillor Martin left the meeting at this point, demitting the chair. Councillor Nimmo took the chair for the remainder of the meeting.

Councillor Spears declared a non-financial interest in item EX50 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 specific exclusions contained in the Code of Conduct.

EX50. Woodlands Games Hall

The Executive considered a report by the Directors of Children's Services and Development Services seeking approval for proposals to transfer Woodlands Games Hall and sports pitch to a community enterprise, Woodlands Community Sports Ltd (WCS Ltd.)

The proposal for the transfer of the asset, which is owned by Falkirk Council and operated by Falkirk Community Trust, was that a community enterprise (WCS Ltd.) would take a 25 year lease at a nominal annual rent of £1. This would allow the community to operate the hall and the pitch for the benefit of the local area. WSC Ltd intended to secure £200k of new capital investment (including £22k from the Council) to improve the pitch and surroundings.

Given the disparity between the proposed rent and the open market rental value as determined by the District Valuer, the Disposal of Land by Local Authorities (Scotland) Regulations 2010 required the Council to compare the costs and other benefits and disbenefits before agreeing to the disposal. These were set out in the business case for the project which was summarised within the report.

Should the proposal be agreed, Council would pay annual rent to WCS Ltd. of £10,000 to secure the use of the hall by Comely Park School.

The report set out alternative options to the leaseback or reservation arrangement for Comely Park Primary School:-

- build a new games hall at the school at an estimated cost of £600k; or
- Children's Services take over the existing hall.

Each of these options would incur costs in addition to the existing budget of £22,000.

The report set out the risks surrounding the proposal and recommended that any agreement should be subject to the resolution of these risks.

Decision**The Executive agreed:-**

- (1) subject to the resolution of the risks detailed in paragraph 7.4 of the report to the satisfaction of the Director of Development Services; the proposals for the transfer of Woodlands Games Hall and pitch to Woodlands Community Sports Ltd (WCS Ltd.) and that the Council enters into agreement with WCS Ltd. on the following terms:-**
 - (i) to lease Woodlands games hall and pitch to WCS Ltd. for a period of 25 years on full repairing and insurance terms at a nominal rent of £1 per annum;**

- (ii) to provide a financial contribution to the Landfill Communities Fund of £22,000 to secure the additional external funding of £178,000; and
 - (iii) to leaseback or reserve for Comely Park Primary School the facilities required by the School to meet its requirements for physical education and activity and that at a rental sum of £10,000 per annum;
- (2) to authorise the Director of Development Services or her nominee to conduct and finalise negotiations of the outstanding details, generally take all decisions required to take forward the proposal to conclusion and in conjunction with the Chief Governance Officer conclude all necessary legal arrangements, including those required to terminate the lease with Falkirk Community Trust; and
- (3) that should any significant changes or issues arise through negotiations or development of the proposals, a further report will be made to the Executive.

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 14 September 2016 at 9.30 a.m.

COUNCILLORS: Baillie William Buchanan (Convener)
Colin Chalmers
Paul Garner
Adrian Mahoney
Craig Martin
John McLuckie
Malcolm Nicol
Alan Nimmo
Martin Oliver
Sandy Turner

OFFICERS: John Angell, Head of Planning and Transportation
Kevin Collins, Transport Planning Co-ordinator
Ian Dryden, Development Manager
Elspeth Forsyth, Senior Planning Officer (Landscape)
Rose Mary Glackin, Chief Governance Officer
Iain Henderson, Legal Services Manager
Martin Macniven, Environmental Health Officer
Crawford Sibbald, Environmental Health Officer
Antonia Sobieraj, Committee Services Officer
Russell Steedman, Network Co-ordinator
Brent Vivian, Senior Planning Officer

P43. Minute's Silence

The Convener, prior to the commencement of business, referred to the recent passing and funeral of longstanding former Councillor J Lemetti, close friend and a very valuable member of this Committee. He paid tribute to Councillor Lemetti and to the high esteem in which he was held. The Committee expressed its condolences to Councillor Lemetti's family and observed a minute's silence in his memory.

P44. Apologies

Apologies were intimated on behalf of Councillor Carleschi.

P45. Declarations of Interest

No declarations were made.

Prior to consideration of business, the Member below made the following statement:-

Councillor Chalmers informed the Committee as he had not attended the site visit he would not take part in consideration of planning application P/16/0127/FUL (minute P50) but he would take part in consideration of planning applications P/16/0214/FUL and P/16/0162/FUL (minute P48 and P49) as he was sufficiently familiar with the sites.

P46. Request for Site Visits

Having heard requests by members for site visits, the Committee agreed to the continuation of planning applications P/16/0385/FUL, P/16/0393/FUL and P/16/0360/FUL.

P47. Minutes

Decision

- (a) The minute of meeting of the Planning Committee held on 17 August 2016 was approved; and
- (b) The minute of meeting of the Planning Committee On-Site held on 29 August 2016 was approved.

P48. Change of Use from Beauty Salon to Hotel Annex (Retrospective) at 21A Orchard Street, Falkirk FK1 2RF for Mr Stuart Crawford – P/16/0214/FUL

With reference to Minute of Meeting of the Planning Committee held on 17 August 2016 (Paragraph P32 refers), Committee (a) gave further consideration to a report to that meeting 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 change of use from beauty salon, located on the ground floor of a building sub divided into flatted dwellings, to a hotel annex (in retrospect) at 21A Orchard Street, Falkirk.

Decision

The Committee agreed to grant planning permission.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02 and 03.

P49. Alterations and Change of Use from Retail/Offices to Hotel and Alterations, Extension and Change of Use from Office and Hairdressers to Hotel (Partially Retrospective) at 22 and 26 Princes Street, Falkirk FK1 1NE and 2, 4, & 6 Kerse Lane, Falkirk FK1 1RG for Mr Stuart Crawford – P/16/0162/FUL

With reference to Minute of Meeting of the Planning Committee held on 17 August 2016 (Paragraph P33 refers), Committee (a) gave further consideration to a report to that meeting 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 change of use of two units operating as retail/offices and associated alterations (partially in retrospect) adjoining a hotel comprising several buildings, the main building being category B listed, on a site surrounded by a mixture of both commercial and residential properties and fronting onto Kerse Lane and Princes Street, Falkirk.

Decision

The Committee agreed to continue consideration of the matter to allow officers the opportunity for further discussion with the applicant in relation to options to address issues around noise encroachment from the proposed frontage of the building onto Kerse Lane.

P50. Change of Use of Open Space to Extend Car Compound at Adjacent (Class 6) Storage and Distribution Business and Erection of 2.1m Boundary Fence at D J Manning Auctioneers, Bridgeness Road, Bo'ness EH51 9SF for John Pye Auctioneer Ltd – P/16/0127/FUL

With reference to Minute of Meeting of the Planning Committee held on 17 August 2016 (Paragraph P36 refers), Committee gave (a) further consideration to a report to that meeting 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 change of use of an area of open space extending 748 square metres (forming part of a larger area of open space) for the extension of a car park (for the existing commercial premises) and the erection of a 2.1 metre boundary fence on a site at D J Manning Auctioneers, located on the north side of Bridgeness Road at the junction of Carriden Brae, Bo'ness.

Decision

The Committee agreed that it is Minded to Grant planning permission subject to the satisfactory completion, within six months, of a Planning Obligation within the terms of section 75 of the Town and Country Planning (Scotland) Act 1997 or a legal agreement within the terms of Section 69 of the Local Government (Scotland) Act 1973 in terms satisfactory to the Director of Development Services in respect of the payment of a financial contribution towards qualitative improvements in

other parts of the green network, to offset the loss of an area of open space, in the sum of £15,708;

And thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to (a) a condition that, prior to the start of work on site, a full landscaping plan covering details of the planting for the screening of the front of the development shall be submitted to and approved in writing by the Planning Authority, and (b) 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) No work shall commence on site until written communication from SEPA and Scottish Water, confirming acceptance of drainage discharge from the site, are submitted to and approved in writing by the Planning Authority; and
- (3) Unless otherwise agreed in writing by the Planning Authority, all approved landscaping works shall be implemented by the end of the first planting and seeding season following the commencement of development on site.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure the extended car park can be adequately drained.
- (3) To safeguard the visual amenity of the area.

Informative(s):-

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 and 02.
- (3) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall

not recommence without the prior written approval of the Planning Authority.

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

P51. Use of Land for End of Life Vehicle Decontamination and Deliquidising Facility and Storage of Scrap Material (Retrospective) at All Parts Auto Salvage, Hillview Road, High Bonnybridge, Bonnybridge for All Parts Auto Salvage - P/14/0094/FUL

With reference to Minutes of Meetings of the Planning Committee held on 25 March, 29 April, 25 June and 28 October 2015 and 1 February, 24 February, 23 March and 27 April 2016 (Paragraphs P132, P10, P34, P77, P115, P135, P150 and P10 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director in relation to conditions imposed in a planning permission granted for the use of land for an end of life vehicle decontamination and de-liquidising facility and storage of scrap material (retrospective) at All Parts Auto Salvage, Hillview Road, High Bonnybridge, Bonnybridge.

Decision

The Committee:-

- (1) noted the contents of the report; and**
- (2) agreed to consider a further update report at a future meeting.**

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

P52. Extension to Dwellinghouse at 11 Callendar Park View, Falkirk FK1 1SX for Mr Shraz Khaliq - P/16/0385/FUL

P53. Change of Use of Public Open Space to Garden Ground and Erection of Boundary Fence (Retrospective) at 32 Howieson Avenue, Bo'ness EH51 9JG for Mr David Stewart - P/16/0393/FUL

P54. Erection of 15 Dwellinghouses, Retail Unit and Associated Infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk FK1 2AQ for Alpha Glen Developments Ltd - P/16/0360/FUL

FALKIRK COUNCIL

Minute of meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 15 September 2016 at 9.30 am.

COUNCILLORS:

Allyson Black
Stephen Bird
Colin Chalmers
Cecil Meiklejohn (convener)
Joan Paterson
Provost Patrick Reid

OFFICERS:

Jack Frawley, Committee Services Officer
Tracey Gillespie, Human Resources Manager
Gary Greenhorn, Head of Planning & Resources
Elizabeth Hood, Neighbourhood & Access to Housing Manager
Jennifer Litts, Head of Housing
David McGhee, Head of Procurement & Housing Property
Colin Moodie, Depute Chief Governance Officer
Robert Naylor, Director of Children's Services
Brian Smail, Chief Finance Officer

S8. Apologies

An apology was intimated on behalf of Councillor Carleschi.

S9. Declarations of Interest

There were no declarations of interest.

S10. Minutes

Decision

- (1) The minute of the meeting of the Scrutiny Committee held on 26 June 2016 was approved;**
- (2) The minute of the meeting of the Performance Panel held on 19 May 2016 was noted;**

- (3) **The minute of the meeting of the Performance Panel held on 26 May 2016 was noted, and**
- (4) **The minute of the meeting of the Performance Panel held on 11 August 2016 was noted.**

S11. Rolling Action Log

A rolling action log detailing the status of actions arising at previous meetings was provided.

Decision

The committee noted the rolling action log.

Provost Reid joined the meeting during consideration of the following item.

S12. Devolved School Management System (DSM)

The committee considered a report by the Director of Children's Services which provided information on points previously raised by committee in relation to devolved school management. Robert Naylor and Gary Greenhorn provided an overview of the report.

The committee asked what the totality of funding devolved to schools was. Gary Greenhorn advised that £101m was devolved in some way including funds for property costs and teachers salaries which was not discretionary spend. However, there was local autonomy in relation to the use of the budget for supply teachers. Approximately £1.5m of devolved funding could be influenced by schools for matters such as photocopying and purchase of resources like textbooks.

Members asked if any devolved funding was used specifically for clusters. Gary Greenhorn stated that it was but that it would be held by a specific school for cluster use, usually the school whose Head Teacher was leading on the project.

The committee discussed the consultation on 'Empowering teachers, parents and communities to achieve excellence and equity in education - A Governance Review'. Robert Naylor stated that part of the review would be to ask for views on what level of control around spend head teachers should have. The initial impression received from head teachers was that the general principle of more money going to the school level was good but that extra responsibilities would arise as a result.

Following discussion on the non alignment of the financial year and school year, Gary Greenhorn stated that schools were required to submit a business case to the Service in order to carry funding forward. Examples were provided in the appendices to the report. He further advised that if schools carry forward overspend then they need to rein this back in future years.

Members asked why there were large amounts of funding devolved which schools had no control over. Gary Greenhorn highlighted that where possible budgets should reflect spend and that in order to be able to give a true cost of running a school and cost per pupil the exercise was important.

Decision

The committee requested a further report after receipt of Scottish Government proposals following the consultation on the “Empowering teachers, parents and communities to achieve excellence and equity in education - A Governance Review” including information on how DSM will progress going forward.

The committee agreed to a short adjournment at 11.55am and reconvened at 12.00pm with members present as per the sederunt.

S13. Allocations Outcome Report 2015/16

The committee considered a report by the Director of Corporate and Housing Services which provided statistical information on housing allocations during 2015/16 and analysis of the allocations outcomes. An updated Allocation Policy had been agreed by the Executive in January 2015. Jennifer Litts provided an overview of the report.

The committee discussed band one priorities and if ground floor properties could be reserved for applicants with medical disabilities. Jennifer Litts advised that the majority of suitable properties were already adapted where appropriate but adapted properties are advertised to everyone. Few properties for the Housing with Care group had become available in the previous year. The end of the right to buy scheme coupled with the Council building new properties was leading to an increase in Council Housing stock which would increase available for the Housing with Care group. However, she noted that there was a lack of adapted properties in high demand areas. There would be an opportunity for members and communities to comment on the Local Housing Strategy and Older People’s Housing Plan which were being developed. The Service had carried out an analysis of all properties to identify which would be suitable for adaptation and this information was held in a database as part of the asset management survey.

Further discussion raised points in relation to allowing a tenant to occupy a property and then have adaptations made after entry. Elizabeth Hood stated that there were occasions where further adaptations to properties were made after occupancy but highlighted that not all properties were suitable for adaptation. Further, new build properties were constructed to be as suitable as possible to all groups. Members commented that the waiting time for priority one applicants in the Housing with Care group needed work to be reduced.

In response to a question on allowing tenants to arrange adaptations themselves, Jennifer Litts stated that the Service did not ask people to do their own adaptations and that the aim was to carry out adaptations prior to entry.

Members stated that Home Seekers, who comprised 2.5% of the waiting list were able to bid for 33% of properties while the Home Starters group was significantly larger. Jennifer Litts advised that homeless applicants were the highest priority group under legislation. Under the previous approach they had access to 66% of properties but the ratios between groups were now equal at a third. She stated that only 25% of Home Seekers were obtaining lets and that not all properties were suitable for each applicant's individual needs. The Service also worked with, and referred people to, Registered Social Landlords. Where potential lets were not taken up by Home Seekers the properties were offered to other applicant groups.

Information was sought on how many Home Seekers did not make bids for properties. Jennifer Litts stated that there were none as applicants would lose their priority if they did not bid. Where an applicant is not bidding the case worker intervenes and seeks to match them to a suitable property.

The committee asked about the proposal to change priority for under occupancy. Jennifer Litts stated that the change would only be made if it was approved through consultation.

Members sought information on the allocation of properties to people who also owned private residences. Jennifer Litts advised that the legislation did not allow for differentiation to be made on such grounds. The only requirement was that tenants showed that the Council house was their main residence.

Members discussed the allocations policy in respect of an applicant's income. In response to the discussion, Colin Moodie stated that an uncommenced provision of the Housing (Scotland) Act 2014 would allow the Service to take ownership into account but not income. Following further discussion, a report to the next committee was requested providing an update relating to tenants who also own private properties or who have a high income.

The committee raised that some applicants felt that priority did not help them secure a let. Elizabeth Hood stated that there were not enough of the most desired properties in terms of area and house type.

Decision

The committee:-

- (1) noted the allocation outcomes for 2015/16;**
- (2) noted that further analysis and consultation will be carried out and reported back to a future meeting, and**
- (3) requested a report to committee in November to include statistical information of the number of allocations to property owners or those with high incomes.**

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

S14. An Overview of Local Government in Scotland 2016

The committee considered a report by the Director of Corporate and Housing Services which provided a summary of the findings from the Accounts Commission publication “An Overview of Local Government in Scotland 2016”. Bryan Smail provided an overview of the report.

Members asked about the use of reserves for revenue spending and noted that nearly half of Councils had used reserves for this. Bryan Smail stated that commentary on this issue is provided in the budget report to Council where it is noted that the use of reserves as a plug in the revenue budget was not sustainable. Reserves are a finite resource but can be used to ‘buy time’ if aligned with making fundamental changes to how services are delivered. Such spend could be described as a positive application of resources.

The committee sought an update on the impact of the UK’s vote to leave the European Union. In terms of access to financial markets, Bryan Smail advised that there was some risk of financial institutions moving part of their operations to the continent. In relation to interest rates he stated that it was unlikely interest rates would increase due to current global dynamics including dampened growth. Further, as inflation was low the driver for an increase in borrowing rates was not present.

Members asked if, while interest rates were low, the Council had considered maximising its long term borrowing for projects such as spend to save. Bryan Smail stated that such an option was under consideration but that short term borrowing rates were still lower than

long term ones. If the Council borrowed on a longer term but did not need to spend immediately then a carry cost would be incurred. The Council also carefully considered the advice of its treasury advisors.

The committee asked about how the pension fund is invested and if that could include investments in the arms trade. Bryan Smail advised that this was not a straightforward area as the fund would invest in companies with a diversity of operations. There would be a Pensions Conference held in October which would include consideration of ethical investments. There was a requirement that the fund earns a sufficient amount to pay its liability. The Council had received legal opinion which advised that there could be consideration of ethics in investments but that the primary objective of covering liability must remain primary.

Decision

The committee noted the report.

S15. Audit Scotland Report: Scotland's Public Sector Workforce Impact Report 2015

The committee considered a report by the Director of Corporate and Housing Services which provided a summary of the Audit Scotland Impact report which assessed the actions taken as a result of an earlier report on Scotland's Public Sector Workforce. Tracey Gillespie provided an overview of the report.

The committee asked for an update on work to develop improvement plans. Tracey Gillespie advised that each Service would have its improvement plan in place by October while the Council's overall plan would be in place by December. These improvement plans would then be kept under review.

Decision

The committee noted the:-

- (1) summary of the report.**
- (2) position of the Council in relation to the recommendations outlined in the report.**

FALKIRK COUNCIL

Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Monday 19 September 2016 at 9.30 A.M.

Councillors: Baillie William Buchanan (Convener) (except for agenda item 5, minute PRC28 and PRC31)
John McLuckie
Craig Martin
Malcolm Nicol

Officers: Donald Campbell, Development Management Co-ordinator (for agenda item 7, minute PRC30 and PRC33)
Rose Mary Glackin, Chief Governance Officer (for agenda item 5, minute PRC28 and PRC31)
Iain Henderson, Legal Services Manager (for agenda items 6 and 7, minute PRC29, PRC30, PRC32 and PRC33)
Antonia Sobieraj, Committee Services Officer
Bernard Whittle, Development Management Co-ordinator (for agenda items 5 and 6, minute PRC28, PRC29, PRC31 and PRC32).

PRC24. Apologies

Apologies were submitted on behalf of Councillor Carleschi.

PRC25. Declarations of Interest

Baillie Buchanan declared a non financial interest in item 5 (minute PRC28 and PRC31) by virtue of him being a member of the Board of Falkirk Community Trust, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct and the terms of paragraphs 5.18(2) and 7.5 of the Code of Conduct.

PRC26. Minute

Decision

The minute of meeting of the Planning Review Committee held on 12 August 2016 was approved.

PRC27. Opening Remarks

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

In accordance with his declaration of interest, Baillie Buchanan left the Chair and the meeting prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

PRC28. Planning Application P/16/0313/FUL - Siting of Catering Outlet and Erection of Fence (Retrospective) at Kelpies Hub, The Helix, Falkirk.

The Committee considered documents which related to the Application for Review for planning application P/16/0313/FUL for the siting of a catering outlet and the erection of a fence (in retrospect) at Kelpies Hub, The Helix, Falkirk.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

Baillie Buchanan re-entered the meeting following consideration of the foregoing matter and resumed the Convenership of the meeting.

PRC29. Planning Application P/16/0203/FUL - Extension to Dwellinghouse at Pirnie Lodge Farm, Falkirk FK1 3DJ.

The Committee considered documents which related to the Application for Review for planning application P/16/0203/FUL for the extension, in the form of a UPVC conservatory, to the side of a dwellinghouse at Pirnie Lodge Farm, Falkirk.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an accompanied inspection of the site.

PRC30. Planning Application P/16/0074/FUL - Erection of 3 No. Dwellinghouses on Land to the South West of Wester Bonhard, Bo'ness.

The Committee considered documents which related to the Application for Review for planning application P/16/0074/FUL for the erection of 3 no. dwellinghouses on land to the south west of Wester Bonhard, Bo'ness.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 9.55 a.m. for the purpose of conducting site inspections and reconvened at 12.40 p.m., with all those present as per the sederunt.

The meeting adjourned at 12.42 p.m. and reconvened at 1.20 p.m., with all those present as per the sederunt.

In accordance with his declaration of interest, Baillie Buchanan left the meeting prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

PRC31. Planning Application P/16/0313/FUL - Siting of Catering Outlet and Erection of Fence (Retrospective) at Kelpies Hub, The Helix, Falkirk.

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0313/FUL for the siting of a catering outlet and the erection of a fence (in retrospect) at Kelpies Hub, The Helix, Falkirk.

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

After further discussion and having sought and heard advice from Ms Glackin and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Policies BUS05, CG02, D02, D03, D14, GN01 and TC04 of the Falkirk Local Development Plan;
- (2) the consultation responses received;

- (3) the representations submitted;
- (4) the site history;
- (5) the supporting documents provided by the applicant; and
- (6) the benefit of the site inspection.

After discussion, and having sought and heard advice from Ms Glackin and Mr Whittle, the Committee **AGREED:-**

- (1) That the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** for the reasons set out in the original notice of decision namely:-
 - That the development fails to enhance or integrate sensitively to the surrounding Kelpies and Helix Park landscape. The scale, siting and design of the development does not respond positively or sympathetically to the site's surroundings and it is an incongruous addition to the designed landscape and architectural character of the area, contrary to policies D02 'Sustainable Design Principles' and D03 'Urban Design' of the Falkirk Local Development Plan;
 - That the development fails to demonstrate a specific need, being located directly adjacent to the Helix visitor centre and café. The development results in an adverse impact on local amenity and the visual quality of the locality, contrary to policy TC04 'Food and Drink' of the Falkirk Local Development Plan; and
 - That the development fails to protect or enhance the visual amenity of the canal and its environs. The development does not achieve a high design standard, with particular emphasis on siting, materials, detailing and impact on canal-side landscaping, contrary to policy D14 'Canals' of the Falkirk Local Development Plan; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

Baillie Buchanan re-entered the meeting following consideration of the foregoing matter and resumed the Convenership of the meeting.

PRC32. Planning Application P/16/0203/FUL - Extension to Dwellinghouse at Pirnie Lodge Farm, Falkirk FK1 3DJ.

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0203/FUL for the extension, in the form of a UPVC conservatory, to the side of a dwellinghouse at Pirnie Lodge Farm, Falkirk.

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

After further discussion and having sought and heard advice from Mr Henderson and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Supplementary Guidance SG03 - Residential Extensions and Alterations;
- (2) Supplementary Guidance SG16 - Listed Buildings and Unlisted Properties in Conservation Areas;
- (3) Policies D09 and HSG07 of the Falkirk Local Development Plan;
- (4) the consultation response received;
- (5) the site history;
- (6) the supporting documents provided by the applicant; and
- (7) the benefit of the site inspection.

After discussion, and having sought and heard advice from Mr Henderson and Mr Whittle, the Committee **AGREED:-**

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

The meeting adjourned at 2.20 p.m. and reconvened at 2.25 p.m., with all those present as per the sederunt.

PRC33. Planning Application P/16/0074/FUL - Erection of 3 No. Dwellinghouses on Land to the South West of Wester Bonhard, Bo'ness.

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0074/FUL for the erection of 3 no. dwellinghouses on land to the south west of Wester Bonhard, Bo'ness.

The Committee requested and heard a short presentation from Mr Campbell, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement, further information submitted and the representations. Mr Henderson brought to the attention of the Committee a letter recently received from an agent acting for objectors and the letter was read out to the Committee.

After further discussion and having sought and heard advice from Mr Henderson and Mr Campbell, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Scottish Planning Policy 2014;
- (2) Supplementary Guidance SG01 - Development in the Countryside;
- (3) Supplementary Guidance SG15 - Low and Zero Carbon Development;
- (4) Policies CG02, CG03 , D04, GN02, RW04 and RW10 of the Falkirk Local Development Plan;
- (5) the consultation responses received;
- (6) the representations submitted, including the recent letter from the objectors' agent;
- (7) the site history;
- (8) the supporting documents provided by the applicant; and
- (9) the benefit of the site inspection which included members of the Committee viewing and travelling along Borrowstoun Road from the A904 to Kinglass.

After discussion, and having sought and heard advice from Mr Henderson and Mr Campbell, the Committee **AGREED:-**

- (1) That it was **MINDED** to **GRANT** planning permission, subject to consultation with the Coal Authority in terms satisfactory to the Director of Development Services, and thereafter, on the conclusion of the foregoing matter, to grant planning permission subject to conditions relating to (a) treatment of trees; (b) boundary enclosures; (c) construction materials; (d) contaminated land; and (e) road related matters, and such other conditions as the said Director shall deem appropriate; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

Minute of special meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Monday 19 September 2016 at 2.00 p.m.

Councillors: Jim Blackwood
Gordon Hughes
Depute Provost John Patrick
Provost Pat Reid (convener)

Officers: Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Frances Kobiela, Senior Solicitor

CL53. Apology

An apology for absence was intimated on behalf of Councillor Garner.

CL54. Declarations of Interest

No declarations were made.

CL55. 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 6 of Part 1 of Schedule 7A to the said Act.

CL56. Application for the Renewal of a Late Hours Catering Licence

The Director of the applicant, Mr D, his mother, Mrs D and their representative, Mr M, all entered the meeting.

Three objectors, Mr C, Mr T and Mrs U entered the meeting.

With reference to minute of meeting of the Civic Licensing Committee held on 24 August 2016 (paragraph CL45 refers), the committee considered a report by the Chief Governance Officer on an application received for the renewal of a later hours catering licence (a) advising of the background to the application; (b) referring to the recent amendments made to the policy and conditions applicable to late hours catering licences as it relates to Falkirk Town Centre, and (c) detailing the consultations undertaken and the responses received.

The committee heard from the Licensing Co-ordinator in relation to the withdrawal of an objection which had been previously submitted.

The committee **NOTED** that 13 objections had been received in respect of the application and that 3 objectors were in attendance.

The applicant's representative, Mr M, advised that he had no preliminary matters to raise concerning the validity of the objections. Accordingly, copies of the objections were circulated to members.

An objector, Mr M entered the meeting at this stage.

The objectors spoke in amplification of their objections.

The objectors were heard in response to questions asked by the applicant's representative.

Questions were then asked by members of the committee.

The applicant's representative was then heard in response to the issues raised in the objections and in clarification of questions raised by members.

Thereafter the applicant's representative was heard in support of the application.

The committee agreed to a short adjournment.

Decision

The committee agreed:-

- (1) that there was no justification to depart from Council policy with regard to the premises;**
- (2) that the terminal hour of 0030 hrs Monday to Sunday be granted for a period of one year, which reflects the Council's policy and conditions applicable to late hours catering licences outwith a town centre area, and**
- (3) that the following condition be applied to the licence, namely:-**

That the extract ventilation fan must be switched off at midnight and a timer fitted for that purpose to the satisfaction of the Environmental Health Service.

DRAFT**FALKIRK COUNCIL**

Minute of Joint Meeting of the Pensions Committee/Board held in the Municipal Buildings, Falkirk on Thursday 22 September 2016 at 9.30 a.m.

Present:

Committee:-

Councillors Falkirk Council:-

Tom Coleman

Steven Carleschi

Dr Craig R Martin

Depute Provost John Patrick (Convener)

Councillor Callum Campbell, Stirling Council

Andrew Douglas, Unison

Board:-

Donald Balsillie, Clackmannanshire Council

Susan Crook, Unison

Sandy Harrower, UCATT

Tommy Murphy, GMB

Jennifer Welsh, SEPA

Attending:

Justyna Korszen-Bennett, Senior Accountant

Alastair McGirr, Pensions Manager

Bryan Smail, Chief Finance Officer

Antonia Sobieraj, Committee Services Officer

Also in**Attendance:**

Jim Rundell and Louise Dodds, Audit Scotland

William Marshall and Steven Scott, Hymans Robertson

Bruce Miller, Investment Manager, Lothian Pension Fund

Chris Murphy and Patrick Edwardson, Baillie Gifford.

Rob Hay, Jeff Munroe and David Moylett, Newton

Investment Management

PE16. Apologies

Apologies were intimated on behalf of Councillor Jim Blackwood; Ed Morrison, Scottish Children's Reporter Administration's (SCRA); and Ian McLean, Pensioner Representative.

PE17. Declarations

No declarations were made.

PE18. Minute

Decision

The minute of the joint meeting of the Pensions Committee and Board on 23 June 2016 was approved.

PE19. Annual Audit Report 2015/16

The Committee and Board considered a report by the Director of Corporate and Housing Services on the Fund's Annual Audit Report 2015/16.

Decision

The Committee and Board noted:-

- (1) the proposed unqualified audit opinion for the Fund for 2015/16; and**
- (2) that Annual Audit Report for 2015/16 and the proposed management actions.**

PE20. Audited Annual Report and Accounts - 2015/16

The Committee and Board considered a report by the Director of Corporate and Housing Services on the Falkirk Pension Fund's Audited Annual Report and Accounts for 2015/2016 and attaching as an appendix for inspection, a copy of the Fund's Audited Annual Report and Accounts for 2015/16.

Decision

The Committee and Board noted the Audited Falkirk Council Pension Fund Annual Report and Accounts 2015/16.

The Committee agreed the Audited Falkirk Council Pension Fund Annual Report and Accounts 2015/16.

PE21. Funding Update

The Committee and Board considered a report by the Director of Corporate and Housing Services indicating the fund's latest funding position.

The report detailed:-

- The funding positions at the 31 March 2014, 31 March 2016 and 31 August 2016;
- The funding level in setting the Fund's Investment Strategy;

- The deterioration from the 2014 position mainly as a result of the continuing fall in bond yields; and
- The work being undertaken to bring the funding position to employers for the possible rate increases at the 2017 valuation.

Decision

The Committee and Board noted the funding position at 31 August 2016 and the steps taken to bring the issues contained therein to the attention of Fund managers.

PE22. 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.

PE23. Presentation - Baillie Gifford

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

The presentation covered the undernoted:-

- The diversified growth;
- The performance and associated risks;
- The active currency; and
- The portfolio hedging and positioning.

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

PE24. Presentation- Newton Investment Management

The Committee and Board received a presentation by Rob Hay, Jeff Munroe and David Moylett, Newton Investment Management.

The presentation covered the undernoted:-

- The global equities;
- The long term performance and attribution;
- The world market; and
- The portfolio positioning.

The Convener thanked Mr Hay, Mr Munroe and Mr Moylett for their comprehensive presentation.

PE25. General Governance Matters

The Committee and Board considered a report by the Director of Corporate and Housing Services presenting an update on various matters associated with the governance of the Falkirk Council Pension Fund.

The areas covered within the report included the following:-

- The Risk Register;
- The Annual Benefit Statements;
- The Board Membership and Governance Review;
- The Public Sector Exit Payments;
- The Corporate Governance Issues including the Local Authority Pension Fund Forum (LAPFF) of 58 local authority Pension Funds and the Fund Seminar on Environmental, Social and Governance (ESG) Issues on 24 October 2016; and
- The Training Opportunity.

Decision

The Committee and Board noted the report.

PE26. Private Equity and Alternatives Update

The Committee and Board considered a report by the Director of Corporate and Housing Services on the progress of the Pension Fund's private equity and alternatives investment programme for SL Capital (Standard Life), Wilshire Associates, Grosvenor Capital, M&G, Hearthstone and UK Infrastructure (in conjunction with Lothian Pension Fund) for the quarter ending 30 June 2016.

Decision

The Committee and Board noted the progress of the Pension Fund's private equity and alternatives investment programme for the quarter ending 30 June 2016.

PE27. Market Review and Fund Manager Performance

The Committee and Board considered a report by the Director of Corporate and Housing Services reviewing the overall performance of the Fund and of the undernoted Fund Managers:-

- Aberdeen Asset Management;

- Baillie Gifford (Bond Mandate);
- Baillie Gifford (Diversified Growth);
- Legal and General (L&G);
- Newton Investment Management;
- Schroder Investment Management (UK Equities); and
- Schroder Investment Management (Property).

Decision

The Committee and Board noted the Fund Managers' performance and the actions taken by them during the quarter to 30 June 2016, in accordance with their investment policies.

PE28. Exclusion of Public

The Committee 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 Paragraph 9 of Part 1 of Schedule 7A to the said Act.

PE29. Commentary and Fund Manager Performance

The Committee and Board considered a report by the Director of Corporate and Housing Services providing commentary and reviewing the overall performance of the Fund and of the undernoted Fund Managers:-

- Aberdeen Asset Management;
- Baillie Gifford (Bond Mandate);
- Baillie Gifford (Diversified Growth);
- Newton Investment Management;
- Schroder Investment Management (UK Equities); and
- Schroder Investment Management (Property).

Decision

The Committee and Board noted the Fund Managers' performance and the action taken by them during the quarter to 30 June 2016, in accordance with their investment policies.

PE30. Investment Strategy – Smart Beta

The Committee and Board considered a report by the Director of Corporate and Housing Services on developments in relation to a proposed £200m smart beta investment.

The areas covered in the update report included:-

- The smart beta investment of £200m, with £100m being allocated to fundamental weighting and low volatility strategies thereby improving the diversity of the Fund's equity structure and offering a solution with lower costs and lower risk than another active mandate;
- The implementation of the smart beta investment through the Fund's existing relationships with Legal and General and Lothian Pension Fund;
- The consideration of the fundamental weighting part of the smart beta investment tracks one of Research Affiliates Fundamental Indexation (RAFI);
- The investment through Legal and General (LGIM) on the basis of their experienced provider of passive equity index funds;
- The smart beta investment based on the low volatility portfolio; and
- The detailed proposals being considered at the meeting of the Committee and Board in December 2016.

Decision

The Committee and Board noted the report.

The Committee agreed:-

- (1) the investment of £100m into the Legal and General RAFI All World 300 Equity Index Fund; and**
- (2) the investment funded from the existing Legal and General passive mandate.**

DRAFT**FALKIRK COUNCIL**

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Friday 23 September 2016 at 9.30 a.m.

Councillors: Jim Blackwood
Dennis Goldie
Linda Gow
John McLuckie (Convener)
Depute Provost John Patrick

Officers: Tracey Gillespie, Human Resources Manager
Rose Mary Hoey, Interim Legal Services Manager
Antonia Sobieraj, Committee Services Officer

A19. Apologies

Apologies were intimated on behalf of Councillors Bird, Chalmers and Turner.

A20. Declarations of Interest

No declarations were made.

A21. Exclusion of Public

RESOLVED in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the said Act.

A22. Appeal Against Dismissal

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Submission from the Head of Social Work Adult Services dated 14 September 2016; and (c) Copies of core documents relating to the Appeal.

The Interim Legal Services Manager and the Human Resources Manager were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Mr K, was not present and had not contacted the Council or his union representative to indicate that he would not be able to attend. S Crook, Unison was present as the Appellant's representative.

The Head of Social Work Adult Services and Human Resources Business Partner (K Docherty) were present as representatives of the Council.

The Committee, having given careful consideration of the matter and having received information provided by the Unison representative (S Crook), **AGREED** that the meeting be adjourned to allow the appellant an opportunity to confirm whether he wished to proceed with his appeals, failing which, no further action would be taken in relation to them.

FALKIRK COUNCIL

Minute of meeting of the Planning Committee held On Site on Monday 26 September 2016 commencing at 9.30 a.m.

Councillors:

Baillie William Buchanan (Convener)
Steven Carleschi (Items P57 & P58)
Colin Chalmers (Items P57 & P58)
Adrian Mahoney
Malcolm Nicol (Item P59)
Martin Oliver (Item P57)
Sandy Turner (Item P59)

Officers:

Kevin Collins, Transport Planning Co-ordinator (for application P/16/0360/FUL)
Jack Frawley, Committee Services Officer
Kirsty Hope, Assistant Planning Officer (for application F/16/0385/FUL)
Karen Quin, Senior Solicitor
Julie Seidel, Planning Officer (for applications P/16/0360/FUL and P/16/0393/FUL)
Russell Steedman, Network Co-ordinator (for applications P/16/0360/FUL and P/16/0393/FUL)
Bernard Whittle, Development Management Co-ordinator

P55. Apologies

Apologies were intimated on behalf of Baillie Paterson; Councillors Garner, McLuckie, C Martin and Nimmo.

P56. Declarations of Interest

No declarations were made.

P57. Erection of 15 Dwellinghouses, Retail Unit and Associated Infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk FK1 2AQ for Alpha Glen Developments Ltd - P/16/0360/FUL

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P54 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the erection of 15 dwellinghouses, retail unit and associated infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk.

The Convener introduced the parties present.

The Planning Officer (Julie Seidel) outlined the nature of the application.

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

Mr McIntosh, a resident was heard in relation to his neutral representation to the application.

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

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

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

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

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

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

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

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

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

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

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

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

Mr & Mrs Wallace, objectors, were heard in relation to the application.

The objections included the following issues:-

- properties at Glenbank (backing onto the application site from the south) will not be able to have oil heating delivered, as access is currently taken from the application site
- Glen Crescent is already busy and the development will increase traffic
- no provision has been made for existing residents, including the post office, who use the application site to park
- road, parking and access issues at the proposed development site
- Glen Crescent is too narrow
- anti-social behaviour problems associated with the retail development
- no demand for retail units and impact on the business of the Glen Village post office due to the proximity
- application includes land outwith the applicant's ownership

- issues relating to the water supply
- loss of community facility

Questions were then asked by members of the committee.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 26 October 2016.

P58. Extension to Dwellinghouse at 11 Callendar Park View, Falkirk FK1 1SX for Mr Shraz Khaliq - P/16/0385/FUL

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P52 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the extension to dwellinghouse at 11 Callendar Park View, Falkirk.

The Convener introduced the parties present.

The Assistant Planning Officer (Kirsty Hope) outlined the nature of the application.

The applicant was not in attendance.

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

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

Mr & Mrs Yeardley, objectors, were heard in relation to the application.

Mrs Mincher, objector, was heard in relation to the application.

Miss Brogan, objector, was heard in relation to the application.

The objections included the following issues:-

- the scale of the extension and the affect this would have on the value of neighbouring property
- privacy and overshadowing concerns
- the visual impact
- noise, dust, disruption and overall site safety concerns during the construction
- shared access and parking concerns
- the length of time the project would take
- the monitoring of the project during construction
- who would be responsible for any damages

- concerns that the house would be used as a house in multiple occupation
- concerns relating to the storing of materials, skips, scaffolding plant and machinery and the impact of piling

Questions were then asked by members of the committee.

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

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 26 October 2016.

P59. Change of Use of Public Open Space to Garden Ground and Erection of Boundary Fence (Retrospective) at 32 Howieson Avenue, Bo'ness, EH51 9JG for Mr David Stewart - P/16/0393/FUL

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P53 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the change of use of public open space to garden ground and erection of boundary fence (retrospective) at 32 Howieson Avenue, Bo'ness.

The Convener introduced the parties present.

The Planning Officer (Julie Seidel) outlined the nature of the application.

Mrs Stewart, the applicant's wife, was heard in relation to the application.

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

The objections included the following issues:-

- major loss of amenity due to felling of the trees
- visually intrusive fence line
- the development is not on land owned by the applicant
- access to open space area has been blocked

Questions were then asked by members of the committee.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 26 October 2016.

FALKIRK COUNCIL

Minute of the meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 26 September 2016 at 1.30 p.m.

Members:

Councillor Steven Carleschi
Councillor Tom Coleman
Roseann Davidson (Convener)
Councillor Rosie Murray
Baillie Joan Paterson
Depute Provost John Patrick
Provost Pat Reid

Officers:

Karen Algie, Head of HR and Business Transformation
Fiona Campbell, Head of Policy, Technology and Improvement
Douglas Duff, Head of Economic Development and Environmental Services
Sara Lacey, Senior Service Manager, Children's Services
Kenny McNeil, Children's Services Resources Manager
Gordon O'Connor, Internal Audit Manager
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Bryan Smail, Chief Finance Officer
Amanda Templeman, Acting Depute Chief Finance Officer

Also Attending:

Laura Caulder, Audit Scotland
Lisa Duthie, External Auditor, Audit Scotland
Fiona Mitchell Knight, Audit Scotland
Jim Rundell, External Audit Manager, Audit Scotland

AC23. Apologies

No apologies were intimated.

AC24. Declarations of Interest

No declarations were made.

AC25. Minute**Decision**

The minute of the meeting of the Audit Committee held on 20 June 2016 was approved.

AC26. Corporate Risk Management Update

The committee considered a report by the Director of Corporate and Housing Services presenting a revised summary of corporate risks together with an update in progress made in embedding the Corporate Risk Management (CRM) policy and framework.

The Audit committee had, on 18 April 2016 (ref AC11), agreed to refer the revised CRM policy and framework to the Executive for approval together with the Corporate Risk Register. Both had been approved by the Executive on 17 May 2016 (ref EX13). In approving the documents, the committee had requested 6 monthly updates on progress in embedding the CRM policy and framework.

Services had participated in risk workshops and were currently finalising their individual risk reviews. These will include “worst case” scenarios, key controls and lessons learned. A summary of corporate risks was provided. Additionally, the Corporate Risk Management Group and the Council’s Corporate Management Team had agreed that a CRM training plan would be implemented (for members and officers) and that a risk workshop for members and Corporate Management Team would be held in early 2017. Services were currently embedding Service Risk Management arrangements as part of the Service Performance Planning process.

An audit of the CRM arrangements had been undertaken by West Lothian Council and this had resulted in substantial assurance being provided.

The Chief Finance Officer explained the risk “insufficient funding to deliver services and deliver outcomes”, following a question and summarised the mitigating factors. Members of the committee highlighted the costs of building Council housing and questioned whether, on the basis of the costs provided within previous reports to the Executive, they represented best value. The Chief Executive summarised the factors which contributed to the costs per unit and undertook to provide members with a breakdown.

In regard to the risk of insufficient funding itself, members sought clarification of those services deemed to be “statutory” as opposed to “discretionary”. In responding, the Chief Executive suggested that as budgets become tighter, Councils had to look at the services they must provide and how they provide them. The Chief Finance Officer set out the likely timetable for setting the 2017/18 budget and confirmed that a funding gap of £20m was projected.

The Head of HR and Business Transformation then confirmed that the proposed CRM workshop would be held before April 2017 and that this was in line with previous advice to members.

The committee considered the risks relating to adult services. The Chief Executive confirmed in response to a question, that the Council had sufficient officers to meet its statutory obligations. The Head of HR and Business Transformation undertook to provide members with detail of the mitigating actions in regard to Self-Directed Support.

The committee discussed the Council's budget setting process and sought information on how Council will engage and consult with staff, stakeholders and the public. The Chief Finance Officer confirmed that officers' proposed savings options would be considered by the Executive in October and engagement/consultation would begin after this. This would include staff briefings and public discussion, for example with community councils. The Head of Policy, Technology and Improvement confirmed that an engagement strategy had been agreed by the Executive in 2015.

Decision

The committee noted:-

- (1) the summary of very high and high Corporate Risks as detailed in appendix 1 of the report, and the Summary of Medium Corporate Risks at appendix 2 of the report; and**
- (2) that a Corporate Risk Management update will be provided to the Executive on 18 October 2016.**

Baillie Paterson and Councillor Carleschi joined the meeting during consideration of the previous item.

AC27. Internal Audit Progress Report.

The committee considered a report by the Internal Audit Manager setting out progress in completing the 2016/17 Internal Audit Plan.

The plan included 21 planned assignments. Five additional assignments had been added to Internal Audit's work programme. These were:-

- Carbon Reduction Commitment Energy Efficiency Scheme Audit;
- Contact Centre – Data and Information Security;
- Social Work Intermediary Accounts;
- Residential and Non Residential Charging – Debt Management; and
- LEADER funding.

The report also summarised the processes in place for monitoring Community Halls' accounts.

In regard to the agreed plan, 9 assignments were in progress, 10 had yet to be started and draft reports had been issued for 2 of the assignments. In response to questions, the Internal Audit Manager confirmed that he expected all to be completed to draft report stage or further by March 2017.

Of the additional assignments, final reports had been issued in regard to the “Carbon Reduction” and “Contact Centre” reviews. The scope of the reviews and main findings were provided in an appendix to the report.

The committee discussed progress to date and the timescales for completing the planned audits and the additional assignments. The Internal Audit Manager reiterated that he anticipated that all would be completed however the plan could be readjusted. He described the fieldwork which was being undertaken in regard to the audit of the Redundancy and Severance Arrangements, confirming that a sample of 18 applications had been used.

In regard to a review of LEADER funding, the Internal Audit Manager confirmed that this is the first annual review of compliance with SLA terms. He considered that it was more appropriate that this work was treated as an assigned piece of work as opposed to ad hoc/consultancy work. It had not, he confirmed, been initiated as a consequence of, nor was it related to, BREXIT.

Following a question on the processes for monitoring the submission of Community Halls’ accounts, the Internal Audit Manager explained the processes which were now in place to monitor and pick up issues at an early stage.

The committee discussed the continuous auditing assignment. Creditors’ duplicate payments of £7.5k had been identified so far. Members asked whether this showed that effective controls were in place or whether it indicated a larger problem. The Internal Audit Manager stated that in context the sum was small and the audit showed no indication of systemic flaws. The audit was therefore reassuring.

Decision

The committee noted that good progress is being made with completing the 2016/17 Internal Audit Plan.

AC28. 2015/16 Annual Audit Report

The committee considered a report by the Director of Corporate and Housing Services presenting Audit Scotland’s Annual Audit report to members of the Council and the Controller of Audit together with a letter of representation to Audit Scotland on the accounts.

The unaudited accounts had been considered by committee on 20 June 2016 (ref AC17). These had now been audited and the Auditor’s certificate was free from qualifications.

The Auditor’s Annual Report highlighted key messages in regard to:

- audit of financial statements;
- financial management and sustainability;

- governance and transparency;
- best value; and
- outlook.

In regard to Best Value, the report contained an extract from Audit Scotland's Best Value Follow Up report. The Auditor's report summarised the findings together with commentary. A separate report on the Best Value Improvement Plan had been considered by Council on 21 September 2016 (ref FC39).

The Auditor's report also included comments on Governance and Transparency and provided a summary of the Council's outlook.

Following questions from members, Ms Mitchell-Knight advised that the Accounts Commission would consider Audit Scotland's Best Value Follow Up Inspection report in December. It could make recommendations, hold a hearing, monitor progress via the annual audit process or request a further follow up review. The Chief Executive advised that Council had agreed, on 21 September, that in the first instance, the Leader of the Council, the Leader of the Opposition and the Provost would consider how the Council should respond to the report and that a report would be submitted to Council. The committee members discussed this and concurred that the agreed approach would allow all members to take a view on the report.

In response to a question on the Annual Report, Ms Mitchell-Knight stated that the message to all Councils to "work differently and to deliver services in a different way". She also confirmed that guidance suggested that Councils should review their reserves policy and make their own determination on the appropriate level of reserves held.

Decision

The committee noted the Annual Report on the 2015/16 Audit.

AC29. Annual Accounts 2015/16

The committee considered a report by the Director of Corporate and Housing Services presenting the annual accounts 2015/16 for approval.

The accounts had now been audited by Audit Scotland and were presented for approval. The audit certificate was free from qualification.

Decision

The committee approved the audited annual accounts for 2015/2016.

AC30. Temperance Trust Annual Accounts 2015/16

The committee considered a report by the Director of Corporate and Housing Services presenting Falkirk Temperance Trust's audited annual accounts 2015/16 for approval.

The accounts had now been audited by Audit Scotland and were presented for approval. The audit certificate was free from qualification.

Decision

The committee approved the annual audit accounts of the Falkirk Temperance Trust and agreed to recommend them to the Trust's Board for approval.

FALKIRK COUNCIL

Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 27 September 2016 at 3.00p.m.

Councillors:

David Alexander	Adrian Mahoney
Jim Blackwood	Dr Craig R Martin
Tom Coleman	Craig Martin (Convener)
Dennis Goldie	Malcolm Nicol
Gerry Goldie	Alan Nimmo
Linda Gow	

Officers:

Fiona Campbell, Head of Policy, Technology and Improvement
 Danny Cairney, Acting Depute Chief finance Officer
 Colin Frame, Principal Surveyor (Strategic Projects)
 Duncan Gardner, Senior Network Officer
 Rhona Geisler, Director of Development Services
 Kenny Gillespie, Property and Asset Manager
 Rose Mary Glackin, Chief Governance Officer
 Iain Henderson, Legal Services Manager
 Sara Lacey, Senior Service Manager, Children's Services
 Alexandra Lewis, Planning Officer
 Joe McElholm, Head of Social Work Adult Services
 Brian Pirie, Democratic Services Manager
 Mary Pitcaithly, Chief Executive
 Stuart Ritchie, Director of Corporate and Housing Services
 Vivien Thomson, Service Manager

Also Attending:

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

EX48. Order of business

The Convener varied the order of business from that detailed in the agenda for the meeting. The following items have been recorded in the order that they were taken at the meeting.

EX49. Apologies

An apology was imitated on behalf of Councillor Spears.

EX50. Declarations of Interest

Councillor Gow declared a non-financial interest in the item EX65, as a family member was the owner of a business referred to in the report, and stated that she would take no part in the discussion or decision making on the item.

EX51. Minutes

(a) Minute of Meeting of the Executive held on 16 August 2016

(b) Minute of Special Meeting of the Executive held on 6 September 2016

Decision

The minutes of the meeting of the Executive held on 16 August 2016 and the special meeting of the Executive held on 6 September 2016 were approved.

EX52. Rolling Action Log

A rolling action log showing progress on outstanding actions from previous meetings was provided.

Decision

The Executive noted the rolling action log.

EX53. Joint Consultative Committee – 23 August 2016

The Executive considered a report by the Director of Corporate and Housing Services presenting three revised policies for approval. The policies had been considered by the Joint Consultative Committee on 23 August 2016 and had been referred to the Executive for immediate implementation.

Decision

The Executive agreed the immediate implementation of the:-

(1) Recruitment & Selection Policy;

(2) PVG and Criminal Convictions Checking Policy; and

(3) Gender Based Violence Policy.

EX54. Whistleblowing Policy

The Executive considered a report by the Director of Corporate and Housing Services presenting a whistleblowing policy for approval together with a related anti-fraud and corruption strategy.

Council had a confidential reporting policy in place which had enabled employees, and others, to raise any concerns they had about serious wrongdoing in the Council. The policy, which sat within the corporate governance arrangements alongside other policies, such as the anti-fraud and corruption strategy, was intended to prevent, detect and investigate fraud and corruption.

The confidential reporting policy had been updated and refreshed to take account of guidance which had been issued by the charity, Public Concern at Work and the Department for Business, Innovation and Skills. It dovetailed with the facility for Council staff to raise concerns relating to fraud or corruption. The refreshed document, which was now in a more plain English style, had been renamed in recognition that “whistleblowing” was a more generally understood term.

The aim of the policy is to encourage employees and others who have serious concerns about any aspect of the Council's work to come forward and voice their concerns. The report also referred to the anti-fraud and corruption strategy, approved by the Audit Committee on 22nd September 2014 (ref AC17), and the corporate fraud team which had been established within the Internal Audit unit in February 2016.

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

The Executive:

- (1) approves the whistleblowing policy attached as appendix 1 to the report; and
- (2) notes and endorses the anti-fraud and corruption strategy attached as appendix 2.

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the terms of the motion and in addition that:

- (3) the policy be amended to include reference in part 4 thereof to the ‘Internal Audit Manager, as the whistleblowing champion’ as one of the persons with whom concerns should be raised.

Following discussion, Councillor Martin, as Convener and mover of the motion and Councillor Nimmo, as his seconder, altered the text of the motion accordingly.

Decision

The Executive agreed to:

- (1) approve the whistleblowing policy subject to the inclusion of the Internal Audit Manager in the list provided at section 4 of the policy; and**
- (2) endorse the anti-fraud and corruption strategy.**

EX55. Falkirk Local Development Plan – Supplementary Guidance SG17 – Renewable Energy

The Executive considered a report by the Director of Development Services presenting Local Development Plan Supplementary Guidance Note SG17 for approval.

The Executive had authorised on 25 February 2014 (ref EX46) the preparation of and consultation on 16 Supplementary Guidance Notes. An additional Note on renewable energy had been subsequently identified. To date, 14 Notes had been developed, consulted upon and approved by the Scottish Ministers. Supplementary Guidance Note SG17 – Renewable Energy was now presented for approval.

SG17 sets out the general principles and guidance for a range of renewable technologies including biomass, solar/photovoltaics as well as the potential for district heating within the Council area.

The report set out feedback from consultations together with proposed amendments.

Decision

The Executive agreed the Supplementary Planning Guidance SG17 Renewable Energy including modifications in response to consultation as detailed in appendix 2 of the report, and to submit it to the Scottish Ministers for final approval.

EX56. Decriminalised Parking Enforcement

The Executive considered a report by the Director of Development Services presenting a model for Decriminalised Parking Enforcement in the Falkirk area together with the next steps should it be agreed.

Following withdrawal by Police Scotland of the traffic warden service, the Executive had asked the Director of Development Services to prepare a business case for an application to the Scottish Government for the

introduction of Decriminalised Parking Enforcement (DPE) in the Council area. DPE would enable the Council to enforce on-street parking in the area and allow the enforcement of both on-street and off-street parking in a co-ordinated and comprehensive manner. If adopted, Police Scotland would still remain responsible for enforcement of traffic regulations on all publicly adopted roads in the area on the grounds of road safety and for all endorsable offenses such as dangerous parking or obstruction.

The report set out the process for adopting a DPE regime, the options available and the anticipated costs and recommended the adoption of a model which was anticipated to break even in 2 years (excluding capital start up costs) and 20 years (if the set up costs were included).

Decision

The Executive:-

- (1) agreed option F from within the business model described in the report;**
- (2) noted the financial implications of the current Decriminalised Parking Enforcement business case;**
- (3) agreed that a phased implementation of traffic signs and road markings remedial works on a priority basis should be undertaken to align with available budgets; and**
- (4) requested further reports giving updates on progress**

At this stage, Councillors Gow and D Goldie each declared a non-financial interest in items EX57 and EX58 as Directors of Falkirk Community Trust, but did not consider that this required them to recuse themselves from consideration of the items, having regard to the specific exclusions contained in the Code of Conduct.

EX57. Falkirk Community Trust Policy Development Panel – Improvement Plan

The Executive considered a report by the Director of Corporate and Housing Services summarising the outcomes of the discussion between the Council and Falkirk Community Trust following a review by the policy development panel. The resultant Improvement Plan was presented together with recommendations to progress the agreed outcomes.

The Executive had on 7 June 2016 (ref EX23) considered the interim findings of the policy development panel on its review of Falkirk Community Trust and had agreed to appoint an independent and external facilitator to work with the Council and Trust on the improvement areas which had been identified by the panel.

The facilitator, Stephen Philips of Burness Paull, had met separately with panel members and the portfolio holder and also with representatives of the Trust prior to holding a joint workshop on 1 September 2016.

The facilitator had subsequently provided an Improvement Plan for consideration by the Executive. The proposals set out in the plan related to strategy development and sign off, the contractual framework between the Council and the Trust and corporate governance. The Improvement Plan had been circulated to the panel, portfolio holder and Chief Executive of the Trust who had agreed its submission to the Executive for consideration

Decision

The Executive agreed:-

- (1) that, in order to develop a clear sense of joint ownership, Falkirk Community Trust is requested to work with the Council to prepare and implement a procedure for development of the overarching strategy for culture and leisure allowing for increased joint working and maximising opportunities for officers and elected members of the Council to contribute (as set out at paragraphs 4.6.1 to 4.6.3 of the Improvement Plan);**
- (2) to request that the Trust works with the Council to establish joint working groups involving Council officers, members of the Trust's Senior Management Team, Trust board members and Council elected members to develop agreed strategies in response to challenging areas of work including:-**
 - (a) approaches to income generation;**
 - (b) community engagement; and**
 - (c) treatment of Trust facilities (as set out at paragraph 4.6.4 of the Improvement Plan);**
- (3) to request that the Trust works with the Council to jointly review the existing Funding Agreement between the Council and the Trust with a focus on:-**
 - (a) introducing a more detailed specification of the Trust's services;**
 - (b) agreeing a procedure for annual adjustment of the specification and services fee which allows for appropriate engagement through a defined process;**
 - (c) agreeing a more detailed change control mechanism which reflects the principle of collaboration between the Council**

and the Trust in response to unforeseen changes in circumstances during a given financial year; and

- (d) reviewing the monitoring and reporting mechanisms to ensure that there is full clarity with the Council's requirements (as set out at paragraphs 4.6.5 to 4.6.7 of the Improvement Plan);
- (4) to request that the Trust holds its Board meetings in public and publishes minutes of such meetings on its website, having regard to the need for appropriate redaction of material and private sessions where matters would be of a confidential or sensitive nature;
- (5) to request that the Chief Executive of the Trust attends the Council's regular Corporate Management Team;
- (6) that the Directors of the Trust and the policy development panel members should jointly explore the following proposals (set out in paragraphs 4.6.8 to 4.6.12 of the Improvement Plan):-
 - (a) that the Chair of the Trust be an elected member
 - (b) that the Portfolio Holder for Culture, Leisure and Tourism be a standing director of the Trust
 - (c) that efforts are made to engage elected members from across the Council with elected members being encouraged to attend Trust events and learn more about the activities of the Trust
 - (d) that elected members on the board of the Trust are encouraged to act as a channel of communication from the Trust to other elected members
 - (e) that appreciation of the achievements of both the Trust and the Council since the inception of the Trust are fostered; and
 - (f) that the most appropriate channels of communication and response are identified in the context of ad hoc representations from individual elected members; and
- (7) to retain the support of the facilitator as required and that the Executive will receive an update report on progress and on the outcome of the discussions referred to at recommendations 2.1.3 and 2.1.6

EX58. Falkirk Community Trust – Delivery Plans

The Executive considered a report by the Director of Corporate and Housing Services presenting three delivery plans which had been developed by Falkirk Community Trust for approval.

The Executive had approved the Culture and Sport Strategy on 18 March 2014 (ref EX133). The document, which had been developed by the Council's advisors, Falkirk Community Trust, was a high level strategy which would be underpinned by delivery plans. In approving the Strategy, The Executive had agreed that each delivery plan would be submitted for approval.

Three delivery plans had been developed by the Trust. These were:

- (1) A Physical Activity and Wellbeing Plan for Falkirk;
- (2) Arts Plan 2016 – 2021; and
- (3) The Future of Our Libraries – A Library Service Development Plan for Falkirk 2016 – 2021.

Following the meeting of the Executive in 2014 a protocol had been established to ensure meaningful consultation between the Trust and elected members in the preparation of each delivery plan.

Having been developed in accordance with the protocol, the delivery plans were now presented for approval by the Executive.

Decision

The Executive approved the following delivery plans:-

- (1) A Physical Activity and Wellbeing Plan for Falkirk;**
- (2) Arts Plan 2016-2021; and**
- (3) The Future of our Libraries – A Library Service Development Plan for Falkirk 2016-2021.**

Councillor Mahoney withdrew from the meeting following consideration of the previous item.

EX59. Council Tax Levy on Long Term Unoccupied Dwellings

The Executive considered a report by the Director of Corporate and Housing Services proposing to levy an increase in Council Tax payable on long-term unoccupied dwellings.

The Council Tax (Variation for Unoccupied Dwellings)(Scotland) Regulations 2013 allow local authorities to levy a charge up to 200% of the standard Council Tax charge in respect of certain long term unoccupied dwellings. Falkirk Council had charged 90% since 1 April 2015.

It was proposed that the charge is increased to 200%. It was estimated that this would yield approximately £270,000 annually. An additional member of staff would be required to administer the scheme with the cost offset against income.

The increase would apply to most properties which have been unoccupied for a period of 12 months or longer. However, the regulations provided for exemptions which were set out in the report.

Additionally it was proposed that the Chief Finance Officer be granted authority to delay the application of the levy for up to 6 months in exceptional circumstances.

Decision**The Executive agreed to:-**

- (1) apply a 100% Council Tax levy on all properties that have been no-one's main residence for more than 12 months, except where legislation does not permit this, from 1st April 2017;**
- (2) grant the Chief Finance Officer discretion to delay the application of this levy for up to 6 months in exceptional circumstances where, due to these circumstances, the Council Tax payer could not have avoided this levy; and**
- (3) fund a single post, from the additional revenue generated, to ensure the scheme is administered and policed effectively.**

EX60. Implications of Part 13 Children and Young People (Scotland) Act 2014, Kinship Care

The Executive considered a report by the Director of Children's Services summarising the implications of recently published guidance on Part 13 of the Children and Young People (Scotland) Act 2014, and presenting the plans for implementation of these new duties.

Part 13 of the Children and Young People (Scotland) Act 2014 set out new duties for local authorities to provide support for certain kinship carers with

children who are not looked after but for whom a carer holds or is seeking to hold a Section 11 order to become a kinship carer.

Guidance on Part 13 of the Act includes parity of financial support to that provided by foster carers. Payments to carers who meet the criteria should be backdated to 1 October 2015. In addition, the Council is required to provide and publish a wide range of information and advice to carers and eligible children including advice on the legal system, finance and available support and how that support is assessed, reviewed and provided.

At 30 June 2016, the Council financially supported 72 children who were all living with kinship carers. Each would be assessed and their payments amended to the new foster rate (minus relevant benefits). However it was acknowledged that other eligible carers were not on the system and it was estimated that 30 could be added annually.

The report summarised the differential between foster and kinship payments and estimated that the annual cost could be £458,790, leaving £132,170 in the budget. To cover any additional unknown demand. 2016/17 is £590,960.

These figures assume that benefits are available to offset the total cost (£907,750). If this position changed there would be a significant financial pressure on the Council.

Decision

The Executive agreed:-

- (1) to move towards parity of age related allowances with foster carers;**
- (2) the programme for implementation of the guidance, including back dating of payments to eligible carers to 1st October 2015; and**
- (3) the proposals for publication of information on Kinship Care.**

Councillor Mahoney rejoined the meeting during consideration of the previous item.

EX61. Assets Surplus to Operational Requirements

The Executive considered a report by the Director of Corporate and Housing Services recommending that six assets are declared surplus to requirements for disposal or transfer.

Decision

The Executive agreed to declare the following land as surplus to operational requirements and to authorise disposal and transfer on the terms set out in the report:

- (1) property at 11 Broad Street, Denny – disposal on the open market;**
- (2) property at Redding Cottage, Redding, Westquarter – disposal on the open market;**
- (3) land at Parkhall Drive, Maddiston – transferred to Children’s Services at open market value;**
- (4) land at Stirling Street, Dunipace – negotiate disposal to Kingdom Housing Association;**
- (5) land at Fountainpark Crescent, Bo’ness – negotiate disposal to private developer; and**
- (6) property at 1-3 Seaview Place, Bo’ness – disposal on the open market.**

EX62. Capital Programmes Update 2016/17

The Executive considered a report by the Director of Corporate and Housing Services detailing the provisional outturn position of the 2016/17 General Fund Services and Housing Capital Programmes.

In regard to the General Fund Services Budget, the outturn figure at was projected to be £33.7m. The report detailed spends across Services and set out the main reasons for the variance of £1.3m against the revised budget for 2016/17 of £35m.

Services had identified projects which could be accelerated to mitigate the anticipated slippage of £3.4m (which includes external grants/contributions). The projects from Falkirk Community Trust and Social Work would reduce slippage by £0.3m.

In regard to the Housing Capital Programme, the outturn was forecast to be £28.4m. The report summarised the various workstreams, highlighting any variance from budget.

Revised prudential indicators were set out in an appendix to the report.

Decision

The Executive:-

- (1) noted the forecast spend for both the General Fund Services (£33.7m) and Housing Capital Programmes (£28.4m);**

- (2) approved the acceleration of projects from 2017/18 as detailed in paragraph 4.3.4 of the report and the inclusion of other projects that may be identified for acceleration during the course of the year; and**
- (3) noted the revised Prudential Indicators.**

EX63. Attendance at Conference – Request for Approval

The Executive considered a report by the Director of Corporate and Housing requesting permission for Councillor C Martin to attend the COSLA and Improvement Service Annual Conference on 6 and 7 October 2016.

In terms of Standing Orders Committee approval is required for Members' attendance at conferences and seminars when the cost exceeds £200. The cost of attendance at the COSLA and Improvement Service Annual Conference, which is being held in Crieff Hydro on 6 and 7 October 2016, is £399 excluding VAT.

Decision

The Executive agreed:-

- (1) to approve the request from Councillor Craig Martin to attend the COSLA and Improvement Service Annual Conference to be held at the Crieff Hydro Hotel on 6th and 7th October 2016 at a cost of £399+VAT; and**
- (2) to authorise the Director of Corporate and Housing Services to approve any further requests from members to attend the conference.**

In accordance with her declaration, Councillor Gow left the meeting at this point.

EX64. 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 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.

EX65. Denny Town Centre Regeneration: Phase One Developments

The Executive considered a report by the Director of Development Services giving an update on the status of the Denny town centre regeneration phase 1 project and presenting recommendations with regard to offers received from prospective tenants.

Decision**The Executive:-**

- (1) noted the report on the progress of the Denny town centre regeneration project; and**
- (2) agreed the allocation of units as recommended in the report.**

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 28 September 2016 at 9.30 a.m.

Councillors:

Jim Blackwood
Gordon Hughes
Baillie Joan Paterson (convener)
Depute Provost John Patrick
Sandy Turner

Officers:

Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Frances Kobiela, Senior Solicitor
Brian Samson, Licensing Enforcement Officer

The following items have been recorded in the order that they were taken at the meeting.

CL57. Apologies

Apologies for absence were intimated on behalf of Provost Reid and Councillor Paul Garner.

CL58. Declarations of Interest

No declarations were intimated.

CL59. Minute

Decision

The minute of the meeting of the Civic Licensing Committee held on 24 August 2016 was approved.

Councillor Hughes entered the meeting after discussion of the previous item.

CL60. List of Applications Granted under Delegated Powers in July and August 2016 and Notifications of Public Processions Pending

The committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 July and 31 August 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL61. Civic Licensing Enforcement - July/August 2016

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during July and August 2016.

Decision

The committee noted the report.

CL62. 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.

CL63. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Mr D, entered the meeting.

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

Mr D spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence, subject to the standard conditions.

CL64. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Mr A, entered the meeting.

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

Mr A spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence, with a warning letter, subject to the standard conditions.

CL65. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Mr M, and his cousin, Mr R, both entered the meeting.

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

Mr M spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence, subject to the standard conditions.

CL66. Application for the Grant of a New Window Cleaner Licence

The applicant, Mr H, was not in attendance.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new window cleaner licence (a) advising on the background to the application; (b) referring to the meeting of the Civic

Licensing Committee held on 24 August 2016 when the application was continued to enable the applicant to be in attendance; (c) summarising the consultations undertaken and responses received, and (d) detailing the applicant's record.

Decision

The committee agreed to continue the application to the next meeting of the Civic Licensing Committee on 2 November 2016 to allow the applicant a further opportunity to attend.

CL67. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Mr P, was not in attendance.

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

Decision

The committee agreed to continue the application to a future meeting to allow the applicant a further opportunity to attend.

FALKIRK COUNCIL

Minute of meeting of the SCRUTINY COMMITTEE (EXTERNAL) held in the Municipal Buildings, Falkirk on Thursday 6 October 2016 at 9.30 a.m.

COUNCILLORS:

David Balfour
Gordon Hughes
Steven Jackson (Convener)
Charles MacDonald
Brian McCabe
John McLuckie
Depute Provost John Patrick

OFFICERS:

Nick Balchin, Principal Educational Psychologist
Fiona Campbell, Head of Policy, Technology and Improvement
Jack Frawley, Committee Services Officer
Iain Henderson, Legal Services Manager

ALSO ATTENDING:

Neil Brown, General Manager, Falkirk Community Trust
Jane Clark, Business Development Manager, Falkirk Community Trust
Gary Laing, Scottish Fire and Rescue Service
Martin Rioch, Scottish Fire and Rescue Service
Eddie Ritchie, Scottish Fire and Rescue Service

SE11. Apologies

An apology was intimated on behalf of Councillor Murray.

SE12. Declarations of Interest

There were no declarations of interest.

SE13. Minute

Decision

The minute of meeting of the Scrutiny Committee (External) held on 18 August 2016 was approved.

SE14. Performance Report: Scottish Fire & Rescue Service

The committee considered a report by the Director of Corporate and Housing Services which provided an update on the local performance of the Scottish Fire and Rescue Service, for the period 1 April 2016 to 30 June 2016. Fiona Campbell provided an overview of the report.

The committee discussed the youth engagement activities which the service was involved in including football events at Bowhouse and asked if these would continue. Eddie Ritchie stated that there had been an average of 40 to 60 young people attending the football events which were being taken forward into another ward area.

Members sought an update on the level of incidents requiring a response and approaches to tackling this. Gary Laing advised that there was often a spike in incidents during quarter one due to the combination of lighter nights and the school holidays. This trend was seen nationally. A Community Safety Hub had been established at Falkirk Fire Station which included ICT provision which could be used by community planning partners. There was focussed partnership working with Police Scotland to target deliberate fire setting which was often tied with anti social behaviour. Collaboratively effective interventions were developed. Martin Rioch informed the committee that at present the maximum number of retained fire officers had been recruited.

The committee discussed the Biker Down Initiative. Eddie Ritchie stated that most motorbikes were now away for winter. From around the middle of February the service would offer information to riders which included basic life saving skills which were appropriate for group riders. More information on this would be included in the next report to committee.

Gary Laing advised that the development of the local plan would be put back until December 2017. Members endorsed this approach noting that with the Local Government elections in May 2017 this approach would allow the new Council time to settle in.

Decision

The committee noted the performance report.

SE15. Following the Public Pound: Falkirk Community Trust

The committee considered a report by the Director of Corporate and Housing Services which provided an update on the performance of Falkirk Community Trust (the Trust), in line with Following the Public Pound and Council procedures. The report covered the performance of the Trust for the periods 01 April 2015 to 31 March 2016 and 01 April 2016 to 30 June 2016. Fiona Campbell provided an overview of the report.

The committee asked about the approach to determining which indicators were included in the report, highlighting that information relating to Polmont ski slope was not included. Neil Brown advised that the report presented the key income generation or participation indicators. Not all sites were included as a matter of scale and proportionality.

Members discussed the role of the Trust in lifelong learning. Neil Brown stated that this was not just about education and that the Trust took a holistic view of a person's development. Activities included active schools, libraries, museums, local heritage work, and physical and mental wellbeing. The Trust's ten year strategy in this area was 'Inspiring Active Lives'.

The committee asked about the links between the Trust and Community Learning & Development (CLD). Neil Brown stated that when the Trust was established the Council took the decision not to include CLD. Both parties worked closely together but did not duplicate the work of the other. The Trust carried out activities like art clubs while CLD focussed more on local community facilities.

Members sought an update on the use of Denny Football Centre. Neil Brown stated that the facility had been in a poor state of repair two years ago. However, after storm damage to the facility the Trust replaced the old wooden floor with an indoor artificial surface which had resulted in an increase to the performance statistics. Following a question regarding future security of facilities, it was stated that the long term position in relation to any facility could not be confirmed at this time as the business plan would be submitted to the Council as part of its budget setting process.

There was discussion on the Hallglen sports centre which had seen an increase in lets. Neil Brown stated that the usage trend at Hallglen was upwards and that the previous intention for withdrawal was due to the overall condition of the asset where significant upgrades were required. This included an ongoing issue with the heating of the building.

The committee sought an update on the work undertaken by the Trust in relation to health and fitness clubs. Neil Brown stated that the Trust had invested in health and fitness centres as a method of income generation. In 2012 the Mariner centre had had its gym extended while a further £1m had been invested in the Stenhousemuir gym. In its first year the Stenhousemuir facility had gained 800 members. The intention was to continue to refresh facilities, equipment and staff skills. This was however a competitive area with a number of independent sector providers operating locally. Therefore the Trust had looked at what its unique selling points were and these were highlighted in advertising media.

Members then discussed car parking provision at the Helix. Neil Brown stated that the Trust sought to resolve the issues with problem parking and highlighted that there was an overflow car park available at Inchyra which could be better utilised. The Helix car park had been designed for a smaller number of visitors than the levels which had been realised since opening.

There had been meetings with Police Scotland and elected members to find a solution to the issue of indiscriminate parking. Falkirk Football Stadium's car park was also used by visitors to the Helix when there were no events on at the stadium. There was close liaison with Falkirk Football Stadium management to avoid clashes of events with the football club and Helix but sometimes this could not be avoided where matches are rescheduled at short notice.

The committee asked about the downward trend in relation to library usage. Neil Brown stated that this trend was seen nationally but that there was concern with the decrease in memberships. New mothers were automatically enrolled to get a library card to help children make a positive start. The Trust arranged games in the libraries and librarians conducted readings of childrens' books to encourage attendance. The Trust's Library Development Plan had been approved at the September meeting of the Executive. There had been upgrades to the wi-fi provision at libraries which gave the public the option to use their own devices onsite. The Trust also provided support to HMYO Polmont through a four day a week library service.

Decision

The committee noted the progress made by Falkirk Community Trust in meeting Council priorities.

SE16. Following the Public Pound: Early Intervention Services to Children & Young People – 2015/16

The committee considered a report by the Director of Children's Services which provided an update on the work of external organisations in receipt of funding in whole or in part, who provide early intervention services to children and young people, and who fall within the Following the Public Pound (FPP) reporting and monitoring arrangements. Nick Balchin provided an overview of the report.

The committee discussed the commissioning of services and how organisations would adjust if they faced reductions in funding. Fiona Campbell advised that Children's Services were reviewing all services for any instances of duplication or other issues. It was highlighted that there was an outstanding remit to report to committee on the entirety of the family support service work. The Council had agreed to undertake a review of external funding as part of its budget process and this review was being progressed to identify if money was being well spent on commissioning external organisations.

(a) Aberlour Childcare Trust – Early Years Outreach

Nick Balchin provided an overview of the report, advising that Aberlour Childcare Trust – Early Years Outreach received a direct grant of £276,384 in the reporting period.

Decision

The committee approved the report and acknowledged progress by Aberlour Childcare Trust – Early Years Outreach.

Councillor McCabe left the meeting during consideration of the previous item and re-joined the meeting during consideration of the following item.

(b) Aberlour Childcare Trust – Family Support Service - Langlees

Nick Balchin provided an overview of the report, advising that Aberlour Childcare Trust – Family Support Service - Langlees received a direct grant of £199,695 in the reporting period.

Members asked if some of the families helped by this service would also have received assistance from the early years outreach service. Nick Balchin stated that some families would have been supported by both services and that the family support service worked to support parents to have a key role in the education of their children.

Following a question on the use of peer assisted interviews, Nick Balchin stated that this was a way of helping children articulate their feelings when they did not have the language skills to do so. A computer was used and support was provided by a staff member alongside the child's parent.

Decision

The committee approved the report and acknowledged progress by Aberlour Childcare Trust – Family Support Service - Langlees.

(c) Barnados – Education and Family Support Service

Nick Balchin provided an overview of the report considering the performance of Barnados – Education and Family Support Service. He advised that a direct grant of £279,208 was received by the organisation in the reporting period.

Decision

The committee approved the report and acknowledged progress by Barnados – Education and Family Support Service.

(d) Barnado's – New Beginnings

Nick Balchin provided an overview of the report considering the performance of Barnados – New Beginnings. He advised that a direct grant of £182,724 was received by the organisation in the reporting period.

The committee highlighted that the number of families assisted had halved from the previous year but funding had remained at the same level. A question was raised as to whether this could be said to reflect good value. Nick Balchin stated that the level of demand for the year was unusually low and demand was expected to increase to previous levels. Members asked if the same need did still exist and when the service was provided to 25 families did they all need support. It was stated that the benefit should be maximised.

The members also stated that more information was required on the level of support provided and what support was available for young people of high school age. Nick Balchin stated that some young people moved onto the Mariners Service if they needed continuing support. If there was a need for intensive agency support then this could be provided by Cluaran. It was stated that some young people did enter mainstream education at the end of their time at Oxfams and did not need continued support or the level of support was reduced.

The committee discussed that more information was required across all following the public pound reports to show what service was provided across the Council area. Information should also show if people's issues were being dealt with and what was the minimum level of funding required before there would be a significant detrimental impact to service provision.

Decision

The committee:-

- (i) approved the report and acknowledged progress by Barnados – Education and Family Support Service, and**
- (ii) requested that a report was submitted to a future meeting of the committee to provide more detail on the entirety of the service provided in relation to early intervention services to children and young people.**

(e) Home Start

Nick Balchin provided an overview of the report considering the performance of Home Start. He advised that a direct grant of £29,488 was received by the organisation in the reporting period.

Decision

The committee approved the report and acknowledged progress by Home Start.

(f) NHS Forth Valley – Speech & Language Therapy

Nick Balchin provided an overview of the report considering the performance of NHS Forth Valley – Speech & Language Therapy. He advised that a direct grant of £465,040 was received by the organisation in the reporting period.

Decision

The committee approved the report and acknowledged progress by NHS Forth Valley – Speech & Language Therapy.

(g) One Parent Families Scotland – Braes Children & Family Centre

Nick Balchin provided an overview of the report considering the performance of One Parent Families Scotland – Braes Children & Family Centre. He advised that a direct grant of £120,755 was received by the organisation in the reporting period.

Decision

The committee approved the report and acknowledged progress by One Parent Families Scotland – Braes Children & Family Centre.

FALKIRK COUNCIL

Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 18 October 2016 at 9.30 a.m.

Councillors:	David Alexander	Dr Craig R Martin
	Jim Blackwood	Craig Martin (Convener)
	Tom Coleman	Malcolm Nicol
	Dennis Goldie	Alan Nimmo
	Gerry Goldie	Robert Spears
	Adrian Mahoney	

Officers:

Karen Algie, Head of HR and Business Transformation
 Richard Broadley, Planning and Environment Manager
 Arlene Fraser, Committee Services Officer
 Rhona Geisler, Director of Development Services
 Rose Mary Glackin, Chief Governance Officer
 Gary Greenhorn, Head of Planning and Resources
 David McGhee, Head of Procurement and Housing Property
 Mary Pitcaithly, Chief Executive
 Bryan Smail, Chief Finance Officer

EX66. Apologies

No apologies were intimated.

EX67. Declarations of Interest

Councillor Mahoney declared a non-financial interest in item EX77 as a member of Historic Scotland and as a Trustee of The Friends of Kinneil, but did not consider that this required him to recuse himself from consideration of the item, having had regard to the objective test in the Code of Conduct.

Councillor Spears also declared a non-financial interest in item EX77 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 specific exclusions contained in the Code of Conduct.

EX68. Minute**Decision**

The minute of the meeting of the Executive held on 27 September 2016 was approved.

EX69. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 27 September 2016 was provided.

Decision

The Executive noted the rolling action log.

EX70. Resolution under s.9 of the Civic Government (Scotland) Act 1982

The Executive considered a report by the Director of Corporate and Housing Services seeking approval to vary the resolution made under section 9 of the Civic Government (Scotland) Act 1982 in respect of optional licensing activities. The proposed resolution was appended to the report.

The Executive had on 16 August 2016 (ref EX38) agreed to vary the resolution. In accordance with s.9(6) of the Act, a notice of the intention to update the resolution was published in the Falkirk Herald on 1 September which sought representations to be made in the following 28 day period. No comments by way of representation had been received to the proposed resolution.

If the resolution is made, a further notice requires to be published in the local press setting out the new terms.

Decision**The Executive:-**

- (1) noted that no representations were received in response to the proposed civic licensing resolution, which had been advertised in the Falkirk Herald on 1 September 2016, and**
- (2) agreed to make the resolution under section 9 of the Civic Government (Scotland) Act 1982 in respect of optional licensing activities, as detailed in the appendix to the report.**

EX71. Strategic Housing Investment Plan 2016/2021

The Executive considered a report by the Director of Corporate and Housing Services presenting for approval the Strategic Housing Investment Plan (SHIP) 2016-2021, prior to submission to the Scottish Government.

The SHIP is a core element of the Local Housing Strategy (LHS) and is required to be produced and submitted to the Scottish Government biannually. The SHIP's core purpose is to set out strategic investment

priorities for affordable housing for a 5 year period in order to achieve the outcomes set out in the LHS.

The report provided information on the proposed new affordable housing programmes for the Council and Registered Social Landlord (RSL) partners based on Scottish Government Funding and set out the actions required to progress and support the delivery of specific projects.

In addition, the report detailed the minimum Scottish Government Resource Planning Assumptions (RPA), together with the estimated Scottish Government funding required for each project in the SHIP. It is anticipated that there will be an overall funding shortfall of around £14.35m. However, discussions are ongoing with Scottish Government on the potential to secure additional funding to meet this shortfall.

Decision

The Executive:-

- (1) agreed the Strategic Housing Investment Plan 2016-2021 for submission to the Scottish Government;**
- (2) authorised officers to enter into negotiations to purchase land at Abbots Road, Grangemouth and Blinkbonny Road, Falkirk from Children's Services for additional affordable housing, in line with independent valuations, and**
- (3) noted that officers will adapt the Strategic Housing Investment Plan to maximise the supply of affordable housing locally and provide updates to members on any changes.**

EX72. Report of the National Cremation Investigation

The Executive considered a report by the Director of Development Services setting out the findings of the "Report of the National Cremation Investigation" by The Rt. Hon. Dame Elish Angiolini DBE QC, published on 17 June 2016.

The report provided details on the events that led to the production of the Report of the National Cremation Investigation, and information on the findings into cremation practices at Falkirk Crematorium. Also provided, were details of the outcome of an ancillary inspection of Falkirk Crematorium carried out by HM Inspector of Crematoria.

The report concluded that the Council's crematorium is well run, and neither the Report of the National Cremation Investigation nor the inspection by HM Inspector of Crematoria Scotland identified any failings in procedures.

Decision

The Executive:-

- (1) accepted the general recommendations for all crematoria in the “Report of the National Cremation Investigation” by Dame Elish Angiolini as summarised in section 4.2 of the report;**
- (2) noted and accepted the six conclusions detailed in the “Report of the National Cremation Investigation” by Dame Elish Angiolini in relation to cremation practices of infants and babies at Falkirk Crematorium in section 4.4 i) to vi) of the report, and**
- (3) noted the findings of the first annual HM Inspector of Crematoria Scotland as set out in his recent report of Falkirk Crematorium.**

Councillor D Goldie joined the meeting during discussion of the previous item of business.

EX73. Review of Open Space Strategy and Parks Development Plan

The Executive considered a report by the Director of Development Services presenting a set of changes to the consultative draft Open Space Strategy which had been raised through public consultation, and to agree the adoption of the finalised document as Council policy.

The Executive had on 19 August 2014 (ref EX45) established a policy development panel to review the Falkirk Council Open Space Strategy and Parks Development Plan (Strategy).

The panel had presented its draft Strategy to the Executive on 20 October 2015 (ref EX59) when it was agreed to publish the consultative draft Open Space Strategy and Parks Development Plan and carry out a public consultation exercise. The public consultation was undertaken between 7 December 2015 and 7 March 2016.

The report summarised the extensive policy development process undertaken by the panel, the wide ranging public consultation and minor changes suggested in response to this exercise.

A consultation report was presented to the panel on 26 August when it recommended that a finalised Open Space Strategy and Parks Development Plan be submitted to the Executive seeking approval to adopt the document as Council policy.

Decision

The Executive agreed:-

- (1) the proposed responses to comments received during consultation and consequential changes to the draft Open Space Strategy outlined in appendix 1 to the report, and**
- (2) to adopt the finalised Open Space Strategy shown at appendix 2 to the report, as Council policy.**

EX74. Projected Financial Position 2016/17

The Executive considered a report by the Director of Corporate and Housing Services presenting an update on the financial position of the Council for 2016/17 and reflects the situation as at 31 August 2016. Information was also provided on the position relating to Reserves in line with the policy approved by the Executive in January 2015 (ref EX106).

At 31 August 2016, an underspend of £1.913m was projected in General Fund net expenditure.

The report set out the reasons for the significant overall deviations from budget, as well as highlighting workforce changes throughout the year and on progress in meeting the budgeted financial targets.

The report also summarised the year-end position in regard to General Fund Reserves, including the Repairs and Renewals Fund, Earmarked Reserves and Capital Financing Costs, together with the year-end position on the Housing Revenue Account.

Decision

The Executive noted:-

- (1) the Council's projected year-end financial position for 2016/17, and**
- (2) the position with respect to Reserves.**

EX75. 2017/18 Budget/Initial Savings Options

The Executive considered a report by the Director of Corporate and Housing Services presenting officers' budget savings options identified to date.

Council had agreed on 21 September 2016 (ref FC36) that officers would submit savings options to this meeting. The service savings options templates were attached to the report to allow the necessary consultations and Equality and Poverty Impact Assessments (EPIAs) to be carried out.

Decision

The Executive noted that:-

- (1) the budget savings options identified by officers in the appendices to the report will be the subject of consultation with stakeholders;
- (2) officers will continue to research further savings options which can be brought before members later in the 2017/18 budget process, and
- (3) in terms of section 4.2 of the report, with respect to workforce:
 - (a) the potential impact on the workforce if the options being consulted on were to subsequently be agreed;
 - (b) the current position in relation to negotiations on terms and conditions and that officers progress these in order to achieve, if possible, an agreement on a revised package, keeping the Leader and Leader of the Opposition advised of progress, and
 - (c) the discussions being progressed with Trade Unions on the removal of the 35 hour protection and that an update will be provided at an appropriate stage on the outcome of these discussions.

EX76. Corporate Risk Management Update

The Executive considered a report by the Director of Corporate and Housing Services presenting a 6 monthly update on the CRM Policy and Framework (CRM) and the Corporate Risk Register (CRR).

The Executive had agreed on 17 May 2016 (ref EX13) the revised CRM Policy and Framework and CRR, and to receive 6 monthly CRM updates.

The report set out the need for continued commitment to embedding the CRM Policy and Framework and managing the risks identified within the CRR. A summary of corporate risks was attached as appendices 1 & 2 to the report.

Decision

The Executive noted:-

- (1) the revised Corporate Risk Register, including the Summary of Very High and High Risks at Appendix 1, and the Summary of Medium Risks at Appendix 2;
- (2) that West Lothian Council's Internal Audit Team undertook an audit of the Council's CRM arrangements in early 2016, and

provided Substantial Assurance. They will undertake a follow-up audit in early 2017;

- (3) that a Corporate Management Team and Members' Risk Workshop will take place in 2017, and Members' Risk Management Training will be arranged during 2017/18, and**
- (4) that further updates will be provided to the Executive every 6 months.**

EX77. HLF Bid – Rediscovering the Antonine Wall

The Executive considered a report by the Director of Development Services seeking approval to support and part-fund a bid to the Heritage Lottery Fund (HLF) in partnership with the Antonine Wall World Heritage Site Management Group for a programme of community projects that will help people find out about and enjoy the Antonine Wall.

The Antonine Wall Management Group, which includes various stakeholders, commissioned economic and visitor studies which found a general lack of awareness and understanding of the Wall's location and its significance. Opportunities for developing projects which aim to address this may be eligible for HLF funding.

The report summarised the proposed HLF project "Rediscovering the Antonine Wall" which would run from June 2018 to June 2021. A funded project development phase would commence from April 2017 until March 2018 subject to Council approval, partner approvals and HLF funding bid success.

In addition, the report detailed the benefit this project could make to local communities, as well as providing an enhanced visitor experience to the site.

Decision

The Executive agreed:-

- (1) to support the HLF bid in principle, and**
- (2) forward commit £70,000 to the project over the next 4 years:**
 - a) Year 1 : 2017-2018 £10,000**
 - b) Year 2 : 2018-2019 £20,000**
 - c) Year 3 : 2019-2020 £20,000**
 - d) Year 4 : 2020-2021 £20,000**

EX78. Portfolio Management Plan Update Report

The Executive considered a report by the Director of Development Services presenting an updated Portfolio Management Plan (PMP) for approval.

The PMP seeks to sustain and enhance a visible property portfolio for economic development through the phased disposal of existing assets to the investment market and re-investment of the proceeds in developing new business property.

The report detailed the outcome of the 7 lots marketed in 2015/16 and the 16 PMP lots programmed for marketing in 2016/17. The properties marketed in 2015/16 that did not receive acceptable offers will be remarketed at an appropriate time. Information was provided on factors which prevented the sale of the site at South Bridge Street, Grangemouth. Work was underway to allow the site to be remarketed, without the requirement to incorporate the former Grangemouth Clock Tower.

In addition, the report summarised the PMP re-investment programme and set out the future phasing of the industrial development at Plot 5, Abbotsford Business Park as phase one was due to be complete by end October 2016.

Decision

The Executive agreed:-

- (1) the updated proposals for the PMP disposal and reinvestment plans as set out in the report and detailed in appendices 1 & 2;**
- (2) to re-market the South Bridge Street site, and**
- (3) that alternative arrangements are sought for the siting of the Grangemouth Town Clock.**

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 26 October 2016 at 9.30 a.m.

COUNCILLORS: Baillie William Buchanan (Convener)
Steven Carleschi
Colin Chalmers
Paul Garner
Adrian Mahoney
Craig Martin
John McLuckie
Alan Nimmo
Martin Oliver
Baillie Joan Paterson
Sandy Turner

OFFICERS: John Angell, Head of Planning and Transportation
Donald Campbell, Development Management Co-ordinator
Kevin Collins, Transport Planning Co-ordinator
Ian Dryden, Development Manager
Rose Mary Glackin, Chief Governance Officer
Iain Henderson, Legal Services Manager
Martin Macniven, Environmental Health Officer
Antonia Sobieraj, Committee Services Officer
Russell Steedman, Network Co-ordinator

P60. Apologies

Apologies were intimated on behalf of Councillor Nicol.

P61. Declarations of Interest

Baillie Buchanan declared a non financial interest in item 14 (minute P68) by virtue of him being related through marriage to the applicant, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

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

- Councillor Chalmers informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/16/0393/FUL (minute P61).

- Councillor McLuckie informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/16/0360/FUL, P/16/0385/FUL and P/16/0393/FUL (minute P59, P60 and P61) as he was sufficiently familiar with the sites.

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

P61. Requests for Site Visits

Having heard requests by members for site visits, the Committee agreed at the start of the meeting to the continuation of planning applications P/16/0112/FUL, P/16/0114/PPP and P/16/0423/FUL.

In accordance with his declaration of interest, Baillie Buchanan left the Chair and the meeting prior to consideration of the request to continue consideration of application P/16/0476/FUL to visit the site and Councillor McLuckie assumed the role of Convener. Thereafter, the Committee agreed to continue to a site visit.

Following the item of business, Baillie Buchanan re-entered the meeting and resumed the Convenership of the meeting.

P62. Minutes

Decision

- (a) **The minute of meeting of the Planning Committee held on 14 September 2016 was approved subject to Councillor Carleschi being added to the intimated apologies for the meeting; and**
- (b) **The minute of meeting of the Planning Committee On-Site held on 26 September 2016 was approved.**

P63. The Falkirk Council (On-Street Parking Space for Disabled Persons (No.TRO/DB/16/042)) Order 2016 – Steps Street, Stenhousemuir

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council Steps Street, Stenhousemuir (On-Street Parking Space for Disabled Persons) (No TRO/DB/16/042) Order 2016.

Decision

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

Councillors Carleschi and Turner left and re-entered the meeting during consideration of the following item of business.

P64. Erection of 15 Dwellinghouses, Retail Unit and Associated Infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk FK1 2AQ for Alpha Glen Developments Ltd - P/16/0360/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P54 refers), Committee (a) gave further consideration to a report to that meeting 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 15 dwellinghouses, a retail unit and associated infrastructure at the Bowling Club, Glen Crescent, Glen Village, Falkirk.

Councillor Chalmers, seconded by Councillor Carleschi, moved that Committee continue consideration of the application to allow (1) the undertaking of a Traffic Impact Assessment at peak times on both Glen Crescent and Falkirk Road to measure and record the volume of vehicular traffic; (2) the applicant to provide further information and proposals on the layout of the retail area and the development in general with regard to the potential to accommodate further parking; and (3) information to be provided by Falkirk Community Trust and the Council's Children's Services on future proposals for Hallglen Community Centre and Ettrick Dochart Community Hall with that information then being assessed by Development Services in terms of its impact on the assessment for open space contributions.

By way of an amendment, Baillie Paterson, seconded by Councillor C Martin, moved that Committee be minded to grant planning permission in accordance with the recommendations within the report.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 11 members present with voting as undernoted:-

For the motion (7) - Councillors Carleschi, Chalmers, Garner, Mahoney, McLuckie, Oliver and Turner.

For the amendment (4) - Baillies Buchanan and Paterson; and Councillors Martin and Nimmo.

Decision

The Committee agreed to continue consideration of the matter to allow:-

- (1) the undertaking of a Traffic Impact Assessment at peak times on both Glen Crescent and Falkirk Road to measure and record the volume of vehicular traffic;**

- (2) the applicant to provide further information and proposals on the layout of the retail area and the development in general with regard to the potential to accommodate further parking; and
- (3) information to be provided by Falkirk Community Trust and the Council's Children's Services on future proposals for Hallglen Community Centre and Ettrick Dochart Community Hall with that information then being assessed by Development Services in terms of its impact on the assessment for open space contributions.

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

P65. Extension to Dwellinghouse at 11 Callendar Park View, Falkirk FK1 1SX for Mr Shraz Khaliq - P/16/0385/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P52 refers), Committee (a) gave further consideration to a report to that meeting 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 two storey extension to a modern two storey detached dwellinghouse incorporating the existing domestic garage and including on the ground floor a study room with a front entrance area and on the first floor accommodating two additional bedrooms and a shower room.

Decision

The Committee agreed to refuse planning permission on the basis that:-

- (1) The proposed two storey extension by reason of its overall scale, massing and location in relation to neighbouring properties and to the north on Cromwell Road would have an unacceptable adverse visual impact on the amenity of these properties and the surrounding area. The proposed extension is therefore contrary to HSG07 of the Falkirk Local Development Plan to HSG07 'Residential Extensions and Alterations' of the Falkirk Local Development Plan and Falkirk Council's Supplementary Guidance SG03 'Residential Extensions and Alterations'.
- (2) The proposed two storey extension due to its overall size and proximity to the neighbouring dwellings on Cromwell Road would overshadow neighbouring gardens which would have an unacceptable overbearing impact on the residential amenity of neighbouring properties. The proposed extension is therefore contrary to HSG07 'Residential Extensions and Alterations' of the Falkirk Local Development Plan and Falkirk Council's

Supplementary Guidance SG03 'Residential Extensions and Alterations'.

- (3) **The proposed two storey extension due to its proximity to neighbouring dwellings on Cromwell Road and positioning of windows would overlook the neighbouring gardens and habitable rooms which would therefore have a detrimental impact on the privacy of the neighbouring properties. The proposed extension is therefore contrary to HSG07 'Residential Extensions and Alterations' of the Falkirk Local Development Plan and Falkirk Council's Supplementary Guidance SG03 'Residential Extensions and Alterations'.**

P66. Change of Use of Public Open Space to Garden Ground and Erection of Boundary Fence (Retrospective) at 32 Howieson Avenue, Bo'ness EH51 9JG for Mr David Stewart - P/16/0393/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P53 refers), Committee (a) gave further consideration to a report to that meeting 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 change of use of public open space to garden ground and the erection of a boundary fence (in retrospect) at 32 Howieson Avenue, Bo'ness.

Councillor Mahoney, seconded by Baillie Paterson, moved that Committee be minded to grant planning permission in accordance with the recommendations within the report.

By way of an amendment, Councillor Turner, seconded by Councillor Carleschi, moved that Committee refuse planning permission on the grounds of the loss of amenity and a vital area of open space and that the development proposal would be contrary to policy INF03 'Protection of Open Space'.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 9 members present with voting as undernoted:-

For the motion (5) - Baillie Paterson; and Councillors Mahoney, C Martin, Nimmo and McLuckie.

For the amendment (4) - Baillies Buchanan; and Councillors Carleschi, Oliver and Turner.

Councillor Garner abstained.

Decision

The Committee agreed that it was minded to grant planning permission subject to the satisfactory completion, within six months, of a Legal Agreement within the terms Section 69 of the Local Government (Scotland) Act 1973 or Section 75 of the Town and Country Planning (Scotland) Act 1997 in terms satisfactory to the Director of Development Services in respect of the payment of a financial contribution towards qualitative improvements in other parts of the green network, to offset the loss of an area of open space, to the sum of £1,323.

And thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to the following informative.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 - 03.

Baillie Paterson left the meeting prior to consideration of the following item of business.

Baillie Paterson re-entered the meeting during consideration of the following item of business.

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

P67. Alterations and Change of Use from Retail/Offices to Hotel and Alterations, Extension and Change of Use from Office and Hairdressers to Hotel (Partially Retrospective) at 22 and 26 Princes Street, Falkirk FK1 1NE and 2, 4, & 6 Kerse Lane, Falkirk FK1 1RG for Mr Stuart Crawford – P/16/0162/FUL

With reference to Minutes of Meeting of the Planning Committee held on 17 August and 14 September 2016 (Paragraphs P33 and P49 refer), Committee (a) gave further consideration to reports to those meetings 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 change of use of two units operating as retail/offices and associated alterations (partially in retrospect) adjoining a hotel comprising several buildings, the main building being category B listed, on a site surrounded by a mixture of both commercial and residential properties and fronting onto Kerse Lane and Princes Street, Falkirk.

Decision

The Committee agreed, Councillor Chalmers dissenting, to grant planning permission subject to the following condition(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 unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) Prior to works commencing on the shop frontages and rear extension to the units on Kerse Lane, details of the materials to be used on the external surfaces of the building, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.**

Reason(s):-

- (1) As these drawings and details constitute the approved development.**
- (2) To enable the Planning Authority to consider this/these aspect(s) in detail.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02A, 03A, 04A, 05A, 06A, 07A, 08A and 09.**
- (2) All noise generated from musical entertainment within the premises shall be inaudible within nearby properties to the satisfaction of Falkirk Council Environmental Health.**
- (3) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.**
- (4) The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:-**

Monday to Friday 08:00 - 18:00 Hours

Saturday 09:00 - 17:00 Hours
Sunday / Bank Holidays 10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.

- (5) The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); minegas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.**

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Standards approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.gov.uk

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

Councillor Carleschi re-entered the meeting during consideration of the following item of business.

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

P68. Erection of 2 Storey Dwellinghouse with Ancillary Detached Garage on Land to the East of 31 Kilsyth Road, Kilsyth Road, Haggs for Mr and Mrs Cooper – P/14/0161/FUL

The Committee considered a report by the Director of Development Services in relation to a previously granted planning permission for the erection of a two storey dwellinghouse with an ancillary detached garage on land to the east of 31 Kilsyth Road, Kilsyth Road, Haggs.

Decision

The Committee, having noted the undertaking by the owner of the entire H10 site that she (a) has no intention now or in the future of allowing development of the site with the exception of the self build house which is the subject of the application P/16/0359/FUL; and (b) will support removal of the site from the Falkirk Local Development Plan, agreed to refund, with interest and Council legal fees, the financial contribution of £7,640 paid in respect of planning application P/14/0161/FUL.

Councillors Carleschi and Oliver left the meeting following consideration of the foregoing item of business.

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

P69. Demolition of Existing Buildings/Structures Erection of Shop (Class 1) (2040 sq.m) with Associated Landscaping, Car Parking, Servicing and Formation of Access (King Street) at 44 Tryst Road, Stenhousemuir, Larbert FK5 4QH for Ramoyle Group – P/16/0112/FUL

P70. Erection of Restaurant/Public House, Associated Infrastructure Including Roads, Car Parking and Amenity Spaces, Pedestrian Access and Landscaping at 44 Tryst Road, Stenhousemuir, Larbert FK5 4QH for Ramoyle Group – P/16/0114/PPP

P71. Change of Use from a Vacant Retail Unit (Class 1) to a Hot Food Takeaway (Sui Generis); Installation of Extraction/Ventilation Equipment and External Alteration at 24 High Street, Bonnybridge FK4 1DA for DPSK Ltd – P/16/0423/FUL

The Convener agreed a short adjournment at 12.10 p.m. The meeting reconvened at 12.12 p.m. with all Members present as per the sederunt following the return of Councillor Carleschi.

P72. Formation of Access Track at Polmont Golf Club, Simpson Drive, Maddiston, Falkirk FK2 0LS for Fine Energy - P/16/0469/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the development of an alternative access track, to serve a wind turbine granted planning permission on 24 February 2016 (ref: P/15/0580/FUL) to reduce the impact of development on the functioning of the golf course at Polmont Golf Club, Simpson Drive, Maddiston, Falkirk.

In accordance with Standing Order 38.1(x), the Convener gave consent to Councillor Hughes to speak in relation to this item of business, the said Member having duly given at least 24 hours notice. Copies of a paper read out by Councillor Hughes were issued to members for information.

Decision

The Committee agreed to continue consideration to allow officers the opportunity for further discussion with the applicant and appropriate officers, as required, in relation to the times of construction work at the site, truck movements along Simpson Drive/Sunnybrae Terrace, traffic speed along Simpson Drive/Sunnybrae Terrace and drainage and infrastructure.

In accordance with the decisions 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:-

P73. Erection of 2 Dwellinghouses at Inches House, Bellsdyke Road, Larbert FK5 4EL for Mr John Pollock – P/16/0476/FUL

P74. Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray – P/16/0498/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for a single storey rear extension to a semi detached category B listed building at 2 Princess Gate, Slamannan Road, Falkirk and measuring approximately 4 metres by 4 metres.

With reference to Standing Order 33, Baillie Buchanan referred to an application received from Dr Kurt Mills, an objector, for admission to the meeting to be heard in relation to this item of business.

The Committee consented to hear the deputation.

Dr Mills gave details of his concerns over the proposed development, as the owner of the neighbouring property, including the adverse effect on the character and appearance of the B listed building, the impact on privacy, the loss of natural light to his rear garden and the overdevelopment of the site.

The Committee thereafter reconvened normal business.

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

P75. Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray – P/16/0499/LBC

The Committee considered a report by the Director of Development Services on an application for listed building consent for a single storey rear extension to a semi detached category B listed building at 2 Princess Gate, Slamannan Road, Falkirk and measuring approximately 4 metres by 4 metres.

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

DRAFT**FALKIRK COUNCIL**

Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Thursday 27 October 2016 at 9.40 A.M.

Councillors: Baillie William Buchanan (Convener)
John McLuckie
Steven Carleschi

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

PRC34. Apologies

No apologies were intimated.

PRC35. Declarations of Interest

No declarations were made.

PRC36. Minute

Decision

The minute of meeting of the Planning Review Committee held on 19 September 2016 was approved.

PRC37. Opening Remarks

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

PRC38. Planning Application P/16/0215/FUL - Erection of Dwellinghouse on Land to South East of Tappernail Farm, Hillcrest Square, Reddingmuirhead

The Committee considered documents which related to the Application for Review for planning application P/16/0215/FUL for the erection of a two storey detached dwellinghouse on land to south east of Tappernail Farm, Hillcrest Square, Reddingmuirhead.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 9.50 a.m. for the purpose of conducting a site inspection and reconvened at 11.05 a.m., with all those present as per the sederunt.

PRC39. Planning Application P/16/0215/FUL - Erection of Dwellinghouse on Land to South East of Tappernail Farm, Hillcrest Square, Reddingmuirhead

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0215/FUL for the erection of a two storey detached dwellinghouse on land to south east of Tappernail Farm, Hillcrest Square, Reddingmuirhead.

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

After further discussion and having sought and heard advice from Mr Henderson and Mr Vivian, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Trees and Development Supplementary Guidance SG06;
- (2) Housing Opportunity Site H69 - Rural South – Slamannan;
- (3) Policies D02 and GN04 of the Local Development Plan;
- (4) the consultation responses received;
- (5) the representations submitted;
- (6) the site history;
- (7) the supporting documents provided by the applicant;
- (8) the benefit of the site inspection.

After discussion, the Committee considered that it did not have sufficient information to allow it to make a determination. Thereafter, the Committee **AGREED:-**

- (1) that the matter be continued to a future meeting of the Committee on a date to be agreed;
- (2) that further information in the form of a written submissions, be provided by the applicant and the Director of Development Services within a period of 14 days from receipt of the requests;
- (3) that the applicant's submission:-
 - (a) provide information as to how the design of the proposed roof terrace can avoid detrimental impact to the privacy of residents at Hillcrest Square; and
 - (b) be made available to interested parties and the Director of Development Services in order that they may make comments in reply and that the respective comments, be made available to the applicant to make further comments thereon with each being allowed a period of 14 days from receipt of the request; and
- (4) that the Director of Development Service's submission:-
 - (a) provide information as undernoted:-
 - (i) With reference to the additional plans/information submitted by the applicant, would these, generally, have changed any of the refusal reasons noted in the Report on Handling;
 - (ii) Do the amended plans/information address concerns in relation to satisfactory visibility and sightlines at the junction of Hillcrest Square and the B810 Shieldhill Road;
 - (iii) Do the amended plans/information address concerns in relation to boundary treatments and planting and respecting the rural setting of the application site;
 - (iv) Do the amended plans/information address concerns in relation to orientation of the main front elevation of the proposed property and, generally, the disposition of the proposed development; and
 - (v) In the event (and for the avoidance of doubt, not pre-judging the decision of the Committee on the review) that the Committee were to be minded to grant permission, would any financial contributions be applicable and, if so,

how much would they be and what would they be in respect of; and

- (b) be made available to the applicant and interested parties in order that they may make comments in reply and that the respective interested parties' comments, be made available to the applicant to make further comments thereon, and with each being allowed a period of 14 days from receipt of the request.

DRAFT

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 2 November 2016 at 9.30 a.m.

Councillors:

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

Officers:

Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor
Brian Samson, Licensing Enforcement Officer

CL68. Apologies

Apologies for absence were intimated on behalf of Baillie William Buchanan; Councillors Paul Garner and Sandy Turner.

CL69. Declarations of Interest

No declarations were intimated.

CL70. Minute**Decision**

The minute of the meeting of the Civic Licensing Committee held on 28 September 2016 was approved.

CL71. List of Applications Granted under Delegated Powers in September 2016 and Notifications of Public Processions Pending

The committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 and 30 September 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

- (1) to continue consideration of the suspension hearing to a future meeting of the committee;**
- (2) to instruct officers to arrange for the appellant to undertake a medical examination which meets the DVLA Group 2 Regulations Standard, recognising that includes physical fitness in relation to mental health, and**
- (3) that officers carry out further investigations with the Australian authorities in relation to the appellant's background checks.**

- The concerns relating to the storage of food waste and associated containers;
- The existing constant traffic on the private road (Lade Road);
- The existing traffic congestion on Lade Road from deliveries and waste uplift vehicles;
- The increase in traffic congestion from the proposal;
- The exacerbation of existing parking problems for local residents;
- The increased adversity to those trying to pass/drive through Bonnybridge;
- That there were already too many hot food takeaways in the area;
- That a variety of shops was needed in the village to get people shopping locally again;
- The adverse impacts on existing long standing businesses;
- The proposal making the High Street weaker than it already was;
- That the outline of the property appeared to encroach over neighbouring residential property;
- The loss of property values; and
- That another fast food outlet would encourage people to eat unhealthily.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance. The matter would be determined at the Planning Committee on 23 November 2016.

EE19. Apologies

Apologies were intimated on behalf of Councillors Craig Martin and Dr Craig R Martin; Mike Ablett (Parent Representative), and Fiona Craig (Teacher Representative).

EE20. Declarations of Interest

No declarations were made.

EE21. Minute**Decision**

The minute of the meeting of the Education Executive held on 6 September 2016 was approved.

EE22. Rolling Action Log

A rolling action log detailing a decision which had been implemented following the previous meeting on 6 September 2016 was provided.

Decision

The Executive noted the rolling action log.

EE23. New ASN Secondary School: Report on Feedback from Naming Consultation and Project Update

The Education Executive considered a report by the Director of Children's Services updating on progress of the new build project and the outcome of the recent consultation on the preferred name for the new ASN secondary school.

Construction on the new secondary school is underway with the building expected to be wind and water tight by January, with an anticipated completion date in July 2017.

Following the consultation carried out between 26 September and 7 October 2016, the responses received from parents, staff and pupils indicated that "Carrongrange High School" was the preferred choice. Details of the consultation were detailed in Appendix 1 to the report.

Decision

The Education Executive agreed:-

- (1) to note the Education Scotland evidence template and the identified aspects for improvement as detailed in Appendix 1 to the report, and**
- (2) the Children's Services Action Plan which seeks to address the areas highlighted for improvement.**

- streamlining and avoiding duplication between the Managing Sickness Absence and Capability Policies to ensure greater clarity;
- inclusion of additional guidance to managers about managing triggers and employees where there is a repeated pattern of monitoring;
- additional further references to the Stress Risk Assessment Process to ensure that work related mental well-being issues are addressed appropriately;
- the amendment of the current absence trigger of 2 or more absences totalling 20 days or more in any 12 month period to 10 days absence within a 12 month period;
- the extension to the informal and formal absence monitoring periods from 3 months to 6 months to provide a longer monitoring period for those employees whose absence is causing concern;
- the inclusion of further guidance to managers re progressing to capability where there is no clear indication of a return to work date following several months of absence;
- the incorporation of a formal review for long-term absence at the 4 month stage and every 2-3 months thereafter;
- the inclusion of a checklist for managers to consider prior to referral for a capability hearing;
- the removal of the option for up to 6 months unpaid special leave as this did not meet the requirements of current case law which focuses on adjustments required to allow an individual to return to work rather than extending their absence; and
- the removal of references to the Employee Counselling Service but highlighting the other support mechanisms available.

Councillor Alexander, seconded by Councillor Balfour, moved that, the policy is not approved and that there is discussion between officers, Trades Union representatives and elected members in regard to the proposals to amend the absence trigger and to remove the option for up to 6 months unpaid special leave.

Decision

The committee approved the revised Family Leave Policy and agreed to refer it to the Executive for consideration.

JCC31. Severance Report 2015/16

The committee considered a report by the Director of Corporate and Housing Services presenting a summary of numbers, costs and savings attached to early retirements for employees in 2015/16.

Decision

The committee noted the costs and savings achieved from voluntary severance and ill health retirement arrangements for the period 2015/16.

		<ul style="list-style-type: none"> • A new staffing structure in Libraries; • Retention of opening hours; • Withdrawal of the Mobile Library; • A new staffing structure in Arts and Heritage; • New opening hours at Callendar House and Kinneil Museum; • New opening hours and reduced staffing levels at Bo'ness Recreation Centre. <p>The Board noted that the majority of voluntary severance requests were processed at the end of 2015/16 financial year which had a positive impact on the 2016/17 budget. The Board noted a number of management actions that have been taken to manage the budget gap for 2016/17 and noted that work has commenced to plan for the anticipated 2017/18 savings with further impact on the delivery of services and operation of facilities likely.</p> <p>The Board discussed the following points:</p> <ul style="list-style-type: none"> • Relationship to Council employee Terms and Conditions; • The Council Policy Development Panel review of assets; • The Business Plan for Falkirk Community Stadium Ltd; • The Development Group being established by the Board. 		
10	Trust Development Group	IS asked the Board to note the remit and membership of the working group to bring forward proposals on the future development of the Trust's work. The Board noted that there will be opportunities for all Directors to input and that the first meeting of the group is on 1 st June.		
11	Audit & Performance Sub Group	The Board noted the minute of 03.03.16		
12	Trading Board	The Board noted the minute of 25.02.16		
13	Information Items	The Board welcomed the information items and Directors noted that these and the monthly update are of great interest.		
	Date of next meeting	Thursday 25 th August at 9.30am in Callendar House		

8.2. Advisory Committee Minute

8.2.1. Area Clinical Forum: 17 March 2016 and 12 May 2016

The NHS Board noted the minutes of the Area Clinical Forum held on 17 March 2016 and 12 May 2016.

9. ANY OTHER COMPETENT BUSINESS

There being no other competent business, the Chairman closed the meeting.

statements for review, to which there were no changes. There were no specific issues to highlight and the Accounts were submitted for approval.

The Patient Funds Auditors Report was considered by the Audit Committee which recommended approval of the draft audited annual accounts of the Patient Private Funds. There were no specific issues to highlight and the Accounts were submitted for approval.

The Endowment Accounts 2015/16 were reviewed along with the Endowment Auditors Report. There were no specific issues to highlight and the Accounts were submitted for approval.

Mr Alex Linkston commended Mrs Ramsay and her team for their performance and achievement within the timescales; the Annual Report had been concluded within the same timeframe as the Financial Statements Audit this year.

The NHS Board acknowledged the information contained in the report and:-

- Noted the revenue out-turn 2015/16 of a surplus of £ 0.201m, a balanced capital out-turn, and achievement of the cash requirement
- Approved the Forth Valley NHS Board Annual Accounts for the year ended 31st March 2016
- Approved the Patients Private Funds Annual Accounts of NHS Forth Valley for the year to 31st March 2016
- Approved the Endowment Accounts of NHS Forth Valley for the year ended 31st March 2016.
- Noted that the approved Annual Accounts would be made public on receipt of confirmation that they have been laid before Parliament which was anticipated to be during September 2016.

3. ANY OTHER COMPETENT BUSINESS

There being no other competent business, the Chairman closed the meeting at 11.20am.

**Minute of meeting of CENTRAL SCOTLAND VALUATION JOINT BOARD
held within HILLSIDE HOUSE, STIRLING on FRIDAY 17 JUNE 2016 at
9.30 a.m.**

Councillors:

Donald Balsillie
Jim Blackwood
Margaret Brisley
Irene Hamilton
Craig Holden
Gordon Hughes
Charles MacDonald (Convener)
Adrian Mahoney
Cecil Meiklejohn
Alan Nimmo
Jim Thomson
Sandy Turner

Officers:

Elizabeth Hutcheon, Assistant to the Treasurer
Brian Pirie, Assistant to the Clerk
Jane Wanless, Assistant Assessor
Peter Wildman, Assessor and Electoral
Registration Officer

Also attending:

Ian Burns, Internal Audit, Clackmannanshire
Council
Jason Ross, Internal Audit, Clackmannanshire
Council

VJB1. MINUTES SILENCE

The Board observed a minutes silence in memory of Jo Cox, Member of Parliament for Batley and Spen who had been murdered on 16 June whilst carrying out her duties as an MP.

VJB2. APOLOGIES

Apologies were intimated on behalf of Councillors McChord and Murray.

VJB3. DECLARATIONS OF INTEREST

No declarations were made.

complied with standard practice and gave more detail on the significant assurance provided.

Decision

The Board noted the report.

VJB9. INTERNAL AUDIT ANNUAL REPORT

The Board considered the Internal Audit report for 2015/16. The Public Sector Internal Audit Standards (PSIAS), performance Standard 2450 requires that the Internal Audit function reports on its activities annually. In terms of PSIAS the report incorporates:-

- the audit opinion;
- a summary of the work to support the opinions; and
- a statement on the conformance with the PSIAS and the results of the quality assurance and improvement programme.

The report on the activity of the Board's internal auditor was provided for consideration.

Decision

The Board noted the report.

VJB10. INTERNAL AUDIT ANNUAL PLAN 2016/17

The Board considered a report by the Internal Auditor presenting the Audit Plan for 2016/17.

The Audit Plan for 2016/17 consisted of the presentation of the Annual Assurance report, a review of the Registers of Electors – Overseas Voters and a review of procurement/compliance with Contract Standing Orders.

Decision

The Board approved the Annual Internal Audit Plan for 2016/17.

sentence 'Any breach of these requirements will be dealt with...' will be amended to "...may be dealt with...".

Decision

The Board approved the Alcohol and Drugs Misuse Policy and Procedure.

9.1.5 Performance and Resources Committee – 28 June 2016

The NHS Board noted the minute of the Performance and Resources Committee held on 28 June 2016.

9.2. Advisory Committee Minute**9.2.1. Report of the Pharmacy Practices Committee**

The NHS Board noted the report of the Pharmacy Practices Committee held on the 17 June 2016.

10. East of Scotland Research Ethics Service Annual Report 2015- 2016

The NHS Board considered a paper 'East of Scotland Ethics Service Annual Report 2015-16' presented by Miss Tracey Gillies, Medical Director.

The NHS Board noted the update provided,

11. ANY OTHER COMPETENT BUSINESS

There being no other competent business, the Chairman closed the meeting.

FALKIRK INTEGRATION JOINT BOARD

Minute of Meeting of the Falkirk Integration Joint Board held in the Municipal Buildings, Falkirk on Friday 5 August 2016 at 9.30am.

Voting Members:

Allyson Black (Chairperson)
Dennis Goldie
Linda Gow
James King (Vice-Chairperson)
Alex Linkston
Julia Swan

Non-voting Members:

Sandra Burt, Staff Representative, Falkirk Council
Claire Bernard, Third Sector Interface (substitute)
Patricia Cassidy, Chief Officer
Leslie Cruickshank, GP Medical Representative
Tracey Gillies, Medical Representative
Jane Grant, Chief Executive, NHS Forth Valley
Tom Hart, Staff Representative, NHS Forth Valley
Sara Lacey, Chief Social Work Officer (substitute)
Ewan Murray, Chief Finance Officer
Martin Murray, Service User Representative
Angela Price, Third Sector Representative
Angela Wallace, Nursing Representative

Officers:

Fiona Campbell, Head of Policy, Technology and Improvement, Falkirk Council
Jack Frawley, Committee Services Officer, Falkirk Council
Tony Gaskin, Chief Internal Auditor, NHS Forth Valley
David McGhee, Head of Procurement & Housing Property, Falkirk Council
Morag McLaren, Associate Director of HR; Organisational Development & Learning, NHS Forth Valley
William McQuillan, Procurement and Performance Manager, Falkirk Council
Colin Moodie, Depute Chief Governance Officer, Falkirk Council
Kathy O'Neill, Community Services Directorate General Manager, NHS Forth Valley
Bryan Smail, Chief Finance Officer, Falkirk Council
Suzanne Thomson, Programme Manager (Health & Social Care Integration)
Elaine Vanhegan, Head of Performance and Governance, NHS Forth Valley

Also Attending:

Avril Blamey, Avril Blamey and Associates

IJB25. Apologies

Apologies were received on behalf of Claire Crossan, Councillor Gow, Karen Herbert, Kathy McCarroll and Mary Pitcaithly.

IJB26. Declarations of Interest

No declarations were made.

IJB27. Minute**Decision**

The minute of meeting of the Integration Joint Board held on 3 June 2016 was approved.

Alex Linkston entered the meeting during consideration of the previous item of business.

IJB28. Chief Officer Report

The Integration Joint Board considered a report by the Chief Officer which provided an update on development within the Falkirk Health and Social Care Partnership and outlined proposals to improve the end to end care pathway for older people. The report provided: background on areas of work to be taken forward from the last meeting; a progress update on a recovery plan, delayed discharge and the work streams. Appended to the report were: Health Improvement Scotland March 2016 NHS Ayrshire & Arran Frail Older People Pathway; West Lothian Model Discharge to Assess, and Programme Board Work plan 2016-17. Patricia Cassidy provided an overview of the report.

The board highlighted the importance of consultation with staff.

Decision**The Integration Joint Board:-**

- (1) agreed the proposal to develop a strategic whole system approach, including a Frailty Pathway and a Discharge to Assess model;**
- (2) agreed that the proposed change to the programme is developed as outlined in section 6 of the report, and**
- (3) requested that the Chief Officer work with senior colleagues to complete the required detailed work and report back to the next meeting.**

IJB29. Strategic Plan

The Integration Joint Board considered a report by the Chief Officer which provided an update on the progress with implementation of the Strategic Plan. The report provided information on the local delivery plan, joint management arrangements, locality planning and the West locality integrated team pilot. Suzanne Thomson provided an overview of the report.

Avril Blamey provided a presentation titled 'Informing the Falkirk HSCP delivery plan using logic modelling and the Re-Aim framework'. The presentation highlighted the approach taken to logic modelling, common weak links in the planning process, progress to date and ongoing work.

The board discussed the measurement of outcomes and assessment of pilot projects. The board thanked Avril Blamey for her informative presentation.

Decision

The Integration Joint Board noted the report.

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

IJB30. Integration Joint Board Financial Report and Budget Recovery Plan Update

The Integration Joint Board considered a report by the Chief Finance Officer which provided an overview of the financial position of the partnership. The report set out the financial position for the period to 30 June 2016, the budget recovery plan and savings programme updates, information on the integration fund, post due diligence issue and other financial governance issues. Ewan Murray provided an overview of the report.

The board discussed the review of eligibility criteria which was being undertaken to help address some of the existing financial pressures. Further actions to reduce cost pressures were being taken forward through the move to discharge to assess. Discussion took place on the overspend relating to prescribing. It was noted that there were savings efficiencies programmes in place but there was a time lag in the data on expenditure becoming available. It was highlighted that NHS Forth Valley had significantly reduced its expenditure on prescribing costs since 2011, now being under the national average.

Decision

The Integration Joint Board:-

- (1) noted the financial position for the period ended 30 June 2016;**
- (2) noted the projected overspend of £1.288m for the year to 31 March 2017;**

- (3) approved, subject to all efforts continuing to deliver savings programmes, manage cost pressures and deliver services within resources available, meeting the projected overspend from a combination of the balances of Delayed Discharge, Integrated Care and Integration Funding as follows:-**
 - (i) estimated costs of Falkirk Community Hospital Ward 5 from utilising £0.378m of Delayed Discharges Funding and £0.014m of the Integrated Care Fund, and**
 - (ii) projected net overspend on adult social care services of £0.896m from the Integration Fund;**
- (4) agreed to allocate a sum of £0.086m from the Integrated Care Fund to expedite the appointment of a Project Manager post for a fixed term to March 2018 to support the development of the West Locality Pilot and the wider development of Locality Models, and**
- (5) noted the post due diligence issue in relation to Community Hospitals detailed in section 8 of the report.**

IJB31. Living Wage in Adult Social Care

The Integration Joint Board considered a report by the Chief Officer which provided an update on the implications of implementing the living wage in externally commissioned adult social care services. The report set out information on the implementation options and provided revised cost estimates in an appendix. Ewan Murray provided an overview of the report.

The board asked how officers would ensure that staff did receive the living wage from external providers. David McGhee stated that there were over 100 local providers of adult social care services which varied in scale and included organisations from both the independent and voluntary sectors. Monitoring arrangements would be built from the system in place with the residential care providers where there were on-going meetings and dialogue with providers. Officers monitored these providers and there were forums for direct engagement with them. He commented that providers saw this change as positive in their ability to recruit and retain staff.

Decision

The Integration Joint Board:-

- (1) noted the implications and options for implementation of the Living Wage in externally commissioned adult social care services;**
- (2) agreed to delegate authority within available resources to the Head of Procurement & Housing Property to engage with providers, as outlined in paragraphs 4.2 and 4.3 (Option 4), and to report back on the outcome of the implementation process, and**

- (3) agreed to the commencement of a new tendering process for currently externally commissioned homecare and community care services, to facilitate a contract start of October 2017.**

IJB32. Partnership Funding

The Integration Joint Board considered a report by the Chief Officer which provided an update regarding progress relating to the Partnership Funding, Integrated Care Fund and Delayed Discharge Fund. The report provided information on the partnership funding review, governance and monitoring arrangements, and provided as an appendix funding proposals. Suzanne Thomson provided an overview of the report.

The board discussed the challenges it faced in achieving a balanced budget and that further assurance was required in this regard before committing to any new projects. The importance of understanding this year's budget was highlighted. The shift to a whole systems approach and discharge to assess model were recognised as requiring resources to implement and it was important to ensure that new projects were assessed against their ability to support the new approach. It was stated that it was important to keep financial flexibility in order to support small local projects including through the use of the community grants project.

Decision

The Integration Joint Board:-

- (1) remitted the Leadership Group to progress development of a framework for commissioning Third Sector Organisations in the context of the Partnership governance framework;**
- (2) noted that the development of strategic approach to intermediate care pathways, including frailty and reablement, will be progressed in conjunction with the formation of a whole systems approach, as outlined in the Chief Officer report;**
- (3) noted that the approved governance and monitoring structure is now in place and that further performance monitoring information will be presented in December 2016;**
- (4) approved the allocations of Partnership Funding, as contained in Appendix 1, based on these services being embedded within the new whole systems approach and pathway, and**
- (5) remitted the Chief Officer to continue commissioning discussions and to disseminate information regarding partnership funding to facilitate innovative approaches and ensure equity of access.**

IJB33. Annual Accounts 2015/16

The Integration Joint Board considered a report by the Chief Finance Officer which provided, as an appendix, the unaudited accounts. Ewan Murray provided an overview of the report.

Decision

The Integration Joint Board noted:-

- (1) the unaudited annual accounts;**
- (2) the management commentary and annual governance statement, and**
- (3) the submission of the unaudited annual accounts to Audit Scotland on 30 June 2016.**

IJB34. Integration Joint Board Annual Internal Audit Plan

The Integration Joint Board considered a report by the Chief Finance Officer which provided as an appendix the Annual Internal Audit Report. Tony Gaskin provided an overview of the report and highlighted that the Board was well placed to take its work forward.

Decision

The Integration Joint Board noted the Internal Audit Report including the Management Response.

IJB35. Delayed Discharge Progress Report

The Integration Joint Board considered a report by the Community Services Directorate General Manager and the Head of Social Work Adult Services which provided an update on progress with meeting the national target that no-one who is ready for discharge should be delayed by more than 2 weeks. The Information Services Division's Delayed Discharges in NHS Scotland report was appended to the report. Kathy O'Neill provided an overview of the report.

The board asked why 47% of delayed discharges in Falkirk were awaiting care home availability compared to 22% nationally. Kathy O'Neill stated that Falkirk had higher levels of people being deemed as requiring care home placements than other areas. The reason for this was not clear but could be that there was limited availability of alternative pathways. She commented that in Falkirk care at home packages had been put in place very quickly but that delivering these quickly had become more challenging from April of this. Patricia Cassidy stated that the Head of Social Work Adult Services had looked at the range of packages in Falkirk and that there was a high volume of multiple short visits in place where some other areas focussed on more

- (2) approved the recruitment and appointment of a permanent Chief Finance officer for the Board, and**
- (3) remitted the Chief Officer, in conjunction with the Chief Executives, to agree whether the post is full or part time and proceed with the recruitment process.**

IJB38. Integration Joint Board Development Plan

The Integration Joint Board considered a report by the Chief Officer which provided an update on the work undertaken to develop a plan to support the development needs of the Board. Board development activities for 2016 – 2017 were set out in the appendix to the report. Morag McLaren provided an overview of the report.

The board commented that where possible having visits to services and interactive sessions were preferred. Discussion took place on the order of topics set out in the appendix and members expressed a desire to move reablement and local service models to be their first session.

Decision

The Integration Joint Board agreed the programme of development activities for inclusion in the Board Development Plan commencing with the reablement and local service models session on 2 September 2016.

IJB39. Carers (Scotland) Act Update

The Integration Joint Board considered a report by the Community Services Directorate General Manager which provided an update on implementation of the Carers (Scotland) Act 2016 and the steps being taken to ensure it is implemented effectively in the Falkirk area. Kathy O'Neill provided an overview of the report.

Decision

The Integration Joint Board noted:-

- (1) the commencement date for the Carers (Scotland) Act 2016 as 1 April 2018;**
- (2) that work streams have been identified at a national level including the identification of carers, carer involvement in discharge and the resource implications for implementation of the Act;**
- (3) that a short life working group was being established to take forward activity locally, and**

- (4) that a workshop would be held to scope out the implications and implementation of the Act and ensure wider stakeholder involvement.**

IJB40. Market Facilitation Plan

The Integration Joint Board considered a report by the Chief Officer which provided a draft Market Facilitation Plan for approval as required as part of the strategic planning process. The report provided information on the market facilitation plan and the draft plan was provided as an appendix to the report. David McGhee provided an overview of the report.

In relation to section 6 of the plan, members asked about the engagement of providers. David McGhee stated that the plan had been consulted on with representatives of providers through a range of mechanisms including the provider forum for home care providers. He commented that this was an evolving process. There had also been consultation with representatives from Procurement & Commissioning, Adult Services, Health and Scottish Care, and the partnership's Strategic Planning Group.

The board highlighted the importance of being mindful of the impact on service users of commissioning social care services as service users had a personal relationship with their carers which it would be best to continue. David McGhee stated that this continuity of service delivery was fundamental to the procurement approach and there was a desire to minimise the impact of change and disruption for service users. There was continuous dialogue with providers.

A question was asked on geographical procurement and economies of scale. David McGhee stated that the approach taken would vary and depend upon the best fit for the particular circumstances. In taking forward the development of the care at home contract the feasibility of having more locality or geographically based services would be looked at. A range of options would be considered and providers would be engaged with as a resource to inform future direction.

Decision

The Integration Joint Board:-

- (1) approved the Market Facilitation Plan as appended to the report, and**
- (2) noted that an update on progress with delivery of the Market Facilitation Plan objectives would be provided in line with the annual review process for the Strategic Plan.**

IJB41. Strategic Outcomes & Local Delivery Plan 2016 - 2020

The Integration Joint Board considered a report by the Head of Policy, Technology and Improvement which provided the final Strategic Outcomes and Local Delivery Plan (SOLD) 2016-2020 for approval. The SOLD would replace the strategic community plan and single outcome agreement. The report set out the background to the development of the SOLD, additional information of the role of partners within community planning arrangements and provided the SOLD 2016-2020 as an appendix to the report. Fiona Campbell provided an overview of the report.

Decision**The Integration Joint Board:-**

- (1) approved the Strategic Outcomes & Local Delivery Plan in its capacity as a core community planning partner;**
- (2) noted the role as a delivery group, which the IJB has in supporting the attainment of strategic priorities and local outcomes, particularly in terms of the provision of progress and performance reports to the Community Planning Leadership Board;**
- (3) agreed to have a delivery plan in place with appropriate reporting to the Community Planning Leadership Board on the outcomes and priorities within the plan in line with the agreed reporting structure by the due date;**
- (4) noted its role in contributing to all outcomes and how health and social care can support these directly and indirectly;**
- (5) noted the development of a locality planning framework for the whole community planning partnership;**
- (6) agreed to work with officers across the wider partnership to ensure locality planning for the IJB takes place within and is supported by the wider locality planning framework, and**
- (7) noted that a further update report would be submitted to the IJB following the Community Planning Leadership Board meeting of 1 September 2016.**

No.	Agenda Item	Agreement / Action	Due Date	Who
9	Annual Report 2015-16	The Board welcomed the Annual Report and approved its publication subject to minor amendments.		
10	Sub Group Membership	<p>The Board noted the programme of meetings for 2017. The Board agreed the following membership changes:</p> <ul style="list-style-type: none"> • Steve Mackie to replace Ruth Morrison on the People Sub Group • Bob Spears to move from the People Sub Group to Audit & Performance Group 		
11	Audit & Performance Sub Group	The Board noted the minute of 11.08.16		
12	Trading Board	The Board noted the minute of 12.05.16		
13	People Sub Group	The Board noted the minute of 02.06.16		
14	Information Items	The Board welcomed the information items and Directors noted that these and the monthly update are of great interest.		