

# **Falkirk Council**

**VOLUME OF COUNCIL  
AND COMMITTEE MINUTES**

**VOLUME 4  
2016/2017**

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## **FALKIRK COUNCIL**

**Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 23 November 2016 at 9.30 a.m.**

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

**OFFICERS:** John Angell, Head of Planning and Transportation  
Douglas Blyth, Team Leader, Legal Services  
Kevin Collins, Transport Planning Co-ordinator  
Rose Mary Glackin, Chief Governance Officer  
John Milne, Senior Planning Officer  
Craig Russell, Roads Development Officer  
Graham Sibbald, Environmental Health Officer  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Bernard Whittle, Development Management Co-ordinator

### **P83. Apologies**

No apologies were intimated.

### **P84. Declarations of Interest**

Baillie Buchanan declared a non financial interest in item 8 (minute P91) 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.

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

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

- Councillor Chalmers informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/16/0112/FUL, P/16/0114/PPP and P/16/0476/FUL (minute P88, P89 and P91) as he was sufficiently familiar with the sites.
- Councillor Nicol informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/16/0112/FUL, P/16/0114/PPP and P/16/0476/FUL (minute P88, P89 and P91) but he would take part in consideration of planning application P/16/0423/FUL (minute P90) as he was sufficiently familiar with the site.
- Councillor Turner informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/16/0423/FUL, P/16/0498/FUL and P/16/0499/LBC (minute P90, P92 and P93).
- Councillor Mahoney informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/16/0423/FUL, P/16/0498/FUL and P/16/0499/LBC (minute P90, P92 and P93) but he would take part in consideration of planning applications P/16/0112/FUL and P/16/0114/PPP (minute P88 and P89) as he was sufficiently familiar with the sites.

#### **P85. 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 application P/16/0510/FUL.

#### **P86. Minutes**

##### **Decision**

- (a) Minute of Meeting of the Planning Committee held on 26 October 2016; and**
- (b) Minute of Meeting of the Planning On-Site Committee held on 7 November 2016.**

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

**P87. The Falkirk Council (On Street Parking Space for Disabled Persons) (No TRO/DB/16/029) Order 2016 - Park Avenue, Stenhousemuir, Larbert**

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (On Street Parking Space for Disabled Persons) (No TRO/DB/16/029) Order 2016 - Park Avenue, Stenhousemuir, Larbert.

**Decision**

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

Councillor Garner entered the meeting during consideration of the following business.

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

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

**P88. 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 (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P69 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 a retail store, associated landscaping, car parking, services and formation of access on land formerly associated with McCowans Toffee Factory, Stenhousemuir, Larbert.

With reference to Standing Order 33, Baillie Buchanan referred to an application received from the applicant for admission to the meeting as a deputation to be heard in relation to this item of business.

The Committee consented to hear the deputation.

Mr Smith, the applicant's representative, gave details of the history of the site and the application.

Members then asked questions of Mr Smith.

The Committee thereafter reconvened normal business.

Councillor McLuckie, seconded by Baillie Paterson, moved that the Committee be minded to grant planning permission in accordance with the recommendations within the report, subject to amendments to conditions 6 and 7 being that the development shall not open until Traffic Management, Service Arrangements and Travel Plans had been submitted to, and approved in writing by, the Planning Authority to the satisfaction of the Director of Development Services.

As an amendment, Councillor Carleschi, seconded by Councillor Oliver, moved that Committee continue consideration of the application to allow further discussion with the applicant on arrangements for parking and access into the site

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 (8) - Baillies Buchanan and Paterson; and Councillors Chalmers, Mahoney, C Martin, McLuckie, Nimmo and Turner.

For the amendment (3) - Councillors Carleschi, Garner and Oliver.

## **Decision**

**The Committee agreed that it was minded to grant planning permission subject to (a) amendments to conditions 6 and 7 being that the development shall not open until Traffic Management, Service Arrangements and Travel Plans have been submitted to and approved in writing by the Planning Authority and that the precise wording be remitted to the Director of Development Services; and (b) the satisfactory completion, within six months, of a Legal Agreement within the terms of 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 potential traffic management mitigation amounting to £20,000 prior to the opening of the premises and retained by Falkirk Council for twelve months beyond the full opening of whichever is the later of this development or the proposed adjoining development of a restaurant. Any unspent monies to be returned to the applicant on request after this time period.**

**Thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to the following conditions:-**

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

- (2) For the avoidance of doubt, the retail floor-space shall retain a 80:20 split of Comparison: convenience retail format.**
- (3) Samples of external finishes to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.**
- (4) (i) No development shall commence on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.**
  - (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.**
  - (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.**
  - (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.**
- (5) Before the building is occupied, the car parking shown on the Approved Plan shall be completed.**
- (6) Prior to any work on site, a Traffic Management Plan and Service Arrangement Plan shall be submitted to and approved in writing by the Planning Authority.**

- (7) Prior to the commencement of any works on site, a Travel Plan shall be submitted to and approved in writing by the Planning Authority.**
- (8) The development hereby approved will not be occupied or brought into use until the following documents have been submitted to and approved in writing by the Planning Authority:-**
  - (i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and**
  - (ii) a Statement of Conformity which confirms that 10%, of the required CO<sub>2</sub> emissions reduction is achieved through the installation of low and zero carbon generating technologies.**

**Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council as Planning Authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Planning Authority.**

- (9) Prior to the commencement of development, further information shall be submitted, to include:-**
  - (i) the submission of a scheme of intrusive site investigations for approval;**
  - (ii) the undertaking of that scheme of intrusive site investigations;**
  - (iii) the submission of a report of findings arising from the intrusive site investigations;**
  - (iv) the submission of a scheme of remedial works for approval; and**
  - (v) the implementation of those remedial works.**
- (10) Prior to the commencement of (completion) any works on site, further information regarding landscaping, planting timescales and planning management shall be submitted to and approved in writing by the Planning Authority.**

**Reasons:-**

- (1) As these drawings and details constitute the approved development.**
- (2) To ensure that the Planning Authority can control the future use of the premises.**
- (3) To safeguard the visual amenity of the area.**
- (4) To ensure the ground is suitable for the proposed development.**

- (5) To ensure that adequate car parking is provided.
- (6) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (7,
- 10) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (8) To ensure the development achieves the required CO2 emission reduction as a result of development.
- (9) To ensure that ground conditions as relates to Coal Mining history have been addressed.

**Informatives:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 1A, 2, 3, 4A and 5A.
- (2) 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.
- (3) It is an offence to display without consent signs which require consent under the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984; you may be liable to a fine of up to £200 and £20 per day in the case of a continuing offence.
- (4) The applicant should consult with Development Services Roads Unit to obtain Roads Construction Consent before any potentially adoptable road or addition to an existing road is constructed.
- (5) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning this proposal in respect of noise legislation which may affect the development. Email - [envhealth@falkirk.gov.uk](mailto:envhealth@falkirk.gov.uk).
- (6) It is recommended that the applicant should consult with the Coal Authority concerning the proposal because of the possibility of disused mine workings under the site.

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

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

**P89. 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 (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P70 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 planning permission in principle for a change of use for the erection of a family restaurant/public house and associated infrastructure at 44 Tryst Road, Stenhousemuir, Larbert.

With reference to Standing Order 33, Baillie Buchanan referred to an application received from the applicant for admission to the meeting as a deputation to be heard in relation to this item of business.

The Committee consented to hear the deputation.

Mr Smith, the applicant's representative, gave details of the history of the site and the application.

Members then asked questions of Mr Smith.

The Committee thereafter reconvened normal business.

Councillor Carleschi, seconded by Councillor Turner, moved that Committee refuse planning permission in principle on the ground that it was contrary to Policy TC04, paragraph 2, in relation to potential traffic congestion, inadequate parking provision and road safety issues.

As an amendment, Councillor Mahoney, seconded by Councillor McLuckie, moved that Committee be minded to grant planning permission in principle in accordance with the recommendations within the report on the understanding that there was an undertaking on behalf of the Director of Development Services that any application for full planning permission would be brought to the Committee for consideration.

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 (4) - Councillors Carleschi, Chalmers, Oliver and Turner

For the amendment (7) - Baillies Buchanan and Paterson; and Councillors Garner, Mahoney, C Martin, McLuckie and Nimmo.

## Decision

The Committee agreed that it was minded to grant planning permission in principle (a) subject to the understanding that there was an undertaking on behalf of the Director of Development Services that any application for full planning permission would be brought to the Committee for consideration; and (b) the satisfactory completion, within six months of a Legal Agreement within the terms of Section 69 of the Local Government (Scotland) Act 1973 or 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 potential traffic management mitigation amounting to £20,000 prior to the opening of the premises and retained by Falkirk Council for twelve months beyond the full opening of whichever is the later of the development or the proposed adjoining retail development. Any unspent monies to be returned to the applicant on request after this time period.

Thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission in principle subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
- (2) No development shall take place on site until details of on-site low and zero carbon-generating technologies (LZCGT) necessary to meet a proportion of the overall energy requirements of the development have been submitted to and approved in writing by Falkirk Council as Planning Authority.
- (3) Prior to any works on site, a Service Delivery and Parking Management Plan shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt access and egress to Gladstone Road shall be via King Street only.
- (4) (i) No development shall commence on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.

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

- (8) Prior to the commencement of development, further information shall be submitted, to include:-**
- (i) the submission of a scheme of intrusive site investigations for approval;**
  - (ii) the undertaking of that scheme of intrusive site investigations;**
  - (iii) the submission of a report of findings arising from the intrusive site investigations;**
  - (iv) the submission of a scheme of remedial works for approval; and**
  - (v) the implementation of those remedial works.**

**Reasons:-**

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the consent.**
- (2) To ensure that full consideration is given to the achievement of Low and/or Zero Carbon Development in accordance with Falkirk Local Development Plan Policy D04 and Supplementary Guidance SG15, and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.**
- (3) To safeguard the interests of the users of the highway.**
- (4) To ensure the ground is suitable for the proposed development.**
- (5) To enable the Planning Authority to consider this/these aspect(s) in detail.**
- (6-7) To safeguard the visual amenity of the area.**
- (8) To ensure that ground conditions as relates to Coal Mining history have been addressed.**

**Informatives:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number 01.**
- (2) It is recommended that the applicant should consult with the Coal Authority concerning the proposal because of the possibility of disused mine workings under the site.**
- (3) Plans and particulars of the matters listed above shall be submitted for consideration by the planning authority, in accordance with the**

**timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of Falkirk Council as Planning Authority has been given, and the development shall be carried out in accordance with that approval.**

- (4) Falkirk Council have determined the application on the basis of available information relating to ground contamination/landfill gas. The responsibility for the safe development and secure occupancy of the site remains with the applicant/developer.**
- (5) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning this proposal in respect of noise legislation which may affect the development. Email:- envhealth@falkirk.gov.uk.**

Councillor Nicol re-entered the meeting following consideration of the foregoing item of business.

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

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

**P90. 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 (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P71 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 change of use from a vacant retail unit (class 1) to a hot food takeaway at 24 High Street, Bonnybridge.

Baillie Buchanan, seconded by Councillor Nicol, moved that Committee grant planning permission in accordance with the recommendations within the report.

As an amendment, Councillor Oliver, seconded by Councillor Garner, moved that Committee refuse planning permission on the ground of road safety.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (7) - Baillies Buchanan and Paterson; and Councillors Chalmers, C Martin, McLuckie, Nicol and Nimmo.

For the amendment (3) - Councillors Carleschi, Garner and Oliver.

### **Decision**

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) The proposed development shall not be brought into use until the extraction duct has been painted a colour to be approved in writing by the Planning Authority.**
- (3) The hours of opening of the hot food takeaway shall be limited to between the hours of 11:00 hours and 23:00 hours.**
- (4) Noise associated with the completed development shall not give rise to a noise level, assessed with the windows open, within any dwellinghouse or noise sensitive buildings in excess of the equivalent to Noise Rating Curve (N.R.C) 35 between 07:00 hours and 22:00 hours and N.R.C 25 at all other times.**

### **Reasons:-**

- (1) As these drawings and details constitute the approved development.**
- (2) In the interests of visual amenity; to ensure the external finish is appropriate to the character of the area.**
- (3-4) To safeguard the residential amenity of the area.**

### **Informatives:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02B, 03D, 04, 05A, 06A, 07, 08B, 09B and 10.**
- (2) 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.**

In accordance with his declaration of interest, Baillie Buchanan left the Chair and the meeting and took no part in consideration of the following item of business. Councillor McLuckie assumed the role of Convener.

**P91. Erection of 2 Dwellinghouses at Inches House, Bellsdyke Road, Larbert FK5 4EL for Mr John Pollock - P/16/0476/FUL (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraphs P64 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 two dwellinghouses at Inches House, Bellsdyke Road, Larbert. The consideration of the application had been continued at the meeting on 26 October 2016 to allow an inspection of the site by Committee. At the convened meeting on site on 7 November 2016, the meeting had stood adjourned due to there being no quorum.

**Decision**

**The Committee agreed to continue consideration of this item of business to allow a further inspection of the site by Committee and thereafter that the matter be submitted for consideration to a special meeting of the Committee on 5 December 2016.**

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

The Convener agreed a short adjournment at 11.50 a.m. The meeting reconvened at 12 noon with all Members present as per the sederunt with the exception of Councillors Mahoney and Nicol.

**P92. Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray - P/16/0498/FUL (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P74 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 a rear extension to a single storey dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk.

Councillor Chalmers, seconded by Councillor Carleschi, moved that Committee refuse planning permission on the grounds that it was contrary to

Policies HSG07 'House Extensions and Alterations' and DO9 'Listed Buildings'.

As an amendment, Councillor McLuckie, seconded by Baillie Buchanan, moved that Committee 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 9 members present with voting as undernoted:-

For the motion (3) - Councillors Carleschi, Chalmers and Garner.

For the amendment (6) - Baillies Buchanan and Paterson; and Councillors C Martin, McLuckie, Nimmo and Oliver.

### **Decision**

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority; and**
- (2) Prior to the start of work on site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, 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.**

### **Reasons:-**

- (1) As these drawings and details constitute the approved development.**
- (2) To safeguard the visual amenity of the area.**

### **Informatives:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number 01.**
- (2) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land**

**assessment and undertake any necessary remediation works. Development shall not recommence without prior written approval of the Planning Authority.**

- (3) The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:-**

<b>Monday to Friday</b>	<b>08:00 – 18:00 Hours</b>
<b>Saturday</b>	<b>09:00 – 17:00 Hours</b>
<b>Sunday/Bank Holidays</b>	<b>10:00 – 16:00 Hours</b>

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

- (4) 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.**

**P93. Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray - P/16/0499/LBC (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P75 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 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.

Councillor Chalmers, seconded by Councillor Carleschi, moved that Committee refuse listed building consent on the grounds that it was contrary to Policy DO9 'Listed Buildings' and Supplementary Guidance SG16 'Listed Buildings and Non Listed Buildings in Conservation Areas'.

As an amendment, Councillor McLuckie, seconded by Baillie Buchanan, moved that Committee grant listed building consent in accordance with the recommendations within the report.

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 (3) - Councillors Carleschi, Chalmers and Garner.

For the amendment (6) - Baillies Buchanan and Paterson; and Councillors C Martin, McLuckie, Nimmo and Oliver.

### **Decision**

**The Committee agreed to grant listed building consent subject to the following condition:-**

- (1) Prior to the start of work on the site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, 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:-**

- (1) To safeguard the visual amenity of the area.**

### **Informatives:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number 01.**
- (2) In accordance with section 16(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended), the consent lapses on the expiration of a period of three years beginning with the date on which the consent is granted unless the development to which the consent relates is begun before that expiration.**

### **P94. Formation of Access Track at Simpson Drive, Maddiston, Falkirk FK2 OLS for Polmont Golf Club - P/16/0469/FUL (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P72 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 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.

### **Decision**

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

- (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 Falkirk Council as Planning Authority.

**Reason:-**

- (1) As these drawings and details constitute the approved development.

**Informatives:-**

- (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 01 and Supporting Documents.
- (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 prior written approval of the Planning Authority.
- (4) The access track, hereby approved, crosses a public right of way (CF44). It is advised that the right of way be kept open at all times during and post construction.
- (5) 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.

The Convener agreed a short adjournment at 12.35 p.m. The meeting reconvened at 1.20 p.m. with all Members present as per the sederunt with the exception of Councillors Nicol and Garner.

**P95. 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 Minutes of Meetings of the Planning Committee held on 14 September and 26 October 2016 (Paragraphs P54 and P64 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 erection of 15 dwellinghouses, a retail unit and associated infrastructure at the Bowling Club, Glen Crescent, Glen Village, Falkirk. The application had been continued at the meeting on 26 October 2016 for further information from the applicant and Falkirk Community Trust and for a Traffic Impact Assessment be undertaken.

The applicant had subsequently submitted an appeal to the Scottish Directorate of Planning and Environmental Appeals (DPEA) against non determination.

Councillor Chalmers, seconded by Councillor Carleschi, moved that Committee indicate to Scottish Ministers, when requested to do so, that it would have been minded to refuse planning permission on the grounds that the application was contrary to the undernoted Policies of the Falkirk Council Local Development Plan:-

- HSG03 'Windfall Housing' (subsections 2 and 4) due to the detrimental impact on the residential amenity of the area and the road network and the failure to provide an adequate number of parking spaces to absorb the existing vehicular traffic as well as the additional traffic from the development;
- INF02 'Developer Contributions to Community Infrastructure' in terms of the failure to provide a replacement for the community infrastructure associated with the former sporting and community facilities and open space and for those facilities threatened with closure;
- TC03 'Retail and Community Leisure Development' (subsections 2 and 4) in that there was no identifiable need for the retail development within the Local Development Plan at this location, that the applicant has failed to provide evidence of the need for the development, that retail development was incompatible with other land uses, the exacerbation of access problems to the entrance point to the existing junction and the detrimental impact on road safety; and
- D02 'Sustainable Design Principles' (subsections 3 and 5) in terms of the failure to provide sustainable or safe access to the retail unit and to other

locations on Glen Crescent, the current weight restrictions on Glen Crescent, the insufficient parking provision to the new development and unacceptable traffic dispersal onto surrounding residential streets and the detrimental impact on residential amenity.

As an amendment, Baillie Buchanan, seconded by Baillie Paterson, moved that Committee indicate to Scottish Ministers, when requested to do so, that it would have been minded to grant planning permission subject to the satisfactory completion of a Legal Agreement within the terms of 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 off site open space and play provision, in the sum of £21,903.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (4) - Councillors Carleschi, Chalmers, Oliver and Turner.

For the amendment (6) - Baillies Buchanan and Paterson; and Councillors C Martin, McLuckie, Nimmo and Oliver.

### **Decision**

**The Committee agreed to indicate to Scottish Ministers, when requested to do so, that it would have been minded to grant planning permission subject to the satisfactory completion of a Legal Agreement within the terms of 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 off site open space and play provision, in the sum of £21,903.**

**Thereafter, on the conclusion of the foregoing matters, that it would have remitted to the Director of Development Services to grant planning permission subject to the following conditions:-**

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) (i) No development shall commence on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated**

**ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.**

- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.**
  - (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.**
  - (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.**
- (3) No development shall commence on site until an appropriate scheme of intrusive site investigation works has been undertaken to confirm coalmining conditions, including mine entries on site. The findings and details of any necessary remedial or other mitigation measures to ensure safety and stability of the proposed development shall be submitted to, and approved in writing by, the Planning Authority. The approved mitigation measures shall be implemented prior to the development commencing.**
  - (4) No development shall commence on site until a drainage strategy has been submitted to, and approved in writing by, the Planning Authority. Thereafter development shall proceed in accordance with the approved details, unless otherwise agreed in writing.**
  - (5) No development shall commence on site until samples, of all external materials, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved materials shall be used, unless otherwise agreed in writing.**
  - (6) No development shall commence on site until a detailed specification for all landscaping, play areas and the maintenance thereof have been submitted to, and approved in writing by, the**

**Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details unless otherwise agreed in writing.**

- (7) Unless otherwise agreed in writing by the Planning Authority, no building on the site shall be occupied until such time that the car parking shown on the Approved Plan has been completed.**

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.**
- (2,3) To ensure the ground is suitable for the proposed development.**
- (4) To ensure adequate drainage can be achieved.**
- (5) To safeguard the visual amenity of the area.**
- (6) To safeguard the environmental amenity of the area.**
- (7) To ensure that adequate car parking is provided.**

**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, 02A, 03B, 04 - 14 and Supporting Documents.**

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

**P96. Change of Use from Day Hospital (Class10) to Form 3 Flatted Dwellings, Partial Demolition of, and Extension to, Existing Building to Form Dwellinghouse and Erection of Dwellinghouse at Dunrowan, 37 Maggie Wood's Loan, Falkirk FK1 5EH for Dunrowan Heights Ltd - P/16/0510/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the change of use from a day hospital (class10) to form three flatted dwellings, the partial demolition of, and extension to, an existing building to form a dwellinghouse and the erection of a dwellinghouse at Dunrowan, 37 Maggie Wood's Loan, Falkirk.

## **Decision**

**The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee and thereafter that the matter be submitted for consideration to a special meeting of the Committee on 5 December 2016.**

Councillor Mahoney left and re-entered the meeting during consideration of the following item of business.

**P97. Alterations and Extension to Garage and Car Showroom at Beancross Road, Grangemouth FK3 8YF for Arnold Clark Automobiles Ltd - P/16/0547/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the alteration and extension to an established garage and car showroom on a site at Beancross Road, Grangemouth.

With reference to Standing Order 33, Baillie Buchanan referred to an application received from the applicant's agent for admission to the meeting to be heard in relation to this item of business.

The Committee consented to hear the deputation.

Mr Kinmond, the applicant's agent and Mr McMurray, the applicant's representative, gave details of the history of the site and the application.

Members then asked questions of Mr Smith and Mr McMurray.

The Committee thereafter reconvened normal business.

In accordance with Standing Order 38.1(x), the Convener gave consent to Councillor Spears to speak in relation to this item of business, the said Member having duly given at least 24 hours notice.

## **Decision**

**The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee and thereafter that the matter be submitted for consideration to a special meeting of the Committee on 5 December 2016.**

## **FALKIRK COUNCIL**

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 29 November 2016 at 9.30 a.m.**

<b>Councillors:</b>	David Alexander	Dr Craig R Martin
	Jim Blackwood	Craig Martin (Convener)
	Tom Coleman	Malcolm Nicol
	Dennis Goldie	Alan Nimmo
	Gerry Goldie	Robert Spears
	Linda Gow	

**Officers:**

John Angell, Head of Planning and Transportation  
 Richard Broadley, Planning and Environment Manager  
 Fiona Campbell, Head of Policy, Technology and Improvement  
 Danny Cairney, Acting Depute Chief Finance Officer  
 Rhona Geisler, Director of Development Services  
 Iain Henderson, Legal Services Manager  
 Rose Mary Glackin, Chief Governance Officer  
 David MacKay, Head of Education  
 William McQuillan, Procurement and Performance Manager  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive  
 Stuart Ritchie, Director of Corporate and Housing Services  
 Alistair Shaw, Development Plan Co-ordinator

### **EX79. Apologies**

An apology was intimated on behalf of Councillor Adrian Mahoney.

### **EX80. Declarations of Interest**

No declarations were made.

### **EX81. Minute**

#### **Decision**

**The minute of the meeting of the Executive held on 18 October 2016 was approved.**

**EX82. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 18 October 2016 was provided.

**Decision**

**The Executive noted the rolling action log.**

**EX83. 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.

**EX84. Referral from Joint Consultative Committee**

The Executive considered a report by the Director of Corporate and Housing Services presenting revised Managing Sickness Absence, Extra-mural Employment, Grievance, Learning and Development, Accident and Incident Reporting and Family Leave policies for approval.

The policies had been considered by the Joint Consultative Committee on 9 November and referred to the Executive for immediate implementation.

**Decision**

**The Executive approved the immediate implementation of the following policies:-**

- **Managing Sickness Absence Policy;**
- **Extra Mural Employment Policy;**
- **Grievance Policy;**
- **Learning & Development Policy;**
- **Accident and Incident Reporting Policy; and**
- **Family Leave Policies for teaching and non teaching employees.**

**EX85. Scrutiny Committee - 17 November 2016: Scrutiny Panel Conclusions and Recommendations – Outcomes for Looked After Children**

The Executive considered a report by the Director of Corporate and Housing Services presenting recommendations from the Scrutiny Committee in regard to a Scrutiny Panel review of outcomes for looked after children.

The Scrutiny Committee had established a scrutiny panel in 2015 to look at outcomes for looked after children and whether these could be improved.

The panel's findings were reported to the Scrutiny Committee on 17 November 2016 (ref SC21). The Committee agreed the panel's recommendations and submitted them to the Executive for consideration. The panel's final report was appended for information.

Councillor Meiklejohn, as convener of the scrutiny panel, summarised the work of the panel and commended its recommendations to the Executive.

## **Decision**

**The Executive agreed as follows:-**

### **Early Intervention**

- 1) that the Children's Commission recognise and ensure that:**
  - i. relationships between young people and those involved in their care are key to developing positive outcomes. The principles of relationship based practice therefore need to be developed and embedded by all relevant professionals;**
  - ii. the named persons in all services are appropriately trained and supported to recognise the specific needs of looked after children and young people in order to lift their aspirations and improve outcomes especially in education;**
  - iii. mental health services are aligned to meeting the needs of looked after children and that these are provided appropriately; and**
  - iv. attainment is a priority, particularly for looked after children including those looked after at home, through promoting attendance and engagement in learning. To achieve this:**
    - (a) a practice model is developed to assess the improvement in learning that has been achieved during the period of being looked after; and**
    - (b) an educationally rich care environment is put in place for all children looked after away from home.**

### **Balance of Care**

- 2) that Children's Services:**
  - (i) undertake a review of Falkirk Council foster carer provision with a view to increasing the number of care placements available. This review would include the following:**

- consideration of the outcome from work streams from the National Review of Foster Care which are expected to report in the near future;
  - review fees and allowances for foster carers, noting that the outcome of the National Review of Allowances may impact on this;
  - how to use creative and innovative ways to engage with prospective foster carers; and
  - support for foster carers.
- (ii) this review to be reported back to Scrutiny Committee by March 2017; and
- (iii) investigate and report back to Members on the potential for spend to save proposals in regards to providing more local provision for those children currently looked after outwith the Falkirk Council area.

#### **Corporate Parenting**

- 3) the proposals for the Champions Board and that the Executive Group of the Community Planning Partnership agree a reporting framework for taking forward actions within individual organisations.

#### **Transitions**

- 4) Children's Services and Corporate and Housing Services report back before the end of March 2017 on the provision of housing and support for children leaving care. This report will include how to overcome the challenges of providing accommodation, the potential for a protocol for housing options, the need to continue support and how this is provided, the role and remit of the leaving care service and how we provide support to older young people in line with our new obligations;
- 5) a proposal for a 'family firm' is brought forward by the end of March 2017 for the Council in the first instance but with a view to extending this to other public sector agencies if appropriate. This proposal will be presented by the Children's Commission; and
- 6) a scoping exercise is undertaken and the results reported to the Children's Commission Leadership Group to identify the issues and challenges in relation to the level and range of support available to young people who have left care and are at risk of entering the criminal justice system.

Councillor Gow joined the meeting during consideration of the previous item

#### **EX86. Treasury Management - Interim Review 2016/17**

The Executive considered a report by the Director of Corporate and Housing Services presenting an interim review of the Treasury Management function.

Council had approved its Treasury Management Strategy from 2016/17 on 11 May 2016 (ref FC6). The Treasury Management code of practice requires that an interim review is carried out.

The report provided an update in regard to:-

- the economic and interest rate outlook;
- the borrowing strategy;
- the investment strategy;
- Treasury Management Prudential Indicators;
- the loans fund review; and
- Members training

The report also provided benchmarking information which showed that Falkirk Council was 18<sup>th</sup> out of 32 Scottish Local Authorities in regard to investment balances at 30 September 2016 and had the 5<sup>th</sup> lowest loans fund interest rate across the 32 Scottish Local Authorities.

#### **Decision**

**The Executive:-**

- 1) noted the progress of the Council's Treasury Management Strategy for 2016/17; and**
- 2) referred the report to Council for consideration.**

#### **EX87. Procurement Strategy 2017 – 2020**

The Executive considered a report by the Director of Corporate and Housing Services presenting a Procurement Strategy for 2017-2020 for approval and an update on the 2014-17 strategy.

The current Procurement Strategy was approved in 2014 and covers the period to 31 March 2017. The Procurement Reform (Scotland) Act 2014 requires that, by 31 December 2016, Council prepares and publishes a procurement strategy covering, at a minimum, the remainder of the 2016/17 financial year. A revised strategy had been developed covering the period to 2019/20 and was presented for approval.

The report also summarised the key achievements of the current strategy and progress made in delivering its key themes.

Councillor Nicol, seconded by Councillor C Martin, moved that the Executive approves the Procurement Strategy for 2017-2020.

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the following addendum to the motion:-

In addition to the motion, refers the policy to the Scrutiny Committee with a request that it reviews the governance arrangements for the policy as part of its scrutiny plan.

On a division, 8 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (8) - Councillors Blackwood, D Goldie, G Goldie, Gow, Nicol, C Martin, Dr C R Martin and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

### **Decision**

**The Executive agreed the motion.**

### **EX88. Falkirk Local Development Plan – Supplementary Guidance SG08 – Local Nature Conservation and Geodiversity Sites**

The Executive considered a report by the Director of Development Services presenting for approval Supplementary Guidance note SG08 for local conservation and geodiversity sites.

The Executive had previously authorised the preparation of and consultation on 17 supplementary guidance notes. To date, 15 had been developed and consulted upon, 14 of which had been approved by the Scottish Ministers, with one awaiting approval.

Supplementary Guidance note 08 provides guidance on the definition and conservation value of the Council's suite of locally designated Wildlife Sites, Sites of Importance for Nature Conservation and Geodiversity Sites and had been widely consulted upon.

### **Decision**

**The Executive agreed to:-**

- 1) finalise the Supplementary Guidance note 'SG08 Local Nature Conservation and Geodiversity Sites', including modifications in**

**response to the consultation as detailed in appendix 2 to the report; and**

- 2) submit it to Scottish Ministers for final approval.**

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

#### **EX89. Finalised Development Framework for the Maddiston East Strategic Growth Area**

The Executive considered a report by the Director of Development Services presenting the finalised Maddiston East Development Framework for approval.

On 17 May 2016, the Executive agreed a draft Maddiston East Development Framework for consultation. (ref EX14).

A public consultation exercise was carried out between 6 June and 18 July 2016. The report summarised the responses to the consultation and set out, in an appendix, changes made to the consultative draft. The report also highlighted other minor changes.

The Falkirk Local Development Plan (LDP) identifies Maddiston East as one of 12 Strategic Growth Areas. These will provide the focus for residential growth in the area over the lifetime of the LDP. The framework provides guidance for developers and landowners on planning, design and infrastructure requirements.

Councillor D Goldie, seconded by Councillor C Martin, moved that the Executive adopts the finalised Maddiston East Development as Supplementary Planning Guidance subject to the changes set out in the appendix to this minute.

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved, in substitution for the motion, that the Executive –

- 1) notes the report and agrees to remit it back to Development Services to prepare a detailed report on infrastructure shortfalls such as in Health and Education caused by the setting aside of the Development Plan by the Planning Committee; and
- 2) notes that this is not the correct manner in which the strategic planning process should be carried out and continues the matter to the 17 January 2017 meeting of the Executive with all the steps taken in the meantime by members to apprise themselves of the changes set out in the motion.

On a division, 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, G Goldie, Gow, C Martin, Dr C R Martin and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

### **Decision**

**The Executive agreed the motion.**

## **EX90. Synthetic Sports Pitches**

The Executive considered a report by the Director of Corporate and Housing Services proposing that the Council becomes a joint applicant with Newton Park (Bo'ness) and Dunipace Juniors in their bids for funding to create two synthetic sports pitches.

The Executive had agreed on 20 October 2015 (ref EX64) that bids from Newton Park and Dunipace Juniors should be taken to stage 2 of **sportscotland's** funding application process and to provide funding of approximately £360,000 to each club towards the cost (£648,000 and £780,000 respectively) of developing a synthetic pitch. **sportscotland** had since confirmed that applicants must provide at least 25% of the eligible project costs and that the Council's proposed contribution did not count towards this.

The report set out the particular requirements set out by **sportscotland** and identified three options to enable the projects to progress. These were:-

1. the bids are taken forward on the same basis as agreed by Members in October 2015, with the Clubs given more time to source alternative funding;
2. rearrange the Council's proposed funding package to enable the applicants to meet **sportscotland's** application criteria; and
3. Council submits joint applications with both Newton Park and Dunipace JFC

The report summarised the advantages of each option, highlighting option 3 as the preferred option.

### **Decision**

**The Executive agreed that:-**

- 1) **the Council will become a joint applicant with the clubs for sportscotland funding;**
- 2) **the Director of Corporate and Housing Services or his nominee be authorised to take all decisions required to take the joint application to conclusion; and**

- 3) if any significant changes or issues arise, a further report will be brought back to committee.**

**EX91. Capital Programme 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 was projected to be £34.4m. The report detailed spends across Services and set out the main reasons for the variance of £0.6m against the revised budget for 2016/17 of £35m.

Services had identified projects which could be accelerated to mitigate the anticipated increase in slippage of £0.14m (which includes external grants/contributions).

In regard to the Housing Capital Programme, the outturn was forecast to be £28.3m against a revised budget of £31.3m. 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 noted:-**

- 1) the forecast spend for both the General Fund Services (£34.4m) and Housing Capital Programmes (£28.3m) and**
- 2) the Prudential Indicators.**

**EX92. Traffic Management Arrangements for Marches, Processions and Parades**

The Executive considered a report by the Director of Development Services proposing the continued suspension of application fees for Temporary Traffic Regulation Orders (TTRO) in respect of marches, processions and parades and other community based activities.

On 17 May 2016, the Executive agreed the temporary suspension of the relevant application fee for a period of 6 months pending consideration of a review of the Council's approach to the use of TTRO's for such events (ref EX16).

Since the meeting a review, commissioned by the Scottish Government, had been published which could potentially impact on the findings of the Council's own review.

Authority was therefore sought to continue the temporary suspension of the relevant application fee to allow the findings of the Scottish Government's review to be considered.

Councillor Dr C R Martin, seconded by Councillor C Martin, moved that the Executive agrees to continue the suspension of the relevant application fee for Temporary Traffic Regulation Orders as they relate to traffic regulation in respect of marches, processions and parades and other community based activities until the review of the council's approach to the use of TTROs for such events, as instructed by members at the meeting of the Executive on 17 May 2016, is concluded and presented to Members.

Following an expression of concern by Councillor Coleman about the open ended nature of the suspension, the Director of Development Services undertook to report back to Committee in January 2017 with a progress report and the Convener agreed to make the item a standing one until it was resolved.

### **Decision**

**The Executive agreed the motion.**

### **EX93. Sale of Site at Carradale Avenue, Tamfourhill, Falkirk**

Prior to consideration of a report by the Director of Development Services on the sale of land, the Executive agreed that information contained in the appendix was exempt from publication in accordance with paragraph 9 of part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

The report set out proposals by Alchemy Inns Ltd to purchase 1.384 hectares of land at Carradale Avenue, Tamfourhill and recommended that the land is declared surplus to the Council's requirements.

Councillor D Goldie, seconded by Councillor G Goldie, moved that the Executive -

- 1) agrees to declare the site at Carradale Avenue, Tamfourhill, Falkirk surplus to Council requirements; and
- 2) authorises the disposal of the site to Alchemy Inns Ltd on the basis of the outline terms contained in the report.

As an amendment Councillor Coleman, seconded by Councillor Alexander, moved in substitution for the motion that the site is not sold and that officers explore the use to which it could be put, in particular for housing.

On a division, 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, G Goldie, Gow, C Martin, Dr C R Martin and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

**Decision**

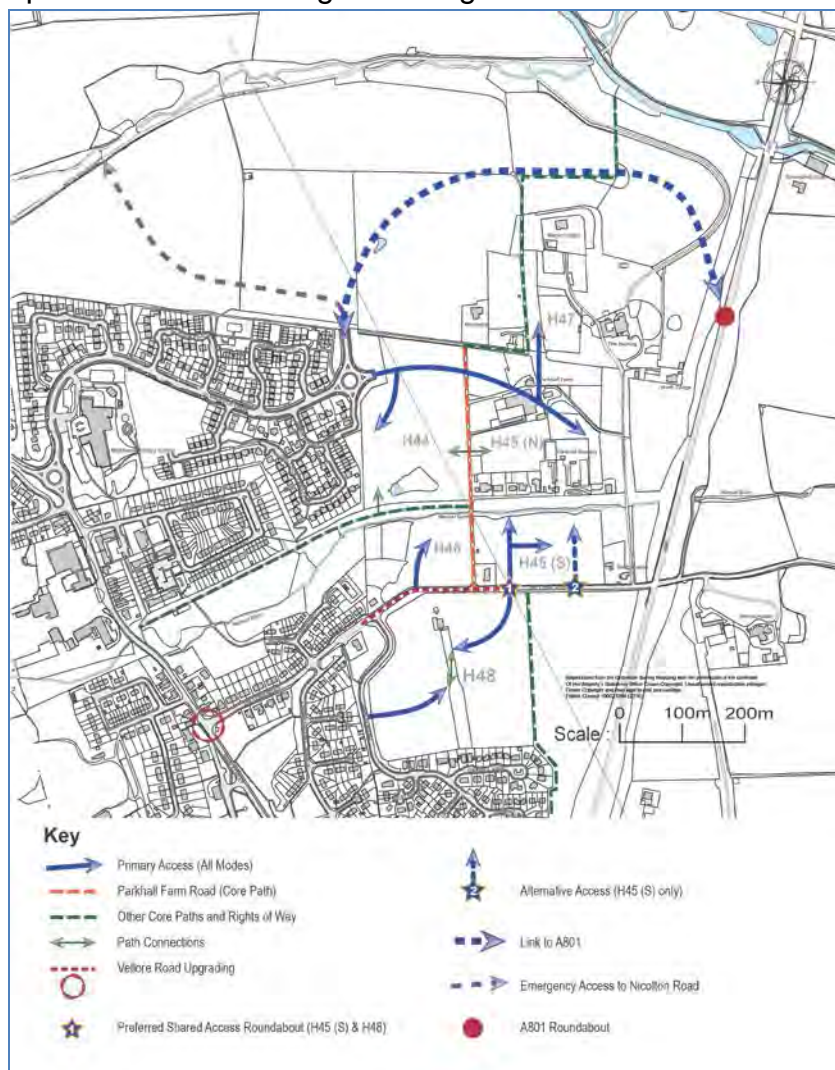
**The Executive agreed the motion.**

## Appendix (as referred to in item EX89 of the foregoing minute)

### Motion

To amend the preferred strategic access option within the Finalised Maddiston East Development Framework (as shown on the map below) to include the following accesses to the north. This will include both:

- A link from the roundabout at Glendevon Drive, northwards along a route yet to be determined by further detailed assessment, linking to a roundabout on the A801 which has extant planning consent (P/12/0694/FUL); and
- An emergency link road to Nicolson Road. This will take the form of a restricted access road, of a specification suitable for use by emergency vehicles and pedestrian/cycle users. This would be controlled via bollards of a specification and design to be agreed with the Council.



## 2.0 Detailed changes to the Finalised Development Framework

### Paragraph 3.3.4 – Delete and replace with:

“The Council’s preferred access option is a combination of Options 2 and 3 (as shown in Map 6). Sites south of the Manuel Burn (H45(S), H46, and H48) would be accessed via Vellore Road. Sites north of the Manuel Burn will be accessed via Glendevon drive with a link to the A801 and an additional emergency access road to Nicolton Road.”

### Paragraph 3.3.5 Glendevon Drive – Delete and replace with:

“Sites H44, H45(N) and H47 (The Haining) will be accessed from Glendevon Drive. Glendevon Drive is currently a cul-de-sac, with only a single vehicular connection to the wider road network, off which some 270 houses are currently accessed. The National Roads Development Guide, which reflects ‘Designing Streets’, states that developments should be well connected to their surroundings, with multiple access points where possible, and permeable layouts to make navigation simpler and easier. In terms of ‘Designing Streets’, it is considered that this option could benefit from increased vehicular connectivity, and including an emphasis on pedestrian and cycle connectivity. This could meet the terms of the guidance.”

### Paragraph 3.3.6 Glendevon Drive – Delete and replace with:

“A pedestrian/cycle link from H44 through to Parkhall Farm Road (see para 3.3.13 below) and H45 will be required. This is likely to include an interface with the primary access route, which should be satisfactorily addressed.”

### Paragraph 3.3.7 Vellore Road – Delete and replace with:

H45(S), H46, and H48 will be accessed from Vellore Road.

### Paragraph 3.3.10 Vellore Road – Delete and replace with:

“Vellore Road is affected by various constraints. There are complaints from the community about peak time capacity issues at the Vellore Road/B805 junction. There are various constraints on the options for junction upgrading. Some improvement may be possible. In terms of the carriageway itself, localised widening may be needed, and the road lacks a footway on the southern side east of Toravon Lodge. These issues will require further investigation and resolution prior to applications for sites accessing on to Vellore Road (H45(S), H46 and H48), with sites contributing to appropriate mitigation.”

Paragraph 3.3.12 Parkhall Farm Road – Delete and replace with:

“Parkhall Farm Road currently provides vehicular access to a number of existing residential properties within sites H45 and H47. It is also a core path. Parkhall Farm Road will remain as an access to the existing houses until such time as these can be connected in to the new road infrastructure. At this point, the preference would be for it to become a pedestrian/cycle only path.”

Paragraph 3.3.13 Parkhall Farm Road – Delete and replace with:

“When considering a planning application for H44 there may be a requirement to form an emergency access to Parkhall Farm Road prior to a link to the A801 and emergency link road to Nicolton Road. This would be controlled via bollards of a specification and design to be agreed with the Council. The provision of an emergency access should be suitably integrated into the layout of the site, and in particular, the pedestrian/cycle linkages. The requirement and feasibility for the provision of an emergency access would be assessed in the context of a future planning application.”

Paragraph 3.3.14 A801 Connection – Delete and replace with:

A801 Connection and Nicolton Road emergency access

“A connection to the A801, linking Glendevon Drive to the approved roundabout on A801, and an emergency access road to Nicolton Road are required to bring forward sites H45(N) and H47(The Haining) in the Development Framework Area. There are potential impacts in terms of landscape, ecological and historic environment interest for both options, and a new route should be determined based on thorough assessment in relation to the above issues. Sites H45(N) and H47 (The Haining) will not be able to be brought forward until there is a link to the A801 and an emergency access road to Nicolton Road in place. “

Section 4 – Site Requirements: H44

Access and Drainage – Delete 1<sup>st</sup> bullet point and replace with:

- Access will be from Glendevon Drive. There will be allowance for a vehicular link east to H45(N). There may be a requirement for Parkhall Farm Road to form an emergency access (see section 3.3.13) in conjunction with an application for H44. The requirement for an emergency access would be assessed at the time of a planning application.

Section 4 – Site requirements: H45(N)

Access and Drainage: Delete 1<sup>st</sup> and 2<sup>nd</sup> bullet points and replace with:

- Vehicular access will be from H44 and Glendevon Drive to the west;
- The site will not be able to be brought forward until an emergency access road to Nicolton Road, and a vehicular link to the A801 is in place.

#### Section 4 – Site requirements: H45(S)

Design: Delete 1<sup>st</sup> bullet point.

Access and Drainage: Delete 2<sup>nd</sup> bullet point.

#### Section 4 – Site Requirements: H47

Access and Drainage: Delete 1<sup>st</sup> bullet point and replace with:

- Access is expected from H45(N), although it may be more appropriate for access to be from the north, depending on the eventual route of the access option following on from detailed assessment. It is unlikely that the existing South Avenue to the Haining could serve additional development without substantial upgrading, but this could be explored. It is unlikely that the site will be able to be brought forward without an emergency link road to Nicolson Road and a vehicular link to the A801.

### **3.0 Detailed changes to the consultation responses within the Consultation Summary document (Appendix 2 of committee report)**

To be based on the Development Framework's approved form.

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 30 November 2016 at 9.30 a.m.**

**Councillors:**

Jim Blackwood  
Paul Garner  
Gordon Hughes  
Baillie Joan Paterson  
Depute Provost John Patrick  
Provost Pat Reid (Convener)  
Sandy Turner

**Officers:**

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

**CL84. Apologies**

Apologies for absence were intimated on behalf of Baillie William Buchanan and Councillor Ann Ritchie.

**CL85. Declarations of Interest**

No declarations were intimated.

**CL86. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 2 November 2016 was approved.**

**CL87. List of Applications Granted under Delegated Powers in October 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 31 October 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

**Decision**

**The committee noted the report.**

**CL88. Civic Licensing Enforcement – October 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 October 2016.

**Decision**

**The committee noted the report.**

**CL89. Knowledge Test Arrangements for Prospective Taxi Drivers**

The committee considered a report by the Chief Governance Officer (a) summarising the Council's current taxi knowledge test arrangements, and (b) detailing the results of a benchmarking exercise undertaken with other local authorities to ascertain what, if any, method of testing taxi drivers was in place.

The Council's current knowledge test format was aimed at measuring applicants' understanding of their responsibilities in operating a taxi and their knowledge of the Falkirk area and had been introduced in 1994. The knowledge test format had not been reviewed however the questions had been revised to include new visitor attractions and new housing developments.

**Decision**

**The committee:-**

- (1) noted the contents of the report, and**
- (2) agreed that officers review the current test content and format and submit an update report to a future meeting.**

**CL90. Falkirk Council Taxi and Private Hire Car Composition**

The committee considered a report by the Chief Governance Officer (a) summarising the Council's taxi and private hire car fleet composition; (b) detailing the Council's policy in relation to vehicle specification which has created 3 distinct taxi operator categories, namely (i) pre 1998 taxi operators who can operate saloon cars; (ii) 2002-2013 taxi operators who operate wheelchair accessible vehicles (WAVs), and (iii) 2013 onwards who operate WAVs, hybrid or electric; (c) setting out details of the number of taxi and private hire cars licenced by Scottish Local Authorities, which also included the number of wheelchair accessible vehicles, and (d) referring to the

Council's duty to comply with the public sector duty under the Equality Act 2010.

### **Decision**

#### **The committee:-**

- (1) noted the contents of the report, and**
- (2) agreed that officers undertake further investigations to ensure that the Council is meeting its duty under the Equality Act 2010 and submit an update report to a future meeting.**

### **CL91. 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.

### **CL92. Application for the Variation of a Private Hire Car Operator Licence**

The applicant, Mr C, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the variation of private hire car operator licence No.050.

Mr C spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

**Having been satisfied that there was justification to depart from its policy, the committee agreed to grant the variation of private hire car operator licence No.050.**

### **CL93. Application for the Grant of a New Taxi Driver Licence**

The applicant, Ms M and her agent Ms W, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi 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.

The applicant's agent was heard 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 she 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 taxi driver licence, subject to the standard conditions.**

### **CL94. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr C, entered the meeting.

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

A letter, supporting the application had been received from the applicant's agent. Copies of the letter were circulated to members for their consideration.

Mr C spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

**The committee agreed to grant the private hire car driver licence, subject to the standard conditions.**

### **CL95. Application for the Renewal of a Taxi Driver Licence**

The applicant, Mr S, entered the meeting.

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

Mr S spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to renew the taxi driver licence for a period of one year, subject to the standard conditions.**

**CL96. Application for the Renewal of a Taxi Driver Licence**

The applicant, Mr D, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising on the background to the application; (b) referring to the meeting of the Civic Licensing Committee held on 16 March 2016, and (c) summarising the consultations undertaken and responses received.

Mr D spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to renew the taxi driver licence for a period of one year, subject to the standard conditions.**

## **FALKIRK COUNCIL**

**Minute of meeting of the SCRUTINY COMMITTEE (EXTERNAL) held in the Municipal Buildings, Falkirk on Thursday 1 December 2016 at 9.30 a.m.**

**COUNCILLORS:**

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

**OFFICERS:**

Fiona Campbell, Head of Policy, Technology and Improvement  
Matthew Davies, Service Manager  
Jack Frawley, Committee Services Officer  
Nikki Harvey, Service Manager  
Iain Henderson, Legal Services Manager  
Sara Lacey, Senior Service Manager  
Joe McElholm, Head of Social Work Adult Services  
Vivien Thomson, Service Manager

**SE17. Apologies**

An apology was intimated on behalf of Depute Provost Patrick.

**SE18. Declarations of Interest**

There were no declarations of interest.

**SE19. Minute**

**Decision**

**The minute of meeting of the Scrutiny Committee (External) held on 6 October 2016 was approved.**

**SE20. Police Scotland Update**

The committee considered a report by the Director of Corporate and Housing Services which provided, as an appendix to the report, a briefing from the Chief Superintendent. A note of meeting between Police Scotland and the Council held on 19 August 2016 was also appended. Fiona Campbell provided an overview of the report.

## **Decision**

**The committee noted the update on the matters for which information was previously requested.**

### **SE21. Following the Public Pound**

The committee considered a report by the Director of Corporate and Housing Services which sought agreement to bring proposals to a future meeting relating to the reporting of organisations monitored through the Following the Public Pound (FPP) framework. Fiona Campbell provided an overview of the report.

The committee asked what involvement Audit Scotland may have in the development of the revised reporting framework. Fiona Campbell stated that the Council applied guidance from Audit Scotland in the development of its procedures. She advised that Falkirk's approach had previously been held up as best practice.

## **Decision**

**The committee agreed that a new reporting template for Following the Public Pound reports would be submitted to a future meeting for consideration.**

### **SE22. Following the Public Pound: Services to Children & Young People – 2015/16 Monitoring Report**

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. Sara Lacey provided an overview of the report. The committee then heard from officers in relation to the individual reports.

#### **(a) Barnardo's Axis Service**

Matthew Davies provided an overview of the report considering the performance of Barnados – Axis Service. He advised that a direct grant of £137,443 was received by the organisation in the reporting period.

Members asked if there was a risk to the organisation of receiving a reduction in funding from the Council and the Falkirk Alcohol and Drug Partnership. Matthew Davies advised that there was a risk of such funding reductions occurring but commented that this was a large service which could offset some reduction through changes to the model of service delivery. There would however, likely be a reduction in the number of young

people who could be seen by the service and the amount of intensive support would also need to decrease.

### **Decision**

**The Committee approved the report for Barnardo's Axis Service and acknowledged progress towards meeting Council priorities.**

#### **(b) Barnardo's - Cluaran Service**

Matthew Davies provided an overview of the report considering the performance of Barnados – Cluaran Service. He advised that a direct grant of £345,297 was received by the organisation in the reporting period.

The committee discussed the reported performance. It noted that improvements had been made to service users in the areas of the key outcomes but noted limited progress in some areas such as relationships. Matthew Davies stated that the young people who were engaged with the service were on the cusp of becoming looked after away from home and therefore likely had poorer relationships than those in other services. The client group were extremely vulnerable and at risk. He advised that the steering group would look at case studies and ensure progress was being made.

### **Decision**

**The Committee approved the report for Barnardo's - Cluaran Service and acknowledged progress towards meeting Council priorities.**

#### **(c) NHS Forth Valley CAMHS Clinical Psychologist for Looked after Children**

Frank Kennedy provided an overview of the report considering the performance of NHS Forth Valley CAMHS Clinical Psychologist for Looked After Children. He advised that a direct grant of £70,704 was received by the organisation in the reporting period.

The committee sought information on the achievements which had been made and asked if figures were available to support this. Frank Kennedy advised that there was evidence of success in terms of feedback from the Care Inspectorate but highlighted that it was difficult to attribute outcomes specifically to mental health work. He stated that in future reports it may be possible to include the feedback which was received from young people relating to the service.

## Decision

**The Committee approved the report for NHS Forth Valley CAMHS – Clinical Psychologist for Looked After Children and acknowledged progress towards meeting Council priorities.**

### (d) Quarriers Scotland Falkirk Children's Rights Service

Vivien Thomson provided an overview of the report considering the performance of Quarriers Scotland – Falkirk Children's Rights Service. She advised that a direct grant of £86,200 was received by the organisation in the reporting period. Following comments she advised that more quantitative information relating to performance would be included in future reports.

## Decision

**The Committee approved the report for Quarriers Scotland Falkirk Children's Rights Service and acknowledged progress towards meeting Council priorities.**

### (e) Signpost Recovery Time 4 Us

Matthew Davies provided an overview of the report considering the performance of Signpost Recovery – Time 4 Us. He advised that a direct grant of £45,000 was received by the organisation in the reporting period.

Following discussion, Matthew Davies provided confirmation that the Big Lottery Funding received by the organisation was time limited. He further clarified that no Falkirk Council funding was used to purchase toys for service users which money came from other sources.

## Decision

**The Committee approved the report for Signpost Recovery Time 4 Us and acknowledged progress towards meeting Council priorities.**

### (f) "Who Cares?" Scotland Children's Rights Service

Vivien Thomson provided an overview of the report considering the performance of Who Cares? Scotland – Children's Rights Service. She advised that a direct grant of £27,970 was received by the organisation in the reporting period.

The committee asked if there was good partnership working between the service and Quarriers Scotland. Vivien Thomson stated that there was a good joint working relationship operating within current financial restrictions.

The services were co-located. Members discussed whether there was a need for two similar services or if one organisation could meet demand.

Members asked what the level of demand was for these services. Vivien Thomson advised that she would provide the information after the meeting as it would be split across Quarriers Scotland and Who Cares? Sara Lacey stated that there was some responsibility on the organisations to create demand through ensuring their services were well promoted. She commented that the national profile of Who Cares? was positive.

### **Decision**

**The Committee approved the report for “Who Cares?” Scotland Children’s Rights Service and acknowledged progress towards meeting Council priorities.**

## **SE23. Following the Public Pound: Health & Older People**

The committee considered a report by the Head of Adult 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. Joe McElholm provided an overview of the report.

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

### **(a) Princess Royal Trust for Carers**

Joe McElholm provided an overview of the report considering the performance of Princess Royal Trust for Carers. He advised that a direct grant of £141,898 was received by the organisation in the reporting period.

### **Decision**

**The Committee approved the report for Princess Royal Trust for Carers and acknowledged progress towards meeting Council priorities.**

### **(b) Alzheimer’s Scotland**

Joe McElholm provided an overview of the report considering the performance of Alzheimer’s Scotland. He advised that a direct grant of £57,768 was received by the organisation in the reporting period.

The committee asked if the demand on the service was increasing. Joe McElholm advised that there were more people accessing the service and that increases in life expectancy would result in more demand being placed on the service. There had also been significant work carried out on

encouraging earlier diagnosis of dementia which would result in people receiving support for longer periods of time. He stated that over time the Falkirk Health & Social Care Partnership would need to decide how to best respond to local demographic pressures.

### **Decision**

**The Committee approved the report for Alzheimer's Scotland and acknowledged progress towards meeting Council priorities.**

#### **(c) Falkirk & District Association for Mental Health**

Joe McElholm provided an overview of the report considering the performance of Falkirk & District Association for Mental Health. He advised that a direct grant of £177,777 was received by the organisation in the reporting period.

### **Decision**

**The Committee approved the report for Falkirk & District Association for Mental Health and acknowledged progress towards meeting Council priorities.**

#### **(d) Independent Living Association Forth Valley – Forth Valley Self Directed Support Service**

Joe McElholm provided an overview of the report considering the performance of Independent Living Association Forth Valley – Forth Valley Self Directed Support Service. He advised that a direct grant of £29,604 was received by the organisation in the reporting period.

The committee asked if the level of funding available was a limiting factor on self directed support (SDS) uptake. Joe McElholm advised that money was available and that sometimes the process of getting a SDS package in place was slower than desired. However, he stated that he did not think this was a limiting factor in terms of uptake. The service continually looked at how to improve the number of people engaging with SDS. In Falkirk less people used Option 1, which requires that the service user takes on employer responsibilities, when compared with the national figures but caution was required in terms of comparison. Some areas showed particularly high numbers due to how they had carried out their re-tendering of home care.

Members discussed the number of contacts and referrals which the service had been involved with. Joe McElholm advised information contacts were often from people just seeking information who did not then pursue formal support as well as existing service users and people who made multiple enquires.

**Decision**

**The Committee approved the report for Independent Living Association Forth Valley – Forth Valley Self Directed Support Service and acknowledged progress towards meeting Council priorities.**

(e) RVS – Meals on Wheels

Joe McElholm provided an overview of the report considering the performance of RVS – Meals on Wheels. He advised that a direct grant of £10,400 was received by the organisation in the reporting period.

Members highlighted that previous discussions by the committee had asked why the service was not made available across the council area. Joe McElholm advised that where people had a clear need for support for their nutritional needs then RVS could not deliver this. Their service delivery model was for operation on a limited number of days and this was not suitable for people who need daily support.

**Decision**

**The Committee approved the report for RVS – Meals on Wheels and acknowledged progress towards meeting Council priorities.**

**FALKIRK COUNCIL**

**Minute of meeting of the Planning Committee held On Site on Monday 5 December 2016 commencing at 9.30 a.m.**

**Councillors:** Baillie William Buchanan (Convener) (except for application P/16/0476/FUL)  
Steven Carleschi  
John McLuckie  
Adrian Mahoney  
Malcolm Nicol  
Sandy Turner

**Officers:** Ian Dryden, Development Manager  
Iain Henderson, Legal Services Manager  
Stephen McClure, Planning Officer (for application P/16/0476/FUL)  
Julie Seidel, Planning Officer (for application P/16/0547/FUL)  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Bernard Whittle, Development Management Co-ordinator

**P76. Apologies**

Apologies were intimated on behalf of Baillie Paterson; and Councillors Chalmers and Oliver.

**P77. Declarations of Interest**

No declarations were made.

**P78. Change of Use from Day Hospital (Class10) to Form 3 Flatted Dwellings, Partial Demolition of, and Extension to, Existing Building to Form Dwellinghouse and Erection of Dwellinghouse at Dunrowan, 37 Maggie Wood's Loan, Falkirk FK1 5EH for Dunrowan Heights Ltd - P/16/0510/FUL**

With reference to Minute of Meeting of the Planning Committee held on 23 November 2016 (Paragraph P96 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 from a day hospital (class10) to form three flatted dwellings, the partial demolition of, and extension to, an existing building to form a

dwellinghouse and the erection of dwellinghouse at Dunrowan, 37 Maggie Wood's Loan, Falkirk.

The Convener introduced the parties present.

The Development Management Co-ordinator (B Whittle) outlined the nature of the application.

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

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

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

Mrs Watson - Fargie, an objector, was heard in relation to the application.

Mr Watson - Fargie, an objector, was heard in relation to the application.

The objections included the following issues:-

- The impact on privacy;
- The overshadowing of neighbouring properties;
- The impact on the townscape character and 'Victorian era' appearance of Maggie Wood's Loan;
- The backland nature of the development;
- The removal of a mature Silver Birch tree;
- The drainage impacts; and
- The devaluing of property in the surrounding area.

Questions were then asked by Members of the Committee.

The Convener read out an email from Councillor Chalmers, a local Member for the area, in relation to concerns he had received from local residents in relation to the application.

Depute Provost Patrick, 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 at a special meeting of the Planning Committee on the afternoon of 5 December 2016.

The members thereafter visited the gardens of neighbouring properties at 39 Maggie Woods Loan and 13 Windsor Drive.

In accordance with his non financial declarations of interest at the meetings of the Planning Committee on 26 October and 23 November 2016 (minutes P61 and P84), Baillie Buchanan was not present at this site visit. Councillor McLuckie assumed the role of Convener in his absence.

**P79. Erection of 2 Dwellinghouses at Inches House, Bellsdyke Road, Larbert FK5 4EL for Mr John Pollock – P/16/0476/FUL**

With reference to Minutes of Meetings of the Planning Committee held on 26 October and 23 November 2016 (Paragraphs P64 and P91 refer), Committee gave further consideration to a reports by the Director of Development Services on an application for full planning permission for the erection of two dwellinghouses at Inches House, Bellsdyke Road, Larbert. The consideration of the application had been continued at the meeting on 26 October 2016 to allow an inspection of the site by Committee. At the convened meeting on site on 7 November 2016, the meeting had stood adjourned due to there being no quorum.

The Convener introduced the parties present.

The Planning Officer (S McClure) outlined the nature of the application.

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

No objectors were present. The objections included the following issues:-

- The reduction in privacy to adjacent neighbouring properties;
- The reduction in light and overshadowing of neighbouring properties and garden grounds;
- The increased noise levels for adjacent properties;
- The significant increase in traffic on the access track used by school children;
- That there were no other dwellings in the adjacent residential estate with access roads to the front and rear;
- The concerns in relation to construction traffic to the site;
- The loss of trees in the site that provide a habitat for wildlife;
- The visual impact any multi-storey building may have on the existing area;
- The proposal for 14 parking spaces would appear excessive on the site;
- That plot 3 was too close to existing dwellings;
- That the public footpath would be dug up to allow for new services to be installed to the site; and
- The impact on existing education and healthcare.

Questions were then asked by Members of the Committee.

Councillor Carleschi, on behalf of Councillor Coleman, 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 at a special meeting of the Planning Committee on the afternoon of 5 December 2016.

Baillie Buchanan resumed the Convenership of the meeting following consideration of the foregoing item of business.

**P80. Alterations and Extension to Garage and Car Showroom at Beancross Road, Grangemouth FK3 8YF for Arnold Clark Automobiles Ltd - P/16/0547/FUL**

With reference to Minute of Meeting of the Planning Committee held on 23 November 2016 (Paragraph P97 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the alteration and extension an established garage and car showroom on a site at Beancross Road, Grangemouth.

The Convener introduced the parties present.

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

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

The Convener read out a letter handed to him by an objector Mrs Hardie, from Mr Wyper, an objector, in relation to the application.

The Convener read out a letter handed to him by Mr McMurray, the applicant's representative, from Mr Wilson, owner of a neighbouring property at 2 Primrose Avenue, in relation to the application.

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

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

The objections included the following issues:-

- The concerns in relation to nuisance and disruption during construction;
- The vehicles for sale and those of staff, customers and contractors should not be parked on residential streets;
- The noise and working hours should be restricted to protect residential properties;
- The disruption to utilities; and

- The need for clarification in relation to the duration of the project, working hours, working practice, risk assessment, removal of rubble and waste from the site and staff numbers.

Questions were then asked by Members of the Committee.

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

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

Councillor Spears, 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 at a special meeting of the Planning Committee on the afternoon of 5 December 2016.

## FALKIRK COUNCIL

### **Minute of Special Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Monday 5 December 2016 at 1.30 p.m.**

#### **COUNCILLORS:**

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

#### **OFFICERS:**

Ian Dryden, Development Manager  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator  
 Bernard Whittle, Development Management Co-ordinator

#### **P103. Apologies**

Apologies were intimated on behalf of Councillor Oliver.

#### **P104. Declarations of Interest**

Baillie Buchanan declared a non financial interest in item 4 (minute P101) 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.

#### **P105. Change of Use from Day Hospital (Class10) to Form 3 Flatted Dwellings, Partial Demolition of, and Extension to, Existing Building to Form Dwellinghouse and Erection of Dwellinghouse at Dunrowan, 37 Maggie Wood's Loan, Falkirk FK1 5EH for Dunrowan Heights Ltd - P/16/0510/FUL**

With reference to Minute of Meeting of the Planning Committee held on 23 November 2016 (Paragraph P96 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 the change of use and alterations to a former day hospital to form 3 flatted dwellings, partial demolition of, and extension to, the existing building to form a single dwellinghouse and the erection of a further dwellinghouse to the front of the site at 37 Maggie Wood's Loan, Falkirk.

## 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 of 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 open space improvements to the sum of £2,205.

Thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to the following conditions as well as a condition to require the gable end of the house on plot 1, facing Maggie Woods Loan, to be finished in natural stone:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
- (2)
  - (i) No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.
  - (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.
  - (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.

- (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
- (3) Prior to the start of work on site, details of all external finishing materials to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.
- (4) The development hereby approved will not be occupied or brought into use until the following documents have been submitted to and approved in writing by the Planning Authority:-
  - (i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and
  - (ii) a Statement of Conformity which confirms that 10%, of the required CO<sup>2</sup> emissions reduction is achieved through the installation of low and zero carbon generating technologies.

Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

- (5) Before development commences a Tree Protection Plan shall be submitted for the approval of Falkirk Council as Planning Authority. The Tree Protection plan shall detail measures to protect all retained trees, including those outwith the site boundaries, from construction damage and detail all trees to be removed and tree surgery works.
- (6) Temporary protective fencing, in full accordance with the approved Tree Protection Plan, must be erected prior to any works commencing on site and must remain in position until all construction works are completed. This fenced off area will form the Construction Exclusion Zone and no excavation, increase in levels, trenching, material storage, building material run off, fire, pedestrian or machinery access shall take place within the fenced off Construction Exclusion Zone.

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.

- (2) To ensure the ground is suitable for the proposed development.**
- (3) To safeguard the visual amenity of the area.**
- (4) To ensure the development achieves the required CO2 emission reduction as a result of development.**
- (5-6) To ensure that the existing trees are retained and protected during construction work.**

In accordance with his declaration of interest, Baillie Buchanan left the Chair and the meeting and took no part in consideration of the following item of business. Councillor McLuckie assumed the role of Convener.

**P106. Erection of 2 Dwellinghouses at Inches House, Bellsdyke Road, Larbert FK5 4EL for Mr John Pollock - P/16/0476/FUL (Continuation)**

With reference to Minutes of Meetings of the Planning Committee held on 26 October and 23 November 2016 (Paragraphs P64 and P95 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 erection of two dwellinghouses at Inches House, Bellsdyke Road, Larbert. The consideration of the application was continued at the meeting on 26 October 2016 to allow an inspection of the site by Committee. At the convened meeting on site on 7 November 2016, the meeting stood adjourned due to there being no quorum. The subsequent site meeting took place on the morning of 5 December 2016.

**Decision**

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) Before works commence on site, a surface water drainage strategy shall be submitted and agreed in writing by the Planning Authority.**
- (3) Before occupation of the dwellings, visibility splays measuring 2.4m x 70m require to be provided in either direction from both accesses onto Bellsdyke Road. There shall be no obstruction above carriageway level within these splays.**

- (4) Before occupation of the dwellings, visibility splays measuring 2.4m x 30m require to be provided in either direction from the accesses within the site onto the private access road to Bellsdyke Road. There shall be no obstruction above carriageway level within these splays.
- (5) Before works commence on-site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls /fences, 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.
- (6) Development shall not begin until details of the scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include (as appropriate):-
  - (i) existing and finished ground levels in relation to a fixed datum, preferably ordnance;
  - (ii) existing landscaping features and vegetation to be retained and, in the case of damage, restored;
  - (iii) location and design, including materials, of walls, fences and gates; and
  - (iv) soft and hard landscaping works.
- (7) The group of 11 small stems of Birch & Rowan (tree group 8519) shall be retained and thinned, with the best stems retained, and shall be agreed and approved in writing by the Planning Authority prior to works commencing on-site.
- (8) The temporary protective fencing around the retained trees (delineating the 'Construction Exclusion Zone') as shown on the tree survey (and to include the Birch /Rowans in group 8519) shall be positioned prior to any works commencing on site and shall remain in position until all construction works are complete. No level changes, trenching, material storage or machinery access must take place within the fenced off 'Construction Exclusion Zone'.
- (9) Before the dwellings are occupied, the car parking shown on the approved plan shall be completed.
- (10) The development hereby approved will not be occupied or brought into use until the following documents have been submitted to and approved in writing by the Planning Authority:-
  - (i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and

- (ii) a Statement of Conformity which confirms that 10%, of the required CO<sub>2</sub> emissions reduction is achieved through the installation of low and zero carbon generating technologies.

Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Planning Authority.

**Reasons:-**

- (1) As these drawings and details constitute the approved development.
- (2) To ensure that adequate drainage is provided.
- (3, 4,5) To safeguard the interests of the users of the highway.
- (6) To safeguard the visual amenity of the area.
- (7,8) To safeguard the environmental amenity of the area.
- (9) To ensure that adequate car parking is provided.
- (10) To ensure the development achieves the required CO<sub>2</sub> emission reduction as a result of development.

**Informatives:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03, 04, 05 and 06.
- (2) 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.
- (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:-**

<b>Monday to Friday</b>	<b>08:00 - 18:00 Hours</b>
<b>Saturday</b>	<b>09:00 - 17:00 Hours</b>
<b>Sunday /Bank Holidays</b>	<b>10:00 - 16:00 Hours</b>

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

Baillie Buchanan resumed the Convenership of the meeting following consideration of the foregoing item of business.

**P107. Alterations and Extension to Garage and Car Showroom at Beancross Road, Grangemouth FK3 8YF for Arnold Clark Automobiles Ltd - P/16/0547/FUL (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 23 November 2016 (Paragraph P95 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 alteration and extension of an established garage/car show room on Beancross Road, Grangemouth.

**Decision**

**The Committee agreed to grant full planning permission subject to the following conditions as well as an informative requiring that signage to the satisfaction of the Director of Development Services, be erected directing delivery drivers to the off site compound:-**

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) (i) No development shall commence on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land**

**assessment must be approved in writing by the Planning Authority.**

- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.**
- (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to, and agreed in writing by, the Planning Authority.**
- (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.**
- (3) No development shall commence on site until a detailed proposal for diverting or bridging the culvert, running under the extension hereby approved, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development shall proceed in accordance with the approved proposal, unless otherwise agreed in writing.**

**Reasons:-**

- (1) As these drawings and details constitute the approved development.**
- (2) To ensure the ground is suitable for the proposed development.**
- (3) To protect the culvert.**

**Informatives:-**

- (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 - 05, 06A, 07, 08 and Supporting Documents.**

## **FALKIRK COUNCIL**

**Minute of Joint Meeting of the Pensions Committee/Board held in the Municipal Buildings, Falkirk on Thursday 8 December 2016 at 9.30 a.m.**

**Present:**

Committee:-  
Councillors Falkirk Council:-  
Jim Blackwood  
Steven Carleschi  
Tom Coleman  
Dr Craig R Martin  
Depute Provost John Patrick (Convener)

Ian McLean, Pensioner Representative

Board:-  
Councillor Donald Balsillie, Clackmannanshire Council  
Susan Crook, Unison  
Gordon Irvine, Unite  
Sandy Harrower, UCATT  
Simon Hunt, Scottish Autism  
Ed Morrison, Scottish Children's Reporter  
Administration (SCRA)  
Jennifer Welsh, SEPA

**Attending:**

Alastair McGirr, Pensions Manager  
Bryan Smail, Chief Finance Officer  
Antonia Sobieraj, Committee Services Officer

**Also in  
Attendance:**

Vikram Bhaskar and Roger Ammoun, Grosvenor Capital  
Jim Rundell and Louise Dodds, Audit Scotland  
William Marshall, Hymans Robertson  
Bruce Miller, Investment Manager and Struan Fairbairn,  
Chief Risk Officer, Lothian Pension Fund

### **PE31. Apologies**

Apologies were intimated on behalf of Councillor Callum Campbell, Stirling Council.

### **PE32. Declarations of Interest**

No declarations were made.

**PE33. Minute****Decision**

**The minute of the joint meeting of the Pensions Committee and Board on 22 September 2016 was approved.**

Councillor Balsillie entered the meeting during consideration of the following business.

**PE34. 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 including the following:-

- Risk Register;
- Pension Fund Budget Update;
- Scheme Structure Review;
- Pension Board Governance Review;
- Employer Funding Event;
- Pooling Assets in England and Wales;
- Infrastructure;
- Corporate Governance Issues; and
- Scotland Wide Pensions Training including environmental, social and governance engagement (ESG).

**Decision**

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

**The Committee agreed that the Chief Finance Officer maintain discussions with Scottish LGPS Funds regarding the creation of a collective vehicle for Scottish infrastructure investment.**

**PE35. Updated Statement of Investment Principles**

The Committee and Board considered a report by the Director of Corporate and Housing Services on the updated Statement of Investment Principles.

The report detailed:-

- That the Local Government Pension Scheme (Management and Investment of Funds) (Scotland) Regulations 2010 required that

administering authorities maintain a Statement of Investment Principles (SIP);

- That the SIP was the formal document which set out the strategies, policies and principles that the authority intends to apply in managing the investments of the Pension Fund;
- The requirement to update the SIP whenever there are any material changes to the Fund's approach to investing; and
- The appendix to the report including the revised SIP for consideration incorporating the decisions taken by the Committee earlier this year following the work of the Investment Strategy Sub Group including:-
  - the inclusion of investment beliefs;
  - the updating of the strategic asset allocation;
  - the establishment of a longer term strategic asset allocation;
  - the making of an allocation to a factor based index strategy (i.e. smart beta);
  - the increasing in allocation to infrastructure, and
  - the decision against making any new allocations to private equity; and
- The consistency with regulatory requirements and in the interests of transparency and good governance.

### **Decision**

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

**The Committee agreed the updated version of the Fund's Statement of Investment Principles.**

Councillor Carleschi entered the meeting during consideration of the following business.

Councillor Dr C R Martin left and re-entered the meeting during consideration of the following business.

### **PE36. Environmental, Social and Governance (ESG) Policy Review**

The Committee and Board considered a report by the Director of Corporate and Housing Services providing an update on the Environmental, Social and Governance (ESG) Policy Review.

The areas covered within the report included the following:-

- The legal considerations surrounding Environmental, Social and Governance (ESG) policy;
- The Fund's existing ESG policy;
- The themes emerging from the Fund's recent ESG seminar on 24 October 2016 including climate change risks, sustainability, divestment versus engagement, stranded assets and carbon measurement;

- The LGPS rules requiring Funds to maintain a written Statement of Investment Principles (the “SIP”) specifying the extent to which social, environmental or ethical considerations were taken into account in selecting and retaining investments;
- The Fiduciary duty of Fund stakeholders (i.e. beneficiaries and employers) to act selflessly, responsibly and with prudence on behalf of stakeholder interests, putting aside their own personal views and interests;
- The Fund’s current approach to ESG within the Statement of Investment Principles including obligations as a responsible investor and its commitment to monitoring investee companies to ensure they meet standards of acceptable corporate practice;
- The policy and the Fund’s focus on corporate environmental policy, human rights and employment standards (including Executive pay);
- The consideration whether to retain the current focus or to give greater weight to other matters, such as the threats from climate change and the engagement arrangements; and
- The options for developing the Fund’s updated ESG policy.

### **Decision**

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

**The Committee agreed:-**

- (1) to review the Statement of Investment Principles in relation to ESG policy;**
- (2) to monitor the Fund’s carbon exposure regularly;**
- (3) that a policy of engagement was generally preferable to disinvestment;**
- (4) to improve dialogue with Managers around carbon risk management;**
- (5) to consider adopting either or both the UNPRI and the UK Stewardship Code;**
- (6) to consider receiving quarterly voting information and publicise this information on the Fund website;**
- (7) to consider making an allocation to a Fund which tracks a low carbon index or has sustainability and long term returns at its core; and**
- (8) that the Chief Finance Officer bring forward revised ESG proposals to the Committee and Board meeting in March 2017 with a view to the revised ESG Policy being incorporated within the Statement of Investment Principles.**

**PE37. 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.

**PE38. 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 September 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 September 2016.**

Depute Provost Patrick left the meeting during consideration of the following business and Councillor Coleman assumed the role of Convener.

Councillor Carleschi left the meeting during consideration of the following business.

**PE39. Fund Manager Presentation - Grosvenor Capital**

The Committee and Board received a presentation by Vikram Bhaskar and Roger Ammoun, Grosvenor Capital.

The presentation covered the undernoted issues:-

- The market dislocation and the impact of the UK Brexit decision;
- The impact of the US election result; and
- The impact on currency and the investment portfolio.

The Convener thanked Mr Bhaskar and Mr Ammoun for their comprehensive presentation.

**PE40. 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 September 2016, in accordance with their investment policies.**

**PE41. 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.**

**PE42. Commentary on 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);
- Legal and General Investment Management;
- 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 September 2016, in accordance with their investment policies.**

### **PE43. Investment and Governance Issues Update**

The Committee and Board considered a report by the Director of Corporate and Housing Services providing an update on investment and governance Issues.

The areas covered within the report included the following:-

- Infrastructure Investment;
- Allocation to Factor Based Equity Strategies in relation to 'smart beta';
- Active Equity; and
- The Falkirk and Lothian Pension Fund relationship;

## **Decision**

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

**The Committee agreed:-**

- (1) to approve an increase in the commitment to UK and European infrastructure via the existing collaboration with the Lothian Pension Fund from £60m to £100m (subject to discussion with the Lothian Pension Fund);**
- (2) that the Chief Finance Officer arrange a training event in early 2017 to cover potential investment activities and related ESG and other governance matters; and**
- (3) to approve, in principle, a governance proposal leading to closer collaboration between the Falkirk and Lothian Pension Funds and to bring forward a Memorandum of Understanding to the meeting in March 2017 for formal approval.**

## **FALKIRK COUNCIL**

**Minute of the meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 12 December 2016 at 9.30 a.m.**

**Members:**

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

**Officers:**

Rhona Geisler, Director of Development Services  
Gary Greenhorn, Head of Planning and Resources  
Gordon O'Connor, Internal Audit Manager  
Brian Pirie, Democratic Services Manager  
Stuart Richie, Director of Corporate and Housing Services  
Bryan Smail, Chief Finance Officer  
Amanda Templeman, Acting Depute Chief Finance Officer

**Also Attending:**

Stephen Reid, External Auditor, Ernst and Young

### **AC28. Apology**

An apology was intimated on behalf of Councillor Steven Carleschi.

### **AC29. Declarations of Interest**

No declarations were made.

### **AC30. Minute**

#### **Decision**

**The minute of the meeting of the Audit Committee held on 26 September 2016 was approved.**

### **AC31. 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 original plan, as agreed by the committee on 18 April 2016 (ref AC4), comprised of 21 assignments. A further 5 assignments had been

subsequently added to the work plan for 2016/17. Final reports had been issued in respect of 10 assignments.

The report also set out the Internal Audit team's performance, measured against 5 key performance indicators, together with the comparative performance figures for the previous year.

In regard to Internal Audit recommendations, 16 remained outstanding although since the report had been published, a further 2 had been actioned.

In response to a question on the outstanding recommendations, the Internal Audit Manager confirmed that the target was 90% of recommendations accepted. He explained the process by which the final recommendations are agreed, and described the dialogue with Services following an audit.

The committee considered the summary of key findings from assignments which had not previously been reported:-

- Redundancy and Severance – following a question on the findings, the Internal Audit Manager gave detail on the delays identified in amending/deleting posts.
- Building Security – the committee discussed the “no assurance” given to this review. The Internal Audit Manager explained the background to the audit, the actions taken by Services following the review, and the reasons why some of the recommendations had not been implemented immediately.

The Head of Planning and Resources, as an example, summarised the response by Children's Services.

- Refuse Collection – following questions on the audit and the service provisions, the Internal Audit Manager explained that the audit had been a high level review, and the Audit team would look at service issues within the context of future Internal Audit plans.
- Social Work Intermediary Accounts – members sought an update on the arrangements for auditing the Integration Joint Board. The Internal Audit Manager confirmed that the Chief Internal Auditor of Fife, Tayside, and Forth Valley NHS Internal audit consortium would undertake this role for 3 years, drawing on Internal Audit resource from his, and from Falkirk Council's Internal Audit team. The findings of audits of the Integration Joint Board would be reported to the Integration Joint Board and then to the Audit Committee.
- LEADER funding – in response to a question, the Director of Development Services confirmed that while funding was in place for the LEADER programme until 2020, the period leading up to this, and thereafter, could see significant disruption. She confirmed that a report on the impact of BREXIT was being prepared for members. In regard to

refuse collection targets, she confirmed that the targets set by the Scottish Government were more challenging than those set by the EU.

Members then questioned the Internal Audit Manager on the progress made in completing the audit programme. The Internal Audit Manager confirmed that he expected the target of 85% of the main audit programme completed would be met. He explained the process for programming the work plan and the background work which was carried out prior to an audit. In regard to those which had not yet started, he explained that it was likely that the audit of the Code of Corporate Governance would be deferred until after the Local Government Elections in May 2017. The External Auditor also confirmed that Corporate Governance would also be reviewed as part of the External Audit work plan. The Internal Audit Manager also confirmed that work had begun to scope the review of the procurement of Services from external providers of social work services.

The committee then considered those recommendations which remained outstanding. As context, the Internal Audit Manager explained that the 16, now 14, represented a very small proportion of the overall number of recommendations made and that, in all cases, work had been done to begin and address each recommendation.

### **Decision**

**The Committee noted progress being made with completing the 2016/17 Internal Audit Plan and with other workstreams.**

## **AC32. External Audit Framework**

The committee considered the External Audit Framework 2016-2021, which had been developed by the Council's new External Auditors, Ernst and Young.

The framework set out the External Auditor's approach to:-

- the public sector audit framework;
- the audit strategy and approach;
- the financial statements;
- the wider scope audit dimensions; and
- other audit responsibilities

The committee asked questions in regard to the framework. In particular in regard to the External Auditor's definition of pace of improvement. The External Auditor stated that this meant achieving value for money, that is improved outcomes within the financial landscape of reduced and reducing funding. He concurred that outcomes can be difficult to measure, however, consequential impacts and intended impacts could be measured. He stated that it was important for the public sector to understand the importance of measuring outcomes relative to resources.

Members discussed the need for Councils to operate efficiently and effectively and for effective governance to be in place.

The Director of Corporate and Housing Services confirmed that the Council's priorities were set out in the Corporate Plan. This was coming to the end of its lifespan and would be reviewed post May 2017. In response to a question in regard to the Business Transformation Board, the Director of Corporate and Housing Services stated that it was not a decision making body and that the reporting arrangements had been agreed by the Council.

In regard to a question in regard to the pace of change within the Council, the External Auditor stated that he did not have the data and as such, could not make an assessment. He was aware of coverage in the national press following publication of the Accounts Commission's findings in regard to the follow up Best Value review of Falkirk Council.

The convener noted that unlike Audit Scotland, Ernst and Young did not appear to have a permanent presence within Council, and sought clarification on how the External Auditor intended to take forward its work. The External Auditor stated that work was underway and that he had held meetings with key officers with a view to developing a work plan.

### **Decision**

**The committee noted the report.**

## FALKIRK COUNCIL

**Minute of special meeting of the EDUCATION EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 10 January 2017 at 9.30 a.m.**

**COUNCILLORS:**

David Alexander  
Tom Coleman  
Dennis Goldie  
Linda Gow  
Adrian Mahoney  
Craig Martin  
Dr Craig R Martin  
Robert Spears

**REPRESENTATIVES  
OF RELIGIOUS  
BODIES:**

Margaret Coutts  
Rev Michael Rollo

**CO-OPTES:**

Mike Ablett (Parent Representative)  
Jonathan Barclay (Pupil 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  
Karen Thomson, Childcare Provision Co-ordinator

**EE26. Apologies**

Apologies were intimated on behalf Councillor Nimmo and Fiona Craig.

**EE27. Declarations of Interest**

No declarations were made.

**EE28. Empowering teachers, parents and communities to Achieve Excellence and Equity in Education – A Governance Review**

The Education Executive considered a report by the Director of Children's Services presenting the proposed response to the Scottish Government's Consultation – Empowering teachers, parents and communities to Achieve Excellence and Equity in Education – A Governance Review.

The report set out the background to the consultation document which sought views on 17 questions relating to the governance of Scottish education.

The proposed response had been prepared following consideration of the Council's current governance arrangements and operational practices for the governance of its schools. It was agreed that the response would be adjusted in relation to questions 1 and 6, to reflect that the Education Executive included teacher representatives rather than trade union representatives, to clarify that not all members of the committee were decision makers and to refer to the involvement of parents and pupils in head teacher and depute head teacher appointments.

In the course of discussion on the membership of the Education Executive, it was noted that the legal obligation for the Council is to appoint three religious representatives to the Education Executive with full voting rights. However, the Council has extended the membership to include teacher, parent and pupil representatives, with no voting rights. It was further noted that it would be open to the Council to review the membership of the committee.

### **Decision**

**The Education Executive agreed the response to the Scottish Government Consultation - Empowering teachers, parents and communities to Achieve Excellence and Equity in Education – A Governance Review, for submission to the Scottish Government.**

#### **EE29. Response to Scottish Government Consultation – A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland**

The Education Executive considered a report by the Director of Children's Services presenting the proposed response to the Scottish Government's Consultation – The Expansion of Early Learning and Childcare in Scotland for immediate submission to the Scottish Government.

The report set out the background to the Scottish Government's high level visions for the expansion in Early Learning and Childcare in Scotland.

The consultation document sought stakeholders' opinions and views on the key policy choices for delivering the vision which aims to increase core entitlement from 600 hours to 1140 hours of early learning and childcare by 2020.

The proposed response, which was attached as an appendix to the report, had been prepared based on the Scottish Government's expansion plans for early learning and childcare and Falkirk's current early years delivery model.

**Decision**

**The Education Executive agreed the response to the Scottish Government Consultation – A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland, for immediate submission.**

## FALKIRK COUNCIL

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 10 January 2017 at 11.00 a.m.**

<b>Councillors:</b>	David Alexander	Adrian Mahoney
	Tom Coleman	Dr Craig R Martin
	Dennis Goldie	Craig Martin (Convener)
	Linda Gow	Robert Spears

**Officers:**

John Angell, Head of Planning and Transportation  
 Fiona Campbell, Head of Policy, Technology and Improvement  
 Julie Cole, Transport Planning Manager  
 Jack Frawley, Committee Services Officer  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Robert Naylor, Director of Children's Services  
 Mary Pitcaithly, Chief Executive  
 Pete Reid, Growth and Investment Manager  
 Stuart Ritchie, Director of Corporate and Housing Services  
 Bryan Smail, Chief Finance Officer

### **EX94. Apologies**

Apologies were intimated on behalf of Councillors Blackwood, G Goldie, Nicol and Nimmo.

### **EX95. Declarations of Interest**

No declarations were made.

### **EX96. Minute**

#### **Decision**

**The minute of the meeting of the Executive held on 29 November 2016 was approved.**

### **EX97. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 29 November 2016 was provided.

## Decision

**The Executive noted the rolling action log.**

### **EX98. Motion referred to the Executive under Standing Order 31**

The following motion was referred to the Executive from the special meeting of Falkirk Council on 19 December 2016.

Councillor Gow, seconded by Councillor D Goldie, moved that:-

- (1) officers be instructed to obtain estimated costs of relevant STAG / appraisal work that would be required to investigate transport issues in the Bonnybridge area and possible solutions, including a potential railway station in High Bonnybridge, and report back, and
- (2) the Leader of the Council write to the relevant Minister asking that if a STAG report was produced that was favourable to a station being reinstated in Bonnybridge if the Scottish Government would positively consider this.

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved, in substitution for the motion, to:-

- (1) record this committee's appreciation of the research on the Bonnybridge station project undertaken by the Bonnybridge Rail Group over the past year;
- (2) note the information and figures provided by Mr Angel to elected members between the 29th October and 14th December 2016 regarding his section's efforts at establishing indicative STAG costs.
- (3) re-affirm the leader of the council's statement at the 2016 February Special full Council, when voting with his colleagues against commissioning a STAG report, that "the administration was still committed to the reopening of a Bonnybridge station and continue to support investment to re-open", and
- (4) instruct officers to develop a STAG report on the Bonnybridge station project and on completion bring this to Executive for analysis.

Councillor Spears gave notice of a further amendment.

The Chief Governance Officer highlighted the terms of Standing Orders 30.2 and 30.3 which deal with the financial implications of motions and amendments.

The Executive adjourned at 11.35am and reconvened at 12.10pm with all members present as per the sederunt.

Following discussion, and having received advice from the Chief Finance Officer in accordance within Standing Order 30.3, Councillor Coleman, as the mover of the amendment, with the consent of Councillor Alexander as his seconder and Councillor C Martin, as Convener, altered the text of the amendment by replacing paragraph (4) as follows:-

- (4) instruct officers to develop a pre-appraisal and stage 1 STAG report on the Bonnybridge station project at a maximum cost of £42k (from reserves) and on completion bring this to Executive for analysis.

The Executive then debated the terms of the motion and adjusted amendment.

In terms of Standing Order 22.4 (i), the vote was taken by roll call, there being 8 members present with voting as undernoted:-

For the motion (5) – Councillors D Goldie, Gow, Mahoney, C Martin and Dr C R Martin.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

Councillor Spears then moved his further amendment which the convener ruled as not competent standing the terms of Standing Order 30.2.

### **Decision**

**The Executive agreed the motion.**

## **EX99. Community Empowerment (Scotland) Act 2015**

The Executive considered a report by the Chief Executive presenting information on some of the processes which have been developed to help the Council, and its partners where relevant, meet the new obligations brought into force by the Community Empowerment (Scotland) Act 2015.

The Act requires that each community planning partnership (CPP) sub-divides its area into localities. These must be either a council ward or have a population no greater than 30,000. After defining each locality the CPP must identify areas in which people experience significantly poorer outcomes resulting from socio-economic disadvantage, than people living in other localities in the council area or Scotland more generally. Where such a locality is identified, the CPP must prepare and publish a locality plan for that area.

In order to ensure compliance with the requirement to publish locality plans Community Action Plans (CAPs) would be developed. These CAPs will focus on specific areas where there are identified outcome deficits. CAPS will not be developed for every locality.

A summary of the process which would be followed when dealing with an asset transfer request was also set out in the report as was information about participatory budgeting.

## **Decision**

### **The Executive:**

- (1) approved the proposed Locality Planning Framework and the proposed split of the Council area into 3 localities based on multi member wards;**
- (2) asked that officers report back on the outcomes of the first Community Action Plan process in Bo'ness and the Participatory Budgeting exercise in due course;**
- (3) asked the Chief Executive in conjunction with relevant community planning partners to establish the necessary officer groups to facilitate the locality planning process outlined in the report; and**
- (4) approved the Asset Transfer Request Process set out in section 6 of the report.**

## **EX100. SEStran Consultation on Proposal to move to a Model 3 Regional Transport Partnership**

The Executive considered a report by the Director of Development Services setting out a response to a consultation by SEStran on moving from a Model 1 Regional Transport Partnership to a Model 3 Regional Transport Partnership.

SEStran is a Regional Transport Partnership (RTP), created in 2005 under the Transport (Scotland) Act 2005. It is made up of eight member Councils (Clackmannanshire, Falkirk, Fife, Edinburgh, East Lothian, Midlothian, West Lothian and Scottish Borders).

Currently SEStran is a Model 1 RTP. At present local authorities hold a wide range of transport powers and duties and transferring some of these to the regional level is an option which requires the RTP to move to a Model 2 or 3. Model 3, Passenger Transport Authority (PTA), is an enhanced method of partnership such as Strathclyde Partnership for Transport. Among other functions they procure local bus services.

Depending on the functions transferred to them from Councils (or operated concurrently) PTAs could:-

- plan and fund socially necessary bus routes;
- work in partnership with private operators to improve bus services through bus priority schemes or quality partnerships;

- plan and implement investment in local public transport networks including new bus, rail or active travel stations/hubs;
- provide comprehensive public transport information services or regional integrated ticketing schemes; and
- manage and maintain bus interchanges, bus stops and shelters.

For Falkirk Council this might mean that the bus services budget (currently £1.2m) would transfer to SEStran (probably via a levy) and that SEStran would control and tender the Falkirk area local bus services along with those of the other seven SEStran member Councils.

The report noted that in the absence of a convincing case for centralising the Council's current public transport functions, the principle of subsidiarity should apply and the functions should be retained by the Council.

### **Decision**

**The Executive agreed to inform SEStran that the case for a Model 3 Regional Transport Partnership had not been made and therefore Falkirk Council does not support the proposal.**

## **EX101. Tourism 2020 Update on Progress**

The Executive considered a report by the Director of Development Services providing an update on the Council's tourism activity since the launch of the Falkirk Area Tourism Strategy 2015-2020 and seeking agreement to participate in the formation of a VisitFalkirk partnership.

The Falkirk Area Tourism Strategy – *Tourism Falkirk 2020* sought to make Falkirk a destination of choice with high quality, value for money and world-class attractions offering memorable customer experience delivered by skilled and passionate people. There were three key targets:-

- increase visitor expenditure in the Falkirk area by over 20% over the next five years to 2020;
- increase overnight visitor accommodation (serviced bedrooms and self-catering units) in the Falkirk area by 20% over the next five years to 2020, and
- to develop a Falkirk Area Tourism Partnership to take ownership of, to review and to implement the strategy.

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

The Executive:

- (1) notes the contents of the report in relation to tourism growth in the Falkirk area, as presented in the 2015 STEAM report;

- (2) notes that an application had been submitted to the Visit Scotland Growth Fund, seeking support for marketing activity, and
- (3) agrees in principle to the formation of a new Visit Falkirk organisation to take forward marketing activities jointly with key partners, with a further report to be supplied on the details of this proposal.

Councillor Alexander asked the mover of the motion to expand it by agreeing to investigate the feasibility of providing enhanced access to tourist information in Falkirk town centre.

Following discussion, Councillor Mahoney, as mover of the motion with the consent of Councillor C Martin, as his seconder and Convener, altered the text of the motion accordingly.

### **Decision**

#### **The Executive:**

- (1) noted the contents of the report in relation to tourism growth in the Falkirk area, as presented in the 2015 STEAM report;**
- (2) noted that an application had been submitted to the Visit Scotland Growth Fund, seeking support for marketing activity.**
- (3) agreed in principle to the formation of a new Visit Falkirk organisation to take forward marketing activities jointly with key partners, with a further report to be supplied on the details of this proposal, and**
- (4) agreed to investigate the feasibility of providing enhanced access to tourist information in Falkirk town centre.**

### **EX102. Accounts Commission “Local Government in Scotland – Financial Overview 2015/16”**

The Executive considered a report by the Director of Corporate and Housing Services presenting the key messages from the Accounts Commission’s report “Local Government in Scotland – Financial Overview 2015/16”.

The Accounts Commission’s report looked at the overall financial position of Scottish local authorities and collated the data to provide a national picture. Spending on providing services remained lower than in 2011/12, but showed an increase in social care due to the rising demand from an aging population. Many councils overspend in this area. Falkirk Council was specifically mentioned alongside Clackmannanshire and Dundee councils for reporting overspends relating to fostering services and residential school placements.

Councils are raising an increasing proportion of their income through fees and charges and this represented the largest growth area in council income. The most significant increase was in social work and social care services. The report noted that councils must be clear about the impact of their charging policies. Falkirk Council would address this through the Equality & Poverty Impact Assessment process.

## **Decision**

**The Executive noted the key messages from the Accounts Commission report entitled “Local Government in Scotland – Financial Overview 2015/16”.**

### **EX103. Projected Financial Position 2016/17**

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the financial position of the Council for 2016/17 including the position with Reserves.

Net expenditure at year end was forecast to be £328.8m which is £2.025m (0.6%) below available resources. This represented a movement of £0.112m (0.03%) from the position reported in August and was mainly due to favourable movements in Children’s Services and Corporate & Housing Services.

The report set out the reasons for significant overall deviations from budget in the following areas:-

- Children’s Services – under budget by £0.194m;
- Social Work Adult Services – under budget by £0.258m;
- Development Services – over budget by £0.191m;
- Corporate & Housing Services – under budget by £1.317m.

From 1 April 2016 the Integration Joint Board (IJB) assumed responsibility for the delivery of adult health and social care services. The IJB was responsible for managing its expenditure and the projected overspend had reduced to £0.789m. £0.896m from the Integration Fund had been set aside to cover any projected overspends.

The Housing Revenue Account was projected to breakeven in 2016/17 with no planned application of reserves. At 1 April 2016 the reserves stood at £50.93m which is in line with the Scottish average of c10% of annual expenditure.

It was projected that there would be a general fund reserve balance of £9.080m at March 2017. On 19 December 2016 Council had taken two decisions with implications for the general fund reserve. Firstly relating to equal pay settlements and secondly relating to the new Council HQ which may require fees paid to date to be treated as revenue and thus met from the general fund reserve.

### **Decision**

**The Executive noted:**

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

### **EX104. 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.

### **EX105. Sale of 6.1 Acres at South Bridge Street, Grangemouth**

The Executive considered a report by the Director of Development Services seeking approval for the disposal of a site at South Bridge Street, Grangemouth.

The site forms part of the disposal phase of the Council's Portfolio Management Plan. The proceeds of sale are re-invested in the Council's business property portfolio in order to supply quality, modern, fit for purpose business space that will help fulfil its economic development objectives. The site is currently zoned for business use and is identified as a development site in the Falkirk Tax Increment Finance initiative.

### **Decision**

**The Executive agreed to the disposal of the site at South Bridge Street, Grangemouth to John Mitchell (Grangemouth) Ltd or such nominee company at a price of £760,000 subject to any adjustments for abnormal costs.**

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 11 January 2017 at 9.30 a.m.**

**Councillors:** Paul Garner  
Gordon Hughes  
Baillie Joan Paterson  
Depute Provost John Patrick  
Provost Pat Reid (Convener)  
Sandy Turner

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

**CL97. Apologies**

Apologies for absence were intimated on behalf of Baillie Buchanan and Councillor Ritchie.

**CL98. Declarations of Interest**

No declarations were intimated.

**CL99. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 30 November 2016 was approved.**

**CL100. List of Applications Granted under Delegated Powers in November 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 November 2016 in terms of the Civic Government (Scotland) Act 1982, and  
(b) notifications of pending public processions.

**Decision**

**The committee noted the report.**

**CL101. Civic Licensing Enforcement – November 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 November 2016.

**Decision**

**The committee noted the report.**

**CL102. Knowledge Test Failure**

The committee considered a report by the Chief Governance Officer detailing (a) the background to the applicant's application and his knowledge test results, and (b) the options available to members.

**Decision**

**The committee agreed to refuse the taxi driver licences in terms of the Civic Government (Scotland) Act 1982, s.13(5) on the grounds that the applicant, Mr C Little, having failed to pass the knowledge test, has failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates and the layout of the roads in the area.**

**CL103. 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.

**CL104. Application for the Grant of a New Taxi Operator Licence**

Mr S, an employee of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new taxi operator licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received; (c) detailing the applicants' record, and (d) referring to a letter of objection to the application.

The objector was not in attendance.

Having heard from the Convener, the letter of objection was circulated to members.

Mr S was heard in response to the issues raised in the objection and in clarification of questions raised by members.

Mr S then spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

**The committee agreed to grant the new taxi operator licence for a period of one year, subject to the standard conditions.**

Councillor Garner joined the meeting after consideration of previous item.

#### **CL105. Application for Notice of Exemption from Carrying a Guide Dog, a Hearing Dog or an Assistance Dog**

The applicant, Mr R and Mr J, a representative of Central Scotland Equality Council, both entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received from the licence holder requesting a notice of exemption from the requirement to carry guide dogs, hearing dogs or assistance dogs in his taxi.

The report set out the background to the application and the implications of the Taxi Drivers' Licences (Carrying a Guide Dogs and Hearing Dogs) (Scotland) Regulations 2003, and attaching as appendices, a letter and an email from the applicant's GP, outlining his medical condition.

Mr R spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

**The committee agreed:-**

- (1) to grant a notice of exemption from the requirement to carry a guide dog, a hearing dog or an assistance dog, which notice will extend for the period of the licence until the licence expires, and**
- (2) that officers contact the applicant's GP to clarify the extent of his phobia.**

**CL106. Application for the Variation of a Private Hire Car Operator Licence**

The applicant, Mr A, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the variation of a private hire car operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) attaching as an appendix, a written request by the applicant to vary the licence conditions No 8 and No 14 to allow the signs to be of a magnetic type that are removable, and the reasons why he wishes to use removable signs.

Mr A spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to the variation of conditions 8 and 14 to allow the signs referred to, to be magnetic signs of similar size and design supplied by the Licensing authority and paid for by the applicant. The applicant will be excused the duty to display the signs when the vehicle is not undertaking private hire car activities but the signs must be kept within the vehicle at all times.**

**CL107. Application for the Variation of a Private Hire Car Operator Licence**

The applicant, Mr K, was not in attendance.

The committee considered a report by the Chief Governance Officer on an application for the variation of a private hire car operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) attaching as an appendix, a written request by the applicant to vary the licence conditions No 8 and No 14 to allow the signs to be of a magnetic type that are removable, and the reasons why he wishes to use removable signs.

**Decision**

**The committee agreed to the variation of conditions 8 and 14 to allow the signs referred to, to be magnetic signs of similar size and design supplied by the Licensing authority and paid for by the applicant. The applicant will be excused the duty to display the signs when the vehicle is not undertaking private hire car activities but the signs must be kept within the vehicle at all times.**

**CL108. Application for the Variation of a Private Hire Car Operator Licence**

The applicant, Mr R, was not in attendance.

The committee considered a report by the Chief Governance Officer on an application for the variation of a private hire car operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) attaching as an appendix, a written request by the applicant to vary the licence conditions No 8 and No 14 to allow the signs to be of a magnetic type that are removable, and the reasons why he wishes to use removable signs.

### **Decision**

**The committee agreed to the variation of conditions 8 and 14 to allow the signs referred to, to be magnetic signs of similar size and design supplied by the Licensing authority and paid for by the applicant. The applicant will be excused the duty to display the signs when the vehicle is not undertaking private hire car activities but the signs must be kept within the vehicle at all times.**

Baillie Paterson joined the meeting after consideration of the previous item.

### **CL109. Urgent Item – Suspension Hearing**

Provost Reid advised that, in terms of Standing Order 9.1, he had **AGREED** to accept an urgent item, namely “Suspension Hearing in relation to Private Hire Car Driver Licence No.487”. This item had been accepted to allow committee to consider the options available within the prescribed time period.

The committee considered a report by the Chief Governance Officer summarising the background to the immediate suspension on 22 December 2016 of the holder of private hire car driver licence No.487.

The licence holder had been cited to attend but was not in attendance.

Sergeant M White, Police Scotland and the manager of the local MPs constituency office entered the meeting and were advised that the licence holder was not in attendance.

### **Decision**

**The committee agreed to continue the matter to a special meeting of the Civic Licensing Committee to allow the licence holder to be in attendance.**

**FALKIRK COUNCIL**

**Minute of meeting of the SCRUTINY COMMITTEE (EXTERNAL) held in the Municipal Buildings, Falkirk on Thursday 12 January 2017 at 9.30 a.m.**

**COUNCILLORS:**

David Balfour  
Gordon Hughes  
Steven Jackson  
Charles MacDonald  
Brian McCabe  
John McLuckie  
Rosie Murray

**OFFICERS:**

Fiona Campbell, Head of Policy, Technology and Improvement  
Jack Frawley, Committee Services Officer  
Iain Henderson, Legal Services Manager  
Philip Morgan-Klein, Service Manager  
Joe McElholm, Head of Social Work Adult Services

**ALSO ATTENDING:**

Constable Mervyn Almedia, Police Scotland  
Chief Inspector Damian Armstrong, Police Scotland  
Patricia Cassidy, Chief Officer, Falkirk Integration Joint Board  
Chief Superintendent Steven McAllister, Police Scotland

**SE24. Apologies**

An apology was intimated on behalf of Depute Provost Patrick.

**SE25. Declarations of Interest**

There were no declarations of interest.

**SE26. Minute****Decision**

**The minute of meeting of the Scrutiny Committee (External) held on 1 December 2016 was approved.**

## **SE27. Performance Overview of Delivery of Services by the Health and Social Care Partnership**

The committee considered a report by the Chief Officer, Falkirk Integration Joint Board which provided performance information in respect of services delivered by the Falkirk Health and Social Care Partnership. Patricia Cassidy provided an overview of the report.

The committee asked about the impact of the closure of care home facilities. Joe McElholm highlighted that in relation to Oakbank and Summerford there had been a move from the traditional model to intermediate care. This model supported people back into communities where possible. In the traditional mode there was relatively little turnover and the average length of stay was long. This had an impact on delayed discharge levels as fewer vacancies were created. Patricia Cassidy advised that the Integration Joint Board (IJB) had agreed to change the beds at Summerford into intermediate care beds. This allowed 'step up/step down' provision which sought to minimise hospital admissions. Work was ongoing to embed the reablement approach in services.

Members asked if any people in the intermediate care facility were then assessed as requiring nursing home provision. Joe McElholm stated that some people did move from intermediate placements to nursing home placements. He highlighted that this was a better model of assessment than one where people were assessed in hospital as the environment was unlike that of a home. It was desired that resources should be targeted to those who were most likely to benefit from intermediate placements. Patricia Cassidy emphasised that a cultural shift was required from acute to community based provision.

The committee asked how many people had been part of the discharge to assess pilot. Patricia Cassidy stated that 51 people had received the service. There had been improvements in minimising admissions and getting care packages in place quickly.

Members discussed that in terms of the information provided in the report they committee needed to be provided with benchmark information and the performance of other authorities in order to make comparisons.

The committee asked about what was being done to support the implementation of Self Directed Support (SDS). Joe McElholm stated that there was a team who promoted SDS and that it was desired that this approach should be embedded within the whole workforce. Service users and carers were supported to understand the potential of SDS.

Members asked why the performance on hospital readmissions was significantly below target. Patricia Cassidy stated that there were a number of actions in place to address this performance including: the discharge to assess pilot; Advice Line for You pilot in Bo'ness; Closer to Home team, and the GP fellows project.

The committee asked about delayed discharge and sought clarity on the position relating to Code 9s. Joe McElholm stated that there was a national focus on delayed discharge. A code 9 was a situation with a mental health component where there was no guardianship in place. This started a process of establishing legal powers. This process could be lengthy.

## **Decision**

### **The committee noted:-**

- (1) The overview performance information in respect of service delivery by the Health and Social Care Partnership as appended to the report, and**
- (2) The national and local development to finalise a set of performance and outcomes measures for Health and Social Care Integration as detailed in section 4 of the report.**

Councillors Hughes and McLuckie entered the meeting during consideration of the previous item of business.

## **SE28. Police Scotland – Falkirk Area Performance**

The committee considered a report by the Director of Corporate and Housing Services which provided, as an appendix to the report, a briefing from the Chief Superintendent. Fiona Campbell provided an overview of the report. The committee then heard from Steven McAllister who provided an overview of his submission.

The committee discussed the situation regarding the Bandeath dog shelter. Steven McAllister advised that Police Scotland was no longer part of the general partnership. A new local service provider had been operating since 1 January 2017 and a press release would be released shortly with information already available online. He stated that a first class service was being provided at a lower cost.

Members sought an update on the situation regarding parking enforcement. Damian Armstrong stated that Police Scotland's position had not changed and that parking had not been decriminalised in Falkirk. Responsibility therefore sat with Police Scotland but there was no traffic warden provision. However, dangerous parking and misuse of disabled bays were a priority for the service.

The committee noted and welcomed the increased levels of Police Officer attendance at Community Councils.

Members asked if Police Scotland had involvement in road safety, particularly in relation to road planning and design. Damian Armstrong stated

that the service engaged with the roads department in relation to speeding or parking. The Road Policing Department, a national team, with expertise in roads also worked closely with the Council. The Road Safety and Road Crime Group discussed crime and harm reduction including the targeting of travelling criminals.

### **Decision**

**The committee approved the report and acknowledged progress by Police Scotland in meeting their priorities.**

**Minute of special meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 24 January 2017 at 9.30 a.m.**

**Councillors:** Paul Garner  
Gordon Hughes  
Baillie Joan Paterson  
Depute Provost John Patrick  
Sandy Turner

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Glackin, Chief Governance Officer  
Frances Kobiela, Senior Solicitor

**CL110. Apologies**

Apologies for absence were intimated on behalf of Provost Reid; Councillors Blackwood and Ritchie.

**CL111. Declarations of Interest**

No declarations were intimated.

**CL112. 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.

**CL113. Suspension Hearing**

The committee considered a report by the Chief Governance Officer summarising the background to the immediate suspension on 22 December 2016 of the holder of private hire car driver licence No.487.

The licence holder had been cited to attend but was not in attendance.

Sergeant M White, Police Scotland and the Office Manager of the local MP's constituency office entered the meeting.

The Licensing Co-ordinator gave an update on the reason why the licence holder was not in attendance.

A statement of events which had been submitted by the Office Manager for the local MP's constituency office was circulated to members for their information.

### **Decision**

**The committee agreed to:-**

- (1) suspend the private hire car driver licence for the unexpired portion of the duration of the licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(2)(a) and (c) on the grounds respectively that the applicant is not a fit and proper person to be the holder of the licence and that carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or safety; and**
- (2) that having regard to the circumstances of the case, the suspension would take immediate effect, in accordance with paragraph 11(10) of the schedule of the said Act.**

## **FALKIRK COUNCIL**

**Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 25 January 2017 at 9.30 a.m.**

**COUNCILLORS:** Baillie William Buchanan (Convener)  
Jim Blackwood  
Steven Carleschi  
Paul Garner  
Adrian Mahoney  
Craig Martin  
John McLuckie  
Malcolm Nicol  
Baillie Joan Paterson  
Sandy Turner

**OFFICERS:** John Angell, Head of Planning and Transportation  
Kevin Collins, Transport Planning Co-ordinator  
Ian Dryden, Development Manager  
Rose Mary Glackin, Chief Governance Officer  
Iain Henderson, Legal Services Manager  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Bent Vivian, Senior Planning Officer

### **P108. Apologies**

Apologies were intimated on behalf of Councillors Chalmers and Oliver.

### **P109. Declarations of Interest**

No declarations were made.

### **P110. Minutes**

#### **Decision**

- (a) The minute of meeting of the Planning Committee held on 23 November 2016 was approved;
- (b) The minute of meeting of the Planning On-Site Committee held on 5 December 2016 was approved; and
- (c) Minute of Special Meeting of the Planning Committee held on 5 December 2016 was approved.

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

**P111. Distributor Road and Associated Earth Works on Land to the North of Shamistle, Maddiston, Falkirk for Manor Forrest Ltd and Land Options West Ltd - P/14/0483/PPP**

With reference to Minutes of Meetings of the Planning Committee held on 27 May, 25 June and 28 October 2015 and 24 February 2016 (Paragraphs P23, P35, P80 and P136 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 planning permission in principle for the construction of a distribution road and associated earth works measuring 7.3 metres in width with 2 x 2 metre wide verges and a 3 metre wide footway/cycleway linking to the recently constructed roundabout at the Parkhall housing development at Maddiston to an approved roundabout on the A801 on land to the north of Shamistle, Maddiston, Falkirk. The consideration of the application had been continued on 24 February 2016 to await the decision of the Executive in relation to the Development Framework for the Maddiston East Strategic Growth Area.

**Decision**

**The Committee agreed to continue consideration of the application to allow officers (1) to request and to obtain from the applicant further Transport Assessment information; and (2) to have further discussion with the applicant on the impact of the proposed development on trees, the setting of the listed building and the walled garden.**

**P112. Discharge of Section 50 Agreement Under the Town and Country Planning (Scotland) Act 1972 on Planning Permission F/94/0206, Which Restricted Occupation of the Dwellinghouse Approved Under that Permission to a Person or Persons (Together with Dependant or Dependents, if any, of That Person or Persons) Employed in a Full Time Basis in Agriculture at Standalane Farm, Lochgreen Road, Falkirk at Standalane Farm, 22 Lochgreen Road, Falkirk FK1 5PP for Mr Douglas Hill - P/16/0650/75D**

The Committee considered a report by the Director of Development Services seeking approval of the discharge of a Legal Agreement made under the terms of Section 50 of the Town and Country Planning (Scotland) Act 1972, restricting the occupation of the dwellinghouse to a person or persons (together with dependant or dependants, if any, of that person or persons) employed on a full time basis in agriculture at Standalane Farm, Lochgreen Road, Falkirk.

## **Decision**

**The Committee agreed to the discharge of the Legal Agreement.**

**P113. Residential Development to Build 10 Flats, 38 Dwellinghouses and Associated Parking Areas and Infrastructure on Land to the West of 21 Old Mill Way, Kirkland Drive, Stoneywood for MacTaggart and Mickel - P/16/0429/FUL**

The Committee considered a report by the Director of Development Services seeking the amendment of the scheme approved under planning permission P/08/0296/FUL by substituting 37 flats and 18 dwellinghouses with 10 flats and 38 dwellinghouses within a portion of the overall site on land to the west of 21 Old Mill Way, Kirkland Drive, Stoneywood.

## **Decision**

**The Committee agreed that it was minded to grant planning permission subject to (1) the agreement to the modification of the Section 75 Planning Obligation sought under planning application P/16/0653/75M; and (2) the satisfactory conclusion of the Section 75A matters (P/16/0653/75M) and registration of the Decision Notice in the Land Register.**

**Thereafter, on the conclusion of the foregoing matters, to remit to the Director of Development Services, to grant planning permission subject to the following conditions:-**

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) Before the development commences, details of the phasing of the proposed development and the location(s) of the works compound and construction vehicle parking areas shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be completed in accordance with the approved details.**
- (3) Before the development commences, full details of the colour and specification of all proposed external finishes shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be completed in accordance with the approved details.**
- (4) Before the development commences, full details of a scheme of hard and soft landscaping shall be submitted to and approved in**

**writing by the Planning Authority. Details of the scheme shall include (as appropriate):-**

- (i) existing and proposed finished ground levels in relation to a fixed datum, preferably ordnance;
  - (ii) the location of all new trees, shrubs, hedges and grassed areas;
  - (iii) a schedule of plants to comprise species, plant sizes and proposed numbers/density;
  - (iv) the location, height, colour and specification of all proposed walls, fences, gates and any other means of enclosure;
  - (v) the location, colour and specification of all proposed hard surface materials;
  - (vi) existing and proposed services such as cables, pipelines, substations, etc; and
  - (vii) other artefacts and structures such as seating, litter bins, dog bins, external lighting, bollards, trail and interpretive signage and viewing galleries. Thereafter, the development shall be completed in accordance with the approved details.
- (5) Notwithstanding the approved plans, before the development commences, a scheme for the provision of active recreational facilities shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-**
- (i) the location of a toddler/junior play area and the type and location of all associated play equipment, seating, fences, walls and litter bins;
  - (ii) the surface treatment of play areas; and
  - (iii) the location and specification of all proposed cycleways and footways within the application site and proposed connections to the wider network. Gradient, cross-section and signage details shall be submitted as appropriate.
- (6) Before the development commences, a final statement and plan confirming any existing trees proposed to be removed shall be submitted to and approved by the Planning Authority. No existing trees shall be removed until the final statement and plan have been approved in writing. The existing trees proposed for removal shall be marked, and the Planning Authority shall be notified when the trees are marked, in order to provide the opportunity for an inspection of the marked trees.**
- (7) Before the development commences, a Tree Protection Plan shall be submitted to and approved in writing by the Planning Authority (as appropriate). The plan shall include details of the exact location and specification of the temporary fencing to protect the areas of retained habitat. The protective fencing shall be put in place before the development commences and shall remain in**

place until all construction works are complete. The Planning Authority shall be notified in order to provide an opportunity for inspection of the protective fencing once it is in place.

- (8) During construction, no excavation, level changes, material storage, fires or vehicle movement shall take place within the fenced off areas indicated in the approved Tree Protection Plan.
- (9) Before the development commences, the exact details of the proposed measures, either as detailed in Tables 1A and 1B of the Ecological Impact Assessment prepared by Heritage Environmental Limited, dated July 2011(submitted with P/08/0296/FUL) or as otherwise detailed in any agreed update of these Tables, shall be submitted to and approved in writing by this Planning Authority, in consultation with SEPA and SNH (as appropriate). Thereafter, the development shall proceed in accordance with the approved details.
- (10) Before the development commences, any necessary Species Protection Plan for otter shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall proceed in accordance with the approved details, under the supervision of a suitably experienced ecologist acting as Ecological Clerk of Works.
- (11) Before the development commences, an Environmental Management Plan shall be submitted to and approved in writing by the Planning Authority. The plan shall include woodland management measures and management prescriptions for the SUDS pond and habitat, and consider the opportunities for access and recreation within the various habitat areas. Thereafter, the development shall proceed in accordance with the approved details.
- (12) In respect of otter:-
  - (i) No vehicular access, works or pedestrian access shall occur within 30 metres of the otter resting places identified in the otter survey(s). This exclusion zone shall be marked on the site with temporary posts and high visibility tape or similar before the development commences (to be removed at the end of the contract). The positioning and erection of fences demarcating the boundaries of exclusion zones shall be supervised, and subsequently monitored, by a suitably experienced ecologist acting as Ecological Clerk of Works.
  - (ii) The existing scrub/trees screening the otter resting places from the area where works are proposed shall be retained.
  - (iii) All personnel, including contractors and sub-contractors, shall be made aware of the presence of otters and their holts,

**their protected status and the conditions of any granted licence.**

- (13) Should the development not commence within twelve months of the last survey of the site for otter, bats and badgers, a further walk-over survey of the site shall be conducted and the results of the survey submitted for the written approval of the Planning Authority.**
- (14) Tree, scrub and hedgerow removal shall only occur between the months of September to March (inclusive) in order to avoid the destruction of birds nesting during the breeding season.**
- (15) Before the development commences, a contaminated land assessment shall be submitted to and approved in writing by the Planning Authority. Before the development is brought into use, any necessary remedial works to make the ground safe shall be carried out in accordance with an approved remediation strategy, and any necessary remediation completion reports/validation certificates shall be submitted to and approved in writing by the Planning Authority.**
- (16) Waste management facilities for the proposed development shall be provided in accordance with the Council's Refuse and Recycling Collection Requirements for Housing and Commercial Developments.**
- (17) Unless otherwise agreed in writing by the Planning Authority, all new road and footway design and construction shall be carried out in accordance with the National Roads Development Guide.**
- (18) All individual driveways shall be constructed to meet the public road at right angles, with a maximum gradient of 1:10, and in a manner to ensure that no surface water or loose material is discharged onto the public road.**
- (19) The proposed development shall be carried out in accordance with the recommendations detailed on page 43 of the Flood Risk and Drainage Impact Assessment, Revision H, prepared by Waterman Civils Limited, dated September 2011 (submitted with P/08/0296/FUL)**
- (20) Before the development commences, details of the provision of an improved trash screen for the Sandyford Burn under the B818 and arrangements for the maintenance of the proposed and existing culverts and outfalls that cross/adjoin the application site shall be submitted to and approved in writing by the Planning Authority. Thereafter, the approved trash screen shall be installed in accordance with an agreed timescale and maintenance of the**

**culverts shall be carried out in accordance with the approved details.**

- (21) One cycle store per flat shall be provided before each flat is occupied, in accordance with details to be submitted to and approved in writing by the Planning Authority before the development commences.**
- (22) Before the first unit is occupied, a Residential Travel Plan, including a Travel Pack shall be submitted to and approved in writing by the Planning Authority and distributed to households prior to occupation.**
- (23) Before the development commences, details of the party (parties) to implement the Environmental Management Plan, and the timescale thereof, and details of the on-going future management and maintenance of the hard and soft landscaping areas, and the active recreational facilities, shall be submitted to and approved in writing by the Planning Authority. Documentary evidence shall be submitted to demonstrate the long-term securing of the management and maintenance of these areas and infrastructure.**
- (24) Before the 23rd residential unit within the application site is occupied, the toddler/junior play area shall be fully completed in accordance with the approved details.**
- (25) Before the 43rd residential unit within the application site is occupied, the alterations to the listed building (Carrongrove House) shall be fully completed in accordance with the details to be approved by means of a separate planning permission/listed building consent.**

**Reason(s):-**

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.**
- (2) To enable the Planning Authority to consider these aspects in more detail.**
- (3,4, 6) To safeguard the visual amenity of the area.**
- (5) To ensure the provision of adequate and appropriate recreational facilities.**
- (7- 9) To safeguard the visual and environmental amenity of the area.**

- (10-14) To safeguard the environmental amenity of the area and ecological and biodiversity interests.
- (15) To ensure the ground is suitable for the proposed development.
- (16) To ensure the provision of appropriate waste management facilities.
- (17, 18) To safeguard the interests of the users of the highway.
- (19, 20) To safeguard the site against the risk of flooding.
- (21, 22) To ensure the provision of facilities and measures to support sustainable modes of transport.
- (23) To secure the on-going maintenance of the common areas and facilities.
- (24, 25) To secure the timeous provision of facilities and infrastructure which are a requirement of the proposed development.

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02A, 03D, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15B, 16B, 17B, 18B, 19B, 20B, 21C, 22C, 23A, 24, 25 and 27.
- (2) All proposed adoptable roads, cycleways and footpaths will require Road Construction Consent, issued by Falkirk Council Development Services.
- (3) Bollards and lighting within roads and footpaths to be adopted as public will require to satisfy the relevant Council Standards. The Council specification for bollards is Marshalls Steel Rhino Bollard RB119.
- (4) Retaining structures should be outwith a 1 in 2 slope zone of a footpath or carriageway to be adopted as public. Design calculations and drawings for any structure within this zone will require to be submitted to Falkirk Council as part of the Road Construction Consent process.
- (5) The discharge of surface water to the water environment should be in accordance with the principles of SUDS (Sustainable

**Drainage Systems) Manual (C753) published by CIRIA. Surface water drainage from the construction phase should also be dealt with by SUDS. Such drainage should be in accordance with C648 and C649, both published by CIRIA. It should be noted that oil interceptors are not considered SUDS in their own right but are beneficial as part of the treatment train.**

- (6) Any proposals for modifications to the bank of the Carron River and other works within the vicinity of the river will require SEPA authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended) (CAR).**
- (7) Scottish Natural Heritage should be contacted to ensure that valid licenses are in place for the carrying out of works that will affect European protected species or their shelter/breeding places**
- (8) Due to proximity to the River Carron, which hosts species that respond to changing light levels, including salmon fish and otters, careful consideration should be given to the design of street lighting to minimise impact on the river. Scottish Natural Heritage recommends that proposals for lighting are reviewed in accordance with the Scottish Governments Guidance Note on Controlling Light Pollution and Reducing Light Energy Consumption.**
- (9) 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.**

**P114. Modification of Planning Obligation Under Section 75 of the Town and Country Planning (Scotland) Act 1997 Registered Over Land Registered in the Land Register of Scotland Under Title Number STG58305 Attached to Planning Permission P/08/0296/FUL to Accommodate Development under Planning Application Reference P/16/0429/FUL on Land to the West of 21 Old Mill Way, Kirkland Drive, Stoneywood for MacTaggart and Mickel Homes Ltd - P/16/0653/75M**

The Committee considered a report by the Director of Development Services seeking the modification of Section 75 of the Planning Obligation attached to planning permission P/08/0296/FUL so as to accommodate development applied for under planning application P/16/0429/FUL on land to the west of 21 Old Mill Way, Kirkland Drive, Stoneywood.

### **Decision**

**The Committee agreed to modify the Planning Obligation.**

**P115. Development of Land for up to 550 Houses, a Commercial Block including a Convenience store and Nursery and Associated Infrastructure including Access Junction Works, New Roads and Paths, Open Space, Woodland Planting, Surface Water Drainage Ponds and Play Facilities on Land to the North of Watson Place, Glasgow Road, Longcroft for MacTaggart and Mickel - P/09/0508/OUT**

With reference to Minutes of Meetings of the Planning Committee held on 23 March 2011, 25 February and 28 October 2015 and 24 February and 21 June 2016 (Paragraphs P215, P122, P78, P139 and P26 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 planning permission in principle (formerly outline planning permission) for the development of land for up to 550 dwellinghouses and a commercial block and associated infrastructure including an access junction works, new roads and paths, open space, woodland planting, surface water drainage ponds and play facilities on a site to the north of Watson Place, Glasgow Road, Longcroft.

Councillor Turner, seconded by Councillor Blackwood, moved that Committee agree to continue consideration of the application and if the Section 75 Planning Obligation has not been satisfactorily concluded and planning permission in principle granted (with the updated planning conditions detailed in the recommendation to the report dated 28 October 2015) by 30 April 2017, the Director of Development Services shall be authorised to refuse the application on the ground that the Section 75 Planning Obligation had not been satisfactorily concluded within a reasonable timescale in accordance with the recommendations within the report.

In accordance with Standing Order 20.9, and with the unanimous consent of the meeting, Councillor Turner and his seconder withdrew the motion to allow further consideration of the matter.

## **Decision**

### **The Committee:-**

- (1) noted the report; and**
- (2) agreed to continue consideration of the application and if the Section 75 Planning Obligation has not been satisfactorily concluded and planning permission in principle granted (with the updated planning conditions detailed in the recommendation to the report dated 28 October 2015) by 31 May 2017, the matter be brought back to the next scheduled meeting of the Committee for a decision to be taken by members which decision may potentially be refusal of the application.**

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

Councillors Nicol and Mahoney left the meeting during consideration of the following item of business.

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

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

**P116. Erection of Six Dwellinghouses on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0660/MSC**

The Committee considered a report by the Director of Development Services seeking approval of the matters specified in the conditions attached to planning permission in principle P/12/0124/PPP for the erection of six dwellinghouses on land to the south of the Stables, Braeface Road, Banknock.

**Decision**

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

**P117. Removal of Planning Conditions 9 and 11 and Variation of Planning Condition 12 to Remove the Wording 'and so that no surface water is discharged or loose material carried out onto the public road' (planning conditions 9, 11 and 12 Attached to Planning Permission in Principle Reference P/12/0124/PPP) on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0671/VRC**

The Committee considered a report by the Director of Development Services seeking removal of conditions 9 and 11 and a variation to condition 12 attached to planning permission in principle P/12/0124/PPP for the development of land for residential purposes on land to the south of the Stables, Braeface Road, Banknock.

**Decision**

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

**P118. Modification of Planning Obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 Attached to Planning Permission P/12/0124/PPP, adding the following wording to Clause 1.6 of the said Obligation “Without prejudice to the foregoing generality, the phrase “or the like” includes any planning application under section 42 of the Town and Country Planning (Scotland) Act 1997 to develop without compliance with conditions previously attached” on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0778/75M**

The Committee considered a report by the Director of Development Services seeking the modification of the Planning Obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to planning permission in principle P/12/0124/PPP for the development of land for residential purposes on land to the south of the Stables, Braeface Road, Banknock.

**Decision**

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

Councillor Mahoney re-entered the meeting following consideration of the foregoing item of business.

Councillor Garner left and re-entered the meeting during consideration of the following item of business.

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

**P119. Changes to the Accessible Entrance Route, Level of Garden Below Raised Platform and Boundary Fences (Retrospective) at 6 and 8 Apple Blossom Grove, Maddiston, Falkirk FK2 0BH for Taylor Homes (Scotland) Ltd - P/16/0639/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission (in retrospect) for the construction of a raised decking area and timber fencing to the rear of two recently constructed detached dwellinghouses within an established residential area at 6 and 8 Apple Blossom Grove, Maddiston, Falkirk.

Councillor Turner, seconded by Councillor Garner, moved that Committee agree to continue consideration to allow an inspection of the site by Committee.

By way of an amendment, Baillie Paterson, seconded by Councillor McLuckie, moved that Committee 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 9 members present with voting as undernoted:-

For the motion (3) - Councillors Carleschi, Garner and Turner.

For the amendment (6) - Baillies Buchanan and Paterson; Blackwood, C Martin, McLuckie and Mahoney.

Councillor Nicol abstained.

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) Prior to the decking hereby approved being brought into use, the proposed reduction in the area of decking along the boundary with number 4 Apple Blossom Grove shall be carried out in full and the proposed 2m high privacy screen shall be constructed on the western end of the decking to the rear of 6 Apple Blossom Grove in accordance with the approved plans numbered 02B and 05. Thereafter, the privacy screen shall be maintained at this height and construction in perpetuity unless otherwise agreed in writing by the Planning Authority.**

**Reasons:-**

- (1) As these drawings and details constitute the approved development.**
- (2) To safeguard the privacy of the occupants of adjacent properties.**

**Informative:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02B, 03B, 04 and 05.**

**P120. Erection of Decking and Boundary Fencing (Modification to Planning Permission P/16/0098/FUL) (Retrospective) at 2 Apple Blossom Grove, Maddiston, Falkirk FK2 0BH for Taylor Homes (Scotland) Ltd - P/16/0643/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission (in retrospect) for the construction of a raised decking area and timber fencing to the rear of two recently constructed detached dwellinghouses within an established residential area at 2 Apple Blossom Grove, Maddiston, Falkirk.

**Decision**

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) Prior to the decking hereby approved being brought into use, the proposed 1.8m high privacy screen shall be constructed on the eastern end of the decking to the rear of 2 Apple Blossom Grove in accordance with approved plans numbered 02D and 03A. Thereafter, the privacy screen shall be maintained at this height and construction in perpetuity unless otherwise agreed in writing by the Planning Authority.**

**Reasons:-**

- (1) As these drawings and details constitute the approved development.**
- (2) To safeguard the privacy of the occupants of adjacent properties.**

**Informative:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02D, 03A and 04A.**

**FALKIRK COUNCIL**

**Minute of meeting of the EDUCATION EXECUTIVE held in the Municipal Buildings, Falkirk on Tuesday 31 January 2017 at 9.30 am.**

**COUNCILLORS:** David Alexander  
Jim Blackwood  
Tom Coleman  
Dennis Goldie  
Adrian Mahoney  
Craig Martin (Convener)  
Dr Craig R Martin  
Alan Nimmo  
Robert Spears

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

**CO-OPTES:** Mike Ablett (Parent Representative)  
Fiona Craig (Teacher Representative)  
Martin Craigen (Parent Representative)  
Margaret Smith (Teacher Representative)

**OFFICERS:** Arlene Fraser, Committee Services Officer  
David Mackay, Head of Education  
Colin Moodie, Depute Chief Governance Officer  
Robert Naylor, Director of Children's Services

**EE30. Minute's Silence**

The convener referred to the recent death of Tam Dalyell, the former MP for West Lothian and later Linlithgow who had, prior to going into politics, taught at Bo'ness Academy. Councillors Coleman and Mahoney also paid tribute to him. The Education Executive observed a minute's silence in his memory.

**EE31. Apologies**

Apologies were intimated on behalf of Councillors G Goldie and Nicol, and Jonathan Barclay (Pupil Representative).

**EE32. Declarations of Interest**

No declarations were made.

**EE33. Minutes****Decision**

**The minutes of the meeting of the Education Executive held on 8 November 2016 and the Special meeting of the Education Executive held on 10 January 2017 were approved.**

**EE34. 2017 National Improvement Framework and Improvement Plan for Scottish Education**

The Education Executive considered a report by the Director of Children's Services providing details of the National Improvement Framework (NIF) and Improvement Plan for Scottish Education which was published by the Scottish Government on 13 December 2016.

The aim of the NIF and the improvement plan is to provide clarity and explanation on how the Scottish Government will secure educational improvement for children and young people across Scotland, in one publication. The Scottish Government has confirmed that implementation of the NIF is to be phased in over a 3 year period. The NIF and Improvement plan, together with the 3 year implementation programme are appended to the report.

The report summarised the four key NIF priorities and the 6 key drivers identified as instrumental in achieving these. The drivers will be used to inform the evidence and data gathered at school, local and national level to help determine how well Scottish education is improving.

The Education (Scotland) Act 2016 places a statutory duty on local authorities to secure improvement in school education in a way which achieves the key priorities set out in the NIF. From 2017, there is a requirement to report on all aspects of the NIF at both school and local authority level. The Service had commenced a review on its approach to improvement planning and reporting to ensure the key NIF priorities are achieved in line with its statutory duty.

The report also referred to the Scottish Government's Interventions for Equity publication, which is the initial framework to support the Scottish Attainment Challenge.

Attainment Advisors have been appointed by the Scottish Government to support local authorities in taking forward the raising attainment/closing the gap agenda. Falkirk has been allocated an Advisor for 70 days who will work with the Council's Attainment Challenge Schools, Langlees Primary and Falkirk High Schools. Children's Services will continue to evaluate the impact of this support and improvement strategies on raising attainment.

## **Decision**

### **The Education Executive agreed -**

- (1) to note the Education Division of Children's Services will review its approach to improvement planning and reporting to reflect the revised National Improvement Priorities and key drivers for improvements, as well as current local priorities, and**
- (2) that further reports be brought to the Education Executive as and when appropriate to update on progress made with the implementation of the revised National Improvement Framework.**

### **EE35. Achievement of Curriculum for Excellence (CfE) Levels 2015/17**

The Education Executive considered a report by the Director of Children's Services providing results from the Scottish Government teacher judgement survey of attainment in Curriculum for Excellence levels in specific year stages both in primary and secondary schools.

The survey had been carried out in June 2016 in stages P1, P4, P7 and S3, with results being published in December 2016. Teachers were asked to confirm the Curriculum for Excellence (CfE) level achieved by each pupil at these stages in reading, writing, listening & talking and numeracy. The results for each Council were set out in appendix 1 to the report.

Due to the lack of moderation at a national level, the Scottish Government has published the data as experimental. In order to address this, Quality Assurance and Moderation Support Officers (QAMSOs) have been appointed from each authority and are currently undergoing training in understanding the CfE level benchmarks, which will be rolled out to classroom teachers prior to this year's survey.

The report set out the work by Children's Services in supporting schools with their analysis of attainment by Scottish Index of Multiple Deprivation (SIMDI) decile to ensure that schools will reduce the attainment gap and to share experience gained from the two Attainment Challenge schools.

The report also set out Children's Services priorities in continuing to promote literacy and numeracy and how these will be driven.

## **Decision**

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

- (1) to note the performance of Falkirk Council schools in relation to that of Scotland as a whole;**

- (2) to note Children's Services intention to continue to make literacy and numeracy key priorities, and**
- (3) that the Director of Children's Services report to the Education Executive on the attainment gap in Falkirk schools in March 2017.**

Councillor Spears left the meeting during discussion of this item.

Draft**FALKIRK COUNCIL**

**Minute of meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 2 February 2017 at 9.30 am.**

**COUNCILLORS:**

Stephen Bird  
 Allyson Black  
 Steven Carleschi  
 Cecil Meiklejohn (Convener)  
 Joan Paterson  
 Provost Pat Reid

**OFFICERS:**

Carl Bullough, Head of Operational Services  
 Fiona Campbell, Head of Policy, Technology & Improvement  
 Jack Frawley, Committee Services Officer  
 Kathy McCarroll, Head of Social Work  
 David Mackay, Head of Education  
 Colin Moodie, Depute Chief Governance Officer  
 Robyn Wisbey, Headteacher, California Primary School

**S27. Apologies**

An apology was intimated on behalf of Councillor Chalmers.

**S28. Declarations of Interest**

There were no declarations of interest.

**S29. Minutes****Decision**

- (a) The minute of the meeting of the Scrutiny Committee held on 17 November 2016 was approved; and
- (b) The minute of the meeting of the Performance Panel held on 15 December 2016 was noted.

**S30. 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.**

**S31. Education Scotland Inspection Report and Action Plan – California Primary School and Nursery Class**

The committee considered a report by the Director of Children's Services presenting the action plan drawn up by California Primary School in response to Education Scotland's inspection in June 2016. The Inspection Report: California Primary School and Nursery Class – Evaluations, Strengths and Points for Action, and Action Plan were appended to the report. David Mackay and Robyn Wisbey provided an overview of the report.

The committee asked about the timescale for Education Scotland's follow up visit. Robyn Wisbey stated that it should be within a year of the initial inspection and was therefore expected between June and October but was likely to be after the start of the next academic year.

Members discussed that while the action plan was detailed it would have been helpful if it had included information on anticipated outcomes. Robyn Wisbey stated that the action plan format did not include outcome information and that the school had focussed on the three identified areas from the inspection. The improvement work would aim to result in good or very good inspection grading. David Mackay stated that there was a new Service Manager - Curriculum Management in post who would add her own expectations into the plan.

The committee asked when the actions relating to the nursery and outdoor learning would be done. Robyn Wisbey stated that the actions had started already. The nursery had an Adventure Thursday, which was also in place at Shieldhill Primary School, where the children went outside for their learning. The nursery classes from California and Shieldhill occasionally met and had their outdoor learning together.

Members asked about community aspirations. Robyn Wisbey stated that raising aspirations was important. The school used Scottish Index of Multiple Deprivation (SIMD) data for tracking purposes. 90% of the school's cohort were SIMD 5 or below. There was a positive and supportive parent body around the school with an active parent council.

The committee asked about child self evaluation. Robyn Wisbey stated that this related to the difference between a child being able to state what they were doing in school and explaining why they were learning it and what it meant. Parents could assist in how they question and the parent on the Team

Around the School had a role in sharing that information more widely. Following a question on speech and language, she stated that the speech and language service had worked within the nursery to improve the early years vocabulary.

## **Decision**

### **The committee:-**

- (1) noted the report and action plan, and**
- (2) requested that the Director of Children's Services monitors progress towards meeting the areas for improvement.**

## **S32. Social Work Children & Families Budget Update**

The committee considered a report by the Director of Children's Services which provided an update on the social work children & families budget position. For 2016/17 the Service projected an overspend of £0.835m. The projected overspend related to increased numbers of children who required to be looked after away from home. It was not always possible to use the least expensive placements and any placement was made on the basis of a robust multi-agency assessment. The report provided information on the impact of the Children and Young People (Scotland) Act 2014 which extended continuing care to 21 years old and aftercare support to 26 years old, as well as increasing responsibilities to kinship carers. A number of actions had been taken, or were planned, to manage the budget position. These included increased local provision of contract beds, foster carer recruitment drives and an integrated family support service. Kathy McCarroll provided an overview of the report.

The committee sought an update in relation to unaccompanied asylum seeking children. Kathy McCarroll stated that there were three different groups of children involved. Children affected by the closure of the Calais camp, children the Home Office were looking to place currently resident in Kent, and children trying to trace relatives already resident in the UK. Although Falkirk Council had agreed to place one unaccompanied asylum seeking child it was not possible to ring fence a placement for this purpose. The Service had received one request to take a child but at that time there had been no suitable placement available. Children from the Calais camp had successfully been placed in both Edinburgh and Glasgow. The Scottish Government was due to meet with the Home Office to discuss the meeting of costs in the voluntary transfer scheme. In Scotland placements could extend to 21 and further support to 26. The Scottish Government's advice was that Councils should not currently sign up to the voluntary transfer scheme.

There was further discussion regarding the availability of placements and recruitment of foster carers specifically for asylum seeking children. Kathy McCarroll stated that external providers tended to have difficulty responding to

'crisis placements' and preferred planned placements. In the case of the unaccompanied asylum seeking child the Service had received a phone call to make a placement the same day. The Service had started to look at recruiting specifically for this circumstance but as there was currently only one placement required for one child the action needed to be proportionate. Glasgow and Edinburgh Councils had advertised specifically for carers to take asylum seeking children and were inundated with enquiries. Locally the Service had approach faith groups to see if any of their members could assist. In terms of wider foster carer recruitment the Service was exploring the use of digital marketing which had proved successful in other areas.

Members asked if there were particular challenges to the Service relating to young people who were transitioning to adult services. David Mackay stated that there could be challenges with young people around 15 and 16 years old. There were a number of alternative programmes in schools including the aspiring learning spaces. He highlighted that referrals to the Mariner Service for behaviour issues had remained fairly steady. Kathy McCarroll advised that a lot of work had been carried out on transitions into adult services and that the protocol between children's and adult's social work was being refreshed. The Service was working to identify, by age 14, those young people who would likely need continued support in an adult setting.

The committee requested an age breakdown of the 26 young people in long-term external foster placements who the Council currently held parental rights and responsibilities for in order to see the likely future trend of spend. Kathy McCarroll stated that this would be provided after the meeting.

## **Decision**

**The committee noted the:-**

- (1) progress to date in reducing the Social Work Children & Families overspend, and**
- (2) development of a 3 year strategy to reduce spend further and generate efficiency savings from 2018/19 onwards.**

### **S33. Impact of Special Uplifts Charge**

The committee considered a report by the Director of Development Services which provided an update on the impact of the special uplifts charge. From 1 April 2015 the Council had agreed to charge £15.00 per household uplift. Previously two free uplifts per year were provided with a charge of £22.00 per uplift thereafter. 26 of 32 local authorities charged for special uplifts with the average charge per uplift being £25.00. Information was provided on the number of special uplift requests, the number of fly-tipping incidents, and the recharge costs relating to contaminated bins. Carl Bullough provided an overview of the report.

Members discussed the statistical information contained in the report and that perception relating to these issues, particularly fly-tipping, varied from person to person. The discussion highlighted that as well as considering the year on year incidences of fly-tipping, the cumulative increase should be recognised as not all incidents from a single year would be dealt with then. Following a question on the number of fly-tipping incidents, Carl Bullough stated that people defined fly-tipping in different ways. As an example he advised that if a mattress was left in a bin-store that would not be classified as a fly-tip in the figures but that people may see such an incident as being one. The committee stated that more education work was required to ensure that people understood how to properly dispose of their waste and that the Service should liaise with colleagues in Housing. Carl Bullough stated that part of the revised role of the Housing Caretakers would be education with tenants.

The committee sought clarification on the financial savings associated with the introduction of the charge for special uplifts in 2015. Carl Bullough stated that for 2016/17 the Service projected to receive £100,000 in income with £127,000 of savings also made.

Members sought information on the highest and lowest charges across the 26 Councils which charged for special uplifts. Carl Bullough advised that the highest cost was £41.10 and that the lowest was £12.66, with the average cost being £25.00 per uplift.

The committee discussed the use of the National Re-use Helpline which was promoted by the Council as an alternative to having a special uplift. Carl Bullough stated that there were limitations on what materials would be accepted for reuse and highlighted the figures appended to the report which showed local levels of National Re-use Line referrals. Discussion highlighted that different charitable organisations have different needs and that some may be willing or able to take materials that the National Re-use Line could not. Fiona Campbell highlighted the increase in freecycling and community swaps, which were particularly prevalent through social media.

Members asked who was responsible for dealing with fly-tipping incidents on private land. Carl Bullough advised that the responsibility sat with the owner of the land. If the Service was asked, and paid, to uplift from private land they would do so.

Following a question on litter waste in town centres, Carl Bullough stated that there was a group looking at the issue. Funding was being sought from Zero Waste Scotland to support a project specifically targeting town centres.

Members discussed fly-tipping in relation to areas which were regularly used for dumping waste and what could be done there. Carl Bullough stated that surveillance could be considered and that more proactive patrols could be put in place. However, he highlighted that due to resource constraints the approach tended to be reactive. Where those responsible for fly-tipping were identified action would be taken and there had been prosecutions locally which the Council could raise awareness about.

The committee asked how robust the statistics provided in the report were, highlighting that in 2014/15 there had been nearly 16,926 special uplift requests with income received of just £1,010. Carl Bullough stated that most people only requested their two free uplifts under the previous charging regime. He advised that the IT system used at the time was not as advanced as the Service would wish and that if there was variance in how the data was input the system could miss where a household had already had two special uplifts. Members expressed concern about the reliability of the reported data and how accurately the Service could analyse the impact of the special uplifts charge. In discussion, members commented that it was not useful to present the figures from 2014/15 and before if the Service could not be confident in their accuracy.

The committee discussed whether the topic required further investigation. Members highlighted that this could include the responsibilities of tenants/residents, best practice from other Councils and the issue of fly-tipping in general. Following a question on the process to recommend the report topic as a scrutiny panel, Colin Moodie stated that if the committee recommended this topic as a panel this would need to be considered by Council. If the topic was agreed by Council then it would form part of the scrutiny plan for the newly formed Council following the Local Government Elections in May 2017.

### **Decision**

**The committee agreed to recommend to the next meeting of Council that fly-tipping and associated issues are included in the next scrutiny plan.**

## **FALKIRK COUNCIL**

**Minute of meeting of the Planning Committee held On Site on Monday 6 February 2017 commencing at 9.30 a.m.**

**Councillors:**

Baillie William Buchanan (Convener)  
Jim Blackwood  
Adrian Mahoney  
Craig Martin  
Malcolm Nicol  
Martin Oliver  
Sandy Turner

**Officers:**

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

### **P120. Apologies**

Apologies were intimated on behalf of Baillie Coombes; and Councillors Carleschi, Chalmers, Garner and McLuckie.

### **P121. Declarations of Interest**

No declarations were made.

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

### **P122. Erection of Six Dwellinghouses on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0660/MSC**

With reference to Minute of Meeting of the Planning Committee held on 25 January 2017 (Paragraph P116 refers), Committee gave further consideration to a report by the Director of Development Services seeking approval of the matters specified in the conditions attached to planning permission in principle P/12/0124/PPP for the erection of six dwellinghouses on land to the south of the Stables, Braeface Road, Banknock.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

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

Mr Penman, the applicant, was heard in relation to the application.

Mr Thomson, an objector, was heard in relation to the application and indicated that his concerns had now been addressed and that he was now withdrawing his objection to the application.

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 23 February 2017.

**P123. Removal of planning conditions 9 and 11 and variation of planning condition 12 to remove the wording 'and so that no surface water is discharged or loose material carried out onto the public road' (planning conditions 9, 11 and 12 attached to planning permission in principle reference P/12/0124/PPP) at Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0671/VRC**

With reference to Minute of Meeting of the Planning Committee held on 25 January 2017 (Paragraph P117 refers), Committee gave further consideration to a report by the Director of Development Services seeking removal of conditions 9 and 11 and a variation to condition 12 attached to planning permission in principle P/12/0124/PPP for the development of land for residential purposes on land to the south of the Stables, Braeface Road, Banknock.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Neither the applicant nor agent wished to be heard in relation to the application.

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 23 February 2017

**P124. Modification of Planning Obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to Planning Permission P/12/0124/PPP, adding the following wording to Clause 1.6 of the said Obligation “Without prejudice to the foregoing generality, the phrase “or the like” includes any planning application under section 42 of the Town and Country Planning (Scotland) Act 1997 to develop without compliance with conditions previously attached” at land to the South of the stables, Braeface Road, Banknock, for Mr John Penman - P/16/0778/75M**

With reference to Minute of Meeting of the Planning Committee held on 25 January 2017 (Paragraph P118 refers), Committee gave further consideration to a report by the Director of Development Services seeking the modification of the Planning Obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to planning permission in principle P/12/0124/PPP for the development of land for residential purposes on land to the south of the Stables, Braeface Road, Banknock.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Neither the applicant nor agent wished to be heard in relation to the application.

The Members of the Committee had no questions.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 23 February 2017

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 8 February 2017 at 9.30 a.m.**

**Councillors:** Jim Blackwood  
Baillie Joan Coombes (Depute Convener)  
Gordon Hughes  
Depute Provost John Patrick  
Ann Ritchie  
Sandy Turner

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Glackin, Chief Governance Officer  
Frances Kobiela, Senior Solicitor  
Isabel Renton, Senior Licensing Assistant

**CL114. Apologies**

Apologies were intimated on behalf of Provost Reid, Baillie Buchanan and Councillor Garner.

**CL115. Declarations of Interest**

No declarations were intimated.

**CL116. Minute**

**Decision**

- (a) The minute of the meeting of the Civic Licensing Committee held on 11 January 2017 was approved; and**
- (b) The minute of the special meeting of the Civic Licensing Committee held on 24 January 2017 was approved.**

**CL117. List of Applications Granted Under Delegated Powers in December 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 31 December 2016 in terms of the Civic Government (Scotland) Act 1982, and  
(b) notifications of pending public processions.

**Decision**

**The committee noted the report.**

Councillor Hughes joined the meeting after consideration of the previous item of business.

**CL118. Civic Licensing Enforcement – December 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 December 2016.

**Decision**

**The committee noted the report.**

**CL119. Taxi and Private Hire Car Operator Licence Conditions**

The committee considered a report by the Chief Governance Officer (a) providing details of the current licence conditions for both taxi and private hire car operators' conditions; (b) summarising the background to the suggested changes to the existing conditions 8 & 14, and (c) setting out the financial and resource implications if moveable magnetic signs were to be permitted.

**Decision**

**The Committee:-**

- (1) noted the contents of the report;**
- (2) agreed the revised licence conditions for taxi operators; and**
- (3) agreed the revised licence conditions for private hire car operators.**

**CL120. 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.

**CL121. Application for the Grant of a New Taxi Operator Licence**

The applicant, Mr M, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new taxi operator licence (a) advising

on the background to the application, and (b) summarising the consultations undertaken and responses received.

Mr M spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

**The committee agreed to grant the new private hire car operator licence for a period of one year, subject to the standard conditions.**

## **CL122. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Ms M, 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.

Ms M spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

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

## **CL123. Application for the Renewal of a Taxi Driver Licence**

The applicant, Ms K, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the renewal of a taxi 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.

Ms K spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

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

**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 17 FEBRUARY at 9.30 A.M.**

**Councillors:** Baillie William Buchanan (Convener)  
John McLuckie  
Sandy Turner

**Officers:** Iain Henderson, Legal Services Manager  
Douglas Blyth, Team Leader, Legal Services

**Also Attending:** Ged Hainey, Associate, Ryden LLP

**PRC40. Apologies**

No apologies were intimated.

**PRC41. Declarations of Interest**

No declarations were made.

**PRC42. Minute**

**The minutes of meeting of the Planning Review Committee held on 27 October 2016 were approved.**

**PRC43. 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.

**PRC44. Planning Application P/15/0022/FUL – Development of Land to Form Holiday Park with Raised Deck Mounted Chalets, Camping Pods, Deck Mounted Reception Building and Ancillary Roads and Drainage at Land to the South West of Denovan House (Continuation)**

The Committee considered documents which related to the Application for Review for planning application P/15/0022/FUL for the development of land to form holiday park with raised deck mounted chalets, camping

Pods, deck mounted reception building and ancillary roads and drainage at land to the south east of Denovan House.

Mr Henderson, Legal Services Manager advised the Committee that the applicant had provided correspondence to the effect that the SEPA objection had been withdrawn but that as no formal notification had been directed to the Planning Authority, that the Committee may want to be mindful of this in their deliberations.

Mr Hainey provided an overview of the application and consideration to date. He summarised the report on handling and the reasons for refusal of the application, the applicant's supporting statement, the responses from the applicant, consultees and other interested parties to previous procedure notices, and further responses thereto from all parties.

After discussion, and with particular reference to further responses submitted by the applicant including a Transport Statement prepared by McIlhagger Associates on their behalf, and a corresponding report by Mouchel commissioned by Falkirk Council, and having sought and heard advice from Mr Henderson and Mr Hainey, the Committee considered that there were still some items within the applicant's submission which contained insufficient detail to allow a decision to be taken. In particular discussion took place over the need for additional information on matters including road traffic, parking, details of road accidents highlighted in the reports, landscape capacity assessment, the internal road network of the site and impacts on existing trees within the site and the circumstances and details behind the withdrawal by SEPA of their objection. It was requested that officers prepare a further procedure notices with clear scoping of the additional information required on all points.

## **Decision**

**The Planning Review Committee agreed that:-**

- (1) it did not have enough information to determine the application, and requested, in accordance with Regulation 15 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, that further information by way of written submissions be provided by the applicant, SEPA, Police Scotland and the Director of Development Services, (with specific delegation to officers to seek further information relating to road traffic accidents statistics from any other source should they be identified by the Director of Development Services), in line with a clear scope of requirements prepared by officers having regard to areas identified during discussion including accident details, road traffic and traffic flows, bus services, visibility splay, core path network, landscape capacity assessment, the internal road network of the site and impacts on existing trees within the site**

**and the circumstances and details behind the withdrawal by SEPA of their objection;**

- (2) the response from the applicant, SEPA, Police Scotland and the Director of Development Services should be made within a timescale of 8 working days from receipt thereof; and**
- (3) interested parties and, as appropriate, the applicant be allowed a period of 14 days to provide comments following receipt of the information.**

## **FALKIRK COUNCIL**

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 21 February 2017 at 9.30 a.m.**

<b>Councillors:</b>	David Alexander	Dr Craig R Martin
	Jim Blackwood	Craig Martin (Convener)
	Tom Coleman	Malcolm Nicol
	Dennis Goldie	Alan Nimmo
	Linda Gow	Robert Spears
	Adrian Mahoney	

**Officers:**

Nick Burgess, Service Manager, Children's Services  
 Douglas Duff, Head of Economic Development and Environmental Services  
 Rhona Geisler, Director of Development Services  
 Sara Lacey, Senior Service Manager, Children's Services  
 Rose Mary Glackin, Chief Governance Officer  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive  
 Stuart Ritchie, Director of Corporate and Housing Services  
 Amanda Templeman, Capital Manager, Corporate and Housing Services  
 Dawn Wheildon, Project Manager, Children's Services

### **EX106. Apologies**

An apology was intimated on behalf of Councillor G Goldie.

### **EX107. Declarations of Interest**

No declarations were made.

### **EX108. Minute**

#### **Decision**

**The minute of the meeting of the Executive held on 10 January 2017 was approved.**

**EX109. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 10 January 2017 was provided.

**Decision**

**The Executive noted the rolling action log.**

**EX110. Traffic Management Arrangements for Marches, Processions and Parades and Development of Safety Advisory Group Model for Public Events**

The Executive considered a report by the Director of Development Services on the review of fees for Temporary Traffic Regulation Orders and on the development of a safety advisory group model for public events.

The Executive had agreed on 29 November 2016 (ref EX92) to continue the suspension of relevant application fees for certain Temporary Traffic Regulation Order (TTRO) applications until a review of the traffic management arrangements for public events could be completed. Work had been undertaken but was linked also to work Police Scotland was carrying out in response to a report on marches, processions and demonstrations by Dr Michael Rosie. To date, Police Scotland had not finalised its position. Consequently, it was proposed to continue the suspension of the TTRO fee for marches, processions and parades.

It was also proposed that Council adopts a safety advisory group approach to the general management of processions and similar events. This multi agency model is favoured by COSLA and would, if adopted across Scottish local authorities, ensure a standardised approach to event planning.

**Decision**

**The Executive:-**

- (1) endorsed the further development of the Safety Advisory Group approach to managing safety at public events as promoted by COSLA;**
- (2) noted that, following the outcome of consideration of recommendations 3.90 and 3.91 contained in the report by Dr Michael Rosie on marches, parades and static demonstrations in Scotland published in 2016, a fee structure for applications for Temporary Traffic Regulation Orders in relation to marches, processions and parades can be finalised; and**
- (3) requested further reports on this matter.**

### **EX111. Community Justice Outcomes and Improvement Plan 2017-20**

The Executive considered a report by the Director of Children's Services providing an update on progress towards the development of a Community Justice Outcomes Improvement Plan 2017-20.

The Community Justice Partnership in Falkirk was established in 2016, in response to the Community Justice (Scotland) Act. Partners are required to share information and provide advice and assistance to each other and to coordinate and fund activities together. The Scottish Government's Community Justice Strategy set out the vision for community justice and each local authority area is required to produce an outcomes improvement plan by 31 March 2017. The plan prepared by the Falkirk Community Justice Partnership will be submitted to the Community Planning Partnership's Strategic Board for sign off by the deadline.

The draft plan was summarised – it is built upon six pathways (or themes) each of which will be supported by its own project plan and logic model, led by a designated partner.

The strategic pathways are:-

- Information Sharing, Learning and Development
- Community Justice Policy Development
- Relationship and Making Connections
- Service Mapping and Evaluation
- Supporting Transitions
- Unpaid Work

#### **Decision**

**The Executive noted the progress in developing a draft community justice outcomes improvement plan which will be presented to the Community Planning Partnership (CPP) Strategic Board for final sign off in March 2017.**

Councillors Gow and Spears joined the meeting during consideration of the previous item.

## **EX112. Falkirk Tax Incremental Finance Initiative and Falkirk Gateway**

The Executive considered an update report by the Director of Development Services on the Falkirk Tax Incremental Finance (TIF) Initiative and Falkirk Gateway.

The Falkirk TIF Initiative, of which the Falkirk Gateway project is a key element, was agreed by the Executive on 18 June 2013 (ref EX29) and is designed to increase development actively throughout the area by creating enabling infrastructure. The TIF development programme was agreed by the Executive on 15 March 2016 (ref EX103).

The Economic Strategy for 2015-2025 sets out a vision for the economy in the area and includes a proposal to establish an investment zone to realise opportunities in chemicals, logistics and manufacturing. The report set out proposals to develop an Investment Zone business case with Scottish Enterprise at a cost of £40,000. The business case will also consider opportunities for redevelopment of canal side areas and tourism.

In regard to the Falkirk Gateway, the report set out a proposal to establish a land ownership agreement with Callendar Estates, which along with Falkirk Council owns land on the Gateway site. The benefits in doing so, particularly in regard to State Aid, were set out.

A revised schedule, incorporating these proposals and amendments to the programme including delivery of Junction 5 phase 1 works and the delivery of the Westfield roundabout, was presented for approval.

It was proposed that the temporary post of Economic Development officer (TIF) is extended for a further 5 years to assist in the delivery of the Falkirk TIF and Investment Zone business case. The post, which had initially been for a period of 2 years, would be funded through TIF.

### **Decision**

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

- (1) to note the update of progress of the Falkirk TIF Initiative;**
- (2) to authorise the Director of Development Services to commission a business case for the investment zone project, to include canal corridor opportunities, at an anticipated cost of £140,000, to be joint funded by Scottish Enterprise and Falkirk TIF;**
- (3) to progress the transfer of land between Falkirk Council and Callendar Estate relating to Falkirk Gateway sites 1 and 2 as identified in appendices 1 (existing ownership) and 2 (proposed ownership) of the report;**

- (4) to establish a five year temporary position of Economic Development Officer (TIF), Grade J, as part of the Growth Investment Unit team for the project's delivery; and**
- (5) the revised implementation schedule for TIF projects as outlined in appendix 3 to the report.**

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

### **EX113. Capital Programmes Update 2016/17**

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the General Fund Services and Housing Capital Programmes for 2016/17.

The projected outturn for the General Fund Services Capital Programme for 2016/17 is £31.8m (compared to the November figure of £34.4m). The report set out the main areas of spend for 2016/17. This represents a slippage of c £2.8m on the budget for 2016/17, an increase on the £0.6m reported in November 2016. The report highlighted the main factors contributing to this increase.

The projected outturn for the 2016/17 Housing Capital Programme is £29.8m, representing a £1.5m underspend on the 2016/17 programme. A projected outturn of £28.3m had been reported on 29 November 2016 (ref EX91). The report detailed the spend and movement across the programme since then.

The report also set out the Prudential Indicators for 2016/17.

### **Decision**

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

- (1) the forecast spend for both the General Fund Services (£31.8m) and Housing Capital Programmes (£29.8m); and**
- (2) the Prudential Indicators.**

**Draft****Minute of Meeting of the Common Good Sub-Committee (Falkirk) held in the Municipal Buildings, Falkirk on Thursday 23 February 2017 at 9.30 a.m.****Councillors:**

Provost Pat Reid  
Colin Chalmers  
Cecil Meiklejohn

**Officers:**

Hazel Jones, Senior Accountant  
Harry Forster, Committee Services Officer

**CGF1. Apologies**

An apology was intimated on behalf of Councillor Alexander.

**CGF2. Declarations of Interest**

No declarations were made.

**CGF3. Minute****Decision**

**The minute of the meeting held on 31 March 2016 was approved.**

**CGF4. Application for Financial Assistance – Forth Valley Sensory Centre**

The Sub-Committee considered a report by the Director of Corporate and Housing Services detailing a request for funding from Forth Valley Sensory Centre towards the improvement and transformation of their Sensory Garden.

The report outlined the proposed improvements to the garden and the cost of £34,000. Funding of £12,000 had been secured as part of the Tesco Bags of Help Initiative and a further £5k was being provided by the Centre from its own funds. Third party funding of 10% was required to unlock the balance of funding support from Falkirk Environment Trust and this is being sought from the Falkirk Common Good Fund.

**Decision**

**The Sub-Committee agreed to award £1,700 from Falkirk Common Good Fund to Forth Valley Sensory Centre towards the development of their Sensory Garden at Camelon.**

**DRAFT****FALKIRK COUNCIL**

**Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Thursday 23 February 2017 at 2.00 p.m.**

**Councillors:** Baillie William Buchanan (Convener)  
Colin Chalmers  
John McLuckie

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

**PRC45. Apologies**

No apologies were intimated.

**PRC46. Declarations of Interest**

No declarations were made.

**PRC47. 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.

**PRC48. 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.

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, the representations and the further written submissions from the applicant, the Director of Development Services and other interested parties.

The Convener agreed a short adjournment at 3.50 p.m. The meeting reconvened at 3.55 p.m. with all Members present as per the sederunt.

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; and
- (9) the further written submissions from the applicant, the Director of Development Services and other interested parties.

### **Decision**

**After discussion, and having sought and heard advice from Mr Henderson and Mr Vivian, the Committee AGREED, Councillor Chalmers dissenting:-**

- (1) **That it is minded to grant planning permission subject to the satisfactory completion of 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 financial contributions towards (a) education with the contribution being in the sum of £3,350 plus indexation, such sum being to address the impact of the development of Braes High School, St Mungo's High School and nursery provision; and (b) open space with the contribution being in the sum of £1,911 plus indexation. Thereafter, on conclusion of the said legal agreement to the satisfaction of the Director of Development Services, the matter be remitted to the Director of Development Services to grant planning permission,**

subject to the other appropriate conditions as determined by her including conditions relating to (i) sightlines; (ii) location and treatment of the boundary fencing and planting; (iii) visibility splay measuring 4.5 x 70 metres; (iv) planting; (v) the undertaking of ground survey; (vi) contaminated land assessment; (vii) external finishing materials; (viii) boundary treatment; (ix) low and zero carbon generating technologies; and (x) amended site drawings; and

- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

**DRAFT****FALKIRK COUNCIL****Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Thursday 23 February 2017 at 10.00 a.m.\***

\*The meeting commenced at 10.00 a.m. due to adverse weather conditions.

**COUNCILLORS:**

Baillie William Buchanan (Convener)  
 Steven Carleschi  
 Colin Chalmers  
 Adrian Mahoney  
 Craig Martin  
 John McLuckie  
 Martin Oliver  
 Sandy Turner

**OFFICERS:**

John Angell, Head of Planning and Transportation  
 Kevin Collins, Transport Planning Co-ordinator  
 Rose Mary Glackin, Chief Governance Officer  
 Julie Seidel, Planning Officer  
 Crawford Sibbald, Environmental Health Officer  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator  
 Richard Teed, Senior Forward Planning Officer  
 Brent Vivian, Senior Planning Officer  
 Bernard Whittle, Development Management Co-ordinator

**P125. Apologies**

Apologies were intimated on behalf of Baillie Coombes and Councillors Garner and Nicol.

**P126. Declarations of Interest**

No declarations were made.

**P127. 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/16/0706/FUL and P/16/0768/FUL.

**P128. Minutes****Decision**

- (a) The minute of meeting of the Planning Committee held on 25 January 2017 was approved; and
- (b) The minute of meeting of the Planning On-Site Committee held on 6 February 2017 was approved.

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

**P129. The Falkirk Council (On Street Parking Space for Disabled Persons) (No. TRO/DB/16/068) Order 2016 - Devon Street, Grangemouth**

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (On Street Parking Space for Disabled Persons) (No TRO/DB/16/068) Order 2016 - Devon Street, Grangemouth.

**Decision**

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

**P130. Erection of Six Dwellinghouses on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0660/MSC (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 25 January 2017 (Paragraph P116 refer), Committee (a) gave further consideration to a report by the Director of Development Services; and (b) considered an additional report by the said Director seeking approval of the matters specified in the conditions attached to planning permission in principle P/12/0124/PPP for the erection of six dwellinghouses on land to the south of the Stables, Braeface Road, Banknock.

**Decision**

**The Committee agreed that it was minded to grant approval of the matters specified in conditions subject to (1) approval of planning application P/16/0671/VRC; (2) agreement of the modification to the Section 75 Planning Obligation sought under planning application P/16/0778/75M; and (3) satisfactory conclusion of the Section 75A application (P/16/0778/75M) and registration of the Decision Notice in the Land Register.**

Thereafter, the application would be remitted to the Director of Development Services for approval 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) The development shall not commence until the precise details of the colour and specification of all proposed external finishing materials and surface materials have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (3) The development shall not commence until a scheme of internal soft landscape works has been submitted to and approved in writing by the Planning Authority. The details of the scheme shall include (as appropriate):-
  - (i) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
  - (ii) The location of all new trees, shrubs, hedges and grassed areas;
  - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/density; and
  - (iv) A programme for subsequent maintenance.
- (4) The soft landscape works as indicated on the Landscaping Plan and as approved within the terms of condition 3 above shall be carried out and maintained in accordance with the approved details, and shall be implemented in accordance with a timescale(s) to be approved in writing by the Planning Authority before the development commences.
- (5) A visibility splay measuring 4.5 metres x 54 metres shall be provided and retained in a northerly direction at the junction of the Cloybank Estate access road and Braeface Road, within which there shall be no obstruction to visibility greater than 1 metre above carriageway level.
- (6) A visibility splay measuring 4.5 metres x 48 metres shall be provided and retained in a southerly direction at the junction of the Cloybank Estate access road and Braeface Road, within which there shall be no obstruction to visibility greater than 1 metre above carriageway level.

- (7) The development shall not be occupied until the first 15 metres of the Cloybank Estate access road has been widened to a position to the west of the access that will serve the 6 private dwellinghouses, in accordance with precise details to be agreed in writing by the Planning Authority.**
- (8) The individual driveways shall be formed so that their gradients do not exceed 1 in 10.**
- (9) Resident and visitor parking shall be provided in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area (as they existed at the time of grant of P/12/0124/PPP).**
- (10) The development shall not commence until detailed design information for the proposed foul and surface water drainage system has been submitted to and approved in writing by the Planning Authority. The information to be submitted for approval shall include the network calculations, the methodology for calculating the infiltration rates and the proposed ownership and maintenance arrangements. Thereafter, the development shall be carried out and maintained in accordance with the approved details.**

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.**
- (2-4) To safeguard the visual amenity of the area.**
- (5-7) In the interests of road safety.**
- (8) To ensure the construction is fit for purpose.**
- (9) To ensure that adequate parking is provided.**
- (10) To ensure that adequate drainage is provided.**

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02A, 03, 04, 05, 06, 07, 08A and 09.**

- (2) 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.
- (3) 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 - 19:00 Hours**

**Saturday 08:00 - 13:00 Hours**

**Sunday/Bank Holidays - No noise audible at the boundary**

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

- (4) It is advised that SEPA will be required to review (and likely consent) the applicant's foul water disposal proposals. The applicant should provide confirmation of SEPA consent and details of any conditions for foul water disposal prior to the system being brought into use.

**P131. Removal of planning conditions 9 and 11 and variation of planning condition 12 to remove the wording 'and so that no surface water is discharged or loose material carried out onto the public road' (planning conditions 9, 11 and 12 attached to planning permission in principle reference P/12/0124/PPP) on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0671/VRC (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 25 January 2017 (Paragraph P117 refer), Committee (a) gave further consideration to a report by the Director of Development Services; and (b) considered an additional report by the said Director seeking removal of conditions 9 and 11 and a variation to condition 12 attached to planning permission in principle P/12/0124/PPP for the development of land for residential purposes on land to the south of the Stables, Braeface Road, Banknock.

### **Decision**

**Having regard to the immediately preceding decision on planning application P/16/0660/MS, the Committee agreed that it was minded to grant planning permission subject to (1) agreement of the modification to the Section 75 Planning Obligation sought under planning application P/16/0778/75M; and (2) satisfactory conclusion of the Section 75A application (P/16/0778/75M) registration of the Decision Notice in the Land Register.**

Thereafter, the application would be remitted to the Director of Development Services for approval 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) The development shall not commence until the precise details of the colour and specification of all proposed external finishing materials and surface materials have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (3) The development shall not commence until a scheme of internal soft landscape works has been submitted to and approved in writing by the Planning Authority. The details of the scheme shall include (as appropriate):-
  - (i) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
  - (ii) The location of all new trees, shrubs, hedges and grassed areas;
  - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/ density; and
  - (iv) A programme for subsequent maintenance.
- (4) The soft landscape works as indicated on the Landscaping Plan (approved under P/16/0660/MS) and as approved within the terms of condition 3 above shall be carried out and maintained in accordance with the approved details, and shall be implemented in accordance with a timescale(s) to be approved in writing by the Planning Authority before the development commences.
- (5) A visibility splay measuring 4.5 metres x 54 metres shall be provided and retained in a northerly direction at the junction of the Cloybank Estate access road and Braeface Road, within which there shall be no obstruction to visibility greater than 1 metre above carriageway level.
- (6) A visibility splay measuring 4.5 metres x 48 metres shall be provided and retained in a southerly direction at the junction of the Cloybank Estate access road and Braeface Road, within which there shall be no obstruction to visibility greater than 1 metre above carriageway level.

- (7) The development shall not be occupied until the first 15 metres of the Cloybank Estate access road has been widened, in accordance with precise details to be agreed in writing by the Planning Authority.**
- (8) The individual driveways shall be formed so that their gradients do not exceed 1 in 10.**
- (9) Resident and visitor parking shall be provided in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area (as they existed at the time of grant of P/12/0124/PPP).**
- (10) The development shall not commence until detailed design information for the proposed foul and surface water drainage system has been submitted to and approved in writing by the Planning Authority. The information to be submitted for approval shall include the network calculations, the methodology for calculating the infiltration rates and the proposed ownership and maintenance arrangements. Thereafter, the development shall be carried out and maintained in accordance with the approved details.**

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.**
- (2-4) To safeguard the visual amenity of the area.**
- (5-7) In the interests of road safety.**
- (8) To ensure the construction is fit for purpose.**
- (9) To ensure that adequate parking is provided.**
- (10) To ensure that adequate drainage is provided.**

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 and 02. The decision also refers to the plans approved under planning application P/16/0660/MS.**
- (2) 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.**

- (3) 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 - 19:00 Hours**

**Saturday 08:00 - 13:00 Hours**

**Sunday/Bank Holidays - No noise audible at the boundary**

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

- (4) It is advised that **SEPA** will be required to review (and likely consent) the applicant's foul water disposal proposals. The applicant should provide confirmation of **SEPA** consent and details of any conditions for foul water disposal prior to the system being brought into use.

**P132. Modification of Planning Obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to Planning Permission P/12/0124/PPP, adding the following wording to Clause 1.6 of the said Obligation “Without prejudice to the foregoing generality, the phrase “or the like” includes any planning application under section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land without compliance with conditions previously attached” on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0778/75M (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 25 January 2017 (Paragraph P118 refer), Committee (a) gave further consideration to a report by the Director of Development Services; and (b) considered an additional report by the said Director seeking the modification of the Planning Obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to planning permission in principle P/12/0124/PPP for the development of land for residential purposes on land to the south of the Stables, Braeface Road, Banknock.

### **Decision**

**Having regard to the minded to grant decisions for the preceding applications P/16/0671/VRC and P/16/0660/MSC, the Committee agreed to modify the Section 75 Planning Obligation attached to planning permission in principle P/12/0124/PPP in accordance with the details set out in the application on the basis that the proposed modification is considered to satisfy all of the policy tests of Scottish Government Planning Circular 3/2012, “Planning Obligations and Good Neighbour Agreements”.**

**P133. Erection of Six Dwellinghouses and Associated Infrastructure at Kinneil Bowling Club, Angus Road, Bo'ness, EH51 0BH for Searanger Property Ltd – P/16/0632/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the erection of six single storey dwellinghouses, in the form of two terrace blocks and associated car parking and communal open space at Kinneil Bowling Club, Angus Road, Bo'ness.

**Decision**

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) (i) No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;**
- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority;**
- (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority; and**

- (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue; and
- (3) No development shall commence on site until a drainage strategy has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development shall proceed in accordance with the approved details, unless otherwise agreed in writing.
- (4) No development shall commence on site until full details of the colour and specification of all proposed external finishes have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the development shall be completed in accordance with the approved details.
- (5) No development shall commence on site until a detailed specification for all landscaping, including boundary enclosures and the maintenance thereof have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the development shall be completed in accordance with the approved details.
- (6) The development hereby approved will not be occupied or brought into use until the following documents have been submitted to and approved in writing by the Planning Authority:-
  - (i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and
  - (ii) a Statement of Conformity which confirms that 10%, of the required CO<sub>2</sub> emissions reduction is achieved through the installation of low and zero carbon generating technologies. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to, and approved in writing by, Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Planning Authority.

**Reason(s):-**

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure the ground is suitable for the proposed development.

- (3) To ensure adequate drainage can be achieved.**
- (4-5) To safeguard the visual amenity of the area.**
- (6) To ensure the development achieves the required CO<sub>2</sub> emission reduction as a result of development.**

**Informative:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02B, 03 - 06 and Supporting Documents.**

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:-

- P134. Erection of 96 Dwellinghouses, 16 Flatted Dwellinghouses Formation of Access, Open Space, Suds, Landscaping and Related Infrastructure at Land to the South West of Tappernail Farm, Reddingmuirhead for Persimmon Homes (East Scotland) – P/16/0706/FUL**
- P135. Alterations to Existing Car Wash Frontage, Installation of Glazed Splash Screen and Washing Booms. Change of Use from Car Sales to Vehicle Repair Workshop (Including Tyre Sales and MOT Test Centre) at 7A & 7C High Station Road, Falkirk, FK1 5LP for Mr Abdul Rehman – P/16/0768/FUL**

The undernoted item was withdrawn from the agenda at the start of the meeting.

- P136. Use of Premises as Shop (Class 1) at 18 Nisbet Drive, Denny, FK6 6AQ for Mrs Rajwinder Kaur – P/16/0759/CPE**

**DRAFT****FALKIRK COUNCIL**

**Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Friday 24 February 2017 at 9.30 a.m.**

**Councillors:**

Jim Blackwood  
John McLuckie (Convener)  
Dennis Goldie  
Sandy Turner

**Officers:**

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

**A23. Apologies**

Apologies were intimated on behalf of Depute Provost Patrick; and Councillors Chalmers and Gow.

**A24. Declarations of Interest**

No declarations were made.

**A25. 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.

**A26. Appeal Against Final Written Warning**

The Committee considered papers relating to an Appeal against final written warning which included (a) Note of Procedure; (b) Submission from or on behalf of the Appellant dated 13 February 2017; (c) Submission from the Head of Social Work Adult Services dated 14 February 2017; and (d) 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, Ms F, was present and was accompanied by C Lambie, GMB.

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

The Convener agreed an adjournment at 9.55 a.m. to allow the Interim Legal Services Manager to provide the answer to the Appellant's representative within the agenda papers as presented. The meeting reconvened at 10.00 a.m. with all parties present. The Human Resources Manager clarified the matters requiring clarification prior to the adjournment.

The Appellant presented her case and her representative provided additional points of clarification.

The Head of Social Work Adult Services then asked questions of the Appellant.

Members of the Committee then asked questions of the Appellant.

The Head of Social Work Adult Services presented the case on behalf of the Council.

The Appellant and her representative then asked questions of the Head of Social Work Adult Services.

Members of the Committee then asked questions of the Head of Social Work Adult Services.

The Head of Social Work Adult Services then summarised the case on behalf of the Council.

The Appellant and her representative summarised the Appellant's case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the decision taken by management to discipline Ms F was justified but that the decision to issue a final written warning together with the additional sanction of disciplinary redeployment was excessive in the light of the circumstances of the case. The Committee, therefore, agreed that the Appeal be **UPHELD IN PART** in relation to the sanction imposed and to substitute instead the sanction of a final written warning only. The sanction of disciplinary redeployment which had been imposed will no longer apply.

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

**DRAFT****FALKIRK COUNCIL**

**Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Monday 27 February 2017 at 9.30 a.m.**

**Councillors:** Jim Blackwood (Convener)  
Dennis Goldie  
Depute Provost Patrick

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

**A27. Apologies**

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

**A28. Declarations of Interest**

No declarations were made.

**A29. 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.

**A30. Appeal Against Final Written Warning**

The Committee considered papers relating to an Appeal against final warning which included (a) Note of Procedure; (b) Submission from or on behalf of the Appellant dated 2 February 2017; (c) Submission from the Head of Economic Development and Environmental Services dated 16 February 2017; and (d) 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 P, was present and was accompanied by G Irvine, Unite.

The Head of Economic Development and Environmental Services and Human Resources Team Leader (C Haston) were present as representatives of the Council.

The Appellant's representative the case.

The Head of Economic Development and Environmental Services then asked questions of the Appellant.

Members of the Committee then asked questions of the Appellant.

The Head of Economic Development and Environmental Services presented the case on behalf of the Council.

The Appellant's representative then asked questions of the Head of Economic Development and Environmental Services.

Members of the Committee then asked questions of the Head of Economic Development and Environmental Services.

The Head of Economic Development and Environmental Services then summarised the case on behalf of the Council.

The Appellant's representative summarised the case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the Appeal be **UPHELD**.

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

**FALKIRK COUNCIL**

**Minute of Meeting of the Joint Consultative Committee held in the Municipal Buildings, Falkirk on Tuesday 28 February 2017 at 9.30 a.m.**

**Councillors:**

David Alexander  
David Balfour  
Dr Craig R Martin  
Rosie Murray  
Robert Spears

**Trade Union  
Representatives:**

Gray Allan, UNISON  
Margaret Cook, UNISON  
Les Grant, UCATT  
Gordon Irvine, Unite  
Bill Marshall, Unite  
Bert McManus, GMB  
Margaret Smith, EIS  
Raymond Smith, GMB

**Officers:**

Karen Algie, Head of HR and Business Transformation  
Fiona Campbell, Head of Policy, Technology and Improvement  
Rhona Geisler, Director of Development Services  
Tracey Gillespie, Human Resources Manager  
Brian Pirie, Democratic Services Manager

**JCC32. Apologies**

Apologies were intimated on behalf of Councillor G Goldie and Colin Finlay (EIS); Christina Lambie (GMB); Lynne Tanner (UNISON); Graeme Turnbull (UCATT) and Lyn Turner (Unite).

**JCC33. Declarations of Interest**

No declarations were made.

**JCC34. Minute****Decision**

**The minute of the meeting of the Joint Consultative Committee held on 9 November 2016 was approved.**

**JCC35. Employee Turnover**

The committee considered a report by the Director of Corporate and Housing Services detailing the employee turnover figures for the period April 2015 to March 2016 as set out against the benchmark comparison figure for public sector organisations of 9.4%. The Falkirk Council turnover figure for the period April 2015 to March 2016 was 7.8%.

**Decision**

**The committee noted the report.**

**JCC36. Sickness Absence**

The committee considered a report by the Director of Corporate and Housing Services providing updated information on sickness absence across Services for the period September to December 2016 and the steps being taken to manage sickness absence.

**Decision**

**The committee noted the sickness absence statistics for September to December 2016 and the actions being developed and carried out to support managers in managing sickness absence.**

**JCC37. Service Based Forums**

The committee considered a report by the Director of Corporate and Housing Services presenting minutes from the meetings of Development Services and Corporate and Housing Service Based Forums for the period July to December 2016.

**Decision**

**The committee noted the report.**

**JCC38. Disciplinary and Capability Policies**

The committee considered a report by the Director of Corporate and Housing Services presenting proposals to the Disciplinary and Capability policies for approval.

The committee had previously approved revisions to the Grievance Policy on 9 November 2016 (ref JCC27) which removed the requirement for a representative from Legal Services to be present at all grievance hearings. Similar proposals in regard to the Disciplinary and Capability Policies were now presented. A legal adviser will be present at appeals considered by the Appeals Committee, however the chairperson will be supported by a Human resources adviser at all other levels of formal disciplinary and capability hearings.

### **Decision**

#### **The committee:-**

- (1) noted the changes to the Disciplinary and Capability Policies; and**
- (2) agreed to refer the changes to the Executive for approval.**

### **JCC39. Naloxone Policy**

The committee considered a report by the Director of Corporate and Housing Services presenting a Naloxone Policy for approval.

The introduction of a Naloxone policy was supported by the Scottish Government and Health agencies. Evidence suggested that the use of Naloxone can temporarily reverse the effects of an overdose and save lives.

The policy would only be enacted by trained staff and there would be no obligation for staff to administer Naloxone should they be uncomfortable in doing so. The draft policy was appended for consideration.

### **Decision**

**The committee agreed to submit the Naloxone Policy to the Executive for approval.**

**DRAFT****FALKIRK COUNCIL****Minute of meeting of the Planning Committee held On Site on Monday 6 March 2017 commencing at 9.30 a.m.****Councillors:**

Jim Blackwood  
 Adrian Mahoney  
 Malcolm Nicol  
 John McLuckie (Convener)  
 Sandy Turner

**Officers:**

Kevin Brown, Planning Officer (for application P/16/0706/FUL)  
 Kevin Collins, Transport Planning Co-ordinator  
 Julie Seidel, Planning Officer (for application P/16/0706/FUL)  
 Crawford Sibbald, Environmental Health Officer  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator  
 Karen Quin, Solicitor  
 Bernard Whittle, Development Management Co-ordinator

**P137. Apologies**

Apologies were intimated on behalf of Baillies Coombes and Buchanan; and Councillors Chalmers, Garner and Oliver.

**P138. Declarations of Interest**

No declarations were made.

**P139. Alterations to Existing Car Wash Frontage, Installation of Glazed Splash Screen and Washing Booms. Change of Use from Car Sales to Vehicle Repair Workshop (Including Tyre Sales and MOT Test Centre) at 7a and 7c High Station Road, Falkirk FK1 5LP for Mr Abdul Rehman - P/16/0768/FUL**

With reference to Minute of Meeting of the Planning Committee held on 23 February 2017 (Paragraph P134 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for alterations to an existing car wash frontage, the installation of a glazed splash screen and washing booms, the change of use from a car sales to vehicle repair workshop (Including Tyre Sales and MOT Test Centre) at 7a and 7c High Station Road, Falkirk.

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

Mr Rehman, the applicant, was heard in relation to the application.

Mr Quarban, in support, was heard in relation to the application.

Mr Lindsay, an objector, was heard in relation to the application including raising concern that neighbours residing in close proximity to the building had raised concerns in relation to noise.

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

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

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

The objections included the following issues:-

- The timing of the neighbour notification procedure;
- The parking, congestion and pedestrian safety concerns;
- The unrealistic parking proposed within the site;
- The traffic speeds and history of accidents at this location;
- The drainage concerns;
- The wash booms may use more water and may create more noise nuisance;
- The noise concerns;
- The poor management of existing business causing overly noisy working conditions;
- The impact on property value;
- The poor appearance of the existing property;
- The privacy concerns; and
- That the fire escape was opened onto private property at times not for the purpose of evacuation.

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 22 March 2017.

**P140. Erection of 96 Dwellinghouses, 16 Flatted Dwellinghouses, Formation of Access, Open Space, Suds Landscaping and Related Infrastructure on Land to the South West of Tappernail Farm, Reddingmuirhead for Persimmon Homes (East Scotland) - P/16/0706/FUL**

With reference to Minute of Meeting of the Planning Committee held on 23 February 2017 (Paragraph P116 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 96 dwellinghouses, 16 flatted dwellinghouses, the formation of access, open space, SUDS landscaping and related infrastructure on land to the south west of Tappernail Farm, Reddingmuirhead, Falkirk.

The Convener introduced the parties present.

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

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

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

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

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

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

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

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

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

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

Mr White, on behalf of Reddingmuirhead and Wallacestone Community Council, an objector, was heard in relation to the application.

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

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

Ms Montinaro, on behalf of Shieldhill and California Community Council, Tierney, an objector, was heard in relation to the application.

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

The objections included the following issues:-

- That the current proposal is inappropriate and does not accord with the Falkirk Local Development Plan although having no objection to the principle of residential development of the site,
- The proposals included houses exceeding two storeys and flats which was contrary to the public consultation.
- That town houses and flats were not appropriate for the site;

- The proposed materials (brick) do not respect the surrounding area including Hillcrest Square;
- The road safety issues, including access to the site and the speed of vehicles on the B810;
- The need for a reduced speed limit on the B810 as a result of development;
- The risk to children walking to school;
- That the development would unacceptably increase traffic generation in the area;
- The bus services being poor and the difficulty parking at Polmont and Falkirk High stations;
- The curtailing of outdoor space;
- That the Council would split school catchment through the site;
- The development of 112 units exceeded the housing allocation by 2/3;
- The overdevelopment of the site;
- The site did not include substantial green space and that shown is minimal;
- The site will be visually prominent, regardless of the level of planting;
- The proposed development will overlook existing properties;
- The existing drainage was unfit to serve the development;
- The loss of wildlife;
- The increased pressure on schools, medical and dental practices;
- The impact on noise and residents during construction and there being no information to the length of the construction phase; and
- That no thought was given to single storey housing to suit the needs of the elderly or those downsizing.

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 22 March 2017.

Members thereafter walked through the area of the proposed site.

**FALKIRK COUNCIL**

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 7 March 2017 at 9.30 a.m.**

<b>Councillors:</b>	David Alexander	Craig Martin (Convener)
	Jim Blackwood	Dr Craig R Martin
	Tom Coleman	Alan Nimmo
	Dennis Goldie	Robert Spears
	Adrian Mahoney	

**Officers:**

Sally Buchanan, Welfare Reform Project Manager  
 Fiona Campbell, Head of Policy, Technology and Improvement  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive

**EX114. Apologies**

Apologies were intimated on behalf of Councillors G Goldie and Gow.

**EX115. Declarations of Interest**

No declarations were made.

**EX116. Minute****Decision**

**The minute of the meeting of the Executive held on 21 February 2017 was approved.**

**EX117. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 21 February 2017 was provided.

**Decision**

**The Executive noted the rolling action log.**

### **EX118. Establishing a Community Development Finance Institution for Falkirk**

The Executive considered a report by the Director of Corporate and Housing Services seeking approval to contract a Community Development Finance Institution (CDFI) provider to establish a not-for-profit lending operation in Falkirk, Fife and West Lothian.

The Executive had agreed on 16 August 2016 (ref EX44) to progress a tendering exercise for the procurement of a CDFI service for the Falkirk, Fife and West Lothian Council areas which would be focused on personal lending and set up as an alternative to non-standard, high interest lenders.

A procurement exercise, led by Fife Council, had resulted in two bids and after evaluation Five Lamps had been identified as the preferred supplier.

The report provided detail on Five Lamps and the proposed service it would provide together with a projection of service delivery in the first three years. It was anticipated that a shop in Falkirk and a telephone and online service would be in place by July 2017.

Start up costs are estimated to be £50,000 with annual running costs of £40,000. The start up costs and first 3 years' running costs are provided for within the Fairer Falkirk Fund.

Additionally each of the 3 Councils would be required to provide loan capital to Five Lamps. Falkirk Council's contribution would be £100,000. This would be repaid after 5 years. It was proposed that this be met from the Fairer Falkirk Fund unless the funding referred to below is forthcoming.

Discussions are ongoing with the Money Advice Centre on a bid for funding towards set up and running costs. If successful the funding would replace that already allocated by Council for start up and running costs would then be used to provide loan capital.

#### **Decision**

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

- (1) to contract Five Lamps to deliver CDFI services in Falkirk, alongside Fife and West Lothian, and delegate to the Director of Corporate and Housing Services to conclude the necessary agreements on behalf of the Council to implement the initiative;**
- (2) to accept, if offered, funding from the Money Advice Service to cover the set up, first year running and initial project evaluation costs;**
- (3) to provide £100,000 funding from the Fairer Falkirk Fund towards loan capital, to be repaid in full after five years, and**

- (4) to continue to work together with Fife and West Lothian Councils, pending their own decisions to implement and manage this initiative.**

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 8 March 2017 at 9.30 a.m.**

**Councillors:** Jim Blackwood  
Baillie Joan Coombes  
Gordon Hughes  
Provost Pat Reid (Convener)  
Ann Ritchie  
Sandy Turner

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Glackin, Chief Governance Officer  
Frances Kobiela, Senior Solicitor  
Isabel Renton, Senior Licensing Assistant  
Thomas Ross, Licensing Standards Officer  
Brian Samson, Enforcement Officer

**CL124. Apologies**

Apologies were intimated on behalf of Depute Provost Patrick and Councillor Garner.

**CL125. Declarations of Interest**

No declarations were intimated.

**CL126. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 8 February 2017 was approved.**

**CL127. List of Applications Granted Under Delegated Powers in January 2017 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 31 January 2017 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

**Decision**

**The committee noted the report.**

**CL128. Civic Licensing Enforcement – January 2017**

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during January 2017.

**Decision**

**The committee noted the report.**

**CL129. 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.

**CL130. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr M, was not in attendance.

The Licensing Co-ordinator advised the committee the reason for the applicant's absence.

**Decision**

**The committee agreed to continue the matter to a future meeting of the Civic Licensing Committee to allow the applicant to be in attendance.**

**CL131. Application for the Grant of a New Taxi Driver Licence**

The applicant, Mr M and his father, Mr M, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi 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 taxi driver licence for a period of one year, subject to the standard conditions.**

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

### **CL132. Suspension Hearing in Relation to Taxi Driver Licence No.2039**

The licence holder, Mr P, together with Sergeant M White, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer summarising the background to the immediate suspension of the holder of private hire car driver licence No.2039.

The licence holder confirmed that he had no objection to the letter of complaint by Police Scotland being circulated, following which the letter was circulated to members.

Questions were asked of Sergeant White by members of the committee.

The licence holder was then heard in relation to the complaint.

Questions were asked of the licence holder by members of the committee.

There being no further questions, both parties summed up.

The committee agreed that a short adjournment take place.

The licence holder and Sergeant White, left and were then recalled to the meeting.

## **Decision**

**The committee agreed to:-**

- (1) suspend the private hire car driver licence for the unexpired portion of the duration of the licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(2) (c) on the grounds that carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or safety; and**

- (2) that having regard to the circumstances of the case, the suspension would take immediate effect, in accordance with paragraph 11(10) of the schedule of the said Act.**

**FALKIRK COUNCIL**

**Minute of special meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 9 March 2017 at 9.30 am.**

**COUNCILLORS:**

Stephen Bird  
 Steven Carleschi  
 Cecil Meiklejohn (Convener)  
 Baillie Joan Coombes  
 Provost Pat Reid

**OFFICERS:**

Caroline Binnie, Communications & Participation Manager  
 Fiona Campbell, Head of Policy, Technology & Improvement  
 Matthew Davies, Service Manager  
 Jack Frawley, Committee Services Officer  
 Colin Moodie, Depute Chief Governance Officer  
 Robert Naylor, Director of Children's Services

**S34. Apologies**

Apologies were intimated on behalf of Baillie Buchanan and Councillor Chalmers.

**S35. Declarations of Interest**

There were no declarations of interest at this point.

**S36. Scrutiny Panel Conclusions & Recommendations: Complaints Handling**

The committee considered a report by the Director of Corporate and Housing Services setting out the findings and recommendations of the Scrutiny Panel established to review complaints handling within the Council. Appended to the report were the findings of the panel, Falkirk Council's Annual Complaints Report 2015/16, and Service submissions considered by the panel. Fiona Campbell provided an overview of the report.

The committee discussed that there would be a statistical increase in the number of complaints received by the Council if the recommendation to change how requests for service were recorded, e.g. missed bins, was adopted by the Executive.

Members requested that it was made explicit that the Council considered complaints to be a key part of the performance and improvement framework and that learning from complaints was used to make a difference to practice.

The committee discussed instances of vexatious complainers and sought clarity on the Council's policy position. Fiona Campbell advised that the Scottish Public Services Ombudsman (SPSO) did not use the term vexatious but that the Council's policy reflected what was in the SPSO's policy on unacceptable levels of contact.

Following a discussion on elected members' lone working, particularly relating to home visits, the committee requested that information on the Council's lone working policy was included in the Member's Handbook which was being developed for issue after the local government elections in May.

## **Decision**

### **The committee:-**

- (1) noted the work and findings of the panel, and**
- (2) agreed to refer the panel's conclusions and recommendations to the Executive for approval on the basis that complaints should be seen as part of the wider performance and improvement framework.**

Baillie Coombes entered the meeting during consideration of the previous item. Councillor Carleschi entered the meeting during consideration of the following item.

### **S37. Joint Inspection of Services for Children**

The committee considered a report by the Director of Children's Services which provided an overview of the Joint Inspection of Services for Children. Information was provided on the process of inspection, its findings, recommendations and the Community Planning Partnership's (CPP) improvement plan. The Joint Inspection of Services for Children and Young People Improvement Plan and the Care Inspectorate's Report were appended to the report. Robert Naylor and Matthew Davies provided an overview of the report.

At this point, Councillor Meiklejohn declared a non-financial interest in the current item of business as a board member of the Care Inspectorate. She stated that she did not consider that this required her to recuse herself from consideration of the item due to the historic nature of the report and that the committee could not alter or influence the Care Inspectorate's findings.

The committee discussed the role of the Community Planning Partnership and how partners were held to account regarding delivery of services. Robert Naylor stated that the Service had worked closely with community planning

partners in the development of the self-evaluation document. There was a desire to better identify children who were not in receipt of services but who would benefit from intervention. He advised that the inspection provided a snapshot of a particular point in time but that if the inspection had been carried out more recently he was confident most scores of adequate would have been goods.

The committee asked about the involvement of elected members in the inspection process. Matthew Davies advised that there had been a focus group with councillors and that some senior councillors had met with the inspectors during the first week.

Members discussed the number of reporting groups and asked if this could be streamlined. Robert Naylor advised that these groups had been looked at and that the structure currently in place was the streamlined version. Matthew Davies stated that the review of the structure had been undertaken in order to address the need for improved governance. The partnership was now clearer on who was responsible to who and when reporting was to be done. Robert Naylor stated that he would consider how to better advise elected members of the work going on at these groups such as the Children's Commission.

The committee asked about the action to monitor the prevalence of children on the Child Protection Register in excess of 12 months. Matthew Davies advised that the Service recorded information against 14 areas for concern which included neglect. There were quarterly reviews of children on the register as well as regular meetings of the Team Around the Child. If improvements for a child were not seen over a year long period the Service would review this to find out why and identify what actions or services could be put in place to change this.

Members sought an update on work regarding the Champion's Board. Matthew Davies stated that there were now staff in place to support the board and that they were currently planning the care leavers' event. There would then be progress made on the work to recruit young people to sit on the board. The Service viewed this as an exciting opportunity to improve the dialogue between young people and senior officers.

The committee asked about the reporting mechanisms in place for feedback on improvements and when this would be presented to councillors. Colin Moodie stated that there was a wider issue regarding the interface between the CPP and the Council and if there was a smarter way to get information reported back. He stated that he would look at the best way to do this in liaison with the Director of Children's Services.

Members asked about the role of young inspection volunteers and what feedback was reported from their conversations with local looked after young people. Matthew Davies stated that the inclusion of young inspection volunteers was a new feature of inspections. They met with local looked after young people in a focus group setting. The facilitator reported that the meeting was positive but that issues were raised regarding corporate

parenting, the family firm approach, employment, access to leisure, and public transport.

The committee sought further information on the results of the survey undertaken with Named Persons and Lead Professionals. Matthew Davies stated that some details on the results could be provided to members after the meeting. The main issue which had been raised was the ability of professionals to make a positive impact on young people's lives in the face of poverty. He advised that mitigating poverty was part of the Service's plan and that they were looking at the cost of the school day.

Members asked how staff had found the process of inspection. Robert Naylor stated that following the implementation of the action plan and the revised governance arrangements the broader service attitude was positive to take on the challenge and make improvements. Immediately after the publication of the inspection there had been a feeling of disappointment as the staff and Service felt they performed to a higher standard than the grades given showed. The Service had a good relationship with the lead inspector and he had been involved in the development of the action plan.

### **Decision**

**The committee noted the:-**

- (1) publication of the Joint Inspection of Services for Children;**
- (2) recommendations for improvement arising from the inspection as outlined in section 4.5 of the report, and**
- (3) improvement actions contained in the Joint Inspection Improvement Plan.**

# Falkirk Community Trust

## Board Meeting Minute

Minute of a meeting of the Board of Directors of Falkirk Community Trust Limited (the "Company") held at Callendar House on **10<sup>th</sup> November 2016** at 9.30am. Ian Scott (IS) chaired the meeting throughout.

**Present:** Ian Scott (IS) Chairman; Cllr Dennis Goldie (DG) items 1- part 5; Cllr Linda Gow (LG); Alex McQuade (AMcQ); Steve Mackie (SM); Provost Pat Reid (PR); Simon Rennie (SR); Cllr Robert Spears (RS) items 1 – part 5; Bob Tait (BT).

**Apologies:** Ruth Morrison (RMor); David White (DW).

**In Attendance:** Maureen Campbell (MC); Neil Brown (NB); Paul Finnie (PF); Lesley O'Hare (LoH); Jane Clark (JC); Danny Cairney (DC) items 1-5; Andrew Wilson item 7.

No.	Agenda Item	Agreement / Action	Due Date	Who
1	Re-appointment of Board Director	The Chairman welcomed Directors to the meeting. The Board noted that Ruth Morrison has agreed to remain for a further term to 30 <sup>th</sup> October 2018.		
2	Minute of Meeting	The Minute of the meeting on 25 <sup>th</sup> August 2016 was approved.		
3	Matters Arising	Nil		
4	Budgetary Control Statement	DC presented an update on the financial status for the Trust's activities for the 6 month period to September 2016 and the Board noted that at this stage the overall financial projection is marginally over budget. The Board noted that employee costs are under budget and whilst customer income is higher than same period last year it is projected to be below budget. The Trading Company is continuing to perform well and is projecting a charitable donation.  The Board discussed the impact of closures for repairs and the effects of dilapidating facilities.		
5	Draft Business Plan 2017/18	IS drew Directors attention to the confidential nature of the report and associated papers supporting the Draft Business Plan.  MC took the Board through the report and the appendices that set out the longer term 3 year approach along with proposals for 2017/18.  The Board noted: <ul style="list-style-type: none"> <li>• Significant achievements in performance including income growth, trading turnaround, external fundraising, visitor numbers, customer satisfaction;</li> <li>• The level of savings achieved over successive years to date;</li> <li>• The Business Plan Approach over 3 years to engage communities, grow capacity, create a mixed portfolio of management options and develop innovative entrepreneurial skills;</li> <li>• The significant shift of focus for the Trust and the crucial role for the wider culture and sport community;</li> <li>• The pace of change within the Trust needs to increase;</li> <li>• Confidence in potential for change from examples of successful new activity and innovation to date and scope for learning from others;</li> <li>• The Areas of Focus for facilities and that this will be considered further within the Council's strategic asset</li> </ul>		

No.	Agenda Item	Agreement / Action	Due Date	Who
		<p>review;</p> <ul style="list-style-type: none"> <li>Income generation from key facilities will focus on energy as well as customer growth and fees &amp; charges;</li> <li>A set of savings proposals for 17/18 to achieve £1,070k, including use of reserves;</li> <li>That the savings proposed do not reach the target level of £1.8m;</li> <li>The Go Card remains as a safety net for people in greatest need;</li> <li>Work on Equality and Poverty Impact Assessment and mitigation and consultation with Trade Unions and affected staff will be ongoing through the process;</li> <li>The timescales for submission to the Council and final decision making through to February 2017.</li> </ul> <p>The Board discussed:</p> <ul style="list-style-type: none"> <li>The impacts of 17/18 proposals and the lengthy period of uncertainty for staff and the commitment to regularly feedback to staff affected;</li> <li>The potential impact of 17/18 proposals on schools noting that dialogue has commenced with the Director of Children's Services;</li> <li>The role for volunteer development and potential for provision of some services through the commercial sector;</li> <li>The strong culture and sport infrastructure that exists in the area;</li> <li>The need for the Trust to be a genuine community partner and support others;</li> <li>Frustration around the use of capital for essential repairs;</li> <li>The need for clarity around criteria for decision making;</li> <li>The risk of doing nothing and that it far outweighs the risks associated with the approach;</li> <li>The need for sufficient freedom to innovate and change;</li> <li>The implications of being asked for additional savings in 17/18 and how that would require to be informed by the Council's strategic asset review.</li> </ul> <p><b>Decisions</b></p> <p>The Board:</p> <ol style="list-style-type: none"> <li>Approved the draft Business Plan Approach 2017-2020;</li> <li>Approved the various initiatives to tackle the reduction in funding in 2017/18 as outlined in Appendix 2;</li> <li>Endorsed the approach to the fees and charges for 2017/18 as considered by the Audit &amp; Performance Sub Group as outlined in section 5;</li> <li>Approved the Helix Business Plan 2017/18 as set out in Appendix 5;</li> <li>Endorsed the capital proposals for 2017/18 as recommended by the Audit &amp; Performance Sub Group as outlined in section 8;</li> <li>Agreed to submit to the Council the appendices to the report to seek their agreement to our approach to the Business Plan for 2017/18 by 15<sup>th</sup> November 2016;</li> <li>Agreed to hold a special meeting of the Board in January 2017 to consider the Council feedback and appropriate next steps.</li> </ol>		

No.	Agenda Item	Agreement / Action	Due Date	Who
6	Antonine Wall HLF Bid	LoH outlined a partnership bid to the Heritage Lottery Fund for a project titled "Rediscovering the Antonine Wall". The Board noted that the bid is being led by West Dumbartonshire Council and that this area is a key player having a significant proportion of the monument. Community engagement has helped to shape the bid and there are clear links to the Heritage Delivery Plan. There would be temporary posts for the duration of the project and there is potential for greater levels of work with local groups.		
7	Strategic Outcomes and Local Delivery Plan (SOLD)	<p>Andrew Wilson, Community Planning Manager outlined the new Plan for 2016-2020 which is a statutory requirement and has a focus on inequality and key factors affecting the area and aims for more collaborative work across the community planning partnership.</p> <p>The Board discussed the role for the Trust particularly in the priority area of Mental Health &amp; Wellbeing, the added value of collaboration and co-production. The Board noted that the Trust is involved in delivery planning and locality planning work which is presently underway.</p> <p><b>Decision</b></p> <p>The Board approved the Strategic Outcomes and Local Delivery Plan 2016-2020.</p>		
8	PDP	<p>The Board discussed the Council Policy Development Panel report and recommendations. The Board agreed that time is needed to consider the implications for the Trust particularly in view of the challenges associated with our strategic approach to Business Planning over the next 3 years.</p> <p><b>Decisions</b></p> <p>The Board</p> <ul style="list-style-type: none"> <li>a) Agreed a set of actions and asked the Chief Executive to take account of potential impact on the Business Plan Approach;</li> <li>b) Agreed that external advice is sought in relevant areas particularly in legal matters; and</li> <li>c) Agreed that the Chairman write to the Council advising of a timescale for a response from the Trust.</li> </ul>		
9	Audit & Performance Sub Group	The Board noted the Minute of 27.10.16		
10	Trading Company	The Board noted the Minute of 31.10.16		
11	Information Items	The Board welcomed the very positive information items and the excellent performance that has been achieved.		
	Date of next meeting	January 2017 date and time tbc		

**Minute of Meeting of the Central Scotland Valuation Joint Board held within the Municipal Buildings, Falkirk on Friday 18 November 2016 at 9.30 a.m.**

**Councillors:**

Kenneth Earle  
Gordon Hughes  
Charles MacDonald (Convener)  
Adrian Mahoney  
Corrie McChord  
Rosie Murray  
Alan Nimmo  
Jim Thomson  
Sandy Turner

**Officers:**

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

**VJB28. Apologies**

Apologies were intimated on behalf of Councillors Meiklejohn, Stalker and Stewart.

**VJB29. Declarations of Interest**

No declarations were made.

**VJB30. Minute**

The minute of the meeting held on 23 September 2016 was approved

**VJB31. Revenue Budget 2016/17**

The Board considered a report by the Assessor and Electoral Registration Officer presenting the projected outturn for the revenue budget for 2016/17.

As of 30 September 2016, an underspend of £74k was projected for the 2016/17 budget. The report set out the main movements within the budget. These were:-

- increased income of £18k;

- reduced employee costs; and
- funding, from the Cabinet office, towards individual Electoral Registration.

### **Decision**

**The Board noted the report.**

## **VJB32. Employment Report**

The Board considered a report by the Assessor and Electoral Registration Officer seeking approval to increase the established by two full-time Electoral Canvasser posts.

In terms of the Scheme of Delegation, the Assessor may only appoint employees within the approved establishment. The report set out the rationale for increasing, two full-time Electoral Canvassers. The posts had been graded at Grade 2 (£17,100 - £17,611). A number of temporary Canvasser contracts would end by 30 November 2016 and consequently there would be no immediate financial impact should the proposal be agreed.

### **Decision**

**The Board authorised expansion of the current staffing establishment by the addition of two full time Grade 2 Electoral Canvasser positions.**

## **VJB33. Interim Valuation Performance Report**

The Board considered a report by the Assistant Assessor presenting service performance information for the period 1 April to 30 September 2016.

The service performances as measured by performance indicators for valuation roll work and for valuation list work were set out.

In regard to valuation roll work, which measures the period taken to change the valuation roll, 553 changes were made during the period - of these 94% were amended within 3 months, 100% within 6 months and 1% took longer – against targets of 97%:99% and 1% respectively.

### **Decision**

**The Board noted the continuing commitment to Best Value.**

**VJB34. Programme of Meetings January - April 2017**

The Board considered a report by the Clerk to the Board proposing that the Board meet on 17 February 2017. The main purpose of the meeting would be to set the budget for 2017/18. The timing of the announcement of the Scottish Government's budget settlement could require this date to change and as such was subject to confirmation by the Convener..

**Decision**

**The Board agreed to meet on 17 February 2017 and noted that meetings may be called as necessary, subject to Standing Orders.**

## FORTH VALLEY NHS BOARD

### DRAFT

Minute of the Forth Valley NHS Board meeting held on Tuesday 29 November 2016 in the NHS Forth Valley Headquarters, Carseview House, Castle Business Park, Stirling.

#### Present

Mr Alex Linkston (**Chair**)  
 Dr Graham Foster  
 Miss Tracey Gillies  
 Mrs Jo Chisholm  
 Ms Fiona Gavine  
 Dr James King  
 Mrs Julia Swan

Mrs Jane Grant  
 Mrs Fiona Ramsay  
 Professor Angela Wallace  
 Mr John Ford  
 Mr Jim King  
 Cllr Corrie McChord  
 Cllr Graham Watt

#### In Attendance

Ms Elaine Vanhegan, Head of Performance Governance  
 Mrs Elsbeth Campbell, Head of Communications  
 Mrs Kathy O'Neill, General Manager  
 Mr Tom Steele, Director of Estates and Facilities  
 Mrs Alison Richmond-Ferns (deputising for Helen Kelly)  
 Miss Catherine Goodall, Public Health Consultant (Item 6.1)  
 Mrs Gillian Morton, General Manager (Item 7.3)  
 Ms Rita Ciccio-Moore, Interim Associate Director of Nursing (Item 7.3)  
 Ms Louise Boyle, Head of Nursing/ Service Manager (Item 7.3)  
 Ms Karen MacLure, Person Centred and Patient Relations Manager (Item 7.4)  
 Mrs Sonia Kavanagh, Corporate Services (*minute*)

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Mr Tom Hart and Mrs Helen Kelly.

#### 2. DECLARATION(S) OF INTEREST(S)

There were no declarations of interest.

#### 3. MINUTE OF FORTH VALLEY NHS BOARD MEETINGS

##### 3.1 Minute of Forth Valley NHS Board meeting held on 27 September 2016

The minute of the Forth Valley NHS Board meeting held on 27 September 2016 was approved as a correct record.

#### 4. MATTERS ARISING FROM THE MINUTE

There were no matters arising from the minute.

#### 5. QUALITY AND SAFETY

##### 5.1 Patient Story

The NHS Board received a short patient story presentation regarding "What Matters to You", presented by Professor Angela Wallace, Director of Nursing.

Professor Wallace introduced the story that gave a lady's experience when her husband was discharged from hospital. She had made contact through Patient Opinion regarding the lack of communication she had received about her husband's discharge and the frustrations felt when she had to repeat information about his condition as he was transferred from ward to ward.

The Person Centred Team contacted the lady to discuss the concerns raised. It was suggested that she completed the 'Getting to Know You' document with all relevant information about her husband's condition, medication and preferences. This could then be easily updated as necessary and shared with health professionals involved.

The lady had since been in contact to praise the useful document that had made a huge difference in reducing the number of times she had to provide staff with this information.

The NHS Board acknowledged the importance of patient feedback to improve care.

## **5.2 National Healthcare Associated Infection Reporting Template (HAIRT)**

The NHS Board considered a paper "National Healthcare Associated Infection Reporting Template", presented by Dr Graham Foster, Director of Public Health and Strategic Planning.

Dr Foster highlighted various updates relating to infection prevention and control.

The total number of Staphylococcus aureus bacteraemia (SABs) was 46 with 10 reported SABs for October 2016. Although the number was within the control limits each case would be reviewed to understand the background and reasons for the increase. There were 7 cases of Clostridium difficile infection (CDI) reported for the same period. A marked increase in Device Associated Bacteraemia was highlighted and support would be provided to wards to ensure compliance with bundle documentation. There had been no HAI related deaths and no nationally reported surgical site infections.

Although the majority of Estate and Cleaning Compliance figures remained at acceptable levels, further work was required with community hospitals. Once refurbishment at Stirling Community Hospital was completed work would commence at Falkirk Community Hospital.

Ward Visits showed a slight reduction in the total non compliances for October 2016 with 102 compared to 111 in the previous month. There was an ongoing process of continual improvement and feedback to wards.

Dr Foster highlighted that the final report regarding the unannounced visit to Stirling Community Hospital had been published with no requirements or recommendation raised. However, one area for improvement had been identified in relation to the communication and understanding with frontline staff regarding how performance and information from wards was utilised. A single Monthly Ward Report had been created which contained all reports published monthly for staff to access via the intranet. In response to Mrs Swan's query regarding how this would be monitored to ensure effectiveness, Dr Foster explained this would be achieved through NHS Board visits and a clear change in staff understanding.

In response to Mrs Chisholm's question regarding the plans to address infections from catheters, Dr Foster outlined the urinary catheter insertion procedure and maintenance bundle which aimed to decrease the actual number of urinary catheter insertions and reduce associated infections.

The NHS Board noted the update and the excellent inspection report for Stirling Community Hospital.

## **6. HEALTH AND IMPROVEMENT AND INEQUALITIES**

### **6.1 Syrian Vulnerable Persons Refugee Scheme**

The NHS Board received a presentation “Syrian Vulnerable Persons Refugee Scheme”, led by Dr Graham Foster, Director of Public Health and Strategic Planning.

Dr Foster introduced the Syrian Vulnerable Persons Refugee Scheme highlighting that the Scottish Government had indicated Scotland would accept 1000 refugees over 5 years and this had recently been increased to 2000. He then introduced Miss Catherine Goodall, Consultant in Public Health, who had been appointed Lead for the scheme in Forth Valley.

Miss Goodall provided an overview of the scheme and the work required to settle and integrate families from Syria into the community. The scheme ran alongside the established UK Government gateway scheme and was well supported by Local Authorities.

There were 2 elements involved; pre-arrival assessment to establish their needs and post arrival to ensure housing and healthcare needs were in place. As the refugees had lived in camps for so long there were many health issues which had not been addressed e.g. immunisation, control of diabetes and dental health as well as the mental health scars associated with war. Although there were many challenges it was important to engage with the local community and ensure all agencies worked together to ensure the best outcome for the families in the short and long term.

An update on the progress to date was provided and the knowledge gained so far would assist the placement of further families and individuals.

The NHS Board discussed the scheme and the challenges with sustaining and funding the initiative and the positive outcomes for the refugees.

The NHS Board thanked Miss Goodall for the presentation and agreed that this was a worthwhile scheme.

## **7. STRATEGIC PLANNING AND DEVELOPMENT**

### **7.1 Health and Social Care Integration**

The NHS Board considered a paper “Health and Social Care Integration”, provided by Mrs Kathy O’Neill, General Manager.

Mrs O’Neill provided an update on the progress with the implementation of Health and Social Care Integration in Forth Valley.

The focus for both Integration Joint Boards (IJBs) was the development of delivery plans; financial recovery plans and business plans for 2017/18. The Falkirk IJB were also working on a whole system approach to delayed discharge and establishing an integrated team pilot for the west locality. Clackmannanshire and Stirling IJB were planning the ‘Neighbourhood Models of Care’ pilot, revising local priorities and reviewing boundaries to align with elected member wards and Stirling Council locality boundaries.

Progress had been made with the development of the Strategic Workforce Plan with the support of the Joint Staff Forum. A Performance Reporting Framework had been produced along with the proposed development of a balanced scorecard, which had been well received at both IJB meetings.

Mrs O'Neill highlighted that discussions were taking place in relation to a proposed transfer of operational responsibility for the community services for learning disability and mental health to the Chief Officers. The completion of the transfer was expected by 31 January 2017.

There were significant areas of financial pressure in both IJBs. A recovery plan had been developed by Falkirk IJB to address the historical overspend position in adult social care services and due to the emergence of significant financial pressures in social care budgets for Clackmannanshire and Stirling IJB a similar recovery plan process had been established.

The NHS Board discussed the budgets available for IJBs and the challenges of differing budget setting timescales for the NHS Boards and the Councils.

The NHS Board noted the update provided.

## **7.2 Corporate Risk Register**

The NHS Board considered a paper "Corporate Risk Register", presented by Miss Tracey Gillies, Medical Director.

Miss Gillies highlighted the 4 main risks which were assessed as 'very high risk':- waiting times for the 18 week RTT, Psychology Therapies, sustainability of Primary Care Services (in particular the 2C practices) and the delayed discharge risk due to the increasing bed days lost, where work was ongoing week by week to address the issue.

The NHS Board expressed an ongoing concern for the delayed discharge situation.

The NHS Board noted the update provided.

## **7.3 Nursing and Midwifery Strategy**

The NHS Board considered a paper "Nursing and Midwifery Strategy", presented by Professor Angela Wallace, Director of Nursing.

Professor Wallace introduced Gillian Morton, General Manager, Rita Ciccu Moore, Interim Associate Director of Nursing and Louise Boyle, Head of Nursing/Service Manager who would provide a supporting presentation for the "We Care" Nursing and Midwifery Strategy.

An overview of the areas covered by the nursing and midwifery team was provided including the wide range of specialism's. This framework of caring with dignity and respect also involved staff reflecting on their practices and challenging themselves to evolve and transform the role as the healthcare landscape changed.

Through the feedback from staff, patients and families, 3 pledges/priorities had been developed. They would support the delivery of day to day care and assist with the achievement of NHS Forth Valley's priorities across both health and social care.

The NHS Board discussed the present nursing role, future requirements and the standards of education necessary. In response to Mrs Swan's question regarding skill mix and whether there were any shortages in certain areas, Professor Wallace confirmed that although this was managed through workforce planning, where there were challenges work to develop the team and up skill staff appropriately was undertaken.

Mrs Grant reinforced the importance of the Strategy, which involved the largest cohort of staff with the most patient contact. It also linked in with the Person Centred Health and Care Strategy and would ensure continuous care across a wide range of services. It was agreed that the

Corporate Management Team would monitor areas of progress with feedback to the NHS Board annually.

The NHS Board noted the work involved to develop the Strategy, monitoring and governance arrangements.

After discussion the NHS Board approved the Nursing and Midwifery Strategy.

#### **7.4 Implementation of the Person Centred Health and Care Strategy – Progress Report**

The NHS Board considered a paper “Implementation of the Person Centred Health and Care Strategy – Progress Report”, presented by Professor Angela Wallace, Director of Nursing.

Professor Wallace provided an update on the progress with the implementation of the Person Centred Health and Care Strategy ‘What Matters to You, Matters to Us’ 2015-2017, which had been launched in October 2015.

The Person Centred Steering Group were responsible for monitoring the delivery of the 8 elements within the strategy; communication and positive first impression, bereavement, patient and public involvement, fundamental care and standards, volunteering, equality and diversity, end of life care and spiritual care. The balanced scorecard highlighted the positive progress made in many of the areas and there would be further work to establish baselines and identify areas for further improvement.

In response to Mrs Swan’s concern regarding the issues around communication, Professor Wallace explained there would be increased focus and work on this area in 2017 to ensure dissemination and consistency across all departments.

The NHS Board noted the progress made during the first year of implementation of the Strategy and the future plans and requested a further update in 2017.

### **8. CORE PERFORMANCE**

#### **8.1 Executive Performance Report**

The NHS Board considered a paper “Executive Performance Report”, presented by Ms Elaine Vanhegan, Head of Performance and Governance.

Ms Vanhegan highlighted that following the NHS Board approval of the Healthcare Strategy – ‘Shaping the Future’, there had been significant communication to raise awareness with staff, public and partners. Overall feedback had been supportive and the challenge to deliver ambitious strategic change in such a tight fiscal environment had been recognised.

Work continued to develop approaches in line with the Strategy. A pilot to limit the amount of times patients had to attend hospital for follow up appointments had commenced for patients with hip and knee replacements. This would free up consultant time to see new and urgent cases and reduce the need for patients to travel to hospital for clinic appointments.

Ms Vanhegan highlighted that work had taken place with the Scottish Government’s Health Workforce Directorate and NHS Education for Scotland (NES) to design, test and support the development of GP Fellows who would work across the interface between primary and secondary care. The project would be evaluated over the coming months.

Feedback regarding the Doune Health Centre Outline Business Case (OBC) had been received from the Capital Investment Group (CIG) and recommendations had been incorporated into the OBC.

Ms Vanhegan provided an overview of the key performance measures:

The sickness absence position for September 2016 was 4.92%, below the Scotland position of 5.04% and focus would continue as the winter period approached. Particular note was made that the eKSF standard of 80% had been achieved in October 2016.

In terms of emergency access, the October 2016 position was 93.7% Board wide; MIU 100%, ED 92.2% with 62 eight hour and no twelve hour breaches. There were increasing challenges due to the high numbers of delayed discharges and patients waiting for packages of care impacting capacity across the system.

At the end of October 2016 the number of patients waiting for an outpatient appointment that exceeded the 12 week waiting time standard was 4465, 73.3% against a target of 95%.

In the quarter ending September 2016, 553 patients waited longer than the 12 week Treatment Time Guarantee (TTG), with overall compliance 81.2%. At the end of October there were 307 patients with an ongoing wait over 12 weeks. The main challenges remained within ENT, Orthopaedics and General Surgery and this was discussed weekly by the CEO Operational Group.

The 18 week Referral to Treatment (RTT) position in September 2016 was 81% against a national position of 84.7%. The CAMH services performance had improved significantly with the position for October 2016 at 87.1% against the 90% standard, an increase from the September position of 74.1%.

Against the 62 day cancer standard, the position for the quarter ending June 2016 was 88.7% against the Scotland position of 89.7%. The 31 day standard for the same period was positive with 98.4% against the Scotland position of 95.7%. The monthly position for September 2016 in respect of the 62 days was 82.8% with 11 patients waiting beyond the target and all patients with cancer treated within 31 days of decision to treat. There were ongoing review of patients who waited beyond the target with appropriate action taken; changes to vetting referral procedures, sourcing additional lists or clinics and additional oncology capacity.

As previously highlighted there were increasing challenges due to the Delayed Discharge position. Delays over 14 days at the October 2016 census was 31, with the local authority breakdown; Clackmannanshire 2, Falkirk 25, Stirling 3 and 1 delay for Local Authorities outwith Forth Valley. The total number of bed days lost due to delayed discharge at the October census had increased by 37 to 1185 from the September census. The additional impact of patients identified under code 9 or guardianship delays had resulted in a high number of patients being delayed in their discharge with an excess of 90 during October and into November 2016.

Ms Vanhegan highlighted that Forth Valley had performed well at the recent Scottish Health Awards 2016. Sharon Coggins won the Midwife Award, Charlotte Ritson won the Young Achiever Award and the Mental Health Nurses at Kersiebank and Bannockburn GP Practices were named as winners of the Care for Mental Health Award. Fiona Donnelly and the Primary Care Team at HMP Glenochil had been presented with the Integrated Care for Older People Award.

The Neonatal Unit at Forth Valley Royal Hospital had been awarded a Certificate of Commitment in its first step towards gaining international recognition from Unicef UK Baby Friendly Initiative (BFI). The Modern Apprentices had now successfully completed their year long programme and had been awarded certificates at a recent Graduation Ceremony. The next cohort were due to be recruited soon.

Ms Vanhegan reported on the Balance Scorecard and Performance Summary.

## **Person Centred**

The 20 day response time for complaints for September 2016 was 75% for complaints excluding prisons and 100% for prison complaints, both against the local target of 80%. Targeted work continued to support the reduction in the number of complaints and the September position was 52 complaints and 34 prison complaints received.

## **Timely**

The NHS Board noted that further detail would be provided under item 7.3, Waiting Times Report.

## **Effective and Efficient**

The Finance Report at 31 October 2016 reported an overspend of £0.956m and would be covered later in the agenda.

Discussions followed in relation to complaints and whether there were specific reasons for the complaints to enable early intervention. There was ongoing Person Centred work to identify areas of concern prior to use of the complaint route.

The NHS Board noted the update provided and the excellent performance results in CAHMs.

## **8.2 Financial Monitoring Report**

The NHS Board considered a paper "Financial Monitoring Report", presented by Mrs Fiona Ramsay, Director of Finance.

Mrs Ramsay provided a summary of the financial position for NHS Forth Valley to 31 October 2016 and the overspend of £0.956m, with an improvement of £0.324m in-month.

Although the financial issues remained similar to those in 2015/16 there had been sustained reductions in bank and agency spend, travel and postage costs, and waiting list initiative/private sector spend. An action plan was in progress to address the issues regarding TTG breaches and outpatients waits and an additional non-recurrent sum of £0.400m had been identified to improve the position while Capacity Plans were concluded.

The financial pressure on the prescribing budget was due to a combination of estimated increase in prescribing volumes and the impact of timescales for the implementation of savings plans. A further risk assessment had been completed and it was likely that the projected overspend would reduce further in next month's report.

Work continued to identify recurrent cash savings and to date a further £0.5m had been identified.

The capital position to 31 October 2016 reflected a balanced position, although spend to date remained relatively low. A revised estimate of spend for Doune Health Centre had been included which had resulted in a return of funding to SGHSCD. This would be added to 2017/18 allocations to reflect the revised phasing of spend for the Health Centre.

The NHS Board noted:

- The overspend of £0.956m on the revenue position to 31 October 2016
- The balanced capital position to 31 October 2016
- A balanced financial position was projected for 2016/17 with continued scrutiny of spend and on implementation of savings.

### **8.3 Waiting Times Report**

The NHS Board considered a paper “Waiting Times Report”, presented by Ms Elaine Vanhegan, Head of Performance and Governance.

Ms Vanhegan provided an update on the NHS Board’s position in relation to a range of access targets established by the Scottish Government.

The compliance of patients treated within 18 weeks of referral in September 2016 was 81%. Performance at Directorate level reflected; 80% in Surgical, 74.3% in Medical and 90% in Women, Children and Sexual Health.

At 31 October 2016 the number of outpatients with ongoing waits over 12 weeks had reduced slightly to 4465 from 4515 in September 2016.

The new outpatient DNA rate for October 2016 was 8.6% against the Scotland rate of 9.6%. The variability across the specialties was highlighted with 13 services with a DNA rate higher than the Scotland average.

Compliance with Treatment Time Guarantee (TTG) was 81.2%. Further work was in progress to address issues with ongoing waits.

There were 125 new outpatients unavailable for appointments at 31 October 2016. This was 0.8% of the total waiting list compared to the Scotland figure of 1.9%, 24 out of the 26 specialties were below the Scotland average.

The inpatient/daycases unavailable rate was 8.2% against the Scotland figure of 11.2%.

There was a continued reduction in the number of patients waiting over 42 days for endoscopy with 39 for October 2016.

Discussion took place regarding the challenges to stabilise outpatient figures and the need to deal with patients waiting the longest. The possibility of locum use and additional funding to address the capacity issue was also discussed.

In response to Ms Gavine’s query regarding the high DNA rate for diabetes, Miss Gillies confirmed that work had started to review pathways in primary and secondary care.

The NHS Board noted the Waiting Times Report, acknowledged the progress made and the remaining challenges to date.

### **8.4 Annual Review 2015/16 – Letter from the Minister for Public Health and Sport**

The NHS Board considered a paper “Letter from the Minister for Public Health and Sport”, presented by Mrs Jane Grant Chief Executive.

Mrs Grant outlined the key points raised by Aileen Campbell, Minister for Public Health and Sport in respect of the NHS Forth Valley Annual Review 2015/16.

Overall the letter had been positive, noting the significant progress being made and the challenges faced and detailed the 4 main action points.

The NHS Board noted the letter from the Minister of Public Health and Sport in relation to the NHS Forth Valley Annual Review 2015/16.

## **9. GOVERNANCE**

### **9.1 Governance Committee Minutes**

#### **9.1.1 Clinical Governance Committee – 14 October 2016**

The NHS Board noted the minute of the Clinical Governance Committee meeting held on 14 October 2016.

#### **9.1.2 Performance and Resources Committee – 25 October 2016**

The NHS Board noted the minute of the Performance and Resources Committee meeting held on 25 October 2016.

#### **9.1.3 Staff Governance Committee – 16 September 2016**

The NHS Board noted the minute of the Staff Governance Committee meeting held on 16 September 2016.

#### **9.1.4 Audit Committee – 11 October 2016**

The NHS Board noted the minute of the Audit Committee meeting held on 11 October 2016.

### **9.2 Advisory Committee Minute**

#### **9.2.1 Area Clinical Forum – 15 September 2016**

The NHS Board noted the minute of the Area Clinical Forum meeting held on 15 September 2016.

### **9.3 Integration Joint Board Minutes**

#### **9.3.1 Falkirk Integration Joint Board – 5 August 2016**

The NHS Board noted the minute of the Falkirk Integration Joint Board meeting held on 5 August 2016.

#### **9.3.2 Clackmannanshire and Stirling Integration Joint Board – 21 September 2016**

The NHS Board noted the minute of the Clackmannanshire and Stirling Integration Joint Board meeting held on 21 September 2016.

## **10. ANY OTHER COMPETENT BUSINESS**

There being no other competent business, the Chairman closed the meeting at 11.45am.

## **FALKIRK INTEGRATION JOINT BOARD**

**Minute of Meeting of the Falkirk Integration Joint Board held in the Municipal Buildings, Falkirk on Friday 2 December 2016 at 9.30am.**

**Voting Members:**

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

**Non-voting Members:**

Patricia Cassidy, Chief Officer  
Claire Crossan, Carer Representative  
Leslie Cruickshank, GP Medical Representative  
Karen Herbert, Third Sector Interface  
Tracey Gillies, Medical Representative  
Jane Grant, Chief Executive, NHS Forth Valley  
Sara Lacey, Chief Social Work Officer (substitute)  
Ewan Murray, Chief Finance Officer  
Martin Murray, Service User Representative  
Mary Pitcaithly, Chief Executive, Falkirk Council  
Angela Wallace, Nursing Representative

**Officers:**

Elspeth Campbell, Head of Communications, NHS Forth Valley  
Fiona Campbell, Head of Policy, Technology and Improvement, Falkirk Council  
Jack Frawley, Committee Services Officer, Falkirk Council  
Lesley Macarthur, Integrated Care Fund Co-ordinator, Falkirk Council  
Joe McElholm, Head of Social Work Adult Services, Falkirk Council  
Colin Moodie, Depute Chief Governance Officer, Falkirk Council  
Kathy O'Neill, Community Services Directorate – General Manager, NHS Forth Valley  
Elaine Vanhegan, Head of Performance & Governance, NHS Forth Valley

**IJB62. Apologies**

Apologies were received on behalf of Tom Hart, Kathy McCarroll and Angela Price.

**IJB63. Declarations of Interest**

There were no declarations of interest.

Martin Murray entered the meeting during consideration of the previous item.

**IJB64. Minutes****Decision**

- (1) The minute of meeting of the Integration Joint Board held on 7 October 2016 was approved, and**
- (2) The minute of the special meeting of the Integration Joint Board held on 18 November 2016 was approved.**

**IJB65. Chief Officer Report**

The Integration Joint Board considered a report by the Chief Officer which provided an update on the most recent developments within the Falkirk Health & Social Care Partnership. In terms of a whole system approach information was provided on the local delivery plan, capacity modelling, frailty model, and discharge to assess. The report also provided information on delayed discharge levels, Falkirk's integrated workforce plan and Audit Scotland publications. Patricia Cassidy provided an overview of the report.

Members discussed recruitment to the post of Chief Finance Officer (CFO) highlighting that this was a business critical post and had been the subject of discussion for too long. It was raised that the post could be advertised on a full time basis and then, for the right person, could be offered on a part time basis. Mary Pitcaithly stated that the advert could be clear that the post was open to full and part time applicants. She highlighted that this approach was not unusual and that the best candidate whether full or part time could then be appointed.

The Board asked why there had been a delay in recruitment to the post. Mary Pitcaithly advised that discussion had been ongoing regarding recruitment and that the funding of the post needed to be clear as the Stirling & Clackmannanshire partnership had indicated their preference for a full time CFO. This presented additional costs to the Health Board who would incur shared costs for each partnership. There were also concerns about recruiting a suitably skilled and experienced individual as there was scope for the post to provide additional support on work with the change agenda. Members commented on the risks that were associated with the uncertainty regarding this post.

Some members expressed concern about the implication on resources of a full time post, noting that resources should be targeted to frontline services. Members asked what approach was being taken in other partnerships where the Health Board covered more than one area. Patricia Cassidy advised that there was a mixture of approaches. In Lanarkshire there was a shared CFO post while within the Greater Glasgow and Clyde Health Board the East Renfrewshire partnership had its own full time CFO. She advised

that finance continues to feature as a high risk for the IJB. Under the current part time arrangement the CFO was mainly writing or IJB reporting and did not have capacity for the wider strategic planning and development of alternative service models. She stated that the Falkirk partnership had the slimmest management structure nationally and that this created risk for the IJB. A report on support services would be presented to a future meeting of the Board.

The board asked if the implementation of discharge to assess would assist with delayed discharges which were related to guardianship issues. Patricia Cassidy stated that there have been discussions on how best to deal with guardianship issues. There had been a suggestion that having a mental health officer in the emergency department would help to start discussions about guardianship from an early stage. She was also looking at what approach other partnerships were taking. Tracey Gillies stated that it was important to establish discharge to assess and get more straightforward cases moving through before delving into the more complicated situations.

Members stated that there was a need for increased pace on the introduction of measures to address delayed discharge issues. Further, members sought information on a business case relating to the CFO post. If there was a clear business case for full time then all members would support that. The need for evidencing significant spend was highlighted. Patricia Cassidy stated that she was unaware of an outstanding request for a business case but that she would be happy to provide one. This would not be available until the February Board and would further delay recruitment to the post.

The Board agreed to a short adjournment at 10.15am and reconvened at 10.30am with all members present as per the sederunt.

Members noted that the post would be funded 50/50 by the constituent organisations and that the job description would be subject to further discussion between the Chief Executives and Chief Officer.

## **Decision**

### **The Integration Joint Board:-**

- (1) noted the continued progress being made within available resources;**
- (2) remitted the Chief Officer, in conjunction with relevant officers, to bring forward a report to the February Board on the transfer of operational management for “in-scope” health services and the appropriate delegation of authority;**
- (3) remitted the Leadership Team to review the Audit Scotland report and bring back a further report to the IJB in February 2017;**
- (4) agreed that recruitment to the post of Chief Finance Officer would progress with a flexible advertisement allowing candidates to seek either full or part time hours, and**

- (5) agreed that the job description for the Chief Finance Officer would be finalised by the Chief Officer in conjunction with the Chief Executives of Falkirk Council and NHS Forth Valley.**

**IJB66. 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.

Members sought assurance that work was still being directed at trying to reduce the projected overspend. Patricia Cassidy stated that there were a number of initiatives underway and that she was working closely with colleagues in Social Work Adult Services. Ewan Murray advised that there had been growth in demand for care at home services and that negotiation was ongoing with residential home, nursing home and care at home providers. Joe McElholm stated that there were programmes underway to manage the overspend and deliver savings including more reviews of existing care packages to reduce operational costs.

**Decision**

**The Integration Joint Board noted:-**

- (1) the financial position of a reported overspend of £1.007m for the 7 month period ended 31 October 2016;**
- (2) the reduction in the current projected overspend for the year to 31 March 2017 from £1.114m, as reported to the October IJB, to £0.872m;**
- (3) the anticipated use of Integration Funding to cover the projected Adult Social Care Services overspend;**
- (4) the current position on savings programmes and other updates detailed in section 5 of the report, and**
- (5) the current position on Value Added Tax and IJBs per section 7 of the report.**

**IJB67. Partnership Funding**

The Integration Joint Board considered a report by the Chief Officer which provided the following information in relation to Partnership Funding; Integrated Care and Delayed Discharge Funds:-

- Detail regarding the development of a framework to enable the IJB to appropriately commission and thereafter scrutinise services to Third Sector organisations, compliant with 'Following the Public Pound' guidance;

- Conclusions and recommendations arising from initial evaluations of specific initiatives: Closer to Home, Rapid Access Frailty Clinic and Discharge Hub, within the context of the whole system approach, detailed within Appendix 2 to the report;
- A six monthly performance review of all Partnership Funded initiatives in line with mandatory 'Following the Public Pound' requirements, along with recommendations for continuation of funding for initiatives funded until 31 March 2017, detailed within Appendix 4 to the report, and
- Funding recommendations for new proposals reviewed in accordance with the agreed Partnership Funding Governance process, detailed within Appendix 4 to the report.

Ewan Murray provided an overview of the report.

The board highlighted that further debate at a senior level was required on the use of Health Care Assistants to support care at home packages and on how to develop the best pathway model relating to the Rapid Access Frailty Clinic. Members also considered the costs relating to Advice Line For You and commented that they welcomed that a revised business case would be submitted. There was further discussion on how to get these standalone projects joined up and working in a more integrated fashion so that it was clearer to service users, families and staff when to use which service.

Members asked if there were any new projects under consideration. Lesley Macarthur advised that there were six potential new partners which would hopefully be presented to the February meeting of the Board. The initial interest had been high but concerns about sustainability had discouraged some partners.

## **Decision**

### **The Integration Joint Board:-**

- (1) agreed that the framework for commissioning Third Sector organisations in compliance to 'Following the Public Pound' is presented to the IJB in February 2017;**
- (2) noted the six monthly performance report for all Partnership Funded initiatives;**
- (3) approved continuation of funding for initiatives with a current end date of 31 march 2017, as detailed in appendix 3 to the report;**
- (4) remitted further work to be undertaken with all initiatives to ensure that performance information gathered is adequate and articulates impact, and**
- (5) approved allocations of Partnership Funding for new initiatives as presented in appendix 4 to the report.**

## **IJB68. Eligibility Criteria and Resource Allocation Framework**

The Integration Joint Board considered a report by the Head of Social Work Adult Services which sought approval to consult with stakeholders on a draft revised Eligibility Criteria Framework. The report also sought approval for the development of a revised Resource Allocation System. The draft eligibility framework policy was appended to the report.

The board asked about the consultation process and if the third sector would be involved. Joe McElholm advised that consultation would be carried out with the independent sector, third sector, service users and potential service users.

In relation to self directed support (SDS) members commented on the impact on personalisation of service and the need for the Service to manage the budget well. They asked if there would be regular updates on the impact of the policy provided to the Board. Joe McElholm stated that it was up to the Board to determine its reporting cycle but that regular reports on SDS would incorporate information on the impact. Patricia Cassidy advised that this work was a key part of the partnership's delivery plan.

The board discussed the hesitancy of some service users to engage with SDS due to the responsibility of becoming an employer. The Board also discussed that there had been cases where an individual's indicative budget and their actual level of support had been significant different. Discussion also included a consideration of the role of traditional supports such as day centres and their value to some service users. Joe McElholm stated that the Service aimed for accuracy when providing indicative budgets and were clear to service users that the figures provided were indicative only. There was well established support for people considering using SDS including that provided by the Independent Living Association. Compared to other areas he acknowledged that Falkirk had low levels of direct payments and highlighted that this was a significant cultural change for service users and staff.

### **Decision**

#### **The Integration Joint Board:-**

- (1) agreed to consult on the draft revised Eligibility Criteria Framework;**
- (2) approved the development of a revised Resource Allocation System to complement a revised eligibility framework for implementation from April 2017, and**
- (3) requested a report to consider progress on the above actions to a future meeting of the Board.**

**IJB69. NHS Forth Valley Winter Plan 2016/17**

The Integration Joint Board considered a report by the Director of Public Health and Planning which outlined the content of the Winter Plan 2016/17, key milestones and progress against the key actions. The NHS Forth Valley Winter Plan 2016/17 was appended to the report. Tracey Gillies provided an overview of the report.

**Decision**

**The Integration Joint Board noted the report.**

**IJB70. Care and Clinical Governance Group**

The Integration Joint Board considered a report by the Medical Director providing an update on the first meeting of the Care & Clinical Governance meeting. The report set out a summary of the key discussion points from the meeting. Tracey Gillies provided an overview of the report. She advised the board that if they wished to have any particular topics discussed at the group these should be intimated to Joe McElholm or herself.

Members discussed the topic of drug related deaths and the rise in deaths relating to specific medications. Tracey Gillies highlighted the situation regarding one particular drug which was being increasingly prescribed while rising as a street drug of currency. Prescribing patterns and levels of street use were monitored.

**Decision**

**The Integration Joint Board noted:-**

- (1) the discussion of the Care & Clinical Governance Group, and**
- (2) that for subsequent meetings the minute of the meeting will be included as an appendix to the report.**

**IJB71. Development of Visual Identity**

The Integration Joint Board considered a report by the Communications & Participation Manager, Falkirk Council which provided the outcome of the development process for a consistent visual identity for the Falkirk Partnership. The process included development of a clear brief and consultation with stakeholders. Examples of the recommended style for the partnership's visual identity were appended to the report. Elspeth Campbell provided an overview of the report.

**Decision**

**The Integration Joint Board agreed that the preferred visual identity should be adopted.**

**FALKIRK COMMUNITY PLANNING PARTNERSHIP**

**MINUTE OF MEETING OF THE COMMUNITY PLANNING STRATEGIC BOARD  
THURSDAY 15 DECEMBER 2016 AT 2.00 P.M.  
MUNICIPAL BUILDINGS, FALKIRK**

**ATTENDING**

**Falkirk Council**

Councillor Jim Blackwood (Convener);  
Councillor Cecil Meiklejohn;  
Nick Burgess, Service Manager, Children's Services;  
Jude Breslin, Locality Co-ordinator, Children's Services;  
Fiona Campbell, Head of Policy, Technology and Improvement, Corporate and Housing Services;  
Matt Davies, Service Manager, Children's Services;  
Martin O'Neill, Corporate Policy Officer, Corporate and Housing Services;  
Mary Pitcaithly, Chief Executive;  
Antonia Sobieraj, Committee Services Officer, Corporate and Housing Services; and  
Andrew Wilson, Policy and Community Planning Manager, Corporate and Housing Services.

**Police Scotland**

Damian Armstrong, Chief Inspector

**Scottish Fire and Rescue Service**

Eddie Ritchie, Local Officer

**NHS Forth Valley**

Julia Swan, Non-Executive Member

**Falkirk Integration Joint Board**

Patricia Cassidy, Chief Officer, Health and Social Care Partnership

**CVS Falkirk and District**

Brian Robertson, Chair

**1. Apologies**

Apologies were intimated on behalf of Councillor Craig Martin; Robert Naylor, Director of Children's Services; Karen Herbert, Chief Executive, CVS Falkirk and District; Gary Laing, Local Senior Officer, Scottish Fire and Rescue Service; and Stephen McAllister, Divisional Commander, Police Scotland.

**2. Minute**

**Decision**

**The minute of the meeting of the Community Planning Partnership Leadership Board held on 1 September 2016 was approved.**

**3. Community Planning Strategic Board – Remit**

The Board considered a report by the Chief Executive, Falkirk Council confirming the remit and responsibilities of the Board.

The Appendix to the report detailed the new structure and the associated remit to take forward the priorities and outcome for the Council area.

**Decision**

**The Board noted the report.**

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

**4. Strategic Outcomes and Local Delivery Plan (SOLD) - Priority and Outcomes Delivery Plans**

The Board considered a report by the Head of Policy, Technology and Improvement, Falkirk Council providing information on the delivery plans for the strategic priorities and local outcomes in support of the implementation of the Strategic Outcomes and Local Delivery (SOLD) Plan 2016 - 2020.

The report confirmed:-

- The Board's approval of the Strategic Outcomes and Local Delivery Plan (SOLD) on 9 June 2016;
- That Delivery Group Lead Officers had been requested to submit Delivery Plans and performance reporting proposals;
- That Falkirk Council and partner organisation's Boards approve the SOLD or in the case of Police Scotland/Scottish Fire and Rescue Service, for example, the appropriate approval be made by the Divisional Commander/ Local Senior Officer, respectively;
- The required approval by all partner agencies; and
- The partner contributions to the delivery plan, the strategic priorities, local outcomes and the partner workshop in November 2016.

The Appendix to the report detailed the delivery plans which was subject to additions and appropriate refinement for final Board approval.

The priorities within the Delivery Plans were as undernoted:-

- Improving mental health and wellbeing;
- Maximising job creation and employability
- Minimising the impact of substance misuse; and
- Addressing the impact of poverty on children.

The submission and approval of the delivery plan in support of the implementation of the Strategic Outcomes and Local Delivery Plan (SOLD) fulfilled a statutory requirement within the Community Empowerment (Scotland) Act 2015.

Discussion included the importance of focussing on core priorities, the alignment with the priorities of the Children's Services Plan, the inclusion of quality information, effective monitoring arrangements and being evidence based.

### **Decision**

#### **The Board:-**

- (1) noted the draft delivery plan as detailed in the report; and**
- (2) agreed that final delivery plans and the associated structure be submitted to the next meeting for approval.**

## **5. Presentation - Community Empowerment (Scotland) Act 2015**

The Board received a presentation by the Head of Policy, Technology and Improvement, Falkirk Council providing information on the Community Empowerment (Scotland) Act 2015.

The presentation included:-

- Community Planning including statutory guidance on 20 December 2016, the revised statutory partner responsibilities, a shared enterprise, engaging with local communities throughout the process, the Strategic Outcomes and Local Delivery Plan (SOLD) and Locality Planning and locality plans by 1 October 2017;
- Participation Requests;
- Asset Transfer Requests; and
- Right to Buy including.

### **Decision**

**The Board noted the information presented.**

## **6. Community Involvement in Strategic Community Planning**

The Board considered a report by the Chief Executive, CVS Falkirk and District on proposals for community involvement at Strategic Community Planning level and the scope for engagement.

The report confirmed:-

- That third sector interface for the Falkirk Council area;
- That core activity representing the views of third sector organisations in the Community Planning process;
- The methods of community interface including attending meetings, supporting third sector organisations, the disseminating information and undertaking consultation exercises relating to the work of Community Planning partners;
- The provision of opportunities for local organisations to network, question, discuss and express views on local issues for onward feedback to the Community Planning Partnership;
- The facilitation of a wide ranging fora mirroring the local outcomes and priorities of the Strategic Outcomes and Local Delivery Plan (SOLD); and
- The responsibilities within the Community Empowerment (Scotland) Act 2015.

### **Decision**

**The Board approved the proposals for community involvement at Strategic Community Planning level and the scope for engagement.**

## **7. Falkirk Community Justice Partnership – Outcomes Improvement Plan**

The Board considered a report by the Chair of the Community Justice Partnership providing information on the on the progress of the transition to the new Community Justice arrangements.

The report confirmed:-

- The establishment of the Community Justice Partnership in early in 2016;
- The Community Justice (Scotland) Act 2016 and the duty on partners to share information, provide advice and assistance to each other, and co-ordinate and fund activities together;
- The aim of the Community Justice Partnership to secure better outcomes for people with convictions, victims and witnesses, families and communities;
- The Community Justice Strategy and the vision for Scotland as a safer, fairer and more inclusive nation and preventing and reducing further offending by addressing its underlying causes and realising potential;

- This vision will be achieved by prioritising action by measures including improved community understanding and participation, strategic planning and partnership working, effective use of evidence-based interventions and equal access to services; and
- The local authority requirement to publish community justice outcomes improvement plans by 31 March 2017.

### **Decision**

**The Board noted the report and the progress of the draft community justice outcomes improvement plan for submission to the Board for approval at the next meeting.**

## **8. Integrated Children's Service Plan**

The Board considered a report by the Director of Children's Services, Falkirk Council, presenting the Integrated Children's Services Plan 2016 – 2019, Children's Commission Structure and associated delivery plans.

The report detailed:-

- The priorities within the Integrated Children's Services Plan including:-
  - addressing the impact of poverty on children and young people;
  - improving health and wellbeing;
  - maximising job creation and employability;
  - substance misuse;
  - inclusion – children and young people live learn and thrive in Falkirk; implement the six corporate duties within the Children and Young People (Scotland) Act 2014; and
  - The earlier identification and response to childhood neglect.; and
- The alignment with the priorities of the of the Strategic Outcomes and Local Delivery Plan (SOLD); and
- The other duties under the Education (Scotland) Act 2016 and the Child Poverty Strategy for Scotland.

A copy of the Joint Inspection Services for Child and Young People Improvement Plan December 2016 was circulated at the meeting for information. Appendix 1 to the report attached the Integrated Children's Services Plan 2016 -2019 and the vision for every child and young person in the Falkirk Council area.

### **Decision**

**The Board noted the report and the associated delivery plans agreed to approve the Integrated Children's Services Plan and Children's Commission Structure.**

**9. Education Scotland Inspection of Community Learning and Development - Verbal Update**

The Board received a verbal update from the Chief Executive in relation to the Education Scotland Inspection of Community Learning and Development which would be programmed in the new year.

**The Board noted the verbal update.**

**10. Meeting Dates 2017**

**The Board noted the following dates of future meetings during 2017 prior to the Local Government elections in May:-**

- **Thursday 2 March 2017 at 2.00 p.m.; and**
- **Thursday 13 April 2017 at 2.00 p.m.**

# Falkirk Community Trust

## Board Meeting Minute

Minute of a special meeting of the Board of Directors of Falkirk Community Trust Limited (the "Company") held at Falkirk Stadium on **12<sup>th</sup> January 2017** at 9.30am. Ian Scott (IS) chaired the meeting throughout.

**Present:** Ian Scott (IS) Chairman; Cllr Dennis Goldie (DG) items 1-2; Cllr Linda Gow (LG); Alex McQuade (AMcQ); Steve Mackie (SM); Ruth Morrison (RMor); Provost Pat Reid (PR); Cllr Robert Spears (RS); David White (DW).

**Apologies:** Simon Rennie (SR); Bob Tait (BT).

**In Attendance:** Maureen Campbell (MC); Neil Brown (NB); Paul Finnie (PF); Lesley O'Hare (LoH); Jane Clark (JC).

No.	Agenda Item	Agreement / Action	Due Date	Who
	Welcome	The Chairman welcomed Directors to the first Board meeting of 2017 and wished all a happy new year.		
1	Business Plan: Savings Update	<p>The Board considered the request from the Council to seek a further £200k of savings in 2017/18 without facility closure.</p> <p>Directors discussed the Trusts capacity to manage further savings and potential risks to the Business Plan. Directors noted the Trust has managed to achieve additional savings in the current year and carried unplanned expenditure.</p> <p><b>Decision</b></p> <p>The Board agreed to make savings as follows:</p> <ul style="list-style-type: none"> <li>a) Carbon reduction payments £35k</li> <li>b) Salary increment budget management £50k</li> <li>c) Good housekeeping efficiencies £115k</li> </ul>		
2	Draft Action Plan 2017-18	<p>The Board considered the draft Action Plan which will be presented to the Council as part of the Business Plan package. The Board noted that the management team have reviewed the Plan to ensure it remains deliverable and discussed the impact of Team Leader vacancies and the need to ensure service provision continues to be accessible to all. The Board noted the main revisions to the Plan are as follows:</p> <ul style="list-style-type: none"> <li>• Action 1.10: a project to modernise our digital capacity through a new website, online services and more integrated management information systems.</li> <li>• Action 2.17: new activity to develop a community engagement programme to deliver the new business approach.</li> <li>• Action 3.9: increased focus on new income generating activity in 15 venues to deliver the new business approach.</li> </ul> <p>The Board noted that implementation of the above will involve teams from across the Trust and management team oversight across all strands and that work is in train now to scope and commence the activity.</p> <p>The Board discussed the recruitment of Directors including a Chairman and noted that this will be an agenda item at the March Board meeting.</p>		

No.	Agenda Item	Agreement / Action	Due Date	Who
		<b>Decision</b>  The Board approved the draft Action Plan 2017 – 18.		
3	PDP Follow up	The Board noted that MC is progressing arrangements for a meeting of Board members with the Council in advance of the Council budget setting meeting as requested by the Council. The Board discussed its approach to the meeting with the Council PDP. The Board discussed the protocols that will be required to hold Board meetings in public and noted that a policy similar to that in the Council will be required.		
4	AOCB	The Board noted that the recent Fire & Light event had sold out; benefitted from good weather; had been well received and that a review with EventScotland will consider longer term viability.		