

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a city skyline with a diagonal beam of light. The top-right quadrant depicts a stag's head with a cross on its antlers. The bottom-left quadrant shows a three-masted sailing ship on wavy water. The bottom-right quadrant features a grizzly bear standing on a rock. Above the shield is a crown with four maple leaves. A banner at the bottom contains the motto "A NE FOR A".

# **Agenda Item**

**3**

**Minute**

**FALKIRK COUNCIL**

**Minute of Meeting of the Planning Committee held in Grangemouth High School, Tinto Drive, Grangemouth on Monday 13 March 2017 commencing at 7.00 P.M.**

The purpose of the meeting was to hold a pre-determination hearing in terms of the Planning etc. (Scotland) Act 2006. When sitting in this capacity, the Planning Committee comprises all members of the Council.

**Councillors:**

David Balfour	John McLuckie
Allyson Black	Adrian Mahoney
Jim Blackwood	Rosie Murray
Baillie William Buchanan (Convener)	Provost Pat Reid
Steven Carleschi	Ann Ritchie
Baillie Joan Coombes	Robert Spears
Paul Garner	Sandy Turner
Linda Gow	
Gordon Hughes	
Brian McCabe	

**Officers:**

John Angell, Head of Planning and Transportation  
Ian Dryden, Development Manager, Development Services  
Rose Mary Glackin, Chief Governance Officer  
Iain Henderson, Legal Services Manager  
Antonia Sobieraj, Committee Services Officer  
Bernard Whittle, Development Management Co-ordinator

**Also**

**Attending:**

Julie Cole, Transport Planning Manager  
Kevin Collins, Transport Planning Co-ordinator  
Sarah Colquhoun, Modern Apprentice (Governance)  
Chris Cox, Sustainable Transport Co-ordinator  
Robin Duncan, Director, Dougal Baillie Associates  
David East, Communications Manager, INEOS  
Grangemouth Julian Farrar, Director, Ironside Farrar  
Kirsty Hope, Assistant Planning Officer  
Ian Little, Site Business Development Manager, INEOS  
Grangemouth  
Alastair McFarlane, Director, Macfarlane Associates  
Stephanie McGhee, Committee Assistant  
Riach Martin, Group Leader, Scottish Fire and Rescue  
Service  
Gordon Milne, Operations Director, INEOS Chemicals  
Grangemouth  
David Paterson, Planning Officer  
Ken Short, Transport Planning Officer  
Russell Steedman, Network Co-ordinator  
David Stephen, Health and Safety Executive

**P141. Apologies**

Apologies were intimated on behalf of Councillors Bird, Chalmers, Coleman, Jackson, Meiklejohn, Nicol and Oliver.

**P142. Declarations of Interest**

No declarations were made.

**P143. Works Adjacent to and within the Confines of Bo'ness Road, Grangemouth Comprising the Construction of a Security Management Centre, 2 Security Gatehouses, Security Fencing and 5 No Pipe Bridges with Supporting Infrastructure at Ineos, Bo'ness Road, Grangemouth FK3 9XH for Ineos Chemicals Grangemouth Ltd - P/17/0041/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for works adjacent to and within the confines of the A904 Bo'ness Road, Grangemouth comprising the construction of a security management centre, two security gatehouses, security fencing and five pipe bridges with supporting infrastructure at Ineos Bo'ness Road, Grangemouth. The application would require the permanent closure of a section of the A904 Bo'ness Road between the Inchyra roundabout and the River Avon road bridge.

1. The Convener formally welcomed those present and outlined the procedures relating to the meeting.
2. The Head of Planning and Transportation outlined the nature of the application.
3. The applicant's representatives were heard in relation to the application.
4. The consultees present had no further comments in relation to the application at this stage.
5. Questions were then asked by Members of the Committee as follows:-

Q(a) Clarification was sought on the objection from the Scottish Fire and Rescue Service on the grounds that the stopping up of Bo'ness Road would materially increase response times for appliances travelling from Bo'ness to West Lothian thus leaving initial attending crews exposed for a greater period of time awaiting support.

Response by the applicant's representative:-

The proposals had now evolved since the Scottish Fire and Rescue Service (SFRS) objection and there had been an exchange of correspondence with the SFRS.

Response by Group Leader, Scottish Fire and Rescue Service:-

There was no confirmation from the applicant that emergency vehicles could travel on this road. Should this assurance be provided by the applicant the Scottish Fire and Rescue Service (SFRS) would withdraw its objection to the application.

Q(b) Further detail was sought on the timescale from implementation to completion. A response was sought on whether future development would have an impact on the consultation zone.

Response by the applicant's representative:-

The timescale for the development was dependent on partners and businesses. It was confirmed that the road improvement would be carried out before any other developments. The impact on the consultation zone was not known by the representative.

Q(c) Clarification was sought on whether there were any plans to close Kerse Road, Grangemouth as part of the proposals.

Response by the applicant's representative:-

There were no proposals to close Kerse Road and only those detailed within the application.

Q(d) Clarification was sought on whether there were proposals to create a diversionary route on the Kersiebank Avenue, Grangemouth to address the problem of the rat run.

Response by the applicant's representative:-

There were no proposals for a diversionary route at Kersiebank Avenue.

Q(e) Clarification was sought on the comments from the Council's Roads and Design Unit that the applicant suggested access and mitigation provision fell below minimum expected standards and advised that the applicant should provide updated access and mitigation measures which matched the Council's standards.

Response by the applicant's representative:-

Wholeflats Road was the responsibility of Falkirk Council. Dialogue was still ongoing with the Council. Both parties were capable of agreeing that traffic

mitigation works were adequate. The proposal for the site and the investment would provide new jobs and employment to the area.

Q(f) Clarification was sought on whether there were any health and safety issues if the road remained open, it being noted that there is already a pipe bridge.

Response by the applicant's representative:-

The existing pipeline was safe and it was a viable structure.

Q(g) Clarification was sought on the five proposed constructed bridges and the reason for the closure of the road.

Response by the applicant's representative:-

It was necessary to close Bo'ness Road due to the need for five pipe bridges. The site operates at 15mph whereas the public road is a 40mph limit.

Q(h) Clarification was sought on whether there is a potential for gridlock on the road system if future developments came through in a prosperous environment.

Response by the applicant's representative:-

The circumstances for this couldn't be seen at this time. There could be a future need for "dualling" the road but not at this time.

Q(i) Clarification was sought on proposal for a twin carriageway rather than a dual carriageway and was there a procedure for emergency services to gain access to the site – would a gate be opened?

Response by Group Leader, Scottish Fire and Rescue Service:-

He is not aware of any statistics on this point. He couldn't respond on that.

Q(j) Clarification was sought on the proposals to route pipework above ground rather than below ground.

Response by the applicant's representative:-

It was now best practice to route pipework above ground rather than below ground. This allowed for more reliable monitoring and inspection of pipework. Above ground ensures the integrity of all operations.

Q(k) Clarification was sought on the feasibility of keeping the Bo'ness Road open with a lower speed limit.

Response by the applicant's representative:-

This was done recently in relation to the current bridge.

Q(l) Clarification was sought on the option to build the security centre away from the new Ineos Headquarter. Also, is there evidence of a customer of Ineos that would have difficulty due to the road?

Response by the applicant's representative:-

The security centre is where it is as it needs to be near Bo'ness Road. Amending the road is important to assist the competitiveness of the site overall. Consultants and Scottish Enterprise advise there are issues and there are competitive sites that operate well without a road dividing the site. A site in Germany reports that its best competitive advantage is an integrated site.

Q(m) Clarification was sought on the impact on Ineos from any refusal of planning permission.

Response by the applicant's representative:-

The ability to attract business would be constrained.

Q(n) Clarification was sought on the process for emergency vehicles.

Response by the applicant's representative:-

The principle at this time is that blue light vehicles would be let through the road. Further dialogue is needed and perhaps a sensor approach could be appropriate.

6. Section 38A of the Town and Planning (Scotland) Act 1997 together with Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 give those persons who have submitted representations on relevant planning applications the right to be heard before a Committee of the Council before the application is determined. On this occasion, in addition to those persons who had submitted representations, other members of the public in attendance at the meeting were permitted to address the Committee.

(a) Mrs M Hunt, Bo'ness Community Council, an objector to the development, raised the concern at the closure of the A804. She stated her surprise that at this time it is still not clear where an ambulance would go. She stressed that the road was a lifeline for the local community. She referred to the existence of the pipe bridges and that the community and Ineos/BP had co-existed for years. During this period the Health and Safety Executive had no issues. She indicated that the applicants were shutting down the community's main lifeline for

five bridges. There was no reason for this and this was only the applicant's 'vision' and the local community had not been consulted. The community required information, facts and figures on why this was necessary.

- (b) Mr W Inglis, Grangemouth Community Council, an objector to the development, raised the concern of the community at the closure of the A804 and that this would have a significant impact on the community of Grangemouth. Although not against the other aspects of the development, he stressed that the road closure detrimentally impacted on the living environment. He questioned the benefits of the development and suggested that these were speculative. The effect was however permanent for the community of Grangemouth. He referred to the purpose of the Control of Major Accident Hazards (COMAH) Regulations which were to protect the community from the site and not the site from the community. The applicant's aspirations did not have the community in mind. He questioned why the new pipelines would not be safe without the road being closed. The community was entitled to a good quality environment and the enhancement of the quality of life. The community had to be a partner and the environment was so important. He believed that there was no empirical evidence that Falkirk Council monitored these junctions. An alternative route would be across the jinkabout bridge but you can barely pass a bicycle on that road. A mitigation approach may be about turning right on Wholeflats but human nature will overrule the proposals. While Ineos are very important, they shouldn't take that as a licence to do what they wanted. The importance was partnership working – the community should be partners and not an annoyance to be overcome. He urged the Council to refuse the application in its current form.
- (c) Mr D Stephen, Health and Safety Executive (HSE) provided clarification in relation to the importance of industrial safety. The Control of Major Accident Hazards (COMAH) Regulations were not a licencing regime. Permission is not given. It is for operators to manage on site. There is a view that Ineos would manage the site more easily if they didn't have the road going through the site. Technical challenges exist when pipework goes underground such as corrosion. The pipes are better overground. . Security is another aspect. Where a public road goes through a site with dangerous materials, malicious activity will be an issue for the site. The responsibility is on the site operator with the HSE holding them to account.
- (d) Ms M Montinaro, Shieldhill and California Community Council, an objector to the development, questioned how deep the pipelines had to go under the road. She indicated that with fracking works, drilling takes place 2/3km down and across so surely there is the expertise to put pipes under a road.

Response by Mr D Stephen, Health and Safety Executive (HSE):-

The pipelines had to be located 2 to 3 metres under the road.

- (e) Ms F Jones, an objector, raised concern at the proposal to close the road and stressed that the community would be giving away the public right of way. She asked why the road would be given to a company that wants to make money. She advised that she understands the pressures but what she is hearing is that almost no-one wants the road.
- (f) Ms McDonald, an objector, raised concern at the proposal to close the road and referred to the increase in the amount of fuel that vehicles would require in an increased travel time from Bo'ness to Grangemouth. This would also affect buses which would result in an increase in fares. She also referred to the Council's budgetary constraints and the detour for Council vehicles. She questioned the security concerns as being a valid reason for the road closure.
- (g) Mr J Singh, Shieldhill and California Community Council, an objector to the development, suggested that the company is expert in drilling in pipework. The pipes could be put underground. This could be done for the benefit of everyone and there would be no need to close the road.

Response by the applicant's representative:-

The pipeworks could go underground but they still needed to be inspected. The preference was to locate these over ground for safety reasons and that was the advice from the HSE.

- (h) Mr A White, Reddingmuirhead and Wallacestone Community Council, an objector to the development, said that he had heard the culverts were big enough to walk through. It can be done and it has been done. He also asked about the cost of the proposed work and where the money was coming from.

Response by the applicant's representative:-

The cost of this work amounting to around £2,000,000 was being met by the applicant, Ineos. He had been in perhaps all the culverts in Grangemouth and you couldn't walk through them.

- (i) Mr A White, Reddingmuirhead and Wallacestone Community Council, an objector to the development, questioned the use of all this land by the applicants.

Response by the applicant's representative:-

The application was largely to enable the future development of manufacturing. Chemicals is one of the largest sectors in Scotland. It is very important for the economy with Grangemouth around 5% of Scotland's GDP.



- (j) Mr G McKean, an objector, raised concern that Ineos was unconcerned with the wellbeing of the community. He questioned the ability to build bigger culverts.
- (k) Ms S Rutton, an objector, indicated that the community had been unaware of the proposals and did not want the proposal to go ahead. The disgruntled towns of Grangemouth, Bo'ness and Grangemouth would fight the proposal all the way.
- (l) Ms H Mackie, an objector, indicated that the road closure would divert traffic along Inchyra Road and cause gridlock, affect road safety and would have a knock on effect on house prices. She requested clarification on whether Ineos would financially compensate home owners.
- (m) Dr S Euston, an objector, stressed the traffic mayhem which would result from the closure of the A804. She said there was a lack of clarity on mitigation measures.
- (n) Mr D Harrower, an objector, stressed that the A804 should not be closed.
- (o) Mr C Findlay, an objector, suggested that fencing could be scaled fairly quickly by a determined person.
- (p) Mr Steven, an objector, referred to his daily commute on the A804 and the likely significant build up of increased journey time and mileage saying it would amount to 600 miles per year more. He questioned who would pay for that. This public facility for the community should not be sold off for profit.
- (q) Ms J McCormack, an objector, highlighted the increase in petrol cost and car mileage from the road closure. She referred to the issues which would arise in an emergency.
- (r) Mr Cowie, an objector, highlighted that there were more workers on the site when BP was at its busiest. Now, suddenly, Ineos wish to shut the road. The only reason is gantries yet the traffic can still get through. It is only a distance of 300/400 yards.
- (s) Ms J Harron, an objector, sought clarification on whether there would be a Pre Determination Hearing also in Bo'ness.

Response by John Angell, Head of Planning and Transportation:-

- (t) There was notification of this meeting widely and the location picked was one that is near the site. There is a legislative requirement for only one pre-determination hearing. Mr J Bundy, an objector, referred to a petition to the Council with 200 signatures and referred to the negative impact on local businesses and town centres within Bo'ness and Grangemouth from the closure of the road. Could Ineos assure the

community that there would be no such impact and if not can councillors on 29 March 2017 take this into account?

- (u) Mr N Gallagher, an objector, highlighted that the idea of a business park was not new idea and indicated that, if there was no fracking, the site may only be viable for fifteen years.

Response by the applicant's representative:-

The applicant brought a vision to fruition and this had been delivered. He indicated that Ineos was here at this site and was committed to the site and the whole community. He indicated that shale gas was being brought in to support the site. What the world would look like in 15 years no-one knows but a big investment had been made in Grangemouth.

- (v) Mr J Millar, an objector, raised concern in relation to air pollution and stressed that everyone was entitled to a good quality environment. The proposal negatively impacted on the community and the environment. It flew in the face of environmental aims and that there was no information presented by the applicant to illustrate where the new jobs would be located. The applicant's claims were therefore unsubstantiated. He believed that the applicant was ruthless and that this was understood by the community and the detrimental effects on Bo'ness and Grangemouth. He raised the importance of safety and that Ineos had given no information. The Council had a duty of care to make sure the proposal did not go ahead.
  - (w) Mr S Aitkenhead, an objector, sought clarification on why the local community had to have everything changed including the increase in traffic. He stressed that this was not for them. He questioned why the community had to work around Ineos and that the road should not be closed.
  - (x) Mr a Gray, an objector, stressed that the members of the Committee had heard the wishes of the people of Bo'ness and Grangemouth and that they wanted them to do their duty and refuse the application
  - (y) A representative of Reddingmuirhead and Wallacestone Community Council, an objector, raised concern in relation to the tunnels.
7. Further questions were then asked by Members of the Committee as follows:-
- (a) Clarification was sought as to whether any monies were involved in the purchase of land.

Response by John Angell, Head of Planning and Transportation:-

An older road like Bo'ness Road is not owned by the Council. It is owned by the adjoining proprietors and would revert to the respective owners. He understands that the Council may own part but, as matters sit, there is no suggestion of a ransom element being involved.

- (b) Clarification was sought as to how many jobs would be for the Falkirk area.

Response by the applicant's representative:-

Some workers are local and some are from outwith the area. There are a significant number of local workers at the site. The site also supports local services and businesses in the area. Ineos spends around £100m on external service provision per annum. Of that, a significant proportion is spent within 5 miles.

- (c) Clarification was sought as to the impact on bus services of the proposal.

Response by Christopher Cox, Sustainable Transport Co-ordinator:-

He had spoken with First Bus and didn't envisage any impact on fares or timings.

- (d) Clarification was sought as to why the site could not have an electrified fence like at BP or Heathrow with tunnels under the road.

Response by the applicant's representative:-

Grangemouth is low lying. While there is a limited depth that you could go down to there could be issues with the water table level.

## 8. Close of Meeting

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by Falkirk Council on 29 March 2017 (subsequent to the Hearing the matter was not considered by Council at that meeting).