



# **Falkirk Council**

## **VOLUME OF COUNCIL AND COMMITTEE MINUTES**

## **VOLUME 1 2018/2019**

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**FALKIRK COUNCIL****Minute of Meeting of the Appointments Committee held in the Committee Suite, Municipal Buildings, Falkirk on Wednesday 13 June 2018 at 9.15 a.m**

**Councillors:** David Alexander  
Cecil Meiklejohn (convener)  
Pat Reid

**Officers:** Karen Algie, Head of HR & Business Transformation  
Jack Frawley, Committee Services Officer  
Rhona Geisler, Director of Development Services

**AP13. Apologies**

Apologies were intimated on behalf of Councillors Garner, Nicol and Nimmo.

**AP14. Declarations of Interest**

There were no declarations of interest.

**AP15. 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.

**AP16. Shortleeting Process for the post of Head of Design, Roads and Transport**

The committee considered a report by the Director of Development Services outlining the selection process in relation to the post of Head of Design, Roads and Transport. The committee agreed to interview a short leet of 3 candidates.

**Decision**

**The appointments committee agreed to appoint Robin Millard to the post of Head of Design, Roads and Transport on the relevant salary and conditions of service.**

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Thursday 14 June 2018 at 9.30 a.m.**

**Councillors:** David Aitchison  
David Balfour  
Lorna Binnie  
Robert Bissett  
Jim Blackwood  
Provost William Buchanan  
Gordon Hughes (Convener)  
Jim Flynn  
Depute Provost Ann Ritchie

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

**CL22. Apology**

An apology was intimated on behalf of Councillor Kerr.

**CL23. Declarations of Interest**

Councillor Bissett declared a non-financial declaration in agenda item 8 (CL29) by virtue of having prior knowledge of the applicant and recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

**CL24. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 16 May 2018 was approved.**

**CL25. List of Applications Granted Under Delegated Powers in May 2018, Notifications of Public Processions Pending, Breakdown of Taxi and Private Hire Licences in Operation**

The committee considered a report by the Chief Governance Officer detailing the applications granted under delegated powers during May 2018 in terms of the Civic Government (Scotland) Act 1982.

**Decision**

**The committee noted the report.**

**CL26. Knowledge Test Failure**

The committee considered a report by the Chief Governance Officer providing details of an application for a new taxi driver licence, the knowledge test opportunities, and the options available to members.

The applicant was not in attendance but had submitted an email in support of his application.

**Decision**

**The committee refused to grant the Taxi Driver licence in terms of the Civic Government (Scotland) Act 1982, Section 13(5) on the ground that the applicant, 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, the layout of roads in the area, and of the Council's licence conditions.**

**CL27. 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 grounds 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.

**CL28. Application for the Renewal of a Late Hours Catering Licence**

Mrs D, the director of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for the renewal of a late hours catering licence.

Mrs D spoke in support of the application.

The committee agreed to a short adjournment at 9.50 am and reconvened at 10.00 am with all members present as per the sederunt.

**Decision**

**The committee agreed to renew the Late Hours Catering licence, subject to the standard conditions for a period of three years.**

In accordance with his earlier declaration, Councillor Bissett left the meeting prior to consideration of the following item.

**CL29. Application for the Grant of a New Taxi Driver Licence**

The applicant, Mr B, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received 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 B requested that his written submission and testimonial statements supporting his application, be circulated to the committee. He was thereafter heard in support of his application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.35 am and reconvened at 11.00 am with all members present as per the sederunt, with the exception of Councillor Bissett.

Provost Buchanan, seconded by Depute Provost Ritchie moved that officers be instructed 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 six months, subject to the standard conditions.

As an amendment, Councillor Flynn, seconded by Councillor Binnie, moved that the application for the grant of a taxi driver licence be refused in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3)(a)(ii) on the ground that the applicant is not a fit and proper person to be the holder of such a licence.

On a division, 2 members voted for the amendment and 6 voted for the motion.

**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 six months with a warning letter, and subject to the standard conditions.**

Councillor Bissett re-joined the meeting prior to consideration of the following item.

**CL30. Application for the Grant of a New Taxi Operator Licence**

Mr M, the day to day manager 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 advising on the background to the application, the consultations undertaken and responses received.

Mr M spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 11.15 am and reconvened at 11.20 am with all members present as per the sederunt.

**Decision**

**The committee agreed to grant a new taxi operator licence, subject to the proposed vehicle being within the age and specification policy and the appropriate insurance documentation; V5 certificate and taxi inspection test certificate being submitted to the satisfaction of officers, and subject to the standard conditions for a period of one year.**

**CL31. Application for the Grant of a New Private Hire Car Operator Licence**

Mr M, the day to day manager 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 private hire car operator licence advising on the background to the application, 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 a new private hire car operator licence, subject to the proposed vehicle being within the age and specification policy and the appropriate insurance documentation; V5 certificate and taxi inspection test certificate being submitted to the satisfaction of officers, and subject to the standard conditions for a period of one year.**

**CL32. Application for the Renewal of a Taxi Driver Licence**

The applicant, Mr A, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the 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 A spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 11.25 am and reconvened at 11.30 am with all members present as per the sederunt.

**Decision**

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

**CL33. Application for the Renewal 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 received for the renewal of a private hire car operator licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr A spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

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



Draft**FALKIRK COUNCIL**

**Minute of the meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 18 June 2018 at 9.30 a.m.**

**Members:**

Councillor Niall Coleman  
Councillor Joan Coombes  
Councillor Nigel Harris  
Councillor Cecil Meiklejohn  
Councillor Pat Reid

**Officers:**

Danny Cairney, Corporate Finance Manager  
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 Ritchie, Director of Corporate & Housing Services

**Also Attending:**

Glen Bissett, Scottish Prison Service  
Steven Reid, Ernst and Young

**A9. Apologies**

An apology was intimated on behalf of Roseann Davidson.

In the absence of the Convener, Councillor Meiklejohn took the chair.

**A10. Declarations of Interest**

No declarations were made.

**A11. Minute****Decision**

**The minute of the meeting of the Audit Committee held on 9 April 2018 was approved.**

## **A12. External Quality Assessment of Falkirk Council Internal Audit**

The Committee considered a report by the Internal Audit Manager providing an update on the findings of an External Quality Assessment of the Internal Audit section's compliance with Public Sector Internal Audit Standards by the Scottish Prison Service.

A requirement of the Public Sector Internal Audit Standards (PSIAS) was that the Internal Audit function was subject to annual self assessments and to an external assessment every five years. External Assessments can be after full external assessment or independent validation of the annual self assessment.

The external assessment had concluded that the Internal Audit was broadly compliant with the Public Sector Internal Audit Standards. This equated to 'substantial assurance'.

An action plan set out the recommendations arising from the assessment together with mitigating actions and timescales.

Following a question the Internal Audit Manager explained that he had asked the Scottish Prison Service to undertake the assessment as part of a reciprocal arrangement.

Following a question, on why the Internal Audit Manager had not accepted a recommendation that audit findings are graded, the Internal Audit Manager explained that by placing timescales for actions to be undertaken audit findings were essentially graded. He confirmed that this had also been highlighted by the External Auditors. Stephen Reid confirmed that this was the case and that he considered the grading of findings to be good practice.

Mr Bissett confirmed following a question that the SPS would carry out a follow up review of progress on the action plan.

### **Decision**

#### **The Committee:-**

- (1) noted the findings and action plan arising from the External Quality Assessment;**
- (2) noted the overall conclusion that Falkirk Council Internal Audit section is broadly compliant with Public Sector Internal Audit Standards, and**
- (3) recorded it's thanks to Scottish Prison Service Audit and Assurance Unit for carrying out the assessment.**

**A13. Internal Audit Annual Assurance Report 2017/18**

The Committee considered a report by the Internal Audit Manager presenting the Annual Assurance report for 2017/18.

In regard to the Internal Audit plan for 2017/18, 21 main assignments had been agreed. In the course of a year a further 2 had been added, (Carbon Reduction Commitment Energy Efficient Scheme and LEADER), with 2 deferred (Cyber Security and Welfare Reform). Of the 5 key performance indicators for the Internal Audit function all had exceeded or met targets. On the basis of the work undertaken in 2017/18 Internal Audit had provided substantial assurance in relation to the Council's arrangements for risk management, governance and control for the year to 31 March 2018.

The report also provided detail on the assignments together with the assurance and key findings.

The Committee discussed the audits for which limited assurance had been provided and sought assurance that actions had been undertaken to address areas where improvement was required. In relation to an audit of Recruitment and Selection the Director of Corporate and Housing confirmed that the funding documentation had not always been returned to explain why a new start had not been placed on the first point of their pay scale, or the required authorisation had not been provided. Services had been reminded of their responsibility to ensure that procedures were followed. He confirmed that a follow up would be undertaken to ensure compliance.

In regard to the findings of a review of Social Care and Education Transport that a number of drivers, passenger assistants and volunteer drivers had not been subject to PVG vetting and that some volunteer drivers did not hold appropriate insurance cover, the Director of Development Services stated that Service had taken responsibility for this area shortly after the event and that the findings had been invaluable.

Following questions on the key performance indicators the Internal Audit Manager confirmed that the 5 indicators were set locally. Some authorities had a large suite of indicators. However it was important that the suite of indicators were relevant and meaningful. He undertook to review the number of indicators for the functions and the associated targets and to report back to the next meeting.

Within the plan 5 assignments had been designed as 'ongoing involvement'. Following questions on this the Internal Audit Manager explained the ongoing involvement in the respective workstreams (such as the Council of the Future project) and confirmed that in each an audit would be undertaken if it was considered necessary to do so.

## **Decision**

**The Committee noted that:-**

- (1) sufficient Internal Audit work was undertaken to support a balanced assurance;**
- (2) Internal Audit can provide substantial assurance on the Council's arrangements for risk management, governance , and control for the year to 31 March 2018;**
- (3) Internal Audit met, or exceeded, each of its five Key Performance Indicators, and**
- (4) independent external assessment confirmed that the Internal Audit section is broadly compliant with Public Sector Internal Audit Standards.**

### **A14. Falkirk Council Annual Accounts 2017/18 and Falkirk Temperance Trust Accounts 2017/18**

The Committee considered a report by the Chief Finance Officer presenting the unaudited annual accounts of the Council and Falkirk Temperance Trust for the financial year ended 31 March 2018 for approval. These had, in accordance with the Local Authority Accounts (Scotland) Regulations 2014, been submitted to the auditor by the deadline of 30 June 2018 and published online for inspection.

## **Decision**

**The Committee**

- (1) approved the Annual Governance Statement contained in the Annual Accounts; and**
- (2) noted that the Unaudited Annual Accounts and the Falkirk Temperance trust Accounts had been passed to the Auditor by the statutory deadline of 30 June 2018.**

### **A15. Council of the Future Update**

The Committee considered a report by the Director of Corporate and Housing Services providing an update on the Council of the Future project.

The Committee had requested, at its meeting on 21 August 2017 (ref AC8) updates at each meeting on the Council of the future project.

The last update had been provided on 9 April 2018 (ref AC7). Since then the project board had met three times and a progress report had been submitted to the Executive on 12 June 2018 (ref EX28). The risk register would be considered at the next project board meeting.

Following discussion, and in recognition of the number of bodies to which Council of the Future reports are submitted and in regard to the governance arrangements, members discussed the Committee's previous decision to request update reports at each meeting. There was general agreement that 2 update reports a year would be sufficient to allow the committee to exercise its oversight role.

In response to a question the Director of Corporate and Housing confirmed that as staff leave the Council there is a consequential impact on budget through pension costs. However the number of employees who had left due to Voluntary Severance was 30 this year compared to 130 in the previous year. The head count was reducing due to voluntary severance, retrials, end of year contracts.

In response to a question the Director of Development Services confirmed that the Strategic Property Review was part of the Council of the Future programme.

### **Decision**

#### **The Audit Committee:-**

- (1) noted the update on the Council of the Future change programme, and**
- (2) agreed to receive twice yearly update reports on Council of the Future governance arrangements; and**
- (3) recommended that a review of the Council of the Future Board arrangements is undertaken as part of the Internal Audit Plan**

## **FALKIRK COUNCIL**

**Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Tuesday 19 June 2018 at 9.30 a.m.**

**COUNCILLORS:**

David Alexander (Convener)  
Robert Bissett  
Jim Blackwood  
Gary Bouse  
Provost William Buchanan  
Joan Coombes  
Gordon Hughes  
Adanna McCue  
Lynne Munro  
Laura Murtagh

**OFFICERS:**

Ian Dryden, Development Manager  
Jack Frawley, Committee Services Officer  
Iain Henderson, Legal Services Manager  
Julie Seidel, Planning Officer  
Crawford Sibbald, Environmental Health Officer  
Russell Steedman, Network Co-ordinator

**P35. Apologies**

Apologies were intimated on behalf of Councillors Kerr and McLuckie.

Councillors Coombes and Hughes entered the meeting during the following item of business.

**P36. Declarations of Interest**

Councillor Alexander declared a non-financial interest in agenda item 9 (ref P43) as a member of the Scottish Ambulance Service Board at the time that the decision was taken to dispose of the site. He stated that he considered that he required to recuse himself from consideration of the item with regard to the Objective Test in the Code of Conduct.

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

**P37. Minutes**

**Decision**

- (a) The minute of meeting of the Planning Committee held on 30 May 2018 was approved, and
- (b) The minute of meeting of the Planning Committee On-Site held on 11 June 2018 was approved.

**P38. Planning Site Visits and Hearings**

The Committee considered a report by the Director of Corporate and Housing Services which invited members to consider and review the practice surrounding site visits and hearings conducted by the Planning Committee. The report proposed options that the Planning Committee may wish to consider should it decide to hold a site inspection or convene a hearing or both prior to determining an application.

**Decision**

**The Committee agreed the:-**

- (1) options detailed at paragraph 5.1 of the report, and
- (2) amendments to the current hearing procedure as set out at paragraph 4.9.

**P39. Remove Condition 2 of Planning Permission P/09/0771/FUL to Make Temporary Access Permanent at Land North West of Woodside, Glen Road, Torwood for Mr Gillies Guthrie - P/18/0009/VRC - Continuation**

With reference to Minutes of Meetings of the Planning Committee held on 30 May 2018 and 11 June 2018 (Paragraphs P27 and P34 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 to remove condition 2 of planning permission P/09/0771/FUL to make temporary access permanent at land north west of Woodside, Glen Road, Torwood.

## Decision

**The Committee refused planning permission for the following reasons:-**

- (1) The deletion of planning condition No. 2 of planning application Ref: P/09/0771/FUL, requiring the vehicular access to be of a temporary period and closed off within 3 months of the cessation of the infilling of the existing quarry, would not be in the best interests of road safety.**

## Informative(s):-

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

**P40. Change of Use of First Floor Ancillary Storage Area (for Public House, Restaurant and Function Suite) to Hotel (Class 7), Extension to Bar and External Alterations at Mango Restaurant, Masonic Arms, 224 Glasgow Road, Longcroft, Bonnybridge FK4 1QP for Mango Restaurant – P/17/0783/FUL – Continuation**

With reference to Minutes of Meetings of the Planning Committee held on 20 March, 3 April and 25 April 2018 (Paragraphs P115, P3 and P9 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 planning permission for the change of use of first floor ancillary storage area (for public house, restaurant and function suite) to hotel (class 7), extension to bar and external alterations at Mango Restaurant, Masonic Arms, 224 Glasgow Road, Longcroft, Bonnybridge.

Councillor Bouse, seconded by Councillor McCue, moved to grant the application on the grounds that the number of parking spaces able to be provided are considered adequate, the junction is no worse than others in the area and is not considered to be unacceptable and having regard to the benefits of the proposal for tourism and business development, and such grant of planning permission shall be subject to appropriate conditions as determined by the Director of Development Services including (1) conditions requiring the said Director to be satisfied as to information to be provided by the applicant in relation to accurate survey data at the entrance to the site and information for the car park extension, including proposed levels, construction materials and proposed boundary treatment (including the stability of the existing wall), and (2) a condition requiring the car park to be fully completed prior to the use being activated.

By way of an amendment, Councillor Coombes, seconded by Councillor Munro, moved that Committee refuse the planning permission for the following reasons:-



- (1) The proposed development generates an additional parking requirement of 14 in-curtilage spaces which cannot be adequately provided. The application site is located at a challenging road junction, where increased vehicular movements and demand for on-street parking would have a detrimental impact on road safety and unacceptably impact upon the residential amenity of surrounding residential properties. This is contrary to policies BUS01 'Business and Tourism' and BUS04 'Business Development outwith Designated Business Areas' of the Falkirk Local Development Plan and the National Roads Development Guide (SCOTS 2015).

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A and 03 - 10.

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 (5) – Councillors Alexander, Bouse, Hughes, McCue and Murtagh.

For the amendment (5) – Provost Buchanan, Councillors Bissett, Blackwood, Coombes and Munro.

There being an equality of votes, Councillor Alexander, exercised his casting vote in favour of the motion.

## **Decision**

**The Committee agreed the motion.**

**P41. Formation of Car Wash and Valet Centre, Including Siting of No. 2 Containers, Erection of Shelter, 2.2 Metre, High Acoustic Fence and 3 Metre High Polycarbonate Screen (Partially Retrospective) at Land to the South East of Tannery Garage, Grangemouth Road, Falkirk for Wash & Valet North Ltd – P/18/0064/FUL - Continuation**

With reference to Minutes of Meetings of the Planning Committee held on 25 April, 8 May and 30 May 2018 (Paragraphs P12, P15 and P24 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 planning permission to form a car wash and valet centre on land to the rear of the New Tannery Garage, Falkirk. Access is proposed from the car repair garage on Randyford Road, with exit being taken via the petrol filling station garage forecourt onto Grangemouth Road.

Councillor Murtagh, seconded by Councillor Bouse, moved that Committee refuse planning permission on the grounds that the car wash and valet centre would be incompatible with the established residential character and amenity of the area, contrary to policy HSG06 “Non-Residential Uses in Residential Areas” of the Falkirk Local Development Plan.

By way of an amendment, Councillor Bissett, seconded by Councillor Coombes, moved that Committee grant planning permission, subject to the following conditions and informative(s):-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this 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 hereby approved, shall ensure that externally generated noise does not exceed 4dB above the background level when measured at any noise sensitive receptor in accordance with BS4142:2014;
- (3) The site shall not commence operation as a car wash and/or valet centre until the development is completed in accordance with the approved plans, including the erection of the acoustic fence, sound insulation and polycarbonate screen;

Reasons for the conditions above:

1. As these drawings and details constitute the approved development
- 2-3. To ensure that the occupants of adjacent premises are protected against excessive noise intrusion.

Informative(s):-

- (1) In accordance with section 58(1) of the Town and Country Planning(Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration;
- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 07 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 the prior written approval of the Planning Authority;

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

Monday to Friday	08:00 – 19:00 Hours
Saturday	08:00 – 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

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 (5) – Councillors Alexander, Bouse, Hughes, McCue and Murtagh.

For the amendment (5) – Provost Buchanan, Councillor Bissett, Blackwood, Coombes and Munro.

There being an equality of votes, Councillor Alexander, exercised his casting vote in favour of the motion.

### **Decision**

**The Committee agreed the motion.**

#### **P42. Erection of Dwellinghouse at Land to the West of Rumah, Shieldhill Road, Reddingmuirhead for Mr Ashley Beaumont – P/18/0190/PPP**

The Committee considered a report by the Director of Development Services on an application for planning permission for the erection of dwellinghouse at land to the west of Rumah, Shieldhill Road, Reddingmuirhead.

With reference to Standing Order 33, the convener referred to a deputation request received from the applicant to be heard in relation to this item.

Councillor Alexander, seconded by Councillor Murtagh, moved that Committee:-

- (1) Not hear the deputation;
- (2) Hear the Planning Officer regarding an outline of the application;
- (3) Continue consideration of the item to allow an inspection of the site, and
- (4) Hold a hearing session at the next meeting on 15 August 2018.

By way of an amendment, Provost Buchanan, seconded by Councillor Munro, moved that Committee:-

- (1) Not hear the deputation, and

- (2) Continue consideration of the item to allow a combined inspection of the site and a hearing session.

Councillor Bouse gave notice of a further amendment.

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 (3) – Councillors Alexander, McCue and Murtagh.

For the amendment (7) – Provost Buchanan, Councillors Bissett, Blackwood, Bouse, Coombes, Hughes and Munro.

The amendment was carried and became the substantive motion against which the further amendment was considered.

By way of a further amendment, Councillor Bouse, seconded by Councillor Hughes, moved that Committee:-

- (1) Not hear the deputation;
- (2) Continue consideration of the item to allow a combined inspection of the site and
- (3) Hold a hearing session at the next meeting on 15 August 2018

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 (6) – Provost Buchanan, Councillors Alexander, Bissett, Blackwood, McCue and Munro.

For the amendment (4) – Councillors Bouse, Coombes, Hughes and Murtagh.

## **Decision**

**The Committee agreed the substantive motion and it was accordingly agreed (1) not to hear the deputation, and (2) continue consideration of the item to allow a combined inspection of the site and a hearing session.**

In line with his earlier declaration Councillor Alexander left the meeting prior to consideration of the following item of business.

The Clerk sought nominations to the position of convener for the following item of business. Following general agreement, Provost Buchanan assumed the chair.

**P43. Erection of Residential Care Home (Class 8 – Residential Institution) at Falkirk Ambulance Station, Windsor Road, Falkirk, FK1 5EW for Mealmore Ltd – P/18/0100/FUL**

The Committee considered a report by the Director of Development Services on an application for planning permission for the erection of residential care home (class 8 – residential institution) at Falkirk Ambulance Station, Windsor Road, Falkirk.

**Decision**

**The committee agreed to continue consideration of this item of business to allow a combined inspection of the site and hearing session by committee.**

Councillor Alexander re-joined the meeting following consideration of the previous item of business and resumed the chair.

**P44. Extension to Existing Garden Centre Including Coffee Shop, Office, Storage Accommodation and Ancillary Works (Amendment to Planning Permission P/17/0169/FUL) at Klondyke Garden Centre, Burnside Nursery, Polmont, Falkirk, FK2 0XS for Klondyke Group Ltd – P/18/0104/FUL**

The Committee considered a report by the Director of Development Services on an application for planning permission for the extension to existing garden centre including coffee shop, office storage accommodation and ancillary works (amendment to planning permission P/17/0169/FUL) at Klondyke Garden Centre, Burnside Nursery, Polmont, Falkirk.

**Decision**

**The Committee agreed that it is minded to Grant Planning Permission subject to:-**

- (a) Notification of the application to Scottish Ministers in relation to the SEPA objection, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009; and**
- (b) Thereafter, if the application is not called in by Scottish Ministers, remit the Director of Development Services, to approve the application 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 this 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. Any plant or equipment associated with the completed development should be sited and operated in such a manner as to prevent any noise nuisance occurring at nearby noise sensitive premises. Noise associated with the completed development shall not give rise to a noise level, assessed with the windows open, within any dwelling 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.
3. Prior to the commencement of development on site, the surface water and foul drainage arrangements shall be agreed in writing by the Planning Authority. Thereafter development shall commence in accordance with the approved scheme.
4. The development hereby approved shall 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 CO2 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. No part of the development shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Planning Authority.
6. Prior to the commencement of development on site, a specification for the electrical vehicle charging points shall be submitted to and agreed in writing with the Planning Authority.

- 7. For the avoidance of doubt, the hatched footway from the existing A9 pedestrian crossing facility into the site, shall be removed and landscaped in accordance with the approved landscape plan, following completion of the new crossing facility on the A9.**
- 8. Samples of all external 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.**
- 9. No development shall commence on site until a tree protection plan (in accordance with BS5837:2012) has been submitted to and approved in writing by Planning Authority. Thereafter the trees marked for retention, shall be protected by suitable fencing. The fencing shall be retained for the duration of the construction period and no materials, vehicles, plant or machinery shall be placed or stored or any excavations carried out within the fenced off area, unless otherwise agreed in writing.**
- 10. For the avoidance of doubt, development shall proceed in accordance with the recommendations of the Reptile Survey, in relation to further survey work and the timing of vegetation removal.**
- 11. The 6 metre buffer strip shown on the approved site plan (our online reference drawing No. 07), shall be protected by temporary fencing for the duration of construction works on site.**
- 12. Unrestricted Class 1 retailing shall not exceed 15% of the total net sales area.**

**Reasons for the conditions above:-**

- 1. As these drawings and details constitute the approved development.**
- 2. To ensure that the occupants of adjacent premises are protected against excessive noise intrusion.**
- 3. To ensure that adequate drainage is provided.**
- 4. To ensure the development achieves the required CO2 emission reduction as a result of development.**
- 5. To safeguard the interests of the users of the highway in accordance with the submitted Transport Statement.**

- 6, 7. To safeguard the interests of the users of the highway.
8. To safeguard the visual amenity of the area.
9. To ensure that the existing trees are retained and protected during construction work.
10. To ensure that the development does not adversely impact reptiles.
11. To ensure the Polmont Burn remains undisturbed and protected during construction.
12. To allow a satisfactory range of goods and seasonal variation.

**Informative(s):-**

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 -13 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 the prior written approval of the Planning Authority.
4. If development involves any alterations or excavation in the public road or footway, a Minor Roadworks Consent will be required. Falkirk Council, Roads Services, Roads Depot, Earls Road, Grangemouth (01324 504600) will provide the relevant application form for a Minor Roadworks Consent and advise of conditions relevant to works in a public road



## **FALKIRK COUNCIL**

**Minute of Joint Meeting of the Pensions Committee/Board held in the Municipal Buildings, Falkirk on Thursday 21 June 2018 at 9.30 a.m.**

**Present:**

Committee:-

Councillors Falkirk Council:-

Provost William Buchanan

Jim Blackwood

Niall Coleman

Adanna McCue (Convener)

John Patrick

Pat Reid

Ian McLean, Pensioner Representative

Board:-

Susan Crook, Unison

Sandy Harrower UCATT

Simon Hunt, Scottish Autism

Gordon Irvine, Unite

Tommy Murphy, GMB

**Attending:**

Jack Frawley, Committee Services Officer

Justyna Korszen-Bennett, Senior Accountant (Pension Fund)

Alastair McGirr, Pensions Manager

Brian Pirie, Democratic Services Manager

Bryan Smail, Chief Finance Officer

Graham Templeton, Senior Auditor

**Also in  
Attendance:**

Rob Jones, Ernst and Young (External Audit)

Bruce Miller, Chief Investment Officer, Lothian Pension Fund

Olga Potapova, Ernst and Young (External Audit)

**PE1. Apologies**

Apologies were intimated on behalf of Councillor Brisley, Andy Douglas and Jennifer Welsh.

**PE2. Declarations of Interest**

There were no declarations of interest.

**PE3. Minute****Decision**

**The minute of the joint meeting of the Pensions Committee and Board on 15 March 2018 was approved.**

**PE4. Internal Audit Annual Assurance Report 2017/18**

The Committee and Board considered a report by the Audit Manager which provided an update on internal audit work undertaken in respect of the Falkirk Council Pension Fund during 2017/18. Assurance on arrangements for risk management, governance, and control based on that work was also provided.

**Decision**

**The Committee and Board noted that Internal Audit provided Substantial Assurance in respect of the Fund's arrangements for risk management, governance, and control for the year to 31 March 2018.**

**PE5. Internal Audit Plan 2018/19**

The Committee and Board considered a report by the Audit Manager which sought approval of a Falkirk Council Pension Fund Internal Audit Plan for 2018/19.

Annual Internal Audit coverage was based on discussion with the Pensions Manager, review of relevant documentation (eg the Pension Fund Risk Register, Governance Policy), and Internal Audit's own assessment of risk also taking account of the work planned by the external auditors. Additionally Internal Audit reviewed, on an ongoing basis, emerging and developing risks, and these were built into the Audit Needs Assessment for consideration in current and future years' Internal Audit Plans.

Internal Audit's work during 2018/19 would include Pension Fund Transactional Testing. The purpose would be to ensure that:-

- new member contributions to the Pension Fund were properly calculated;
- the correct values of pension rights either transferred into, or out of, the Pension Fund have been received or paid;
- the correct pension payments were paid to retiring Fund members;
- the correct lump sum payments were made in respect of deceased Fund members; and

- the controls around i-Connect (electronic transfer of data from employers creating starters and leavers) are operating effectively.

On an annual basis, an Internal Audit Annual Assurance Report would be presented to the Pensions Committee and Pension Board. This would give an overall opinion on the Falkirk Council Pension Fund's risk management, governance, and control arrangements.

### **Decision**

#### **The Committee and Board:-**

- (1) **agreed the proposed Falkirk Council Pension Fund Internal Audit Plan 2018/19, and**
- (2) **noted that an Annual Assurance Report will be provided.**

### **PE6. Unaudited Annual Report and Accounts 2017/18**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided the Unaudited Fund Annual Report and Accounts 2017/18 and the Fund Annual Governance Statement for consideration.

The key points from the Annual Report and Accounts 2017/18 were:-

- Assets were £2.3bn (£2.2bn in 16/17)
- Liabilities were £2.5bn (£2.4bn in 16/17)
- Funding level was 91% (92% per the valuation of 31/3/2017)
- Administration costs were £23.90 per member (£19.25 in 16/17 - increase was mainly due to additional posts filled in 17/18)
- 23 Freedom of Information requests were answered
- Scheme membership was 31,344 (30,258 in 16/17). Over 5 years there has been an 18% increase in aggregate membership
- 1 year return was 3.1% against a benchmark of 2.5%
- Annualised 5 year return was 8.8% against a benchmark of 7.7%
- Votes were cast on 1,917 motions at 126 company meetings
- Contributions of £80m were paid in (£82m in 16/17)
- Benefits of £68m were paid out (£66m in 16/17)
- Employee contributions were £18m against £62m paid by employers
- Direct investment management expenses of £10m (£9.8m in 16/17)

### **Decision**

#### **The Committee and Board:-**

- (1) **noted the Unaudited Accounts and Annual Report and the Annual Governance Statement.**

**The Committee:-**

- (1) approved the Fund Annual Governance Statement, and**
- (2) noted the Unaudited Annual Report and Accounts 2017/18 of the Falkirk Council Pension Fund.**

**PE7. General Data Protection Regulations (GDPR)**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided an update on the actions taken in response to the introduction of the General Data Protection Regulations.

As a body which is required by law to operate the Local Government Pension Scheme, the Fund held vast quantities of personal data relating to over 30,000 scheme members. Data was held in both in paper and electronic format. Data in paper format was contained within a secured area of the Municipal Buildings. Data held electronically was either stored i) on Council servers and therefore protected by the Council's IT security arrangements or ii) on servers maintained by the supplier of the Pensions Administration System.

Following consultation with the Council's legal team, a Fund Privacy Notice was compiled and published on the Fund website. Pensioners were advised of the Privacy Notice via a message on their May pension advice slip. Other members would be advised of the Notice when benefit statements were next issued. Various letters and emails were amended to carry a reference to the Privacy Notice. In addition, Memoranda of Understanding were issued to the 35 employers participating in the Fund. These set out the data protection standards that were expected of employers as well as the standards that the Fund would apply. Similar documents were exchanged with key contacts and service providers such as the Fund Actuary and the suppliers of the Pensions Administration System.

**Decision**

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

**PE8. Pension Fund Delegation**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided an update on the delegations in relation to Pension Fund business.

**Decision**

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

**PE9. General Governance Matters**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided an update on miscellaneous matters associated with the business of the Falkirk Council Pension Fund.

**Decision**

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

**PE10. Market Review and Fund Manager Performance**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided an update on recent investment market developments; the Fund's strategic allocation and performance, and monitoring activity of the Fund's investment mandates during the most recent quarter.

**Decision**

**The Committee and Board noted:-**

- (1) recent investment market developments;**
- (2) the Fund's strategic allocation;**
- (3) the Fund's performance for the period ending 31 March 2018, and**
- (4) the investment monitoring activity of the Joint Investment Strategy Panel.**

**PE11. Exclusion of Public**

**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.**

**PE12. Commentary on Fund Manager Performance**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided further details on individual manager mandates, including current developments and issues identified through the wider monitoring process to the period 31 March 2018.

**Decision**

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

**PE13. Joint Investment Strategy Panel Update**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided an update on the key points arising from the meeting of the Joint Investment Strategy Panel held on 12 June 2018.

**Decision**

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

**PE14. Investment in Bank Hapoalim**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided an update regarding the position relating to disinvestment from Bank Hapoalim.

**Decision**

**The Committee and Board noted:-**

- (1) the contents of the report including the request to divest and the Fund's response in line with its agreed investment beliefs, and**
- (2) that the investment manager was in the process of selling the Fund's holdings in Bank Hapoalim on the basis that the risks outweighed the potential returns.**

**Minute of meeting of the Planning Committee held On Site on Monday 6 August 2018 commencing at 9.30 a.m.**

**Councillors:** David Alexander (Convener) (for application P/18/0190/PPP)  
 Jim Blackwood  
 Gary Bouse  
 Gordon Hughes  
 James Kerr  
 Adanna McCue  
 John McLuckie (Depute Convener) (for application P/18/0100/FUL)  
 Lynn Munro  
 Laura Murtagh

**Officers:** Kevin Brown, Planning Officer (for application P/18/0190/PPP)  
 Arlene Fraser, Committee Services Officer  
 John Milne, Senior Planning Officer (for application P/18/0100/FUL)  
 Russell Steedman, Network Co-ordinator  
 Karen Quin, Senior Solicitor  
 Bernard Whittle, Development Management Co-ordinator

**P45. Apologies**

Apologies were intimated on behalf of Provost Buchanan; Councillors Bissett and Coombes.

**P46. Declarations of Interest**

In accordance with his non-financial interest at the meeting of the Planning Committee on 19 June 2018 (Paragraph P36 refers), Councillor Alexander was not present at the site visit (P/18/0100/FUL). Councillor McLuckie assumed the role of Convener in his absence.

**P47. Erection of Dwellinghouse at Land to the West of Rumah, Shieldhill Road, Reddingmuirhead for Mr Ashley Beaumont – P/18/0190/PPP**

With reference to the minute of the meeting of the Planning Committee held on 19 June 2018 (Paragraph P42 refers), Committee gave further consideration to a report by the Director of Development Services on an application for planning permission for the erection of dwellinghouse at land to the west of Rumah, Shieldhill Road, Reddingmuirhead.

An apology had been submitted by Councillor Nicol, Local member.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant was heard in relation to the application.

Ms M Montinaro, a representative of Shieldhill & California Community Council, objectors, was heard in relation to the application.

Mr F Beaumont and Ms M Aitken, were heard in support of the application.

The objections included the following issues:-

- adverse impact on the natural environment and the loss of green belt and agricultural land
- concern of merging communities of Shieldhill and Reddingmuirhead
- importance of maintaining village identity
- 5 year housing land supply is not accurate
- concerns regarding the Tappernail development

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 15 August 2018.

**P48. Erection of Residential Care Home (Class 8 – Residential Institution) at Falkirk Ambulance Station, Windsor Road, Falkirk, FK1 5EW for Mealmore Ltd – P/18/0100/FUL**

With reference to the minute of the meeting of the Planning Committee held on 19 June 2018 (Paragraph P43 refers), Committee gave further consideration to a report by the Director of Development Services on an application for planning permission for the erection of residential care home (class 8 – residential institution) at Falkirk Ambulance Station, Windsor Road, Falkirk.

The Convener introduced the parties present.

The Senior Planning Officer outlined the nature of the application. He also referred to additional representations to the application, which had been received in the form of a petition. He advised that a formal response to the additional points would be included in the updated report to be considered by the Planning Committee at its meeting on 15 August.

The applicant's agent was heard in relation to the application.

Mr A O'Doherty, an objector and lead petitioner, was heard in relation to the application.



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

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

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

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

Mrs E O'Doherty, an objector, was heard in relation to the application.

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

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

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

The objections included the following issues:-

- overdevelopment of the site in relation to the proposed size and proximity to neighbouring properties
- the proposed building will impact on the privacy and security of surrounding properties
- window to window distances and weighting
- the proposed building would diminish sunlight from existing garden ground
- an increase in noise generated from plant equipment
- road safety concerns and the suggestion of a 20 mph speed limit
- the existing traffic conditions and on-street parking would be exacerbated, in particular around the changeover shift of employees
- insufficient parking on site
- public transport, in particular bus services, have recently been reduced in the area
- the complicated junction at Maggie Woods Loan/Windsor Road requires attention
- the height of the proposed building in relation to neighbouring properties
- the eve and ridge height comparisons of the proposed development in relation to the existing building
- there will be an increase in building footprint and overall floor space from that of the existing building
- the footfall in the rear main corridor which overlooks surrounding properties
- the contour of the site and surrounding land will impact on ridge heights of the proposal
- clarification of a Class 8 use order and occupancy
- light pollution from the development, particularly through the night
- additional demand on GPs and local health provision
- impact on the drainage system and electricity supply in the area
- the excavation of the existing site

Questions were then asked by members of the Committee.

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

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

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

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 15 August 2018.

**Draft****FALKIRK COUNCIL**

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings,  
Falkirk on Tuesday 14 August 2018 at 9.30 a.m.**

**Councillors:** David Alexander  
Robert Bissett  
Gary Bouse  
Joan Coombes  
Paul Garner  
Dennis Goldie (Convener)  
Nigel Harris  
Gordon Hughes  
James Kerr  
Cecil Meiklejohn  
Malcolm Nicol  
Alan Nimmo

**Officers:** Ross Fenwick, Waste Manager  
Jack Frawley, Committee Services Officer  
Rhona Geisler, Director of Development Services  
Colin Moodie, Chief Governance Officer  
Kenneth Lawrie, Chief Executive  
Lesley Malkin, Project Manager  
Robert Naylor, Director of Children's Services  
Brian Pirie, Democratic Services Manager  
Bryan Smail, Chief Finance Officer  
Stuart Ritchie, Director of Corporate & Housing Services

**Also Attending:** Councillor Laura Murtagh, Public Protection Portfolio Holder  
(for item EX46)

**EX38. Order of Business**

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

**EX39. Council Headquarters Project**

With reference to Standing Order 33, the convener advised that a deputation request had been received on behalf of the Healthy High Street Group to be heard in relation to this item. The convener confirmed that the request had been made in accordance with Standing Orders. The Executive agreed to hear the deputation.

Margaret Foy addressed the Executive, following which members asked questions. The convener thanked the deputation for addressing the Executive.

The Executive considered a report by the Leader of the Council which set out the Administration's position on the Council's headquarters project. In preparation of the report advice from officers had been sought to take cognisance of the status of the headquarters (HQ) project, its implications in terms of the Council's strategic property review, financial position and risk and the progress of work on the regeneration of the town centre.

Since May, the prospects for Falkirk town centre had become more bleak. Announcements had been made on the closure of Marks & Spencer and Falkirk Bus Station. This reinforced the need to revitalise the town centre. This increased the importance of the Council reaching a decision on delivery of its headquarters project. The Administration had made a commitment to town centre regeneration in its manifesto. By locating the replacement headquarters facility in the town centre, regeneration could be stimulated

The Administration's vision for the town centre and the headquarters project was that the development should be taken forward as a partnership venture, combining investment from a range of partners and invigorating the town centre with a new sense of purpose.

A town centre working group had been formed involving the Council, Falkirk BID and other town centre stakeholders. The group had reinforced the need for urgent action and sought clarity on the means to deliver much needed investment in the town centre. The Administration proposed that the group should develop a regeneration action plan including recommendations for delivery of the headquarters facility.

The report detailed requirements for a replacement headquarters facility as:-

- a minimum of 300 workstations.
- a democratic/HQ core office for elected members, senior management team and civic accommodation.
- ancillary accommodation i.e. reception, IT data room, meetings, catering and related welfare facilities etc.
- modern office accommodation to meet 'back' office, agile working needs for up to 1200 staff, to help meet Council of the Future ambitions.
- access to flexible space and capacity for other public, private and third sector partners to work alongside the Council.

The report stated that to replace Falkirk Town Hall a modern Arts Centre facility would be required proposed as a 500 seat facility, with reception, rehearsal and catering facilities. It was highlighted that this project might

take place alongside provision of the office and civic headquarters facilities or proceed separately.

Councillor Meiklejohn, seconded by Councillor Garner, moved that the Executive agrees:-

- (1) the vision for Falkirk town centre and new headquarters for the Council including office, civic and arts facilities as set out in para 4.4;
- (2) to progress proposals for delivery of the replacement headquarters facility in the town centre through:
  - (a) the Council's participation in the Falkirk town centre working group to prepare a regeneration action plan with proposals for delivery of the Council headquarters facility and related investment by partners
  - (b) that officers prepare a business case for the proposed replacement headquarters having regard to the Council's financial position
  - (c) an initial specification for a replacement office headquarters facility for a minimum of 300 workstations and associated civic and arts facilities
  - (d) to progress a procurement exercise to seek a preferred site and means of delivering the project
- (3) that a progress report with recommendations for further action be presented to Executive on completion of the above actions to enable a decision to be reached on the headquarters project.

The Executive adjourned at 9.55am to allow consideration of the terms of an amendment intimated by Councillor Goldie and reconvened at 10.05am with all members present as per the sederunt.

Following discussion, Councillor Meiklejohn, with the consent of the convener and Councillor Garner, as her seconder, adjusted the terms of her motion to amend clauses 2(a) and 2(c), in light of the amendment intimated by Councillor Goldie, to read:-

- (a) the Council's participation in the Falkirk town centre working group to prepare a regeneration action plan with proposals for delivery of the Council headquarters facility and related investment by partners, with Council representation on the working group being 8 subject to political balance as follows:-

SNP – 3  
 Lab – 2  
 Cons – 2  
 Ind – 1

- (c) an initial specification for a replacement headquarters office facility with a capacity larger than 300 workstations and associated arts and civic facilities.

The Executive noted that the town centre working group would be chaired by the Leader of the Council. Nominations were sought for the place reserved for an independent member.

Councillor Nicol nominated Provost Buchanan.

Councillor Meiklejohn nominated Councillor Spears.

In terms of Standing Order 22.1, the vote was taken by roll call, there being 12 members present with voting as undernoted:-

For Provost Buchanan (7) – Councillors Bissett, Coombes, Goldie, Harris, Kerr, Nicol and Nimmo.

For Councillor Spears (5) – Councillors Alexander, Bouse, Garner, Hughes and Meiklejohn.

Provost Buchanan was appointed to the town centre working group.

### **Decision**

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

- (1) the vision for Falkirk town centre and new headquarters for the Council including office and arts facilities as set out in paragraph 4.4 of the report;**

- (2) to progress proposals for delivery of the replacement headquarters facility in the town centre, through:-**

- (a) the Council's participation in the Falkirk town centre working group to prepare a regeneration action plan with proposals for delivery of the Council headquarters facility and related investment by partners, with Council representation on the working group being 8 subject to political balance as follows:-**

**SNP – 3**

**Lab – 2**

**Cons – 2**

**Ind – 1**

- (b) to appoint Provost Buchanan as the Independent member on the town centre working group with the remaining places being filled by slate to the Chief Governance Officer**

- (c) **that officers prepare a business case for the proposed replacement headquarters having regard to the Council's financial position**
  - (d) **an initial specification for a replacement headquarters office facility with a capacity larger than 300 workstations and associated arts and civic facilities**
  - (e) **to progress a procurement exercise to seek a preferred site and means of delivering the project**
- (3) **that a progress report with recommendations for further action be presented to Executive on completion of the above actions to enable a decision to be reached on the headquarters project,**

**EX40. Apologies**

There were no apologies.

**EX41. Declarations of Interest**

There were no declarations of interest.

**EX42. Minute**

**Decision**

**The minute of the meeting of the Executive held on 12 June 2018 was approved.**

**EX43. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 12 June 2018 was provided. Items 427 – Household Recycling Charter: Compliant Collection Service, and 428 – Strategic Property Review – Review of Office Accommodation were subject of reports on the agenda and accordingly fell from the action log.

**Decision**

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

#### **EX44. Strategic Property Review – Review of Council Office Front Facing Offices**

The Executive considered a report by the Director of Development Services which provided an update on the progress of work towards meeting the Council's requirements for 'front facing' offices and provided recommendations for progression. Proposals to meet the Council's front facing office requirements were set out in Appendices 1 and 2 to the report.

The office review identified that the Council occupied floorspace in excess of 7000sqm and was "space rich" occupying property inefficiently - i.e. more than double (17sqm per FTE) the aspired occupancy standard of 8sqm per FTE. As the Council moved to agile working for staff as part of 'Council of the Future', space requirements would reduce to meet its aspired occupancy standard. Implementation of the hub and spoke model of front facing offices would allow reduction from 11 to 5 front facing premises.

To intensify usage there would require to be a degree of adaptation and remodelling in the retained properties, costing in the region of £1.8m. If the running costs of the closed buildings were ring fenced and diverted to the retained properties, the savings, along with disposal receipts could provide the budget for the necessary improvement and generate a small saving to the Council after the initial period. Therefore the improvements could be funded as a "spend to save" project. Appendix 1 provided a summary of the proposals and Appendix 2 set out the expenditure programme and anticipated revenue savings.

#### **Decision**

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

- (1) the proposals to meet the Council's front facing office requirements as set out in Appendix 1 and 2 of the report;**
- (2) the proposals for expenditure of £1.8m on a "spend to save" basis to supply upgraded front facing accommodation at Carronbank House, Central Library, Brockville and Grangemouth Social Work Office, and**
- (3) to extend the existing contract works being delivered by East Central Scotland Hub/Maxi Construction for upgrade work to proceed at Carronbank House.**



**EX45. Household Recycling Charter: Compliant Collection Service**

The Executive considered a report by the Director of Development Services which provided an update on the options for a household recycling charter compliant collection service and the implications of the introduction of a Deposit Return Scheme on the collection service.

At its meeting of 15 May 2018 (ref EX17) the Executive had instructed the Director of Development Services to undertake an analysis of a further option to provide a charter compliant collection service and to report back on the implications of this option along with an update on the proposals of a Deposit Return Scheme (DRS) and how this might affect kerbside collections moving forward.

The report set out details of the current collection service, an option based on a Zero Waste Scotland funding offer and the option put forward at the May meeting of the Executive (option 4). Option 4 proposed:-

- blue bin collected every 4 weeks and only used for plastics, metals and cartons.
- brown bin used for paper and card collected every 4 weeks.
- green bin retained for non-recyclable waste collected every 4 weeks
- black box service retained for glass, textiles, small electricals, household batteries (& nappies) collected every two weeks.
- new bin introduced for co-mingled garden and food waste (with an option for households who do not wish to have a garden waste collection to use a food caddy) collected every two weeks.

The report provided the following analysis of option 4:-






- using the brown bin for paper and card would reduce the quality of the material as there will be remnants of garden waste thereby contaminating the paper/card mix.
- if residents do not opt for the new bin for co-mingled garden and food waste, they must use a food caddy. The food caddy would require to be collected weekly to be charter compliant.
- the cost of an additional bin for 73,000 households would be c.£1.47m which would be subject to a further bid to Zero Waste Scotland.
- additional resources would be required to undertake a fortnightly co-mingled garden and food waste service.
- garden waste collection is non-statutory and could be charged. Co-mingling with food waste adds complexity with charging for this service as a food waste collection is statutory and non-chargeable.

In September 2017, the Scottish Government announced the introduction of a Scottish deposit return system for single-use drinks containers. A consultation document 'A Deposit Return Scheme for Scotland' was published. The public consultation period was from 27 June 2018 to 25 September 2018. Early indications were that a deposit return scheme may be introduced within the next two years.

## Decision

### The Executive:-

- (1) noted the content of the report and the analysis of the further option having regard to both service and financial consequences;
- (2) instructed the Director of Development Services to undertake an analysis of a final option, described pictorially below, and report back to the Executive on the implications of this option where a decision will be made. At this time agree on a preferred Household Waste Recycling Charter Compliant Collection Service and authorise the Director of Development Services to submit a funding application to Zero Waste Scotland for equipment to provide the agreed service. Further, to request that she provide Members at the same time, with an update on proposals for the introduction of a Deposit Return Scheme and how this might affect kerbside collection services moving forward taking into consideration the consultation exercise recently carried out by the Scottish Government on DRS.

Metals, Plastics and Cartons	Paper and Card	Glass, Textiles, Small Electricals, Household Batteries (& Nappies)	Non-Recyclable Waste	Garden Waste & Food Waste Bin (Optional)*
				
4-Weekly	4-Weekly	Fortnightly	4-Weekly	Fortnightly
* Note: If the option for a Garden Waste & Food Waste Bin is not taken, residents must use a Grey Food Caddy. This includes properties without gardens.				

**EX46. Local Governance Review – Policy Development Panel**

The Executive considered a report by the Director of Corporate and Housing Services which invited the establishment of a policy development panel to consider the implications of the Local Governance Review, make recommendations and prepare a response to the review.

At the meeting of Council on 6 December 2017 there was discussion on whether the Scheme for the Establishment of Community Councils should be reviewed in light of the quadrennial community council elections. It was suggested that a policy development panel could be established for this purpose and taking cognisance of the Local Governance Review.

At its meeting of 27 June 2018 Council considered a motion asking that officers investigate the possibility of establishing Area Committees and a Petitions Committee. Council agreed to explore the options through by expanding the remit of the existing policy development panel on Community Councils to include consideration of a Petitions Committee and Area Committees within the context of the Local Governance Review.

The Local Governance Review was launched jointly by the Scottish Government and COSLA in December 2017 and invited public sector bodies to consider and identify reforms and powers which could be implemented to strengthen local democracy and decision making. The outcomes of the Review could have far reaching implications for local democracy in Falkirk and across Scotland.

It was proposed that the remit of the policy development panel included:-

- the implications of the Local Governance Review
- drafting a response to the Local Governance Review for approval by the Executive
- the role of community councils in local decision making and the current arrangements for establishing community councils in light of the thrust of the Local Governance Review and having regard to the Community Empowerment (Scotland) Act 2015
- the advantages and disadvantages and any other issues in connection with forming a Petitions Committee and/or Area Committees
- any other changes that would enhance participation and engagement and improve local governance.

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

- (1) agreed the creation of a policy development panel to consider the Local Governance Review with a remit as set out in section 4.6 of the report;**

- (2) **agreed that composition of the policy development panel would be:-**

**2 – SNP  
2 – Labour  
1 – Conservative**

- (3) **noted that the Leader of the Council would chair the policy development panel.**

#### **EX47. Review of Taxi Fare Scales and Other Charges**

The Executive considered a report by the Director of Corporate and Housing Services which provided details of responses received to the consultation on the proposed changes to the maximum fare scale in use by taxi operators licensed by the Council.

At its meeting on 12 June 2018 (ref EX32) the Executive agreed to instruct the Chief Governance Officer to advertise the revised fare scales and charges to take effect from midnight on 31 August 2018 and,

- (a) in the event of any written representations being received in respect of the published proposals, that a further report would be submitted to the Executive to allow them to be considered and,
- (b) in the event that no written representations are received the proposals would be held as confirmed and formally notified to the consultees.

Six responses to the consultation were received. Five through the consultation hub and one letter direct to the licensing offices. The substance of each response was appended to the report and could be categorised into the following groups:-

- increased charges
- concessionary offering
- soilage charge
- public holidays.

#### **Decision**

**The Executive agreed to the proposed changes to the existing taxi fares and scales with effect from midnight on 30 September 2018.**

**EX48. Capital Programmes Outturn**

The Executive considered a report by the Director of Corporate and Housing Services which provided details of the outturn position, subject to final audit review, of the 2017/18 General Fund Services and Housing Capital Programmes.

The capital programmes aimed to deliver priority projects on time and on budget. However, both capital programmes were three year programmes and the nature of the projects therein meant that spend could move between years. As such the Executive had previously approved the rescheduling of a number of General Fund projects to future years. The approved 2017/18 budget of £26m was revised to £33.6m to take into account slippage from the 2016/17 Capital Programme. The final outturn was £28.317m, an underspend of £5.278 against the revised budget. Details of service area spend and slippage were provided.

The Housing Capital Programme for 2016/17 had an outturn of £32.9m giving an overspend of £1.7m and was primarily due to the acceleration of external fabric improvements from 2018/19 to 2017/18.

**Decision****The Executive noted:-**

- (1) the 2017/18 outturn position, subject to audit, for both the General Fund Services (£28.3m) and Housing Capital Programmes (£32.9m);**
- (2) the reduced external borrowing requirement for Capital Programme purposes, and**
- (3) the Prudential Indicators.**

**EX49. Projected Financial Position 2018/19**

The Executive considered a report by the Director of Corporate and Housing Services which provided an update on the financial position of the Council for 2018/19 and its Reserves. Net expenditure at 31 March 2019 was forecast to be £341.0m which was £5.380m (1.6%) above budget. This was primarily due to an overspend on care packages for children looked after away from home. It was projected that there would be a general fund reserve balance of £8.162m at March 2019. The report also advised of the following deviations from budget:-

- Children's Services – over budget by £3.279m (1.7%)
- Corporate & Housing Services – under budget by £0.129m (0.5%)
- Development Services – on budget
- Social Work Adult Services – over budget by £0.056m (1.1%).

Spending within the Housing Revenue Account of £62.7m was in line with the budget. The reserve balance brought forward at 1 April 2018 was £5.093m and no application of reserves was planned for 2018/19.

### **Decision**

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

- (1) noted the Council's projected year-end financial position for 2018/19;**
- (2) noted the position with respect to reserves, and**
- (3) agreed to instruct Service Directors to take appropriate actions to maintain their costs within the approved budget.**

### **EX50. Decisions Taken Under Delegated Powers**

The Executive considered a report by the Director of Corporate and Housing Services which provided details of two decisions taken under delegated powers.

### **Decision**

**The Executive noted the decisions taken under delegated powers.**

**Draft****FALKIRK COUNCIL**

**Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 15 August 2018 at 9.30 a.m.**

**COUNCILLORS:** David Alexander (Convener)  
 Jim Blackwood  
 Gary Bouse  
 Provost William Buchanan  
 Joan Coombes  
 Gordon Hughes  
 James Kerr  
 Adanna McCue  
 John McLuckie  
 Lynne Munro  
 Laura Murtagh

**OFFICERS:** Donald Campbell, Development Management Co-ordinator  
 Kevin Collins, Transport Planning Co-ordinator  
 Ian Dryden, Development Manager  
 Arlene Fraser, Committee Services Officer  
 Iain Henderson, Legal Services Manager  
 Russell Steedman, Network Co-ordinator

**P49. Order of Business**

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

**P50. Apology**

An apology was intimated on behalf of Councillor Bissett.

**P51. Declarations of Interest**

Councillor Alexander declared a non-financial interest in agenda item 6 (ref P55) as a member of the Scottish Ambulance Service Board at the time that the decision was taken to dispose of the site. He stated that he considered that he required to recuse himself from consideration of the item with regard to the Objective Test in the Code of Conduct.

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

**P52. Minutes**

**Decision**

- (a) the minute of meeting of the Planning Committee held on 19 June 2018 was approved, and
- (b) the minute of meeting of the Planning Committee On-Site held on 6 August 2018 was approved.

**P53. The Falkirk Council (On Street Parking Space for Disabled Persons) (No TRO/DB/18/002) Order 2017 – Park Avenue, Dennyloanhead**

The committee considered a report by the Director of Development Services on an application to reserve a parking space on Park Avenue, Dennyloanhead for disabled persons.

**Decision**

**The committee agreed to make the Order in respect of the disabled person's parking space on Park Avenue, Dennyloanhead.**

**P54. Erection of Dwellinghouse at Land to the West of Rumah, Shieldhill Road, Reddingmuirhead for Mr Ashley Beaumont - P/18/0190/PPP (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 19 June 2018 (Paragraph P42 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 dwellinghouse at land to the west of Rumah, Shieldhill Road, Reddingmuirhead.

With reference to Standing Order 33, the convener referred to a deputation request received from the applicant to be heard in relation to this item.

Councillor Coombes left the meeting at this point.

Councillor Alexander, seconded by Councillor McLuckie, moved that the deputation request be refused.

As an amendment, Councillor Hughes, seconded by Councillor Murtagh, moved that the deputation request be granted.

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 (6) – Provost Buchanan, Councillors Alexander, Blackwood, Bouse, McLuckie and Munro.

For the Amendment (4) – Councillors Hughes, Kerr, McCue and Murtagh.

The committee accordingly refused the deputation request.

Councillor Coombes re-joined the meeting at this point.

Councillor Murtagh, seconded by Councillor Hughes, moved that committee, having exercised its planning judgement, grant planning permission in principle on the grounds that the site, while within the countryside, is considered suitable for the proposed development, the proposal would have benefits for and a positive impact on the amenity of the area, it would relate well to the surrounding area and it would be an enhancement to the green space and such grant to be subject to conditions determined by the Director of Development Services including a condition to the effect that the proposed dwellinghouse is positioned no closer than 80m from the gable end of Rumah, which is situated to the east of the site.

As an amendment, Councillor Coombes, seconded by Councillor Alexander, moved that committee refuse planning permission, for the following reason:-

1. the proposal would result in undesirable and unjustified housing growth within the countryside to the detriment of settlement separation and the rural character of the area. The proposal fails to accord with policies CG01 “Countryside” and CG03 “Housing in the Countryside” of the Falkirk Local Development Plan and Supplementary Guidance SG01 “Development in the Countryside”.

Informative:-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our outline reference number(s) 01A.

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 (9) – Provost Buchanan, Councillors Blackwood, Bouse, Hughes, Kerr, McCue, McLuckie, Munro and Murtagh.

For the Amendment (2) – Councillors Alexander and Coombes.

## **Decision**

**The committee, having exercised its planning judgement, granted planning permission in principle on the grounds that the site, while within the countryside, is considered suitable for the proposed development, the proposal would have benefits for and a positive impact on the amenity of the area, it would relate well to the**

**surrounding area and it would be an enhancement to the green space and such grant to be subject to conditions determined by the Director of Development Services including a condition to the effect that the proposed dwellinghouse is positioned no closer than 80m from the gable end of Rumah, which is situated to the east of the site.**

Prior to consideration of the following item of business Councillor Alexander left the meeting in line with his declaration of interest. Councillor McLuckie, depute convener assumed the chair.

**P55. Erection of Residential Care Home (Class 8 - Residential Institution) at Falkirk Ambulance Station, Windsor Road, Falkirk FK1 5EW for Mealmore Ltd - P/18/0100/FUL (Continuation)**

With reference to Minute of Meetings of the Planning Committee held on 19 June 2018 (Paragraph P43 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 residential care home (class 8 – residential institution) at Falkirk Ambulance Station, Windsor Road, Falkirk.

With reference to Standing Order 33, the convener referred to a deputation request received from an objector to be heard in relation to this item.

Councillor Bouse, seconded by Councillor Blackwood, moved that the deputation request be refused.

As an amendment, Councillor Murtagh, seconded by Councillor Kerr, moved that the deputation request be granted.

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 (6) – Provost Buchanan, Councillors Blackwood, Bouse, Coombes, McLuckie and Munro.

For the Amendment (4) – Councillors Hughes, Kerr, McCue and Murtagh.

The committee accordingly refused the deputation request.

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

Councillor Reid then addressed the committee.

Councillor McLuckie, seconded by Councillor Munro, moved that committee grant planning permission in accordance with the recommendations in the officer report.

As an amendment, Councillor Bouse, seconded by Councillor Hughes, moved that committee refuse planning permission on the grounds that the proposal constitutes overdevelopment of the site, the scale, mass and design of the proposed building would not be appropriate for the site and its setting and would have a detrimental impact on the amenity of the surrounding area.

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 (6) – Provost Buchanan, Councillors Blackwood, Coombes, Kerr, McLuckie and Munro.

For the Amendment (4) – Councillors Bouse, Hughes, McCue and Murtagh.

### **Decision**

**The committee granted 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 this 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) For the avoidance of doubt, prior to the occupation of the nursing home, the existing bell-mouth entrance off Greenhorns Well Crescent shall be removed and a standard dropped kerb footway crossing installed, all to the satisfaction of Falkirk Council.
- (4) Before any work is commenced on the site a notice stating "PRESERVED" shall be placed on the trunk of all trees to be retained and this notice shall not be removed until all construction work on the site is completed.
- (5) Before any work is commenced on the site a fence shall be erected in a position to be agreed with the Planning Authority around the tree crown spread of the trees to be retained and no materials, vehicles, plant or machinery shall be stored or any excavations carried out within the fenced off areas.
- (6) Samples of external 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.

**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 interests of the users of the highway.
- 4-5. To ensure that the existing trees are retained and protected during
- 6. To safeguard the residential amenity of the area.

**Informative(s):-**

- 1. Further guidance on the requirements of the Low and Zero Carbon Development condition can be found in Supplementary Guidance document SG15 'Low and Zero Carbon Development', available on our website.

2. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
3. The Roads Manager within Corporate and Commercial Services should be contacted to obtain a Minor Roadworks Consent before forming a vehicular access onto the public road or undertaking any work on, or under, the public road.
4. 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 this development.

e-mail - envhealth@falkirk.gov.uk

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 – 19:00 Hours
Saturday	08:00 – 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

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

6. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02C, 03, 04C, 05C, 06C, 07C, 08, 09A, 10B, 11, 12, 13, 14 and 15.
7. Any plant or equipment associated with the completed development should be sited and operated in such a manner as to prevent any noise nuisance occurring at nearby dwellings. Noise associated with the completed development shall not give rise to a noise level, assessed with the windows open, within any dwelling 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. If complaints are received about noise from the development, the Environmental Health Unit would be obliged to investigate and take action as necessary if the complaints were found to be justified under Statutory Nuisance legislation contained in the Environmental Protection Act 1990.

Councillor Alexander re-joined the meeting following consideration of the previous item and resumed the chair.

- P56. Modification of Planning Obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to Planning Permission P/12/0546/FUL to provide a mechanism which allows the contribution amounts payable to reflect the final number of consented units on site at Land to the South of Mydub Farm, Glasgow Road, Denny for Avant Homes (Scotland MK) Ltd - P/18/0223/75M**

The committee considered a report by the Director of Development Services on an application for planning permission for the modification of planning obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to Planning Permission P/12/0546/FUL to provide a mechanism which allows the contribution amounts payable to reflect the final number of consented units on site at Land to the South of Mydub Farm, Glasgow Road, Denny.

#### **Decision**

**The committee agreed to modify the Section 75 Planning Obligation attached to planning permission P/12/0546/FUL in accordance with the details as set out within the application, the reason being 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'.**

- P57. Substitution of House Types and Amendment of Layout (Amendment to Planning Permission P/12/0546/FUL) at Land to the South of Mydub Farm, Glasgow Road, Denny for Avant Homes (Scotland) Ltd - P/18/0025/FUL**

The committee considered a report by the Director of Development Services on an application for planning permission for the substitution of house types and amendment of layout (amendment to planning permission P/12/0546/FUL) at Land to the South of Mydub Farm, Glasgow Road, Denny.

#### **Decision**

**The committee agreed that it is minded to grant planning permission subject to satisfactory conclusion of the modification to the Section 75 Obligation attached to planning permission P/12/0546/FUL as proposed by planning application P/18/0223/75M. The modification would satisfactorily secure:-**

- **a developer contribution towards education provision at Denny Primary School, Denny High School and Nursery Provision;**
- **a developer contribution towards affordable housing, and**

- a developer contribution towards the delivery of the Denny Eastern Access Road (DEAR).

Thereafter, on conclusion of the foregoing matters, revert to the Director of Development Services to grant planning permission subject to the following condition(s) and informative(s):-

1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
2. Notwithstanding any details previously submitted, no dwellinghouse shall be occupied until such time as the following documents have been submitted to, and approved in writing by, the Planning Authority:-
  - (i) A copy of the appropriate sustainability label (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 timescales of how this is to be achieved, including details of physical works on site, shall be submitted to, and approved in writing by, the 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.
3. Notwithstanding any details previously submitted, development shall not commence on site until such time as details of external finishes in respect of the proposed residential development have been submitted to, and approved in writing by, the Planning Authority.
4. Notwithstanding any details previously submitted, work shall not commence on site until such time as landscaping details, a planting schedule and a maintenance schedule have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt, the planting schedule shall include details of:-
  - Siting, numbers, species and heights (at time of planting) of all trees and shrubs to be planted;
  - Centre spacing, and

- A monitoring and maintenance schedule detailing proposed aftercare and replacement of planting which becomes damaged, or fails to become established, over a 5 year period following completion of planting. Thereafter, the planning shall be completed by the end of the first planting season following.

For the avoidance of doubt, the planting season shall be considered to run from April to September inclusively.

**Reason(s):-**

1. As these drawings and details constitute the approved development.
2. To ensure that 10% of carbon reduction is achieved by low and zero carbon generating technologies.
- 3-4. In the interests of visual amenity.

**Informative(s):-**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01B, 02-40, 41B, 42B and 43A.
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 the 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:
 

Monday to Friday	08:00 - 19:00 Hours
Saturday	08:00 - 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary
4. It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning this proposal, as legislation relating to the spread of dust is likely to affect this development.

e-mail - [envhealth@falkirk.gov.uk](mailto:envhealth@falkirk.gov.uk)



5. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.

**P58. Redevelopment of Existing Farm Buildings to Form 6 Dwellinghouses and Erection of 4 Dwellinghouses at Burnhouse Farm, Denny FK6 6QY for Rustic ECO Properties Ltd - P/17/0437/FUL**

The committee considered a report by the Director of Development Services on an application for planning permission for the redevelopment of existing farm buildings to form 6 dwellinghouses and erection of 4 dwellinghouses at Burnhouse Farm, Denny.

**Decision**

**The committee agreed to continue consideration of this item of business to allow a combined inspection of the site and hearing session by committee.**

**P59. Erection of Dwellinghouse and Associated Works at the Wood Yard, Cauldcoats Holdings, Linlithgow EH49 7LX for Genius Loci Architectural Design - P/18/0175/FUL**

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of dwellinghouses and associated works at the wood yard, Cauldcoats Holdings, Linlithgow.

**The committee agreed to continue consideration of this item of business to allow a combined inspection of the site and hearing session by committee.**

**Draft****FALKIRK COUNCIL**

**Minute of meeting of the Scrutiny Committee (External) held in the Municipal Buildings, Falkirk on Thursday 16 August 2018 at 9.30 a.m.**

**Councillors:**

David Aitchison  
David Balfour  
Jim Blackwood  
David Grant  
John McLuckie  
Lynn Munro  
Depute Provost Ann Ritchie (Convener)

**Officers:**

Sally Buchanan, Fairer Falkirk Manager  
David George, Welfare Benefits Officer  
Mark Meechan, Community Learning & Development Manager  
Robert Naylor, Director of Children's Services  
Brian Pirie, Democratic Services Manager  
Andrew Wilson

**SE8. Apologies**

An apology was intimated on behalf of Councillor Coleman.

**SE9. Declarations of Interest**

Councillor Blackwood declared a non financial interest in item SE13 due to his attendance at meetings of the Denny Citizen Advice Bureau board, but considered that this did not require him to recuse himself from consideration of the item.

There were no further declarations at this point.

**SE10. Minute****Decision**

**The minute of meeting of the Scrutiny Committee (External) held on 17 May 2018 was approved.**

**SE11. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 17 May 2018 was provided.

**Decision**

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

**SE12. Following the Public Pound – Community Development**

The committee considered a report by the Director of Children's Services presenting reporting statements for organisations funded under the Following the Public Pound (FPP) arrangements for the period 1 April 2017 to 30 June 2018 for community development.

Funding was provided, by Children's Services to 4 external organisations to provide services which could not readily be provided by the Council. As part of the Following the Public Pound arrangements, reporting statements are prepared by the relevant monitoring officer for consideration by the Scrutiny Committee (External).

The four organisations were:-

Organisation	Monitoring Service	Annual Funding (£)
Dennyloanhead Community Hall Ltd	Children's Services	11,330
Denny Community Support Project	Children's Services	23,620
Workers Education Association	Children's Services	22,280
Dobbie Hall	Children's Services	14,360

The Director of Children's Services provided an overview of the services provided by the respective organisations and provided context in regard to the funding allocation to each organisation.

Members discussed the role of the Community Learning and Development (CLD) unit which provided support to the organisations and which monitored their performance against agreed outcomes.

In response to a question on the promotion of CLD services and specifically on the information available through the Council's website. Mark Meehan explained that the current CLD action plan, which was developed in partnership with key stakeholders, had been reviewed and would be presented to the Education Executive in September for approval. Once agreed the plan, which was more user friendly, would be available online. The action plan set out explicitly what services would be provided. Members

highlighted the information set out on West Lothian Council's website as an example and suggested that the Council's online information was not as accessible.

Following a question in regard to Dennyloanhead Community Hall Ltd, Mr Meechan advised that the hall provided an extensive range of services aimed, in particular, at addressing inequalities in particular food poverty, citing examples of the projects provided.

At this point Councillor McLuckie declared the financial interest of family members in CLD and withdrew from the meeting.

Members then sought clarification in regard to the funding of community halls in the area, citing the West Lothian Council model in which halls were constituted and which operated for the benefit of the community could apply for funding from an enterprise fund scheme, as an example. Mr Meechan explained that in addition to FTPP funding, community halls could apply for funding from a variety of sources, such as the Community Grants Scheme. CLD and CVS provided support on sources of funding and on the application process.

The committee asked whether the Council had benchmarked its CLD services against those of other local authorities. Mr Meechan explained that the CLD action plan had been developed in consultation with the CLD services in the Forth Valley area. The committee asked that the Director of Children's Services undertake a benchmarking review of the CLD service and report back.

Members highlighted the digital skills support provided by the Workers Education Association and asked for more detail. Mr Meechan explained that this was aimed at the 50+ age group and focussed on using "apps". Previously the work had focussed on packages such as Excel and Powerpoint but the offer had been repurposed to devices which people use daily. He explained that CLD provided support to "volunteer buddies" who assist the learners, thereby demonstrating the role of CLD in capacity building.

In response to a question on the rationale for providing funding to the Workers Education Association, Mr Meechan explained that it provided particular expertise that the Council did not have, in particular in relation to workplace literacy.

Funding for the Denny Community Support Project had decreased over recent years. Members asked what the impact of this had been on the services provided. Mr Meechan confirmed that the funding had reduced. Falkirk Council met 'core costs', however the project had been successful in attracting funding from other sources for programme costs. He confirmed however that the provision had reduced.

## Decision

**The committee noted the report and requested that the Director of Children's Services undertake a benchmarking review of Community Learning and Development service and report to a future meeting.**

Councillor McLuckie rejoined the meeting following consideration of the previous item

### **SE13. Following the Public Pound – Poverty and Equalities**

The committee considered a report by the Director of Corporate and Housing Services presenting reporting statements for organisations funded under the Following the Public Pound (FPP) arrangements for the period 1 April 2017 to 31 March 2018 for the Council's priorities regarding poverty and equalities.

Six organisations had received funding from Falkirk Council to provide services which could not be readily provided by the Council. As part of the Following the Public Pound arrangements, reporting statements, prepared by the relevant monitoring officer were submitted to the Scrutiny Committee (External) for consideration. The organisations were:-

Organisation	Monitoring Service	Annual Funding
LGBT Youth Scotland	Children's Services	£30,000
Falkirk CAB	Corporate and Housing Services	£168,490
Grangemouth & Bo'ness CAB	Corporate and Housing Services	£98,360
Denny & Dunipace CAB	Corporate and Housing Services	£92,810
Armed Forces Project Denny CAB	Corporate and Housing Services	£18,000
MacMillan Money Matters	Corporate and Housing Services	£38,000

Sally Buchanan provided an overview of the services provided by the organisation and provided context in regard to the funding allocated to each organisation.

The committee considered each organisation in turn.

Members asked for further detail on the services provided by LGBT Youth Scotland, in particular the work undertaken in secondary schools. Mark Meechan explained that the organisations provided a range of CLD activities to LGBT young people in the Falkirk area for example providing youth groups, promoting volunteering and providing a community meeting place

and local information point. The organisation had supported two schools, Braes High and Denny High to achieve the LGBT Charter of Rights award and aimed to support all secondary schools to gain the award. Demand of the organisation's services had increased year on year. Mr Meechan accepted, following comments from members, that young people could need support for other issues and indicated that CLD and partners sought to provide support for young people who require support. Nevertheless the work by LGBT Youth Scotland made a significant contribution to the delivery of community development support to LGBT young people. He confirmed that the funding provided by Falkirk Council supported Falkirk focused support.

The committee highlighted that the reporting statement did not set out measurable outcome targets and as such it was difficult to determine whether the organisation was contributing to the Council's goal. Mr Meechan concurred and confirmed that reporting would be outcome focussed in future. Indicators such as the number of referrals to the organisation could be quantified but other outcomes needed to be measured and then quantified.

He explained that work was ongoing in Slamannan and Limerigg to develop a more 'scientific' approach to measuring performance and that he expected the group to report by November with proposals.

The committee then considered the reports on the Citizens Advice Bureaux. In regard to questions on the services provided by the 3 CABx, Sally Buchanan stated that the impact of the introduction of Universal Credit wouldn't be felt yet in terms of the number of people seeking support. She noted however that the complexity of cases had increased since its introduction. A steering group had been established to prepare for the impact of Universal Credit.

Work is ongoing with the three CABs to look at a new partnership model of service delivery with the Council procuring services which would be measured against set milestones. She confirmed that the models for funding CABx varied across Scotland. Highland Council had moved to a single funding model from previously funding 6 separate CABx. The Council would continue to work with the 3 CABx to develop a model for service delivery which ensured the best advice was available to citizens but which also provides security to the CABx.

Following a question in regard to the services provided by the CABx, Sally Buchanan confirmed that the majority of contacts were in regard to welfare advice, in particular money advice. The Council and CABx were working to ensure that face to face interactions were as valuable as possible citing as an example an online entitlement calculator which can be used by frontline staff to do income maximisation checks, freeing up welfare benefits advisors to provide specialist support. The Council had changed the way it delivered advice services. The hub model arrangement allowed multi skilled front line

advisors to offer general advice which allowed the Welfare Benefits team to offer expert advice.

Members sought assurance in regard to the services provided by each of the CABx. Sally Buchanan responded that while the performance statement provided was for the CABx as a whole, the Council received monitoring reports for each CAB individually and these are reviewed before quarterly funding is released.

In regard to a question as to whether the findings of satisfaction surveys are reported to the monitoring service, Sally Buchanan advised that she did not have these. Members suggested that it was important for the Council to determine whether the CABx were meeting their objectives.

The committee heard an example of proactive work undertaken by Community Advice Services staff to contact people who were likely to be evicted from Council housing. However members also cited examples where members of the public were reluctant to reach out for help. Sally Buchanan acknowledged both examples as correct and stated that the hub model is designed to ensure that when someone asks for advice or help they receive it then and there.

The committee then discussed the reporting statement on Veteran's Scotland, which was hosted by Denny Citizen's Advice Bureau.

In response to a question Andrew Wilson stated that a veteran was defined as anyone who had served in one of the armed forces. He concurred with a statement that isolation is a fundamental issue facing veterans, many of whom are single men. Work was ongoing to organise an event to bring various charities together to expose them to the issues facing veterans such as unemployment. He highlighted the work of several charities which focussed on routes to employment and which actively promote the employment of veterans. He cited the work of organisations, such as CABx, which support or act as signposts to other services.

In regard to Macmillan Money Matters project, the committee sought an explanation of the service provided and clarification of how this differed from other advice services offered by Macmillan centres, for example that based in Forth Valley Hospital. David George explained that the project provides income maximisation and debt advice to patients with cancer. The service is based at the Forum and offered a specialist service. Patients could be referred to the projects advisers who could give advice or refer these to specialist services.

## **Decision**

**The committee approved the report and acknowledged progress by the external organisations in meeting Council priorities.**

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 22 August 2018 at 9.30 a.m.**

**Councillors:** David Aitchison  
David Balfour  
Lorna Binnie  
Robert Bissett  
Jim Blackwood  
Provost William Buchanan  
Gordon Hughes (Convener)  
Jim Flynn  
James Kerr  
Depute Provost Ann Ritchie

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Hoey, Interim Legal Services Manager

**CL34. Apologies**

There were no apologies.

**CL35. Declarations of Interest**

Councillor Aitchison declared a non-financial declaration in agenda items 7 & 9 (CL40 & CL42) by virtue of having prior knowledge of both applicants and recused himself from consideration of these items, having regard to the objective test in the Code of Conduct.

Depute Provost Ritchie declared a non-financial interest in agenda item 9 (CL42) by virtue of having prior knowledge of the applicant and recused herself from consideration of the item, having regard to the objective test in the Code of Conduct.

**CL36. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 14 June 2018 was approved.**

**CL37. List of Applications Granted Under Delegated Powers in June and July 2018, Notifications of Public Processions Pending, Breakdown of Taxi and Private Hire Licences in Operation**



The committee considered a report by the Chief Governance Officer detailing the applications granted under delegated powers during June and July 2018 in terms of the Civic Government (Scotland) Act 1982.

**Decision**

**The committee noted the report.**

**CL38. Knowledge Test Failure**

The committee considered a report by the Chief Governance Officer providing details of an application for a new taxi driver licence, the knowledge test opportunities, and the options available to members.

The applicant was not in attendance and had submitted no additional information in support of his application.

**Decision**

**The committee refused to grant the Taxi Driver licence in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicant, 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; the layout of roads in the area of the Council's licence conditions.**

**CL39. 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 grounds 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.

In accordance with his declaration, Councillor Aitchison left the meeting prior to consideration of the following item.

**CL40. Application for the Grant of a New Taxi Driver Licence**

The applicant, Mr L, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received 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 L spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.00 a.m. and reconvened at 10.05 a.m. with all members present as per the sederunt, with the exception of Councillor Aitchison.

### **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 Aitchison re-joined the meeting prior to consideration of the following item.

#### **CL41. Application for the Grant of Three New Taxi Operator Licences**

Mr B, the day to day manager of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for the grant of three new taxi operator licences, the consultations carried out and responses received.

Mr B was heard in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.15 a.m. and reconvened at 10.30 a.m. with all members present as per the sederunt.

### **Decision**

**The committee agreed to grant 3 new taxi operator licences, subject to the proposed vehicles being within the age and specification policy and the appropriate insurance documentation; V5 certificates and taxi inspection test certificates being submitted to the satisfaction of officers, and subject to the standard conditions for the period of one year.**

In accordance with their declarations, Councillor Aitchison and Depute Provost Ritchie left the meeting prior to consideration of the following item.

#### **CL42. Application for the Grant of Three New Taxi Operator Licences and Two Private Hire Car Operator Licences**

The applicant, Mr McB, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for the grant of three new taxi operator licences and two private hire car operator licences, the consultations carried out and responses received.

Mr McB was heard in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.40 a.m. and reconvened at 10.45 a.m. with all members present as per the sederunt, with the exception of Councillor Aitchison and Depute Provost Ritchie.

### **Decision**

**The committee, having been satisfied that there was justification to depart from the Council's current vehicle age and specification policy, agreed to grant 3 new taxi operator licences and 2 new private hire car operator licences, subject to the appropriate insurance documentation; V5 certificates and taxi inspection test certificates being submitted to the satisfaction of officers, and subject to the standard conditions for a period of one year.**

Councillor Aitchison and Depute Provost Ritchie re-joined the meeting prior to consideration of the following item.

Councillors Flynn and Kerr left the meeting prior to consideration of the following item.

#### **CL43. Application for the Grant of a Temporary Public Entertainment Licence – Fairground**

The applicant, Mr M, his agent Mr McD; Sergeant Mackenzie and PC Hutchison, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer advising on the background to an application for the grant of a temporary public entertainment licence to operate a fairground at the Stenhouse Estate, Tryst Road, Stenhousemuir.

A letter of concern had been submitted by the Chief Constable, Police Scotland in respect of the application.

The applicant's agent confirmed that he had no objection to the Chief Constable's letter being circulated to members.

A letter from Richard Lyle, MSP supporting the application was also circulated.

Sergeant Mackenzie, the Chief Constable's representative was heard in relation to the letter of representation.

There being no questions from the licence holder, a member asked a question of Sergeant Mackenzie.

Mr McD was then heard in relation to his client's application.

There were no questions to Mr McD from Sergeant Mackenzie. Members asked questions of Mr McD.

Both parties were invited to sum up.

The committee agreed to a short adjournment at 12.10 p.m. and reconvened at 12.45 p.m. with all members present as per the sederunt, with the exception of Councillors Flynn and Kerr; and Depute Provost Ritchie.

### **Decision**

**The committee agreed to grant the temporary public entertainment licence, provided the applicant provides all appropriate supporting documentation, subject to the standard conditions, and to the following additional conditions, namely:-**

- (1) that the fairground would be enclosed by fencing, with one access/egress point and that during Fridays and Saturdays there would be 2 SIA registered stewards at the entrance to the fairground and 2 SIA registered stewards patrolling the interior;**
- (2) the risks of alcohol use and measures taken to prevent drunkenness at the Fair will be added to the risk assessment;**
- (3) that after the event, a debrief meeting would take place between the applicant and representatives from Police Scotland.**

The applicant's agent gave an undertaking that his client would raise with the Showmen's Guild, the subject of PVG checks for persons working in a fairground environment.

Draft**FALKIRK COUNCIL**

**Minute of Joint Meeting of the Pensions Committee/Board held in the Municipal Buildings, Falkirk on Thursday 23 August 2018 at 9.30 a.m.**

**Present:**

Committee:-

Councillors Falkirk Council:-

Jim Blackwood

Provost William Buchanan

Niall Coleman

Adanna McCue (Convener)

John Patrick

Pat Reid

Andy Douglas, Unison

Ian McLean, Pensioner Representative

Board:-

Susan Crook, Unison

Sandy Harrower, UCATT

Simon Hunt, Scottish Autism

Ed Morrison, SCRA

Tommy Murphy, GMB

Jennifer Welsh, SEPA

**Attending:**

Alastair McGirr, Pensions Manager

Brian Pirie, Democratic Services Manager

Bryan Smail, Chief Finance Officer

**Also in  
Attendance:**

William Marshall, Hymans Robertson

Bruce Miller, Lothian Pension Fund

**PE15. Apologies**

There were no apologies.

**PE16. Declarations of Interest**

There were no declarations.

**PE17. Minute****Decision**

**The minute of the joint meeting of the Pensions Committee and Board held on 21 June 2018 was approved.**

**PE18. Local Government Pension Scheme – Consultation of Scheme Structure**

The Committee and Board considered a report by the Director of Corporate and Housing Services advising of a consultation exercise on the structure of the Local Government Pension Scheme in Scotland.

The Scottish Local Government Pension Scheme (SLGPS) was the largest pension scheme in Scotland, with around 400,000 members and combined assets of £42bn and liabilities of £55bn. It was administered by 11 separate authorities including Strathclyde, which was the largest, and Falkirk Council.

The Cabinet Secretary had requested that the Scheme Advisory Board undertake a structural review of the pension scheme. A consultation document had been published in June 2018. The deadline for responses was 7 December 2018. Responses would be collected by the Pensions Institute and reported to the Scottish Government with a final decision expected mid to late 2019.

The consultation document identified four options for consideration:-

- Retain the current structure of 11 Scottish LGPS Funds
- Promote greater co-operation in administration and investing between the 11 Funds
- Pool investments between the 11 Funds
- Merge the 11 Funds into one or more new Funds

The report set out the advantages and disadvantages of each option and set out a proposal mechanism to manage the Committee's response. It was proposed that a group, consisting of Committee and Board members, be established to prepare a draft response for committee approval. It was open for the Board to make its own submission. The group would be supported by officers.

The meeting adjourned at 10.00 am to allow Board representatives to consider whether the Board would participate in the proposal group or to make its own submission, and reconvened at 10.25 am. The Board members confirmed participation in the group.

Following decision it was agreed that the group would comprise 3 committee members and 2 board members. Officers would provide advice to the group.

**Decision**

**The Committee and Board agreed:-**

- (1) to establish a working group comprising 3 members of the committee (Councillor Blackwood, Councillor McCue and Andy Douglas) and 2 Board members (Susan Crook and Jennifer Welsh), and**
- (2) to request the Chief Finance Officers to formulate initial draft responses to the consultation question.**

**PE19. General Governance Matters**

The Committee and Board considered a report by the Director of Corporate and Housing Services which provided an update on miscellaneous matters associated with the business of the Falkirk Council Pension Fund.

Alastair McGirr advised that the sale of shares in Bank Hapoalim had been completed. In response to enquiries from the press and in order to correct information that had appeared on certain websites, Falkirk Council had issued a press release on behalf of the Fund to make clear that the decision to sell had been made by the fund manager in line with the manager's discretionary mandate. It was noted that there had been a number of requests from the public and from a Trades Union for the Fund to divest from Bank Hapoalim but that the manager had acted autonomously in reaching his decision to sell.

**Decision**

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

Draft

**Minute of meeting of the Planning Committee held On Site on Monday 27 August 2018 commencing at 9.30 a.m.**

**Councillors:** David Alexander (Convener)  
 Robert Bissett  
 Jim Blackwood  
 Gary Bouse  
 Provost Buchanan  
 Gordon Hughes  
 James Kerr  
 Adanna McCue  
 John McLuckie  
 Lynn Munro  
 Laura Murtagh

**Officers:** Douglas Blyth, Team Leader  
 Brian Pirie, Democratic Services Manager  
 Julie Seidel, Planning Officer  
 Russell Steedman, Network Co-ordinator  
 Brent Vivian, Senior Planning Officer  
 Bernard Whittle, Development Management Co-ordinator

**P60. Apologies**

An apology was intimated on behalf of Councillor Coombes.

**P61. Declarations of Interest**

There were no declarations of interest.

**P62. Erection of Dwellinghouse and Associated Works at the Wood Yard, Cauldcoats Holdings, Linlithgow EH49 7LX for Genius Loci Architectural Design - P/18/0175/FUL**

With reference to the minute of the meeting of the Planning Committee held on 15 August 2018 (Paragraph P59 refers), Committee gave further consideration to a report by the Director of Development Services on an application for planning permission for the erection of dwellinghouses and associated works at the Wood Yard, Cauldcoats Holdings, Linlithgow.

The Convener introduced the parties present.

The Planning Officer outlined the nature of the application.

The applicant's agent was heard in relation to the application.



Questions were then asked by members of the Committee.

Depute Provost Ritchie, a local Member, was heard in relation to the application.

Councillor Aitchison, a local Member, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 12 September 2018.

**P63. Redevelopment of Existing Farm Buildings to Form 6 Dwellinghouses and Erection of 4 Dwellinghouses at Burnhouse Farm, Denny FK6 6QY for Rustic ECO Properties Ltd - P/17/0437/FUL**

With reference to the minute of the meeting of the Planning Committee held on 15 August 2018 (Paragraph P58 refers), Committee gave further consideration to a report by the Director of Development Services on an application for planning permission for the redevelopment of existing farm buildings to form 6 dwellinghouses and erection of 4 dwellinghouses at Burnhouse Farm, Denny.

The Convener introduced the parties present.

The Senior Planning Officer outlined the nature of the application.

The applicant was heard in relation to the application.

Colin Belbin, a representative of Denny and District Community Council, objectors, was heard in relation to the application.

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

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

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

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

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

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

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

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

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

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

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

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

The objections included the following issues:-

- Protected wildlife such as bats live in the area;
- There are concerns with access to the road;
- Barnego Road at this present time is a major concern for normal access and the Community Council is receiving complaints all the time concerning traffic;
- First Bus operate a service on Barnego Road and are having difficulty accessing the route due to parked cars; and
- Local infrastructure cannot cope with any further development.
- The fields adjoining the farmhouse/outbuildings continue as a working farm (used by four farmers) with farm machinery using the single track access daily;
- The single track access is in a poor state of repair with significant potholes;
- It is regularly damaged by the traffic already using it; it was recently damaged by a lorry hauling material away from the site;
- It has no passing places, footpaths or lighting;
- It is over-used;
- It is inadequate for its existing use;
- Inadequate visibility at the junction of the single track access and Northfield Road;
- Potential damage to property and drainage sited close to the single track access;
- Unsuitability of single track access to serve the development;
- The existing single track access cannot accommodate an increase in traffic;
- Traffic using the single track access will at least double;
- Increase in traffic will impede farming operations;
- Potential blocking of single track access by construction traffic;
- Construction traffic will likely have a significant detrimental effect on the single track access;
- Substantial upgrade of the single track access will be required, preferably to adoptable standards;
- The single track access would have to be dug up to provide a new water supply; there is nowhere to build a temporary alternate access road;
- Delivery vehicles dangerously reverse onto the main road because of a lack of passing places;
- High traffic speeds on the single track access;
- There are blind corners and blind summits on the single track access;
- There is a blind bend at the Croftfoot entrance;

- The entrances to existing properties served by the single track access are hazardous;
- There have been accidents on the single track access;
- Increased volume of traffic on the single track access will increase the risk of accidents;
- Existing roads in the area are already congested/ not suitable for an increase in traffic;
- Barnego Road is a bottleneck/ already congested, especially at peak times;
- Existing congestion at the junction of Barnego Road and Stirling Street;
- Barnego Road is not fit for purpose/ already over-capacity/ visibility is compromised;
- Barnego Road is a bus route;
- On-street parking causes problems for access by buses and lorries;
- The buses cause hold-ups; there is little room for them;
- Barnego Road can be blocked for up to 10 minutes or more during school drop off/ pick up times;
- Barnego Road is the only practicable means of daily egress and access for local residents;
- Barnego Road residents are already in talks with the Council on how to overcome the existing problems on this street; concerns have been raised with the local community council and councillors;
- The Council should come up with an improvement plan for traffic in the local area before planning is granted;
- A new entrance/ exit road is required to relieve Barnego Road;
- A traffic survey of the vehicles using Barnego Road should be undertaken;
- An increase in traffic on Barnego Road will only make the situation worse, especially for emergency vehicles needing access;
- Construction traffic would cause chaos on Barnego Road;
- Northfield Road has a 60mph speed limit despite being single track with blind corners and summits;
- Northfield Road has seen an increase in traffic due to the livery;
- Northfield Road is used by families, dog walkers, runners and cyclists;
- Existing infrastructure can't cope with additional traffic;
- Northfield Road would require significant investment to sustain an increase in traffic;
- Unsafe for children to have to walk to the nearest bus stop at the top of Barnego Road;
- Safety issues near to the swing park on Barnego Road with children walking to and from Dunipace Primary School;
- Many near misses involving pedestrians and vehicles on Barnego Road
- Children's and people's safety should be paramount;
- School children from the development would have to be transported to school by taxi at the Council's expense;
- Close proximity to existing residences;
- Soak-aways from septic tanks for the new builds will cause undue smells; no mention of a maintenance plan;

- Potential for nuisance/ disruption from noise and construction traffic, lasting for years due to the phasing of the project;
- Mess/ damage associated with construction works;
- Significantly larger than any other development in the vicinity;
- There are only 25 existing residences west of the M80 between Barnego Road and Northfield Quarry so the proposal represents a 52% increase on those numbers;
- Existing groups of houses in the area are in clusters of up to four;
- The use of white render/ modern roofing materials is not in keeping with the area;
- The prospect of a phased development means that construction related impact such as air quality and pollution could last for years;
- Contamination risks to existing private water supplies;
- A full environmental impact assessment is required;
- Disturbance to wildlife;
- A bat survey should be carried out;
- Proposal is detrimental to the Area of Great Landscape Value (AGLV) designation;
- Prominent position high on the hillside;
- Water supply inadequate to serve an additional 13 properties;
- Flooding is a problem at various sections of Barnego Road and Northfield Road, and at the junction with the single track access;
- There is no mention of a sustainable urban drainage system (SUDS) for the car park areas.
- No attempt has been made to demonstrate what light pollution will occur during the hours of darkness;
- The traffic flows are significantly understated in the report;
- Croftfoot and other properties serviced by the road cannot be considered as 'normal' properties as there are frequent deliveries not associated with a 'normal urban environment';
- The ownership of the road is unclear and should be proven before any decisions on the road are made;
- The applicant does not have a legal right to use the grass verge for passing places;
- The proposed road around the cottages, although being a safer option, would cross over the water and sewage pipes for both cottages;
- Ownership and liability for maintenance of the single track access is unclear;

Questions were then asked by members of the Committee.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 12 September 2018.

**Minute of Meeting of the Central Scotland Valuation Joint Board held within Hillside House, Stirling on Friday 2 February 2018 at 9.30 a.m.**

**Councillors:**

David Alexander  
David Balfour (Convener)  
Lorna Binnie  
Joan Coombes  
Douglas Dodds  
Kenneth Earle  
David Grant  
Jeremy McDonald  
Bill Mason  
John Patrick

**Officers:**

Jack Frawley, Committee Services Officer  
Ashley MacGregor, Assistant to the Treasurer  
Brian Pirie, Assistant to the Clerk  
Peter Wildman, Assessor and Electoral  
Registration Officer

**Also Attending:**

Tom Reid, Audit Scotland

**VJB29. Apologies**

Apologies were intimated on behalf of Councillors Gibson, Holden, Nimmo and Thomson.

**VJB30. Declarations of Interest**

No declarations were made.

**VJB31. Minute**

The minute of the meeting held on 8 December 2017 was approved.

**VJB32. Draft Revenue Budget 2018/19**

The Board considered a report by the Assessor and the Treasurer presenting the Draft Revenue Budget for the Central Scotland Valuation Joint Board for financial year 2018/19.

The Board's draft Revenue Budget for 2018/19 was set out, together with the requisitions for each of the constituent authorities.

The proposed budget was £2,577,650, a reduction of 0.3% on the 2017/18 budget. The funding assumption was £2,464,520 giving a funding gap of £113,130. This would be funded from uncommitted reserves of £504,700, of which £194,850 was uncommitted.

In regard to the Board's reserves of £439,230, £284,130 was committed. The uncommitted reserves (£155,100) equated to the minimum level of 6% of net revenue expenditure.

The Treasurer gave an update on the Scottish Government Draft Budget following Parliamentary consideration 31 January 2018. The updated draft budget now included additional employee costs of £5,710 as a consequence of pay inflation. The increase would be funded by reducing property maintenance earmarked reserves and by increasing the element of the budget funded from reserves to £118,840.

Following questions, the Treasurer explained costs relating to the lease of Hillside House and set out options should the Board determine to relocate.

The Assessor confirmed, in response to a question, that staffing levels were sufficient but stressed that he had red line posts which could not be reduced.

## **Decision**

### **The Board agreed:-**

- (1) the Revenue Budget for 2018/19, as detailed in Appendix A of the report;**
- (2) to maintain the minimum level of reserves to 6% of net revenue expenditure;**
- (3) that the Spend to Save and Property Maintenance Funds are continued from reserves to allow the Board to reduce expenditure in future years; and**
- (4) to requisition the constituent authorities for their share of the net expenditure as outlined in Table 5 below:**

**Table 5:2018/19 proposed Requisitions**

	<b>Requisition</b>
	<b>£</b>
<b>Falkirk</b>	1,214,515
<b>Stirling</b>	868,990
<b>Clackmannanshire</b>	381,015
<b>Total</b>	<b>2,464,520</b>

Councillors Coombes, Earle and Mason joined the meeting during consideration of the previous item.

**VJB33. Annual Audit Plan 2017/18**

The Board considered a report by the Treasurer setting out the planned audit activity in respect of the audit of the financial year 2017/18.

Audit Scotland was appointed by the Accounts Commission as the external auditors for the Board for a five year period commencing 2016/17. This was the second year of the appointment. The plan set out activity in relation to the risks and planned audit work and the scope and timing of audit.

The external auditor prepared an annual plan which was submitted to the Board. The Treasurer and Assessor discuss and agree the plan and the associated audit fee level. Due to the statutory basis of the work of the external auditor, the audit plan was presented to the board for consideration. All external audit activity undertaken against the plan would be formally reported to the Board.

**Decision**

**The Board noted the external audit plan for 2017/18.**

## SEStran Partnership Board

10.00am, Friday, 16 March 2018

Victoria Quay, Edinburgh

### Present

### Name

### Organisation Title

Cllr Gordon Edgar (Chair)	Scottish Borders Council
Charlie Anderson	Non-Councillor Member
Cllr Colin Davidson (Deputy Chair)	Fife Council
Cllr Dave Dempsey	Fife Council
Cllr Ian Ferguson	Fife Council
Phil Flanders	Non-Councillor Member
Cllr Russell Imrie	Midlothian Council
Cllr David Key	CEC
Cllr Darren Lee	Clackmannanshire Council
Cllr Lesley Macinnes (Deputy Chair)	CEC
John Martin	Non-Councillor Member
Cllr Laura Murtagh	Falkirk Council
Sandy Scotland	Non-Councillor Member
Cllr Brian Smaill	Midlothian Council
Dr Doreen Steele	Non-Councillor Member
Barry Turner	Non-Councillor Member

### In Attendance

Craig Beattie	CEC
Angela Chambers	SEStran
Kevin Collins	Falkirk Council
Claire Gardiner	Scott-Moncrieff
Keith Fiskien	SEStran



Elizabeth Forbes	SEStran
Ken Gourlay	Fife Council
Jim Grieve	SEStran
Peter Jackson	SEStran
Gavin King	CEC (Secretary)
Elizabeth MacCallum	CEC (Internal Audit)
Catriona Macdonald	SEStran
Kerra McKinnie	Board Observer
Gordon Mungall	Board Observer
Moira Nelson	SEStran
Graeme Johnstone	Scottish Borders Council
Iain Shaw	CEC (Treasury)
Jim Stewart	West Lothian Council
Rachel Wynne	Scott-Moncrieff

### **Apologies for Absence**

Cllr Chas Booth	CEC
Cllr Fiona Collie	Falkirk Council
Cllr Karen Doran	CEC
George Eckton	SEStran
Cllr Jim Fullarton	Scottish Borders Council
Cllr Chris Horne	West Lothian Council
Cllr Cathy Muldoon	West Lothian Council
Neil Renilson	Non-Councillor Member
Cllr Brian Small	East Lothian Council

## **1. Standards Officer Update - Complaint**

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The Board, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of this item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7(A) of the Act.

### **Decision**

To note the update.

## 2. Minutes

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### Decision

- 1) To agree the minute of the previous meeting 8 December 2017 as a correct record.
- 2) To note the minute of the Chief Officers' Liaison Group of 15 February 2018.  
(Reference – minutes, submitted.)

## 3. External Audit Plan 2017/18

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Claire Gardiner, Scott-Moncrieff gave details of the 2017/18 external audit. The audit concentrated on the 2017/18 financial statements and related matters, and a review of arrangements for governance and transparency, financial management, financial sustainability and value for money.

### Decision

- 1) To note the external audit plan.
- 2) To note that External Audit would meet the members of the Performance and Audit Committee before consideration of the Accounts in September 2018.

## 4. Internal Audit Plan

---

Elizabeth MacCallum provided an update on progress with the 2017/18 SEStran Internal Audit review.

### Decision

- 1) To note the scope of the 2017/18 Internal Audit Review.
- 2) To agree that members would provide feedback to Internal Audit on risks and areas of concern for inclusion into the 2018/19 Internal Audit review.
- 3) To request that the Governance Scheme – List of Officer Powers was reviewed to ensure the Board had appropriate oversight of such matters as transfers between budgets.

## 5. Revenue Budget 2018/19

---

Iain Shaw sought approval for the revenue budget for 2018/19, presenting a series of options based on a standstill Council requisition or a 5%, 10% or 15% reduction.

**Motion**

- 1) To approve recommendations 4.1 to 4.4 of the report by the Treasurer.
- 2) To approve a core revenue and projects budget for 2018/19 based on a standstill constituent Council requisition of £190,000.
- 3) To instruct the Treasurer to requisition the following amounts from constituent Councils:
  - Clackmannanshire £6,192
  - East Lothian £12,552
  - Edinburgh £61,160
  - Falkirk £19,220
  - Fife £44,658
  - Midlothian £10,685
  - Scottish Borders £13,811
  - West Lothian £21,722
  - Total £190,000
- 4) To note that financial planning for 2019/20 would be developed throughout 2018 for consideration by the Partnership in autumn 2018.
- 5) To note that the proposed budget was subject to a number of risks and that all income and expenditure of the Partnership would continue to be monitored closely. If it became necessary to meet unanticipated costs in 2018/19 this would be reported as part of the quarterly Financial Performance report presented to each meeting of the Partnership during 2018/19.

Moved by Councillor Edgar, seconded by Councillor Macinnes

**Amendment**

- 1) To approve recommendations 4.1 to 4.4 of the report by the Treasurer.
- 2) To approve a 5 % reduction in the constituent Council requisition of £180,500 for the core revenue and projects budget for 2018/19.
- 3) To instruct the Treasurer to requisition the following amounts from constituent Councils:
  - Clackmannanshire £5,883
  - East Lothian £11,925
  - Edinburgh £58,102

Falkirk £18,259

Fife £42,425

Midlothian £10,151

Scottish Borders £13,121

West Lothian £20,636

Total £180,500

- 4) To agree that the reduction in funding would be held in a contingency by the Partnership, during ongoing assessment of potential financial risks. A refund of constituent council requisition would be made once financial risks in the 2018/19 revenue budget were fully mitigated or discharged.
- 5) To note that financial planning for 2019/20 would be developed throughout 2018 for consideration by the Partnership in autumn 2018.
- 6) To note that the proposed budget was subject to a number of risks and that all income and expenditure of the Partnership would continue to be monitored closely. If it became necessary to meet unanticipated costs in 2018/19 this would be reported as part of the quarterly Financial Performance report presented to each meeting of the Partnership during 2018/19.

Moved by Councillor Imrie, seconded by Councillor Smail

### **Voting**

Motion – 9 votes

Amendment – 5 votes

### **Decision**

- 1) To note the baseline revenue budget for 2018/19.
- 2) To note the savings options proposed in the report by the Treasurer.
- 3) To approve a core revenue and projects budget for 2018/19 based on a standstill constituent Council requisition of £190,000.
- 4) To instruct the Treasurer to requisition the following amounts from constituent Councils:

Clackmannanshire £6,192

East Lothian £12,552

Edinburgh £61,160

Falkirk £19,220

Fife £44,658

Midlothian £10,685

Scottish Borders £13,811

West Lothian £21,722

Total £190,000

- 5) To note that financial planning for 2019/20 would be developed throughout 2018 for consideration by the Partnership in autumn 2018.
- 6) To note that the proposed budget was subject to a number of risks and that all income and expenditure of the Partnership would continue to be monitored closely. If it became necessary to meet unanticipated costs in 2018/19 this would be reported as part of the quarterly Financial Performance report presented to each meeting of the Partnership during 2018/19.

## 6. Finance Officer's Report

---

An update was provided on the financial performance of the core revenue budget for 2017/18. Details were also included on the cash flow position of the Partnership in respect of its net lending to and borrowing from the City of Edinburgh Council.

### Decision

- 1) To note that it was currently forecast that core expenditure in 2017/18 would be within the revenue budget resources of the Partnership.
- 2) To note that all income and expenditure would continue to be monitored for the remainder of 2017/18.
- 3) To note that the month end balance of indebtedness between the Partnership and the City of Edinburgh Council, and the reason for these balances as outlined in paragraph 2.7 of the Treasurer's report.

## 7. Annual Treasury Management Activity

---

Approval was sought for an Annual Treasury Strategy.

### Decision

To approve the Annual Treasury Strategy and continue the current Treasury Management arrangements.

## 8. Accounting Policies

---

Approval was sought for the Partnership's Accounting Policies.

### Decision

To approve the Accounting Policies in preparation of the 2017/18 Annual Accounts.

## 9. Regional Rail Update

---

Keith Fiskien provided an update on current and future rail issues within the region.

Following questions and discussion, the following was highlighted:

- Discussions had taken place with Scotrail, Network Rail and Transport Scotland on supporting the reinstatement of the Levenmouth line. Work was also taking place with an active group in Fife to ensure SEStran was getting the most value from their input.
- Transport Scotland expect to have completed the study on the Levenmouth line by the end of 2018.
- An update would be provided on the status of the proposed Alloa to Dunfermline line.
- The Logistics and Freight Forum was open to all members and would be an important group going forward to discuss and have a greater creative role in determining SEStrans' input into rail.
- A STAG feasibility report was also nearing completion for Bonnybridge railway station and SEStran could engage with this project too.

#### **Decision**

- 1) To note the report.
- 2) To provide an update on the proposed Alloa to Dunfermline line.

## **10. Business Plan 2018/19**

---

Approval was sought for the business plan for 2018/19.

#### **Decision**

- 1) To approve the Business Plan for 2018/19.
- 2) To add a commitment to reducing commuting into the plan.

#### **Declaration of Interest**

Sandy Scotland declared a non-financial interest as a director of Cycling Scotland.

## **11 Non-Councillor Member Board Appointments**

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An update was provided on the appointments of non-councillor members.

#### **Decision**

To note the report.

## **12. Information Governance Update**

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An update was provided on the preparation work for the General Data Protection Regulation and the Scottish Government's Cyber Security Action Plan.

**Decision**

- 1) To approve the Data Protection Policy and Privacy Notice for implementation in advance of the General Data Protection Regulation coming into force on 25 May 2018.
- 2) To approve the appointment of the Business Manager as SEStran's Data Protection Officer.
- 3) To note that further progress reports on cyber security would be presented to the Board.

### 13 Equalities Update

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An update was provided on the Equalities Outcomes for 2017-2021 which had been previously agreed by the Board in April 2017.

**Decision**

To note the report.

### 14 Bus Travel Discussion Paper

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**Decision**

- 1) To consider this report at the next Board meeting to allow for sufficient time for consideration.
- 2) To encourage attendance from public transport stakeholders.

### 15 Projects and EU Update

---

An update was provided on key aspects of projects and initiatives progressed in the last quarter and covering the latest position on the process for the UK leaving the EU.

**Decision**

To note the report.

### 16 Funding Opportunities

---

Funding opportunities to encourage the promotion of sustainable transport projects across the region were highlighted.

**Decision**

To note the report.

## **17 Loneliness and Isolation Consultation**

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The Scottish Government had launched a consultation on a strategy to tackle loneliness and isolation.

### **Decision**

To agree that members should provide any feedback to officers by 20 April 2018.

## **18 Dates of Future Meetings**

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### **Decision**

To request that it is explored whether a Performance and Audit Committee could be held before the June 2018 Board meeting.

## **19 Non-Councillor Members**

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The Chair paid tribute to the contribution of those non-councillor members who had finished their term with SEStran and wished them well for the future.



## MINUTE OF MEETING OF ENVIRONMENT AND ECONOMY BOARD

COSLA Offices, Edinburgh

20<sup>th</sup> April 2018

### Present

Cllr Steven Heddle (in the Chair)	COSLA
Cllr Alan Donnelly	Aberdeen City
Cllr Ron Sturrock	Angus
Cllr Robin Currie*	Argyll and Bute
Cllr George Gordon*	City of Edinburgh
Cllr Donald Crichton (Video Conf)	Comhairle nan Eilean Siar
Cllr Andrew Wood*	Dumfries and Galloway
Cllr John Jamieson	East Dunbartonshire
Cllr John Patrick	Falkirk
Cllr Altany Craik	Fife
Cllr Anna Richardson	Glasgow City
Cllr Duncan Macpherson	Highland
Cllr Russell Imrie	Midlothian
Cllr John Cowe	Moray
Cllr Alex Gallagher	North Ayrshire
Cllr Danish Ashraf	North Lanarkshire
Cllr Graham Sinclair (Video Conf)	Orkney Islands
Gerry McCartney	Public Health Directors
Cllr John McNaughtan	Renfrewshire
Gordon Mackay	SCOTS
Cllr Mark Rowley	Scottish Borders
Cllr Robbie McGregor*	Shetland Islands
Pamela Smith	SLAED
Steve Barron	SOLACE
Cllr John Anderson	South Lanarkshire
Chris Wood-Gee	Sustainable Scotland Network

### Apologies

Cllr Sandy Wallace	Aberdeenshire
Cllr Aileen Morton	Argyll and Bute
Gareth Waterson	CIPFA – Directors of Finance
Cllr Donald Balsillie	Clackmannanshire
Cllr Archie Dryburgh	Dumfries and Galloway
Cllr Lynne Short	Dundee City
Cllr Jim Roberts	East Ayrshire
Cllr Norman Hampshire	East Lothian
Cllr Alan Lafferty	East Renfrewshire
Robert Gray	HOPS
Cllr Colin Jackson	Inverclyde

Cllr Alasdair Bailey  
 Andrew Fraser  
 Cllr Ryan Thomson  
 Jim Savege  
 Cllr Brian McGinley  
 Cllr Evelyn Tweed  
 Cllr Iain McLaren  
 Cllr Cathy Muldoon

Perth and Kinross  
 Public Health Directors  
 Shetland Islands  
 SOLACE  
 South Ayrshire  
 Stirling  
 West Dunbartonshire  
 West Lothian

### **1. Welcome and Apologies**

Cllr Heddle welcomed those present to the meeting and in particular Councillors George Gordon and Duncan Macpherson who had both recently been appointed to the Board by their respective Councils. Apologies received for absence and substitutions were noted.

### **2. Minute of the Environment and Economy Board on 4 December 2017 and Matters Arising**

The Board agreed to approve the minute of the previous meeting held on 4<sup>th</sup> December 2017 as an accurate record.

### **3. Environment and Economy Board Plan**

The Board was presented with the latest version of the Environment and Economy Board Plan.

The meeting was provided with two verbal updates on specific issues within the Plan. Firstly, it was noted that a positive meeting had been held with the Cabinet Secretary for Rural Economy and Connectivity, Fergus Ewing MSP on broadband. Plans were underway to build better relationships with the UK Government around this issue and to ensure a more joined-up approach was being developed going forward. Secondly, members were advised that the Minister for Transport and the Islands, Humza Yousaf MSP had accepted a request to attend the meeting of the Board scheduled on 2<sup>nd</sup> November 2018.

During discussion on broadband, concerns were articulated about the 100% (R100) superfast broadband programme as there were many communities across the countries not receiving the coverage expected. It was reiterated that more detailed information around the delivery of the programme needed to be made available to local authorities so they knew exactly what had been achieved in their local area and could then plan ahead accordingly. It was also noted that there was a variety of funds and projects running around broadband and officers agreed to provide a succinct briefing on these.

The Board agreed the latest iteration of the Plan.

### **Items taken in public session**

*Cllr Heddle advised that items 4 and 5 would be taken together.*

### **4. Circular Economy and Scottish Deposit Return System**

The Board was provided with a PowerPoint presentation from Ian Gulland, Chief Executive of Zero Waste Scotland on the circular economy opportunities. He outlined the purpose of Zero Waste Scotland, the strategic context that the circular economy sat within, and the key role that local authorities played in bringing communities on the journey to enable the circular economy to be a success.

Ian also provided members with a flavour of the work to introduce a deposit return system. Scottish Government announced this last September and Zero Waste Scotland had

subsequently been asked to develop options. It was expected that a consultation would be published in the late summer.

There was a wide-ranging discussion with several views expressed and a number of questions which Ian responded to. In particular, members expressed that they were keen for councils to be able to influence the design of a new deposit return system, as well as the opportunities to employ existing council resources in a new system were explored, and that there would be no financial burden on local government as a result of the new system.

Iain confirmed he saw huge opportunities for councils in a deposit return system, and that he and Zero Waste Scotland had an absolute commitment to a constructive dialogue with local government and more detailed discussions. The chair equally confirmed COSLA's interest in maintaining such a dialogue.

The Board:

- i. noted the content of Ian Gulland's presentation and thanked him for his attendance;
- ii. noted the substantial impact that the introduction of a Scottish Deposit Return System would have on all Local Authorities and agreed that the Board Plan be adjusted to reflect this shift in focus;
- iii. agreed that COSLA write to the Cabinet Secretary for the Environment to impress local government's commitment to increasing recycling and seeking an active involvement in the design of the system and relevant decisions; and
- iv. agreed that COSLA contacts its member councils on the introduction of the Scottish Deposit Return System and invite early engagement to assist with developing local government's position and input.

## **5. The Crown Estate**

### **a) Scottish Crown Estate Bill**

The Board was provided with a report which invited members to discuss the now published Scottish Crown Estate Bill.

The Board noted COSLA's evidence at Appendix B of the report which was submitted to the Scottish Parliament in March.

### **b) Crown Estate Pilots – presentation and discussion with consultant Sarah Brown**

The Board considered a report which invited members to discuss the proposed criteria for pilots being developed by Crown Estate Scotland and to agree the COSLA response.

A PowerPoint presentation was also provided by Sarah Brown, a consultant to Crown Estate Scotland. She highlighted the engagement that had taken place with stakeholders to date, the consultation document and the fact that COSLA had been given an extension of 23 April to respond, and encouraged local authorities to bring forward any pilots or good ideas which they felt were worthy of consideration – there was a willingness to facilitate innovation.

The Board:

- i. discuss the presentation on the criteria for pilots which were being developed by Crown Estate Scotland, and
- ii. agree the COSLA response as appended to the report.

## **6. Climate Change Plan and Bill**

The Board received a report which informed members that Scottish Government had now finalised its Climate Change Plan (CCP) and was expected to introduce shortly a Climate Change Bill with a new carbon reduction target for the period until 2050.

The Board:

- i. agreed that COSLA maintain the current Board position on the Bill of a *minimum* carbon reduction target at 90% by 2050, but more importantly, emphasise the urgent need for more clarity and dedicated resources here and now, and for developing robust, funded policies and proposals
- ii. agreed COSLA continue to push for Scottish Government to commence discussions, in line with the UN Paris Agreement, on how Local Government can be equipped and resourced to make the contribution it was keen and politically committed to making, and
- iii. agreed COSLA support strong national governance to oversee Scotland's Climate Change Plan, with a strategic role for Local Government across all sectors and carbon reduction envelopes.

## **7. UK's Exit from the European Union: Policy, Funding and International Engagement after Exit**

The Board considered a report which provided an assessment of the recent UK-EU withdrawal agreements on the issues that were part of the remit of this Board and, building on the discussion from last December provided a scope of the future engagement opportunities post Brexit.

In response to questions about various EU funding streams, it was noted that SLAED had prepared a comprehensive briefing which would be shared with members for information.

The Board:

- i. noted the update on the UK-EU withdrawal process and on environmental policy and legislation;
- ii. highlighted other issues which members wished to raise to COSLA's attention on our work on the UK's exit; and
- iii. discuss and agreed there was support for developing a shared local government strategy for engagement with voluntary international commitments such as the Covenant of Mayor, Under2 MoU, Bonn Registry, NAZCA Platform as well as international bodies dealing with sustainable economic development.

## **8. Impact of Winter Weather on Local Government – verbal update/discussion**

The views of the Board were sought on what, if any, lessons could be learned from the recent severe winter weather.

During discussion, members acknowledged the tremendous effort of council staff in continuing to deliver services during the severe winter weather. The importance of learning lessons from this were stressed, particularly around the mixed messages that people were receiving about travelling. It was also clarified that the Cabinet Secretary had made £10m available to all local authorities to help cover costs associated with the severe weather and that this was instead of local authorities submitting claims through the Bellwin Scheme. The distribution of these funds would be considered by Leaders on 27<sup>th</sup> April.

The Board noted the content of the discussion and that officers would raise the issues discussed with Scottish Government. It was further noted that further information would be shared with members around the severe winter weather monies local authorities would receive.

## **Items taken in private session**

### **9. Planning Bill**

The Board considered a report which provided information on the Planning Bill and informed members of potential future issues around rights of appeal predicted to arise over the course of the Bill.

After the move into private session, Cllr Heddle provided an additional verbal update following a meeting with the Cabinet Secretary for the Environment, Climate Change and Land Reform, Roseanna Cunningham MSP on the Crown Estate. The meeting had been arranged to discuss the distribution of the net revenue from the Crown Estate to Local Authorities. There were some differing views expressed at the meeting with the Cabinet Secretary, but hopefully a compromise had been struck.

The Board:

- i. noted the next steps and likelihood of amendments on the right of appeal at stage 2 of the Bill,
- ii. discussed COSLA's policy position on rights of appeal and agreed that, for the time being, COSLA continue to be opposed to it, and
- iii. agreed a further report be brought back once the position of right of appeal was clarified following the stage 1 report.

### **10. Enterprise and Skills – oral update from Chair**

The Board received an oral update on developments associated with the enterprise and skills review.

The meeting was advised that COSLA would be writing to the Strategic Board about local government's role in economic development, business support and Business Gateway and it was noted that the development of the South of Scotland agency, which COSLA supported, would be considered in further detail at the next meeting.

The Board noted the content of the oral update and agreed to be kept informed of any developments.

### **11. Date of next meeting – 15 June 2018**

The Board noted the date of the next meeting was 15<sup>th</sup> June 2018.



## MINUTE OF MEETING OF COMMUNITY WELLBEING BOARD

COSLA Offices, Edinburgh

4<sup>th</sup> May 2018

### Present

Cllr Anne Simpson*	Aberdeenshire
Cllr Kieron Green*	Argyll and Bute
Cllr Andy Ferguson	Dumfries and Galloway
Cllr Elena Whitham	East Ayrshire and COSLA
Cllr Jim Goodfellow	East Lothian
Cllr Colm Merrick	East Renfrewshire
Cllr Jim Flynn	Falkirk
Cllr Judy Hamilton	Fife
Cllr Jennifer Layden	Glasgow City
Cllr Margaret Paterson	Highland
Cllr Jim Clocherty (video conf)	Inverclyde
Cllr Stephen Curran	Midlothian
Cllr Lorna Creswell (Tele Conf)	Moray
Cllr Peter Barrett	Perth and Kinross
Anna Baxendale*	Public Health Directors
Cllr John McNaughtan*	Renfrewshire
Cllr Watson McAteer	Scottish Borders
Cllr Maureen Chalmers	South Lanarkshire
Cllr Iain McLaren*	West Dunbartonshire

\*denotes substitute

### Apologies

Cllr Lesley Dunbar	Aberdeen City
Cllr Iris Walker	Aberdeenshire
Tony Cain	ALACHO
Cllr Colin Brown	Angus
Cllr Robin Currie	Argyll and Bute
Gary Fairley	CIPFA-Directors of Finance
Cllr Craig Holden	Clackmannanshire
Cllr Ian Campbell	City of Edinburgh
Cllr Kenny John MacLeod	Comhairle nan Eilean Siar
Cllr Kevin Cordell	Dundee City
Cllr Paul Ferretti	East Dunbartonshire
Cllr Judy Hamilton	Fife
Cllr Louise McPhater	North Ayrshire
Cllr Colin Cameron	North Lanarkshire
Cllr Andrew Drever	Orkney Islands

Catherine Mackereth	Public Health Directors
Cllr Marie McGurk	Renfrewshire
Cllr Alastair Cooper	Scottish Borders
Jane Martin	Social Work Scotland
Lilian Cringles	Social Work Scotland
Malcolm Burr	SOLACE
Sandra Black	SOLACE
Cllr Ian Davis	South Ayrshire
Cllr Chris Kane	Stirling
Cllr Diane Docherty	West Dunbartonshire
Cllr Dave King	West Lothian

### **1. Welcome and Apologies**

Cllr Elena Whitham welcomed those present to the meeting. Apologies received for absence and substitutions were noted.

### **2. Minute of Previous Meeting 9<sup>th</sup> March 2018**

Under matters arising, it was noted that further reports on gypsy/travellers would be brought forward to future meetings following the positive engagement with Davie Donaldson. It was also highlighted that the Finnish universal basic income experiment had recently fell after two years of running and it was queried whether this would have an impact on the Scottish pilots. In response, it was noted that there were specifics and nuances to the Finland model which were different to the Scottish approach and a report would be brought to a future meeting detailing all of this.

The minute of the previous meeting held on 9<sup>th</sup> March 2018 was agreed as an accurate record.

### **Migration & Rights**

### **3. Brexit: The Settlement Process and Engagement with EU Citizens**

#### **a. COSLA Update**

The Board considered a report which informed members of recent COSLA activity relating to the settlement process and engagement with EU citizens.

The Board:

- i. noted and supported COSLA's current and planned work with local authorities and ministers on engaging EU citizens in our communities;
- ii. noted the key concerns raised by EU citizens during the regional engagement events;
- iii. noted COSLA's work with the Home Office regarding the EU settlement scheme and agreed to the continuation of this work;
- iv. noted and discussed the Home Office presentation on the settlement scheme; and
- v. agreed and supported COSLA's planned partnership work with the European Commission.

#### **b. Presentation from the Home Office**

The Board received a verbal presentation from Mark Doran, Deputy Director for EU Exit Immigration Strategy, on the EU Settlement Scheme. He highlighted that main task of the Home Office was to now begin communicating with EU citizens about what they would need to do. An awareness raising campaign was about to commence to facilitate this.

The Board noted the content of the presentation and agreed to be kept informed of any developments.

#### **4. Migration, Population and Diversity Team Business Plan**

The Board was provided with a report which set out the business plan for the work of the Migration, Population and Diversity (MPD) Team for 2018/19 and also outlined the planned re-establishment of the Strategic Migration Partnership (SMP) Board during the year.

During discussion, it was clarified that the SMP Board membership was still to be agreed but it would be an officer group comprising of

The Board:

- i. noted and agreed the MPD Team business plan for 2018/19; and
- ii. agreed the re-establishment of the SMP Board during 2018/19.

#### **Poverty and Social Security**

#### **5. Family Reunion Crisis Grant Scheme**

The Board received a report which informed members of the Scottish Government's intention to formally establish a Family Reunion Crisis Grant scheme to financially support families reuniting with refugees already resident in Scotland. The report sought members' views on its routing through Scottish Welfare Fund operations, guidance on its use and how local authorities would be funded to meet the costs.

The Board:

- i. noted that the Minister for Social Security was expected to announce the formal establishment of a Family Reunion Crisis Grant Scheme on 9 May, and that it would apply from mid-May 2018;
- ii. agreed that the Scottish Welfare Fund operation was the right mechanism for managing the new fund;
- iii. agreed the main aspects of the Guidance (outlined in paragraph 11 and appended in full in the report) and supported the continued participation of COSLA officers to work with Scottish Government on finalising that Guidance; and
- iv. agreed the funding approach as outlined in paragraphs 13 – 16 of the report.

#### **6. Child Poverty**

The Board considered a report which invited views on the Draft Child Poverty Guidance and to agree that COSLA works to obtain funding for child poverty for local authorities, as well as to exert greater influence on national child poverty priority setting and delivery.

There was a wide-ranging discussion with a number of points of view put across. In particular, the need for local models to not be overly prescriptive and allow for local flexibility was stressed. The important role that credit unions and the third sector had to play was also highlighted.

#### **Community Empowerment**

#### **7. Open Government Partnership**

The Board received a report which provided an overview of the Open Government initiative in Scotland and the role local government had played in the 2017 action plan.

The Board noted the ongoing activity and intention to keep this matter on the agenda of relevant boards.

#### **8. Participatory Budgeting Mainstreaming Activity Update**

The Board considered a report which detailed the progress so far of COSLA's Participatory Budgeting Development Manager who was supporting mainstreaming activity across all 32 member Councils. The report provided an initial overview of the survey sent to all members



asking them to consider what activity they currently did and what could or should be within scope for mainstream participatory budgeting.

There was a comprehensive discussion with lots of suggestions put forward which officers agreed to pick up. In particular, it was agreed that an event be held so examples of good practice across the country could be shared and members could get a better grasp of the different approaches to this piece of work.

The Board:

- i. noted the progress and ongoing activity; and
- ii. provided comments to inform the further development of this strand of work.

## **Housing**

### **9. Landlord Registration Consultation**

The Board was provided with a report which invited discussion on the Scottish Government consultation on Landlord Regulation in Scotland.

During discussion, it was commented that it would be useful if an incentive scheme for landlords could be explored. It was also suggested that a report be brought to a future meeting which outlined statistics of how many times councils had helped landlords meet their legal obligation and the different actions that had been taken.

The Board:

- i. noted the publication of the consultation by Scottish Government;
- ii. discussed and provided comments to inform COSLA's response; and
- iii. mandated the Community Wellbeing Spokesperson to agree the final COSLA response in line with comments provided by Board members.

### **10. Homelessness and Rough Sleeping Action Group Report**

The Board considered a report which provided an update on recent developments in policy around homelessness and sought agreement on next steps in this policy area.

During discussion, the importance of appropriate investment and resources being made available to tackle homelessness was emphasised. It was also commented that, particularly in rural areas, location can be more important than housing for some individuals as they wanted to remain close to their social contacts. Any action therefore had to be careful that it did not breach the equalities duty. These points were noted.

The Board:

- i. noted recent publications, from both the Local Government Committee and the Homelessness and Rough Sleeping Action group, in relation to homelessness;
- ii. noted the reconstituted Homeless Prevention Steering Group had met for the first time this year;
- iii. mandated COSLA Officers to work with Scottish Government, ALACHO and others to scope actions required to take forward recommendations in relation to rapid rehousing, and housing first; and
- iv. noted recommendations were expected over the coming months from the Homelessness and Rough Sleeping Action Group on transforming the use of temporary accommodation and how to bring an end to homelessness in Scotland.

## **11. Scottish Energy Efficiency Programme**

The Board received a report which provided an update on recent developments around Scotland's Energy Efficiency Programme (SEEP) which had now been renamed Energy Efficiency Scotland.

The Board:

- i. noted Leaders agreed at their meeting in April that local government should work in a constructive partnership with Scottish Government to shape Energy Efficient Scotland nationally and deliver locally; and
- ii. noted the Community Well-being Board and the Environment and Economy Board would take forward individual policy strands pertaining to Energy Efficient Scotland and escalate decisions of strategic importance to Leaders as appropriate.

## **Community Safety and Justice**

### **12. Fire and Rescue Consultation Response**

The Board received a report which outlined COSLA's provisional response to the Scottish Fire and Rescue Service's (SFRS) 'Transformation Consultation' and invited the views of members.

There were a number of tweaks suggested to the response which officers agreed to pick up.

The Board:

- i. provided views on COSLA's provisional response to the SFRS consultation; and
- ii. agreed, subject to the tweaks agreed at the meeting being made, the response to the consultation.

### **13. Legal Aid Review**

The Board considered a report which advised members that the Independent Review of Legal Aid presented its report in late February this year. It contained 6 strategic aims and a significant number of recommendations. Responses to these were being considered by the Scottish Government which would produce its own analysis and conclusions. Of the strategic aims 3 were of direct relevance to COSLA and Scottish Local Government. The report repeated COSLA's previous observations and summarised the issues that arose from the Independent Review's recommendations.

During discussion, concerns were articulated around capacity and it was emphasised that funding would be key to determining how much help could be provided by local authorities.

The Board:

- i. noted the previous position of COSLA expressed to the Independent Review;
- ii. noted the main recommendations of relevance to Scottish Local Government and COSLA; and
- iii. offered advice and comment.

## **Other**

### **14. Scottish Government's Creative Strategy**

The Board received a report which detailed that the Programme for Government included a commitment by the Scottish Government to develop a cultural strategy for Scotland. Responsibility for the area was shared between Scottish and Local Government. Councils provide significant support in the areas of grants to third sector groups, advice to small businesses, local festivals as well as the more usual libraries, museums, art galleries, theatres and halls. The report covered the progress to date.

The following councils all indicated that they would be interested in hosting regional consultation events on the draft strategy: Glasgow City; Dumfries and Galloway; and Aberdeenshire.

The Board:

- i. noted the content of the report;
- ii. provided comment on the themes that were emerging;
- iii. agreed to a meeting between Council 'Culture Convenors' and the Cabinet Secretary to discuss progress; and
- iv. noted that a small number of individual member authorities could host regional consultation events over the draft strategy.

## **15. AOCB**

Members were informed that a housing event would be held after the next meeting of the Board on 22<sup>nd</sup> June. Further details would be sent to members.

It was noted that the gypsy/traveller minimum site standards would become a requirement in June.



## MINUTE OF MEETING OF LEADERS

COSLA Offices, Edinburgh

25<sup>th</sup> May 2018

### Office Bearers:

Cllr Alison Evison	Aberdeenshire	President
Cllr Graham Houston	Stirling	Vice President

### Present:

Cllr Douglas Lumsden	Aberdeen City Council
Angela Scott	Aberdeen City Council
Cllr Jim Gifford	Aberdeenshire Council
Stephen Archer*	Aberdeenshire Council
Cllr Bob Myles	Angus Council
Margo Williamson	Angus Council
Cllr Aileen Morton	Argyll and Bute Council
Cleland Sneddon	Argyll and Bute Council
Andrew Kerr	City of Edinburgh Council
Cllr Adam McVey	City of Edinburgh Council
Nikki Briddle	Clackmannanshire Council
Cllr Ellen Forson	Clackmannanshire Council
Malcolm Burr	Comhairle nan Eilean Siar
Cllr Roddie Mackay	Comhairle nan Eilean Siar
Cllr Rob Davidson	Dumfries and Galloway Council
Cllr Gail Macgregor	Dumfries and Galloway Council
Gavin Stevenson	Dumfries and Galloway Council
David Martin	Dundee City Council
Cllr Gregor Murray*	Dundee City Council
Fiona Lees	East Ayrshire Council
Cllr Douglas Reid	East Ayrshire Council
Cllr Elena Whitham	East Ayrshire Council
Gerry Cornes	East Dunbartonshire Council
Cllr Andrew Polson	East Dunbartonshire Council
Cllr Vaughan Moody	East Dunbartonshire Council
Cllr Norman Hampshire	East Lothian Council
Angela Leitch	East Lothian Council
Cllr Paul O'Kane*	East Renfrewshire Council
Lorraine McMillan	East Renfrewshire Council
Cllr Cecil Meiklejohn	Falkirk Council
Stuart Ritchie*	Falkirk Council
Cllr David Alexander	Fife Council
Steve Grimmond	Fife Council
Cllr David Ross	Fife Council
Cllr John Letford*	Glasgow City Council
Annemarie O'Donnell	Glasgow City Council

Steve Barron	Highland Council
Cllr Margaret Davidson	Highland Council
Cllr Stephen McCabe	Inverclyde Council
Aubrey Fawcett	Inverclyde Council
Kenneth Lawrie	Midlothian Council
Cllr Russell Imrie*	Midlothian Council
Cllr George Alexander	Moray Council
Cllr Joe Cullinane	North Ayrshire Council
Laura Friel*	North Ayrshire Council
Paul Jukes	North Lanarkshire Council
Cllr Jim Logue	North Lanarkshire Council
Alistair Buchan	Orkney Islands Council
Cllr Steven Heddle	Orkney Islands Council
Cllr James Stockan	Orkney Islands Council
Cllr Peter Barrett	Perth and Kinross Council
Cllr Roz McCall*	Perth and Kinross Council
Bernadette Malone	Perth and Kinross Council
Cllr Iain Nicolson	Renfrewshire Council
Tracey Logan	Scottish Borders Council
Cllr Shona Haslam	Scottish Borders Council
Maggie Sandison	Shetland Islands Council
Cllr Steven Coutts	Shetland Islands Council
Cllr Douglas Campbell	South Ayrshire Council
Eileen Howat	South Ayrshire Council
Cllr John Ross	South Lanarkshire Council
Lindsay Freeland	South Lanarkshire Council
Stewart Carruth	Stirling Council
Cllr Scott Farmer	Stirling Council
Cllr Jonathan McColl	West Dunbartonshire Council
Joyce White	West Dunbartonshire Council
Cllr Lawrence Fitzpatrick	West Lothian Council
Graham Hope	West Lothian Council

\*denotes substitute

#### Apologies:

Jim Savege	Aberdeenshire Council
Cllr Steve Burgess	City of Edinburgh Council
Cllr John Alexander	Dundee City Council
Cllr Willie Innes	East Lothian Council
Cllr Tony Buchanan	East Renfrewshire Council
Mary Pitcaithly	Falkirk Council
Cllr Susan Aitken	Glasgow City Council
Cllr Derek Milligan	Midlothian Council
Roderick Burns	Moray Council
Elma Murray	North Ayrshire Council
Cllr Murray Lyle	Perth and Kinross Council
Sandra Black	Renfrewshire Council
Cllr Peter Johnston	West Lothian Council

## **Items taken in public session**

### **Welcome**

The President welcomed those present to the meeting and in particular Cllr Steven Coutts who had recently been formally appointed Leader of Shetland Islands Council. She then highlighted that Chief Executives, Mary Pitcaithly and Bernadette Malone, were both due to retire and thanked them for the enormous contributions that they had made to local government in Scotland.

She also raised two other issues. Firstly, Leaders were reminded that when reports were marked private and confidential they were distributed on the basis that they remain so. They should not be circulated more widely. Secondly, it was noted that there were two extra papers for consideration in relation to Local Authority Charges for Children's Funerals and the National Performance Framework. Discussion on both these issues had stepped up in the last week and the timings associated with them had resulted in the President determining that they had to be taken as urgent items. Leaders were reassured that this was unusual and would only happen in exceptional circumstances.

### **1. Minute of Previous Meeting 27<sup>th</sup> April 2018**

The minute of the Leaders' meeting held on 27<sup>th</sup> April 2018 was agreed as an accurate record.

### **2. Education Psychologists**

Leaders considered a report which sought agreement to a Funding Model to ensure a sustainable supply of Educational Psychologists through provision of financial support for trainees.

In response to a query, it was clarified that because this was a post-graduate course then all students were subject for fees.

Leaders:

- i. noted the work of the National Scottish Steering Group for Educational Psychologists to develop proposals for a Funding Model;
- ii. agreed to change the third year probationary salary to three annual living expense payments of £15K, and noted that the Scottish Government would pay these transitional costs in 2018/19 and 2019/20 only, in line with the cost neutral principle agreed by the COSLA Children and Young People Board in December 2017;
- iii. noted the intent of these changes was to increase trainee numbers to ensure a viable supply of education psychologists for local authorities;
- iv. agreed that signing up to the Funding Model was conditional on ongoing robust workforce planning as outlined in paragraph 11 of the report; and
- v. noted that a report would be brought back to COSLA Leaders as this work is progressed.

### **3. Access to Sanitary Products in Schools**

Leaders received a report which advised that the Scottish Government gave a commitment in their Programme for Government that pupils and student in schools, colleges and universities should have access to free sanitary products. Local authorities would be provided with funding to deliver this commitment, from the beginning of the next academic year in August 2018.

Leaders:

- i. agreed that local authorities would work to ensure access to sanitary products to young people in schools, in line with the principles set out in paragraph 3 and funding calculated as set out in paragraphs 6-9 of the report;
- ii. agreed that monitoring of uptake would be important in order to adjust funding levels for future years; and

- iii. agreed to share learning over the course of the first year of delivery with COSLA officers and local authority, college and university sector colleagues where appropriate.

#### **4. Brexit Update**

Leaders considered a report which provided an update on recent Brexit centred developments. These were not meant to be definitive of every COSLA activity around Brexit, but focused primarily on the governance and negotiation arrangements for the returned powers, at a UK or Scottish level, and provided some information around some recent relevant lobbying and meetings. It was noted that more detailed information on specific policy was being provided as appropriate through the Policy Boards.

During discussion, the importance of the developing arrangements being given a statutory footing was emphasised. It was also clarified that COSLA had been having discussions with all appropriate partners and stakeholders, including the Scotland Office, and this would continue as negotiations progressed.

Leaders:

- i. agreed that, given current developments over the Joint Ministerial Local Government Committee, the President write to the appropriate UK Minister to welcome this, while raising the need for the arrangements ultimately to be given a statutory footing;
- ii. agreed that, given the likelihood that initial activity would soon be underway to revise the Joint Ministerial Committee arrangements, to write to the Scottish Government asking that Local Government be included in issues with a local impact or affecting shared competencies;
- iii. noted the arrangements set up to meet regularly with Mike Russell, Minister for UK Negotiations on Scotland's Place in Europe and that this was likely to generate future reports on specific issues through COSLA's governance structures; and
- iv. noted that further reports on the developing Settlement Scheme for EU citizens and their families post-Brexit would be brought back to future COSLA meetings.

#### **5. Local Governance Review**

Leaders received a report which provided an update regarding the Review of Local Governance, and in particular the work of the Enabling Group established to develop Phase 1 of the Review. The report also highlighted the forthcoming joint political processes established between COSLA and the Scottish Government to initiate Phase 2, and outlined the strategic approach to this work that had been identified by COSLA's Special Interest Group.

It was clarified that the Enabling Group membership had been determined by the Scottish Government but COSLA would raise the importance of engaging with community councils as part of Phase 2.

Leaders:

- i) noted the approach to Phase 1 of the Review that had been established by the Enabling Group;
- ii) noted the strategic approach to Phase 2 identified by COSLA's Special Interest Group;
- iii) agreed to the Special Interest Group's request that COSLA's Boards develop an active role in the Review within their policy remits; and
- iv) noted that a detailed update on Phase 2 would be provided to Leaders in June following the joint political meeting with Scottish Government on 7 June, as part of a suite of reports on COSLA's Democracy and Reform work.

## Items taken in private session

### 6. School Clothing Grants

Leaders considered a report which informed them that, currently, the level of school clothing grant paid by local authorities varied from £40 to £120 per child. Scottish Ministers were keen for there to be a minimum level of grant of £100 per eligible child to address the financial impact that the cost of uniform can have. Scottish Government had noted that they were cognisant of the financial pressures faced by local authorities and therefore proposed that the Scottish Government would part fund this minimum rate at a level of £50 per eligible child.

Leaders:

- i. agreed that Scottish Local Authorities would deliver a national minimum level of school clothing grant of £100 per eligible child; and
- ii. agreed the proposed financial partnership arrangement as set out in paragraphs 9 to 11 of the report.

### 7. Education Bill

Leaders were provided with a report which advised that they had approved the *COSLA response to the Scottish Government consultation on the Education (Scotland) Bill* in January 2018. Since the consultation ended Local Government officers had been working with Scottish Government officials to find a solution to the apparent conflicts in our positions. These meetings had been facilitated by the Chief Inspector of Education. The report therefore provided an update on progress made and sought agreement to a joint approach to improving Education in Scotland.

Cllr Paul O’Kane, seconded by Cllr Lawrence Fitzpatrick moved an amendment in the following terms:-

Delete recommendation ii. and replace it with the following recommendations:

- ‘ii. Further notes that COSLA retains the view that legislation in this area is unnecessary;
- iii. Agree that COSLA will work with the Scottish Government and other agencies on the basis of this report, continuing to recognise the concerns local authorities have around this approach, to realise improvements to the Scottish Education system.’

Cllr Douglas Reid, seconded by Cllr Cecil Meiklejohn moved the recommendations as outlined in the report.

On a vote being taken by show of hands, 11 voted for Cllr O’Kane’s amendment and 19 voted for Cllr Reid’s motion which was therefore deemed to be carried.

Accordingly, Leaders:

- i. noted the update and the information set out in Appendix A and B of the report; and
- ii. agreed that COSLA would work with Scottish Government and other agencies on this basis to realise improvements to the Scottish Education system.

### 8. National Care Home Contract

Leaders received a report which detailed a proposed arrangement for the operational management of the National Care Home Contract (NCHC) from 2019 onwards and lay ground for a final decision by Leaders to be taken at a future meeting.

During discussion, it was noted that the process should not affect accessibility to the contract for local providers. Flexibilities would also be built into the arrangements and the review



process would allow a call-in mechanism to be triggered should a rate prove not to be palatable and it would then be referred back to COSLA.

Leaders:

- i. agreed to work towards transferring operational management of the 'cost of care calculator' and setting of the NCHC rate to Scotland Excel;
- ii. noted that COSLA would maintain a locus in elements of the NCHC such as the development of tools to vary the rate;
- iii. agreed that a review period would be agreed with Scotland Excel and the sector at which point COSLA Leaders may recommend changes to the calculator; and
- iv. agreed that COSLA would lead, with Scottish Government and the sector, policy and strategic direction of care homes for older people under the Reform of Adult Social Care agenda.

## **9. Local Taxation**

Leaders considered a report which invited agreement on immediate and medium term activity on local taxation and specifically next steps on Transient Visitor Tax.

It was requested that any future TVT be as flexible as possible so that it could fit other local circumstances. It was also clarified that no other local government funding would be compromised by the potential introduction of local taxes and this was one of COSLA's principles.

Leaders:

- i. agreed short and medium term activity regarding local taxation as set out in paragraphs 12 to 15 of the report; and
- ii. endorsed the proposal attached to the report as COSLA position on Transient Visitor Tax and agreed the lobbying approach set out in paragraphs 16 to 23 of the report.

## **10. Distribution**

Leaders received a report which invited them to consider and agree recommendations from the Settlement and Distribution Group (SDG) in relation three distribution areas.

Leaders agreed the recommendations for each section in the report as set out below:

- i. School Clothing Grants (paragraphs 4 and 5 of the report);
- ii. Access to Sanitary Products for school-age pupils (paragraph 6 of the report); and
- iii. Net Revenue from Scottish Crown Estate Assets (paragraphs 7-9 of the report).

## **11. Local Authority Charges for Children's Funerals and Cremations**

Leaders considered a report which asked them, as an urgent item, to agree that Local Government works with Scottish Government in a partnership arrangement to remove local authority charges for children's funerals and cremations. Subject to Leaders' in principle agreement, it was noted that the detail would be developed and signed off through COSLA's standing governance arrangements.

Leaders:

- i. noted the steps taken in England and Wales to remove Children's Funeral and Cremation Charges;
- ii. noted the steps being taken to better understand the variations in policy and practice across Scotland;
- iii. agreed to an early announcement in partnership with the Scottish Government on a commitment, based on broad principles, towards the removal of local authority charges;

- iv. agreed to mandate COSLA officers to work with member authorities and with Scottish Government and to take views from COSLA's Children and Young People Board and the Community Wellbeing Board; and
- v. agreed that the work required was as outlined in paragraph 11 – 13 of the report.

## **12. National Performance Framework**

Leaders received a report, as an urgent item, which sought agreement to explore an opportunity to demonstrate COSLA's desire to achieve greater and more meaningful partnership working with the Scottish Government, through in the first instance, agreeing to co-sign, with the Scottish Government, the National Performance Framework (NPF).

Cllr Jim Gifford, seconded by Cllr Douglas Lumsden moved an amendment to amend recommendation i. in the following terms – 'Agree that, subject to Group Leaders unanimously being satisfied that there are no unintended consequences of co-signing the NPF, then this should be co-signed at the Cabinet Sub-Committee on 7 June; and should unanimity not be achieved a further report will be brought back to Leaders before co-signing.'

Cllr Douglas Reid, seconded by Cllr Jonathon McColl moved the recommendations as detailed in the report.

On a vote being taken by show of hands, 15 voted for Cllr Gifford's amendment and 16 voted for Cllr Reid's motion which was therefore deemed to be carried.

Accordingly, Leaders:

- i. agreed that, subject to Group Leaders being satisfied that there were no unintended consequences of co-signing the NPF, then this should be co-signed at the Cabinet Sub Committee on 7<sup>th</sup> June; and
- ii. agreed that a fuller report providing more detail on how greater partnership working between COSLA and the Scottish Government would be achieved in practice be brought back to a Leaders meeting in the near future.

## FORTH VALLEY NHS BOARD

### DRAFT

Minute of the special meeting of Forth Valley NHS Board held on Friday 15 June 2018 in the NHS Forth Valley Headquarters, Carseview House, Castle Business Park, Stirling.

#### Present

Mr Alex Linkston (**Chair**)  
 Mrs Julia Swan  
 Dr Michele McClung  
 Cllr Allyson Black  
 Dr Graham Foster  
 Ms Fiona Gavine  
 Mr Scott Urquhart

Mrs Cathie Cowan  
 Mr John Ford  
 Mr Robert Clark  
 Cllr Susan McGill  
 Mr Andrew Murray  
 Professor Angela Wallace

#### In Attendance

Ms Linda Donaldson, Acting Director of Human Resources  
 Mrs Kathy O'Neill, General Manager  
 Dr Stuart Cumming, Associate Medical Director, (*Item 2*)  
 Mrs Sonia Kavanagh, Corporate Governance Manager (*minute*)

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Mrs Jo Chisholm, Dr James King and Cllr Sharp.

### 2. DRAFT FORTH VALLEY PRIMARY CARE IMPROVEMENT PLAN

The NHS Board considered a paper "Draft Forth Valley Primary Care Improvement Plan", presented by Dr Stuart Cumming, Associate Medical Director.

Dr Cumming outlined the work, led by the Chief Executive of NHS Forth Valley, to prepare the Primary Care Improvement Plan for Forth Valley in response to the new 2018 General Medical Services contract (GMS) which was introduced in January 2018. This work would continue under the auspices of the Primary Care Programme Board which GP colleagues had welcomed.

The benefits of the new GMS contract for patients were outlined and would help them to access the right person, at the right place, at the right time in line with the Scottish Government's Primary Care Vision and Outcomes. There would also be professional benefits, with a refocusing of the GP role as an Expert Medical Generalist and the introduction of a wider range of assistance through financial, infrastructure and workforce support to enable GP practices to be robust and sustainable.

A Primary Care Improvement Plan Working Group now Programme Board had been established, chaired by the Chief Executive. The plan would be implemented using a phased approach to support each of the 6 improvement priorities set nationally. Further work would be necessary to test the models in each of the Partnerships and adapt them to meet local needs whilst ensuring they were effective and offered the best value. The development of the new services overseen by the Programme Board would be designed and managed by the Chief Officers with advisory support and direction from the GP clusters. This proposed way of working would also provide assurance to the Integration Joint Boards that progress was being made in each of the Partnerships.

Dr Cumming highlighted that the finalised draft Primary Care Improvement Plan was due to be submitted to the Scottish Government by 31 July 2018.

Mrs Cowan thanked Dr Cumming and noted she was delighted to be providing leadership to primary care which she intended to continue through the Programme Board. Feedback from members of the Senior Leadership Team and Chief Officer from the Clackmannanshire/Stirling Partnership regarding the establishment of the Programme Boards was positive and encouraging. This way of working was intended to reduce the number of meetings people were expected to participate in and so use their time more effectively in designing and delivering change. Mrs Cowan highlighted that the Plan would also align with the work to increase acute capacity on the FHRH site.

It was recognised that the new models of care within the 3 year Primary Care Improvement Plan may not be fully implemented by 2021 due to the scale and complexities of the changes required including additional workforce and development of necessary skills and competencies. The NHS Board discussed the need for the plan to be sustainable and affordable on a recurring basis and a proactive approach to ensure expectations were managed.

The NHS Board noted the update provided and approved that authority for signing off the Draft Primary Care Improvement Plan for submission to the Scottish Government would be delegated to the Chief Executive in conjunction with the GP Sub Committee and both IJB Chief Officers. It was hoped that the Primary Care Improvement fund element of the wider primary care fund (NRAC based allocation) would be delegated with directions from the Integration Authorities to enable change to be delivered at pace in each of the Partnerships. The influencing role of the GP clusters in this work was also noted.

### **3. FORTH VALLEY NHS BOARD ANNUAL ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2018**

The NHS Board considered a paper "Forth Valley NHS Annual Accounts for the Year Ended March 2018", presented by Mr Scott Urquhart, Director of Finance.

The NHS Boards were required to submit a signed set of accounts to the Scottish Government Health Department by 30 June 2018. The Accounts had to be signed by the relevant NHS Board members and by the Auditors.

The NHS Board Accounts would be made available in the public domain once they had been laid before Parliament with confirmation expected by September 2018. The Audit Committee members had received a full set of accounts and these were available to Board members on request.

Mr Urquhart confirmed that the audited 2017/18 Annual Accounts recorded a revenue surplus of £1.358m, comprising a £0.261m initial surplus plus a further £1.097m surplus arising from an adjustment to deferred income and a movement on the final outturn position for Clackmannanshire and Stirling IJB. The Annual Accounts also confirmed a balanced capital outturn and achievement of the cash target, in line with projections.

The Audit Committee had met on 8 June 2018 where they reviewed and considered the respective Internal and External Audit Reports and a full set of Accounts. The Audit Committee had also prepared an Annual Report on their activities and performance during 2017/18. A draft letter of representation by the Chief Executive as the Accountable Officer had also been circulated to the committee with assurances made on aspects of the financial statements, judgements and estimates made. This letter had now been finalised for submission to the Auditors with the Accounts. The External Auditor had provided an unqualified auditor's report subject to receipt of the final set of financial statements for review, to which there were no changes. There were no specific issues to highlight and the Accounts were submitted for approval.

The Patient Funds Auditors Report was considered by the Audit Committee on 8 June 2018 which recommended approval of the draft audited annual accounts of the Patient Private Funds. There were no specific issues to highlight and the Accounts were submitted for approval.

The Endowment Committee reviewed the draft Endowment Accounts 2017/18 on 8 June 2018 and the Audit Committee considered the Endowment Auditors Report. There were no specific issues to highlight and the Accounts were submitted for approval.

Mr Ford congratulated Mr Urquhart and his team for their performance and the balanced accounts. The Chairman and Chief Executive also recorded their thanks to Mr Urquhart and his team.

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

- Noted the 2017/18 surplus revenue out-turn of £ 1.358m, a balanced capital out-turn and achievement of the cash requirement
- Approved the Forth Valley NHS Board Annual Accounts for the year ended 31 March 2018
- Approved the Patients Private Funds Annual Accounts of NHS Forth Valley for the year to 31 March 2018
- Approved the Endowment Accounts of NHS Forth Valley for the year ended 31 March 2018
- Noted that the approved Annual Accounts would be made public on receipt of confirmation that they have been laid before Parliament, which was anticipated to be during September 2018

#### **4. ANY OTHER COMPETENT BUSINESS**

There being no other competent business, the Chairman closed the meeting at 1.10pm

**FORTH VALLEY NHS BOARD**
**DRAFT**

Minute of the Forth Valley NHS Board meeting held on Tuesday 29 May 2018 in the NHS Forth Valley Headquarters, Carseview House, Castle Business Park, Stirling.

**Present**

Mr Alex Linkston ( <b><i>Chair</i></b> )	Mrs Cathie Cowan
Mrs Julia Swan	Ms Fiona Gavine
Mr John Ford	Mrs Jo Chisholm
Dr Michele McClung	Mr Robert Clark
Dr James King	Councillor Allyson Black
Councillor Susan McGill	Councillor Les Sharp
Dr Graham Foster	Mr Andrew Murray
Professor Angela Wallace	Mr Scott Urquhart

**In Attendance**

Ms Linda Donaldson, Acting Director of Human Resources  
 Mrs Elsbeth Campbell, Head of Communications

Ms Gillian Morton, General Manager (*Item 5.2*)  
 Ms Jackie Rutherford, Best Start Project Lead (*Item 5.2*)  
 Ms Kirsty MacInnes, Best Start Project Lead (*Item 5.2*)  
 Mrs Sonia Kavanagh, Corporate Governance Manager (*minute*)

Mr Linkston highlighted that Councillor Forson had resigned from the NHS Board, due to her new position as Leader of Clackmannanshire Council. Mr Linkston on behalf of the NHS Board wished Cllr Forson well in her new role. He welcomed Councillor Sharp who had been nominated as Cllr Forson's replacement.

The NHS Board also welcomed Mr Urquhart who had been appointed to the role of Director of Finance. Mr Linkston confirmed Mr Urquhart had been confirmed as an Executive Director of the NHS Board.

Mrs Chisholm advised that NHS Forth Valley had recently been awarded Gold for both the Investors in People and Investors in Young People. The NHS Board noted their thanks and appreciation to all those involved.

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence intimated.

**2. DECLARATION(S) OF INTEREST(S)**

There were no declarations of interest.

**3. MINUTE OF FORTH VALLEY NHS BOARD MEETING HELD ON 27 MARCH 2018**

The minute of the Forth Valley NHS Board meeting held on 27 March 2018 was approved as a correct record.

**4. MATTERS ARISING FROM THE MINUTE**

Mrs Cowan provided an update on Item 7.4 – Doune Health Centre.

Confirmation had been received that the Full Business Case, which had been recommended for approval by the Capital Investment Group (CIG), had now been approved. A formal letter confirming the same to Mrs Cowan had been received from Mr Paul Gray, Director General, for Health and Social Care and Chief Executive of NHSScotland.

## **5. QUALITY AND SAFETY**

### **5.1 Patient Story**

Professor Angela Wallace, Director of Nursing introduced a reflective account of a family's experience when their father passed away while their mother was in hospital.

Through a difficult time the staff had provided the family with peace of mind that their mother was being helped and supported as she grieved for her husband, with people around her if and when she needed to talk.

The family passed on their thanks and gratitude to all the ward staff for being approachable and providing assistance during a time of bereavement.

The NHS Board noted the care and compassionate approach shown by staff.

### **5.2 Best Start Maternity and Neonatal Care**

The NHS Board received a presentation "Best Start Maternity and Neonatal Care", led by Professor Angela Wallace, Director of Nursing.

Professor Wallace introduced Ms Gillian Morton, General Manager and Head of Midwifery, who provided details regarding the outcome of a National Review of Maternity and Neonatal Services to ensure that every mother and baby continued to get the best possible care from Scotland's health service, giving all children the best start in life.

The review had involved a wide range of people including professionals, academics, Third Sector representatives and Service Users. The resulting Best Start report was published in January 2017 with 76 recommendations.

The recommendations included the need for the right level of person-centred care which was of high quality, safe and accessible, supported vulnerable women and improved perinatal mental health services. Transport requirements would be focussed on safe and prompt transfer of neonatals and clear cot identification.

NHS Forth Valley was 1 of 5 Boards who had been selected to lead the way across NHS Scotland in implementing a package of recommendations from The Best Start report. Ms Jackie Rutherford and Ms Kirsty MacInnes, Best Start Project Leads provided further details of the work to provide a midwifery continuity of care model for all women, including vulnerable women and families, with local delivery of care. This included the establishment of an Alongside Midwifery Unit (AMU) to provide an alternative to homebirths or obstetric units and the development of Community Hubs to meet locality needs and enable women to access the majority of their antenatal and postnatal care in the community.

Baseline data had been collected and there would be ongoing audit and evaluation to ensure high quality service provision and proposed outcomes were achieved.

Detailed discussion followed regarding the considerable work involved to provide a sustainable service which was flexible and person centred, adapting to the individual's needs and requirements.

In response to a question from Councillor Black regarding the impact of the new model on midwives and their families, Ms Morton replied that this would be considered and evaluated during the piloting of both models of care; on-call and rostered. Ms Chisholm also enquired what midwives were 'most excited' about with the changes, Ms Rutherford explained that the continuity of care model provided an opportunity to spend more time with the women when required, to ensure they felt safe and supported throughout and the opportunity to reduce interventions.

The NHS Board thanked Ms Morton, Ms Jackie Rutherford and Ms Kirsty MacInnes for the informative presentation, noting the work involved to take the recommendations forward.

### **5.3 National Healthcare Associated Infection Reporting Template (HAIRT)**

The NHS Board received a paper "National Healthcare Associated Infection Reporting Template (HAIRT)", provided by Dr Graham Foster, Director of Public Health and Strategic Planning.

Dr Foster highlighted a slight change to the paper with the inclusion of funnel plots and trend lines providing further clarity and information.

The total number of Staphylococcus Aureus Bacteraemia (SABs) from April 2018 to date was 5; 3 Community and 2 Healthcare and no hospital acquired SABs.

The same period highlighted 3 cases of hospital acquired Clostridium difficile infection (CDI) which were attributed following appropriate antimicrobial therapy. There had been a rise in the total number of Device associated Bacteraemia (DABs) with 10 cases reported, and a breakdown of the focus areas was provided.

There were 3 surgical site infections highlighted; 2 relating to caesarean sections and 1 following large bowel surgery. Dr Foster advised that following a question raised by Mrs Chisholm at the previous NHS Board meeting regarding the number of infections relating to caesarean section, further investigation and discussions with colleagues from other NHS Boards had taken place. As a result local practice would be amended slightly and monitored to establish if this improved the number of surgical site infections.

There remained challenges with Estate and Cleaning Compliance regarding older estates such as Bellsdyke and Falkirk Community Hospital with further work required to improve standards.

Hand hygiene remained positive with 99% compliance. The World Health Organisation (WHO) had promoted its annual Hygiene Day on 5 May 2018, with staff, patients and visitors at Forth Valley Royal Hospital invited to have their photograph taken and displayed in the atrium of the hospital to demonstrate their support.

The NHS Board noted the update provided and the reassurance provided around infection.

## **6. HEALTH IMPROVEMENT AND INEQUALITIES**

### **6.1 Update on Public Health Reform**

The NHS Board considered a paper "Update on Public Health Reform", provided by Dr Graham Foster, Director of Public Health and Strategic Planning.

Following the recommendation from the review of public health in Scotland, work had commenced to deliver on the 3 commitments of the Health and Social Care Delivery Plan; agree national public health priorities, establish a new national public health body and develop local joint public health partnerships.



A Public Health Reform Oversight Board had been established with representatives from across the public health landscape, including the Convention of Scottish Local Authorities (COSLA), Society of Local Authority Chief Executives (SOLACE), NHS Chief Executives, Directors of Public Health, Integration Authorities, Third Sector and Staff Side representatives. The vision for the Public Health Reform Programme was 'a Scotland where everybody thrives' which also linked with NHS Forth Valley's Health Improvement Strategy 2017-2021, 'A Thriving Forth Valley'.

Dr Foster provided details of the work and engagement events undertaken to date and outlined the clear themes which had emerged and would inform a separate set of national principles:

1. We live in safe and healthy places
2. We flourish in our early years
3. We have good mental wellbeing
4. We reduce the use and harm from tobacco, alcohol and other drugs
5. We have an inclusive economy with fair share, of what we have, for all
6. We eat well and are active

To enable a culture for health in Scotland would require effective leadership nationally and locally. A public health body for Scotland would be established to support this and bring together national public health information and intelligence, health protection, and health improvement expertise and knowledge in a single body. It was proposed that the new body would commence in 2019.

Detailed discussion took place regarding the need for a national body and how a local targeted approach could be maintained. Clarification was sought regarding the 6 themes and whether they were equally weighted or if a particular principle would have a greater impact and whether the principle 'We have an inclusive economy with fair share, of what we have, for all' could be achieved. Dr Foster advised that he was not aware of the principles being weighted.

The NHS Board noted progress and asked that they be kept updated including the developments to establish local public health partnerships. The NHS Board approved the proposal to endorse the National Public Health Priorities before the formal launch in June 2018.

## **7. STRATEGIC PLANNING AND DEVELOPMENT**

### **7.1 Integration Update**

The NHS Board considered a paper "Integration Update", presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan provided an update on the ongoing commitment to integration and progress with the delegation of operational management arrangements to both Chief Officers for those services in-scope in two phases. She noted that the same report was due to be presented to both IJB meetings in June 2018.

Mrs Cowan confirmed that she intended to bring together the work to delegate operational arrangements being progressed in each of the Partnerships into a single group. She intended that she would lead the Group; this would avoid duplication and/or mixed messages – minutes of these meetings were intended to be shared with Local Authority, Partnership and Health Board leadership teams. Both Chief Officers supported by their Chief Financial Officers had been contributing to this work.

Mrs Cowan in introducing the report referred to the Integration legislation and the approved local Integration Schemes. The paper provided clarity on the responsibilities and relationships between IJBs, Health Boards and Local Authorities as well as providing clarity on the role of the Chief Officer. The role of Chief Officer was complex with two distinct and equal roles, these

included being accountable to the IJB for its strategic planning, commissioning and assurance or oversight roles in regard to service delivery by the Council and Health Board. In regard to operational management responsibilities the Chief Officer was accountable to the Chief Executive for NHS service delivery and to the Chief Executive of the Local Authority for social care service delivery. Mrs Cowan confirmed that the Chief Officer for the avoidance of doubt did not hold either the Health Board or Local Authority to account; Chief Officers were advisors to the IJB. The IJB was an independent entity with responsibility for reviewing service delivery and issuing directions to the Local Authority and Health Board. The Chief Officer as the operational lead for delivery of integrated services could not hold others to account for their own performance.

Mrs Cowan provided details of the functions which would be delegated to the Chief Officers from September 2018 (Phase 1) and the associated line management support including professional leads and budgets involved. For those services which were configured or delivered on a Forth Valley wide basis (Phase 2), arrangements were still be finalised to ensure optimal operational delivery and the hosting principles which would be used to inform this process were outlined. Work was underway by the Senior Leadership Team to meet the commitment of both Phases and the Chief Officers would be supported throughout the transition to ensure a smooth transfer of operational management.

Corporate Support would be provided to ensure the IJB business requirements were met, with NHS Forth Valley continuing to assist with the joint performance reporting of the required Local Authority and NHS Board 6 integration measures, along with risk responsibilities and strategic planning to assist the Chief Officers.

The NHS Board discussed the work involved and agreed the clarity provided was useful to ensure transparency and understanding of the requirements. While it provided assurance to staff that their employer would not be changing there was a need to ensure that management structures were simple and fit for purpose, working within NHS internal governance controls.

The importance of sustainable services which were appropriate and cost effective was highlighted and the need to involve those who provided the services in discussions about how those services could be improved/re-aligned.

Board members supported the direction set out in the paper, the significant progress being made and noted the assurance provided to develop integrated management arrangements to support the delegation of services.

## **8. CORE PERFORMANCE**

### **8.1 Executive Performance Report**

The NHS Board considered a paper "Executive Performance Report", presented by Mrs Cathie Cowan, Chief Executive.

Mrs Cowan provided an overview of the core performance for NHS Forth Valley for the period to end of April 2018. She highlighted that although performance in some areas was above the Scottish position performance continued to fall short of the standards set. Mrs Cowan highlighted the ongoing performance challenges in Child and Adolescent Mental Health Services (CAMHS) and Psychological Therapies. She had recently met with Health Improvement Scotland (HIS) to discuss a piece of work to support teams and further details regarding a Mental Health stakeholder event would be available soon, with NHS Board members welcome to be involved.

In terms of emergency access, overall Board compliance for April 2018 was 85.8% with 81.5% of patients waiting less than 4 hours in the Emergency Department. Work was ongoing to better understand the poor performance whilst reviewing the current processes to support timely first

assessment and admission. She highlighted that performance was often lost overnight and work to identify issues would be tested and improvements made. Mrs Cowan also referred to access standards and in particular the poor Treatment Time Guarantee (TTG) compliance.

Professor Wallace provided a brief update regarding the overall position for complaints in March with 72.5% against the 20 working day complaint response target of 80%. The Patient Relations Team had been working to raise awareness regarding the recording and management of complaints under the Early Resolution process (Stage 1) and as a result there had been an overall rise in the number these complaints noted. She highlighted that where complaints were due to the long waiting times, communication was vital to ensure patients were informed and supported.

Dr Foster confirmed that the main areas regarding the 'Safe Dimension of Quality' had been covered within the HAIRT report.

The NHS Board discussed the need for in depth reporting being simpler with access to data to support the executive summary; it was felt that this would enable appropriate scrutiny. Although data was interrogated through various Governance Committees it was agreed that further probing at Board level of significant areas and the work to address challenges would be beneficial.

The NHS Board noted the update provided and the ongoing work to develop and enhance the report further to ensure it was open and transparent.

## **8.2 Finance Report**

The NHS Board considered a paper "Financial Report for Period Ended 30 April 2018", presented by Mr Scott Urquhart, Director of Finance.

Mr Urquhart provided a summary of the financial position for NHS Forth Valley to 30 April 2018 with a year [to date](#) overspend of £0.424m. The majority of overspend had arisen from savings yet to be delivered and the continuation of 2017/18 service pressures, including the extended use of temporary additional winter contingencies to deal with demand and delays in discharge into [May](#) 2018.

The in-year position comprised of an overspend on Health and Social Care Partnership (H&SCP) services, with £0.231 due to prescribing and Community Hospitals and an overspend on Clinical Directorates and Estates and Facilities area of £0.193.

Directions had been received from both IJBs to deliver the in-scope services within the initial 2018/19 budget and these would be covered under Item 9.1 of the agenda. Mrs Cowan highlighted the tone of the letters introducing the Directions by Chief Officers which IJBs should be aware of to ensure staff working in the Partnership, were encouraged to test ideas and feel empowered.

Delivery of a balanced financial out-turn for 2018/19 would require sustained effort to deliver cost reductions including those set out in the savings plan, with updates on progress to be provided to the Performance and Resources Committee. Outturn projections for Directorates would be provided from the end of the first quarter.

The annual review of financial statements were being finalised by the Board's External Auditors and the draft audited Annual Accounts were due to be presented to the Audit Committee on 8 June 2018 and for approval at the NHS Board meeting on 15 June 2018.

Mr Urquhart highlighted key financial risks which would continue to be revised throughout the year including; national pay settlement and associated funding arrangements (with further potential risk due to the national developments with 'Pay as if at Work' arrangements), property

sales which impacted on both capital and revenue and were subject to variation and potential timing change, and funding arrangements still to be clarified to support delivery of 12 week TGG and the 12 week outpatient target wait. Details had been received regarding funding arrangements in support of new 'Investment in Reform' monies including Mental Health and Primary Care areas although it was noted that some of this had already been committed or included in baseline figures. A further update would be prepared and circulated outlining the details of the funding breakdown.

Mrs Cowan outlined the opportunity for a whole system redesign to improve: access to services, TTG compliance and utilisation of the NHS Board's wider estate including community hospitals. Discussions with the Scottish Government to share her proposals had begun; this included utilisation of theatres on the Forth Valley Royal Hospital site and the services to support additional capacity. She added that to oversee this and other NHS Board priorities as described in the approved Health Care Strategy (Shaping the Future) would be directed, with pace through 6 Programme Boards. The Programme Board decision making structure had been shared with the Senior Leadership Team and their input into this new way of working sought. These Boards were now being introduced along the lines of the Unscheduled Programme Board in line with national policy direction.

The NHS Board noted the efforts required to bring the accounts in on budget and discussed the impact of performance on finances and how this could be reflected in reports going forward.

The NHS Board noted:

- The revenue overspend of £0.424m to 30 April 2018
- The balanced capital position to 30 April 2018
- The updated position on savings with £14.898m identified at 30 April 2018
- The ongoing work to reduce yet to be identified cash savings of £3.509m and to further mitigate identified risks

### **8.3 Communications Quarterly Update Report**

The NHS Board considered a paper "Communications Quarterly Update Report", presented by Mrs Elsbeth Campbell, Head of Communication.

Mrs Campbell provided an update on the ongoing work to develop and improve internal and external communication across the organisation and in line with the plans and priorities set out in NHS Forth Valley's Communication Strategy.

Social media continued to increase with nearly 10,000 likes on Facebook and over 9,000 on Twitter. This format of communication had been used extensively during the recent period of adverse weather to share information and service updates as well as provide advice and reassurance.

The success of Modern Apprenticeships within NHS Forth Valley, a contributing factor in the recent Investor in People Gold award, had been highlighted through a joint campaign with Forth Valley College which was launched during the Scottish Apprenticeship Week in March 2018 and promoted widely through social media.

Details were provided regarding a number of new initiatives and service developments including; the recent visit by Economy Secretary Keith Brown to the new Stirling Health and Care Village development, the delivery of a £1m MRI scanner to Forth Valley Royal Hospital in February 2018 and the pilot scheme in a number of local GP practices for patients to take their own blood pressure readings using equipment provided and to then text in the results, any necessary intervention would be then taken if required.

Mrs Campbell highlighted the new programme, Closing the Spoken Language and Attainment Gap which was designed to give all children greater skills with words and communication. This had been shown to improve not only learning and behaviours but also mental health and future life chances. She noted that children at Bankier Primary School in Falkirk had substantially increased their language skills thanks to the support of NHS Forth Valley's speech and language therapists and the programme.

The NHS Board noted the update provided.

#### **8.4 NHS 70<sup>th</sup> Anniversary Update**

The NHS Board considered a paper "NHS 70<sup>th</sup> Anniversary Update", presented by Mrs Elsbeth Campbell, Head of Communication.

Mrs Campbell provided details regarding the various national and local plans to celebrate the 70<sup>th</sup> Anniversary of the NHS on 5 July 2018 and highlight not only its achievements but the difference made to people's lives.

The NHS Board noted the update provided.

### **9. GOVERNANCE**

#### **9.1 Directions from Integration Joint Boards**

The NHS Board considered a paper "Directions from Integration Joint Boards", presented by Mr Scott Urquhart, Director of Finance.

Mr Urquhart presented the formal Directions for 2018/19 received from both Integration Joint Boards (IJBs) outlining the budgets to be delegated to each Partnership.

The NHS Board noted the Directions as approved by Falkirk IJB and Clackmannanshire and Stirling IJB.

#### **9.2 Governance Committee Minutes**

##### **9.2.1 Staff Governance Committee – 15 September 2017, 15 December 2017 and 20 March 2018**

The NHS Board noted the minute of the Staff Governance Committee meetings held on 15 September 2017 and 15 December 2017 and the draft minute of the meeting held on 20 March 2018.

##### **9.2.2 Performance and Resources Committee: 27 February 2018 and 24 April 2018**

The NHS Board noted the minute of the Performance and Resources Committee meeting held on 27 February 2018 and the draft minute of the meeting held on 24 April 2018.

##### **9.2.3 Clinical Governance Committee – 13 April 2018**

The NHS Board noted the draft minute of the Clinical Governance Committee meeting held on 13 April 2018.

#### **9.3 Integration Joint Board Minutes**

##### **9.3.1 Falkirk Integration Joint Board**

##### **9.3.1.1 Meeting held on 1 December 2017**

The NHS Board noted the minute of the Falkirk IJB meeting held on 1 December 2017.

**9.3.1.2 Meeting held on 2 February 2018**

The NHS Board noted the minute of the Falkirk IJB meeting held on 2 February 2018.

**9.3.1.3 Special meeting held on 16 March 2018**

The NHS Board noted the minute of the Special Meeting of the Falkirk IJB held on 16 March 2018.

**9.3.2 Clackmannanshire and Stirling Integration Joint Board: 13 December 2017**

The NHS Board noted the minute of the Clackmannanshire and Stirling IJB meeting held on 13 December 2017.

**ANY OTHER COMPETENT BUSINESS**

There being no other competent business, the Chairman closed the meeting at 12.10pm.