

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 17 JANUARY 2011 commencing at 10.20 a.m.**

**PRESENT:** Councillors Buchanan, Constable, Lemetti, Mahoney (for application P/10/0548/FUL), A MacDonald (for application P/10/0548/FUL), McLuckie, McNeill, Nicol and Thomson.

**CONVENER:** Councillor Buchanan.

**ATTENDING:** Development Manager (for application P/10/0548/FUL); Network Coordinator (for agenda item P160); Solicitor (K Quin); and Committee Officer (A Sobieraj).

**DECLARATIONS OF INTEREST:** None.

**P159. SUBDIVISION AND CHANGE OF USE OF CLASS 1 SHOP UNIT TO FORM 3 CLASS 2 UNITS AND ALTERATIONS TO SHOPFRONT AT 53 SOUTH STREET, BO'NESS EH51 9HA FOR SHANTER SECURITIES LTD – P/10/0548/FUL**

With reference to Minute of Meeting of the Planning Committee held on 1 December 2010 (Paragraph P153 refers), Committee gave further consideration to Report (circulated) dated 24 November 2010 on an application for full planning permission for the subdivision and change of use of a former class 1 shop unit to form three class 2 units and alterations to a shopfront at 53 South Street, Bo'ness.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

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

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 26 January 2011.

**P160. ON-STREET PARKING SPACES FOR DISABLED PERSONS, CASTINGS AVENUE, FALKIRK**

With reference to Minute of Meeting of the Planning Committee held on 1 December 2010 (Paragraph P143 refers), Committee gave further consideration to Report (circulated) dated 24 November 2010 by the Director of Development Services seeking a decision on three applications for disabled parking spaces numbered 10/035, 10/060 and 10/063 from residents of Castings Avenue, Falkirk.

The Convener introduced the parties present.

Following requests for clarification by Members of the Committee and local members present, the Convener and the Solicitor (K Quin) confirmed the reason that the applicants and objectors had not been invited to attend and make representations to the site meeting. The governing legislation for roads procedures of this nature, the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, set down formal requirements and timescales for objections to Orders to be made and if it were determined by the authority that a Hearing should be held, the Hearing required to be conducted by an independent reporter appointed by the authority from a list of persons compiled by the Scottish Ministers and in accordance with procedures determined by the reporter. To hear objectors at a site visit of this nature would not be in compliance with the procedures set down in the legislation. The Hearing process set down in the 1999 Regulations was referred to at paragraph 1.2 of the said Report by the Director of Development Services dated 24 November 2010. Members of the Committee were however fully apprised of the written objections received during the statutory objection period and the objections received by 6 September 2010.

The Network Co-ordinator outlined the nature of the applications.

Questions were then asked by Members of the Committee and Councillors Meiklejohn and Alexander, local members for the area.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 26 January 2011.