

INDEX

Committee Meetings	<i>Date</i>	<i>Page Nos</i>
1. Appeals	2 December 2011	432 – 433
2. Planning	5 December 2011	434 – 439
3. Falkirk Council	7 December 2011	440 – 454
4. Planning Review	15 December 2011	455 – 457
5. Planning On-Site	19 December 2011	458 – 464
6. Appointments	10 January 2012	465
7. Reconvened Appointments	10 January 2012	466 – 467
8. Policy and Resources	17 January 2012	468 – 473
9. Civic Licensing	18 January 2012	474 – 478
10. Special Falkirk Council	23 January 2012	479 – 482
11. Environment and Community Safety	24 January 2012	483 – 485
12. Appointments	24 January 2012	486
13. Appointments	30 January 2012	487
14. Appointments	31 January 2012	488
15. Education	31 January 2012	489 – 491
16. Planning	1 February 2012	492 – 503
17. Special Policy and Resources	8 February 2012	504
18. Special Falkirk Council	8 February 2012	505 – 511
19. Planning Review	9 February 2012	512 – 514
20. Housing and Social Care	14 February 2012	515 – 523
21. Civic Events Panel	14 February 2012	524 – 525
22. Joint Consultative	15 February 2012	526 – 527
23. Planning On-Site	20 February 2012	528 – 533
24. Policy and Resources	21 February 2012	534 – 539
25. Appointments	21 February 2012	540
26. Civic Licensing	23 February 2012	541 – 547
27. Leisure Tourism and Community	28 February 2012	548 – 551
28. Investment	1 March 2012	552 – 556
29. Common Good Sub-Committee Falkirk	2 March 2012	557
30. Appointments	5 March 2012	558
31. Economic Strategy and Development	6 March 2012	To Follow

<i>Working Group Meetings</i>	<i>Date</i>	<i>Page No.</i>
Best Value Forum	9 December 2012	36 – 37
Best Value Forum	2 February 2012	38 – 41
Best Value Forum	2 March 2012	42 – 44

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPEALS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 2 DECEMBER 2011 at 10.00 am.

PRESENT: Councillors Blackwood, McLuckie and Turner.

CONVENER: Councillor McLuckie.

APOLOGIES: Councillors Alexander, Gow, Jackson, McNeill and Patrick.

ATTENDING: Senior HR Adviser (K Docherty); Legal Services Manager (C Moodie) and Committee Services Officer (S Barton).

A17. EXCLUSION OF PUBLIC

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

A18. APPEAL AGAINST DISMISSAL

There were submitted (circulated) copies of (a) Note of Procedure; (b) Notification of Appeal received on 25 October 2011, and (c) Submission from Head of Educational Support and Improvement.

The Legal Services Manager and K Docherty, Senior HR Adviser were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Mrs J, was present and was represented by A Coutts, GMB.

Ms S Imam was also in attendance to provide interpretation services for the Appellant.

The Head of Educational Support and Improvement and Human Resources Adviser, C Haston were present as representatives of the Council.

The Appellant's representative presented her case.

The Head of Educational Support and Improvement presented the case on behalf of the Council. He called 2 witnesses and led evidence from both in support of his submission.

Members of the Committee asked questions of the Head of Educational Support and Improvement and both witnesses.

The Head of Educational Support and Improvement summarised the case on behalf of the Council.

The Appellant's representative summarised her case.

Both parties to the appeal withdrew.

The Committee gave careful consideration to all the circumstances of the case but were satisfied that the decision by the Head of Educational Support and Improvement to dismiss the Appellant was justified in this case. It accordingly **REFUSED** the appeal.

The parties to the appeal were recalled and the decision intimated to them.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 5 DECEMBER 2011 at 9.30 A.M.

PRESENT: Councillors Alexander, Buchanan, Carleschi, Lemetti, Mahoney, McLuckie, Nicol, Oliver, Thomson and Turner.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors C Martin and McNeill.

ATTENDING: Director of Development Services; Chief Governance Officer; Head of Planning and Transportation; Development Manager; Roads Development Co-ordinator (B Raeburn); Environmental Health Officer (S Henderson); Team Leader, Legal Services (D Blyth); and Committee Officer (A Sobieraj).

DECLARATION

OF INTEREST: Councillor McLuckie declared a non financial interest in agenda items 12 and 13 (minute P119 and P120), as he had served on a Committee which had allocated funding to the organisation, and stated that he would take no part in consideration of these items of business.

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

- Councillors Mahoney, Nicol and Buchanan informed the Committee that as they had not attended the site visit they would not take part in consideration of planning application P/11/0156/MRL (minute P108).

P107. MINUTES

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 2 November 2011; and
- (b) Minute of Meeting of the Planning Committee held On-Site on 14 November 2011.

Councillor Buchanan left the Chair prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

P108. EXTRACTION OF DIMENSION SANDSTONE AT DRUMHEAD QUARRY DENNY FOR MR AND MRS D GRAHAM - P/11/0156/MRL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 2 November 2011 (Paragraph P104 refers), Committee gave further consideration to Report (circulated) dated 25 October 2011 by the Director of Development Services and an additional Report (circulated) dated 24 November 2011 by the said Director on an application for mineral resource level permission for a local development for the phased extraction of dimension sandstone and aggregate stone and the associated phased restoration at a site at Drumhead Quarry, Denny.

AGREED to **CONTINUE** consideration for further information in relation to options for an alternative entry to and egress from the site due to concerns relating to road safety.

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

P109. REQUESTS FOR SITE VISITS

Having heard requests by Members for site visits, the Committee agreed to the continuation of planning applications P/11/0482/PPP, P/11/0500/FUL, P/11/0131/FUL, P/11/0627/FUL and P/11/0621/PPP (minute P110, P111, P114, P115 and P116) to allow an inspection of the sites by the Committee.

In accordance with the immediately proceeding decision, **NOTED** that the following two items had been continued to a future meeting to allow inspections of the sites by Committee:-

P110. ERECTION OF BED AND BREAKFAST AND GUESTHOUSE (CLASS 7) AT TIPPETCRAIG, BONNYBRIDGE FK4 2EU FOR MR STEVEN CAIRNS - P/11/0482/PPP

P111. CHANGE OF USE FROM SHOP (CLASS 1) TO HOT FOOD TAKE-AWAY AT THE VILLAGE SHOP REDHOUSE INDUSTRIAL ESTATE, SHIELDHILL ROAD, REDDINGMUIRHEAD, FALKIRK FK2 0DT FOR MR MARIO MORROCCO - P/11/0500/FUL

P112. CHANGE OF USE FROM PUBLIC HOUSE TO HOT FOOD TAKEAWAY AT THE CRITERION, 6 STIRLING STREET, DENNY FK6 6DU FOR SUNSHINE FOODS - P/11/0512/FUL

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services on an application for full planning permission for the change of use from a public house to a hot food takeaway, including alterations at the Criterion, 6 Stirling Street, Denny.

AGREED to **REFUSE** planning permission on the basis that there would be an adverse impact on road safety.

P113. AMEND AFFORDABLE HOUSING TENURE WITHIN LEGAL AGREEMENT - ERECTION OF 16 FLATTED DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING AT THE ROYAL BRITISH LEGION, PARK TERRACE, BRIGHTONS, FALKIRK FOR LINK GROUP - P/09/0866/FUL

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services seeking an amendment to the legal agreement in relation to application P/09/0866/FUL approved on 24 March 2010 (the report by the said Director to that Committee being attached as an appendix) to the extent of amending the reference to 'social' housing rent to 'affordable' rent housing in respect of the 16 two bedroom flats to be erected at the Royal British Legion, Park Terrace, Brightons, Falkirk.

AGREED to **GRANT** the change of housing tenure from social rent to affordable rent.

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

P114. ERECTION OF OUTBUILDING, SITING OF TEMPORARY RESIDENTIAL CARAVAN AND FORMATION OF ALL WEATHER EQUESTRIAN SCHOOLING AREA (RETROSPECTIVE) AND ERECTION OF DWELLINGHOUSE ON LAND TO THE NORTH OF SALTERHILL FARM, SLAMANNAN ROAD, LIMERIGG FOR MR AND MRS D POLLOCK - P/11/0131/FUL

P115. CHANGE OF USE FROM BUILDERS STORAGE AREA (CLASS 6) TO SALE AND REPAIR OF MOTOR VEHICLES (RENEWAL OF PLANNING PERMISSION P/09/0862/FUL) AT MORVEN CONSTRUCTION LTD, GRANARY SQUARE, BANKSIDE, FALKIRK FK2 7XJ FOR MORVEN MOTORCYCLES - P/11/0627/FUL

P116. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES, ASSOCIATED ACCESS ROAD AND LANDSCAPING WORKS ON LAND TO THE NORTH WEST OF DENOVAN COTTAGE, DENNY FOR MRS BRENDA MACCONNELL - P/11/0621/PPP

P117. DISCHARGE OF AGREEMENT ON PLANNING PERMISSION F/86/514, REMOVING THE RESTRICTION ON (A) THE OCCUPATION OF THE DWELLINGHOUSE TO A PERSON CONNECTED WITH OR EMPLOYED IN AGRICULTURE AND THE DEPENDENTS OF SUCH A PERSON; AND (B) THE SALE OF THE DWELLINGHOUSE TO A PERSON EMPLOYED IN OR CONNECTED WITH AGRICULTURE AT ALMONDHALL FARM, FALKIRK FK2 0YG FOR MR JAMES D SMITH - P/11/0551/75D

There was submitted Report (circulated) dated 24 November 2011 by the Director of Development Services on a request to discharge an agreement made under the terms of Section 50 of the Town and Country Planning (Scotland) Act 1972 (now Section 75 of the Town and Country Planning (Scotland) Act 1997) relating to restrictions on the occupation and sale of the existing farmhouse at a site located to the east of Falkirk, on the southern end of the Union Canal and accessed directly from the A801 at Almondhall Farm, Falkirk.

AGREED to the discharge of the existing Section 50 Agreement restricting the occupancy and sale of Almondhall Farm, Falkirk.

P118. SITING OF SNACK VAN AT FOUNDRY LOAN (EAST) CAR PARK, FOUNDRY LOAN, LARBERT FOR MISS DIMITRA PERROU - P/11/0619/FUL

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services on an application for full planning permission for use of the area at Larbert train station car park for the siting of a snack van, measuring approximately 2.5 metres by 1.5 metres, at Foundry Loan (East) Car Park, Foundry Loan, Larbert.

The applicant, who was present as an observer at the meeting, was asked for further information by Members relating to the proposed hours of operation.

AGREED to **GRANT** planning permission, subject to the following conditions:-

- (1) The permission shall be valid for a limited period until 31 December 2014 and, at that time, unless further permission is granted, the site shall be vacated, cleared and left in a neat and tidy condition.
- (2) The hours of operation will not be before 6 a.m. or after 6 p.m.

Reason:-

- (1) The proposal is not considered to be a suitable form of permanent development.

Informative:-

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

Councillor McLuckie left the meeting prior to consideration of the following items of business.

P119. SITING OF A STORAGE CONTAINER (RETROSPECTIVE) AT SHIELDHILL YOUTH COMMUNITY HALL, MAIN STREET, SHIELDHILL. FALKIRK FOR SHIELDHILL FLUTE BAND - P/11/0674/FUL

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services on an application for full planning permission to regularise the presence of a storage container adjacent to an existing modular building used as a band hall and youth/community hall on land to the north of 26 Elim Drive, Main Street, Shieldhill, Falkirk.

AGREED to GRANT temporary planning permission, subject to the following conditions:-

- (1) The permission shall be valid for a limited period until 1 December 2016 and, at that time, unless further permission is granted, the storage container shall be removed and the site reinstated to its original condition.
- (2) The external appearance of the container shall be maintained in a neat and tidy condition, with further information regarding maintenance to be submitted to and approved in writing by the Planning Authority.

Reason(s):-

- (1) The proposal is not considered to be a suitable form of permanent development.
- (2) To protect visual amenity.

P120. ERECTION OF MODULAR BUILDING FOR USE AS BAND HALL AND YOUTH/COMMUNITY HALL - DELETION OF CONDITION 2 AT SHIELDHILL YOUTH COMMUNITY HALL, MAIN STREET, SHIELDHILL, FALKIRK FOR SHIELDHILL FLUTE BAND - P/11/0685/VRC

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services together with a Report (circulated) dated 17 September 2007 seeking modification of planning condition 2 relating to permission P/07/0432/FUL which restricted the time limit for erecting a modular building for use as a band hall and

youth/community hall on land to the north of 26 Elm Drive, Main Street, Shieldhill, Falkirk.

AGREED that planning condition 2 relating to planning application P/07/0432/FUL be amended to read as follows:-

- (2) The permission shall be valid for a limited period until 1 December 2016 and, at that time, unless further permission is granted, the modular building shall be removed and the site reinstated to its original condition.

Reason:-

- (2) The proposal is not considered to be a suitable form of permanent development.

Informative:-

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

DRAFT

MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 7 DECEMBER 2011 at 9.45 AM.

PRESENT: Provost Reid; Depute Provost Black; Councillors Alexander, Blackwood, Buchanan, Carleschi, Coleman, Fry (Items FC61-65), Goldie, Gow, Hughes, Jackson, Kenna, Lemetti, A MacDonald (Items FC67-77), C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNally, Meiklejohn, Nicol, Nimmo, Oliver (Items FC61-79), Patrick, Ritchie, Spears (Items FC61-75), Thomson, Turner and Waddell.

CONVENER: Provost Reid.

APOLOGY: Councillor McNeill.

ATTENDING: Chief Executive; Directors of Corporate and Neighbourhood Services, of Development Services and of Social Work Services; Chief Finance Officer, Chief Governance Officer; Heads of Planning & Transportation, of Economic Development & Environmental Services and of Housing; Legal Services Manager (C Moodie), Building Design Manager, Human Resources Manager and Democratic Services Manager.

ALSO

ATTENDING: H Coutts, (Chairman), D Hearsum (Chief Executive) and K Welsh, (Board Member), Order of Malta, Dial-A-Journey Ltd (For Item FC65 only) and Rev. N Graham, 21st Century for Denny (For Item FC66 only).

DECLARATIONS

OF INTEREST: Councillors C R Martin and Gow declared a non financial interest in Item FC73 as members of the Board of the Helix Trust but did not consider that this required them to recuse themselves from consideration of the item, having regard to the objective test in the Code of Conduct.

Councillor McNally declared a financial interest in item FC66 as the owner of a business in Denny town centre and consequently stated that he would take no part in the discussion and decision making on this item.

Depute Provost Black declared a non financial interest in item FC65 as a family member is a recipient of Dial-a-Journey services but did not consider that this required her to recuse herself from consideration of this item, having regard to the objective test in the Code of Conduct.

Councillor C Martin declared a financial interest in item FC80 as his spouse was an employee of Falkirk Council and consequently stated that he would take no part in the discussion and decision making on this item.

FC61. ORDER OF BUSINESS

In terms of Standing Order 15.2(i), Provost Reid varied the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken at the meeting.

FC62. OPENING REMARKS

The Provost advised that he had received a request from 21st Century Denny that, should Council agree to receive the deputation at item FC67, the organisation be allowed to film the contribution from the deputation and any subsequent discussion on the item. Provost Reid confirmed that, he would permit the filming of the speaker from the deputation only.

FC63. MINUTES AND INFORMATION BULLETIN

- (a) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 5 October 2011.
- (b) There was submitted (circulated) and **NOTED** Volume of Minutes – Volume 4 2011/2012; and
- (c) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 4 2011/2012.

FC64. QUESTION**Question by Councillor McNally**

Provost, at the Leisure Tourism and Community meeting on the 22 November 2011 Convener Mahoney, Councillors Nicol and McNally were given permission to approach the Chief Executive by the Committee on the serious question of Officers disregarding clear instructions from the Committee to carry out an exit survey in June this year at the Falkirk Wheel.

At the subsequent meeting with the Chief Executive after the meeting closed, she promised to meet with the Director that afternoon of 22 November.

Can she update the Council today on the outcome of that meeting?

Response by Provost Reid

The outcome of the discussion between the Chief Executive and the Service Director is that the Director has carried out a fact finding exercise in line with the Council's normal process and will take action as appropriate.

FC65. ACCESSIBLE TRANSPORT AND SHOPMOBILITY – ORDER OF MALTA DIAL-A-JOURNEY LTD

In terms of the Council's Scheme of Delegation, this item had been called in to Council by Councillors Alexander and Kenna.

With reference to Standing Order 30, Provost Reid referred to an application made by Order of Malta Dial-a-Journey Ltd for a deputation to be heard at the meeting in respect of this item.

Council **CONSENTED** to hear the deputation.

Mr H Coutts, Chairman, Dial-a-Journey, accompanied by Mr D Hearsum, Chief Executive and Ms K Welsh, Chair of the Stakeholders Group, addressed Council on proposals to tender for the provision of accessible transport services and in particular the Council's duties in regard to the Equalities Act 2010.

Council then asked questions of Mr Coutts, Mr Hearsum and Ms Welsh.

Thereafter, there was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 15 November 2011, and (b) Report by the Director of Development Services to the said meeting presenting an update on options for the delivery of accessible transport.

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

- (1) operation of the Shopmobility service be offered to the Order of Malta Dial-a-Journey under a new Service Level Agreement from 1 April 2012 to 31 March 2017 at £49,000 (plus inflation) per annum for acceptance within one month of the offer;
- (2) the already authorised Service Level Agreement from April to September 2012 be extended to 31 March 2013;
- (3) a tender is issued for the Accessible Transport and Taxicard Booking Service for the Falkirk Council area only, and
- (4) funding of the Accessible Transport, Shopmobility and Taxicard Booking Services be exempted from the annual corporate external funding review because they are reviewed on a longer term basis by the Policy and Resources Committee.

By way of an Amendment, Councillor Meiklejohn, seconded by Councillor McNally, moved that Council:-

- (1) does not put out to tender the Dial-a-Journey and Shopmobility Services as detailed within paragraph 3.1 of the Report, but instead agrees to enter into a Service Level Agreement for both services from 2012 – 2017;
- (2) recognises the overfunding of the Shopmobility element of the company was cross subsidising the Dial-a-Journey element and therefore agrees not to reclaim the £15,000 referred to in paragraph 2.3.4 of the Report;
- (3) agrees that the funding for the 2012/13 financial year be set at current year levels plus inflation, and
- (4) continues to work with colleagues in Stirling and Clackmannanshire Councils to ensure the continuation of the Forth Valley wide service, with officers reporting back on the outcome of negotiations

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 30 Members present with voting as undernoted:-

For the Motion (17) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, Fry, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (13) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, McNally, Meiklejohn, Oliver, Ritchie, Spears, Thomson and Turner.

Accordingly, **AGREED** in terms of the Motion.

Councillor Fry left the meeting following consideration of the foregoing item of business.

In accordance with his declaration of interest in the following item of business, Councillor McNally withdrew from the meeting and took no part in the discussion and decision.

FC66. DENNY TOWN CENTRE REGENERATION: UPDATE REPORT

With reference to Standing Order 30, Provost Reid referred to an application made by 21st Century Denny for a deputation to be heard at the meeting in respect of this item.

Council **CONSENTED** to hear the deputation. Provost Reid reminded members of his decision to allow the filming of the deputation only.

Rev N Graham, Denny gave details of a petition organised by 21st Century Denny on behalf of the Denny, Banknock, Hags and Longcroft Community Council on the Council's proposals to regenerate Denny Town Centre and called on Council to work with the group to identify alternatives to the current proposals.

Council then asked questions of Rev. Graham.

Thereafter, with reference to Minute of Meeting held on 5 October 2011, (Paragraph FC 46(b) refers), there was submitted Report (circulated) dated 28 November 2011 by the Director of Development Services (a) presenting the outcomes from a consultation on the Council's Denny Town Centre Regeneration Project Stage 1, and (b) setting out proposals for the next stages of the consultation process.

Councillor Mahoney, seconded by Councillor Lemetti, moved that Council notes:-

- (1) the completion of the Town Centre Regeneration Strategy Consultation Stage 1 and the feedback received on the Council's approach to delivery of the scheme, and
- (2) the proposals to conduct further stages of consultation as part of the planning process for delivery of the Denny town centre regeneration project.

By way of an Amendment, Councillor Oliver, seconded by Councillor Coleman, moved that:-

"Council has no confidence in the Stage 1 consultation process carried out and calls for a more robust and wide ranging Stage 1 consultation exercise to be carried out, prior to moving onto Stage 2 of the Denny Town Centre Regeneration process".

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 28 Members present with voting as undernoted:-

For the Motion (16) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (12) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, Meiklejohn, Oliver, Spears, Ritchie, Thomson and Turner.

Accordingly, **AGREED** in terms of the Motion.

Council then adjourned for lunch at 1.15pm and reconvened at 2pm with all members present as per the sederunt, with the exception of Councillor Fry who had left the meeting after item FC65, Councillor Goldie who re-joined the meeting during item FC70 and Councillor A MacDonald who joined the meeting at this point in the proceedings.

FC67. ZERO WASTE UPDATE

In terms of the Council's Scheme of Delegation, this item had been called in to Council by Councillors Jackson, Meiklejohn, Oliver and Ritchie.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Environment and Community Safety Committee held on 25 October 2011, and (b) Report by the Director of Development Services to the said meeting providing an update on the Council's progress towards European Union and Scottish Government landfill diversion and recycling targets.

The Director also provided a verbal update on progress following the meeting on 25 October and advised that a draft waste strategy business plan had been submitted to the Scottish Government.

Having heard from the Director and following discussion, Councillors Jackson, Meiklejohn, Oliver and Ritchie, with the consent of the Provost, withdrew their call-in.

FC68. REFERRAL FROM INVESTMENT COMMITTEE – 24 NOVEMBER 2011

There was submitted (circulated) (a) Report by the Chief Finance Officer dated 24 November 2011, and (b) Report by the Chief Finance Officer submitted to the meeting of the Investment Committee on 24 November 2011 (i) presenting the outcomes of a consultation on proposed pension fund governance arrangements, and (ii) setting out arrangements for the implementation of the proposed revised governance arrangements.

AGREED:-

- (1) to approve the proposals set out in the Stakeholder Consultation document – “Revised Governance Arrangements” as set out in the Report;
- (2) that the number of Falkirk Council Members on the Pensions Committee be set at six;
- (3) that the membership of the Pensions Panel be limited to fifteen;
- (4) to authorise officers to progress matters in accordance with the Stakeholder Consultation, and
- (5) to instruct officers to report back to the Investment Committee in March.

FC69. SIXTH PERIODICAL REVIEW OF UK PARLIAMENT CONSTITUENCIES

There was submitted Report (circulated) dated 28 November 2011 by the Chief Executive (a) advising that the Boundary Commission for Scotland had published its proposals for revised UK Parliamentary constituencies for consultation; (b) summarising proposals for the area comprising Falkirk Council, and (c) recommending that officers be authorised to respond on behalf of the Council to those proposals.

NOTED:-

- (1) the initial proposals for the UK Parliament constituencies within the Falkirk Council area, as outlined within the body of the report and as detailed on the maps available for inspection at the locations listed in paragraph 3.1 and on the Boundary Commission’s website;
- (2) the details of the consultation and review processes, and
- (3) that further update reports will be submitted to Council as the review progresses.

AGREED to support the Commission's initial proposals for UK Parliament constituencies in the Falkirk Council area including the retention of the existing constituency names.

FC70. SPENDING REVIEW 2011

With reference to the Minute of Meeting held on 5 October 2011 (Paragraph FC50 refers), there was submitted Report (circulated) dated 23 November 2011 by the Chief Finance Officer advising that, in order to secure their full funding allocation, Council is required by the Scottish Government to confirm in writing that it will fulfil a number of financial commitments set out by the Government.

NOTED the contents of the report.

AGREED to remit to the Leader of the Council and the Chief Executive to approve the Conditions Letter from the Scottish Government and thereby secure the Council's grant entitlement.

Councillor Goldie re-joined the meeting during consideration of the foregoing item of business.

FC71. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 24 November 2011 by the Chief Governance Officer advising of the deeds which had been signed and sealed on behalf of the Council since its last meeting.

NOTED the signing and sealing by the Chief Governance Officer of the deeds as detailed in the Appendix to the Report.

FC72. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A (4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 8 & 10 of Part 1 of Schedule 7A of the said Act.

FC73. ACCEPTANCE OF TENDERS OVER £350,000 - CONTRACT FOR THE HELIX CANAL (FAL 6650-008)

With reference to the Minute of Meeting of the Policy and Resources Committee held on 10 March 2009 (Paragraph PR117 refers), there was submitted Report (circulated) dated 29 November 2011 by the Director of Development Services (a) summarising the tender process for the contract for the extension of the Forth & Clyde Canal, as part of the Helix Project, and (b) recommending acceptance of the lowest checked tender.

AGREED, in accordance with Standing Order 6.2(iv), to accept the tender submitted by Balfour Beatty Regional Civil Engineering Limited, Northern Division Central Scotland, Deanhouse, 24 Ravelstone Terrace, Edinburgh, EH4 3TP in the sum of £13,416,799.68 in respect of the contract for the Helix Canal.

FC74. FALKIRK COUNCIL GAELIC LANGUAGE PLAN

In terms of the Council's Scheme of Delegation, this item had been called in to Council by Councillors Alexander and Kenna.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 18 October 2011, and (b) Report by the Director of Education Services submitted to the said meeting (i) advising on feedback from consultation on a draft Gaelic Language Plan, and (ii) outlining the funding that has been provided to support the implementation of the Plan.

The Chief Executive provided a verbal update on the progress of implementation of the Plan and advised that currently 12 teachers within the Falkirk Council area were qualified in Gaelic Language provision.

AGREED to approve the amended Gaelic Language Plan for submission to Bòrd na Gàidhlig.

FC75. REFERRAL FROM BEST VALUE FORUM – 4 NOVEMBER 2011 - REFUSE COLLECTION

In terms of the Council's Scheme of Delegation, this item had been called in to Council by Councillors Alexander and Kenna.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 15 November 2011, and (b) Report by the Director of Corporate and Neighbourhood Services to the said meeting (i) providing an update on the implementation of Council's decision to competitively tender of the work of the refuse collection service and to allow, in tandem, the in-house provider to develop an implementation plan, and (ii) setting out the next stages of the procurement process.

Councillor C Martin, seconded by Councillor C MacDonald, moved the recommendations as set out in the Report.

By way of an Amendment, Councillor Alexander, seconded by Councillor Jackson, moved that:-

“Council does not accept the recommendations contained within the Report and awaits the Report from the Improvement Team on the outcome of the action plan”.

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 30 Members present with voting as undernoted:-

For the Motion (16) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (14) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Ritchie, Spears, Thomson and Turner.

Accordingly, **AGREED** to issue a Contract Notice and Pre Qualification Questionnaire as detailed in the Report and **NOTED** that a Report will be provided on the proposed contract specification.

Councillor Spears left the meeting following consideration of the foregoing item of business.

FC76. REFERRAL FROM SPECIAL HOUSING AND SOCIAL CARE COMMITTEE – 28 NOVEMBER 2011

There was submitted (circulated) (a) Report by the Director of Corporate and Neighbourhood Services, and (b) Report by the Director of Corporate and Neighbourhood Services submitted to the Special meeting of the Housing and Social Care Committee on 28 November 2011. The latter report (i) set out the background to the development of a draft Local Housing Strategy, and (ii) presented a draft Strategy for 2011-2016 for approval.

AGREED to approve the draft Local Housing Strategy as presented.

Councillor Thomson withdrew from the meeting following consideration of the foregoing item of business.

FC77. REFERRAL FROM ECONOMIC STRATEGY AND DEVELOPMENT – 29 NOVEMBER 2011

There was submitted (circulated) (a) Report by the Director of Development Services, and (b) Report by the Director of Development Services submitted to the meeting of the Economic Strategy and Development Committee on 29 November 2011. The former Report referred a proposal to introduce free car parking over the Christmas period, to Council for consideration.

AGREED to introduce free car parking, from 9 December 2011 for a four week period to 6 January 2012, in all Council run pay and display car parks.

Council then adjourned for 15 minutes and reconvened at 4.10pm with all members present as per the sederunt with the exception of Councillors Fry, A MacDonald and Spears.

FC78. 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 Paragraphs 9, 10, 11 & 12 of Part 1 of Schedule 7A of the said Act.

FC79. PORTFOLIO MANAGEMENT PLAN: DISPOSAL OF PREMISES AT 1-5 DALDERSE AVENUE, FALKIRK & YARD AT 23 BUTE STREET, FALKIRK

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors Alexander and Kenna.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 18 October 2011, and (b) Report by the Director of Development Services submitted to the said meeting (i) summarising the Council's decision making process to date in regard to the proposed disposal of properties at 4 & 5 Dalderse Avenue and a yard at 23 Bute Street, Falkirk; (ii) setting out developments following the meeting of Council on 5 October, and (iii) recommending the sale of the properties to R & R Properties (Falkirk) Limited.

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

- (1) the sale of 4 & 5 Dalderse Avenue, Falkirk to R & R Properties (Falkirk) Limited for the sum of £109,000 subject to conclusion of missives on satisfactory terms and subject to the satisfactory creation of a servitude right of access to the yellow area as detailed at paragraph 3.6 of the Report;
- (2) the sale of the Yard at 23 Bute Street, Falkirk to R & R Properties (Falkirk) Limited for the sum of £45,000 subject to conclusion of missives on satisfactory terms and subject to the satisfactory creation of a servitude right of access to the yellow area as detailed at paragraph 3.6 of the Report, and
- (3) that, in the event that a servitude right of access cannot be agreed among the parties within a reasonable period of time as determined by the Director of Development Services, the matter will be reported back to Policy & Resources Committee for further consideration.

By way of an Amendment, Councillor Alexander, seconded by Councillor Meiklejohn, moved that:-

"Council agrees to withdraw units 4 and 5 Dalderse Avenue and the Yard at 23 Bute Street from the open market".

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 28 Members present with voting as undernoted:-

For the Motion (16) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (12) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, McNally, Meiklejohn, Oliver, Ritchie, Thomson and Turner.

Accordingly, **AGREED** in terms of the Motion.

Councillor Oliver left the meeting following consideration of the foregoing item.

In accordance with his declaration of interest in the following item of business, Councillor C Martin withdrew from the meeting and took no part in the discussion and decision.

FC80. EMPLOYEE RELATED MATTERS

In accordance with Standing Order 9.1 the Provost advised that he had agreed to accept an urgent item of business onto the agenda on the grounds that Council was required to determine its position with regard to negotiations on employee related matters with the Trade Unions. He further advised that the report had not been issued earlier in order to provide Members with up to date information on the outcome of negotiations with the Trade Unions, which had not concluded when the agenda was issued.

With reference to the Minute of the Meeting held on 5 October 2011 (Paragraph FC59 refers), there was submitted Report (circulated) dated 28 November 2011 by the Chief Executive (a) providing an update on negotiations with Trades Unions on a package of conditions aimed at achieving employee related savings; (b) confirming Chief Officer appointments since June 2011, and (c) seeking approval to appoint to the vacant post of Head of Children and Families.

Councillor Mahoney, seconded by Councillor Nimmo, moved that Council:-

- (1) notes the position of the Trade Unions in respect of the package of terms and conditions offered to them;
- (2) withdraws the current offer and re-opens negotiations with Trade Unions, and
- (3) delegates authority to the Appointments Committee to make an appointment to the post of Head of Children & Families.

By way of an Amendment, Councillor Alexander, seconded by Councillor Coleman, moved that Council:-

- (1) notes the position of the Trade Unions in respect of the package of terms and conditions offered to them, and
- (2) agrees that, in future, policy decisions are not taken at Council budget setting meetings.

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 26 Members present with voting as undernoted:-

For the Motion (15) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, Lemetti, C MacDonald, Mahoney, CR Martin, McLuckie, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (11) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, McNally, Meiklejohn, Ritchie, Thomson and Turner.

Accordingly, **AGREED** the terms of the Motion.

CHARGING ORDER by FALKIRK COUNCIL in favour of

Rachel Colliar	6 Elizabeth Avenue, Grangemouth
J F Taylor	73 Newlands Road, Grangemouth
I T Lorne	112 Oswald Avenue, Grangemouth
M Mill	5 Cromwell Drive, Falkirk
H R Lawson	1 Fairways Place, Bonnybridge
H Fiskien	20 Craighorn Drive, Falkirk
M W Stewart	17 Glen Terrace, Denny

**DEED of POSTPONEMENT by FALKIRK COUNCIL
relative to STANDARD SECURITY in favour of**

S Graham	264 Muirhall Road, Larbert
----------	----------------------------

DISPOSITION by FALKIRK COUNCIL in favour of

Mrs B Penman	98 North Main Street, Carronshore
C J Brown and S I Brown	81.25 sq m adjacent to 16 Blinkbonny Road, Falkirk
G A Stewart	168, 172, 174, 176, 178 Grahams Road, Falkirk
I Grimshaw and S J Grimshaw	18 Mansionhouse Road, Falkirk
K R Redmond and E Redmond	6 Burnside Terrace, Redding
S Bell	26 High Street, Airth
M Maguire	68 Temple Denny Road, Denny
R W Reilly	84.43 sq m at Bean Row and Booth Lane, Falkirk
Inishkea Limited	0.30 hectares south of Stenhouse Road, Carron
M L Johnston	4D Commissioner Street, Bo'ness
L A Valentine and G D Valentine	52 Bankhead Crescent, Dennyloanhead
G P Deffer and M Differ	13 Marmion Road, Grangemouth
S C Wright and L S Wright	76 Carradale Avenue, Falkirk
K M Grant	66 Windsor Avenue, Falkirk
H P Will	11 Mather Terrace, Laurieston

INDEMNITY by FALKIRK COUNCIL in favour of

Catherine Patricia Dyer as the Queen's and Lord Treasurer's Remembrancer	Land at Hillary Road and Ladeside Crescent, Stenhousemuir
---	--

IRRITANCY PROTECTION AGREEMENT between FALKIRK COUNCIL and

Diageo Scotland Limited	Sheds, Office Suite and Warehouse Units A-L and P-Q, Grange Lane Trade Park, Grange Lane, Grangemouth
-------------------------	--

LEASE between FALKIRK COUNCIL and

Ladbrokes Betting and Gaming Limited	70 Union Road, Camelon
Bakkavor Foods Limited	1.368 acres at Victoria Mills Industrial Estate, Bridgeness Road, Bo'ness
Chloesaid Ltd	101 North Street, Bo'ness
Allhut Limited	254 Main Street, Stenhousemuir
A Masterton	Unit 3, Bryson Street Industrial Estate, Falkirk

MINUTE of AGREEMENT between FALKIRK COUNCIL and

I Mohammed	68 Union Road, Camelon
------------	------------------------

Ernst & Young	Tax Incremental Financing
S McLean	Land to East of 5 Rosemary Court, Duke Street, Denny
Persimmon Homes Limited	Overton Farm, Falkirk
Persimmon Homes Limited	Overton Farm, Falkirk
Falkirk Community Trust Limited	Cycleway/footpath at Skinflats Playing Pitch

MINUTE of ALTERATION and EXTENSION of LEASE between FALKIRK COUNCIL and

BP Exploration Operating Company Limited	Hadrian House, Callendar Business Park, Falkirk
--	---

MINUTE OF LEASE between FALKIRK COUNCIL and

Bakkavor Foods Limited and SP Distribution Limited	1.769 acres at Victoria Sawmills, Bridgeness Road, Bo'ness
--	--

MINUTE OF RENUNCIATION in favour of FALKIRK COUNCIL by

Wise Property Care Ltd	25 Castle Road, Bankside Industrial Estate, Falkirk
------------------------	---

MINUTE OF RENUNCIATION between FALKIRK COUNCIL and

John Hewitt T/A Fresh'n'Clean Professional Dry Cleaners	2 Castle Court, Falkirk
---	-------------------------

Phantom Executive Limited	10 Central Park Avenue, Larbert
D Robertson	5 Ladysmill, Falkirk

MINUTE of VARIATION between FALKIRK COUNCIL and

Upper Forth Boat Club	Ground at Grangepans, Bo'ness
C Greig	1 Abbotsinch Court, Grangemouth

MINUTE of VARIATION of AGREEMENT between FALKIRK COUNCIL and

The Scottish Ministers	Area of ground adjoining Blackness Castle, Falkirk
------------------------	--

MODIFICATION of PLANNING OBLIGATION by

M Watt and A Watt	Alma Cottage, 7A Mannerston Holdings, Linlithgow
-------------------	--

NOTICE OF PAYMENT GRANTS:-

M King	6 Atrium Way, Bonnybridge
H Crooks	31 Netherfield Road, Polmont
J Thomson	101 Moriston Court, Grangemouth
S Jack	2 Fintry Road, Grangemouth
D Park	45 Cunningham Gardens, Falkirk
I Greig	75 Montgomery Street, Falkirk
J Wilson	109 Craigs Crescent, Rumford, Falkirk
M Comrie	4 Dryburgh Avenue, Denny
M Yuill	53 Maple Avenue, Stenhousemuir
S Chaudhry	107 Lomond Drive, Falkirk
J Lewis	11 Chapel Drive, Stenhousemuir
J Butler	13 Park Crescent, Carron, Falkirk
M Labus	68 Wholequarter Avenue, Redding
N Dick	83 Templeddenny Road, Denny

NOTICE of DETERMINATION to

M & A Watt

7A Mannerston Holdings, Linlithgow, EH49 7LY

RENUNCIATION OF LEASE between FALKIRK COUNCIL and

Ganton House Investments Limited

70 Union Road, Camelon, Falkirk

Nasir Mohammed

2C Old Redding Road, Laurieston

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the STUDIO, FALKIRK TOWN HALL on THURSDAY 15 DECEMBER 2011 at 2.30 P.M.

PRESENT: Councillors Buchanan, Lemetti, Mahoney and McLuckie.

CONVENER: Councillor Buchanan.

APOLOGY: Councillor McNeill.

ATTENDING: Legal Services Manager (I Henderson); Development Management Co-ordinator (D Campbell), and Committee Services Officer (S Barton).

DECLARATIONS OF INTEREST: None

PRC4. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Planning Review Committee held on 27 October 2011.

PRC5. OPENING REMARKS

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

PRC6. APPLICATION FOR REVIEW – PLANNING APPLICATION 05/0924/OUT, CHANGE OF USE OF TIMBER YARD TO RESIDENTIAL LAND FOR THE ERECTION OF 36 DWELLINGHOUSES AT LAND TO THE EAST OF JUPITER WILDLIFE PARK, WOOD STREET, GRANGEMOUTH FOR CARRONVALE HOMES (CONTINUATION)

With reference to the Minute of Meeting of the Planning Review Committee held on 27 October 2011 (Paragraph PRC3 refers), there were submitted documents (circulated) in relation to the Application for Review submitted by Carronvale Homes for the change of use of timber yard to residential land for the erection of 36 dwellinghouses at land to the east of Jupiter Wildlife Park, Wood Street, Grangemouth.

After discussion and having heard advice from Mr Henderson and Mr Campbell, the Committee **AGREED** that they had sufficient information (a) within the written submission, and (b) from the accompanied inspection of the site in question on 15 December 2011, and considered:-

- (1) the terms of the Development Plan;

- (2) the terms of the Report on Handling
- (3) the description of the proposed development;
- (4) the objection raised to the application by CalaChem;
- (5) the benefit of the site inspection;
- (6) the written submissions received from the Health and Safety Executive and from Education Services;
- (7) the demand for housing in the local area;
- (8) the industrial land supply in the surrounding area;
- (9) the extent of the “inner zone” and its relationship to the development site;
- (10) the buffer zone between the proposed development and the CalaChem site and the relationship between the proposed development and the CalaChem site;
- (11) health and safety considerations, and
- (12) the western boundary of the proposed development site.

After discussion, the Committee **AGREED:-**

- (1) that the description of the application be amended to be “Development of Land for Residential Purposes”;
- (2) that they were minded to **GRANT** outline planning permission, subject to satisfactory conclusion of a Planning Obligation within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in terms satisfactory to the Director of Development Services in respect of:-
 - (a) the payment of a financial contribution towards increasing the future capacity of St Mungo’s RC High School and the provision of nursery facilities in the sum of £1,200 per dwellinghouse, and
 - (b) the payment of a financial contribution towards the regeneration of Zetland Park, Grangemouth and the refurbishment of the Community Education Unit at Abbots Road, Grangemouth in the sum of £12,000;
- (3) and that thereafter, on satisfactory conclusion of the said Planning Obligation, to remit to the Director of Development Services to grant outline planning permission subject to such conditions as the Director of Development Services shall deem appropriate including:-
 - (i) a condition to the effect that the development shall be restricted to 30 houses or less;

- (ii) following advice from the Health and Safety Executive, a condition to the effect that only gardens, landscaping and car parking be developed in the 'inner zone', and
- (iii) a condition to the effect that appropriate screening be planted on the western boundary of the site to the satisfaction of the Director of Development Services.

The Committee also **AGREED** the following:-

- (1) to remit to the Chief Governance Officer the preparation of the decision notice, and
- (2) that it would be for the Director of Development Services to determine the timescale for payment of the Education/Community Education contributions.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 19 DECEMBER 2011 commencing at 9.30 a.m.

PRESENT: Councillors Buchanan, Lemetti, McLuckie, McNeill, Mahoney, Oliver and Turner.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors Alexander, C Martin and Thomson.

ATTENDING: Development Management Co-ordinators (D Campbell (for applications P/11/0131/FUL, P/11/0500/FUL and P/11/0627/FUL) and B Whittle (for applications P/11/0482/PPP and P/11/0621/PPP); Assistant Planning Officer (A Scott) (for applications P/11/0482/PPP and P/11/0621/PPP); Roads Development Co-ordinator (B Raeburn); Environmental Health Officer (S Henderson) (for application P/11/0627/FUL); Solicitor (K Quin), and Committee Officer (A Sobieraj).

DECLARATIONS

OF INTEREST: None

P121. ERECTION OF OUTBUILDING, SITING OF TEMPORARY RESIDENTIAL CARAVAN AND FORMATION OF ALL WEATHER EQUESTRIAN SCHOOLING AREA (RETROSPECTIVE) AND ERECTION OF DWELLINGHOUSE ON LAND TO THE NORTH OF SALTERHILL FARM, SLAMANNAN ROAD, LIMERIGG FOR MR AND MRS D POLLOCK - P/11/0131/FUL

With reference to Minute of Meeting of the Planning Committee held on 5 December 2011 (Paragraph P114 refers), Committee gave further consideration to Report (circulated) dated 25 November 2011 by the Development Services on an application for full planning permission for the erection of an outbuilding, the siting of a temporary residential caravan, the formation of an all weather equestrian schooling area (retrospective) and the erection of a dwellinghouse on land to the north of Salterhill Farm, Slamannan Road, Limerigg.

The Convener introduced the parties present.

The Planning Officer (D Paterson) outlined the nature of the application.

Mr Bell, the applicant's agent, was heard in support of the application.

Mr Pollock, the applicant, provided clarification on a number of issues in support of the application.

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

The objections as submitted included the following issues:-

- The proposal being contrary to the Development Plan;
- The importance of the great landscape value of the area;
- That the skyline view of the development was detrimental to the visual amenity of the area;
- The previous planning permission was given on an unstable bing;
- The proposal was unsympathetic to the character of the rural setting;
- The site formed part of a previous mining spoil tip which had been regraded. The re-grading works blocked a previous access from the B8022 to land to the south;
- The retrospective nature of the application and unauthorised building on the site;
- The need for enforcement action to ensure removal of the existing building and cessation of the site as an equestrian carriage hire business and horse riding facility;
- The lack of evidence that up to ten part-time jobs would be created;
- The inaccuracy of the supporting statement on the number of liveryes in the area of the site and that a livery yard was not included within the application;
- There being no satisfactory access to the horse exercise area; and
- The insufficient demand to support the business and the business plan not being credible.

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 1 February 2012.

P122. CHANGE OF USE FROM SHOP (CLASS 1) TO HOT FOOD TAKEAWAY AT THE VILLAGE SHOP, REDHOUSE INDUSTRIAL ESTATE, SHIELDHILL ROAD, REDDINGMUIRHEAD, FALKIRK FK2 0DT FOR MR MARIO MORROCCO - P/11/0500/FUL

With reference to Minute of Meeting of the Planning Committee held on 5 December 2011 (Paragraph P111 refers), Committee gave further consideration to Report (circulated) dated 25 November 2011 by the Development Services on an application for full planning permission for a change of use from a shop (Class 1) to a hot food takeaway at the village shop, Redhouse Industrial Estate, Shieldhill Road, Reddingmuirhead, Falkirk.

The Convener introduced the parties present.

The Development Management Co-ordinator (D Campbell) outlined the nature of the application.

Mr Thomson, the applicant's agent, was heard in support of the application.

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

Mr Morland, on behalf of Ms Morland, an objector, was heard in relation to the application.

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

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

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

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

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

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

The objections as submitted included the following issues:-

- The adverse impact on existing business of a similar nature and associated future job losses;
- The additional traffic, limited parking currently available and the lack of parking provision within the application;
- That lack of improved drainage provision;
- The potential for noise, odour and poor hygiene;
- The negative impact on property values; and
- The exacerbation of existing litter and anti social behaviour problems.

Questions were then asked by Members of the Committee.

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

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 1 February 2012.

Members thereafter visited the car parking area at the back of the buildings on Shieldhill Road.

P123. CHANGE OF USE FROM BUILDERS STORAGE AREA (CLASS 6) TO SALE AND REPAIR OF MOTOR VEHICLES (RENEWAL OF PLANNING PERMISSION P/09/0862/FUL) AT MORVEN CONSTRUCTION LTD, GRANARY SQUARE, BANKSIDE, FALKIRK FK2 7XJ FOR MORVEN MOTORCYCLES - P/11/0627/FUL

With reference to Minute of Meeting of the Planning Committee held on 5 December 2011 (Paragraph P115 refers), Committee gave further consideration to Report (circulated) dated 25 November 2011 by the Development Services on an application for full planning permission for a change of use from builders storage area (Class 6) to the sale and repair of motor vehicles (renewal of planning permission P/09/0862/FUL) at Morven Construction Ltd, Granary Square, Bankside, Falkirk.

The Convener introduced the parties present.

The Development Management Co-ordinator (D Campbell) outlined the nature of the application.

Mr Henderson, Environmental health Officer provided information in relation to the noise monitoring recently carried out at the site.

Mr Campbell, the applicant, was heard in support of the application.

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

Mr Ferguson, was heard in relation to the application.

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

The objections as submitted included the following issues:-

- The effect on 1 and 3 Hendry Street from noise including motorbikes left running and vehicles revving up;
- That no noise emanated from the other motorbike garage to the rear of numbers 1 and 3 Hendry Street other than motorbikes driving to and from the site;
- The vehicle emissions near 3 Hendry Street;
- The negative effect on the value of 3 Hendry Street;
- That Hendry Street was a residential area;
- The applicant carrying out work outside the unit and in breach of temporary planning consent;
- The fumes and noise from open doors whilst work was carried out inside the unit;
- The constant noise of motorbikes coming and going from the unit in Bankside on all days of the week, including weekends;
- The residents of 1 Hendry Street experiencing fumes on a daily basis, the effect on children in the rear garden and the need to shut all the windows in the dwelling to stop fumes entering the house;

- No issues with the unit when it was classed and used for storage;
- The residents of 1 Hendry Street have been dealing with Environmental Protection for a considerable amount of time including the installation of a noise monitor within the property but at times of low use, and that it should have been placed there during the Spring/Summer months; and
- The snowballing effect from permission and applications from other units.

Questions were then asked by Members of the Committee.

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

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

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 1 February 2012.

P124. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES, ASSOCIATED ACCESS ROAD AND LANDSCAPING WORKS ON LAND TO THE NORTH WEST OF DENOVAN COTTAGE, DENNY FOR MRS BRENDA MACCONNELL - P/11/0621/PPP

With reference to Minute of Meeting of the Planning Committee held on 2 November 2011 (Paragraph P116 refers), Committee gave further consideration to Report (circulated) dated 24 November 2011 by the Development Services on an application for planning permission in principle for the development of land for residential purposes, an associated access road and landscaping works on land to the north west of Denovan Cottage, Denny.

The Convener introduced the parties present.

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

Ms Profili, the applicant's agent, was heard in support of the application.

Ms MacConnell, the applicant, provided clarification on a number of issues in support of the application.

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

The objections as submitted included the following issues:-

- The guesthouse granted planning permission had not been constructed;
- The significant increase in traffic on Denovan Road;
- The lifestyle of the inhabitants would be completely dependent on vehicular use;

- The increased concentration of habitation on a double bend;
- The loss of the countryside amenity of the area; and
- That no objection to the proposal provided that a condition of any grant of permission prevents windows on the upper floor of Plot 1 overlooking Denovan Orchard.

The Convener read out an email from Councillor Waddell, a local Member for the area and referred to other comments emailed to him by Councillor Blackwood, a local Member for the area both in relation to the application.

Questions were then asked by Members of the Committee.

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

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 1 February 2012.

P125. ERECTION OF BED AND BREAKFAST AND GUESTHOUSE (CLASS 7) AT TIPPETCRAIG, BONNYBRIDGE FK4 2EU FOR MR STEVEN CAIRNS - P/11/0482/PPP

With reference to Minute of Meeting of the Planning Committee held on 5 December 2011 (Paragraph P110 refers), Committee gave further consideration to Report (circulated) dated 25 November 2011 by the Development Services on an application for the erection of a bed and breakfast and guesthouse (Class 7) at Tippetcraig, Bonnybridge.

The Convener introduced the parties present.

The Assistant Planning Officer (A Scott) outlined the nature of the application.

Mr Bell, the applicant's agent, was heard in support of the application.

The Convener read out an email from Ms Massie and a letter from Ms Brown, objectors, having submitted apologies for the meeting, in relation to the application.

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

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

Mr Rae and Mr Hanley, on behalf of Bonnybridge Community Council, an objector, were heard in relation to the application.

A local farmer, Bean Farm, was heard in relation to the application.

The objections as submitted included the following issues:-

- The ruining of good agricultural land;
- The buildings being put on “green belt” agricultural land;
- The proposal would be out of place and be a blight on the land;
- The loss of amenity and privacy;
- The number of mine shafts throughout the area; and
- The inadequate roads access and sewage treatment facilities available.

Questions were then asked by Members of the Committee.

Councillor Carleschi, spoke at the request of Councillor Coleman, a local Member for the area and having been unable to attend the meeting, in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 1 February 2012.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 10 JANUARY 2012 at 9.30 am.

PRESENT: Provost Reid; Councillors Blackwood (Item AP35 only) and Nicol.

CONVENER: Provost Reid

APOLOGIES: Councillors Alexander, Coleman, C Martin and C MacDonald.

ATTENDING: Director of Social Work, Human Resources Manager (T Gillespie) and Senior Committee Services Officer (Derek Kelly).

AP34. 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 it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the said Act.

AP35. APPROVAL TO ADVERTISE – HEAD OF CHILDREN & FAMILIES AND CRIMINAL JUSTICE (SOCIAL WORK)

There was submitted Report (circulated) by the Director of Social Work Services outlining the available options to Members for recruitment and selection of the vacant Head of Children and Families and Criminal Justice post.

AGREED to:-

- (1) approve the recruitment to these posts by external advertisement;
- (2) approve the advert and advertising within the Recruitment Portal, Children in Scotland, and J pack (Guardian);
- (3) approve the timetable, job description, personnel specification and terms and conditions appended to the report;
- (4) approve the selection methods outlined in paragraph 4.1 of the report; and
- (5) invite selected candidates for an informal lunch prior to interviews.

Following the withdrawal of Councillor Blackwood from the meeting, the Committee failed to achieve the necessary quorum to continue consideration of the business.

AGREED to adjourn the meeting to Tuesday 10 January 2012 at 2.00 pm.