

DRAFT**FALKIRK COUNCIL**

**MINUTE of RECONVENED MEETING of the APPOINTMENTS COMMITTEE**  
**held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 10 JANUARY 2012 at**  
**2.00 pm.**

**PRESENT:** Provost Reid; Councillors C Martin, C MacDonald and Nicol.

**CONVENER:** Councillor C Martin.

**APOLOGIES:** Councillors Alexander and Coleman.

**ATTENDING:** Chief Finance Officer, Human Resources Manager (T Gillespie) and  
 Senior Committee Services Officer (Derek Kelly).

**AP36. 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.

**AP37. DEPUTE CHIEF FINANCE OFFICER (CORORATE FINANCE) AND DEPUTE CHIEF FINANCE OFFICER (REVENUES AND BENEFITS)**

There was submitted Report (circulated) by the Chief Finance Officer dated 4 January 2012 (a) outlining the recruitment procedure in respect of the posts of Depute Chief Finance Officer (Corporate Finance) and Depute Chief Finance officer (Revenues and Benefits), and (b) enclosing application forms for the posts with supporting papers.

**AGREED:-**

**DEPUTE CHIEF FINANCE OFFICER (CORPORATE FINANCE)**

That the Chief Finance Officer interview a long leet of 6 candidates and report back to the Committee with a recommended short leet of candidates to be interviewed by the Committee.

**DEPUTE CHIEF FINANCE OFFICER (REVENUES AND BENEFITS)**

That the undernoted applicants be invited to interview on Monday 30 January 2012 and that they be requested to prepare a presentation on the following:-

“Beyond the Government’s Welfare Reform Agenda, what do you see as the major challenges in the short and medium term impacting on:-

- (a) the Revenues and Benefits Division
- (b) The Council, more generally”.

Candidates

CA Crawford

SC Mathers

JA McCafferty

J Peebles

## FALKIRK COUNCIL

**MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 JANUARY 2012 at 9.30 a.m.**

**PRESENT:** Provost Reid; Depute Provost Black; Councillors Alexander, Hughes, Kenna, C Martin and Spears.

**APOLOGY:** Councillor Fry

**CONVENER:** Councillor C Martin.

**ATTENDING:** Chief Executive; Directors of Corporate and Neighbourhood Services of Development Services, of Education Services, and of Social Work Services; Chief Finance Officer; Chief Governance Officer; Head of Economic Development and Environmental Services and Senior Committee Services Officer.

**DECLARATIONS**

**OF INTEREST:** None

**PR78. MINUTE**

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Policy and Resources Committee held on 15 November 2011

**PR79. BUSINESS GATEWAY-FUTURE DELIVERY**

With reference to the minute of Meeting of the Economic Strategy and Development Committee held on 14 June 2011 (paragraph ESD 18 refers), there was submitted Report (circulated and tabled in revised form) dated 10 January 2012 by the Director of Development Services (a) appraising the options for commissioning Business Gateway in the Forth Valley area from October 2012, including proposals on a way forward, and (b) advising that a report in similar terms will also be considered by both Stirling and Clackmannan Councils.

**NOTED** the progress in the proposals for commissioning Business Gateway services at national level and in the Forth Valley.

**AGREED:-**

- (1) to authorise the Director of Development Services to initiate tendering procedures for the new contract, in accordance with the terms of the report;
- (2) to the further development of proposals for in-house delivery of the Business Support services in the Falkirk area, and

- (3) that a further report be prepared for the Economic Strategy and Development Committee in March.

**PR80. POST 16 EDUCATION: PUTTING LEARNERS AT THE CENTRE  
SCOTTISH GOVERNMENT REFORM PROPOSALS**

There was submitted Report (circulated) dated 10 January 2012 by the Director of Development Services seeking agreement to the terms of a submission (a copy of which was attached as an appendix to the Report) presented in response to the proposals set out by the Scottish Government in a consultation on the reform of post 16 education in Scotland “Putting Learners at the Centre: Delivering our Ambitions for Post 16 Education”.

**NOTED** the content of the Report.

**AGREED** to the submission, of a response to the consultation in the terms attached as an appendix to the Report.

**PR81. FINANCIAL POSITION 2011/12**

There was submitted Report (circulated) dated 20 December 2011 by the Chief Finance Officer presenting the latest update on the financial position of the Council for 2011/12, which reflected the situation as at 30 November 2011.

Councillor C Martin, seconded by Depute Provost Black, moved the recommendations as set out in the Report.

Councillor Alexander proposed as an addendum that officers be asked to Report on the implementation of the living wage as soon as possible.

Councillor Martin, with the consent of Depute Provost Black as his seconder, agreed to adjust his Motion to incorporate the terms of the addendum.

**NOTED** the latest projection of revenue spending for 2011/12.

**AGREED** that officers be asked to Report on the implementation of the living wage as soon as possible.

**PR82. LOCAL GOVERNMENT FINANCE SETTLEMENT 2012-15**

There was submitted Report (circulated) dated 28 December 2011 by the Chief Finance Officer (a) referring to Finance Circulars Nos. 11 & 12/2011 issued by the Scottish Government which provided details on the outcome for local government arising from the 2011 Spending Review, and (b) illustrating the proposed effects of the settlement, in cash terms, on Falkirk Council for the period 2012-2015.

**NOTED** the provisional Local Government Finance Settlement 2012-15.

### **PR83. NEW AFFORDABLE HOUSING – SECOND HOMES COUNCIL TAX INCOME**

There was submitted Report (circulated) dated 9 January 2012 by the Director of Corporate and Neighbourhood Services seeking approval to allocate £172, 842 from the Second Homes Council Tax (2 HCT) to support Kingdom Housing Association in the delivery of 23 new affordable homes at Overton, Redding (Phase 2).

Councillor Alexander proposed as an addendum that officers bring forward a Report setting out a policy development aspect to management of this income, with a view to developing proposals for council house building as part of the process.

Councillor Martin, with the consent of Depute Provost Black as his seconder, agreed to adjust his Motion to incorporate the terms of the addendum.

**NOTED** the contents of the Report.

#### **AGREED:-**

- (1) the allocation of £172,842 to Kingdom Housing Association to support the delivery of 23 new affordable homes at Overton, Redding (Phase 2), from 2HCT income, and
- (2) that officers bring forward a Report setting out a proposed strategy for utilisation of the Second Homes Council Tax Income with a view to developing proposals for council house building as part of the process.

### **PR84. CONTRACTS:-**

#### **(a) Participation in Scotland Excel Contracts**

There was submitted Report (circulated) dated 29 December 2011 by the Director of Corporate and Neighbourhood Services seeking approval to participate in the Scotland Excel contracts for the supply of both street lighting materials, and of milk.

**AGREED** to Falkirk Council's participation in the Scotland Excel Framework Contracts for Street Lighting Materials and Milk as detailed in the report.

#### **(b) Contract for the Supply of Computer Hardware**

There was submitted Report (circulated) dated 29 December 2011 by the Director of Corporate and Neighbourhood Services (a) advising that the Scottish Government's Procurement Directorate has in place a national contract for the supply of Computer Hardware, and (b) seeking approval to enable purchasing of desktop computers and laptops from this national contract.

**AGREED** to Falkirk Council's participation in the Scottish Government Procurement Directorate contract for desktop and mobile computing as detailed in the Report.

(c) **Contract Extensions for the Supply of Kitchen Units and the Provision of Safety Checks/Servicing of Domestic Gas Appliances**

There was submitted Report (circulated) dated 29 December 2011 by the Director of Corporate and Neighbourhood Services seeking approval to extend the two contracts for the supply of kitchen units, and the provision of safety checks/servicing of domestic gas appliances until 31 March 2013.

**AGREED** to approve extension of the following contracts:-

- (1) supply of kitchen units to Joinery Timber Creations Ltd from 1 April 2012 to 31 March 2013 with an estimated value over the extension period of approximately £250,000, and
- (2) provision of safety checks/servicing of domestic gas appliances to Gas Call Services Ltd and BMD from 1 April 2012 to 31 March 2014 with an estimated value over the extension period of £2.8 m.

(d) **Refurbishment, 143-171 & 173-201 Kersiebank Avenue, Grangemouth (GRA-6918)**

There was submitted Report (circulated) dated 9 January 2012 by the Director of Development Services (a) advising that a single invitation to tender was issued to Corporate and Neighbourhood Services for the proposed refurbishment works at 143-201 Kersiebank Avenue, Grangemouth, with a return date of 20 January 2012; (b) informing that the budget for the project is £1,000,000, and (c) seeking approval, in view of the timescales, for the Director of Development Services to award the contract, provided it is within budget, and report the details back to a future meeting of the Policy and Resources Committee.

**AGREED:-**

- (1) to authorise the Director of Development Services to award the contract for the refurbishment of 143-201 Kersiebank Avenue, Grangemouth provided it is within budget, and
- (2) to request that the Director of Development Services report the outcome of the procurement to the earliest appropriate meeting of the Policy and Resources Committee following the tender evaluation process.

(e) **Proposed Extension And Alterations To Westquarter Primary School, Westquarter Avenue, Falkirk (WES-5874)**

There was submitted Report (circulated) dated 9 January 2012 by the Director of Development Services (a) advising that a tender was issued for the proposed works to Westquarter Primary School with a return date of 27 January 2012; (b) informing that the budget for the project is £875,000, and (c) seeking approval, in view of the timescales, for the Director of Development Services to award the contract, provided it is within budget, and report the details back to a future meeting of the Policy and Resources Committee.

**AGREED to:-**

- (1) authorise the Director of Development Services to award the contract for the extension and alterations to Westquarter Primary School provided it is within budget, and
- (2) request that the Director of Development Services report the outcome of the procurement to the earliest appropriate meeting of Policy and Resources Committee following the tender evaluation process.

(f) **M876 Glenbervie Slip Roads (IA0002)**

There was submitted Report (circulated) dated 9 January 2012 by the Director of Development Services (a) reviewing the background to the proposed construction of the new M876 Glenbervie Slip Roads; (b) advising that the contract was advertised in the Public Contracts Scotland Portal; and (c) informing that following the receipt of 8 tenders by the due date of 20 December 2011, all opened in accordance with Standing Order 11 relating to contracts, the lowest checked tender was submitted by R J McLeod (Contractors) Ltd for the sum of £1,688,637.00.

**AGREED** to approve acceptance of the tender submitted by RJ McLeod (Contractors) Ltd for the sum of £1,688,637.00 in respect of the M876 Glenbervie Slip Roads.

**PR85. 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 & 9 of Part 1 of Schedule 7A to the said Act

**PR86. CONTRACT FOR THE PROVISION OF INSURANCE PROGRAMME:  
2012/13-2016/17**

There was submitted Report (circulated) dated 20 December 2011 by the Chief Finance Officer (a) presenting the key findings from a tender exercise for the provision of Insurance Services, and (b) summarising the 3 options considered in respect of the Insurance Programme.

**AGREED:-**

- (1) the appointment of Risk Management Partners/Chartis to provide the Falkirk Council Insurance Programme 2012/13 to 2016/17;
- (2) the option 3 alternative insurance structure as outlined in Appendix 3 of the report at a premium cost of £4,990,365 for the five year period, and
- (3) the appointment of Cunningham Lindsay as Loss Adjuster for property claims.



## FALKIRK COUNCIL

**MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 18 JANUARY 2012 at 9.30 A.M.**

**PRESENT:** Provost Reid; Councillors Blackwood, Hughes, Kenna, McLuckie, Nicol, Nimmo and Waddell.

**CONVENER:** Councillor Nicol.

**APOLOGIES:** Councillors Jackson and Thomson.

**ATTENDING:** Chief Governance Officer; Licensing Co-ordinator; Senior Solicitor (F Kobiela); and Committee Officer (A Sobieraj).

**DECLARATIONS OF INTEREST:** None

### CL61. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 16 November 2011.

Provost Reid entered the meeting during consideration of the following item of business.

### CL62. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN OCTOBER AND NOVEMBER 2011

There was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on applications granted under delegated powers between 1 October and 30 November 2011 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002.

**NOTED**

### CL63. 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 involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A of the said Act.

**CL64. APPLICATION FOR THE RENEWAL OF A HOUSE IN MULTIPLE OCCUPATION LICENCE**

The applicant's representative and day to day manager, Mr L, and objectors Mr and Mrs C, all entered the meeting.

There was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on an application for the renewal of a house in multiple occupation licence (a) advising of the background to the application; (b) providing confirmation of the premises to be licensed under the terms of the licence; and (c) detailing the consultations undertaken and the responses received.

The applicant's representative, Mr L, advised that he had no preliminary points to make on the competency of the objection. A copy of a letter to the Licensing Section was circulated to the Committee.

The objectors, Mr and Mrs C, spoke in amplification of the objection. Copies of the objection letter and three emails were circulated to the Committee.

Questions were then asked by Members of the Committee.

**AGREED** that a short adjournment take place to enable the Committee to consider the submissions.

The applicant's representative, Mr L, and Mr and Mrs C, objectors, left and were then recalled to the meeting.

**AGREED** to **CONTINUE** consideration for a period of three months to ensure that the undertakings given by the day to day manager were implemented. During the period it would be expected that direct contact would be made by the licence-holder with the objectors and Falkirk Council's Licensing Section would be advised of the steps taken in this regard.

**CL65. APPLICATION FOR THE RENEWAL OF LATE HOURS CATERING LICENCE NO. 113**

The applicant, Ms T, entered the meeting.

There was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on an application for the renewal of a late hours catering licence (a) advising on the background to the application; (b) detailing the consultations undertaken and responses received; (c) setting out the procedural issue that required to be considered in terms of Paragraph 8(5A) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (d) attaching, as appendices 1 and 2 respectively, a letter detailing the background to the matter and a location plan.

Ms T spoke in support of the application.

Questions were then asked by Members of the Committee.

Being satisfied that good cause had been shown as required by paragraph 8(5A) of Schedule 1 of the Civic Government (Scotland) Act 1982, the Committee **AGREED** to **RENEW** the licence for a period of one year, subject to the standard conditions.

Provost Reid left the meeting following consideration of the foregoing item of business.

#### **CL66. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE**

The applicant, Ms A, together with a relative, Mr A, entered the meeting

There was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on an application for the renewal of a late hours catering licence (a) advising on the background to the application; (b) detailing the consultations undertaken and responses received; and (c) attaching as appendices 1 to 3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Ms A spoke in support of the application.

Questions were then asked by Members of the Committee.

In light of the submissions made, **AGREED** that a departure from the Council's policy was justified and therefore to **GRANT** the renewal of the late hours catering licence for a period of one year subject to the standard conditions.

#### **CL67. APPLICATIONS FOR THE RENEWAL OF A TAXI OPERATOR AND TAXI DRIVER LICENCE**

The applicant, Mr M, entered the meeting.

With reference to Minute of Meeting of the Civic Licensing Committee held on 16 November 2011 (Paragraph CL57 refers), there was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on applications for the renewal of a taxi operator and a taxi driver licence (a) advising on the background to the applications; (b) attaching as an appendix, copy of Report submitted to the Civic Licensing Committee on 16 November 2011; (c) detailing the consultations undertaken and the responses received; and (d) detailing the applicant's record. The Committee had continued consideration of the applications to a future meeting in the absence of the applicant.

Mr M spoke in support of the application.

The Chief Governance Officer clarified procedures in relation to consideration of the applicant's spent fixed penalties following which the Committee resolved that justice could not be done without admitting said fixed penalties as part of the process. The list of spent fixed penalties was therefore circulated to the Committee.

Questions were then asked by Members of the Committee.

**AGREED** to **RENEW** the licences for a period of one year with a warning letter detailing the standards expected of taxi drivers and subject to the standard conditions.

**CL68. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

The applicant, Mr N was not in attendance. The Licensing Co-ordinator advised that whilst waiting to be heard, the applicant was required to attend another urgent appointment.

There was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising on the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

**AGREED** to **CONTINUE** consideration of the application to a future meeting in the absence of the applicant.

**CL69. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

The applicant, Mr P, entered the meeting.

There was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising on the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr P spoke in support of the application.

Questions were then asked by Members of the Committee.

**AGREED:-**

- (a) that the applicant be given a final opportunity to take the knowledge test and to pass it, and in light of the applicant's intimation at the Committee of his difficulty with written tests, that this test be given orally or with the assistance of a scribe if requested by the applicant;
- (b) that should the applicant fail the knowledge test to authorise the Chief Governance Officer to refuse the licence without further reference to Committee;
- (c) that should the applicant pass the knowledge test that officers arrange for the applicant to sit the Council's medical test and that the applicant provide evidence that he has passed the test;
- (d) that should the applicant pass both tests to authorise the Chief Governance Officer to grant the licence; and
- (e) that should the applicant pass the knowledge test but fail the medical test, that the application be considered at a future meeting of the Committee.

**CL70. APPLICATION FOR THE GRANT OF A NEW WINDOW CLEANER LICENCE**

The applicant, Mr T, entered the meeting.

There was submitted Report (circulated) dated 10 January 2012 by the Chief Governance Officer on an application for the grant of a new window cleaner licence (a) advising on the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr T spoke in support of the application.

Questions were then asked by Members of the Committee.

**AGREED to GRANT** the licence for a period of three years with a warning letter and subject to the standard conditions.

DRAFT

**MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 23 JANUARY 2012 at 1.00 pm.**

**PRESENT:** Provost Reid; Depute Provost Black; Councillors Alexander, Blackwood, Buchanan, Carleschi, Coleman, Goldie, Gow, Hughes, Jackson, Kenna, A MacDonald, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNally, McNeill, Meiklejohn, Nicol, Nimmo, Oliver, Patrick, Ritchie, Spears, Thomson, Turner and Waddell.

**CONVENER:** Provost Reid.

**APOLOGIES:** Councillors Fry and Lemetti.

**ATTENDING:** Chief Executive; Directors of Corporate and Neighbourhood Services, of Development Services, of Education Services and of Social Work Services; Chief Finance Officer, Depute Chief Governance Officer; Head of Policy, Technology & Improvement; Accountancy Services Manager (D Cairney), Employment & Training Manager, Waste Strategy Co-ordinator; Legal Services Manager; Team Leader, Legal Services (D Blyth) and Democratic Services Manager.

**ALSO**

**ATTENDING:** Maureen Campbell, Chief Executive, Falkirk Community Trust.

**DECLARATIONS**

**OF INTEREST:** Provost Reid and Councillors Gow, Nicol, Mahoney and Waddell, as Directors of the Falkirk Community Trust, and Councillors C R Martin and Gow, as members of the Helix Trust Board, declared non financial interests in item FC81 but did not consider that this required them to recuse themselves from consideration of the item, having had regard to the objective test in the Code of Conduct and the relevant specific exemption contained in the Code.

**FC81. THE HELIX**

With reference to the Minute of the Meeting of the Policy and Resources Committee held on 10 March 2009 (Paragraph PR117 refers) there was submitted Report (circulated) dated 16 January 2012 by the Chief Executive (a) advising of the progress to date of the Helix Project, (b) advising of a request by the Helix Trust Board that Council consider a revised governance structure for the Project and specifically that the Falkirk Community Trust be nominated as the successor to the Helix Futures Trust and (c) summarising the implications of the proposal.

Councillor C Martin, seconded by Councillor Mahoney, moved the recommendations as detailed in the Report.

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

“Council notes not only the failure of the current Administration to remain even close to the original delivery timetable and project specification but also to properly consult with the architects of the Helix project, opposition SNP and non aligned Independent Councillors.

Members are particularly concerned that a decision is being rushed in this matter without all facts being known and it would appear more for the benefit of Falkirk Leisure Trust than the Helix Project.

Council therefore agrees to defer a decision on this matter until all parties within Falkirk Council have had the opportunity to meet both Trust Boards to assess the long terms implications for all concerned.”

Following discussion on the background to the proposal by the Helix Trust, Council agreed to continue consideration of this item of business until later in the agenda to allow the Chief Executive of Falkirk Community Trust and the interim Chief Executive of the Helix Trust to be contacted and given the opportunity to attend the meeting and address questions from Members.

## **FC82. FOOD WASTE COLLECTION**

With reference to the Minute of the Meeting held on 7 December 2011 (Paragraph FC67 refers) there was submitted a joint Report (circulated) dated 16 January 2012 by the Director of Development Services and the Director of Corporate and Neighbourhood Services (a) advising of the requirement on Council to introduce food waste collections, (b) summarising options for the introduction of food waste collections and (c) detailing the risks and costs associated with the options.

### **AGREED:-**

- (1) the introduction of phase one of the separate food waste collection on an ‘opt out’ basis covering c30,000 households and;
- (2) that officers report to the Policy & Resources Committee in due course highlighting the findings of the review of the new collection arrangements and detailing appropriate steps required moving forward.

## **FC83. TREASURY MANAGEMENT – INTERIM REVIEW 2011/12**

There was submitted Report (circulated) dated 12 January 2012 by the Chief Finance Officer presenting a mid year review of the Treasury Management function.

**NOTED** the progress of the Council’s Treasury Management Strategy for 2011/12.

**FC84. IMPLEMENTING 'TOWARDS A FAIRER FALKIRK' – UPDATE REPORT**

With reference to the Minute of the Meeting held on 2 March 2011 (Paragraph FC82 refers) there was submitted Report (circulated) dated 22 December 2011 by the Director of Corporate and Neighbourhood Services providing an update on the implementation of the Council's Poverty Strategy, highlighting key strands of work being taken forward.

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

- “(1) notes the progress made to date with Towards a Fairer Falkirk;
- (2) notes the series of seminars being developed for Members as part of the Poverty Strategy which focus on the changes to benefits under the Welfare Reform Act;
- (3) notes the work being undertaken on the implementation of the charging and concessions strategy, and
- (4) agrees further reports are presented on the implementation of the Council's Poverty Strategy, including an update on the use of the Fairer Falkirk Fund”.

Councillor Alexander, seconded by Councillor Oliver, moved an Amendment to the Motion in the following terms:-

- (i) the insertion of “lack of” before “progress in (1) and the addition, at the end, of “and notes the lack of outcomes within the paper”, and
- (ii) the replacement of (4) with “notes with disappointment the lack of acknowledgement of the impact on low paid groups of the Labour/Tory coalition charging regime for services previously delivered free to vulnerable people. Council therefore agrees to receive a report back on this matter at the March meeting of full Council.”

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, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

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

Accordingly **NOTED:-**

- (1) the progress made to date with Towards a Fairer Falkirk;
- (2) the series of seminars being developed for Members as part of the Poverty Strategy which focus on the changes to benefits under the Welfare Reform Act, and



- (3) the work being undertaken on the implementation of the charging and concessions strategy.

**AGREED** that further Reports will be presented on the implementation of the Council's Poverty Strategy, including an update on the use of the Fairer Falkirk Fund.

#### **FC85. THE HELIX (Continued)**

With reference to item FC81 earlier in the agenda, the Chief Executive advised that the Chief Executive of Falkirk Community Trust, Maureen Campbell, was now in attendance but that the interim Chief Executive of the Helix Trust was unable to attend due to prior engagements.

Council then resumed its consideration of the proposal by the Helix Trust.

Following discussion and, in terms of Standing Order 21.4 (i), a vote was taken by roll call on the Motion and Amendment made earlier in the meeting. There being 30 members present, the voting was as undernoted:-

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

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

Accordingly **AGREED**:-

- (1) in principle, to the proposals contained in Appendix 2 to the Report, as supplemented by the terms of section 4 and Appendix 3 which include the dissolution of Helix Trust and the assumption by Falkirk Council and Falkirk Community Trust of the services to be delivered by Helix Trust and Helix Futures Trust;
- (2) that, subject to all necessary approvals and consents being agreed by the various stakeholders detailed at paragraph 5.1 in the Report, to authorise the Chief Executive or her nominee take forward work required to implement these proposals, and
- (3) to instruct the Chief Executive to report back to the Council meeting in March for final approval of the detailed proposal for transition, noting that, in the event that the work referred to at recommendation (2) above results in any significant changes being made to the proposals, such changes will be specifically drawn to the attention of Members.

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the ENVIRONMENT AND COMMUNITY SAFETY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 24 JANUARY 2012 at 9.30 am.**

**PRESENT:** Councillors Blackwood, Jackson, C MacDonald, McLuckie, C R Martin, Meiklejohn, Nicol, Oliver, Ritchie and Thomson.

**CONVENER:** Councillor C MacDonald.

**ATTENDING:** Director of Development Services; Heads of Roads and Design and of Policy, Technology and Improvement; Accounting Services Manager (H McArthur); Licensing Co-ordinator (B Douglas); Waste Strategy Co-ordinator; Waste Minimisation Adviser (S Murray); Depute Chief Governance Officer and Committee Services Officer (S Barton).

**APOLOGY:** Councillor Goldie.

**DECLARATIONS OF INTEREST:** None.

**ECS30. MINUTE**

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Environment and Community Safety Committee held on 25 October 2011.

Councillor McLuckie entered the meeting during discussion of the foregoing item of business.

**ECS31. SAFE DRIVE, STAY ALIVE**

The Committee heard a presentation from Alan Faulds, Central Scotland Fire and Rescue Service on the Safe Drive, Stay Alive initiative which included excerpts from a DVD.

Mr Faulds advised:-

- That the initiative involves representatives from Central Scotland Fire and Rescue Service (CSFRS), Central Scotland Police, the Ambulance Service, medical professionals and people who have been directly affected by road traffic accidents
- The initiative is aimed at schoolchildren who are 15 years and above residing in the Forth Valley area and takes place over 5 days at the MacRobert Centre in Stirling
- CSFRS organise the event and organise all transport with an expected turnout of around 4000 schoolchildren

Members gave thanks to Mr Faulds for his most informative and thought provoking presentation.

The Committee agreed to a short recess. The meeting adjourned at 10.25 am and reconvened at 10.35 am with all Members present as per the sederunt.

### **ECS32. TAXI AND PRIVATE HIRE CAR FORUM**

With reference to the Minute of Meeting of Environment and Community Safety Committee held on 25 October 2011 (Para ECS20 refers), there was submitted Report (circulated) dated 13 January 2012 by the Chief Governance Officer presenting for consideration a formalised framework to govern the workings of the Taxi and Private Hire Car Forum (formerly known as the Taxi Forum).

Mr Douglas, Licensing Co-ordinator advised of an amendment to the Report namely that it was recommended that the number of taxi trade representatives on the Forum be increased from 7 to 8.

Discussion took place on the following:-

- the discussions which have taken place with the current Taxi Forum membership on the number of places available to the taxi trade
- the need for a geographical spread of Community Council members
- the possibilities for amendments to the membership before the 2 year review takes place

**NOTED** the contents of the Report.

#### **AGREED:-**

- (1) to approve the suggested composition of the Forum as detailed in the Report, subject to the increase in numbers of taxi trade representatives from 7 to 8;
- (2) to approve the draft Constitution attached as Appendix 1 to the Report, and
- (3) to authorise the Chief Governance Officer to make appointments to the Forum in accordance with the arrangements described in section 4 of the Report and thereafter organise a meeting of the Forum following on from the Local Government Elections in May 2012.

### **ECS33. A & B ROAD ASSESSMENT – SPEED LIMIT REVIEW - UPDATE**

There was submitted Report (circulated) dated 16 January 2012 by the Director of Development Services (a) outlining the progress made to date in the review of speed limits, on A and B class roads within the Council area in accordance with Scottish Government guidance on the setting of local speed limits, and (b) attaching as an Appendix the proposed speed limit strategy for Falkirk Council.

Discussion took place on the following:-

- the use of accident remedial measures e.g. better or more signage
- how changes to speed limits are shown at the entrances to towns/villages
- the timescales for further investigation into the speed limits on the rural roads outlined in Appendix 2 to the Report

**NOTED:-**

- (1) the programme of proposals arising from the review of speed limits on A and B class roads as shown in Appendices 2 and 3, and
- (2) that C class and unclassified roads will be reviewed by 2014.

**AGREED** to approve the Falkirk Council speed limit strategy 2011 shown in Appendix 1 for use when reviewing and assessing all future speed limit requests on Falkirk Council roads.

Councillor Nicol left the meeting during discussion of the foregoing item of business.

**ECS34. ZERO WASTE STRATEGY 2012-2022 CONSULTATION**

There was submitted Report (circulated) dated 16 January 2012 by the Director of Development Services (a) advising of the progress made in updating the Council's existing Zero Waste Plan; (b) highlighting the next steps required in the production of a Zero Waste Strategy for 2012-22, and (c) providing for endorsement a copy of the Main Issues Paper developed in conjunction with Clackmannanshire Council.

Discussion took place on the following:-

- the anticipated savings by diverting waste from landfill
- the type of receptacle to be used for the food waste collection
- the proposals for residents to have an opt out from the food waste collection

**AGREED:-**

- (1) to note and endorse the proposed arrangements for consultation on the Main Issues Paper, and
- (2) that officers would report back to members with the draft Zero Waste Strategy in due course following the completion of the consultation.

**ECS35. CLOSING REMARKS**

Given that this was the last meeting of the Committee prior to the Local Government Elections, the Convener expressed his thanks to all officers involved in the Committee for their hard work and guidance over the last 5 years. He also thanked all Members for their contributions to the Committee over that period.

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 24 JANUARY 2012 at 11.30 a.m.**

**PRESENT:** Provost Reid; Councillors C Martin, C MacDonald and Nicol.

**CONVENER:** Councillor C Martin.

**APOLOGIES:** Councillor Coleman.

**ATTENDING:** Chief Finance Officer; Human Resources Manager (T Gillespie) and Committee Services Officer (A Sobieraj).

**AP38. 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 of the said Act.

**AP39. SHORT MEETING – DEPUTE CHIEF FINANCE OFFICER (CORPORATE FINANCE)**

There was submitted Report (circulated) by the Chief Finance Officer dated 18 January 2012 (a) outlining the recruitment procedure in respect of the post of Depute Chief Finance Officer, and (b) enclosing application forms for the post with supporting papers.

Having heard from the Chief Finance Officer and following consideration of all the applications submitted, **AGREED** that the following short list of applicants be interviewed by the Committee on Tuesday 31 January 2012.

J Buchanan  
J Flannigan  
A Gow  
E McAtamney

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 30 JANUARY 2012 at 9.00 am.**

**PRESENT:** Provost Reid; Councillors C MacDonald and Nicol.

**CONVENER:** Provost Reid.

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

**ATTENDING:** Chief Finance Officer, Human Resources Manager (T Gillespie) and Senior Committee Services Officer (D Kelly).

**AP40. 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 of the said Act.

**AP41. APPOINTMENT OF DEPUTE CHIEF FINANCE OFFICER (REVENUE & BENEFITS)**

With reference to Minute of Meeting of the Appointments Committee held on 10 January 2012 (Paragraph AP37 refers), the Committee interviewed a short list of four candidates for the post of Appointment of Depute Chief Finance Officer (Revenue and Benefits) namely:-

C Crawford  
S Mathers  
J McCafferty  
J Peebles

**AGREED** that the post of Depute Chief Finance Officer (Revenue & Benefits) be offered to S Mathers on the relevant Chief Officer salary and conditions of service.

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 31 JANUARY 2012 at 9.00 am.**

**PRESENT:** Provost Reid; Councillors C Martin and C MacDonald.

**CONVENER:** Councillor C Martin.

**APOLOGIES:** Councillor Coleman.

**ATTENDING:** Chief Finance Officer, Human Resources Manager (T Gillespie) and Senior Committee Services Officer (D Kelly).

**AP42. 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 of the said Act.

**AP43. APPOINTMENT OF DEPUTE CHIEF FINANCE OFFICER (CORPORATE FINANCE)**

With reference to Minute of Meeting of the Appointments Committee held on 24 January 2012 (Paragraph AP39 refers), the Committee interviewed a short list of four candidates for the post of Appointment of Depute Chief Finance Officer (Revenue and Benefits) namely:-

J Buchanan  
J Flannigan  
A Gow  
E McAtamney

**AGREED** that the post of Depute Chief Finance Officer (Corporate Finance) be offered to J Flannigan on the relevant Chief Officer salary and conditions of service.

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the EDUCATION COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 31 JANUARY 2012 at 9.30 A.M.**

**PRESENT:** Councillors Carleschi, Coleman, Gow, McNally, McNeill, C R Martin, Meiklejohn, Partick, Ritchie and Waddell.

**REPRESENTATIVES  
OF RELIGIOUS  
BODIES:**

G Boyle, M Coutts and Rev M Rollo.

**CO-OPTEES:** A Rattray (Pupil Representative); C Leishman (Teacher Representative), and J Ainsley (Parent Representative).

**CONVENER:** Councillor Waddell.

**ATTENDING:** Director of Education Services; Heads of Educational Support and Improvement and of Educational Planning and Resources; Quality Improvement Officer (M Tait); Depute Chief Governance Officer and Committee Services Officer (S Barton).

**ALSO**

**ATTENDING:** L Vint, Headteacher, Antonine Primary School;

**APOLOGIES:** Councillor Blackwood and Mr Ablett.

**DECLARATIONS  
OF INTEREST:**

None.

**E31. MINUTE**

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Education Committee held on 1 November 2011.

**E32. PRESENTATION BY ANDREW SUTHERLAND, DIRECTOR OF EDUCATION SERVICES**

The Committee heard a presentation from Andrew Sutherland, Director of Education Services, the presentation covered the following:-

- The present strengths of Education Services including:-
  - Able and committed staff in schools and at the centre
  - First class children and young people
  - Supportive parents and community
  - Support of Elected Members
  - Good attainment



- First class school estate
- Improvement in positive destination profile post school
- Attainment levels, Standard Grade performance
- Challenges to be met, key themes being:-
  - Continue to reduce disadvantage and inequality
  - Continue to intervene early and raise literacy levels
  - Continue to improve attainment and achievement for all
  - More young people at University and College and in positive destinations
  - Increased partnership and multi-agency working
- The importance of early intervention, given that research shows that life chances are marked out in the 0-3 age group
- That looked after children should have the same opportunities
- The impact that can be made on children between the ages of 3 and 7
- High quality literacy is the essential building block for success
- The vision for Educational Services, including:-
  - Challenge and enjoyment
  - Breadth
  - Relevance
  - Depth
  - Progression
  - Coherence
  - Personalisation and choice
- The importance of health and well being
- No complacency – what are the skills required of our young people
- What are we doing to ensure that our young people have the skills required
- The aim to have positive and sustained destinations for all our young people
- Senior Phase Broad Priorities including:-
  - Improve quality and range of qualification at Higher
  - Economic regeneration
  - Up to 100% positive destinations
  - Increase the numbers who go to Higher Education and Further Education
  - See young people as entrepreneurs
  - High children and adult literacy levels
- That schools cannot do this alone and need the input of others, including:-
  - Parents, carers and the community
  - Elected Members
  - Business
  - Other council services
  - Voluntary and third sector organisations

The Convener thanked Mr Sutherland for his very interesting presentation and invited questions from Members. Discussion took place on the following:-

- How the aims outlined in the presentation would be put into practice
- Working with other departments and agencies to identify vulnerable young people and families
- Importance of working together
- The spiritual aspects of education
- Parental involvement in schools, and the important role of Parent Councils

### **E33. CALCULATION OF SECONDARY SCHOOL CAPACITIES**

There was submitted Report (circulated) dated 23 January 2012 by the Director of Education Services (a) outlining the changes made to the formula for calculating secondary school capacity in Falkirk Council schools, and (b) proposing a new formula for calculating school capacity to be used with immediate effect.

Discussion took place on the following:-

- Capacity issues and the pressure on ancillary space at Larbert High School
- The difficulties in assessing capacity before timetables are set
- The options for holding a special meeting of the Committee following the Local Government Elections in May

**NOTED** that the capacities calculated using this formula will be used for the purpose of forward planning by Education Services and for statutory performance indicators on school occupancy.

**AGREED** to adopt the proposed new formula for calculating secondary school capacities and to refer this to Policy and Resources Committee for approval.

### **E34. PROGRESS REPORT ON THE INTEGRATED INSPECTION BY HM INSPECTORATE OF EDUCATION ACTION POINTS – ANTONINE PRIMARY SCHOOL AND NURSERY CLASS**

There was submitted Report (circulated) dated 23 January 2012 by the Director of Education Services (a) providing a progress report on the follow through inspection by HM Inspectorate of Education of Antonine Primary School and Nursery Class, and (b) advising of the school's progress in meeting the main points for action.

**NOTED** the contents of the Report.

**AGREED** to commend the Headteacher, previous Headteacher and staff of Antonine Primary School and Nursery Class for taking forward the main points for action.

### **E35. CLOSING REMARKS**

The Convener thanks all Members, Representatives and officers for the contributions made to the Committee over the last 5 years and during his time as Education Convener.

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 1 FEBRUARY 2012 at 9.30 A.M.**

**PRESENT:** Councillors Alexander, Buchanan, Carleschi, Mahoney, C Martin, McLuckie, McNeill, Nicol and Turner.

**CONVENER:** Councillor Buchanan.

**APOLOGIES:** Councillors Lemetti, Oliver and Thomson.

**ATTENDING:** Director of Development Services; Chief Governance Officer; Head of Planning and Transportation; Development Manager; Development Management Co-ordinator (D Campbell); Roads Development Co-ordinator (B Raeburn); Roads Development Officer (C Russell); Environmental Health Officer (S Henderson); Senior Forward Planning Officer (R Teed); Network Co-ordinator; Senior Planning Officer (P Harris); Transport Planning Officer (K Swanson); Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

**DECLARATIONS** None

**OF INTEREST:**

Prior to consideration of business, Councillor Buchanan informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/11/0156/MRL (minute P133).

**P126. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 5 December 2011; and
- (b) Minute of Meeting of the Planning Committee held On-Site on 19 December 2011.

**P127. REQUESTS FOR SITE VISITS**

Having heard requests by Members for site visits, the Committee agreed to the continuation of planning applications P/10/0360/PPP, P/10/0762/FUL, P/11/0632/FUL, P/11/0692/FUL and P/11/0651/FUL to allow an inspection of the sites by the Committee.

**P128. THE FALKIRK COUNCIL (ON-STREET PARKING SPACE FOR DISABLED PERSONS) (No.017) ORDER 2011 – CARRONSIDE STREET, FALKIRK**

There was submitted Report (circulated) dated 24 January 2012 by the Director of Development Services seeking a decision on an application for a disabled parking space numbered No.017 from a resident of Carronside Street, Falkirk.

**AGREED** to make the Traffic Regulation Order referred to in the Report.

**P129. 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 (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 5 December 2011 (Paragraph P116 refers), Committee gave further consideration to Report (circulated) dated 24 November 2011 by the Director of Development Services and an additional Report (circulated) dated 24 January 2012 by the said Director on an application for planning permission in principle for the development of land for residential purposes with an access road and landscaping works on land to the north west of Denovan Cottage, Denny.

Councillor Carleschi, seconded by Councillor Mahoney, moved that the application be refused in accordance with the recommendations in the Report.

By way of an Amendment, Councillor Buchanan, seconded by Councillor McLuckie, moved that the application be approved on the grounds that the site was a gap site, the development was low density and that other similar applications had previously been approved.

On a division, 3 Members voted for the Motion and 5 voted for the Amendment.

Accordingly, **AGREED** to **GRANT** planning permission in principle, subject to appropriate conditions as determined by the Director of Development Services.

**P130. 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 (CONTINUATION)**

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 Director of Development Services and an additional Report (circulated) dated 24 January 2012 by the said Director on an application for full planning permission for the erection of a general purpose outbuilding,

measuring 372 square metres in floor area, to facilitate an equestrian carriage hire business, horse riding facilities, the siting of a temporary mobile home (retrospective) and the erection of a one and a half storey dwellinghouse, measuring 274 square metres in

footprint, to accommodate a site manager on land, measuring 1.1 hectares, to the north of Salterhill Farm, Slamannan Road, Limerigg.

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

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2)
  - (i) Unless otherwise agreed in writing, no development shall commence on the erection of the dwellinghouse until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites.
  - (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by, the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.
  - (iii) Prior to the commencement of the erection of the dwellinghouse, the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by, the Planning Authority. The dwellinghouse shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by, the Planning Authority.
- (3) Notwithstanding any details previously submitted, no work shall commence in terms of the erection of the dwellinghouse until such time as details of the height, location and construction of all fences, walls and other means of enclosure has been submitted to, and approved in writing by, the Planning Authority. The development shall be implemented in accordance with the approved details.
- (4) Notwithstanding any details previously submitted, no work shall commence in terms of the erection of the dwellinghouse until such time as details of external materials in respect of the dwellinghouse have been submitted to, and approved in writing by, the Planning Authority.
- (5) The temporary living accommodation shall cease to be occupied and shall be removed from the site once the dwellinghouse is occupied.

- (6) Before construction of the dwellinghouse commences, visibility splays of 2.4 metres x 120 metres shall be formed at the junction of the farm access road with the B8022 and the full width of the access road shall be surfaced with a bituminous surface, a minimum of 10 metres from the channel of the B8022, in accordance with drawing 10/023/PL2-03B.
- (7) Before the dwellinghouse is occupied, 3 parking spaces measuring 6 metres x 3 metres each and a suitably sized turning area shall be formed, all in accordance with details to be submitted to and approved in writing by, the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2-4) To safeguard the visual amenity.
- (5) To ensure that the planning authority retains control over the development and avoid the creation of an additional dwelling.
- (6) In the interests of road safety, to ensure the provision of adequate visibility and a satisfactory standard of access.
- (7) To ensure adequate provision of off-street parking and manoeuvring space within the site.

Informative:-

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

**P131. 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 (CONTINUATION)**

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 Director of Development Services and an additional Report (circulated) dated 24 January 2012 by the said Director on an application for full planning permission for the change of use from a shop to a hot food takeaway at the Village Shop, Redhouse Industrial Estate, Shieldhill Road, Reddingmuirhead, Falkirk.

**AGREED to REFUSE** planning permission on the grounds of road safety, the proximity of the site to the controlled junction of Shieldhill Road and Redding Road

raising concerns in terms of road safety, and the exacerbation of existing parking problems contrary to Policy EP9 (Food and Drink) of the Falkirk Council Local Plan.

**P132. ERECTION OF BED AND BREAKFAST AND GUESTHOUSE (CLASS 7) AT TIPPETCRAIG, BONNYBRIDGE FK4 2EU FOR MR STEVEN CAIRNS - P/11/0482/PPP (CONTINUATION)**

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 Director of Development Services and an additional Report (circulated) dated 24 January 2012 by the said Director on an application for planning permission in principle for the erection of a dwellinghouse to be used as a bed and breakfast with accommodation for the proprietor of the business at Tippetcraig, Bonnybridge.

**AGREED to REFUSE** planning permission in principle for the following reasons:-

- (1) The proposed development is not essential to the pursuance of agriculture, horticulture or forestry. A countryside location is not essential for the proposed development. The proposed development is not essential for the management of a business for which a countryside location is essential, or to provide funding for such a business. The proposed development does not constitute an appropriate form of agricultural diversification. The proposed development does not therefore accord with Policies ENV1 (Countryside and Protected Areas) or ECON7 (Tourism) of the Falkirk Council Structure Plan or Policies EQ19 (Countryside) or SC3 (Housing Development in the Countryside) of the Falkirk Council Local Plan.
- (2) The proposed development is contrary to Policy EP16 (Leisure and Tourism Development in the Countryside) of the Falkirk Council Local Plan as it is not proposed to utilise an existing building and there is no specific opportunity for such a development within the Local Plan.

**P133. CHANGE OF USE FROM BUILDER'S 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 (CONTINUATION)**

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 Director of Development Services and an additional Report (circulated) dated 24 January 2012 by the said Director on an application for full planning permission for a change of use from a builders' storage area to sale and repair of motor vehicles (renewal of planning permission P/09/0862/FUL) at Morven Construction Limited, Granary Square, Bankside, Falkirk.

In accordance with Standing Order 35.1 (viii) the Convener gave consent to Councillor Meiklejohn to speak in relation to this item of business, the said Member having duly given at least 24 hours notice.

Councillor McLuckie, seconded by Councillor Mahoney, moved that the application be approved in accordance with the recommendations in the Report.

By way of an Amendment, Councillor Alexander, seconded by Councillor Carleschi, moved that the application be refused on the grounds of noise, the effect on neighbouring residential properties and the potential noise pollution from the workshop units.

Notice of a further Amendment was given by Councillor Buchanan.

On a division, 4 Members voted for the Motion and 3 voted for the Amendment.

The Motion thereafter became the substantive Motion on which the further Amendment, such further Amendment being to the effect that the application be approved on a temporary basis for a period of one year, that servicing and repair of motorcycles and vehicles take place within the building and with the shutters closed for the purpose of minimising the impact of noise on adjoining and nearby residential properties and the addition of an Informative indicating that the applicant install signage at the entrance to/exit from the hardstanding area of the site instructing that motorcycles should be alighted and wheeled within this area, was moved by Councillor Buchanan and seconded by Councillor Mahoney.

On a division, 1 Member voted for the substantive Motion and 7 for the Amendment.

Accordingly, **AGREED to GRANT** temporary planning permission for a period of one year, subject to the following conditions:-

- (1) The servicing and repair of motorcycles and vehicles must take place within the building and with the shutters closed.
- (2) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the premises shall not be used as a Class 1 Retail Use.

Reason:-

- (1) To safeguard the residential amenity of the surrounding area.
- (2) To ensure that the Planning Authority can control the future use of the premises.

Informative(s):-

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



- (2) Any complaint received about noise will be investigated by the Environmental Protection Unit and appropriate action may be taken in terms of the statutory nuisance legislation.
- (3) The applicant shall install signage at the entrance to/exit from the hardstanding area of the site requiring that motorcycles should be alighted from and wheeled within this area.

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

**P134. EXTRACTION OF DIMENSION SANDSTONE AT DRUMHEAD QUARRY, DENNY FOR MR AND MRS D GRAHAM - P/11/0156/MRL (CONTINUATION)**

With reference to Minutes of Meetings of the Planning Committee held on 2 November and 5 December 2011 (Paragraphs P104 and P108 refer), Committee gave further consideration to Reports (circulated) dated 25 October and 24 November 2011 by the Director of Development Services and an additional Report (circulated) dated 24 January 2012 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 of this application to enable further consideration of access to the site and associated road safety issues.

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

In accordance with the decision taking at the start of the meeting, the following two items had been continued to a future meeting to allow inspections of the sites by Committee:-

**P135. DEVELOPMENT OF UP TO 550 HOUSES, A NEIGHBOURHOOD CENTRE INCLUDING RETAIL AND COMMUNITY USES, ACCESS JUNCTIONS, NEW ACCESS ROADS, PROVISION OF A NATURE CONSERVATION AREA, ASSOCIATED ROADS AND INFRASTRUCTURE ON LAND TO THE NORTH OF BANKVIEW NURSING HOME, KILSYTH ROAD, BANKNOCK FOR I AND H BROWN LTD - P/10/0360/PPP**

**P136. TEMPORARY STORAGE, TREATMENT AND DISTRIBUTION OF ORGANIC WASTE INCLUDING LIME TREATMENT AND OPEN WINDROW COMPOSTING AT JAWCRAIG BRICKWORKS, FALKIRK FK1 3AL FOR JAMES MCCAIG FARMS - P/10/0762/FUL**

**P137. CHANGE OF USE FROM PARKING AREA TO PRIVATE GARDEN GROUND AND THE ERECTION OF A 1.8 METRE BOUNDARY FENCE ON LAND ADJACENT TO 8 HARRIS PLACE, GRANGEMOUTH FK3 8TN FOR MR ALEX PATERSON - P/11/0677/FUL**

There was submitted Report (circulated) dated 24 January 2012 by the Director of Development Services on an application for full planning permission for the change of use from a parking area to private garden ground and the erection of a 1.8 metre boundary fence on land, measuring approximately 190 square metres at the east side of the garage/parking area, adjacent to 8 Harris Place, Grangemouth.

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

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) There shall be no obstruction to visibility over one metre in height within 2.5 metres of the channel line of the entrance to the access lane.
- (3) Notwithstanding any details previously submitted, the development shall not commence on site until details of boundary fencing have been submitted to, and approved in writing by, the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) In the interests of safeguarding highway users.
- (3) In the interests of visual amenity.

Informative:-

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

- P138. DISCHARGE OF SECTION 75 AGREEMENT ON PLANNING PERMISSION F/2001/0293, WHICH RESTRICTED OCCUPATION OF THE DWELLINGHOUSE APPROVED UNDER THAT PERMISSION TO A PERSON OR PERSONS RESPONSIBLE FOR THE MANAGEMENT OF THE MILNHOLM EQUESTRIAN CENTRE COMPLEX AT MILNHOLM FARM, REDDOCH ROAD, POLMONT, FALKIRK FK2 0YD FOR SUSAN BUCHANAN - P/11/0214/75D**

There was submitted Report (circulated) dated 24 January 2012 by the Director of Development Services on a request to discharge an agreement made under the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 relating to planning permission F/2001/0293, which restricted occupation of the dwellinghouse approved under that permission to a person or persons responsible for the management of the Milnholm Equestrian Centre complex at Milnholm Farm, Reddoch Road, Polmont, Falkirk.

**AGREED** to the existing Section 75 Agreement restricting the occupancy and sale of Milnholm Farm, Falkirk being discharged.

In accordance with the decision taking at the start of the meeting, the following item had been continued to a future meeting to allow an inspections of the site by Committee:-

- P139. INSTALLATION OF A WIND TURBINE 225 KW (32.2 METRES TO HUB AND 45.7 METRES TO BLADE TIP), ANCILLARY INFRASTRUCTURE INCLUDING ACCESS TRACK, CRANE HARDSTANDING AREA AND TEMPORARY GROUND WORKS ON LAND TO THE NORTH OF KERSEBROCK FARM, FALKIRK FOR MR JOHN WATSON - P/11/0632/FUL**

- P140. RE-PAINTING OF SHOP FRONTAGE AND INSTALLATION OF SAFETY GRILLES (RETROSPECTIVE) AT 39 NORTH STREET, BO'NESS EH51 0AQ FOR FALKIRK COUNCIL - P/11/0707/FUL**

There was submitted Report (circulated) dated 24 January 2012 by the Director of Development Services on an application for full planning permission for the repainting of a shopfront of a category B Listed building in light grey colour and the installation of Ratho Byre Forge designed safety grilles (retrospective) at 39 North Street, Bo'ness to match those installed at other locations within the Town Centre Conservation Area.

**AGREED** to **GRANT** planning permission.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the consent refers bear the online reference number(s) 01, 02 and 03.