

AGREED to:-

- (1) endorse the decision of the Environment and Community Safety held on 25 October 2011 to agree the proposed new fares scale and accordingly to fix the fares for the hire of taxis in the Authority's area and all other charges allowed by Section 17 (1) of the Civic Government (Scotland) Act 1982 as set out in the Schedule attached as an appendix to the Report, and
- (2) instruct the Chief Governance Officer to give notice in terms of section 17 (4) of the Act to those persons and organisations consulted in terms of section 17 (3) (a) and to inform them of the general effect of section 18 (1) (appeals in respect of taxi fares).

PR94. ASSETS SURPLUS TO OPERATIONAL REQUIREMENTS

There was submitted Report (circulated) dated 13 February 2012 by the Director of Development Services seeking approval for the undernoted areas of land, as illustrated in the maps attached as an appendix to the Report, to be declared surplus to operational requirements for disposal.

- Former Bakery Site, Comely Place, Falkirk
- Land at 9 Arnothill Gardens, Falkirk
- Land Adjoining Fern Cottage, 3 Philpinstone Lane, Bo'ness

AGREED to declare the above areas of land surplus to operational requirements and authorise their disposal on the terms set out in the report.

PR95. SUPPLEMENTARY PLANNING GUIDANCE NOTE: TRAVEL PLANS

With reference to the Minute of Meeting of the Economic Strategy and Development Committee held on 29 November 2011 (Paragraph ESD29 refers) there was submitted Report (circulated) dated 14 February 2012 by the Director of Development Services presenting the findings of the consultation undertaken in respect of the Supplementary Planning Guidance Note.

AGREED to approve the revised Supplementary Planning Guidance including the modifications contained in the Annex to the Report.

PR96. CONTRACTS:-**(a) Proposed Extension and Alterations at Westquarter Primary School (WES-5874)**

With reference to the Minute of Meeting of the Policy and Resources Committee held on 17 January 2012 (Paragraph PR84 (e) refers) there was submitted Report (circulated) dated 13 February 2012 by the Director of Development Services (a) advising that 7 tenders were received by the due date of 27 January 2012 and opened in accordance with Standing Order 11 relating to contracts, and (b) informing that the lowest tender was received from Murdoch Smith & Co Ltd in the sum of £504,943.04.

NOTED the decision of the Director of Development Services, to accept the tender submitted by Murdoch Smith & Co Ltd., Crownest Loan, Stenhousemuir in the sum of £504,943.04 in respect of the proposed extension and alterations at Westquarter Primary School.

(b) Refurbishment at 143-171 & 173-201 Kersiebank Avenue, Grangemouth

With reference to the Minute of Meeting of the Policy and Resources Committee held on 17 January 2012 (Paragraph PR84(d) refers) there was submitted Report (circulated) dated 13 February 2012 by the Director of Development Services (a) advising that a single tender was received from Corporate and Neighbourhood Services by the due date of 20 January 2012 and opened in accordance with Standing Order 11 relating to contracts; (b) informing that the checked tender in the sum of £997,153.00, represents best value for the Council, and (c) intimating the tender can be contained within the block expenditure figure for External Fabric Improvements which was identified in the Housing Investment 3 Year Programme 2011/14.

NOTED the decision of the Director of Development Services, to accept the tender submitted by Corporate and Neighbourhood Services, The Forum, Callendar Business Park, Falkirk, FK1 1XR in the sum of £997,153.00 in respect of refurbishment at 143-171 & 173-201 Kersiebank Avenue, Grangemouth.

(c) Framework Agreement for the Provision of Foster Care Service to Falkirk Council (SW/025/12)

There was submitted Report (circulated) dated 9 February 2012 by the Director of Social Work Services (a) providing background information in relation to establishing a Framework Agreement for the provision of Foster Care Services to Falkirk Council; (b) advising that following receipt of 13 tenders by the due date of 16 January 2012, all opened in accordance with Standing Order 11.2 relating to contracts, 8 tenders were selected as offering best value for money across the full range of services required, and (c) informing that the established value of the contract over the potential 4 year period is approximately £2.5 million.

AGREED in accordance with Standing Order 6.2 (iv) to approve acceptance of tenders shown on the appendix to the report for the Provision of Foster Care Services as part of a Framework Agreement to Falkirk Council.

PR97. REFERRAL FROM EDUCATION COMMITTEE – 31 JANUARY 2012

With reference to Minute of Meeting of the Education Committee held on 31 January 2012 (Paragraph E33 refers), there was submitted Report (circulated) dated 9 February 2012 by the Director of Education Services enclosing the Report - Calculation of Secondary School Capacities - considered by the said Committee with the recommendation being referred to the Policy and Resources Committee, for approval.

AGREED to approve the proposed new formula for calculating secondary school capacities.

PR98. REFERRALS FROM JOINT CONSULTATIVE COMMITTEE – 15 FEBRUARY 2012

With reference to Minute of Meeting of the Joint Consultative Committee held on 15 February 2012 (Paragraphs JCC24, 25 & 26 refers), there was submitted Report (circulated) by the Director of Corporate and Neighbourhood Services enclosing Reports considered by the said Committee with the recommendation being referred to the Policy and Resources Committee, for approval, namely:-

- **Disciplinary Policy**
- **SNCT Updates to Family Leave Policy (Teachers and Associated Professionals)**

A report outlining the outcome of the recent consultancy exercise on the arrangements for the Queen's Diamond Jubilee was also referred for decision.

NOTED the change to the Family Leave Policy.

AGREED:-

- the immediate implementation of the amended Disciplinary Policy, and
- that no additional public holiday be granted on the occasion of the Queen's Diamond Jubilee.

PR99. 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 & 12 of Part 1 of Schedule 7A to the said Act

PR100.8 CENTRAL BOULEVARD, LARBERT

There was submitted Report (circulated) dated 13 February 2012 by the Director of Development Services seeking approval to lease 8 Central Boulevard, Central Park, Larbert, as illustrated on the plan attached to the Report, to Customworks Ltd.

AGREED the lease terms to Customworks Ltd.

PR101. TRANSPORT PROJECTS – ACQUISITION OF LAND

There was submitted Report (circulated) dated 14 February 2012 by the Director of Development Services seeking approval to promote a Compulsory Purchase Order (CPO) to acquire land (as illustrated in the plan attached as an appendix to the Report) which has not been able to be obtained by negotiation, for the development of a footpath link between Craigs Crescent, Rumford and Cleuch Place, Maddiston.

AGREED to approve the Council's promotion of a Compulsory Purchase Order under the Roads (Scotland) Act 1984 over the private interests outlined in the Report and subsequent referral to the Scottish Ministers for the construction of a footpath between Craigs Crescent, Rumford and Cleuch Place, Maddiston.

PR102. COMPUSLORY PURCHASE OF PROPERTY – 124 PENNELTON PLACE, BO'NESS

There was submitted Report (circulated) dated 7 February 2012 by the Director of Corporate and Neighbourhood Services (a) referring to the deteriorating condition of the property at 124 Pennelton Place, Bo'ness, which is located within a mixed-tenure housing estate managed by Weslo Housing Management (as illustrated in the Map attached to the Report), and (b) seeking approval to initiate Compulsory Purchase procedures to redevelop the property, in conjunction with Weslo Housing Management, and re-introduce it as suitable social rented accommodation.

AGREED:-

- (1) the initiation of a Compulsory Purchase Order in respect of 124 Pennelton Place, Bo'ness;
- (2) the Council's contribution of an estimated maximum of £16k in respect of the compulsory purchase costs, funded from the Housing Investment Programme, and
- (3) to delegate authority to the Director of Corporate and Neighbourhood Services to negotiate and conclude the terms of a back to back agreement with Weslo which will include the transfer of the property to Weslo, an agreed level of renovation, and allocation rights in perpetuity to the Council.

NOTED Weslo's Commitment to fund the refurbishment costs of the scheme, subject to successful structural survey.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 21 FEBRUARY 2012 at 2.00 pm.

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

CONVENER: Councillor C Martin.

APOLOGIES: Councillors Alexander, Coleman and Nimmo.

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

AP44. 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.

AP45. SHORT LEETING – APPOINTMENT OF HEAD OF CHILDREN & FAMILIES AND CRIMINAL JUSTICE

There was submitted Report (circulated) by the Director of Social Work dated 14 February 2012 (a) outlining the recruitment procedure in respect of the post of Head of Children & Families and Criminal Justice, and (b) enclosing application forms for the post together with supporting papers.

AGREED that the Director of Social Work interview a long leet of 8 candidates and report back to the Committee with a recommended short leet of candidates to be interviewed by the Committee.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 23 FEBRUARY 2012 at 9.30 A.M.

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

CONVENER: Councillor Nicol.

APOLOGIES: Councillors Hughes, Jackson, Nimmo and Thomson.

ATTENDING: Depute Chief Governance Officer; Licensing Co-ordinator; Solicitor (P Gilmour); and Committee Officer (A Sobieraj).

DECLARATIONS None
OF INTEREST:

CL71. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 18 January 2012.

CL72. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN DECEMBER 2011

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on applications granted under delegated powers in December 2011 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002.

NOTED

CL73. 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.

CL74. ORDER OF BUSINESS

In terms of Standing Order 15.2(i), Councillor Nicol advised of a variation to 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.

CL75. APPLICATIONS FOR THE GRANT OF 2 ADDITIONAL PRIVATE HIRE CAR LICENCES

A Director of the applicant company, Mr B, entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on applications for the grant of two additional private hire car licences (a) advising of the background to the applications; (b) detailing the consultations undertaken and the responses received; and (c) detailing the records of the company Directors.

Mr B spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to GRANT the licences subject to the standard conditions.

CL76. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE (CONTINUATION)

The applicant, Mr N, entered the meeting.

With reference to Minute of Meeting of the Civic Licensing Committee held on 18 January 2012 (Paragraph CL68 refers), there was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; and (b) attaching as an appendix, copy of the Report submitted to the Civic Licensing Committee on 18 January 2012. The application had been continued at the previous meeting to enable the applicant to be in attendance.

Mr N 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 and pass the knowledge test;
- (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 undertake the Council's medical 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.

CL77. APPLICATION FOR THE GRANT OF A NEW LATE HOURS CATERING LICENCE

The applicant, Mrs D, together with Mr K, personal assistant and Mr S, day to day manager, entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the grant of a new late hours catering licence (a) advising of 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.

Mrs D 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 late hours catering licence for a period of one year subject to the standard conditions.

Councillor Nicol observed that there required to be a discussion in future by Committee on the duration of Late Hours Catering Licences.

CL78. APPLICATION FOR THE GRANT OF A NEW LATE HOURS CATERING LICENCE

The applicant, Mr T, entered the meeting. When requested by the Convener to confirm that he had received the copy of the Report by the Chief Governance Officer dated 15 February 2012 relating to the application, Mr T indicated that this had not been received. The Licensing Co-ordinator confirmed that the Report had been sent timeously by first class post to the applicant.

After consideration the Committee **AGREED** that the Licensing Co-ordinator provide the applicant with a copy of the Report and that time be allowed for the applicant to read the Report. The application would be considered following the next item on the agenda.

The applicant, Mr T, thereafter left the meeting.

CL79. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

The applicant, Mr J, together with day to day manager, Mr R, entered the meeting

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the renewal of a late hours catering licence (a) advising of 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.

Mr J 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 **RENEW** the late hours catering licence for a period of one year subject to the standard conditions.

CL80. APPLICATION FOR THE GRANT OF A NEW LATE HOURS CATERING LICENCE - CONTINUED

The applicant, Mr T, re-entered the meeting.

With reference to Paragraph CL78 above, there was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the grant of a new late hours catering licence (a) advising of 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.

Mr T spoke in support of the application, moving an amendment to the application being that the operating hours requested on a Sunday were until 12 midnight and not 1.30 a.m. as detailed on the application form and Report.

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 late hours catering licence for a period of one year subject to:-

- (a) the terminal operating hour on a Sunday being amended to 12 midnight; and
- (b) the standard conditions.

CL81. APPLICATION FOR THE GRANT OF AN ADDITIONAL TAXI OPERATOR LICENCE

The applicant, Mr F, entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the grant of an additional taxi operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr F spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the licence subject to the standard conditions.

CL82. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr L, entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr L spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the licence for a period of one year with a warning letter reminding the applicant of the standards expected of taxi drivers and subject to the standard conditions.

CL83. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr C, together with his father Mr C, Chief Inspector G Taylor and PC S Leishman, Central Scotland Police, all entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

The applicant's father, raised by way of a preliminary point in relation to the objection lodged by Central Scotland Police, that criminal court proceedings were pending in relation to one incident detailed in the letter of objection and submitted that to disclose information on this matter would be prejudicial to his son and material relating to the incident should not be admissible in today's proceedings

Chief Inspector Taylor advised that the Committee was not a court of law and due to the serious nature of the incident, the Police were of the opinion that the letter of objection should be considered in full.

Following legal advice from the Depute Chief Governance Officer, the letter of objection was circulated.

Questions were asked of Chief Inspector Taylor by Members of the Committee and the applicant's father.

Mr C and his father, Mr C, were then heard in relation to the objection.

Questions were asked of Mr C and his father, Mr C, by Members of the Committee and Chief Inspector Taylor.

AGREED following further legal advice to **CONTINUE** consideration to a future meeting pending the outcome of the court proceedings.

CL84. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr W, entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr W spoke in support of the application.

Questions were then asked by Members of the Committee.

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

CL85. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr W, entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr W spoke in support of the application.

Questions were then asked by Members of the Committee.

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

Provost Reid left the meeting prior to consideration of the following item of business.

CL86. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr G, entered the meeting.

There was submitted Report (circulated) dated 15 February 2012 by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr G 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 consider the application and to **RENEW** the licence for a period of one year, subject to the standard conditions.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the LEISURE, TOURISM AND COMMUNITY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 28 FEBRUARY 2012 at 9.30 A.M.

PRESENT: Councillors Carleschi, Coleman, C MacDonald, McLuckie, McNally, Mahoney, Meiklejohn, Nicol, Nimmo and Ritchie.

CONVENER: Councillor Mahoney.

ATTENDING: Director of Development Services; Planning and Environment Manager; Environmental Co-ordinator; Accountancy Services Manager; Legal Services Manager (I Henderson); Outdoor Access Officer (M Brown); Team Leader, Legal Services (D Blyth); and Committee Officer (A Sobieraj).

ALSO

ATTENDING: Chief Executive, Falkirk Community Trust.

**DECLARATIONS
OF INTEREST:**

Councillor Mahoney declared a non financial interest in Items 2 and 4 (minute LTC25 and LTC27) as a Director of Falkirk Community Trust and a Trustee of Friends of Kinneil, but did not consider that this required him to recuse himself from consideration of the items, having had regard to the objective test in the Code of Conduct.

Councillor Mahoney declared a non financial interest in Item 7 (minute LTC30) as a former Director of the Helix Trust and would take no part in consideration of the item.

LTC24. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Leisure, Tourism and Community Committee held on 22 November 2011, subject to amendments under Declarations of Interest to read "Member of the Historic Scotland Trust" and Item LTC21 to read "Basilica at Castlecary".

LTC25. HIPPODROME CENTENARY YEAR 2012

There was submitted Report (circulated) dated 8 February 2012 by the Chief Executive on preparations for celebrating the 100th Anniversary during 2012 of the Hippodrome Cinema in Bo'ness.

Discussion took place on the following issues:-

- The flourishing nature and success of the Hippodrome since its' reopening in 2009 including high visitor numbers;
- The value of the Pre Art Deco architectural style and the A Listed building status;
- The Anniversary event and Festival of Silent Cinema during March 2012; and
- The local community involvement and the wideranging economic and cultural benefits to Bo'ness and the Falkirk Council area.

The report was **NOTED**.

Following a request by a number of Members **AGREED** that the Convener request Trustees of the Falkirk Community Trust Board to consider locating a recent portrait of former Councillors Beth Eaglesham and Harry and John Constable within the Hippodrome or to identify an appropriate alternative location.

LTC26. CONSERVATION AREAS: APPLICATION FOR ARTICLE 4 DIRECTIONS

There was submitted Report (circulated) dated 14 February 2012 by the Director of Development Services on the Conservation Areas: Application for Article 4 Directions under the Town and Country Planning (General Development) (Scotland) Orders 1975 and 1981 and the Town and Country Planning (General Permitted Development) Order 1992.

AGREED to refer to Falkirk Council a recommendation that officers be authorised to make application to Scottish Ministers for new Article 4 Directions covering all nine Conservation Areas within the Falkirk Council area for the classes of permitted development detailed in the Report.

LTC27. BO'NESS AND KINNEIL FORESHORE – LOCAL NATURE RESERVE STATUS

There was submitted Report (circulated) dated 14 February 2012 by the Director of Development Services on Bo'ness and Kinneil Foreshore Local Nature Reserve Status under Section 21 of the National Parks and Access to the Countryside Act 1949.

Discussion took place on the following issues:-

- The wideranging community involvement through the significant efforts of the Friends of Kinneil;
- The opportunities for various sources of funding to support the initiative for the benefit of the local community and visitors outwith the area; and
- The regeneration of the area following the demise of the mining history and the importance of recognising this heritage.

AGREED:-

- (1) that consultation take place with Scottish Natural Heritage (SNH) on the proposal to declare Bo'ness and Kinneil Foreshore a Local Nature Reserve under Section 21 of the National Parks and Access to the Countryside Act 1949; and
- (2) that officers report back to a future meeting of the appropriate Committee on the outcome of the consultation in due course.

LTC28. CENTRAL SCOTLAND GREEN NETWORK: SCOTTISH NATURAL HERITAGE PROPOSAL TO CREATE THE "JOHN MUIR TRAIL" LONG DISTANCE PATH

There was submitted Report (circulated) dated 14 February 2012 by the Director of Development Services on the Central Scotland Green Network: Scottish Natural Heritage (SNH) proposal to create the "John Muir Trail" Long Distance Path.

Discussion took place on the following issues:-

- The delivery of a network of strategic walking and cycling routes for active travel and recreation;
- The phased implementation of the route between 2012 and 2014 and Project Action and Maintenance Plans;
- The social, environmental and economic benefits influencing health, wellbeing and quality of life improvements;
- The importance of prioritisation of the improvement and reinstatement of the Blackness part of the route;
- The two options for consideration along the Union Canal to Falkirk Wheel via Hallglen, Callendar House, Falkirk High Station and Bantaskine Park (pedestrian access only) or via Craigburn Wood and Tamfourhill Wood; and
- The signposting of the both routes for walkers irrespective of whether within the "John Muir Trail" or not.

AGREED:-

- (1) to support the delivery of the project in principle as part of Falkirk Council's contribution to the delivery of the Central Scotland Green Network;
- (2) the option One route via Hallglen, Callendar House, Falkirk High Station and Bantaskine Park (pedestrian access only) as the preferred route for the "John Muir Trail";
- (3) to request that officers report back to a future meeting of the appropriate Committee on the Scottish Natural Heritage (SNH) Project Action and

Maintenance Plans in due course and provide information on the associated revenue implications; and

- (4) to request that officers initiate discussions with Historic Scotland and Scottish Natural Heritage (SNH) for a National Trail for the Antonine Wall.

LTC29. INNER FORTH LANDSCAPE PARTNERSHIP INITIATIVE

There was submitted Report (circulated) dated 14 February 2012 by the Director of Development Services on the Inner Forth Landscape Partnership Initiative led by the Royal Society for the Protection of Birds (RSPB) (Scotland) and the preparation by the Council and partners of Stage One of the Heritage Lottery Fund (HLF) application.

Discussion took place on the following issues:-

- The major benefit to the biodiversity of the area;
- The importance of restoring historic monuments, locating signage and assisting in the interpretation of the landscape; and
- The leveraging in of additional funding to assist projects and community involvement.

AGREED to request that officers report back to a future meeting of the appropriate Committee in due course on progress once the outcome of the Stage One Initiative bid was known.

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

LTC30. HELIX TRUST: FOLLOWING THE PUBLIC POUND

There was submitted Report (circulated) dated 14 February 2012 by the Director of Development Services on the review of Council investment in the Helix Trust during the financial year 2010 to 2011 in accordance with Following the Public Pound.

Discussion took place on the following issues:-

- The production of the Annual Report in November 2011;
- The turnover in staffing during the previous two years and current management arrangements; and
- The ongoing review of the governance and organisational arrangements.
- The role of elected members serving as Directors on arms length organisations.

NOTED

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the INVESTMENT COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 1 MARCH 2012 at 9.30 A.M.

PRESENT: Depute Provost Black; Councillors Coleman, Kenna and Patrick.

APOLOGIES: Councillors Blackwood and McNeill.

CONVENER: Councillor Patrick.

ATTENDING: Chief Finance Officer; Depute Chief Governance Officer; Pensions Manager; Treasury Manager and Senior Committee Services Officer.

ALSO IN

ATTENDANCE: L Brown – Audit Scotland.

I36. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Investment Committee held on 24 November 2011.

I37. ACTUARIAL VALUATION AS AT 31 MARCH 2011

There was submitted Report (circulated) dated 17 February 2012 by the Chief Finance Officer (a) referring to the valuation of the Pension Fund undertaken by the Council's Actuaries, Hymans Robertson, in accordance with Regulation 32 of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008, and (b) advising that the purpose of the valuation is to establish the financial position of the Fund and to set an appropriate rate of employers' contribution for the next 3 years.

The Report covered the following areas:-

- Key valuation results
- Contribution rates
- Stabilising the contribution rate
- Review of Investment Strategy
- Funding Strategy Statement

NOTED the results of the valuation of the Pension Fund as at 31 March 2011.

AGREED to approve the revised Funding Strategy Statement.

Cathy McFadyen and Douglas Graham, of Hymans Robertson gave a presentation on the outcome of the valuation exercise.

I38. FALKIRK COUNCIL PENSION FUND – GOVERNANCE ARRANGEMENTS

There was submitted Report (circulated) dated 18 February 2012 by the Chief Finance Officer presenting an update on the progress been made in implementing revised governance arrangements for the Falkirk Council Pension Fund, a copy of which was attached as an appendix to the Report.

NOTED the revised Governance Framework Document.

AGREED to refer it to Falkirk Council for approval.

I39. FALKIRK COUNCIL PENSION FUND – TRAINING POLICY

There was submitted Report (circulated) dated 18 February 2012 by the Chief Finance Officer introducing a Training Policy, a copy of which was attached as an appendix to the Report, for members of the proposed Pensions Committee and Pensions Panel of the Falkirk Council Pension Fund.

AGREED to approve the introduction of a Training Policy for members of the proposed Pension Committee and Pensions Panel.

I40. AUDIT SCOTLAND – PENSION FUND REPORTS

There was submitted Report (circulated) dated 23 February 2012 by the Chief Finance Officer attaching a copy of the annual report on the 2010/11 audit of the Falkirk Council Pension Fund as prepared by Audit Scotland.

NOTED the:-

- (1) Final Report to Members by Audit Scotland on the 2010/11 audit of the Falkirk Council Pension Fund; and
- (2) Draft audit plan by Audit Scotland consistent with an audit of the pension fund annual report and accounts 2011/12.

I41. PENSION FUND – GENERAL GOVERNANCE MATTERS

There was submitted Report (circulated) dated 23 February 2012 by the Chief Finance Officer presenting an update on matters associated with the business of Falkirk Council Pension Fund.

NOTED:-

- (1) the 2012 pensions increase of 5.2%; and
- (2) the possible implications for the fund arising from the creation of single Police and Fire Services.
- (3) The Committee also noted that a verbal update from the Chief Finance Officer on progress with Social Housing.

I42. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following items of business on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A of the said Act.

I43. CLASS ACTION

There was submitted Report (circulated) dated 21 February 2012 by the Chief Finance Officer updating on progress on the co-ordinated civil action being taken by UK and EU institutional investors against the Royal Bank of Scotland (RBS) in the High Court in London.

NOTED:-

- (1) the updated position; and
- (2) that further progress reports be submitted by the Chief Finance Officer.

I44. RECOVERY OF TAXES UNDER EU PRINCIPLES

There was submitted Report (circulated) dated 22 February 2012 by the Chief Finance Officer updating on progress on the recovery of taxes, following the appointment of KPMG, based on EU principles, which have been withheld from dividend payments in a number of EU countries.

NOTED:-

- (1) the updated position; and
- (2) that further progress reports be submitted by the Chief Finance Officer.

I45. PENSION FUND – PERFORMANCE MEASUREMENT

There was submitted Report (circulated) dated 14 February 2012 by the Chief Finance Officer advising of the rates of return achieved by the Pension Fund Managers as measured against pre-determined benchmarks.

NOTED the Fund Manager's Performance for the period ending 31 December 2011.

I46. ALTERNATIVE MARKETS UPDATE

There was submitted Report (circulated) dated 16 February 2012 by the Chief Finance Officer providing an update on the progress of the investment programmes, as at 31 December 2011, managed under the Pension Fund's allocation to alternative assets.

NOTED the progress of the Private Equity Credit Markets and Infrastructure Programmes as at 31 December 2011.

I47. FUND MANAGER REVIEWS

There was submitted Report (circulated) dated 20 February 2012 by the Chief Finance Officer (a) reviewing the investments of its Pension Fund Managers and (b) enclosing booklets from the following:-

- Aberdeen Asset Management
- Legal and General Investment Management
- Newton Investment Management
- Schroder Investment Management

NOTED the action taken by Aberdeen Asset Management, Legal and General Investment, Newton Investment Management and Schroder Investment Management during the quarter ending 31 December 2011 consistent with their investment policies.

I48. FUND MANAGER REVIEW – PRESENTATION BY BAILLIE GIFFORD

The Committee received a presentation from Lawrence Linklater and Anne-Marie Gillon of Baillie Gifford on their performance as a Fund Manager.

The presentation covered the following areas:-

- Economic changes over the past 12 months
- Performance Summary
- Investment Analysis
- Bond Market Outlook
- Diversified Growth

The Convener thanked Mr Linklater and Ms Gillon for their presentation.

I49. CLOSING REMARKS

On the occasion of the last meeting of the Committee prior to the Local Authority Elections in May 2012, the Convener extended his thanks and gratitude to both Members and officers for their contributions over the past 5 years.

The Convener also extended the best wishes of the Committee to Alastair Redpath, Treasury Manager on his forthcoming retirement, and thanked him for his significant contribution.

DRAFT

MINUTE of MEETING of the COMMON GOOD SUB-COMMITTEE (FALKIRK) held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 2 MARCH 2012 at 9.30 AM.

PRESENT:- Provost Reid; Councillors Meiklejohn and Patrick.

CONVENER:- Provost Reid.

APOLOGY:- Councillor Alexander.

ATTENDING:- Heads of Accountancy Services and Senior Committee Officer (D Kelly).

DECLARATIONS

OF INTEREST:- None.

CG1. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Common Good Sub-Committee (Falkirk) held on 30 March 2011.

CG2. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A (4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A of the said Act.

CG3. APPLICATION FOR FUNDING – DOLLAR PARK TOILET FACILITIES

There was submitted Report (circulated) dated 27 February 2012 by the Chief Finance Officer advising that an application for financial assistance had been received from Friends of Dollar Park to assist them with costs associated with renovating the current toilet block.

AGREED to provide financial support, in the sum of £2,500 from the Falkirk Common Good Fund towards the cost of undertaking a feasibility study to obtain toilet facilities in Dollar Park.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 5 MARCH 2012 at 11.30 am.

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

CONVENER: Councillor C Martin.

APOLOGIES: Councillor Nimmo.

ATTENDING: Director of Social Work; Human Resources Advisor (J Simpson) and Senior Committee Services Officer.

AP46. 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.

AP47. SHORT MEETING – APPOINTMENT OF HEAD OF CHILDREN & FAMILIES AND CRIMINAL JUSTICE

With reference to Minute of Meeting of the Appointments Committee held on 21 February 2012 (Paragraph AP45 refers), there was submitted Report (circulated) by the Director of Social Work dated 14 February 2012 (a) outlining the recruitment procedure in respect of the post of Head of Children & Families and Criminal Justice, and (b) enclosing application forms for the post together with supporting papers.

Having heard from the Director of Social Work and following consideration of all the applications submitted, **AGREED** that the following short list of applicants be interviewed by the Committee on Friday 9 March 2012.

R Fowles
C McCarroll
L Purdie

WORKING GROUP MINUTES

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FALKIRK COUNCIL

MINUTE of MEETING of the BEST VALUE FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 9 DECEMBER 2011 at 10.00 a.m.

PRESENT: Provost Reid; Councillors Coleman, Meiklejohn, Patrick, Turner and Waddell.

CONVENER: Councillor Waddell.

APOLOGIES: Councillor C Martin.

ATTENDING: Chief Executive; Director of Corporate and Neighbourhood Services; Acting Deputy Chief Finance Officer (J Flannigan) and Senior Committee Services Officer.

DECLARATIONS

OF INTEREST: None.

BV31. MINUTE

There was submitted (circulated) and **NOTED** Minute of Meeting of the Best Value Forum held on 4 November 2011.

BV32. CORPORATE AND NEIGHBOURHOOD SERVICES: PERFORMANCE REPORT

There was submitted Report (circulated) dated 5 December 2011 by the Director of Corporate and Neighbourhood Services summarising performance of Corporate and Neighbourhood Services for the period April 2011 to October 2011.

Discussion took place on the following:-

- FOI enquiries – Response times
- Homelessness figures - Impact to changes in Welfare Benefits
- Sustaining new tenancies
- Maintenance arrangements for the Municipal Buildings
- Measuring performance – Quantity v. Quality
- Voids Management
- Repairs – Monitoring inspection system – resident questionnaires
- Private Spaces – ownership details and maintenance of
- Gas safety checks – Quality Control Measures

NOTED the performance of Corporate and Neighbourhood Services.

BV33. DATES FOR FUTURE MEETINGS 2012

There was submitted Report (circulated) dated 2 December 2011 by the Chief Governance Officer proposing dates for meetings of the Best Value Forum in the early point of 2012.

AGREED the Best Value Forum meet on Thursday 2 February 2012 and Friday 2 March 2010 both at 10.00am.

FALKIRK COUNCIL

MINUTE of MEETING of the BEST VALUE FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 2 FEBRUARY 2012 at 10.00 a.m.

PRESENT: Councillors Alexander, Coleman, Goldie, Gow, C Martin, CR Martin, Meiklejohn and Patrick.

CONVENER: Councillor C Martin.

APOLOGIES: Councillors Blackwood, Thomson and Waddell.

ATTENDING: Chief Executive; Chief Governance Officer; Heads of Community Care, and of Service, Service Manager (Social Work); Heads of Resource and Procurement and of Planning and Transportation; Legal Services Manager; Revenue Manager; and Senior Committee Services Officer.

ALSO

ATTENDING: Chief Executive, Falkirk Community Trust.

DECLARATIONS

OF INTEREST: None.

BV34. MINUTE

There was submitted (circulated) and **NOTED** Minute of Meeting of the Best Value Forum held on 9 December 2011.

BV35. CORPORATE PROCUREMENT REVIEW

With reference to the Minute of Meeting of the Emergency Committee held on 27 October 2011 (Paragraph EM2 refers), when it was agreed that a corporate review of procurement processes and procedures would be undertaken and reported back, there was submitted joint Report (circulated) dated 25 January 2012 by the Director of Corporate and Neighbourhood Services and the Chief Finance Officer presenting information on the scope of the review and the current cost of implementing the actions arising from the review.

Discussion took place on the following:-

- Levels of contracts between Scotland Excel and local procurement
- Supporting local procurement initiatives
- Role of Internal Audit in contract management
- Implement of "Quick Quote Facility"
- Development of staff training programmes
- Introduction of stricter systems of control

NOTED the Corporate Review of Procurement and that further progress reports will be submitted.

BV36. PUBLIC ART PROPOSAL: CAMELON WAR MEMORIAL

With reference to the Minute of Meeting of Falkirk Council held on 22 June 2011 (Paragraph FC37 refers), there was submitted Report (circulated) dated 26 January 2012 by the Director of Development Services introducing preliminary consideration proposals to erect a War Memorial in Camelon, to be funded by local business and grand aiding bodies.

Discussion took place on the following:-

- Approval for such a Memorial
- Composition of the local committee
- Indicative costs

NOTED the proposal to erect a War Memorial, near Lock 16 in Camelon, and that further updates be submitted during the planning process.

BV37. PUBLIC ART PROPOSAL: INTERNATIONAL WORKERS MEMORIAL

With reference to the Minute of Meeting of Falkirk Council held on 22 June 2011 (Paragraph FC37 refers), there was submitted Report (circulated) dated 26 January 2012 by the Director of Development Services introducing for preliminary consideration, proposals to erect an International Workers Memorial in Falkirk High Street to be developed in conjunction with Historic Scotland and Falkirk Trades Union Council.

Members welcomed the proposal.

NOTED the proposal to erect an International Workers Memorial in Falkirk High Street and that further updates be submitted during the planning process.

BV38. SOCIAL WORK SERVICES QUARTERLY PERFORMANCE REPORT: QUARTER 2 2011/12

There was submitted Report (circulated) dated 26 January 2012 by the Director of Social Work Services illustrating the performance of Social Work Services in a number of key areas for the six month period April to September 2011.

Discussion took place on the following:-

- Occupational therapy assessments
- Vacant occupation therapy posts
- Delayed discharge – implementation of Joint Plans
- Home care hours – monitoring
- Status of Welfare Rights Section
- Budget underspend
- Availability of beds within care homes

NOTED the performance.

BV39. COMMUNITY CARE SERVICE: ANALYSIS REPORT

There was submitted Report (circulated) dated 26 January 2012 by the Director of Social Work Services providing detailed information and analysis of Community Care Service activity over the last 3 years.

Discussion took place on the levels of intake assessments and current status of MECS alarms.

NOTED.

BV40. INFORMATION RELATING TO 16 AND 17 YEAR OLDS WHO ARE LOOKED AFTER AND ACCOMMODATED

There was submitted Report (circulated) dated 26 January 2012 by the Director of Social Work Services providing information on the number of 16 and 17 year olds who are looked after and accommodated.

Discussion took place on take up of higher education services.

NOTED.

BV41. CHIEF EXECUTIVE OFFICE**(a) Finance Services – Performance Report**

There was submitted Report (circulated) dated 25 January 2012 by the Chief Finance Officer detailing the performance of Finance Services for the third quarter of 2011/12 against a number of indicators that reflect Key Service and corporate Plan objectives.

Discussion took place on the following:-

- Interpretation of DWP roles in connection with benefits
- Staff vacancies
- Processes in handling benefit fraud cases

NOTED.

(b) Governance – Performance Report: 1 July to 31 December 2011

There was submitted Report (circulated) dated 26 January 2012 by the Chief Governance Officer providing performance information for Governance Services for the period July to December 2011.

NOTED.

BV42. FALKIRK COMMUNITY TRUST – PERFORMANCE REPORT: APRIL 2011 – DECEMBER 2011

There was submitted Report (circulated) dated 26 January 2012 by the Chief Executive detailing the performance of Falkirk Community Trust on a range of work and performance indicators for the period from April to December 2011.

NOTED.

BV43. FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

There was submitted Report (circulated) dated 26 January 2012 by the Chief Governance Officer providing information in relation to Freedom of Information (FOI) issues within Falkirk Council.

NOTED:-

- (i) the FOI monitoring information for 2009, 2010 and 2011
- (ii) the appeals for 2009, 2010 and 2011
- (iii) officers to keep a careful note on responding to FOI as EIR requests
- (iv) the Scottish Information Commissioner has commenced a series of assessment visits to public authorities
- (v) the increased impact of EIR's and
- (vi) that Falkirk Community Trust Ltd is subject to the provision of FOISA.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the BEST VALUE FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 2 MARCH 2012 at 10.00 a.m.

PRESENT: Provost Reid; Councillors Coleman, C Martin, Meiklejohn, Patrick and Waddell.

CONVENER: Councillor C Martin.

APOLOGIES: Councillors Alexander and Blackwood.

ATTENDING: Directors of Development Services, and of Education; Depute Chief Finance Officer; Head of Resources and Procurement and Senior Committee Services Officer.

ALSO

ATTENDING: The Chief Executive, Falkirk Community Trust and M King, Helix Trust.

DECLARATIONS

OF INTEREST: None.

BV44. MINUTE

There was submitted (circulated) and **NOTED** Minute of Meeting of the Best Value Forum held on 2 February 2012.

BV45. THE HELIX

There was submitted (circulated) the Report prepared by the Chief Executive dated 16 January 2012, which was previously issued to the meeting of Falkirk Council on 23 January 2012, presenting a review of progress to date on the Helix project.

Discussion took place on the following:-

- Turnover of Directors
- Organisational Issues
- Status of Partnerships
- Position of Falkirk Council
- Role of Falkirk Community Trust
- Provision of information to Members of Falkirk Council

NOTED.

BV46. FALKIRK HELIX PUBLIC ART SENTINEL

With reference to the Minute of Meeting of Falkirk Council held on 22 June 2011 (paragraph FC27 refers) there was submitted Report (circulated) dated 24 February 2012 by the Director of Development Services providing details of the erection of a "Sentinel" sculptural structure, proposed and submitted by the Helix Trust, and which is presently going through the planning application process.

NOTED the report and that the matter is currently the subject of a planning application.

BV47. DEVELOPMENT SERVICES – PERFORMANCE REPORT: JULY 2011 TO DECEMBER 2011

There was submitted Report (circulated) dated 23 February 2012 by the Director of Development Services summarising the performance of Development Services for the period July to December 2011.

NOTED the performance of Development Services for the period July to December 2011.

BV48. LOCAL PROCUREMENT

There was submitted Report (circulated) dated 27 February 2012 by the Director of Corporate and Neighbourhood Services presenting an update on work being undertaken to support the local economy through the Council's procurement processes.

NOTED.

BV49. EDUCATION SERVICES – PERFORMANCE REPORT

There was submitted Report (circulated) dated 23 February 2012 by the Director of Education Services summarising the quarterly performance of Education Services for the period April to December 2011.

Discussion took place on:-

- Pupil Attendance
- Standardising holidays – with other Local Authorities
- Sustainable progress in attainment
- School leavers destinations
- School capacities
- Future performance measurement in areas such as Fair Trade; Enterprise and International Activities

NOTED the performance of Education Services for the period April to December 2011.

BV50. VANDALISM COSTS – EDUCATION SERVICES

There was submitted Report (circulated) dated 23 February 2012 by the Director of Education Services (a) detailing the current vandalism cost for 2011/12 for all education properties; (b) providing comparative and budgetary information for current and past periods, and (c) outlining trends, steps and controls the service intends to make to reduce/mitigate overall costs.

NOTED the current spend on vandalism in schools and the actions taken to better manage the reporting and reduction vandalism costs.