

Council continues consideration of the Falkirk Community Trust Business Plan 2013-14 to the next meeting of Council to get clarity over the budget and how it is spent and to allow officers to provide the evidence base on which the budget proposals are made.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 31 members present, with voting as undernoted:-

For the motion (17) – Provost Reid; Depute Provost Patrick; Councillors Black, Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol, Nimmo and Paterson.

For the amendment (14) – Councillors Alexander, Balfour, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

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

FC84. REVENUE BUDGET 2013/14

With reference to Minute of Special Meeting of the Policy and Resources Committee held on 13 February 2013 (Paragraph PR94 refers) there was submitted joint Report (circulated) dated 5 February 2013 by the Chief Executive and the Chief Finance Officer providing a draft revenue budget for 2013/14 detailing (a) the overall budget position, including reserves; (b) individual service budgets; (c) service initiatives, and (d) the proposed Council Tax charge per band.

Following the Chief Finance Officer's summary of the report and questions, Council adjourned for lunch and reconvened at 1.00 pm with all members present as per the sederunt.

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

- (a) accepts the Draft Budget for 2013/14 as set out in the report and as appended to it
- (b) levies a Council Tax for 2013/14 as follows:-
 - (i) A Council Tax to be paid in respect of a chargeable dwelling in Council Tax Valuation Band D of £1,070, representing a nil increase;
 - (ii) A Council Tax to be paid in respect of a chargeable dwelling in each of the other Council Tax Valuations Bands in accordance with Section 74 (1) of the Local Government Act 1992 (as set out in paragraph 10.3 of the report);
- (c) deploys £400k of the earmarked Spend to Save Reserve for “refreshing the profession” in Education as set out in paras 5.7.3 and 6.3 of the report;

- (d) accommodates the funding of the outcome of the Transport review consistent with section 6.3 of the report, and
- (e) instructs Chief Officers to deliver Services within the specific budget allocation for each Service and authorises them to take such actions as may be required to give effect to the service delivery proposals outlined in sections 5 and 6 of the report.

Councillor Meiklejohn, seconded by Councillor Jackson moved the following in substitution for paragraphs (a) and (c) of the motion.

- (a) accepts the draft budget as amended below
- (c) deploys the remaining £1.6m from the Spend to Save fund along with a further £400k of surpluses returned from Police & Fire to a new fund to meet the cost of Prudential Borrowing of up to £25,000,000 with priority going to projects that add value to the local economy, job and training opportunities. These projects will include:-
 - Completion of the Denny Eastern Access Road **£7m**
 - Town Centre Regeneration and the development of a Villages and Smaller Centres Strategy and regeneration programme **£5m**
 - Bringing forward of the next phases of the Asset Business Property Portfolio Programme **£2m**
 - Construction of a school hall at Blackness Primary School **£500.00**
 - Blackness Coastal footpath, on John Muir Coast to Coast **£135,000**
 - Key Infrastructure Works – investment in areas of infrastructure including roads projects that aid the local economy **£3m**

With priority also given to quality of life issues that will bring an income as well as improving infrastructure, projects such as:-

- The provision of 3 new 3g sports pitches estimated cost **£3m**, estimated annual income **£250k**
- Investment in other sports and leisure facilities per the strategic Leisure Plans of the Council, **£2m**, target income from such investment, **£95k**

Total proposed investment, estimated - **£22,635,000** giving around 10% flexibility.

Officers to bring forward reports on how strategies will be developed to ensure maximum impact for spending proposals from the above with ongoing dialogue between all groups within the council on the processes involved.

Council then adjourned for 15 minutes to allow members of the Administration to consider the terms of the amendment and reconvened at 2.25 pm with all members present as per the sederunt.

Councillor Spears gave notice of a further amendment.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 31 members present, with voting as undernoted:-

For the motion (17) – Provost Reid; Depute Provost Patrick; Councillors Black, Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol, Nimmo and Paterson.

For the amendment (14) – Councillors Alexander, Balfour, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

The motion was carried. Councillor Spears then moved the following amendment in supplement to the motion.

Veterans Liaison Officer

Falkirk Council have previously recognised & supported the great debt to our armed forces in their deployment throughout the world, historically from conflicts in Iraq and Afghanistan back through to the Falklands War.

Council recognise the UK Government's decision to reduce the current level of manpower within our armed services, on top of the reduction of overseas personnel returning from Afghanistan which will place increasing demand on the already overstretched resources of our Social Work and Corporate and Neighbourhood Services. This Council will therefore support the creation of an office and post of Veterans' Liaison Officer, with an annual stipend of £25,000. This is in addition to the £20,000 recurring figure contained within 7.1 of the Miscellaneous Services budget allocated to the CAB's Armed Service Advice Project.

This additional money will be released from the Council's Reserves.

Commercial Rents Reduction

In light of serious concerns over the extremely alarming rate of retailer decline on our High Streets and retail parks, (since Christmas we have seen the closure of Blockbuster Video; Jessops Photography; Comet; and most recently and locally HMV) measures should be put in place to assist the economic recovery of our partners within all local High Streets of the Falkirk area.

This Council must recognise the alarming rise in retail failure within Scotland. In an effort to show support to this valuable sector of the economic model, Falkirk Council will instruct a 5% reduction to commercial rents across the Council's property portfolio. This equates to a cost of £199,500 to the General Fund.

This money will be released from the Council's Reserves.

Councillor Nicol, having considered the terms of the further amendment, declared a financial interest as the spouse of an owner of a commercial property. The Chief Governance Officer advised Council about the exclusion from declaration in relation to any interests a member may have in a report dealing with setting the Council tax as set out in paragraph 5.18 of the Code of Conduct. Councillor Nicol was mindful of public perception, however, and decided to withdraw from the meeting and take no further part in the discussion or decision making process.

Following discussion 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 Patrick; Councillors Black, Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nimmo and Paterson.

For the amendment (14) – Councillors Alexander, Balfour, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

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

Councillor Nicol then rejoined the meeting following consideration of the foregoing item of business.

FC85. THREE YEAR GENERAL CAPITAL PROGRAMME 2013/14 – 2015/16

With reference to minute of Special Meeting of the Policy and Resources Committee held on 13 February 2013 (Paragraph PR94 refers), there was submitted report (circulated) dated 5 February 2013 by the Chief Finance Officer presenting the proposed capital investment programme for the financial years 2013-2016 highlighting the key investments by Service and detailing the Prudential Indicators used to demonstrate that the plans are affordable, prudent and sustainable.

Councillor C Martin, seconded by Councillor Black, moved the recommendations set out in the report.

By way of amendment, Councillor Spears seconded by Councillor McCabe, moved the following:-

“NAIG note with interest that this administration have surprisingly initiated dialogue with the SNP Scottish Government on the question of utilising pension fund monies to support construction of social house building, but also the sourcing of £10.241m in TIF monies to allow investment for infrastructure projects throughout central and eastern Falkirk. This is contained within 3.7.1 of the General Services Capital Programme. It has also been graphically illustrated in the ‘Redline’ plan.

That Council recognise this money released through the granting of the TIF application, to allow for the immediate construction of DEAR (Denny Eastern Access Road). There is an indication of £40k in 2013-14 and £200k in 2015-16 for provisional works within the Development Services Future Investment Plan.

The Provost ruled that the amendment was not competent as it did not comply with Standing Order 19.4A.

AGREED the proposed General Services Capital Programme 2013 to 2016 as detailed in appendix 1 to the report and the Prudential Indicators set out in appendices 2 and 3.

Councillor Nicol declared a financial interest on the following item as the spouse of the owner of Commercial Property and withdrew from the meeting for this item taking no part in the discussion or decision making.

FC86. HOUSING REVENUE ACCOUNT & COUNCIL HOUSE RENTS 2013/14 – 2015/16

With reference to minute of Special Meeting of the Policy and Resources Committee held on 13 February 2013 (Paragraph PR94 refers), there was submitted joint report (circulated) dated 5 February 2013 by the Director of Corporate and Neighbourhood Services and the Chief Finance Officer (a) presenting a draft Housing Revenue Account for the financial year 2013/14; (b) making recommendations on the level of council house and garage rents for 2013/14, and (c) proposing indicative rent levels for the years 2014/15 to 2015/16.

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

- (1) approves the Draft Housing Revenue Account budget for 2013/14, with the following specific recommendations;
- (2) Rent increase of 3.6% to be applied from 1st April 2013. The average fortnightly charge would therefore increase from £115.90 to £120.06, based on the 24 fortnightly periods with no rent being charged during the fortnightly periods commencing 24 June 2013 and 23 December 2013, as well as week commencing 30 March 2014, as this represents week 53;
- (3) Utilisation of c£2.5m from the Housing Revenue Account reserves;
- (4) Lock-up garage rentals to increase from an average of £5.33 per week to £5.52 per week;
- (5) Garage site rentals to increase from £75 per annum to £76 per annum;
- (6) Castings Hostel rentals increase from £137.69 per room per week to £142.65 per week (excluding fuel charges);
- (7) Homeless property rentals increase from an average of £159.62 per week to £165.37 per week, and
- (8) Notes the indicative budgets and rent increases for 2014/15 and 2015/16 as representing the best information available at this time.

Councillor Alexander, seconded by Councillor Jackson moved the following in substitution for the motion.

- (2) A rent increase of 2.7% (RPI), be applied with the first year shortfall of £400,000 being accommodated from reserves while a full and comprehensive Best Value Review is carried out into all aspects of management of the HRA to conclude before the 2014/15 budget process has been completed

With paragraphs (3) – (7) being amended accordingly and with the addition of the following recommendation at 10.8.

Council notes with concern the draconian and totally negative impact of the Westminster Government's Welfare reforms on a high percentage of our most vulnerable tenants.

Council therefore resolves not to seek eviction of any tenant who can demonstrate that their arrears relate to the introduction of benefit changes such as the bedroom tax.

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 Patrick; Councillors Black, Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nimmo and Paterson.

For the amendment (14) – Councillors Alexander, Balfour, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

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

FC87. HOUSING INVESTMENT PROGRAMME 2013/14 – 2015/16

With reference to minute of Special Meeting of the Policy and Resources Committee held on 13 February 2013 (Paragraph PR94 refers), there was submitted report (circulated) dated 5 February 2013 by the Director of Corporate and Neighbourhood Services (a) presenting the proposed Housing Investment Programme for the financial years 2013 to 2016; (b) summarising the key documents of the new build programme for Council Housing and the Housing Investment Programme; (c) detailing the resources available for 2013/14, and (d) detailing the Prudential Indicators used to demonstrate that the plans are affordable prudent and sustainable.

AGREED the draft Housing Investment Programme for 2013 to 2016 as set out in appendix 1 of the report and the Prudential Indicators set out in appendix 2.

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 14 FEBRUARY 2013 at 9.30 A.M.

PRESENT: Provost Reid; Councillors Blackwood, D Goldie, Hughes, McLuckie, McNally, Nicol and Turner.

CONVENER: Councillor Nicol.

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

CL95. APOLOGIES

Apologies were intimated on behalf of Councillors Buchanan and Ritchie.

CL96. DECLARATIONS OF INTEREST

No declarations were made at the commencement of business. Councillor D Goldie however subsequently declared an interest detailed at item 11 (minute CL105).

CL97. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 16 January 2013.

CL98. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS AND NOTIFICATIONS OF PUBLIC PROCESSIONS RECEIVED IN DECEMBER 2012

There was submitted Report (circulated) dated 7 February 2013 by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 and 31 December 2012 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002; and (b) notifications for public processions received during the same period.

NOTED

CL99. CIVIC LICENSING ENFORCEMENT - AN OVERVIEW

There was submitted Report (circulated) dated 7 February 2013 by the Chief Governance Officer setting out the approach taken to enforcement within the Council's Licensing section.

NOTED

CL100. 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 ground that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

Councillors Hughes and McLuckie entered the meeting prior to consideration of the following item of business.

CL101. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr M, entered the meeting.

There was submitted Report (circulated) dated 7 February 2013 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 M spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED:-

- (1) that the applicant be given a final opportunity to take and pass the knowledge test;
- (2) that, should the applicant fail the knowledge test, the Chief Governance Officer is authorised to refuse the licence in terms of the Civic Government (Scotland) Act 1982 Section 13 (5) without further reference to Committee;
- (3) that, should the applicant pass the knowledge test, officers will arrange for the applicant to sit the Council's medical examination and the applicant shall thereafter provide evidence to show that he has met the DVLA Group 2 Regulations Standards;
- (4) that, should the applicant pass both tests, the Chief Governance Officer is authorised to grant the licence; and

- (5) that, should the applicant pass the knowledge test but fail the medical test, the application will be further considered at a future meeting of the Committee.

CL102.APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr M, entered the meeting.

There was submitted Report (circulated) dated 7 February 2013 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 M 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, subject to the standard conditions.

CL103.APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The Licensing Co-ordinator advised that the applicant, Mr M, was not present at the meeting. The applicant had contacted the Licensing section the previous day to advise that he was due to attend hospital on the morning of the meeting and was unable to attend the meeting. The applicant had therefore requested that the matter be continued to a future meeting to allow him to be present.

AGREED to **CONTINUE** consideration to a future meeting to enable the applicant to be present.

CL104.APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr B, entered the meeting.

There was submitted Report (circulated) dated 7 February 2013 by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and the responses received.

Mr B spoke in support of the application.

Questions were then asked by Members of the Committee.

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

Mr B left and was then recalled to the meeting.

AGREED to **CONTINUE** consideration to a future meeting to obtain further medical clarification from the General Practitioner who undertook the recent medical examination.

CL105. APPLICATION FOR THE GRANT OF A NEW ITINERANT METAL DEALER LICENCE

Prior to commencement of this item of business, Councillor D Goldie declared a non-financial interest in respect of the application by virtue of him being acquainted with the applicant, and considered that he required to recuse himself from consideration of the item, having regard to the objective test in the Code of Conduct. Councillor Goldie thereafter left the meeting.

The applicant, Mr McP, entered the meeting.

There was submitted Report (circulated) dated 7 February 2013 by the Chief Governance Officer on an application for the grant of a new itinerant metal dealer 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 McP 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, subject to the standard conditions.

CL106. APPLICATION FOR THE RENEWAL OF A SECOND HAND DEALER LICENCE (USED VEHICLES)

Directors of the applicant company, Mr S and Ms S, entered the meeting.

There was submitted Report (circulated) dated 7 February 2013 by the Chief Governance Officer on an application for the renewal of a second hand dealer licence (used vehicles) (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) detailing the records of the two Directors.

Mr S and Ms S spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED:-

(1) to **RENEW** the licence for a period of three years, subject to the standard conditions; and

- (2) that in the event of an application being submitted by the same applicant for its other premises at Graham's Road, Falkirk on the impending expiry of the current licence, and in respect of which the applicant would normally be required to appear again before the Committee, authority to determine the application without appearance before the Committee is delegated to officers provided that no supervening circumstances occur which would require the application to come before Committee.

CL107. APPLICATION FOR THE RENEWAL OF A STREET TRADER LICENCE

The applicant, Mr G, was not present at the meeting. The Licensing Co-ordinator advised that a telephone call had been received from the applicant's partner to advise that the applicant had had an accident and was in hospital. Having heard from the Licensing Co-ordinator, the Committee agreed to consider the application in the applicant's absence due to its routine nature.

There was submitted Report (circulated) dated 7 February 2013 by the Chief Governance Officer on an application for the renewal of a street trader 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.

Questions were then asked by Members of the Committee.

AGREED to **RENEW** the licence for a period of three years, subject to the standard conditions.

CL108. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr L, Inspector D Gibson and PC S Leishman, Central Scotland Police, all entered the meeting.

There was submitted Report (circulated) dated 7 February 2013 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, Mr L, advised that he had no preliminary points to make on the competency of the objection submitted by Central Scotland Police, following which the letter of objection was circulated.

Inspector D Gibson then spoke in amplification of the objection.

Questions were asked of Inspector Gibson by Members of the Committee. The applicant stated that he had no questions for Inspector Gibson.

Mr L was then heard in relation to the objection and to his application.

Questions were asked of the applicant by Members of the Committee. The representative from Central Scotland Police stated that he had no questions for the applicant.

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

The applicant, Mr L, Inspector D Gibson and PC S Leishman, left and were then recalled to the meeting.

AGREED to REFUSE the application for a taxi driver licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3) (a) (ii) on the ground that the applicant was not a fit and proper person to be the holder of such a licence.

Councillor D Goldie re-entered the meeting during consideration of the foregoing item of business but took no part in consideration thereof.

CL109.APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr A, together with his representative, Mr T, Inspector D Gibson and PC S Leishman, Central Scotland Police, all entered the meeting.

With reference to Minutes of Meetings of the Civic Licensing Committee held on 18 June and 15 November 2012 (Paragraphs CL29 and CL78 refer), there was submitted Report (circulated) dated 7 February 2013 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; (c) detailing the applicant's record, and (d) attaching as an appendix, copies of Reports submitted to the Civic Licensing Committee on 18 June and 15 November 2012. The application had been continued on 15 November 2012 to a future meeting pending the outcome of court proceedings.

The applicant's representative, Mr T, raised by way of preliminary point, the ex parte nature of the witness statements as presented in the objection letter lodged by Central Scotland Police. Mr T submitted that this would be prejudicial to his client. In addition, inaccurate information was contained in the report in relation to one recent conviction. This conviction was not as presented.

In response, Inspector Gibson indicated that he did not have any information on Police record in relation to the nature of the aforementioned conviction other than the charge itself.

After consideration, and following clarification from the Chief Governance Officer in relation to procedures for the presentation of witness statements from either party, the Committee resolved to consider the Police objection letter but indicated that Central Scotland Police must provide clarification of the exact nature of the conviction identified by the applicant's representative.

Inspector D Gibson then spoke in amplification of the objection.

Members of the Committee and the applicant's representative stated that they had no questions for Inspector Gibson.

Mr T was then heard in relation to the objection and this included clarifying the specific charge in relation to one incident.

Questions were asked of the applicant's representative by Members of the Committee. The representative from Central Scotland Police stated that he had no questions for the applicant's representative.

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

The applicant, Mr A, together with his representative, Mr T, Inspector D Gibson and PC S Leishman, left and were then recalled to the meeting in order to clarify the wording of the charge to which the applicant pled guilty on 16 January 2013.

Mr T confirmed the wording contained in the charge and this was accepted by Inspector Gibson.

Further questions were then asked by Members of the Committee.

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

The applicant, Mr A, together with his representative, Mr T, Inspector D Gibson and PC S Leishman, left and were then recalled to the meeting.

AGREED to REFUSE the application for renewal of a taxi driver licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3) (a) (ii) on the ground that the applicant was not a fit and proper person to be the holder of such a licence.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on FRIDAY 15 FEBRUARY 2013 commencing at 1.00 p.m.

PRESENT: Councillors Buchanan, Chalmers, McLuckie, Nicol and Turner.

CONVENER: Councillor Buchanan.

ATTENDING: Development Management Co-ordinator (B Whittle); Planning Officer (K Brown) (for application P/12/0410/FUL); K Hope, Assistant Planning Officer (for applications P/12/0588/FUL and P/12/0611/FUL); Network Co-ordinator; Environmental Health Officer (S Henderson) (for applications P/12/0410/FUL and P/12/0611/FUL); Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

P188. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Alexander, Black, Carleschi, Mahoney, C Martin, Meiklejohn and Paterson.

P189. DECLARATIONS OF INTEREST

No declarations were made.

P190. FORMATION OF RAISED DECKING AREA AND DISABLED ACCESS RAMP TO FORM EXTERNAL SEATING AREA AT CRAIGLEE INN, REDDING ROAD, REDDINGMUIRHEAD, FALKIRK FOR MRS MHARI FRENCH - P/12/0410/FUL

With reference to Minute of Meeting of the Planning Committee held on 30 January 2013 (Paragraph P170 refers), Committee gave further consideration to Report (circulated) dated 22 January 2013 by the Director of Development Services on an application for full planning permission for the formation of a raised timber decking area and disabled access ramp (in retrospect) to form an external seating area to the front of the Craiglee Inn, Redding Road, Reddingmuirhead, Falkirk.

The Convener introduced the parties present.

The Planning Officer (K Brown) outlined the nature of the application.

Ms French, the applicant, was heard in relation to the application.

The Convener thereafter read out an email from Ms Fusco, an objector, having submitted an apology for the meeting, in relation to the application.

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

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

The objections included the following issues:-

- The potential increase in noise levels and impact on residential amenity;
- The impact on the privacy of the directly adjacent properties; and
- The increase in parking problems at the site.

Ms Young, a supporter, was heard in relation to the application.

Ms Foley, a supporter, was heard in relation to the application.

The supporters highlighted the reduction in noise levels since the building of the decking area and the general improvement of the premises.

Questions were then asked by Members of the Committee.

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

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 February 2013.

P191. EXTENSION TO LOUNGE BAR AT REDDING AND WEST QUARTER UNITY CLUB, REDDING ROAD, REDDING, FALKIRK FK2 9TX FOR REDDING AND WESTQUARTER UNITY CLUB - P/12/0588/FUL

With reference to Minute of Meeting of the Planning Committee held on 30 January 2013 (Paragraph P180 refers), Committee gave further consideration to Report (circulated) dated 22 January 2013 by the Director of Development Services on an application for full planning permission for the erection of a single storey extension to accommodate an additional lounge/bar and seating area within the Redding and West Quarter Unity Club, Redding, Falkirk.

The Convener introduced the parties present.

The Assistant Planning Officer (K Hope) outlined the nature of the application.

Mr Smith, Mr Yanowicz and Mr Nicol, the applicant's representatives, were heard in relation to the application.

The organisation having submitted a letter of representation was not present but the Members noted the observations detailed in the Report.

Questions were then asked by Members of the Committee.

The Convener was heard in relation to the application, at the request of Councillor Jackson, a local Member for the area, having submitted apologies for the meeting,

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 February 2013.

P192. CHANGE OF USE FROM CLASS 2 (FINANCIAL, PROFESSIONAL AND OTHER SERVICES) TO HOT FOOD TAKEAWAY (SUI GENERIS) AND INSTALLATION OF FAN AT 6 WAGGON ROAD, BRIGHTONS, FALKIRK FK2 0ES FOR NEW YORK PIZZA CO INC - P/12/0611/FUL

With reference to Minute of Meeting of the Planning Committee held on 30 January 2013 (Paragraph P175 refers), Committee gave further consideration to Report (circulated) dated 22 January 2013 by the Director of Development Services on an application for full planning permission for a change of use from a class 2, (financial, professional and other services) to a sui generis (hot food takeaway use) at 6 Waggon Road, Brightons, Falkirk.

The Convener introduced the parties present.

The Assistant Planning Officer (K Hope) outlined the nature of the application.

Mr Snedden and Mr Swan, the applicants, were heard in relation to the application.

The Convener thereafter read out an email from Ms Dryburgh, an objector, having submitted an apology for the meeting, in relation to the application.

Mr Bell, on behalf of Mr Wong, an objector, was heard in relation to the application.

The objections included the following issues:-

- The proposed development would exacerbate current parking, access and traffic generation problems at Waggon Road and impact on road safety;
- The poor state of repair of Waggon Road including pot holes and pavement;
- That there was already a hot food shop in the area;
- That submitted plans were of poor quality and therefore made full assessment of proposals difficult;
- The applicant had not addressed litter or noise issues;
- The proposal was in the wrong location; and
- The concerns in relation to neighbour notification.

The Convener thereafter read out a letter from A McDonald, MSP, in relation to the application.

Ms McNeill, having indicated that she was neither a supporter nor objector, was heard in relation to the application.

Mr Evans, a supporter, was heard in relation to the application.

The supporting submissions included the following issues:-

- There were no other quality food delivery operations in the area and the proposed development would offer a choice;
- The application would be a benefit to the local community;
- The creation of local jobs; and
- The proposal would result in a decrease in traffic generation as it would primarily be a delivery service.

Questions were then asked by Members of the Committee.

Councillor Murray, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 February 2013.

DRAFT

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of the ECONOMIC STRATEGY AND DEVELOPMENT COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 18 FEBRUARY 2013 at 9.30 a.m.

PRESENT: Councillors Black, Blackwood, Buchanan, Coleman, D Goldie, Gow, McNally, Nimmo and Oliver.

CONVENER: Councillor Goldie.

ATTENDING: Director of Development Services; Head of Planning and Transportation; Development Plan Co-ordinator; Planning and Environment Manager; Legal Services Manager (I Henderson), and Committee Services Officer (S Barton).

ESD20. APOLOGIES

An apology for absence was intimated on behalf of Councillor Carleschi.

ESD21. DECLARATIONS OF INTEREST

There were no declarations made.

ESD22. FALKIRK LOCAL DEVELOPMENT PLAN – PROPOSED PLAN

There was submitted Report (circulated) dated 11 January 2013 by the Director of Development Services (a) outlining the process for the preparation of the Falkirk Local Development Plan; (b) providing information on the consultation process undertaken to date, and (c) presenting as an Appendix to the Report the draft Proposed Plan for consideration.

Councillor D Goldie advised that he proposed to move officers' recommendations with the addition of a site at Glasgow Road, Camelon. With the agreement of the Committee, he asked that copies of all amendments proposed to be discussed at the meeting be circulated by the Clerk to members of the Committee. He invited notice of amendments from Members. Councillor Buchanan gave notice of an amendment in relation to two sites. Councillor Oliver gave notice of an amendment in relation to a number of sites. Councillor Blackwood gave notice of an amendment in relation to a site. Councillor D Goldie proposed that each individual site specific amendment be taken in turn and this met with the unanimous agreement of those present at the meeting.

Discussion took place on the following:-

- issues surrounding infrastructure particularly with schools and health facilities
- the arrangements for consulting with local communities
- the number of sites identified for housing which have still to be developed
- the redevelopment opportunities at the Forth Valley College site

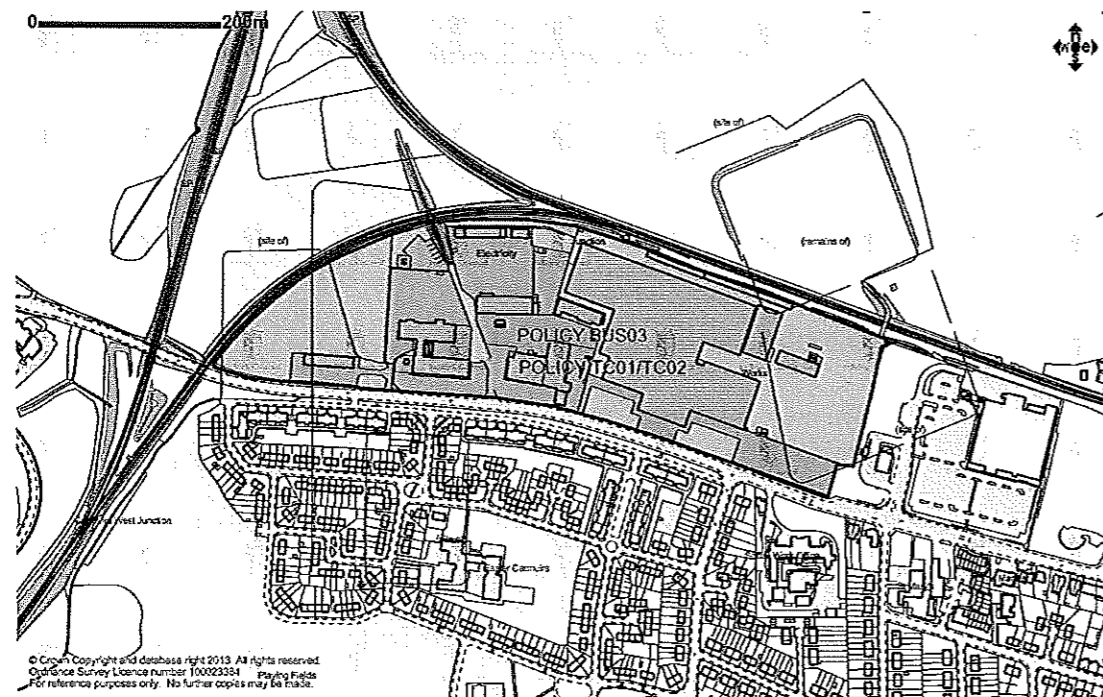
- the need for community facilities where new housing is built
- importance of recognising the need for Education provision at the planning stage

Councillor D Goldie, seconded by Councillor Gow, moved:-

“that Committee agrees to recommend to the Council that the Falkirk Local Development Plan: Proposed Plan and Proposed Action Programme are approved and consultation is undertaken in accordance with the relevant legislation, subject to the Proposed Plan and Proposed Action Programme being amended to include and reflect the following site specific change and any consequential modifications that may thereby be required to be made:-

Glasgow Road, Camelon

To change the designation of land at Glasgow Road Industrial Estate, as shown in the map below, from a core business area (Policy BUS02) to a Business Area with Potential for Redevelopment (Policy BUS03), and to extend the Camelon Local Centre Boundary (Policies TC01/TC02) to include this site.



Detailed Changes to Proposed Plan

Proposals Map: Map 2

Change area shown in map above from Core Business Area (Policy BUS02) to Business Area with Potential for Redevelopment.

Extend the Camelon Local Centre Boundary westwards as shown in the map above.”

Councillor Buchanan, seconded by Councillor Nimmo, moved an amendment to the motion to the effect that there be added to the motion a further site specific change to the Proposed Plan and Proposed Action Programme as follows:-

“Lochlands, Larbert

To include a site at Lochlands, Larbert, as shown in the map below, as a proposal for economic development in the Proposed Plan, forming an extension to Lochlands Industrial Estate.

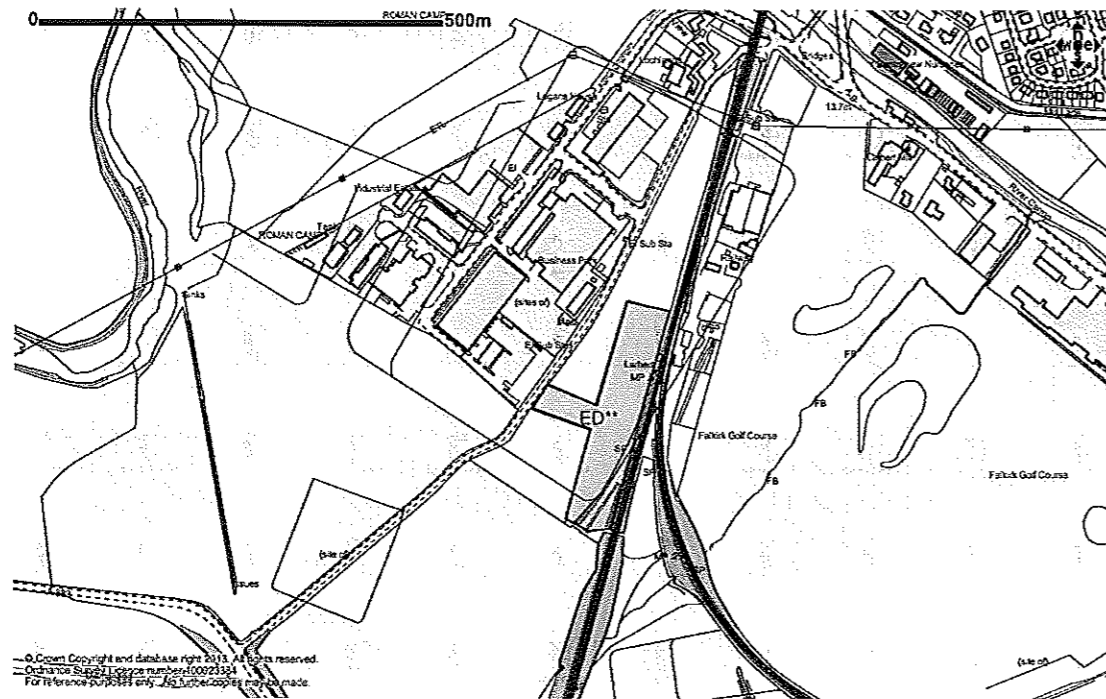
**Detailed Changes to Proposed Plan****Falkirk Settlement Statement**

Figure 4.8 Falkirk Proposals/Opportunities (paragraph 4.34)

Add new proposal ED** Lochlands Industrial Estate in Business/Local Sites section.

Appendix 1: Site Schedule

Add new proposal ED** Lochlands Industrial Estate as follows:-

Ref No: ED**

Site Name: Lochlands Industrial Estate

Site Size (ha): 1.7

Proposed Uses: Business/industry

Status: New proposal

Site Comments:

- Extension to industrial estate on the west side of Lochlands Loan.
- Site lies within Scheduled Ancient Monument (Lochlands Roman Camps). Scheduled monument consent will be required from Historic Scotland. Full archaeological assessment/justification and mitigation measures required to accompany proposals.
- Structure planting required on periphery of site to mitigate visual impact.

Proposals Map: Map 2

Add new proposal ED** as shown in the map above.

Remove green belt from area covered by new proposal.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the addition of the proposal.

Proposed Action Programme

Add proposal to action programme with appropriate programming information.

Technical Reports

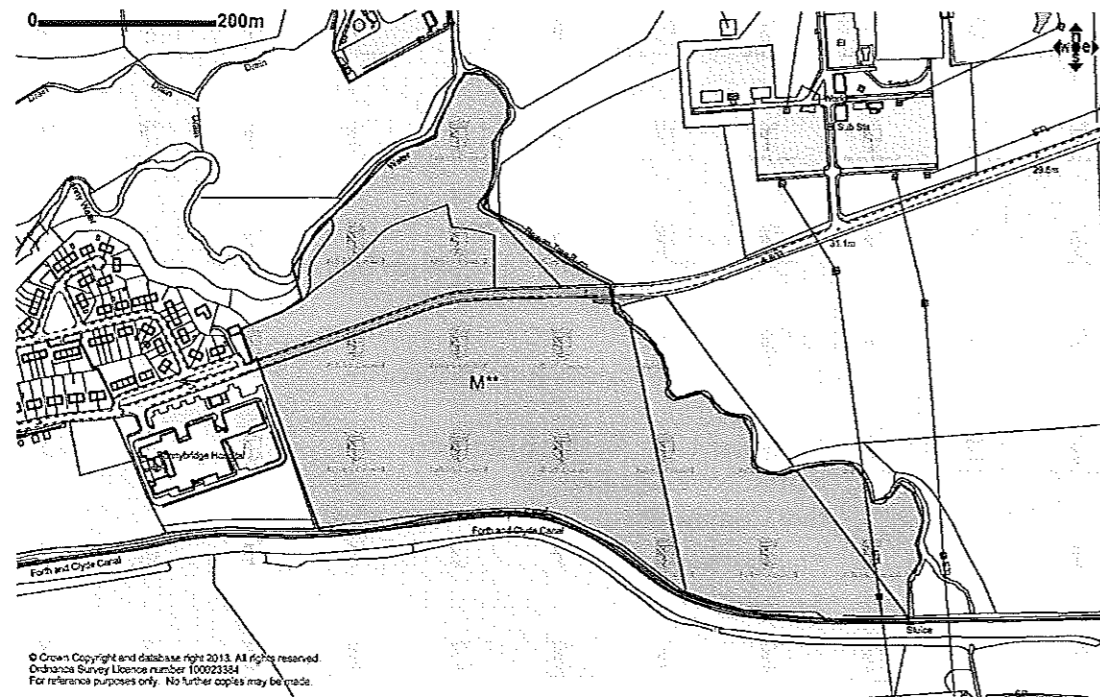
Make consequential changes to Site Assessment to reflect the addition of the proposal.”

Councillor D Goldie with the agreement of his seconder, Councillor Gow, agreed to accept the proposed amendment to his motion, which, with the agreement of all Members in attendance, thereafter became the substantive motion.

Councillor Buchanan, seconded by Councillor Nimmo, moved amendment to the substantive motion to the effect that there be added a further site specific change to the Proposed Plan and Proposed Action Programme, as follows:-

“East Bonnybridge

To include a site at East Bonnybridge, as shown in the map below, as a proposal for mixed use development (including housing, nursing home and sports and recreation facilities) in the Proposed Plan, and to amend the boundary of the green belt to the east of Bonnybridge to exclude the site.



Detailed Changes to Proposed Plan

Bonnybridge & Banknock Settlement Statement

Paragraph 4.12 Delete and replace with:-

“In Bonnybridge a significant settlement expansion and green belt removal to the east of the town is promoted (M**), comprising housing and sports facilities. Further housing opportunities include an urban infill site to the north of the canal at Falkirk Road (H11) and brownfield sites to the south of the canal at Seabegs Road (H13) and Broomhill Road (H12). In total these sites are projected to deliver 313 new homes.”

Figure 4.3 Bonnybridge and Banknock Housing Allocation

Amend figures as follows:-

New proposals: 248

Total: 1402

Figure 4.4 Bonnybridge and Banknock Proposals/Opportunities (paragraph 4.16)

Add new proposal M** East Bonnybridge in Housing/Other Sites: Bonnybridge section.

Spatial Strategy: Housing

Figure 3.1 Housing Land Allocations by Settlement Area (paragraph 3.9)

Map 3.1 Housing and Green Belt (paragraph 3.10)

Amend housing figures to reflect addition of the site as a new proposal.

Amend map to reflect removal of area of green belt.

Appendix 1: Site Schedule

Add new proposal M* East Bonnybridge as follows:-

Ref No: M*

Site Name: East Bonnybridge

Site Size (ha): 19.9

Housing capacity: 200

Status: New proposal

Site Comments:

- Greenfield expansion to the east of Bonnybridge involving green belt release.
- Proposed uses are housing, nursing home, sports and recreation facilities, and green network enhancement.
- Masterplan required which should address a number of issues including presence of pipelines through the site, and associated health and safety constraints.
- Site lies within Antonine Wall World Heritage Site (WHS) Buffer Zone and adjacent to Forth & Clyde Canal. Design and layout will have to address impact on the WHS and on the setting of the canal.
- Extensive green network enhancement required including access, landscape and habitat improvements associated with Bonny Water, Rowantree Burn and Forth & Clyde Canal.
- Flood risk assessment required.
- Contributions required to address education capacity issues resulting from the development.

- 15% affordable housing requirement.

Proposals Map: Map 2

Add new proposal M* as shown in the map above.
Remove green belt from area covered by new proposal.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the addition of the proposal.

Proposed Action Programme

Add proposal to action programme with appropriate programming information.

Technical Reports

Make consequential changes to Site Assessment, Housing and Green Belt to reflect the addition of the proposal.”

On a division, 2 Members voted for the substantive motion and 7 Members for the amendment. Accordingly the amendment was declared carried and thereafter became the substantive motion.

Councillor Oliver confirmed his earlier notice of a number of further site specific amendments. In accordance with the decision taken earlier in the meeting, each site specific amendment was taken separately as hereinafter minuted.

Councillor Oliver, seconded by Councillor Coleman, moved an amendment to the substantive motion to the effect that there be added a further site specific change to the Proposed Plan and Proposed Action Programme, as follows:-

“Seabegs Road, Greenhill

To delete the housing site H13 Seabegs Road, Greenhill, as shown in the map below, from the proposed plan.

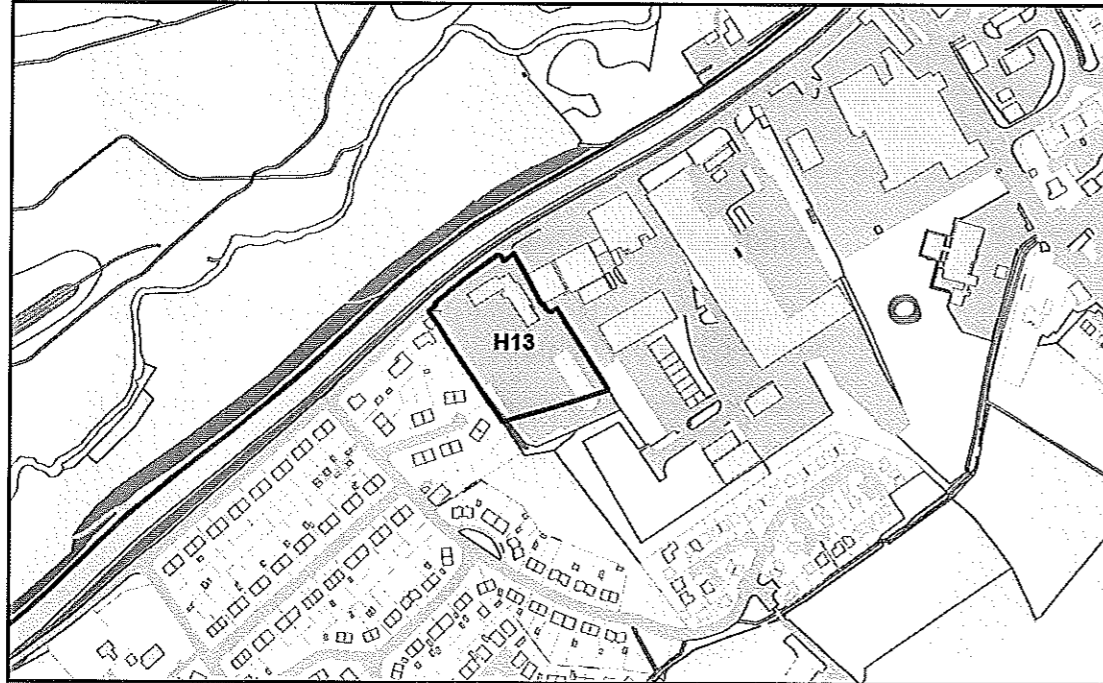
**Detailed Changes to Proposed Plan****Spatial Strategy**

Figure 3.1

Make consequential adjustments to the housing land allocations for Bonnybridge and Banknock settlement area.

Bonnybridge and Banknock Settlement Statement

Figure 4.4

Bonnybridge and Banknock Proposals/Opportunities (paragraph 4.16)

Remove H13 Seabegs Road, High Bonnybridge from Other Sites section.

Appendix 1: Site Schedule

Remove H13 Seabegs Road, High Bonnybridge.

Proposals Map: Map 1

Remove site H13 from map.

Changes to Supporting Information**SEA Environmental Report**

Make consequential changes to Environmental Report to reflect the removal of the proposal.

Proposed Action Programme

Remove proposal from action programme.

Technical Reports

Make consequential changes to Site Assessment to reflect the removal of the proposal.”

On a division, the substantive motion defeated the amendment by 6 votes to 3 and accordingly **AGREED** in terms of the substantive motion.

Councillor Oliver, seconded by Councillor Coleman, moved an amendment to the substantive motion to the effect that there be added a further site specific change to the Proposed Plan and Proposed Action Programme, as follows:-

“Parkhall Farm 2, Maddiston

To delete the site H44 Parkhall Farm 2, Maddiston, as shown in the map below, from the Proposed Plan.

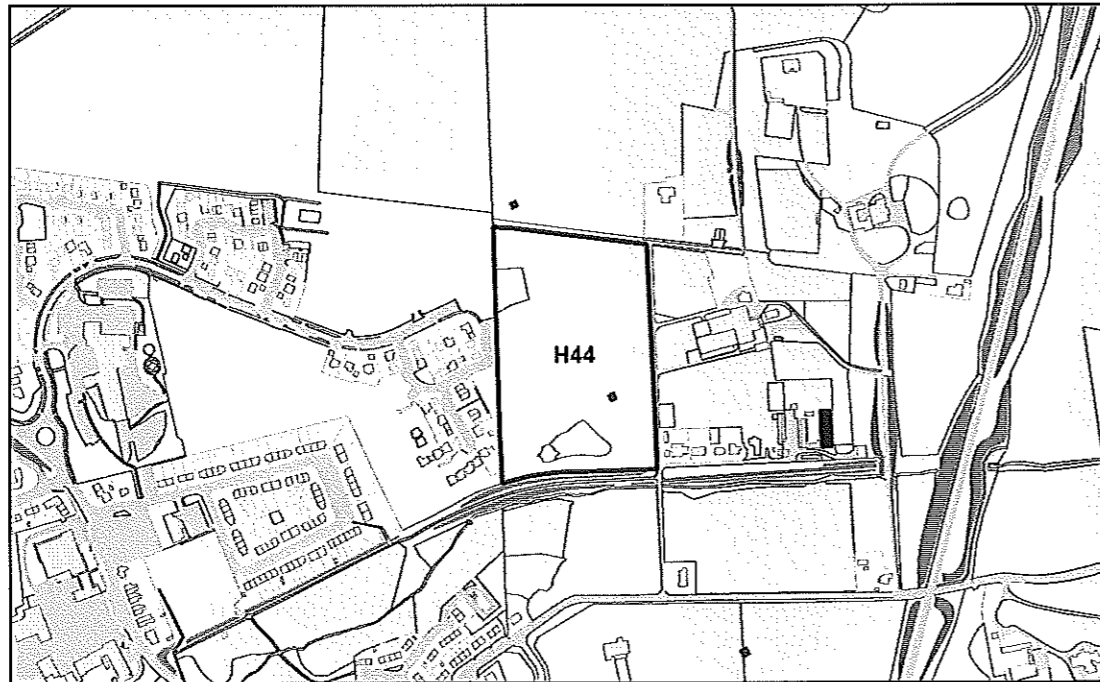
**Detailed Changes to Proposed Plan**Spatial Strategy

Figure 3.1

Make consequential adjustments to the housing land allocations for Polmont settlement area.

Polmont Settlement Statement

Figure 4.14 Polmont Area Proposals/Opportunities (paragraph 4.55)

Remove H44 Parkhall Farm 2, Maddiston from Maddiston East SGA section.

Appendix 1: Site Schedule

Remove H44 Parkhall Farm 2, Maddiston.

Proposals Map: Map 5

Remove site H44 from map.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the removal of the proposal.

Proposed Action Programme

Remove proposal from action programme

Technical Reports

Make consequential changes to Site Assessment to reflect the removal of the proposal.”

On a division, the substantive motion defeated the amendment by 6 votes to 3 and accordingly **AGREED** in terms of the substantive motion.

Councillor Oliver, seconded by Councillor McNally, moved an amendment to the substantive motion to the effect that there be added a further site specific change to the Proposed Plan and Proposed Action Programme, as follows:-

“Kilsyth Road 2, Haggs

To delete the housing site H10 Kilsyth Road 2, as shown in the map below, from the Proposed Plan.

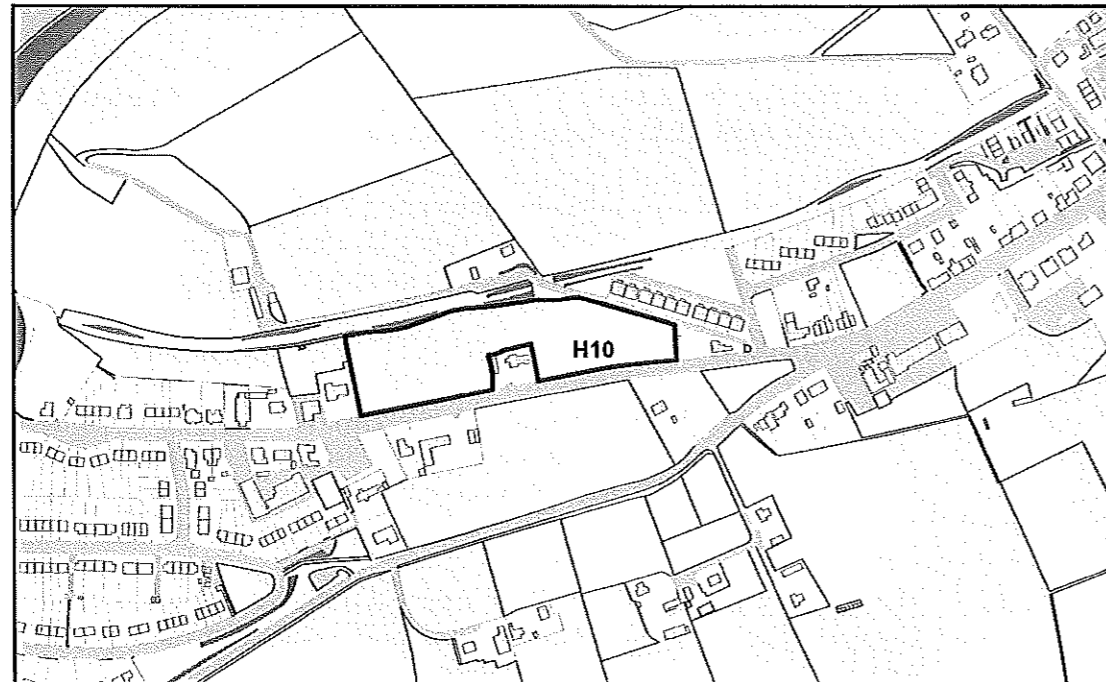
**Detailed Changes to Proposed Plan**Spatial Strategy

Figure 3.1

Make consequential adjustments to the housing land allocations for Bonnybridge and Banknock settlement area.

Bonnybridge and Banknock Settlement Statement

Figure 4.4

Bonnybridge and Banknock Proposals/Opportunities (paragraph 4.16)

Remove H10 Kilsyth Road 2 from Other Sites section.

Appendix 1: Site Schedule

Remove H10 Kilsyth Road 2.

Proposals Map: Map 1

Remove site H10 from map.

Changes to Supporting InformationSEA Environmental Report

Make consequential changes to Environmental Report to reflect the removal of the proposal.

Proposed Action Programme

Remove proposal from action programme

Technical Reports

Make consequential changes to Site Assessment to reflect the removal of the proposal.”

On a division, the substantive motion defeated the amendment by 6 votes to 3 and accordingly **AGREED** in terms of the substantive motion.

Councillor Oliver, seconded by Councillor Coleman, moved an amendment to the substantive motion to the effect that there be added a further site specific change to the Proposed Plan and Proposed Action Programme, as follows:-

“Hillend Farm, Slamannan

To provide a more flexible start date for development at site H70 Hillend Farm, Slamannan, so that all development is not confined to the post-2024 period, having carried out all necessary investigations into flood risk and other constraints.”

Having heard advice from officers, Councillor Oliver with the consent of his seconder, Councillor Coleman, and with the unanimous consent of those present **WITHDREW** his proposed amendment.

By way of an amendment, Councillor Oliver, seconded by Councillor Coleman, moved an amendment to the substantive motion to the effect that there be added a further site specific change to the Proposed Plan and Proposed Action Programme, as follows:-

“Hillcrest, Shieldhill

To delete the housing site H69 Hillcrest, Shieldhill, as shown in the map below, from the Proposed Plan.

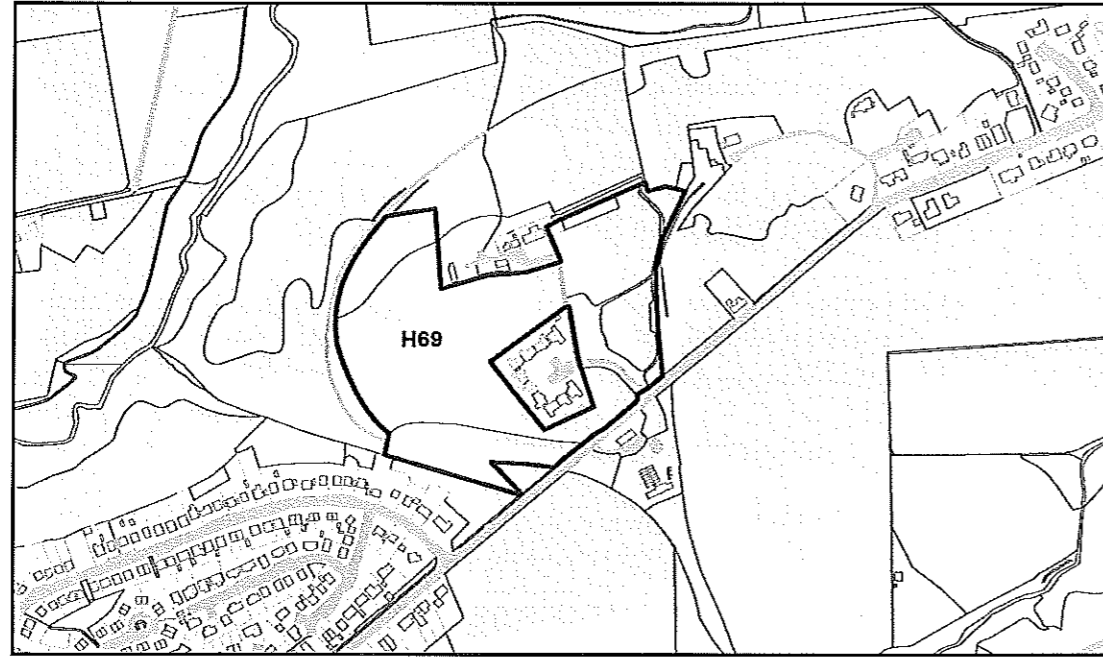
**Detailed Changes to Proposed Plan****Spatial Strategy**

Figure 3.1

Make consequential adjustments to the housing land allocations for Rural South settlement area.

Rural South Settlement Statement

Figure 4.18 Rural North Proposals/Opportunities (paragraph 4.72)

Remove H69 Hillcrest, Shieldhill from other sites section.

Appendix 1: Site Schedule

Remove H69 Hillcrest, Shieldhill.

Proposals Map: Map 4

Remove site H69 from map.

Changes to Supporting Information**SEA Environmental Report**

Make consequential changes to Environmental Report to reflect the removal of the proposal.

Proposed Action Programme

Remove proposal from action programme.

Technical Reports

Make consequential changes to Site Assessment to reflect the removal of the proposal.”

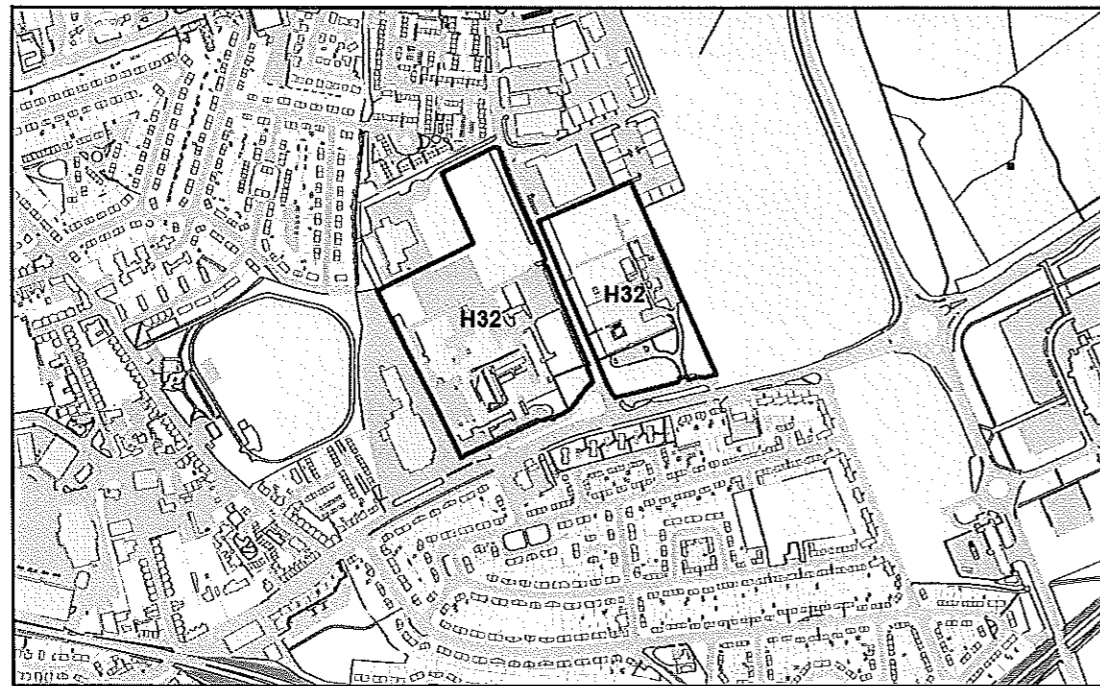
Prior to a vote being taken, the Committee discussed the designation of the proposed site being in Shieldhill or in Reddingmuirhead. The Committee agreed that the designation of the site would be a matter to be decided by Council following consultation with the local Community Councils.

On a division, the substantive motion defeated the amendment by 6 votes to 3 and accordingly **AGREED** in terms of the substantive motion.

Councillor Oliver, seconded by Councillor Coleman, moved an amendment to the substantive motion to the effect that there be added a further site specific change to the Proposed Plan and Proposed Action Programme, as follows:-

“Grangemouth Road, Falkirk

To change the allocation of site H32 Grangemouth Road, Falkirk, as shown in the map below, from housing to mixed use.

**Detailed Changes to Proposed Plan**Proposals Map: Map 2

Amend H32 to mixed use on map

Appendix 1: Site Schedule

Transfer site H32 Grangemouth Road from Housing section and insert as site M* Grangemouth Road in the mixed use section.