

DRAFT**MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 7 OCTOBER 2009 at 10.30 AM.**

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

CONVENER: Provost Reid.

APOLOGIES: Councillors Fry and McNeill.

ATTENDING: Chief Executive; Directors of Community Services, of Corporate and Neighbourhood Services, of Development Services, of Education Services and of Finance Services; Acting Directors of Law and Administration Services and of Social Work Services; Head of Human Resources and Democratic Services Manager.

DECLARATIONS

OF INTEREST: Councillors Alexander, Carleschi, Coleman, Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson declared a non-financial interest in Item FC47 having signed an on-line petition in support of the retention of the Park Gallery at Callendar Park but did not consider that this required them to recuse themselves from consideration of the item, standing the terms of the Code of Conduct.

Councillor Nicol declared a financial interest in the Item FC44 as the disponent in a transaction with Falkirk Council and advised that he would take no part in this item.

Councillor Gow declared a financial interest in Items FC55 and 56 as a family member was a craft employee with Falkirk Council, and took no part in the discussions and decisions.

FC36. OPENING REMARKS – COUNCILLOR HARRY CONSTABLE

The Provost referred to the recent passing of Councillor Harry Constable and reflected on Councillor Constable's considerable contribution to the Falkirk Council area over his 40 years as an elected representative. Fellow Elected Members also spoke in memory of Councillor Constable.

Provost Reid also spoke in recognition of Corporate and Neighbourhood Services who had been nominated for three national awards in the categories of – best efficiency initiative, pre-application programmes and Council of the Year.

FC37. MINUTES AND INFORMATION BULLETIN

- (a) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 24 June 2009;
- (b) There was submitted (circulated) and **APPROVED** Minute of Special Meeting of Falkirk Council held on 14 September 2009;
- (c) There was submitted (circulated) and **NOTED** Volume of Minutes – Volume 3 2009/2010, and
- (d) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 3 2009/2010.

FC38. QUESTIONS**Question 1 by Councillor Alexander**

“How many employees employed on temporary contracts have been terminated/lapsed/not renewed or discontinued in any way since 1 April 2009?”

Response by Provost Reid

The number of temporary contracts which have ended (due to one of the reasons in the question) between 1 April 2009 and mid September 2009 is 187.

This includes the often higher levels of turnover during the summer months as a result of temporary term-time contracts ending in June and summer seasonal contracts ending towards the end of summer. Some examples of where this happens on an annual basis includes probationer teachers and physical activity workers.

Question 2 by Councillors McNally and Oliver**Volume of Council/Committee Minutes – Volume 3 2009/10****Ref. Page 129 ESD 13 Economic Strategy and Development Committee
16 June 2009 ESD 13**

“Could we have a reassurance from the Convener that he will have an answer on the question put to the Convener at the Denny Town Centre Development Group meeting on the 30 September to allow a public presentation to inform the residents of the progress of the town centre regeneration project at the next development group meeting?”.

Response by Provost Reid

Invitations for the next Denny Development Group taking place in early December (date to be established) will be extended as an “Open Evening” to

members of the public through local press advertising/editorial, websites and letters to existing group members to assist in widening communication of progress.

The meeting will follow an open format with additional information on display for attendees including; Regeneration Scheme Masterplan and Town Centre Regeneration Project information. It is intended to invite officers from Development Services, Henry Boot and the local artist currently working on Stirling Street signage to explain retailer aspirations for the traditional side of the street. Additionally, it is proposed to display an Information Stand in the Public Library.

FC39. FINANCIAL POSITION 2009/10

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 11 August 2009 and (b) Report by the Director of Finance Services submitted to the meeting of Policy and Resources Committee held on 11 August 2009.

Councillor Gow, seconded by Councillor Nimmo, moved the recommendations contained in the Report.

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

“Notes with concern the continued failure of the Administration to properly manage the budget of Social Services in a manner that allows the Council to balance its commitments to each of our Services.

Council therefore agrees to call a minimum of one additional meeting of the Policy and Resources Committee in each of the cycles of meetings between now and the budget meeting in February.

The only item on the agenda will be the financial management and organisation of the Social Work Department.

The purpose of these additional meetings is to properly hold officers and Members to account for the continued budget overspend within Social Services and seek solutions to this continued problem.

Committee will review all aspects of management and have the power to call both officers and Members before it before reporting back to full Council.”

On a division 16 Members voted for the Motion and 13 voted for the Amendment.

Accordingly, **AGREED** to:-

- (1) note the first projection of the amount of expenditure which is likely to be incurred in 2009/10, and
- (2) instruct Directors to take appropriate action to bring spending into line with the approved budget.

FC40. PARKS DEVELOPMENT PLAN - CAPITAL SPEND 2009-10

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 11 August 2009 and (b) Report by the Director of Community Services submitted to the meeting of Policy and Resources Committee held on 11 August 2009.

Councillor Gow, seconded by Councillor Nimmo, moved the recommendations contained in the Report.

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

“Does not agree to spend £15,000 on consultants for Callendar Park and calls on the Director of Community Services to invest the funds on upgrading existing parks”.

On a division 15 Members voted for the Motion and 13 voted for the Amendment.

Accordingly, **AGREED** the Parks Development Plan Capital Proposals 2009/10 as set out in paragraph 6.1 of the Report.

NOTED the work on engaging communities to take the plan forward.

Councillor Nicol withdrew from the meeting during consideration of the foregoing item of business and rejoined the meeting at the conclusion of the item.

FC41. MCTAGGART AVENUE, DENNY

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 11 August 2009 and (b) Report by the Director of Corporate and Neighbourhood Services submitted to the meeting of Policy and Resources Committee held on 11 August 2009.

Councillor Gow, seconded by Councillor Nimmo, moved the recommendations contained in the Report.

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

“Does not support this particular partnership with Horizon Housing Association. Instead Council agrees to:-

- (1) purchase the site from Horizon Housing Association for the original purchase price of £150,000;
- (2) engage with the surrounding community to agree a suitable end use for the site; and
- (3) report back to the appropriate Committee on the outcome of the consultation.”

Following discussion (and evacuation of the meeting room for a short period in response to a fire alarm) and in terms of Standing Order 25.2 (ii), Councillor Gow seconded by Councillor C MacDonald moved that “ the question now be put”.

On a division 16 Members voted for the Motion with none against. The mover of the original motion then spoke in reply before the Motion was put to the vote.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 29 Members present, with voting as undernoted:-

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

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

Accordingly, **AGREED** to contribute £150,000 towards the overall project costs in order to ensure the development of 10 new social rented houses by Horizon Housing Association.

FC42. ORDER OF BUSINESS

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

FC43. PROGRAMME OF MEETINGS 2010

There was submitted Report (circulated) dated 26 August 2009 by the Acting Director of Law and Administration detailing a proposed programme of meetings for the period January to December 2010.

AGREED to approve the proposed programme of meetings as detailed within the appendix to the Report and to note that special meetings may be called if necessary.

FC44. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 26 August 2009 by the Acting Director of Law and Administration advising of the deeds which had been signed and sealed on behalf of the Council since its last meeting.

NOTED the signing and sealing by the Acting Director of Law and Administration Services of the deeds, as detailed in the appendix to the Report.

FC45. REFERRAL FROM ENVIRONMENT AND COMMUNITY SAFETY – 18 AUGUST 2009 – CIVIC GOVERNMENT (SCOTLAND) ACT 1982 REVISION TO NEW RESOLUTION

There was submitted (circulated) (a) Report dated 15 September 2009 by the Director of Development Services, (b) Extract of Minute of Meeting of the Environment and Community Safety Committee held on 18 August 2009 and (c) Report by the Director of Development Services submitted to the Environment and Community Safety Committee held on 18 August 2009.

AGREED to:-

- (1) approve the recommendations as outlined in the Report and as approved by the Environment & Community Safety Committee on 18th August 2009, and, in particular, indicate that it is minded to make a revised resolution in terms of the draft approved by the Environment & Community Safety Committee;
- (2) approve the publication of a notice in the Falkirk Herald on 15th October 2009, which shall inter alia specify the date of coming into operation of the revised resolution as 1st October 2010, and acknowledge that it may have to amend this date; and
- (3) note that a further Report on this matter will be made to a future meeting of Council.

FC46. DISTRIBUTION OF FUNDS RAISED FOR SRI LANKA

With reference to Minute of Meeting of Falkirk Council on 27 April 2005 (Paragraph FC6 refers), there was submitted Report (circulated) dated 21 September 2009 by the Director of Community Services proposing a mechanism to facilitate the disbursement of funds raised to support local people affected by the tsunami in Asia in 2004.

AGREED to establish a group comprising Provost Reid and Councillors Alexander and Lemetti together with 3 young people from schools in the area to determine which charity/charities should receive funding.

Council then adjourned for lunch at 1.20 pm and reconvened at 2.00 pm with all members present as per the sederunt.

FC47. THE PARK GALLERY

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors McNally, Constable, Coleman and Meiklejohn.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Leisure, Tourism and Community Committee held on 15 September 2009 and (b) Report by the Director of Community Services submitted to the meeting of the Leisure Tourism and Community Committee held on 15 September 2009.

Councillor Mahoney, seconded by Councillor Nicol, moved that the Park Gallery be relocated to Callendar House, Falkirk, by the end of June 2010.

By way of an Amendment, Councillor Meiklejohn, seconded by Councillor Hughes, moved the following:-

“Council notes with concern the proposals to close the Park Gallery without first carrying out a full options appraisal and consultation exercise. Council therefore agrees to mirror the consultation and options appraisal exercise carried out over the future of the Kinneil Museum before any final decision is taken on the Park Gallery.”

Following discussion and in terms of Standing Order 25.2 (ii), Councillor Gow, seconded by Councillor Nimmo, moved that “the question now be put”.

On a division, 16 Members voted for the Motion with 13 against. The mover of the original Motion then spoke in reply before the Motion was put to the vote.

In terms of Standing Order 21.4(i) a vote was taken by roll call, there being 29 Members present, with voting as undernoted:-

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

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

Accordingly, **AGREED** that the Park Gallery be relocated to Callendar House, Falkirk, by the end of June 2010.

FC48. REFERRAL FROM ENVIRONMENT AND COMMUNITY SAFETY – 18 AUGUST 2009 – NEW MANDATORY LICENSING SCHEME FOR KNIFE DEALERS

There was submitted (circulated) (a) Report dated 15 September 2009 by the Director of Development Services (b) Extract of Minute of Meeting of the Environment and Community Safety Committee of held on 18 August 2009 and (c) Report by the Director of Development Services submitted to the Environment and Community Safety Committee held on 18 August 2009.

AGREED :-

- (1) that the duration of a Knife Dealer's licence be for a period of three years;
- (2) that the fee for each of the relevant applications be set initially at £200; and
- (3) to note the mandatory conditions and approve the suggested local conditions as contained within Appendix 1 to the Report.

FC49. REVIEW OF COMMUNITY WARDEN & ENVIRONMENTAL ENFORCEMENT SERVICES

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 8 September 2009 and (b) Report by the Director of Corporate and Neighbourhood Services submitted to the meeting of the Policy and Resources Committee held on 8 September 2009.

Councillor C MacDonald, seconded by Councillor C R Martin, moved that Council approves the proposed integrated organisational structure combining the Community Warden Service and Environmental Enforcement Team, as detailed in the Report.

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

“Notes that despite the assurances of the Labour/Tory Administration there remains major concerns within the staff group over this radical change of direction.

Officers are therefore asked to:-

- a) conduct full consultation with the staff members concerned
- b) provide alternative structures which retain the integrity of the current role of the staff members involved.
- c) report back to Members only once there is full consultation with staff’.

In terms of Standing Order 21.4 (i) a vote was taken by roll call. There being 29 Members present, with voting as undernoted:-

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

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

Accordingly, **AGREED** to approve the revised organisational structure for the integrated Community Warden Service and the Environmental Enforcement Team, as detailed in the Report.

FC50. MIXED TENURE CHARGING ARRANGEMENTS

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 8 September 2009, (b) Joint Report by the Director of Corporate and Neighbourhood Services and Acting Director of Social Work Services submitted to the meeting of the Policy and Resources Committee held on 8 September 2009 and (c) Report by the Director of Corporate and Neighbourhood Services submitted to the meeting of the Housing and Social Care Committee held on 1 September 2009.

Councillor Goldie, seconded by Councillor Blackwood, moved that the discounted pricing structure be discontinued for owners involved in the Planned Maintenance Programme with the exception of the refurbishment of the High Rise Flats.

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

“the discounted pricing structure should be retained including that for the refurbishment of High Rise Flats”.

On a division 16 Members voted for the Motion, and 13 voted for the Amendment.

Accordingly, **AGREED** to discontinue the discounted pricing structure for owners involved in the Planned Maintenance Programme with the exception of the refurbishment of the High Rise Flats.

FC51. INTERIM RESIDENTIAL PROVISION

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 8 September 2009, (b) Joint Report by the Director of Corporate and Neighbourhood Services and Acting Director of Social Work Services submitted to the meeting of the Policy and Resources Committee held on 8 September 2009 and (c) Report by the Acting Director of Social Work Services submitted to the meeting of the Housing and Social Care Committee held on 1 September 2009.

Councillor Goldie, seconded by Councillor Blackwood, moved that Council endorses the proposal to continue the contract with Care Visions, on an interim basis, for the provision of medium term care within the Council area for 4 young people.

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

“Agrees with the statement made by the current Leader of Falkirk Council that failure to deliver the three new centres committed to by the previous SNP/Independent Administration would be a betrayal of the children of Falkirk.

Council therefore agrees to honour this commitment and asks officers to bring forward options for a new build centre”.

On a division, 16 Members voted for the Motion and 12 voted for the Amendment, with one abstention.

Accordingly, **AGREED** to continue the contract with Care Visions, on an interim basis, to provide medium term care within the Council area for 4 young people.

FC52. TOWN CENTRES STRATEGY – BO'NESS INITIATIVE

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors A MacDonald, Coleman and Oliver.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Economic Strategy and Development Committee held on 22 September 2009 and (b) Report by the Director of Community Services submitted to the meeting of the Economic Strategy and Development Committee held on 22 September 2009.

Councillor C Martin, seconded by Councillor Lemetti, moved that Council notes the progress made on the Bo'ness Harbour and Foreshore project.

By way of an Amendment, Councillor Constable seconded by Councillor A MacDonald moved that Council:-

“notes the failure to properly engage the Bo'ness public in a consultation exercise with proposed changes to the original scheme of regeneration and roundly condemns this important omission.

Council therefore agrees to ensure that the community of Bo'ness are fully engaged in all future deliberations on this important strategy.”

In terms of Standing Order 21.4 (i), a vote was taken by roll call, there being 29 Members present, with voting as undernoted:-

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

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

Accordingly, **AGREED** to note the progress made on the Bo'ness Harbour and Foreshore Project, as detailed in the Report.

FC53. APPOINTMENT TO EXTERNAL ORGANISATIONS AND COMMITTEES

There was submitted Report (circulated) dated 11 September 2009 by the Acting Director of Law and Administration (a) providing details of resignations received from external organisations in respect of Paragon Housing Association, Weslo Housing Association and the COSLA Health and Wellbeing Executive Groups (b) seeking nominations to the said organisations and (c) advising of a request received from the Scottish Parliament Cross Party Group on Supporting Veterans in Scotland requesting the Council appoints a “Veterans Champion”.

COSLA Health and Wellbeing Executive Group

Councillor Gow, seconded by Councillor Nicol, nominated Councillor C MacDonald.

Councillor Alexander, seconded by Councillor Coleman, nominated Councillor Meiklejohn.

On a division, 16 Members voted for Councillor C MacDonald and 13 voted for Councillor Meiklejohn.

Accordingly, **AGREED** to appoint Councillor C MacDonald to the COSLA Health and Wellbeing Executive Group.

Paragon and Weslo Housing Association

Councillor Gow, seconded by Councillor Nicol, moved that consideration of these positions be continued to allow for advice to be obtained on the role of members on external organisations .

By way of an Amendment, Councillor Alexander, seconded by Councillor Coleman, nominated Councillor Meiklejohn for both organisations.

On a division 16 Members voted for the Motion and 13 voted for the Amendment.

Accordingly, **AGREED** to continue consideration of the vacancies at the Paragon and Weslo Housing Associations to allow for advice to be obtained on the role of elected Members on external organisations.

Scottish Parliament Cross Party Group on Supporting Veterans in Scotland – Veterans Champion

AGREED to appoint Councillor Spears as Falkirk Council's Veterans Champion.

FC54. 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 Paragraphs 11 & 12 of Part 1 of Schedule 7A of the said Act.

In accordance with her declaration of interest in the following items of business, Councillor Gow left the meeting and took no part in the discussions or decisions.

FC55. SINGLE STATUS, EQUAL PAY AND CRAFT PAY AND CONDITIONS UPDATE

With reference to Minute of Meeting of Falkirk Council held on 24 June 2009 (Paragraph FC33 refers), there was submitted joint Report (circulated) dated 24 September 2009 by the Directors of Corporate and Neighbourhood Services, of Development Services and of Finance Services providing an update on (a) on-going negotiations with employee representatives to progress out of court settlements for outstanding equal pay claims and (b) the consultation process with Trade Unions and employees in respect of the implementation of the new pay and conditions package for craft workers.

NOTED.

**FC56. EXTRACT OF MINUTE OF MEETING OF FALKIRK COUNCIL
HELD ON 24 JUNE 2009 – SINGLE STATUS, EQUAL PAY AND
CRAFT PAY AND CONDITIONS UPDATE**

With reference to the Minute of the Meeting of Falkirk Council held on 24 June 2009 (Paragraph FC33 refers), which had been earlier approved by Council, there was submitted and **APPROVED** the Minute of Item FC33 – Single Status, Equal Pay and Craft Pay and Conditions containing exempt information in terms of Schedule 7A of the Local Government (Scotland) Act 1973.

Note Agenda Item 13. Single Outcome Agreement 2009/2011 – Update was not considered at this meeting and was instead considered by Council at a Special Meeting held on 29 October

DRAFT**FALKIRK COUNCIL****MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 27 OCTOBER 2009 at 6.30 P.M.**

PRESENT: Provost Reid; Depute Provost Black; Alexander, Buchanan, Carleschi, Coleman, Constable, Goldie, Gow, Hughes, Jackson, Kenna, Lemetti, A MacDonald, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNally, McNeill, Meiklejohn, Nicol, Oliver, Thomson and Waddell.

CONVENER: Provost Reid

APOLOGIES: Councillors Blackwood, Fry, Nimmo, Patrick and Spears.

ATTENDING: Directors of Development Services, and of Education Services; Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Planning and Environment Manager; Development Manager; Planning Officer (D Paterson); Roads Development Officers (G Crawford and B Raeburn); Transport Planning Officers (L Slavin and K Short); Design Co-ordinator (J Aitken); Senior Forward Planning Officer (R Teed) and Democratic Services Manager

DECLARATIONS

OF INTEREST: None

FC57. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Planning Committee held on 19 October 2009.

FC58. ERECTION OF SCHOOL, FORMATION OF PLAYING FIELDS, CARPARKING AND ANCILLARY DEVELOPMENT ON LAND TO THE SOUTH OF 49 EDWARD AVENUE, STENHOUSEMUIR FOR FALKIRK COUNCIL – P/08/0875/FUL

With reference to Minute of Meeting of the Planning Pre Determination Hearing held on 19 October 2009 (Paragraph P97 refers), there was submitted Report (circulated) dated 21 October 2009 by the Director of Development Services detailing an application for detailed planning permission for the erection of a single stream primary school, incorporating a nursery school the formation of playing fields, car parking and ancillary development on land to the south of Edward Avenue, Stenhousemuir.

Following a summary of the Report by the Director of Development Services, there followed a 10 minute adjournment to allow additional information identified by Councillor Kenna to be produced.

The meeting reconvened at 7.20 p.m. with all Members present as per the sederunt.

Councillor Kenna, seconded by Councillor Constable moved that the application be refused on the grounds that the proposed development:-

- (1) was contrary to the development plan and premature in regard to the emerging local plan;
- (2) was detrimental to the amenity of the area in terms of style, design and overlooking;
- (3) would have an adverse impact on road safety;
- (4) was contrary to both national and local open space policies; and
- (5) contained insufficient provision for parking

By way of an Amendment, Councillor Waddell, seconded by Councillor Gow, moved that the Council be minded to grant planning permission subject to the conditions as detailed in the Report.

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

For the Motion (20) – Provost Reid; Depute Provost Black; Councillors Alexander, Buchanan, Carleschi, Constable, Hughes, Jackson, Kenna, Lemetti, A MacDonald, C MacDonald, Mahoney, C Martin, McNally, McNeill, Meiklejohn, Nicol, Oliver and Thomson.

For the Amendment (6) – Councillors Coleman, Goldie, Gow, C R Martin, McLuckie and Waddell.

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

DRAFT**FALKIRK COUNCIL**

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 29 OCTOBER 2009 at 10.30 AM.

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

CONVENER: Provost Reid.

APOLOGIES: Councillors Constable, Fry, and Nichol.

ATTENDING: Chief Executive; Directors of Development Services, of Education Services and Finance Services; Acting Directors of Law and Administration Services and of Social Work Services; Heads of Culture and Lifelong Learning, of Facilities Management and of Policy and Performance Review; Acting Head of Planning and Transportation and Democratic Services Manager.

**DECLARATIONS
OF INTEREST:**

None.

FC59. ORDER OF BUSINESS

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

FC60. NOTICES OF MOTION

Proposed Railway Stations

Councillor Coleman, seconded by Councillor A MacDonald moved that:-

“In response to the positive results of the public consultations on the proposed railway stations at Bonnybridge and Grangemouth carried out by Michael Matheson MSP and Jamie Hepburn MSP, also acknowledging the support of Cathy Peattie MSP, Council instructs that officers commission Scottish Transport Appraisal Guidelines Reports for Bonnybridge and Grangemouth to allow these projects to advance”.

By way of an Amendment, Councillor Buchanan, seconded by Councillor C Martin, moved that:-

“Council continues to support the opening of a new Grangemouth Railway Station and a new Bonnybridge Railway Station. Council praises the work being undertaken by Council officers, SEStran and the local Grangemouth Transport Forum in pursuing an integrated comprehensive solution to transport issues in Grangemouth and the Falkirk area as a whole.

Council instructs Officers to continue to work with Transport Scotland, SEStran and the local communities to seek funding from the Scottish Government to fund a wider STAG exercise for improving transport links.

However, Council totally condemns the lack of vision by minority SNP Scottish Government in shelving the Edinburgh Airport Railway Link and Glasgow Airport Railway Link and refusing to fund for the foreseeable future the A801 Avon Gorge link and notes the failure to prioritise these and other improvements which will have an adverse effect on economic growth and the environment not only in Falkirk but Scotland as a whole”.

On a division 12 Members voted for the Motion and 16 for the Amendment.

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

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

Housing and Social Care Committee

Councillor Meiklejohn, seconded by Councillor McNally, moved that:-

“Council notes with disappointment that since the media comment by the Convener of the Housing and Social Care Committee in the summer of 2007 that the Housing Department would extend into loft space to deal with overcrowding not one single property has been extended in such a manner.

Council finds this unacceptable, particularly as a number of properties have been identified as suitable for such alterations but, to date, no action has been taken to alleviate these families’ problems.

Council therefore calls on the Director of Corporate and Neighbourhood Services to advise what action has been taken by the Council to extend houses into their loft spaces or to bring a report to the next meeting of the Housing and Social Care Committee outlining why these works cannot proceed”.

By way of an Amendment, Councillor Gow, seconded by Councillor C MacDonald, moved that:-

“Council commends the Convener and Director of Corporate and Neighbourhood Services for the work that they have carried out in regard to

extensions and conversions and looks forward to a report in this respect at the next meeting of Housing and Social Services Committee”.

Following discussion and in terms of Standing Order 25.2(ii) Councillor Gow, seconded by Councillor Nimmo, moved that “the question now be put”. Said motion was agreed unanimously following which the mover of the original Motion had the opportunity to speak in reply before the Motion was put to the vote.

On a division, 11 Members voted for the Motion and 16 for the Amendment.

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

Council then adjourned for lunch at 1.00 pm and reconvened at 1.45 pm with all Members present as per the sederunt with the exception of Councillors Nimmo and Spears, the latter of whom rejoined the meeting during the course of the following item.

Air Weapons

Councillor Oliver, seconded by Councillor Meiklejohn, moved that:-

“Council notes with disappointment the UKL government’s refusal to devolve control of air weapons to the Scottish Parliament or bring forward their own legislation to ban or license these weapons despite the recommendations of the Calman Commission.

Council therefore agrees to ask Council’s Legal Officers to bring forward proposals for the development of appropriate by-laws to address the nuisance and danger caused by air weapons in this area”.

By way of an Amendment, Councillor C MacDonald, seconded by Councillor C R Martin, moved:-

“This Council condemns the illegal use of fire arms or air weapons in Scotland. This Council commends the UK Government for its foresight in commissioning the report from Lord Calman to look at the current and future powers of the Scottish Parliament. This Council also commends the Conservative and Liberal Democrat Parties for their support in taking this Commission forward. This Council believes that the UK Government is correct to take the time to decide how it will implement the recommendations within the Calman Report and condemns any attempt to cherry pick the Report without consideration to it as a whole”.

Thereafter, in terms of Standing Order 19.7 and with the consent of the Provost and Councillor C R Martin, as seconder, Councillor MacDonald altered the text of his Amendment to remove the words “UK Government for its” and substitute therefore “Labour, Conservative and Liberal Democratic parties for their”.

On a division, 11 Members voted for the Motion and 15 for the Amendment, with one abstention.

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

Woodburn Day Nursery

Councillor Alexander, seconded by Councillor Meiklejohn, moved that:-

“Council notes that despite the axe hanging over it and education officials actively discouraging registration the intake at the Woodburn Day Nursery has gone up by around 12% this session.

Council therefore recognises that there is not only clear public support for the retention of the nursery, almost 900 letters of objection, but also a clear demand for the services the nursery offers.

Council therefore agrees to reverse the decision to close the nursery school”.

By way of an Amendment, Councillor Waddell, seconded by Councillor Patrick, moved that:-

“Council reaffirms its previous decision to amalgamate the Queen Street and Woodburn Road nurseries. Council believes that this new improved service to its young citizens delivers an enhanced service and wider access for parents in this area”.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 27 Members present, with Members voting as undernoted:-

For the Motion (12) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

For the Amendment (15) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNeill, Patrick and Waddell.

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

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

Standing Orders

Councillor Alexander, seconded by Councillor Coleman, moved that:-

“Council notes with concern the recent tactic of excluding opposition members of committees from debate and voting.

Council agrees that this practice is undemocratic and represents a flaw in the interpretation of Council Standing Orders, exploited for partisan reasons.

In order to ensure fairness Council resolves to amend Standing Orders 26.1 and 26.2 to read as follows:-

26.1 The Provost may check a Councillor for irrelevance, tedious repetition, failure to address the Chair, unbecoming language, reflections of a personal character on another Member or any breach of order and may direct such Councillor speaking to discontinue his or her speech. In doing so the Provost will identify the misconduct which will be recorded in the minute of the meeting.

26.2 In the event of persistent misconduct of a Councillor by disregarding the ruling of the Provost, or behaving improperly or offensively, or using racist or sexist or unbecoming language, or wilfully obstructing the business of the meeting, the Provost may direct the Councillor to refrain from speaking during the remainder of the debate on the matter under discussion. In doing so the Provost will identify the misconduct which will be recorded in the minute of the meeting.

Insert a new 26.3

In the event of further misconduct by the same Councillor the Provost will have the option to:-

1. Move that the Councillor named “be not further heard”. This motion will require to be seconded and the named Councillor will have the right to reply to it before the motion is put to a simple vote. The misconduct giving rise to the motion will be identified by the Provost and recorded in the minute of the meeting. If the Councillor named continues the misconduct after the motion has been carried and does not heed a further warning from the Provost (which warning together with the misconduct that gave rise to it will be recorded in the minute of the meeting), the Provost is empowered to require the Councillor to leave the meeting”.

By way of an Amendment, Councillor Gow, seconded by Councillor C MacDonald, moved that:-

“Council abhors the recent behaviour of a minority of Members who are failing to show courtesy and respect by not adhering to Standing Orders. Council rejects the motion put forward to Falkirk Council regarding the changes to Section 26 Misconduct on the basis that it promotes this behaviour and is unworkable in a modern Council”.

On a division 12 Members voted for the Motion and 14 for the Amendment.

Accordingly **AGREED** the terms of the Amendment.

DRAFT**FALKIRK COUNCIL**

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 29 OCTOBER 2009 at 4.30 PM.

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

CONVENER: Provost Reid.

APOLOGIES: Councillors Constable, Fry, C Martin, Nicol and Nimmo.

ATTENDING: Chief Executive; Directors of Development Services, of Education Services and Finance Services; Acting Directors of Law and Administration Services and of Social Work Services; Heads of Culture and Lifelong Learning of Facilities Management and of Policy and Performance Review and Democratic Services Manager.

DECLARATIONS

OF INTEREST: None

FC61. SINGLE OUTCOME AGREEMENT 2009/2011 – UPDATE

With reference to the Minute of Meeting of Falkirk Council held on 29 April 2009 (Paragraph FC9 refers), there was submitted Report (circulated) by the Chief Executive presenting the Single Outcome Agreement 2009/2011 Monitoring Statement detailing (1) progress made against each outcome and specific indicators and (2) key initiatives progressed in 2008/09.

NOTED that progress reports would be submitted regularly to Council.

AGREED to approve the Monitoring Statement for the Falkirk Council Area Single Outcome Agreement 2009/2011 as detailed in the Report.

FALKIRK COUNCIL

**Subject: LOCAL GOVERNMENT BY-ELECTION:
WARD 1 – BO’NESS AND BLACKNESS
Meeting: FALKIRK COUNCIL
Date: 9 DECEMBER 2009
Author: RETURNING OFFICER**

1. INTRODUCTION

- 1.1. A By-election to fill the vacancy in Ward 1 – Bo’ness and Blackness following the death of Councillor H Constable was held on Thursday 19 November 2009.

2. RESULT

- 2.1. Following a 23.5% poll of a total electorate of 11,999 electors, the votes were cast as under-noted:-

Candidates	Number of Votes Cast
Lennox Ainslie (Scottish Labour Party Candidate)	823
Gavin Chomczuk (Scottish Liberal Democrats)	79
Lynn Munro (Scottish Conservative and Unionist Party)	283
Ann Ritchie (Scottish National Party (SNP))	1,604
Rejected ballot papers	26

- 2.2. Accordingly, Ann Ritchie was duly elected to serve as local Member for Ward 1 – Bo’ness and Blackness.

3. DECLARATION OF ACCEPTANCE OF OFFICE

- 3.1. I confirm that Councillor Ritchie has signed the Declaration of Acceptance of Office.

4. RECOMMENDATION

- 4.1. Council is asked to note the election of Ann Ritchie to serve as local Member for Ward 1 – Bo’ness and Blackness.

.....
Returning Officer

Date: 23 November 2009

Contact Officer: Dale Robb (ext 6111)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

Subject: APPOINTMENTS TO COMMITTEES
Meeting: FALKIRK COUNCIL
Date: 9 DECEMBER 2009
Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION SERVICES

1. PURPOSE OF THE REPORT

1.1 The purpose of this Report is to:

- note the political composition of the Council following the recent Ward 1 (Bo'ness and Blackness) by election,
- fill the vacant committee positions held previously by the late Councillor Harry Constable,
- intimate various resignations that have been received,
- note and approve subsequent changes to the SNP Group "slate" of members, of which notice has been received, and
- seek nominations to the positions that remain vacant.

2. POLITICAL COMPOSITION

2.1 Following the election of Ann Ritchie, SNP to serve as local Member for Ward 1 (Bo'ness and Blackness), the political composition of the Council remains unchanged, as follows:-

Labour	14
SNP	13
Conservative	2
Independent	2
Independent not aligned to any group	1

2.2 Consequently, the Council's political proportionality, as agreed at the statutory meeting on 18 May 2007 for the purpose of committee membership, also remains unchanged. It follows that the two positions held previously by the late Councillor Constable (on the Planning and Appeals Committees) fall again to be filled from the SNP Group.

3. VACANCIES/RESIGNATIONS

3.1 Intimation has been received that the vacancies on the two committees noted in the preceding paragraph will be filled, as follows:

- Planning by Councillor Thomson, and
- Appeals by Councillor Alexander

- 3.2 Notice has also been received from the SNP Group of a number of resignations from Committees and the proposed successors thereto, as follows:

Resignation received from:	Committee	To be replaced by:
Councillor Jackson	<ul style="list-style-type: none"> • Policy and Resources • Valuation Board 	Councillor Hughes Councillor Ritchie
Councillor Hughes	<ul style="list-style-type: none"> • Environment and Community Safety • Economic Strategy and Development • Education 	Councillor Ritchie Councillor Jackson Councillor Ritchie
Councillor Coleman	Housing and Social Care	Councillor Jackson
Councillor Thomson	JCC	Councillor McNally
Councillor McNally	Licensing Board	Councillor Jackson

- 3.3 Members will recall that Council agreed, in May 2007, to introduce compulsory training for Members appointed to the Appeals and Planning Committees. Additionally, it is a specific requirement of the Licensing (Scotland) Act 2005 that members of the Board undergo training with an SQA accredited trainer within three months of being appointed to the Board. Appeals and Planning Committee training has consisted of both in house and externally sourced training. Arrangements will be put in place to arrange such training for newly appointed members as may be required

- 3.4 In addition to the foregoing, resignations have been received from:

- Councillor Goldie from the Housing and Social Care Committee,
- Councillor McLuckie from the Appeals Committee, and
- Councillor Nicol from the position of Depute Convener of the Planning Committee but not from membership thereof.

- 3.5 The first two resignations noted in the preceding paragraph create vacancies on both Committees to be filled from the Labour Group. The vacant Convener positions also require to be filled, as does the position of Depute Convener on the Planning Committee.

4. REMUNERATION

- 4.1 Members are reminded of the remuneration arrangements for senior members agreed by Council on 4 March 2009, as follows:

Senior Councillor (Higher Payment)	Senior Councillor (Lower Payment)
Depute Provost	Convener of Investment Committee
Convener of Education Committee	Convener of Joint Consultative Committee
Convener of Environment and Community Safety Committee	Depute Convener of Environment and Community Safety Committee
Convener of Housing and Social Care Committee	Depute Convener of Housing and Social Care Committee
Convener of Leisure, Tourism and Community Committee	Convener of Appeals Committee
Convener of Licensing Board	Depute Convener of Economic Strategy and Development Committee
Convener of Planning Committee	Leader of the main Opposition Group

5. RECOMMENDATIONS

5.1 Council is invited to:-

- 1) note the political composition of the Council as detailed in paragraph 2.1 of the Report,
- 2) note and approve the changes in committee membership set out in paragraphs 3.1 and 3.2 of the Report,
- 3) appoint a Convener for the Housing and Social Care Committee and, if a vacancy remains on the Committee, invite a nomination thereto from the Labour Group,
- 4) appoint a Convener for the Appeals Committee and, if a vacancy remains on the Committee, invite a nomination thereto from the Labour Group, and
- 5) appoint a Depute Convener for the Planning Committee.

.....
Acting Director of Law and Administration Services

Date: 1 December 2009

Contact Officer: Brian Pirie tel (01324 506110)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 20 OCTOBER 2009 at 10.30 a.m.

PR64. FINANCIAL POSITION 2009/10

There was submitted Report (circulated) dated 1 October 2009 by the Director of Finance presenting the latest update on the Council's financial position and detailing information recorded for the 5 months to 31 August 2009.

Councillor Gow, seconded by Councillor Fry moved the recommendations as contained in the Report.

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

“Committee notes the continued failure of the Administration to accept the principle of corporate responsibility for the continued budget deficits.

This is best highlighted by the statement of the Convener of Housing and Social Care who admitted he was “left to get on with it” at the recent meeting of the full Council.

Committee therefore re-affirms the previously established requirement for the current Administration to embrace the principles of corporate responsibility and corporate management.

To achieve this committee agrees to the establishment of an all party working group made up of the leaders and deputies of the Labour and SNP groups, the leader of the Conservative Group, one aligned and one non Aligned Independent.

The purpose of the Working Group would be to undertake a full scrutiny of the areas of budgetary pressure including detailed scrutiny of the actions being taken to deal with these pressures and the impact this is having on front line services.

The Working Group will meet as often as a minimum of three members of the group feel appropriate and report back to the council with any recommendations the majority of the group feel appropriate with provision provided for the production of minority reports.”

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

Accordingly, **AGREED** to re-affirm that Directors should take appropriate action to bring spending into line with the approved budget.

NOTED/...

NOTED the:-

- (1) latest projection of the amount of expenditure which is likely to be incurred in 2009/10; and
- (2) details of the Draft Scottish Budget 2010/11 and its likely effect on the Council's finances as outlined in the Report.

FALKIRK COUNCIL

Subject : FINANCIAL POSITION 2009/10
Meeting : POLICY & RESOURCES COMMITTEE
Date: 20 October 2009
Author : DIRECTOR OF FINANCE

1. INTRODUCTION

- 1.1 This report presents the latest update on the Council's financial position and reflects the information recorded for the 5 months to 31 August 2009.

2. GENERAL FUND

- 2.1 Appendix 1 sets out both General Fund net expenditure by Service and how it is financed. Movements between budget and projected outturn are expressed in monetary and percentage terms.

In my report to this Committee in August I advised that, in overall terms, net expenditure was forecast to be £2.86m or almost 0.9% above the approved level. Directors were instructed to take appropriate action to more closely align spending with the resources available. However, this latest report indicates that the excess over budget has risen to around £3.1m.

- 2.2 The most significant deviations from budget are described below:-

Education (+£0.493m; 0.3%)

Although there are a number of emerging cost pressures, spending on residential schools remains the most significant.

Social Work Services (+£3.980m; 5.0%)

There has been no reduction in the underlying cost pressures associated with service provision for both Children and Families and Community Care and Mental Health. Higher costs of purchasing these services together with increased costs arising from Single Status appeals are partially mitigated by additional income and staff cost savings. All spending within the Service is subject to rigorous scrutiny.

General Fund Housing Services (+£0.291m; 8.4%)

Spending on the provision of bed and breakfast accommodation remains higher than assumed.

Development Services (+£0.150m; 0.6%)

The projected excess arises wholly from the timing of expenditure on the Local Plan Inquiry which was originally anticipated last year.

Miscellaneous Services (-£0.262m; 3.2%)

Income from interest earned on internal balances is below budget due to the continuation of very low interest rates. However, this has been more than offset by non-recurring income of £0.45m arising from VAT recovered from HM Revenue and Customs. The refund relates to Community Services income and arises from the implications of a Court of Appeal judgement which permits the recovery of VAT on certain income streams previously subject to a 3 year limitation cap which has now been removed. Further claims in respect of cultural and leisure activities are being worked up in conjunction with PwC, the Council's VAT advisers.

Central Support Services (+£0.050m; 0.2%)

The proportion of central support costs falling on the General Fund is £0.050m higher, despite the overall cost of these services being c£0.3m lower.

Capital Financing Costs (-£1.253m; 27.3%)

Loan charges are forecast to be c£1.25m below budget as a consequence of low interest rates and a lower debt level.

Council Tax (+£0.250m; 0.4%)

While attaining high collection levels during the recession will be challenging, I anticipate that overall income from Council Tax will be around £0.25m higher than assumed in setting the budget.

3. TRADING ACCOUNTS

The Council's two Statutory Trading Accounts of Building Maintenance and Roads are expected to generate additional surpluses of some £0.17m.

4. HOUSING REVENUE ACCOUNT

Net expenditure is currently projected to be very close to the planned level. Savings in staff costs are more or less matched by reduced revenue interest and lost rents from properties undergoing significant refurbishment work through the Housing Investment Programme.

5. FINANCIAL YEAR 2010/11

- 5.1 Members will recall in the 2009/10 – 2010/11 Budget Report submitted in February that the indicative budget for 2010/11, based on the best information at that time, suggested efficiency savings of around £7m (c2%) would be required. However, the report also warned of the potential impact on the Scottish Budget of the UK wide additional efficiency savings target of £5bn contained within the Chancellor's Pre-Budget Report of 24 November 2008 and concluded that the 2010/11 budget would therefore be even more challenging.

- 5.2 On 17 September 2009, the Finance Secretary John Swinney presented the Scottish Government's Draft Scottish Budget 2010/11, which included consideration of the impact of the additional efficiency savings which, in proportionate terms, effectively reduced the Scottish Budget by c£500m. The Finance Secretary announced Local Government's share of the cuts will be a reduction in revenue grant of £131m and £43m in capital grant. Individual grant figures for each Council will not be available until end October/early November. However, based on Falkirk Council taking its proportionate share of the reduction in revenue grant it is anticipated that around a further £4m in savings will be required. Consequently, the total revenue savings required to be found next year could be in the order of c£11m. Clearly, this level of savings will have a significant effect on the preparation of next year's budget which is now underway, and Members will be faced with difficult decisions on service priorities.
- 5.3 Further reports will be submitted as information becomes available, but it is safe to say we now face the most severe financial difficulties in decades. Members should also be aware these difficulties will not only be restricted to next year, as recent research by The Society of Local Authority Chief Executives and Directors of Finance, suggests likely future annual savings of c4% for the financial years 2011/12 – 2013/14 will be required in order to reduce the public sector deficit as a direct result of the current economic crisis.

6. CONCLUSION

After five months of the financial year, net expenditure is estimated to be some £3.1m above the level taken into account in setting the Budget in February 2009. The projected overspend on Social Work Services of £3.98m is, by far, the most significant factor. It is now even more essential that all Services review their spending plans to seek a corporate solution to the overspend which is having such a material adverse impact on the Council's reserves. Members are also being kept up to date with developments relating to equal pay claims and the potential financial impact on the Council. Spending on services to Council tenants within the HRA is projected to be in line with the planned level.

The deteriorating outlook for 2010/11 and beyond due to the forthcoming UK Spending Review is also outlined above and it is clear that the Council now faces considerable challenges in matching service delivery requirements with available resources.

7. RECOMMENDATIONS

Members are invited to:-

- (i) **note this latest projection of the amount of expenditure which is likely to be incurred in 2009/10**

- (ii) re-affirm that Directors should take appropriate action to bring spending into line with the approved budget
- (iii) note the details of the Draft Scottish Budget 2010/11 and its likely effect on the Council's finances as outlined in this report.

Director of Finance

Date : 1 October 2009

LIST OF BACKGROUND PAPERS

1. Financial Monitoring Statements 2009/10

Any person wishing to inspect the above background papers should telephone Falkirk (01324) and 506300 ask for Mr Jannetta.

FALKIRK COUNCIL

GENERAL FUND

PROJECTED REVENUE OUTTURN STATEMENT 2009/10 AS AT 31/08/2009

	Budget	Projected	Fav (-ve) Adv (+ve)		Previous
	£'000	Outturn	Variance		Projection
		£'000	£'000	%	£'000
Education Services	152,480	152,973	493	0.3	152,962
Social Work Services	79,753	83,733	3,980	5.0	83,004
General Fund Housing Services	3,458	3,749	291	8.4	3,818
Development Services	25,904	26,054	150	0.6	26,054
Community Services	22,125	22,149	24	0.1	22,078
Corporate & Neighbourhood Services	11,272	11,231	(41)	(0.4)	11,203
Miscellaneous Services	8,110	7,848	(262)	(3.2)	8,298
Central Support Services	22,859	22,909	50	0.2	23,059
Less: Central Support Recharges	(22,859)	(22,859)	-	-	(22,859)
Commercial Services Trading Activities	(984)	(1,027)	(43)	(4.4)	(994)
Sub - Total	302,118	306,760	4,642	1.5	306,623
Police	14,331	14,331	-	-	14,331
Fire	9,414	9,414	-	-	9,414
Valuation	1,334	1,334	-	-	1,334
Adj. for Capital Financing Costs / Capital Charges	4,591	3,338	(1,253)	(27.3)	3,196
Adj. for Pensions FRS 17	(503)	(503)	-	-	(503)
NET EXPENDITURE	331,285	334,674	3,389	1.0	334,395
Financed By :					
Revenue Support Grant	209,813	208,950	863	0.4	209,813
Non-Domestic Rates	62,322	63,201	(879)	(1.4)	62,322
Council Tax	59,150	59,400	(250)	(0.4)	59,400
NET INCOME	331,285	331,551	(266)	(0.1)	331,535
SURPLUS/(DEFICIT)	-	(3,123)	3,123	999.0	(2,860)
Add : General Fund Surplus as at 1 April 2009		5,648			
Projected General Fund Balance as at 31 March 2010		2,525			

FALKIRK COUNCIL
HOUSING REVENUE ACCOUNT
PROJECTED REVENUE OUTTURN STATEMENT 2009/10 AS AT 31/08/2009

	<u>Budget</u> £'000	<u>Projected</u> <u>Outturn</u> £'000	<u>Fav (-ve) Adv (+ve)</u> <u>Variance</u>		<u>Previous</u> <u>Projection</u> £'000
			£'000	%	
Employee Expenses	6,857	6,657	(200)	(2.9)	6,717
Property Expenses	21,256	21,256	-	-	21,456
Transport Expenses	81	81	-	-	81
Supplies and Services	3,514	3,521	7	0.2	3,514
Third Party Payments	588	588	-	-	588
Support Services	4,209	4,209	-	-	4,209
Capital Charges	11,976	12,003	27	0.2	11,976
GROSS EXPENDITURE	48,481	48,315	(166)	(0.3)	48,541
INCOME	47,071	46,851	220	0.5	46,902
SURPLUS/(DEFICIT)	(1,410)	(1,464)	54		(1,639)
Add: Surplus brought forward as at 1 April 2009		6,543			
Projected Surplus as at 31 March 2010		5,079			

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 20 OCTOBER 2009 at 10.30 a.m.

PR74. REFERRAL FROM LEISURE, TOURISM AND COMMUNITY COMMITTEE – 15 SEPTEMBER 2009

With reference to the Minute of Meeting of the Leisure, Tourism and Community Committee held on 15 September 2009 (Paragraph LTC20 refers), there was submitted joint Report (circulated) dated 8 October 2009 by the Directors of Community Services and of Development Services enclosing a Report on “The Antonine Wall” considered by the said Committee and referred to Policy and Resources.

Councillor Gow, seconded by Councillor Fry, moved the recommendation as contained in the Report.

By way of an amendment, Councillor Alexander, seconded by Councillor Kenna, moved the establishment of a Working Group to develop a strategy and vision for the Antonine Wall and the Kinneil Estate for the benefit of the Falkirk Council area to ensure full advantage of heritage and tourism opportunities.

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

There being an equality of votes and in terms of Standing Order 21.6, the Convener used her casting vote in favour of the Motion.

Accordingly, **AGREED** in principle to part fund the post of Antonine Wall Co-ordinator in Year 3 (2011/2012) of the initial 3 year term, subject to funds being available.

FALKIRK COUNCIL

**Subject: REFERRAL FROM LEISURE TOURISM & COMMUNITY
COMMITTEE – 15th SEPTEMBER 2009**
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 20TH OCTOBER 2009
**Author: DIRECTOR OF COMMUNITY SERVICES AND DIRECTOR OF
DEVELOPMENT SERVICES**

1. INTRODUCTION

- 1.1 The following Report was submitted to the Leisure Tourism & Community Committee at its meeting on 15th September 2009. The purpose of this Report is to refer recommendations made by the Leisure Tourism & Community Committee to Policy and Resources Committee for approval.

2. THE ANTONINE WALL

- 2.1 Committee considered the Report by the Directors of Community Services and Development Services on the proposal for an Antonine Wall Co-ordinator post funded by Historic Scotland for the first two years and by local authorities surrounding the Wall in the third year.
- 2.2 Committee was invited and agreed to:-
- (1) note the national and local activity supporting the Antonine Wall as a World Heritage Site;
 - (2) note the in principle proposal, to part fund the post of Antonine Wall Co-ordinator in Year 3, subject to funds being available; and
 - (3) refer the report to Policy and Resources Committee to consider the in principle funding proposal.
- 2.3 Councillor Mahoney, seconded by Provost Reid, moved that the recommendations within the Report be approved.
- 2.4 By way of an Amendment, Councillor J Constable, seconded by Councillor Coleman, moved the establishment of a Working Group to develop a strategy and vision for the Antonine Wall and the Kinneil Estate for the benefit of the Falkirk Council area to ensure full advantage of heritage and tourism opportunities.

- 2.5 On a division, 7 Members voted for the Motion and 4 for the Amendment.
- 2.6 Accordingly, Committee **AGREED** in principle the part funding of the post of Antonine Wall Co-ordinator in Year 3 (2011/2012), subject to funds being available, and refer to the Policy and Resources Committee for approval.

3. RECOMMENDATION

Committee is invited to agree in principle part funding of the post of Antonine Wall Co-ordinator in Year 3 (2011/2012), subject to funds being available.

.....
Director of Community Services

.....
Director of Development Services

Date: 8 October 2009

Contact Officer: Sue Selwyn ext 0903

LIST OF BACKGROUND PAPERS NIL

FALKIRK COUNCIL

Subject: THE ANTONINE WALL
Meeting: LEISURE, TOURISM & COMMUNITY COMMITTEE
Date: 15TH SEPTEMBER 2009
Author: DIRECTOR OF COMMUNITY SERVICES AND DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 The purpose of this report is to update Members of the Committee about the national framework set up to support the management of the Antonine Wall World Heritage Site and about local initiatives happening around the Antonine Wall in the Falkirk Council area, since it was inscribed as World Heritage Site (WHS) in July 2008.

2. BACKGROUND

- 2.1 In July 2008 the Antonine Wall achieved international recognition by being inscribed as part of the Frontiers of the Roman Empire World Heritage Site, by the World Heritage Committee. Up to that point, only Hadrian's Wall and a section of the Frontier in Germany had been inscribed. World Heritage Site status was achieved following a formal nomination in 2004 and a rigorous evaluation period that took place during the latter part of 2007. Members were advised of the successful outcome of the nomination in a committee report to the Environment and Heritage Committee on 16 September 2008. No additional funding has been made available to support the successful bid.
- 2.2 In Scotland, the nomination process was steered, until January 2008, by a partnership consisting of the lead partner, Historic Scotland, Scottish Natural Heritage and the five local authorities along the line of the Wall. This was then superseded by a Management Plan Group, which has a responsibility for managing the site. This group consists of a main group representing those bodies that have a stake in the management of the Wall (as above), plus Glasgow, Edinburgh and Stirling Universities, the Royal Commission on Ancient and Historical Monuments of Scotland (RCAHMS), Central Scotland Forest Trust, Forestry Commission, British Waterways Scotland, VisitScotland, the Council for Scottish Archaeology and the West of Scotland Archaeological Service. There are also a range of sub groups reporting to the Management Plan Group.

3. NATIONAL FRAMEWORK – THE MANAGEMENT PLAN GROUP

- 3.1 A Management Plan for the Antonine Wall (2007 – 2012) was developed as part of the nomination process and sets out an integrated and consensual approach to the management of the World heritage Site. It is steered by the Management Group, which in turn is supported by the following sub-groups:

- Protection Group – reviewing protection measures for the WHS and its buffer zone

- Access Group – advising on issues and developing the plans concerning access in its broadest sense
- Documentation Group – maintenance and updating of the mapping and related textual information
- Research Group – overseeing the production of a research framework for the WHS
- Landscape Group – considering the enhancement of the landscape setting of the WHS and its buffer zone

3.2 Falkirk Council is represented by Officers on the Management Group, and on the Protection and Access sub-groups. Much of the work of the Management Group and the sub-groups, in their first year, has been to develop working arrangements that will meet the expectations of the plan. The following aims have been agreed for the management of the Wall over the next 5 years:

- Improve the management of the Antonine Wall, in particular through the actions of Historic Scotland and the five local authorities along the line of the Wall;
- Create an access strategy which would encompass sign-posting, car and cycle routes and car-parking;
- Improve the presentation of all those parts of the Antonine Wall which are in the care of ownership of public bodies such as Historic Scotland and the local authorities;
- Formulate an integrated interpretation and education strategy encompassing Historic Scotland, the five local authorities along the line of the Wall and all museums holding artefacts from the Antonine Wall;
- Prepare a landscape strategy which would seek to enhance the environment within which the Wall sits including improved management of the woodland through which the wall runs;
- Achieve co-operation with other facilities in the area, including the Forth and Clyde Canal/Falkirk Wheel;
- Help create standards for the mapping and documentation of Roman frontiers to enable the Antonine Wall to be studied better with its international framework;
- Co-operate with international bodies to place the Antonine Wall in its wider historical and tourist setting, for example through the Culture 2000 programme.

3.3 The Management Plan and World Heritage Site Status is being applied consistently in development discussions and Planning Applications across the 5 authorities. Feedback and monitoring of current progress and issues are collated by the Protection group to be used by authorities and agencies in forthcoming Public Local Enquiries and in developing Statutory Planning Guidance. Other key actions for the Management group in the first year include:

- Planning for the construction, location and implementation of World Heritage Site marker plaques. In the Falkirk Council area these will be sited in Callendar Park and Kinneil Estate and installed this autumn.
- Publishing a map (RCAHMS) of the Antonine Wall

- The development of an official Antonine Wall website - www.antoninewall.org (Falkirk Council's website has a direct link to this)
- Planning for the post of an Antonine Wall Coordinator post.

3.4 Antonine Wall Coordinator Post

To date, the coordination of the nomination process and subsequent activity has been managed by Historic Scotland. However, the officer responsible for this in Historic Scotland will be retiring in the autumn, so Historic Scotland has proposed an alternative model for supporting co-ordination. The proposal is to establish an Antonine Wall Coordinator Post, with a remit to ensure the effective implementation of the management plan across all local authorities and other agencies. In the first instance, it is proposed that this be a 3 year fixed term post, fully funded by Historic Scotland for the first 2 years on the understanding that all the local authorities will then contribute to the costs of the post in the final year. However, Historic Scotland have agreed to underwrite the third year if the total package of funding is not secured. Current estimates for salary, associated costs and expenses are around £70,000 per annum. North Lanarkshire Council have agreed to host the post, as a centrally located local authority, by providing accommodation and day-to-day administrative support, for the initial three years within their Planning and Development, Environmental Services team

The post will be managed by Historic Scotland and under Civil Service terms and conditions, but supported by all five local authorities along the Wall. The post holder will interact with other authorities and stakeholders on appointment, through key contact officers. The coordinator will be expected to draw upon an action plan for the implementation of the management plan, as well as securing funding and managing and developing the partnership. The post holder will ensure all parties meet their The longer term goal may be to establish a separate entity to manage the World Heritage Site, as has recently happened for Hadrian's Wall.

3.5 Work of the Sub-Groups

The most active of the sub-groups have been the Protection and Access Sub-Groups. The Protection Group has commissioned the procurement of consultants to produce Supplementary Planning Guidance (and the legal requirement for a Strategic Environmental Assessment of the SPG), for development along the entire length of the Wall and its associated buffer zone across the 5 local authority areas. The document is being produced in tandem with a Strategic Environmental Assessment (SEA) in line with legal requirements. Both will involve elements of public and local authority consultation and once approved by all local authorities should be available by Spring 2010.

The Access Sub-Group is in the process of commissioning an Access Plan and an Interpretation Plan. The former will address how physical access to the Antonine Wall can be improved for all visitors, taking account of the Disability Discrimination Act (1995 and 2005) and will look at ways of encouraging non-motorised access. It will also consider intellectual, social and cultural access and provide outline costs for proposals and ongoing maintenance.

The Interpretation Plan will consider how best to present the story of the Antonine Wall and its component parts to visitors, educational establishments, local communities and businesses and make recommendations for the appropriate media to interpret the story and where this should be located. The development of both plans will require the

appointed consultants to consult and discuss widely with stakeholders. Funding for these two pieces of work has still to be secured and will be a key task for the Co-ordinator, once appointed.

4. LOCAL ACTIVITY

- 4.1 Until the plans as detailed above come into place, it is important that Falkirk Council provides interim locally based activity to enhance the World Heritage Site. Since the inscription took place in July 2008, both Development and Community Services have undertaken a number of activities designed to promote knowledge of the Antonine Wall in the Falkirk Council area and to enhance local community engagement with the concept of the World Heritage Site.
- 4.2 A visit to Rough Castle, Callendar House and Kinneil Roman Fortlet was arranged for the UK Minister for Culture, Creative Industries and Tourism and the Scottish Government's Minister for Culture, External Affairs and the Constitution on 10 March 2009. Local schoolchildren took part in the event, which received good publicity in local and national press.
- 4.3 The preparation, update and re-launch of the Antonine Wall WHS recreational walking guide was completed in April 2009. The guide promotes the key sites along the Antonine Wall in the Falkirk Council area and is available as a hard copy or on the Council's website. A translation of the guide into German was launched in June 2009.
- 4.4 An audit of signage of the WHS (both roadside and path signage) was carried out, as a pre-requisite which will inform future cross-authority action on access and promotion. This will require to be complemented by a logo and branding exercise currently being undertaken by Historic Scotland. In the meantime, interpretation panels at four locations in the Falkirk Council area have been refreshed (Polmont Hill, Ski slope, Kemper Avenue and Watt's Cottage).
- 4.5 Falkirk Council took part in the National Spring Clean of the Antonine Wall Litter Pick as part of Keep Scotland Beautiful, encouraging ongoing maintenance and tourism across the 5 local authorities.
- 4.6 Community engagement with the WHA has been raised by a number of projects in Community Services. Spaceunlimited, a social enterprise company, was jointly commissioned by Historic Scotland, Falkirk Council and Glasgow City Council to work with young people from schools along the length of the Wall. Four schools were involved – Bo'ness Academy, St. Ninian's High Schools, Kirkintilloch, Cleveden Academy, Glasgow and Clydebank High School. The project aimed to assist organisations to understand the challenges of engaging a young audience, as well as increasing the awareness, value and understanding of young people of the Wall. It was inspired by the importance UNESCO places on working with young people to realise the value of the World Heritage ideal.
- 4.7 A literacy and ESOL project entitled "Along the Wall" was developed. This consisted of a series of workshops that developed participants' literacy skills using the Romans and World Heritage as a subject. The participants were young Asian women, for whom English is a second language. The heritage dimension to the workshops allowed participants to explore and understand the contribution of immigrants to the area's

heritage. The project was well received and the workshops were extended from 6 to 12 weeks.

- 4.8 Community Services education work with school age young people expanded with a total of 39 workshops on the topic of the Romans being delivered by Museum staff over the academic year. A number of talks about the Romans were given to adult groups and a video download of “Life on the Antonine Wall” is available on the Forth’s’ Timeline website.

5. FUTURE DEVELOPMENTS

- 5.1 National developments will follow the appointment of an Antonine Wall Co-ordinator. In the meantime, an international project to digitally record three-dimensional models of world heritage sites is about to begin with Mount Rushmore in the USA. In Scotland, this project will include the Antonine Wall, St. Kilda and the City of Edinburgh.
- 5.2 Locally, the installation of the World Heritage Site plaques will take place in the autumn and a project to install a replica of the Bridgeness Distance Slab in Kinningars Park, Bo’ness is underway. A Roman themed event, “The Big Roman Week”, organised by community groups in Bo’ness, will take place in September.

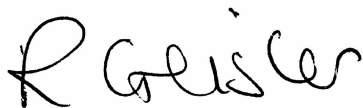
6. IMPLICATIONS

- 6.1 Financial
The main financial implication arising from this report will be the potential part funding of the Antonine Wall Co-ordinator post in Year 3. Based on current figures the total annual cost is estimated to be £70,000, to which Falkirk Council will be asked to contribute during the financial year 2011/2012. Given the current financial climate, Falkirk Council may wish, at this stage, to agree in principle only.
- 6.2 Policy
The support and development of the Antonine Wall as a World Heritage Site fits with the aims and objective of the Single Outcome Agreement, the Strategic Community Plan and the Corporate Plan.
- 6.3 Personnel
There are no personnel implications.
- 6.4 Legal
There are no legal implications

7. RECOMMENDATIONS

- 7.1 It is recommended that Members of the Leisure, Tourism and Community Committee:
- a) note the national and local activity supporting the Antonine Wall as a World Heritage Site;
 - b) note the in principle proposal, to part fund the post of Antonine Wall Co-ordinator in Year 3, subject to funds being available;

- c) agree to refer the in principle funding proposal to the Policy and Resources Committee.



.....
Director of Community Services
Date 21 August 2009

.....
Director of Development Services
Date 21 August 2009

Contact Officer: Sue Selwyn Head of Culture & Lifelong Learning, Extn 0903

LIST OF BACKGROUND PAPERS

1. Antonine Wall (Education and Heritage Committee, 16 September 2008).
2. Antonine Wall Proposed Roman Frontier World Heritage Site (Education and Heritage Committee, 22 June 2004).

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the HOUSING AND SOCIAL CARE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 10 NOVEMBER 2009 at 9.30 a.m.

HSC39. PROPOSED DEMOLITION OF PROPERTIES AT CARRON ROAD, MILLFLATS ROAD, HAUGH STREET, FALKIRK

With reference to Minute of Meeting of the Policy and Resources Committee held on 12 February 2008 (Paragraph PR106 refers), there was submitted Report (circulated) dated 20 October 2009 by the Director of Corporate and Neighbourhood Services (a) providing an update on the position in respect of proposals for the development of new Council housing on the site at Carron Road/Millflats Street/Haugh Street, Falkirk, and (b) attaching as an appendix, the site plan at Carron Road, Falkirk.

Discussion took place on the following:-

- problems with the layout and access of the existing properties
- condition of the vacant properties
- refurbishment problems and maximisation of the site

Councillor Goldie, seconded by Councillor McNeill moved the recommendations as contained within the Report.

Councillor Meiklejohn, seconded by Councillor Coleman moved that “Council therefore acknowledges that the Carron Road flats are beyond their useful life and be demolished as per the recommendation in 2007 to make way for new family housing.”

On a division, 6 Members voted for the Motion and 5 for the Amendment.

Accordingly, **AGREED** to officers revisiting the option appraisal process and survey information already undertaken to ensure value for money arguments are robust.

NOTED that officers will report back to Committee with the outcome of this review.

FALKIRK COUNCIL

**Subject: PROPOSED DEMOLITION OF PROPERTIES AT CARRON ROAD,
MILLFLATS STREET, HAUGH STREET, FALKIRK**
Meeting: HOUSING AND SOCIAL CARE COMMITTEE
Date: 10 November 2009
Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 This report provides Members with an update on the position in respect of proposals for the development of new Council housing on the site at Carron Road/Millflats Street/Haugh Street, Falkirk.

2. BACKGROUND

- 2.1 Members may recall the report to Housing and Social Services Committee on 2nd September 2008 on new social housing provision at which it was agreed to progress development proposals for new Council house building on a number of sites in Council ownership, subject to necessary site investigatory works, statutory consents and the required funding being made available.
- 2.2 The site at Carron Road, Falkirk (see attached plan forming appendix 1) was one of these sites. On 6th February 2007 Housing and Social Services Committee previously agreed to proceed with the acquisition of private ownerships and follow this with the demolition of all properties on this site to create a new development opportunity. Housing and Social Services Committee and Policy and Resources Committee, on 5th and 12th February 2008 respectively, confirmed that new Council housing is the preferred option for the development of the site, if financially available.

2. CURRENT POSITION

- 2.1 The site itself forms two distinct sections and demolition at Site A is progressing. In respect of Site B, however, it is now proposed to hold the demolition process pending the outcome of further feasibility studies. Members will appreciate the allocation pressures on the existing housing stock and the consequent need to ensure that the number of properties to be developed on each site is maximised and that the approach the Council takes is the most appropriate to help meet housing need. To be confident that this happens it is considered appropriate to revisit the option appraisal process and survey work already undertaken and to ensure that value for money arguments are robust.

3. RECOMMENDATION

Committee is asked to:

- 3.1 **Agree to officers revisiting the option appraisal process and survey information already undertaken to ensure value for money arguments are robust; and**

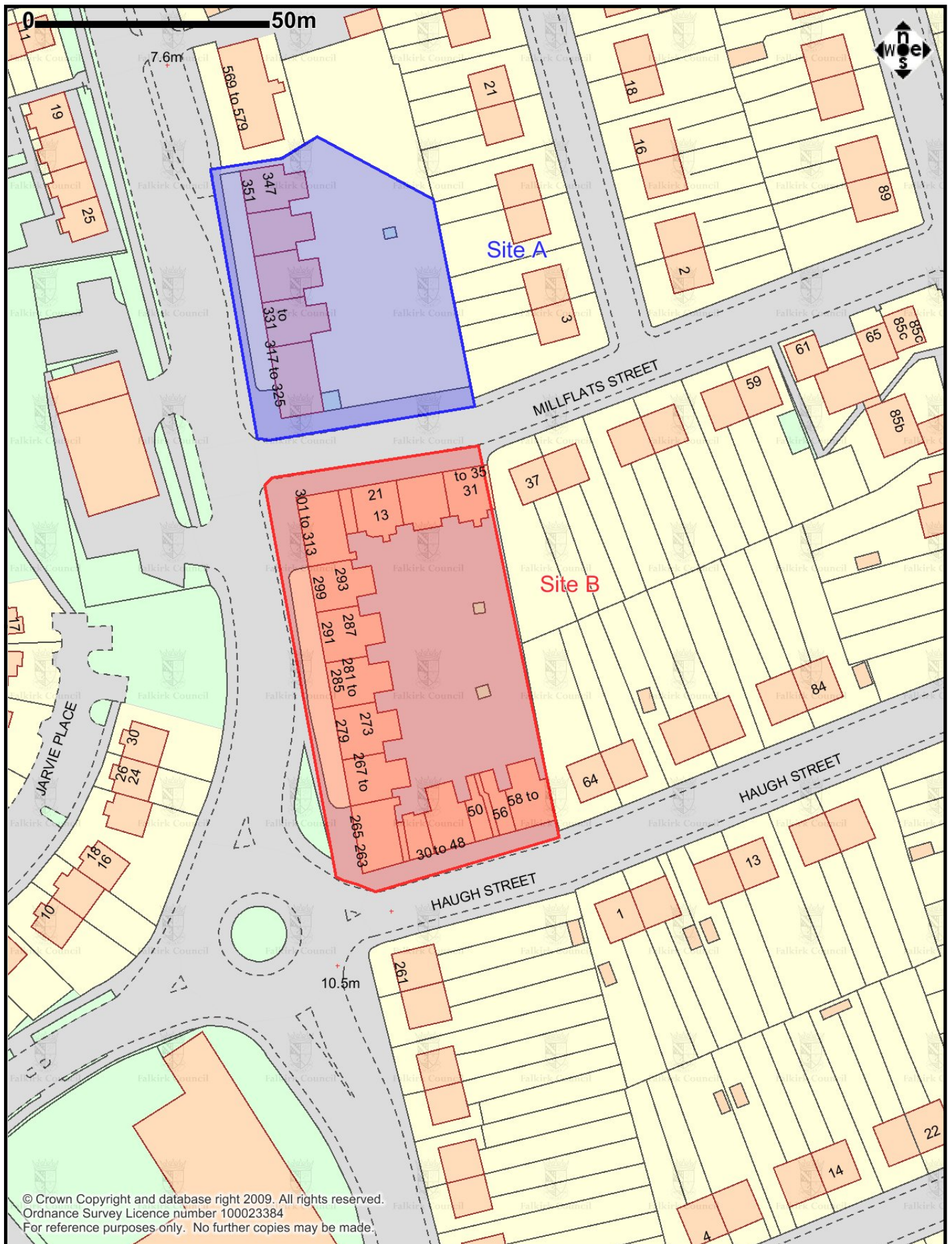
3.2 Note that officers will report back to Committee with the outcome of this review.

.....
DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 20th October 2009
Ref: AAL1109
Contact Names: David Dunbar, Service Manager, ext 0833

LIST OF BACKGROUND PAPERS

Nil



Falkirk Council
Corporate & Neighbourhood Services

Location Map

Carron Road Flats

Scale 1 : 1072

Date: 18/08/2009

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FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the HOUSING AND SOCIAL CARE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 10 NOVEMBER 2009 at 9.30 a.m.

HSC40. HOUSE EXTENSION/CONVERSIONS – QUALIFYING CRITERIA

There was submitted Report (circulated) dated 29 October 2009 by the Director of Corporate and Neighbourhood Services (a) referring to the shortfall in larger Council house accommodation, available to meet the needs of larger families; (b) advising that options aimed at developing current properties either through house extension or loft conversion have been explored; and (c) seeking approval to set qualifying criteria for both applicants and properties to enable further consideration to be given to providing an extension or loft conversion.

Councillor Goldie, seconded by Councillor McNeill moved the recommendations as contained within the Report with an additional recommendation, namely:-

“Request that the Director of Corporate and Neighbourhood Services investigate the feasibility of providing financial or other incentives for tenants in larger properties which are under-occupied to move to smaller properties on a voluntary basis and to report back to this Committee”.

By way of an amendment, Councillor Meiklejohn, seconded by Councillor McNally moved that recommendation 1 within the Report, namely:-

“approve the qualifying criteria for inclusion in an extension/conversion programme set out for both applicants and properties in Section 3 above.”

be substituted with the following:-

- “5.1 Committee agrees that overcrowding in a family home is overcrowding no matter the size of the property. Committee also notes that one of the most popular size and property type sold under the Right to Buy are three bedroom family homes thus creating a problem for families in two bedroom properties;
- 5.2 Council therefore agrees to consider all properties suitable for extension if the families concerned are living in overcrowding conditions;”

On a division, 6 Members voted for the Motion and 4 for the Amendment.

Accordingly, **AGREED:-**

- (1) the qualifying criteria for inclusion in an extension/loft conversion programme set out for both applicants and properties, as detailed in Section 3 of the Report, and

- (2) to request that the Director of Corporate and Neighbourhood Services investigate the feasibility of providing financial or other incentives for tenants in larger properties which are under-occupied to move to smaller properties on a voluntary basis and to report back to this Committee.

NOTED that a further Report be brought to Members setting out the likely demand and resources required to provide a scheme of extension/conversion of properties to meet the needs of larger families.

FALKIRK COUNCIL

Subject: HOUSE EXTENSION/CONVERSIONS – QUALIFYING CRITERIA
Meeting: HOUSING AND SOCIAL CARE COMMITTEE
Date: 10 November 2009
Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 Members are aware that there are a number of applicants on the Council's housing list living in overcrowded conditions and that the Council's ability to accommodate larger families within the housing stock is limited.
- 1.2 As part of a number of options aimed at addressing the shortfall in larger accommodation and meeting the needs of larger families, the feasibility of providing additional accommodation through house extensions or loft conversions is being explored.
- 1.3 The purpose of this report is to set out for Members' approval, a set of qualifying criteria for both applicants and properties to enable further consideration to be given to providing an extension or loft conversion.

2. BACKGROUND

- 2.1 Out of the housing stock of 16,384 properties, 462 have four bedrooms and only 5 properties have 5 or more bedrooms.
- 2.2 As Members are aware, under the revised Allocations Policy which will be implemented with effect from 5 January 2010, new household size criteria will be introduced. These criteria recognise that households are overcrowded if two members of a household over 8 years of age (other than a couple) are sharing a bedroom. Two levels of priority are available depending on the degree of overcrowding – Band One priority is awarded where the household requires two or more additional bedrooms to meet the household size criteria. Band Two priority is awarded where one additional bedroom is required to meet the household size criteria.
- 2.3 In addition, those living in properties which are too large for their needs will receive greater priority under this policy.
- 2.4 As part of the preparation for transition to the new policy, all applicants on the housing list are being contacted to gather additional information required. This includes information to assess priority based on overcrowding. The opportunity is also being taken to ask those applicants who are Council tenants whether they would still wish to move if it were feasible to extend their existing home. This will enable the likely demand for house extensions/conversions to be assessed.
- 2.5 In conjunction with implementation of the new allocations arrangements, work is also in progress to extend and improve Housing Options advice available to the public. Such advice will assist applicants to consider options, other than Council housing which may be available to address their housing needs e.g. private sector renting, shared equity schemes.

3. QUALIFYING CRITERIA

Applicant Qualifying Criteria

- 3.1 Where tenants indicate that their reason for moving is overcrowding only, loft conversion or house extension may be considered for those who:
- Live in a 3 bedroom property and require two additional bedrooms to meet their household's needs **or**
 - Live in a 4 bedroom property and require one or two additional bedrooms to meet their household's needs.

Property Qualifying Criteria

- 3.2 It is proposed that extension/conversion will only be considered where 3 or 4 bedroom properties can be extended/converted to provide at least one additional bedroom. The range of issues that require to be considered to help determine whether a property is suitable for conversion will include:
- The existence of common services or access requirements that prevent an extension to the building or development in the roof space.
 - Whether there are ownership / shared ownership responsibility issues that may prevent an extension to the building or development in the roof space.
 - Whether the current roof configuration has sufficient space to allow development.
 - Whether the layout of the property below the roof space has sufficient space / flexibility to allow access to a roof space development.
 - Is the structure of the roof suitable for conversion, or would it require to be re-engineered or replaced?
 - Is the property of non-traditional construction which may prevent extension or conversion?
 - Will the extended or converted property gain the space required, considering the inevitable loss of usable space on the floor below the roof space?
 - Does the cost of carrying out the extension or conversion reflect best value for the Council?
- 3.3 To adequately address these considerations an individual appraisal will be necessary for each proposed conversion which would offer guidance on the overall feasibility of the conversion, the space gained from the conversion and the anticipated costs involved.

4. FINANCIAL IMPLICATIONS

- 4.1 There will clearly be financial implications in providing a scheme for extending/converting properties. From previous technical assessments undertaken costs are expected to be upwards of £30,000 per property and it will be necessary to set aside a proportion of resources. Further consideration can be given to the funding of the programme once demand for the scheme has been assessed and appropriate means of securing the required funding have been explored. This will be set out in a future report to Members prior to the budget process for 2010/11 being finalised in February 2010.

- 4.2 Members should also note that the rental and Council Tax charges to the tenant may be increased as a result of extending/converting a property and there will be implications with regard to cost floor levels should the tenant subsequently exercise their Right to Buy the property.

5. RECOMMENDATIONS

Committee is requested to:

- 5.1 Approve the qualifying criteria for inclusion in an extension/conversion programme set out for both applicants and properties in Sections 3 above; and
- 5.2 Note that a further report will be brought to Members setting out the likely demand and resources required to provide a scheme of extension/conversion of properties to meet the needs of larger families.

.....
DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 29 October 2009

Ref: AAL1109

Contact Name: Liz MacEwen, Service Manager Ext 0786
David Dunbar, Service Manager Ext 0833

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 NOVEMBER 2009 at 10.30 a.m.

PR78. WORKS ON PRIVATE ROADS AT BALMORAL GARDENS AND PARK AVENUE, BRIGHTONS – PROVISION OF ASSISTANCE TO RESIDENTS

There was submitted joint Report (circulated) dated 10 November 2009 by the Director of Development Services and Acting Director of Law and Administration (a) detailing a proposal by residents at Balmoral Gardens and Park Avenue, Brightons to have work undertaken on the private roads within their area in order to bring them up to adoptable standard, and (b) seeking a decision from Committee on a request from the residents for support from the Council.

In line with the recommendations contained within the Report, Councillor Gow, seconded by Council Fry moved:-

- (a) that the Council should agree, in principle, to provide support, in the form of front funding, to the residents in the situation as described paragraph 2.3 of the Report;
- (b) that the sum of £20,000 be fixed as a ceiling on the total amount available for such funding, and
- (c) that authorisation be given to the Director of Development Services and the Acting Director of Law and Administration to consider and agree any applications for such support subject to the agreed financial ceiling of £20,000 and the conclusion of an agreement assuring the security for the Council's debt.

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

- (a) Committee notes the absence of a clear policy on the use of public money to upgrade private roads and therefore agrees to ask officers to instigate such a policy development review.
- (b) In the formulation of such a policy officers will take as guidance the committees agreement in principle to provide support in the form of up front funding to residents in the situation described in paragraph 2.3 of the Report providing this does not adversely impact on the Council's investment in public roads.
- (c) Committee also seeks a full audit of all of Falkirk Council's private roads and report back on issues affecting each one of them given the Council's statement of equal treatment for all communities.

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

Accordingly **AGREED:-**

- (a) to provide support in principle, in the form of front funding, to the residents in the situation described paragraph 2.3 of the Report;
- (b) that the sum of £20,000 be fixed as a ceiling on the total amount available for such funding, and
- (c) that authorisation be given to the Director of Development Services and the Acting Director of Law and Administration to consider and agree any applications for such support subject to the agreed financial ceiling of £20,000 and the conclusion of an agreement assuring the security for the Council's debt.

FALKIRK COUNCIL

Subject: WORKS ON PRIVATE ROADS AT BALMORAL GARDENS AND PARK AVENUE, BRIGHTONS – PROVISION OF ASSISTANCE TO RESIDENTS
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 17th November 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES AND ACTING DIRECTOR OF LAW AND ADMINISTRATION

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to bring to Members' attention a proposal by residents at Balmoral Gardens and Park Avenue in Brightons to have work undertaken on the private roads within their area to bring them up to adoptable standard and, more particularly, to seek a decision from this Committee on a request from the residents for some support from the Council.

2. BACKGROUND

- 2.1 Balmoral Gardens and part of Park Avenue are private roads in a residential area of Brightons. The roads are abutted primarily by privately owned houses and by the grounds of Wallacestone Primary School. As these are private roads, the responsibility for maintenance falls on the owners of the properties which abut the road ("the frontagers"). As can often be the case with private roads, the road is in a poor state of repair.
- 2.2 The residents have prepared a scheme whereby they would fund significant repairs to the roads with a view to bringing them to a standard where they can be adopted by the Council as roads authority. The Director of Development Services has confirmed that the roads would be adopted by the Council were the requisite standard to be achieved.
- 2.3 The residents have managed to secure sufficient agreement among themselves to make the scheme one which is very close to viability. It should be noted that as one of the frontagers, the Council, through the Director of Education, has confirmed its willingness to participate in the scheme. One obstacle which the residents have encountered is that a small number of them, while supportive of the scheme, have insufficient funds available to allow them to meet the cost up front. Typically, this would be a resident who while owning their house may have a limited income due to being retired. The residents' representative has approached the Council to ask if the Council would be willing to assist by providing some up front funding to residents in this situation.

3. THE COUNCIL'S POWERS

- 3.1 The Council has wide discretionary powers under the Roads (Scotland) Act 1984 to provide assistance to frontagers in the maintenance or improvement of private roads. There is, however, no budget for such maintenance or improvement and financial assistance has not been made available for such work in recent years. The request from the residents, however, is not for direct financial assistance. Rather, it is for front funding which would be recoverable at a later stage from any frontager provided with such assistance. It is considered that it would be within the Council's powers to make such assistance available.
- 3.2 The cost would need to be met in the first instance from a roads maintenance budget from within Development Services; but this would be balanced, in accounting terms, by credit entries reflecting the recoverability of the funds. It is suggested that if such assistance were to be afforded by the Council it would be appropriate for the debts to be secured over the frontagers' properties to provide assurance that the monies would be repaid, with interest fixed at a level to reflect the cost of making the funding available. This would also involve some legal fees which would be chargeable to the frontagers. On present calculations, the cost of this scheme for each frontager is likely to be between £3000 and £4000. The numbers seeking this kind of support is expected to be small. Nevertheless, it may be appropriate to fix a financial ceiling to the level of support made available. It is suggested that the ceiling could be fixed at the aggregate sum of £20,000.
- 3.3 This request has highlighted that the Council does not have a policy on the exercise of its powers under the Roads (Scotland) Act in relation to private roads. The Director of Development Services will develop such a policy and present it to this Committee in the new year. This would allow future requests for assistance to be assessed against an agreed policy.

4. RECOMMENDATIONS

4.1 Members are asked to consider:-

- (1) whether the Council should agree, in principle, to provide support in the form of front funding to residents in this situation described at paragraph 2.3; and**
- (2) if so minded, to consider whether a ceiling should be fixed on the total sum available for such funding.**

- 4.2 If Members are agreeable to the proposal in principle, it is recommended that Committee authorise the Director of Development Services and the Acting Director of Law and Administration to consider and agree any applications for such support subject to any financial ceiling agreed and conclusion of an agreement assuring the security for the Council's debt.

.....
Acting Director of Law & Administration

.....
Director of Development Services

Date: 10th November, 2009

Contact Officer: Colin Moodie ext 6079

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 NOVEMBER 2009 at 10.30 a.m.

PR82. BETTER ASSETS, BETTER SERVICES ASSET MANAGEMENT PLAN: OFFICE ACCOMMODATION – EDUCATION SERVICES

There was submitted joint Report (circulated) dated 9 November 2009 by the Directors of Community Services and of Education Services advising that, in terms of on-going work in relation to options for the Council's office accommodation requirements across all Services, an opportunity has arisen to relocate Education Services' staff from both their Headquarters at McLaren House and office accommodation in Haypark, Polmont to an identified site at 2 Inchyra Road, Grangemouth.

Councillor Gow, seconded by Councillor Fry moved acceptance of the recommendations as contained within the Report.

By way of an Amendment, Councillor Alexander, seconded by Councillor Kenna moved that a decision on the relocation be not taken at this meeting but that the matter be referred to the Best Value Forum with all outstanding issues in the paper being addressed as part of that process before a final decision is taken.

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

There being an equality of votes and in terms of Standing Order 21.6, the Convener used her casting vote in favour of the Motion.

Accordingly **AGREED:-**

- (a) to make the necessary arrangements to relocate Education Services' administrative headquarters to 2 Inchyra Road, Grangemouth and,
- (b) to terminate the lease of McLaren House and other Haypark offices, effective from 31 July 2010.

FALKIRK COUNCIL

Subject: *BETTER ASSETS, BETTER SERVICES*
ASSET MANAGEMENT PLAN:
OFFICE ACCOMMODATION – EDUCATION SERVICES
Meeting: **POLICY & RESOURCES COMMITTEE**
Date: 17TH NOVEMBER 2009
Authors: **DIRECTOR OF COMMUNITY SERVICES**
DIRECTOR OF EDUCATION SERVICES

1.0 INTRODUCTION

- 1.1 The purpose of this report is to advise Committee of an opportunity to consider relocation of the Education Services office headquarters from McLaren House, Polmont in the context of on-going work in relation to the options for the Council's office accommodation requirement across all Services.
- 1.2 A review of the Council's office HQ accommodation is continuing. A previous report to Policy & Resources Committee advised that further options to clarify the Council's office accommodation requirements would require to be considered. This report summarises short to medium terms issues and opportunities arising, and incorporates new options which have become available. It also has regard to implications for the longer term resolution of the Council's office requirements.
- 1.3 Considerable work has been undertaken to date in relation to Municipal Buildings, Falkirk (including Town Hall), Brockville, Denny Town House and Seabegs Road complex. This has involved assessments of condition, suitability and sufficiency of the properties including consideration of their performance e.g. in terms of sustainability including carbon management.
- 1.4 It is however apparent that in developing a viable strategy for determining the future scale and provision of Council office headquarters accommodation, other existing office locations require to be considered in terms of their overall effectiveness in delivering Council Services. There is also an overall need to clarify the mix and extent of civic, front and back office functions which require to be accommodated together with potential for shared use with other Community Planning partners.
- 1.5 This report highlights an opportunity to deliver efficiencies through the Council's wider property portfolio consistent with the Asset Management Plan's longer term objectives relating to rationalisation and improvement of Service office accommodation in terms of demonstrating 'best value' in service delivery.

2.0 BACKGROUND

- 2.1 The review of office accommodation has highlighted that the Council occupies a mix of Council-owned and externally leased accommodation. The need to demonstrate efficiencies reinforces the need to consider opportunities for rationalisation.
- 2.2 The Council in 1995 secured a 15 year lease of the office premises at McLaren House in Marchmont Avenue, Polmont extending to 653m² to form the administrative headquarters for Education Services. This lease is due to expire on 31st July 2010. The rental payable by the Council to the private landlords, Messrs Ferguson is £81,550 per annum.
- 2.3 In addition, the Council occupies space on short term leases in the adjacent Haypark Business Centre at an additional annual rental of £19,522. Some of the leases here are however due to end shortly with the disbanding of the successful NPDO Schools Project Team.

3.0 CURRENT OPPORTUNITY

3.1 2 Inchyra Road, Grangemouth

- (i) These premises are part of the Council's non-operational business property portfolio and were vacated earlier this year by INEOS on termination of the lease.

Extending to 1359m², this former factory unit has been converted to office space with the capacity to accommodate 100-120 staff. Although fitted out to a good standard by the previous tenant, there is little prospect of successfully re-letting this property in viable commercial terms in the near future given the current economic climate.

- (ii) This property is available immediately offering potential efficiencies without the need for significant capital expenditure in essential conversion costs, however some improvements are required to e.g. reception and toilet facilities.

4.0 OPTIONS APPRAISAL

- (i) Appraisal of the Education Services office headquarters relocation has taken place in the context of the ongoing work being undertaken relating to provision of Council office headquarters generally.
- (ii) This includes the carrying out of prioritised essential repairs to Municipal Buildings, Falkirk at a cost of £100,000 to ensure statutory requirements are met, together with further appraisal of the Brockville office block (Social Work Services office headquarters) and at the options for the complex at Seabegs Road, Bonnybridge occupied by Corporate & Neighbourhood Services, including potential consolidation of associated service functions at the Forum, Callendar Park.
- (iii) The need to maintain a degree of flexibility of approach to early office relocations consistent with longer term potential options is recognised, particularly bearing in mind the highly constrained financial situation including the difficulty of securing capital receipts from disposal of surplus assets in the currently depressed property market.

- (iv) Education Services by moving to a single property would be able to co-locate members of staff/teams from McLaren House, Haypark and other locations to the new HQ base. This move would improve the communication between teams and provide the opportunity to re-structure the central administration and support functions to improve efficiency and to re-engineer some current workflow processes.
- (v) As an alternative option, the Council could choose to remain in occupancy of McLaren House, The landlords have offered to negotiate terms for a new lease on a competitive basis and it is believed that through such negotiations, a reduction in the current rental payable could be achieved, reflecting prevailing conditions in the commercial property market.
- (vi) Such a course of action would however still result in a substantial annual rental payable being made to a private landlord, as opposed to the rental payment for 2 Inchyra Road (£90,000 per annum) being retained within the Council.

5.0 IMPLICATIONS

5.1 Financial Implications

Education Services anticipate savings arising from the streamlining of service delivery resulting from the relocation. A net annual saving of £11,342 will be achieved. The Council will also receive income for a rental property that is currently vacant.

5.2 Legal Implications

As the Council cannot internally enter into a formal lease, the proposed occupancy shall be regulated by an exchange of letters, covering the appropriate terms and conditions.

5.3 HR Implications

- (i) The Director of Education Services has advised the staff affected of the possibility of such a move.
- (ii) Excess travel expenses may be payable to some staff who have to travel further from home to the new HQ base.
- (iii) Further discussions will take place if such a move is ratified.

6.0 SUMMARY

- (i) The proposed relocation of Education Services office headquarters from McLaren House to 2 Inchyra Road has a number of significant benefits to the Council both from service delivery and financial perspectives.
- (ii) The proposal will result in an annual saving to the Council of £101,342 as a result of no longer requiring to pay rental to a private landlord and gaining an income from a vacant property.

Beneficial occupancy of a property which would otherwise have remained vacant and generating no external rental income will be achieved, taking advantage of the

significant investment in fitting out the property undertaken by the previous tenant.

- (iii) From the wider economic development perspective, McLaren House will become available on the market with the opportunity for the landlord to secure an alternative occupier/use for the premises.

Whilst current market conditions are challenging, it is nonetheless reasonable to assume that given the building's age and condition, as the economy recovers it will be possible for the owner to secure a beneficial use for the premises in what remains an attractive business location.

7.0 CONCLUSIONS

- 7.1 The proposal to relocate Education Services office headquarters to 2 Inchyra Road, Grangemouth is consistent with the aims and objectives of the Council's Corporate Asset Management Plan.
- 7.2 It represents a further step in the rationalisation of Service office headquarters accommodation in terms of consolidating this requirement within the Council's own property portfolio thus demonstrating effectiveness both in terms of delivery of services and from a financial/revenue budget savings perspective.

8.0 RECOMMENDATION

It is recommended that Committee authorises the Directors of Community Services and of Education Services:-

- (i) To make the necessary arrangements to relocate Education Services administrative headquarters to 2 Inchyra Road, Grangemouth; and**
- (ii) To terminate the lease of McLaren House and other Haypark offices effective from 31st July 2010.**

.....
Director of Community Services

.....
Director of Education Services

9th November 2009.

Contact Officers: Alan Urquhart. Tel: 0982.
Gary Greenhorn. Tel: 6683.

LIST OF BACKGROUND PAPERS

1. Corporate Asset Management Plan – *Better Assets, Better Services*.
2. Previous Report to Policy & Resources Committee – November 2008.

Anyone person wishing to inspect the background papers listed above should telephone 01324 590982 and ask for Alan Urquhart.

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 NOVEMBER 2009 at 10.30 a.m.

PR83. ASSETS SURPLUS TO OPERATIONAL REQUIREMENTS

There was submitted Report (circulated) dated 9 November 2009 by the Director of Community Services seeking approval for the undernoted properties to be declared surplus to operational requirements for disposal:-

- Maddiston Primary School and Torwood School
- Land to the south of 1 Avon Street, Dunipace
- 6 & 8 Dundas Street, Grangemouth

Councillor Gow seconded by Councillor Fry moved acceptance of the recommendation in the report.

By way of amendment, Councillor Alexander seconded by Councillor Kenna moved that the sites at Maddiston Primary School and Torwood School be not declared surplus at this time, and that further information on future potential uses be obtained, including utilising Maddiston Primary School as a replacement venue for Education Services Headquarters and Torwood School as the site for a new Roman Catholic Primary School.

The meeting adjourned at 12.45 pm to consider the terms of the amendment re-convening at 12.55 pm with all being in attendance as per the sederunt.

AGREED the following in respect of the disposal subjects:-

Maddiston Primary School and Torwood School

That the sites be not declared surplus at this time but that a report be submitted to the next meeting of Council on future potential uses therefor, including utilising Maddiston Primary School as a replacement venue for Education Services Headquarters and Torwood School as the site for a new Roman Catholic Primary School.

Land to the South of 1 Avon Street, Dunipace

That the land held on the Development Services Account be declared surplus to operational requirements and that negotiated disposal to Mr Collier be initiated .

6 & 8 Dundas Street, Grangemouth

- (i) That the ground leases at 6 & 8 Dundas Street, Grangemouth be disposed off to A Miller Electrical Ltd for a premium of £5,000 subject to the conclusion of missives, and
- (ii) that the change in banking policy with respect to lending to occupants of leased property be raised further with the banking sector and other Councils.

FALKIRK COUNCIL

Subject: ASSETS SURPLUS TO OPERATIONAL REQUIREMENTS
Meeting: POLICY & RESOURCES COMMITTEE
Date: 17TH NOVEMBER 2009
Author: DIRECTOR OF COMMUNITY SERVICES

1.0 INTRODUCTION

- 1.1 The purpose of this report is to seek approval for the attached schedule of properties to be declared surplus to operational requirements for disposal.

2.0 SURPLUS LAND

- 2.1 The Policy & Resources Committee at its meeting on 14th August 2007 approved “*Better Assets, Better Services*”, the draft Corporate Asset Management Plan. The Plan includes an objective to secure operational efficiencies through asset realisation such as the disposal of land and property that is surplus to operational requirements. The Schedule attached to this report identifies that the following properties be declared surplus to operational requirements and recommends action to dispose of these assets.

- Maddiston Primary School & Torwood School
- Land to the South of 1 Avon Street, Dunipace
- 6 & 8 Dundas Street, Grangemouth

3.0 RECOMMENDATION

- 3.1 It is recommended that the Committee agrees to declare the properties noted on the attached schedule surplus to operational requirements and authorise their disposal on the terms set out in the report.

.....
Director of Community Services

9th November 2009.

Contact Officer: Douglas Duff. Tel: 0905.

LIST OF BACKGROUND PAPERS

1. Asset Management Files.

Anyone person wishing to inspect the background papers listed above should telephone 01324 590982 and ask for Alan Urquhart.



Falkirk Council

Better Assets
Better Services

Corporate Asset Management Plan 2008-11

Schedule of Assets Surplus to Operational Requirements

**Report to Policy & Resources Committee
Tuesday 17th November 2009**

Schedule of Disposal Subjects

1. MADDISTON PRIMARY SCHOOL & TORWOOD SCHOOL

1.1 Introduction

Maddiston Primary School has been rebuilt on a nearby site and opened in the new premises in January 2008. Now that the new school is open and operational, the former Maddiston Primary School site and buildings are no longer required.

The replacement Maddiston Primary and the new Kinnaird Primary School in Larbert include additional support wings that replace Torwood School.

Pupils and staff have now relocated from Torwood School to the new facilities and the site and buildings in Torwood are no longer required.

Both sites (detailed below) are held on Education Services account. Following the planned relocations, these sites are now surplus to operational requirements.

1.2 Maddiston Primary School

The former school property at Parkhall Dive, Maddiston, is shown hatched on the attached plan.

The property covers 1.11 hectares (2.75 acres) and is made up of three buildings:-

- The original stone building, built over 100 years ago.
- A timber built annexe.
- A brick built kitchen.

The main building and timber annexe are in a poor condition.

1.3 Torwood School

The current school property runs adjacent to the A9 in Torwood village and is accessed from Glen Road. The property is shown hatched on the attached plan.

The property covers 0.68 hectares (1.68 acres) and comprises a single storey building constructed about 50 years ago. The building is in structurally good condition.

1.4 Consultation

In line with normal procedure the Director of Education Services has consulted Local Members on this proposal. Subsequently, Members were advised that Education Services has no planned use for either of these sites, recommended that they be declared surplus to operational requirements and that Education Services had been advised that the capital receipts for both sites have been factored into the current general capital programme approved by Council.

The Director of Development Services advises that the Torwood site is identified in the Falkirk Council Local Plan (Finalised Draft) as housing opportunity H.TOR1 and that the Maddiston site is suitable for housing development, subject to detailed planning consent being obtained.

Although there is no Service requirement for the buildings, the Director of Corporate & Neighbourhood Services has indicated that, subject to their transfer consistent with the Council's obligations in terms of best value and financial regulations, both sites might provide opportunities to deliver affordable housing as reported to Housing & Social Care Committee on 1st September 2009.

The sites are, therefore, included in the detailed evaluation of affordable housing opportunities currently being undertaken by Corporate & Neighbourhood Services which will require to be concluded prior to any marketing taking place.

1.5 Conclusion

The schools on the sites detailed above and shown on the attached plans have been replaced through the provision of new primary schools and from that point of view the sites are surplus to the operational requirements of Education Services. The sites are planned to generate a capital receipt for the General Services account and may provide an opportunity for affordable housing.

1.6 Recommendation

It is recommended that Policy & Resources Committee:-

- (i) approves that the former Maddiston Primary School and Torwood School properties, both held on the Education Services account, be declared surplus to operational requirements; and**
- (ii) authorises the Director of Community Services to market these sites for disposal to ensure the Council obtains best value once an investigation of affordable housing options have been concluded and market conditions are favourable.**

2. LAND TO THE SOUTH OF 1 AVON STREET, DUNIPACE

2.1 Introduction

Approval is sought for the disposal of land immediately south of 1 Avon Street, Dunipace. The area of land is held on Development Services (Roads Account) and is hatched on the attached plan.

2.2 Background

The land forms the embankment to the rear of the heel kerb on Barnego Road and is immediately adjacent to 1 Avon Street, Dunipace, the property owned and occupied by Mr C Collier. Prior to construction of a residential property on this site it was occupied by a shop and the embankment was retained on the Roads Account for visibility purposes and protection of the integrity of the public road. Mr Collier has approached Falkirk Council with a view to purchase the land as garden ground to improve amenity and privacy for his property.

2.3 Consultation

The area of land in question is small; the issues regarding retention on the Roads Account related to visibility and integrity of the public road. Details of the proposals submitted by Mr Collier have been discussed with Road Network, Road Services and Engineering Design. There is agreement that, with conditions attached to the sale of the land, the visibility and integrity of the public road structure could be preserved in perpetuity and the land can be maintained by the owner of 1 Avon Street. Mr Collier's application to purchase the land for garden ground is, therefore, supported.

The Local Members have been consulted and have raised no objections to the proposed sale, subject to complying with any planning requirements. The proposed change of use from public open space to private garden ground would require planning consent.

2.4 Conclusion

The land detailed above and shown on the attached plan is now considered to be surplus to requirements and, as such, has the potential to generate a small capital receipt from its sale and reduce Falkirk Council's maintenance liability.

2.5 Recommendation

That the Policy and Resources Committee agrees that the land held on the Development Services Account be declared surplus to operational requirements and that negotiated disposal to Mr Collier be initiated.

3. 6 & 8 DUNDAS STREET, GRANGEMOUTH

3.1 Introduction

The purpose of this report is to seek Committee approval to dispose of two ground leases at 6 and 8 Dundas Street, Grangemouth. A plan showing the location of the property is attached as an Appendix.

3.2 Background

In 2006, A Miller Electrical Ltd bought the local plumbing business of James W Bennie & Son and began to diversify the business by selling and fitting bathrooms and kitchens. In order to do this the company has invested over £300,000 in new offices and a showroom at 6 Dundas Street, which has improved the appearance of Dundas Street. As a result of this investment the company has grown considerably, with turnover increasing from £600,000 to £1.7 million and employment rising by 16 to 42 employees.

The office and showroom was built on land owned by Falkirk Council at 6 & 8 Dundas Street, Grangemouth. In order to enable this development the ground was leased to A. Miller Electrical Ltd for 125 years in 2007 with a grassum payment of £50,000 in lieu of an annual rent. The grassum payment represents the capital value of the ground and the annual rent stated in the lease is £1, if asked.

By granting a long ground lease to A Miller Electrical Ltd, it was able to secure finance from the Bank to assist with the development of the offices and showroom. However, following the credit crunch the company has been advised that this is no longer the case as the Bank is now unwilling to lend funds secured by leasehold property.

A Miller Electrical Ltd has recently purchased the property at 16 Dundas Street from Falkirk Council in a transaction which was approved by Policy & Resources Committee in February this year. This purchase enabled the company to create a new storage facility at 16 Dundas Street which has freed up room for additional showroom space at 6 & 8 Dundas Street.

3.3 Proposal

Despite the economic downturn the company has plans for further expansion and requires to borrow £200,000 to fund these plans. It plans to extend its bathroom showroom capacity which will cater specifically for special needs customers and clients. The company has tried to secure this funding from the bank by using the property at 6 & 8 Dundas Street as security but this has been rejected as the property sits on a long ground lease.

Council officers have investigated this change in policy with High Street bank representatives and can confirm that this change of bank lending policy appears to apply to the main High Street banks. This change in policy would have implications for future ground lease transactions and it is intended to raise this further with the banking sector and other Councils.

In order for A Miller Electrical Ltd to secure funding and proceed with its business expansion it requires to have outright ownership of the property and has requested that

the Council disposes of its title to the company. The financial plan submitted by the company has been checked by Business Support officers and can confirm that the proposals appear valid and realistic. By agreeing to do this the Council would be assisting a forward looking local business to grow and will enable the creation of 4 new jobs as well as supporting 3 new apprenticeships.

As A Miller Electrical Ltd has effectively paid a capital value for the ground by way of a grassum there is little value left in the ground lease itself, however there is clearly a benefit to the company in securing outright ownership of the property and the company will pay a premium of £5,000 to reflect this. Notwithstanding the change in bank policy it is considered that this proposal is justified on the basis of the investment planned and economic benefits that will result.

3.4 Implications

Financial

There are no ongoing financial implications to the Council

Legal

The proposal will be subject to the conclusion of formal missives of sale.

Planning

There are no planning issues.

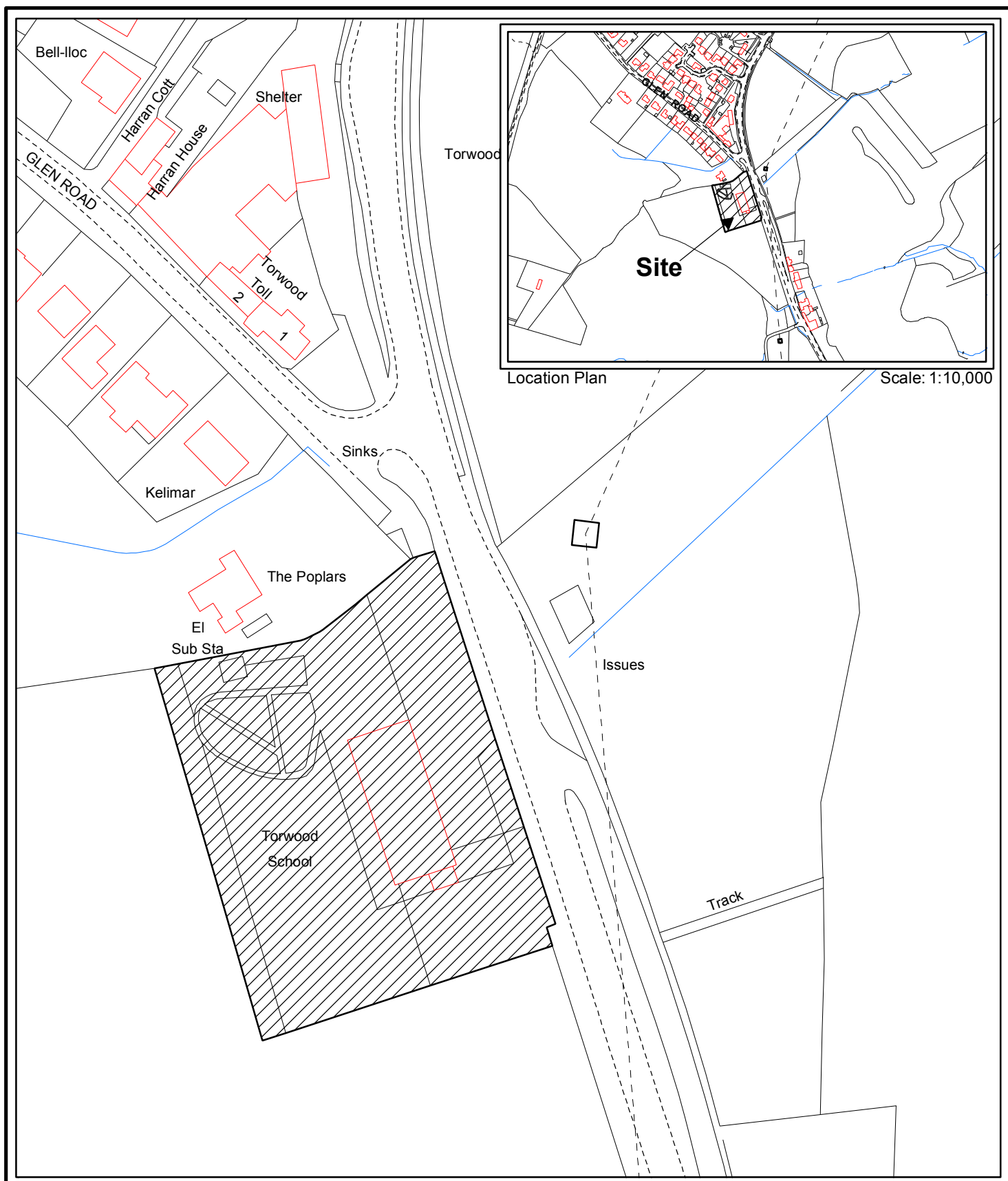
Consultation

Local members have been consulted in connection with the proposal and have not raised any issues.

3.5 Recommendations

It is recommended that Committee:-

- (i) Approves the disposal of the long ground leases at 6 & 8 Dundas Street, Grangemouth to A Miller Electrical Ltd for a premium of £5,000, subject to the conclusion of missives; and**
- (ii) Agrees that the change in banking policy with respect to lending to occupants of leased property be raised further with the banking sector and other Councils.**



Site Area = 0.684 ha (1.689 acres) or thereby.



Falkirk Council

Community Services
The Falkirk Stadium, Westfield, Falkirk FK2 9DX
Telephone: 01324 590900 Fax: 01324 590913

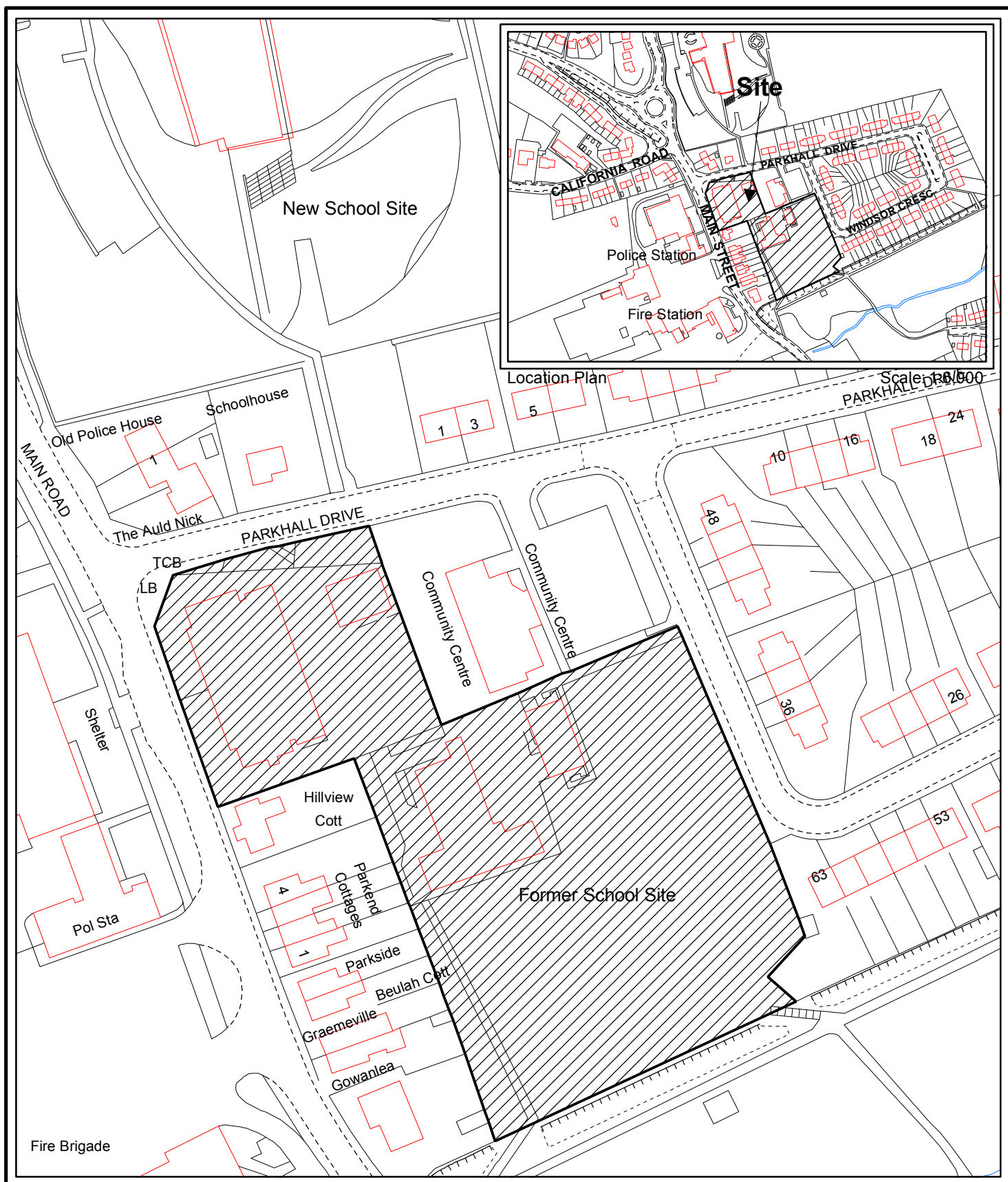
Scale: 1:1,250



Subject

Torwood PS Site, Torwood, Larbert.

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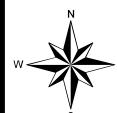
Site Area = 1.113 ha (2.750 acres) or thereby.



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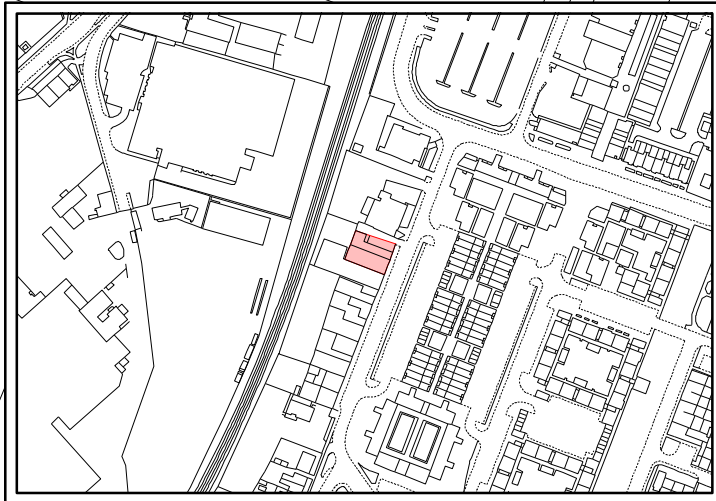
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Subject

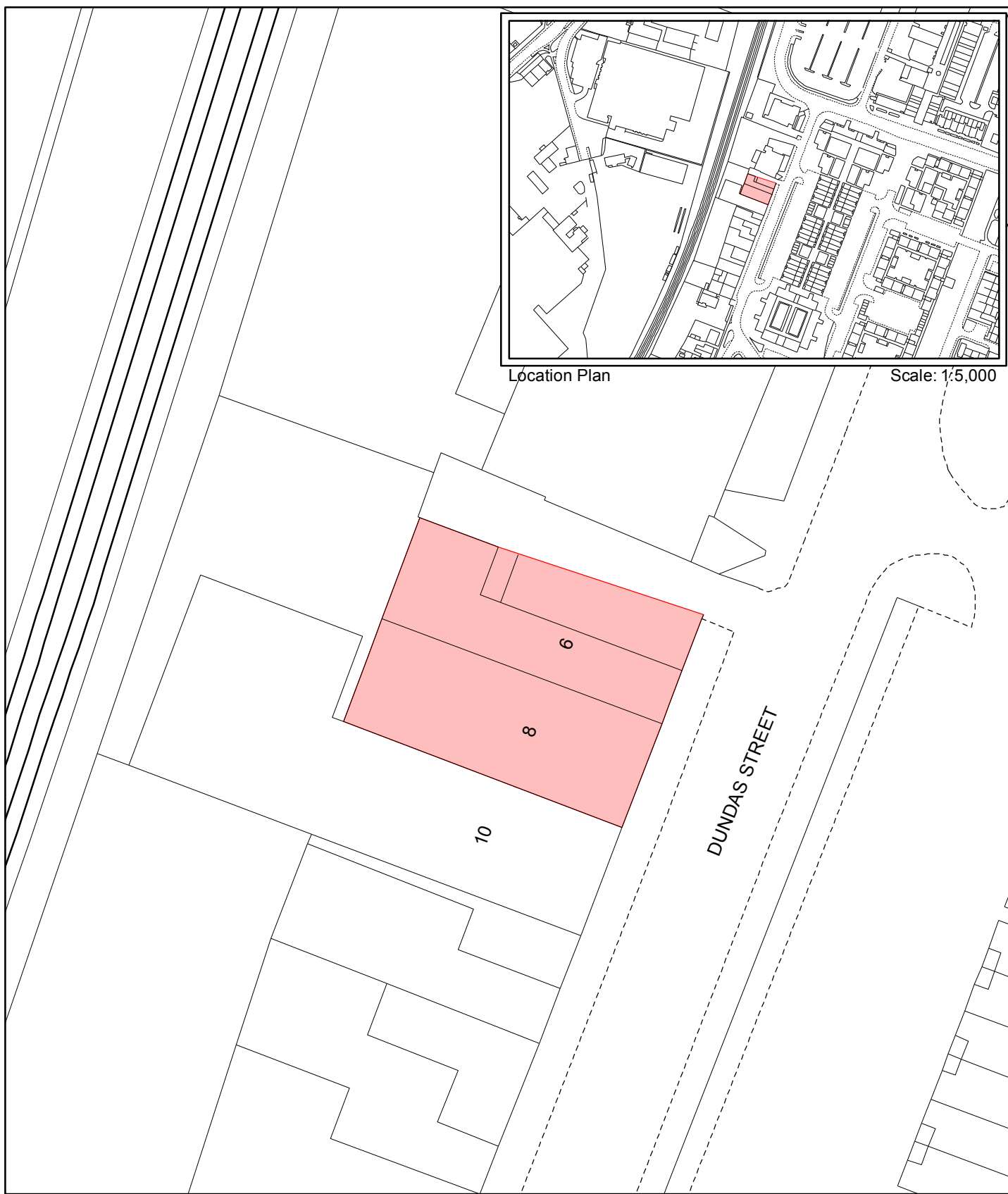
Former School Site, Maddiston.

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Location Plan

Scale: 1:5,000



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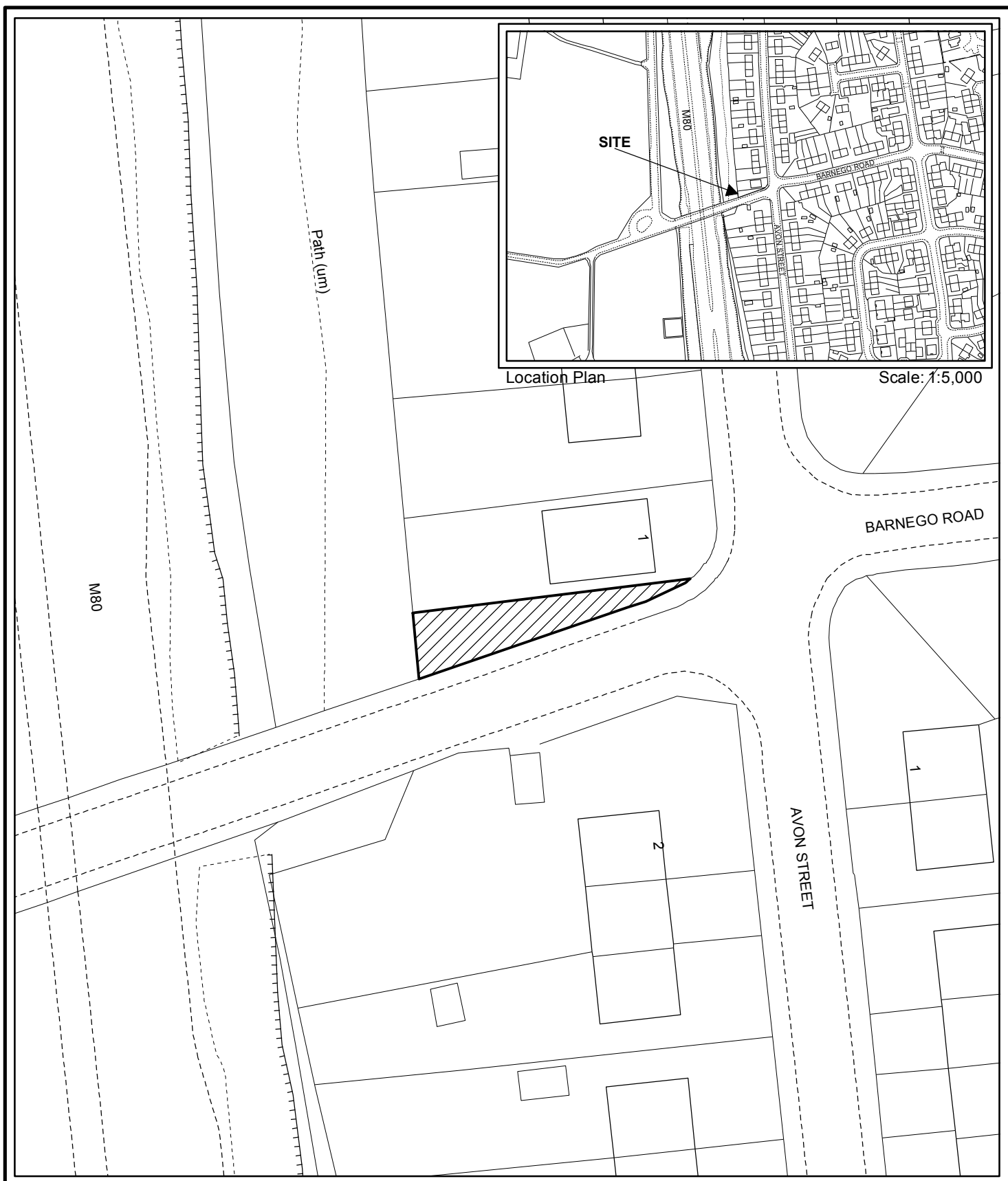
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Subject

6/8 Dundas Street, Grangemouth

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Site Area = 93.39 sqm or thereby



Falkirk Council

Community Services
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Scale: 1:500



Subject

Land south of 1 Avon Street, Dunipace

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FALKIRK COUNCIL

Subject: REVIEW OF TORWOOD & MADDISTON SITES
Meeting: FALKIRK COUNCIL
Date: 9TH DECEMBER 2009
Authors: DIRECTOR OF EDUCATION SERVICES
DIRECTOR OF COMMUNITY SERVICES

1.0 INTRODUCTION

- 1.1 This report has been prepared as a follow-up to the reports to Policy & Resources Committee on 17th November 2009 concerning the proposal to declare the former Torwood and Maddiston Primary School sites surplus to requirements, and a separate report (see Item 9 of Council agenda) which recommended the relocation of the Education Services office headquarter facility to an office at 2 Inchyra Road, Grangemouth.
- 1.2 The report sets out the requirements of Education Services in relation to the provision of a new single stream Roman Catholic Primary School and its requirements for replacement office headquarters accommodation. It establishes the status of these projects and explores the options and issues that might be presented in the use of the vacant sites at the former Torwood Primary school (for the new denominational Primary School) and Maddiston Primary school (for conversion to an office HQ facility for Education Services).
- 1.3 The report acknowledges the Council's current proposal for the sites which is to secure a capital receipt through sale for residential development. The Director of Finance Services advises that receipts from these sites are included in the current approved Capital Programme. If this receipt is not forthcoming, projects of similar value would need to be deleted from the current programme. The report assesses the implications of these options and makes recommendations on the way forward for the Council.

2.0 RC PRIMARY SCHOOL - BACKGROUND

- 2.1 This project involves the development of a new single phase RC Primary School, to serve the Larbert & Stenhousemuir area. This project requires the provision of a three acre (minimum) site, to provide for the new school building, with teaching accommodation for nursery to P7, indoor and outdoor play facilities and PE provision, administration and office facilities, visitor and staff car parking and bus drop off/turning facilities.
- 2.2 The main educational attribute required for a site for a primary school with a nursery class is that it provides access to learning in its broadest sense. This means that children should be provided with the opportunities to go to school and learn within their community as locally and safely as possible to provide context and relevance for their learning. This includes access to their local environment. Parents' support for learning is a key factor in children being educationally successful. A school that is local and accessible for parents

provides a better opportunity for parents to be part of the school and form good relationships with the school staff in supporting their child. This is particularly important for younger children. HMIe inspections include judgements on this aspect of a school's work.

- 2.3 Schools are an intrinsic part of their community, and also the community of schools in the area. Work between schools in a locality is now the norm. Schools are a resource for a variety of community learning experiences. The more local the facilities the more likely the community is to use them. This primary school in particular is a denominational school and is therefore part of a faith community. The location of such a school must take this specific attribute into account.
- 2.4 The planning application to locate the school at a site at Antonshill in Stenhousemuir was rejected at a recent meeting of the Council, in its capacity as planning authority. As a result the Council needs to consider its options for the location of the new school and bring forward an assessment of these options. This report gives consideration to the potential of the Torwood site.

3.0 APPRAISAL OF TORWOOD SITE

- 3.1 The appraisal of the Torwood site for the RC Primary School presents the following issues:-
- 3.2 This site is approximately 1.68 acres and is owned by the Council. It lies immediately adjacent to the main A9 road, accessed via the Glen Road junction with the A9. The former Torwood school building has been closed since June 2008, when pupils were transferred to specially built additional support needs wings at both the new Kinnaird and Maddiston Primary Schools.
- 3.3 The vacated school site is not large enough to accommodate a new single stream primary school building with associated facilities. As a result, the existing site footprint would need to be enhanced by approximately 1.4 acres to accommodate any proposed school. This would require the purchase of land immediately surrounding the site at market rates. It would also require the willingness of the existing private land owner(s) to sell the land, potentially adding quite significantly to the overall cost of the new school. The willingness or otherwise of the owner to enter into negotiations at a suitable level of value could result in the need to consider the requirements for compulsory purchase powers which could add significantly to the timescale for development.
- 3.4 The site is not allocated for any particular use in the existing Larbert and Stenhousemuir Local Plan. However the replacement finalised draft Falkirk Council Local Plan has this site designated for housing. Any proposal for a school on this site would therefore be contrary to the emerging development plan. Any additional land required to increase the site footprint to accommodate the new school would be outside the village limit and has a countryside designation which restricts development.
- 3.5 Torwood village is currently served by a small local sewerage works with very limited spare capacity. While there is existing drainage infrastructure for the old school building this may not be adequate or up to current standards for a much larger primary school facility.

- 3.6 The Torwood site is not centrally located within its Larbert/Stenhousemuir catchment area. The site is next to the A9 which has a speed limit of 60 mph and as such presents a major road safety risk to children. Indeed, its location at the extreme edge of the catchment area would mean that very few pupils that could currently attend the new school would be able to walk to school. The school previously served the whole Council area and did not have a local catchment. It had a small roll of pupils with additional support needs, most of whom were assisted with transport to this location. Use of bus transport for the new school would add considerably to the operational costs, and would increase the carbon footprint of this project at a time when the Council has an ambitious target for this to reduce. Additional land may be required to enable adequate space for bus turning etc. Again, were the owners unwilling to negotiate disposal at an agreed value, compulsory purchase may be required, which would extend timescales for delivery.
- 3.7 There would be few opportunities for pupils to interact with many aspects of the communities they live in and the location of the site would not allow interaction within their faith community as other pupils from denomination schools can. The children would have difficulties in taking part in after school activities as the location would require the majority of primary aged pupils to use a bus service that would require them to change buses or walk some distance. The location of the site would limit the involvement of parents in their child's education and members of the community in using the community facilities, particularly for those without their own transport. In summary the location of this site would lead to pupils, parents and the community being excluded from activities that are available in other primary schools.

4.0 EDUCATION SERVICES OFFICE HQ ACCOMMODATION REQUIREMENTS – APPRAISAL OF MADDISTON PRIMARY SCHOOL SITE

- 4.1 The Council is undertaking a strategic review of its office accommodation requirements, and in the course of this work it has been highlighted that the current lease of the Education Services headquarters office at McLaren House, Polmont will expire on 31st July 2010. As a result the opportunity has arisen to seek an alternative location which meets the Service's office requirements. This facility is to accommodate a minimum of 83 staff who currently work at Haypark and McLaren House. The HQ would need to include:-
- a public reception area
 - meeting rooms
 - storage space
 - janitorial & cleaning provision
 - toilets
 - staff room
 - staff and visitor car parking
- 4.2 The office space should be open and flexible enough for the service to have a more integrated office support system and support the requirement for hot desking of additional peripatetic staff not based at HQ.
- 4.3 In the report to Policy & Resources, the opportunity to relocate the office headquarters function to an existing Council office at 2 Inchyra Road, Grangemouth was highlighted. These premises were formerly occupied by Ineos and have capacity for around 100-120 staff. The property is available immediately and offers potential efficiencies for the Council, maintaining the income stream in a non-operational property that would otherwise

be vacant, avoiding the payment of rents to an external agency and avoiding major capital costs being incurred in replacement offices.

- 4.4 However, in advance of reaching a final decision, it has been suggested that the Council assess the alternative of a conversion of the existing vacated Primary School building at Maddiston.
- 4.5 The former primary school is located on a 2.75 acre site at the junction of Main Road/Parkhall Drive, Maddiston. The site is within the urban limit and use as an office is understood to be acceptable in principle, provided the level of activity is compatible with the surrounding area. The site may present some access and parking constraints, particularly in ensuring that all parking provision is made available on-site.
- 4.6 The existing site comprises a series of separate buildings which would require to be linked and significantly upgraded to provide an integrated office facility. The cost of conversion of these buildings, to provide modern, fit-for-purpose office accommodation is likely to be significant.
- 4.7 A recent survey by Development Services indicated that the main building has deteriorated significantly since it was closed 18 months ago. There is water damage to floors and ceilings which would require to be replaced. The heating and electrical systems would require full replacement as they are no longer up to standard. The external structure of the building is in reasonable condition, but the internal structure would require significant work to make it of a reasonable standard and suitable for office accommodation. There would be a requirement to replace toilet facilities to make these suitable for adults. The access for disabled people would need a major upgrade to fulfil access requirements as the building has two floors.
- 4.8 The conversion would be unlikely to provide a satisfactory office headquarters solution. Conversion of the premises would maintain the cellular format rather than the open plan accommodation offered at Inchyra Road. This would reduce flexibility and efficiency in the use of space and would add to running costs.

5.0 IMPLICATIONS

Planning Implications

- 5.1 The Council has a clear and separate responsibility in its role as planning authority to consider the merits of each of the proposals in regard to the known planning framework. The implications of each of the proposals have been examined and are summarised as follows:-

Torwood – RC Primary Proposal

The proposal to develop the new RC Primary School at Torwood would present a number of planning issues:-

- The proposal would be consistent with the current Larbert & Stenhousemuir Local Plan, but is contrary to the replacement finalised draft Falkirk Council Local Plan, which allocates this site for housing.
- The need to acquire additional countryside land presents an issue in development taking place outwith the built-up area of Torwood village.
- Proximity to the main A9 presents a significant road safety risk.

- increased demand for the use of bus transport with associated planning and access issues
- Additional land may be required to enable adequate space for bus access, turning etc.
- Potential requirements to upgrade local infrastructure including local sewerage.

Maddiston - Office Accommodation

In planning terms, the proposal to convert the Maddiston Primary school for office accommodation would be acceptable in principle. However, all staff and visitor parking needs to be provided on-site and therefore parking and access requirements may have difficulty in satisfying the Council's Roads Design guidelines and are likely to restrict the capacity of the site.

Financial Implications

- 5.2 The proposals for the development of the RC Primary school at Torwood and the conversion of the Maddiston site for offices is being considered at a time when the financial position facing the Council is extremely challenging. The pursuit of these new proposals would present a number of significant financial issues for the Council.
- 5.3 The current capital programme provides a budget allocation for the building of a new denominational primary school. This budget does not provide for any purchase of land. In relation to the RC Primary School, the Scottish Government, via its Schools Building Programme has agreed in principle to fund 50% of the qualifying cost of the building of a single stream primary school. Advice has been sought from the Scottish Government and it has been confirmed that this grant cannot be used to purchase land.
- 5.4 Substantial additional capital expenditure would be required for land purchase for school site and the need for improved access and increased sewerage/drainage capacity. In addition the Council would incur ongoing costs in relation to home to school transport costs.
- 5.5 Similarly at Maddiston, significant additional cost would be likely to be incurred on conversion work on the existing buildings, upgrading the buildings to meet modern service and infrastructure requirements. There would be added revenue costs in the running of an office HQ from a converted building with limited efficiencies gained in terms of the provision of modern, flexible-use accommodation.
- 5.6 The capital programme anticipates a significant capital receipt (£1.5m) from the sale of Torwood and Maddiston sites which would be maximised by promoting the sites for residential development. This receipt will support capital investment by the Council elsewhere in modernising its asset portfolio. If the prospect for this receipt is removed, projects of equivalent value would need to be removed from the Capital Programme.
- 5.7 In addition to the potential for increased costs of pursuing the options at Torwood and Maddiston, it is important to recognise the significant cost falling to the Council in using the existing sites rather than disposing of them on the open market. The progression of these options would mean that the Council would lose its capital receipts for the disposal of desirable and valuable residential development land sites.

6.0 CONCLUSIONS

- 6.1 The Council's Asset Management Plan adopts an overall strategy to rationalise and improve accommodation to assist in demonstrating best value in service delivery. The proposals for investment in a new RC Primary school and relocation of the Education Services office HQ represent major developments in the Council's asset portfolio and provide opportunities to progress the asset strategy in a manner which promotes best value.
- 6.2 The opportunities presented by the recently vacated sites at Torwood and Maddiston Primary School sites have been appraised in relation to their options for development for the RC Primary School (Torwood), office accommodation (Maddiston) or for residential development at both sites. These options are being considered at a time of significant financial pressures facing the Council.
- 6.3 It is concluded that for the following reasons the Council should not locate the new RC Primary School at Torwood:-
- The site is not sufficiently close to the main catchment area, thus eroding the school's capacity to serve the wider Larbert & Stenhousemuir community.
 - The location would exclude pupils, parents and the community from activities normally provided within primary schools.
 - The school would be isolated from its faith community.
 - The Torwood School site is not big enough and the Council would require to purchase additional land to accommodate the RC Primary school.
 - There is no identified budget for land purchase.
 - This proposal is contrary to the emerging local plan and countryside policies would need to be addressed on the larger site.
 - There are significant traffic safety and management implications due to the site's proximity to the main A9 road.
 - There are a number of potentially significant infrastructure implications that might incur substantial additional costs.
 - The location of the site would mean almost all pupils would need to be transported by bus to school, adding to transport costs and raising the carbon footprint of the site.
- 6.4 The proposal to convert the existing school buildings for office use at Maddiston presents the following issues:-
- The existing site comprises a series of separate buildings which would require to be linked to provide an integrated office facility.
 - The cost of conversion of these buildings, to provide modern, fit-for-purpose office accommodation is likely to be significant and in any case would not provide a single, integrated open plan office.
 - Parking and road access requirements are likely to restrict the capacity of the site.
- 6.5 The result of this appraisal suggests that the Torwood site is inappropriate for the location of a new single phase RC Primary School and the Maddiston site is inappropriate for use as a office HQ for Education Services. Were the Council to proceed with these options it would additionally incur a significant cost in:-
- The capital required to invest in sites that are deemed unsuitable for this provision;

- The running costs of sites that impede their ability to secure efficiencies in transport and operations; and
- The loss of significant capital receipts which will assist the Council to invest elsewhere in its asset portfolio.

6.6 As a result it is proposed that the Council should declare both sites surplus and to make preparations to dispose of them at an appropriate point in market.

6.7 Specific proposals will be brought forward early in the New Year in regard to the development of an RC Primary School.

7.0 RECOMMENDATION

7.1 The Council is asked to confirm on the basis of the findings of this review, that it should indeed progress the proposal to declare both sites surplus and issue them for disposal for residential purposes.

.....
Director of Education Services

.....
Director of Community Services

2nd December 2009

Contact Officers: Julia Swan/Maureen Campbell. Ext: 6680/0902.

LIST OF BACKGROUND PAPERS

Nil.

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 NOVEMBER 2009 at 10.30 a.m.

PR87. REFERRAL FROM HOUSING AND SOCIAL CARE COMMITTEE – 10 NOVEMBER 2009

With reference to the Minute of Meeting of the Housing and Social Care Committee held on 10 November, there was submitted Joint Report (circulated dated 10 November 2009 by the Director of Corporate and Neighbourhood Services and Acting Director of Social Work Services detailing Reports considered by the said Committee and referred to the Policy and Resources Committee namely:-

- Kinship Care

Councillor Gow, seconded by Councillor Fry moved the recommendation for this item as detailed in the Report.

By way of an Amendment, Councillor Alexander, seconded by Councillor Kenna moved that recommendation 1 in the Report be substituted with the following:-

“endorse paragraph 6.7 of the Report and agree that the rate of Kinship Care allowance is set at £60, and that it is increased in the incremental levels until there is parity with foster care allowance demonstrating the Council’s commitment and ongoing support of cared for children.

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

There being an equality of votes and in terms of Standing Order 21.6, the Convener used her casting vote in favour of the Motion.

AGREED the proposals as outlined in paragraphs 6.6 and 6.7 of the Report to provide financial support to kinship carers of looked after children.

EXTRACT

FALKIRK COUNCIL

**Subject: REFERRALS FROM HOUSING AND SOCIAL CARE COMMITTEE – 10
NOVEMBER 2009**
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 17 NOVEMBER 2009
**Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES AND
ACTING DIRECTOR OF SOCIAL WORK SERVICES**

1. INTRODUCTION

- 1.1 The following Reports were submitted to the Housing and Social Care Committee at its meeting on 10 November 2009. The purpose of this Report is to refer recommendations made by the Housing and Social Care Committee to Policy and Resources Committee for approval.

3. KINSHIP CARE

- 3.1 Committee considered the Report by the Acting Director of Social Work Services providing details on changes in legislation in relation to placements of children with kinship carers, and how the Council responds to the changes.
- 3.2 Committee was invited to:-
- (1) endorse the proposals outlined in Paragraphs 6.6 and 6.7 of the Report to provide financial support to kinship carers of looked after children and that it be referred to the Policy and Resources Committee for approval;
 - (2) approve the proposal for assessment support and training of kinship carers of looked after children and the re-designation of a social worker post to facilitate this;
 - (3) request the Acting Director of Social Work Services to identify, within Council resources, a clerical assistant post which can be deployed to facilitate the administration of these arrangements, and
 - (4) request the Acting Director of Social Work Services revise the interim policy on Kinship Care to reflect decisions taken by Members and the content of Government guidance and to present the policy to the Policy and Resources Committee at the earliest opportunity.
- 3.3 Councillor Goldie, seconded by Councillor McNeill moved the recommendations as contained within the Report.
- 3.4 By way of an amendment Councillor Meiklejohn, seconded by Councillor McNally moved that recommendation 1 above, be substituted with the following:-
- “endorse paragraph 6.7 of the report and agree that the rate of Kinship Care allowance is set at £60, and that it is increased in the incremental levels until there is parity with Foster Care allowance demonstrating the Council’s commitment and ongoing support of cared for children and that it be referred to the Policy and Resources Committee for approval.”

3.5 On a division, 6 Members voted for the Motion and 5 for the Amendment.

3.6 Accordingly, Committee agreed to:-

- (1) endorse the proposals outlined in Paragraphs 6.6 and 6.7 of the Report to provide financial support to kinship carers of looked after children and that it be referred to the Policy and Resources Committee for approval;
- (2) adopt the proposal for assessment support and training of kinship carers of looked after children and the re-designation of a social worker post to facilitate this;
- (3) request the Acting Director of Social Work Services to identify, within Council resources, a clerical assistant post which can be deployed to facilitate the administration of these arrangements, and
- (4) request the Acting Director of Social Work Services revise the interim policy on Kinship Care to reflect decisions taken by Members and the content of Government guidance and to present the policy to the Policy and Resources Committee at the earliest opportunity.

3.7 In accordance with paragraph 3.6(1) above, Policy and Resources Committee is invited to approve the proposals outlined in Paragraphs 6.6 and 6.7 of the Report to provide financial support to kinship carers of looked after children.

.....
Director of Corporate and Neighbourhood Services

.....
Acting Director of Social Work Services

Date: 10 November 2009

Contact Officer : Derek Kelly, 01324 506128

LIST OF BACKGROUND PAPERS
NIL

FALKIRK COUNCIL

SUBJECT: KINSHIP CARE
MEETING: HOUSING AND SOCIAL CARE COMMITTEE
DATE: 10th NOVEMBER 2009
AUTHOR: ACTING DIRECTOR OF SOCIAL WORK SERVICES

1. INTRODUCTION

- 1.1 This report advises Members of changes in legislation in relation to placements of children with kinship carers, and seeks approval for proposals on how the Council responds to these changes.

2. BACKGROUND

- 2.1 For many years, relatives and close friends have played a significant part in caring for vulnerable children and young people. Research backs up the view that where a child cannot live with their birth parents, placements with relatives often offer the best possible alternative care, and result in better outcomes than placement with unrelated carers.
- 2.2 The Children (Scotland) Act 1995 requires local authorities to promote the welfare of children in their area, who are in need and, as so long as it is consistent with this, 'promote the upbringing of such children by their families'. Falkirk Council has sought to meet this obligation over the years by facilitating placements with relatives and thus avoiding children becoming accommodated, and supporting such situations by providing a range of supports. Kinship placements are not routinely treated as foster placements but as valuable and successful means of avoiding children coming in to the care system.
- 2.3 Following the Adoption Policy Review, the Scottish Government published the Kinship and Fostering Strategy. This outlined a range of supports to families, and placed early intervention and kinship care as a key part of the continuum of support to families of children in need. The Adoption and Children (Scotland) Act 2007 which came in to force on 28th September 2009, formalises local authorities' duties to support kinship carers of looked after children through assessment, training and review.
- 2.4 The Scottish Government has also indicated that they wish kinship carers of looked after children to be financially supported by provision of a weekly allowance equivalent to that paid by local authorities to foster carers. As part of the consultation process on the Strategy many authorities indicated that financial support to kinship carers should lie with the Tax and Benefits system, while supervision, support and assessment rightly sit with the local authority.

While accepting this as the long term aim and beginning discussions with Westminster on this area, the Government were keen to financially support kinship carers of looked after children in the interim. This commitment is part of the Concordat Agreement.

3. CURRENT POSITION

- 3.1 Kinship care is a complex area, and it is impossible to determine the exact number of children in the Falkirk area who are cared for by relatives or close family friends. Not all children cared

for by relatives are children in need, and not all will require a service from the local authority. Currently Social Work Services work with kinship care situations where the children are in need, and are either placed with relatives to prevent them becoming accommodated, or who have come to our attention for other reasons e.g. a referral to the Reporter to the Children's Panel. We estimate that we currently work with 79 such families, many, though not all of whom have come to our attention due to parental drug and alcohol misuse or related concerns.

- 3.2. These children are placed on a variety of statutory orders, ranging from Parental Responsibilities Orders (now Permanence Orders under the new legislation), supervision requirements from the Children's Hearing and simply by agreement between a parent and relative. Services are provided as part of our duties and responsibilities in terms of section 22 of the Social Work (Scotland) Act 1995, to provide advice, guidance and assistance and range from one off financial support to assistance with clothing and care arrangements.
- 3.3. In 2008, Members agreed an interim Kinship Care Policy, pending further information from the Government on how the Kinship Care and Fostering Strategy would be implemented. This policy allows provision of an interim 8 week 'payment in lieu of benefits' to kinship carers where the service has been involved in or is supporting the placement of the child with the relative. This is roughly equivalent to child benefit and child tax credit and is provided to allow carers to claim relevant benefits, and obtain a welfare benefits check from our Welfare Benefits service or the CAB. It further allows carers to continue to be supported under the terms of section 22, dependent on the assessed need, and provides an incentive for families where the placement is long term to seek a residence order. A residence order, if granted by the court, secures the children with the family, gives the carers the relevant parental rights and responsibilities and allows them to apply for a regular weekly residence allowance.

This approach has proved successful with an increased number of families obtaining residence orders, and being in a position to make key decisions for the children living with them, and able to access relevant supports. It is acknowledged, however, that the interim policy does not meet the new requirements laid out in the Adoption and Children (Scotland) Act 2007 and Concordat Agreement.

4. LEGISLATIVE REQUIREMENTS

- 4.1 The Adoption and Children (Scotland) Act 2007 outlines the new requirements to assess and approve kinship carers of looked after children. Each kinship carer should have
 - An interim assessment within 6 weeks of placement of the child
 - A full assessment within 12 weeks
 - A report on this assessment presented to a formal panel for approval
 - A separate carer file
 - Annual review of their kinship approval.

Outline formats for these processes have been published, and indicate an expectation of a thorough assessment process which will have significant resource implications in terms of both staff time and support systems. Based on recent figures, we are currently working with just over 70 kinship carers who are caring for 80 children, 53 of whom are subject to a supervision requirement and therefore looked after. 50 carers come in to the category of caring for looked after children and are therefore subject to the new requirements. There is also a likelihood that these numbers will increase over time.

- 4.2 The Adoption and Children (Scotland) Act 2007 came into force on 28th September 2009 and the related Regulations were published over the summer period. The Guidance, which will contain the detail of how the legislation should be implemented, is not yet available, with no timescale for receipt of this. In relation to kinship care assessments, it is therefore not known if the requirement to assess kinship carers of looked after children will be retrospectively applied.
- 4.3 The Kinship Care and Fostering Strategy 'Moving Forward in Kinship and Foster Care' also makes it clear that kinship carers should receive individual support to assist them in their care of children placed with them. It encourages and emphasises the value of an independent social worker to support the carer, a role similar to that provided to foster carers. Currently within Falkirk such carers are supported by the child's social worker.

5. OPTIONS AND WAY FORWARD

- 5.1. Staffs within Social Work Services have considered various options for responding to the new legislation and strategy in relation to kinship care. As a service we are committed to providing support to kinship carers, who provide a valuable service to the children they care for, and the service is acutely aware of the key benefits to children of remaining within the family. It is also clear that the numbers of children in kinship care placements is likely to increase over time, in reflection of both the increased numbers of children requiring care, and the provision of additional support to kinship care situations.
- 5.2. A successful system for assessment and approval of foster carers already exists within the Council and it is proposed that a kinship care system is set up to mirror this. This would involve an assessment of carers using the template outlined in the Strategy with this then being presented to a Kinship Care Panel, with recommendations made to a Senior Officer within Social Work Services. This panel would also undertake the required annual reviews of kinship carers and monitor the quality of the placements.
- 5.3. All children who are looked after and looked after away from home are required to have their care plans independently reviewed on a 6 monthly basis. Within Falkirk these reviews are undertaken by dedicated Child Care Review Co-ordinators, one of whom is now undertaking reviews of children who are looked after and placed with kinship carers. Processes for setting up, requesting reports, and minuting these reviews are already in place.

It is, however, a system which is already significantly under pressure with the increase in numbers of children in care, and the addition of more extensive reviews for kinship care placement has added to this pressure.

- 5.4. There is an additional requirement that kinship carers are supported through training and that support groups and other assistance will be provided.

Evidence suggests that carers find facilitated support forums particularly useful, and support groups have been central in assisting the Scottish Government in the task of developing the framework and legislation. A system of support and training is therefore crucial to ensuring successful kinship care placements which can prevent a child subsequently becoming accommodated by the local authority. As a Council we would be proposing to deploy a vacant social worker post to provide and facilitate the training and support, co-ordinate the assessment systems, and provide expert advice on this new area to front line staff. Given the size of the task and the level of administrative need to meet our responsibilities, an admin post would also be required to support the staff member and administer the kinship care panel and reviews.

- 5.5. A vacant social work post currently exists within the Social Work establishment linked to the Integrated Learning Community. With the move into a locality model of service delivery, this post is no longer required and can be utilised to allow the Council to meet our new kinship care duties.
- 5.6. As indicated, the Guidance relating to the Adoption and Children (Scotland) Act 2007 is still awaited. Consequently, Falkirk Council, along with other authorities, are working with a degree of uncertainty about the detail of what will be required in relation to assessment support and training of kinship carers. In particular

- whether the requirement to assess and review will be retrospectively applied. Should this be the case, there are major resource implications.
- the detail and depth of the assessment process.

Work is already underway on developing an assessment framework and internal guidance for staff based on the content of the Kinship Care & Fostering Strategy and related working documents. A final policy and procedure will be developed on receipt of the Guidance.

- 5.7. It is also proposed that certain definitions are applied. Kinship care can be defined in various ways. In its widest sense, it refers to any relative or close friend caring for a child; in relation to the Strategy and support requirements it refers only to those children placed with relatives in terms of a supervision requirement from the Children's Hearing system. It is proposed within Falkirk :-

- that advice guidance and assistance continue to be provided to all kinship carers of children in need, but that the assessment, training and support requirement is applied only to those carers caring for looked after children, in line with the legislative requirement and strategy.
- that 'at home' is defined as the child's main place of residence.
- that individuals with parental responsibilities and those in that role e.g. step parents are defined as parents and therefore not eligible to be considered as kinship carers.

6. RESOURCE AND FINANCIAL IMPLICATIONS

- 6.1 There are significant resource implications connected to the new requirements, in terms of both staff to assess, support and train kinship carers, and finance to pay kinship carers a regular weekly allowance. The Scottish Government has provided some financial assistance and Falkirk Council was allocated £112,000 for 2008/2009, with a further £112,000 in 2009/2010 and 2010/2011, giving a cumulative total of £336,000.
- 6.2 Existing payments to relatives amount to £177,000 per annum. These costs will continue to be incurred in the foreseeable future.
- 6.3 In addition to this, additional social work resources will be required to meet the need for assessment, training and support for kinship carers. To manage this sensitively and still provide a quality service to kinship carers and the children they care for, the primary assessment responsibility will lie with the child's social worker. However, the additional pressure this will place on already busy front line teams, and the additional requirements to review, approve and train clearly identify the need for a dedicated Kinship Care Post with administrative support who can assist with these assessments. Should the requirement to assess be retrospectively

applied, this post would initially be dedicated to assessment of carers. The cost of a social work post based on midpoint of the scale and including travel amounts to £40,040, and a clerical assistant at mid point on the scale would cost £18,950, giving a total of £58,990 in staff costs.

- 6.4 In relation to the payment of allowances to kinship carers, if payment are made in respect of an estimated 53 children, at the recently approved 2010/2011 rates of fostering (see Appendix 1) this would cost £300,000, rising to £400,000 in 2012/2013. It is also anticipated that paying kinship carers will result in numbers of care placements with relatives rising, as has been evident in other authorities, therefore these figures should be regarded as minimum figures.
- 6.5 To implement the new requirements as outlined in the legislation and to fully meet the concordat commitment would therefore cost the Council £535,990 in the financial year 2010/2011. This comprises of £177,000 in existing costs, £58,990 in staff costs and £300,000 in costs of allowances. As indicated above, the resources available to underpin these new requirements are £336,000 therefore there would be a deficit of £199,990 which could not be met from within mainstream budgets. For this reason, other options for the payment of allowances have been considered and these are outlined in the next paragraph.

	Fostering Rates 2010/2011	£60 per week	£30 per week	No Payment
Additional costs for allowances	£300,000	£165,360	£82,680	-
Existing payments	£177,000	£177,000	£177,000	£177,000
Staffing costs	£58,990	£58,990	£58,990	£58,990
TOTAL COSTS	£535,990	£401,350	£318,670	£235,990
TOTAL RESOURCES AVAILABLE	£336,000	£336,000	£336,000	£336,000
DEFICIT/ (SURPLUS)	£199,990 rising to £300,000 in 2012/2013	£65,350	(£17,330)	(£110,110)

- 6.6 It is therefore proposed that the rate of payment to kinship carers is set at £30 week per child, a level which is within the budget, but that this is set within the context of all carers being provided with a 'better off' calculation by the Welfare Benefits service to ensure they are supported in the best financial manner and that this becomes operational in April 2010 and applies to new cases from that date. It is also proposed that this payment level is kept under review with a view to increasing support if resources permit.
- 6.7 Certain aspects of our Interim Policy on Kinship Care agreed by members in 2008 require to remain in place, pending receipt of the Adoption & Children (Scotland) Act 2007 guidance. In particular, the responsibility to support kinship carers where the Service has been involved in the placement, via Section 22 Children (Scotland) Act 1995, and the elements relating to

residence orders. It is, however, proposed that the level of payments outlined in the interim kinship care policy be revised in the light of members' decision on Kinship Care Payments.

7.0 RECOMMENDATION

It is recommended that Members

- 7.1 endorse the proposals outlined in 6.6 and 6.7 to provide financial support to kinship carers of looked after children and refer these to Policy & Resources Committee for approval;**
- 7.2 approve the adoption of the proposal for assessment support and training of kinship carers of looked after children and the redesignation of a social worker post to facilitate this;**
- 7.3 ask the Acting Director of Social Work Services to identify, within Council resources, a clerical assistant post which can be deployed to facilitate the administration of these arrangements; and**
- 7.4 ask the Acting Director of Social Work Services to revise the interim policy on Kinship Care to reflect decisions taken by members and the content of Government guidance and to present this to Policy & Resources Committee at the earliest opportunity.**

.....
ACTING DIRECTOR OF SOCIAL WORK SERVICES

Date: 22 October 2009

Contact Officer: Vivien Goodbrand, Service Manager (Children & Families), 506463

BACKGROUND PAPERS

- 1. Kinship and Fostering Strategy 'Moving Forward in Kinship and Foster Care'
- 2. Kinship Care Procedures

2010/2011 Falkirk Council Fostering Rates

FOSTERING ALLOWANCES' RATES 2010/11

Age Group	2009/10	+ 20% 2010/11
	Cost per Week (£)	Cost per Week (£)
0 - 4	77.16	92.59
5 - 10	95.85	115.02
11 - 15	119.23	143.08
16 - 19	154.46	185.35

FOSTERING FEES' RATES 2009/10

Age Group	2009/10	2010/11
	Cost per Week (£)	Cost per Week (£)
Level 1	60.00	?
Level 2	100.00	?
Level 3	150.00	?

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 NOVEMBER 2009 at 10.30 a.m.

PR87. REFERRAL FROM HOUSING AND SOCIAL CARE COMMITTEE – 10 NOVEMBER 2009

With reference to the Minute of Meeting of the Housing and Social Care Committee held on 10 November, there was submitted Joint Report (circulated dated 10 November 2009 by the Director of Corporate and Neighbourhood Services and Acting Director of Social Work Services detailing Reports considered by the said Committee and referred to the Policy and Resources Committee namely:-

- Mortgage to Rent to Scheme

Councillor Gow, seconded by Councillor Fry moved the recommendation for this item as detailed in the Report.

By way of an amendment Councillor Alexander, seconded by Councillor Kenna moved that recommendation 1 within the Report be substituted with the following:-

“notes that participating in the Mortgage to Rent scheme will have a financial cost in acquiring some properties based on existing Council rent levels and that the financial shortfall should be met by the Council”.

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

There being an equality of votes and in terms of Standing Order 21.6, the Convener used her casting vote in favour of the Motion.

Accordingly **NOTED** that whilst participating in the Mortgage to Rent Scheme, a financial cost in acquiring some properties based on existing Council rent levels may occur, and **AGREED** that the financial shortfall will be covered by increasing the rent on a property by property basis to cover the cost.

EXTRACT

FALKIRK COUNCIL

**Subject: REFERRALS FROM HOUSING AND SOCIAL CARE COMMITTEE – 10
NOVEMBER 2009**
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 17 NOVEMBER 2009
**Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES AND
ACTING DIRECTOR OF SOCIAL WORK SERVICES**

1. INTRODUCTION

- 1.1 The following Report was submitted to the Housing and Social Care Committee at its meeting on 10 November 2009. The purpose of this Report is to refer recommendations made by the Housing and Social Care Committee to Policy and Resources Committee for approval.

5. MORTGAGE TO RENT SCHEME

- 5.1 Committee considered the Report by the Director of Corporate and Neighbourhood Services advising that four applications have been processed in accordance with the scheme procedures and highlighting issues which have arisen during the processing of the applications.
- 5.2 Committee was invited to:-
- (1) note that participating in the Mortgage to Rent scheme will have a financial cost in acquiring some properties based on existing Council rent levels unless the financial shortfall is covered by increasing the rent on a property by property basis to cover the cost; and
 - (2) agree to refer the report to Policy and Resources Committee for approval.
- 5.3 Councillor Goldie, seconded by Councillor McNeill moved the recommendations contained within the Report.
- 5.4 By way of an amendment, Councillor Meiklejohn, seconded by Councillor McNally moved that recommendation 1 above, be substituted with the following:-
- “notes that participating in the Mortgage to Rent scheme will have a financial cost in acquiring some properties based on existing Council rent levels and that the financial shortfall should be met by the Council.”
- 5.5 On a division, 6 Members voted for the Motion and 5 for the Amendment.

- 5.6 In accordance with paragraph 5.2 above, Policy and Resources Committee is therefore invited to note that whilst participating in the Mortgage to Rent scheme, a financial cost in acquiring some properties based on existing Council rent levels may occur and to agree that the financial shortfall will be covered by increasing the rent on a property by property basis to cover the cost.

.....
Director of Corporate and Neighbourhood Services

.....
Acting Director of Social Work Services
Date: 10 November 2009

Contact Officer : Derek Kelly, 01324 506128

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

Subject: MORTGAGE TO RENT SCHEME
Meeting: HOUSING AND SOCIAL CARE COMMITTEE
Date: 10 November 2009
Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 Members may recall the report to Policy and Resources Committee of 2 June 2009 as a referral from the Housing and Social Care Committee on 26 May 2009 about the Mortgage to Rent scheme. Approval was given to participate in the Mortgage to Rent scheme with an undertaking to review the operation of the scheme and report back to Members in due course.

2. BACKGROUND

- 2.1 Since June four cases have been received from the Scottish Government at the time of writing. Applications are being processed in accordance with the scheme procedures, however issues are arising when processing these applications particularly in respect of finance.
- 2.2 From experience to-date, after calculating the financial cost to the Council of acquiring the properties in accordance with the Scottish Government guidelines, there would be an annual net cost to the Council of around £500 per annum per property secured under the scheme. This annual cost would exist until the loan undertaken by the Council against a property is paid off. Given the size, type and location of these properties appears at this stage to be typical of property types which could be acquired through the scheme. Further analysis suggests that although in some cases there will be nil cost to the Council, in extreme cases this could be up to £1000 per property per annum until the Council's debt is cleared.
- 2.3 Members may wish to note that the average Council rent for similar properties is significantly below the benchmark rents the Scottish Government applies in calculating the amount of Government grant to be made available to the Council for purchasing the property. The low level of the Council's rents is in this case contributing to the shortfall in funding from the Scottish Government resulting in the likely costs to the Council highlighted in paragraph 2.2. At present it is not possible to predict how many properties this will apply to as the cost to the Council will depend on the property purchase price which is in turn dependant on market forces and desirability of location as well as Council rent levels.
- 2.4 It would appear that a number of local authorities involved in the scheme have the same issue in respect of a shortfall in rental income against cost of any loan to purchase a property. Where a shortfall exists these local authorities have chosen to accept this shortfall in income in order to secure the properties as a means of increasing Council stock numbers and assisting owners to remain in their homes that face the possibility of being made homeless with the associated resource implications for the Council. The average cost of purchasing a property would be £40,000 which is a substantial saving on the cost of a new build property (£100,000).
- 2.5 Taking into account the fore-going and in order to ensure that the Council can participate in the Mortgage to Rent scheme at no cost it is proposed that when purchasing properties through the scheme where a financial shortfall exists that the rent is increased on a property by property basis

to cover the cost and Members are invited to comment with a view to making a recommendation to Policy and Resources Committee.

- 2.6 Members may also wish to note that the “modernized” Right to Buy entitlements would apply, i.e. a tenant would be able to buy the property after having a tenancy for 5 years. In addition where a substantial expenditure has been incurred by the Council on improvements and repairs to the property, the cost floor provisions would apply to reflect the cost of repairs/improvements carried out by the Council within the 10 years prior to the purchase.

3. CONCLUSION

- 3.1 Participation in the national Mortgage to Rent scheme allows the Council to take an active part in helping home owners who are in financial difficulty to avoid homelessness and is entirely consistent with the Homelessness Strategy approved by the Council on 10 December 2008.
- 3.2 In order to participate in the scheme there will be a financial implication to the Council unless where a shortfall exists the rent is increased on a property by property basis to cover the cost.

4. RECOMMENDATIONS

It is recommended that Committee:

- 4.1 Notes that participating in the Mortgage to Rent scheme will have a financial cost in acquiring some properties based on existing Council rent levels unless the financial shortfall is covered by increasing the rent on a property by property basis to cover the cost; and
- 4.2 Agree to refer the report to Policy and Resources Committee for approval.

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DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES

Date: 20th October 2009

Ref: AAL1109

Contact Officers: Jennifer Litts, Corporate & Neighbourhood Services, ext 0789

David Dunbar, Corporate & Neighbourhood Services, ext 0833

AGENDA ITEM 13(i)

EXTRACT of MINUTE of MEETING of the LEISURE, TOURISM AND COMMUNITY COMMITTEE HELD in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 24 NOVEMBER 2009 at 9.30am.

LTC30. BIG IN FALKIRK – SCOTLAND’S NATIONAL STREET FESTIVAL

There was submitted Report (circulated) dated 4 November 2009 by the Director of Community Services on the conclusion of the production contract with UZ Limited at the end of 2009 and recommending that due to current financial constraints on the Council there would be no ‘Big in Falkirk’ event in 2010.

Discussion included the importance of sound financial control in the current financial climate balanced with a programme for the economic and cultural benefit of the Council area.

Councillor Mahoney, seconded by Provost Reid, moved the recommendations within the Report.

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

- (1) that it be noted the contract with UZ Limited concluded at the end of 2009;
- (2) that there would be a ‘Big in Falkirk’ an event in 2010 funded by the budget allocated; and
- (3) that an all party working group be established to develop options for future events and report the outcome to this Committee.

The Convener agreed a short recess prior to consideration of this item of business. The meeting reconvened with all Members present as per the sederunt.

On a division, 6 Members voted for the Motion and 3 Members voted for the Amendment.

After further discussion, the terms of the Amendment were reiterated with an additional clause (4) that the matter be referred to the Policy and Resources Committee for approval.

NOTED that the contract with UZ Limited concluded at the end of 2009.

AGREED:-

- (1) that there would be no ‘Big in Falkirk’ event in 2010; and
- (2) that alternative options be considered should funds become available.

FALKIRK COUNCIL

**Subject: BIG IN FALKIRK – SCOTLAND’S NATIONAL STREET
ARTS FESTIVAL**
Meeting: LEISURE, TOURISM & COMMUNITY COMMITTEE
Date: 24TH NOVEMBER 2009
Author: DIRECTOR OF COMMUNITY SERVICES

1. INTRODUCTION

- 1.1 This report advises Members that the production contract for Big in Falkirk, Scotland’s National Street Arts Festival has come to a conclusion and recommends that the Council reviews its approach to outdoor event provision and that due to the current financial constraints the programme is reduced for the foreseeable future.

2. BACKGROUND

- 2.1 Big in Falkirk, Scotland’s National Street Arts Festival has taken place over the first weekend in May each year since 2000. It was initially developed in recognition of the millennium celebrations and was continued as part of the overall transformation programme to improve of the image and profile of the Falkirk area internally and externally. It also provides an opportunity for local residents, particularly young people, to experience a wide range of art forms as well as an opportunity to showcase their work.
- 2.2 The audience has grown from 75,000 in year one to over 100,000 attendances, 50% of whom come from outwith the area. The Festival has benefited from external support from European Funding through INSITU, Scottish Arts Council, Arts Council of England, The British Council and Event Scotland. As a commissioning Festival it has also benefited from partnerships with other festivals and artists on co-commissions.
- 2.3 It has also enjoyed excellent support from Media partners, BBC Radio 1, BBC Radio 2 and Real Radio and the Scottish Sun as well as significant local support from the Falkirk Herald and Central FM.
- 2.4 The event has grown in stature over the years and won a VisitScotland Thistle Award in recognition of its contribution to event tourism in Scotland.
- 2.5 The Council appointed UZ Ltd to develop and deliver Big in Falkirk. The most recent contract was procured through OJEU protocols for a period of 3 years from 2007 to 2009. This contract draws to a conclusion at the end of the year.

3. CONSIDERATIONS

- 3.1 Given the serious financial climate facing the Council it will be essential that Members and Officers take all appropriate steps to ensure that essential services are maintained and that all expenditure delivers a tangible benefit that accords with the Council's strategic priorities.
- 3.2 There is considerable evidence that demonstrates the importance and value of events in increasing community pride within an area; in attracting new visitors; as well as changing the external image and perception of an area. All of the research completed for Big in Falkirk shows that these objectives have been successfully achieved.
- 3.3 However, the event costs the Council almost £400,000 per year to stage and in spite of the enormous benefits and positive coverage it secures for the area it is difficult to present a robust case to Members to support its continuation in the current financial climate.
- 3.4 Event Scotland and the Scottish Arts Council have been involved in discussions on how to diversify the funding commitments and to reduce the burden on the Council. This has included securing support for the commissioning budgets from the Scottish Arts Council and Event Scotland increasing their financial support as well as helping to try to prepare the event to secure external sponsorship. This recognises the importance and value of the event to the national events calendar but still places a significant financial burden on the Council.
- 3.5 It is recognised that the Council stages a number of other community based events throughout the year and it may be that some of these could be developed in future to a more substantial scale if resources were available. Indeed new events could also be created subject to funding and resources including staffing being found.

4. FINANCIAL IMPLICATIONS

- 4.1 The event budget for Big in Falkirk is £396,000. The budget pressures for 2010/2011 mean that this is no longer sustainable and though additional support is offered by national agencies it is not sufficient to produce a viable budget.

5. LEGAL IMPLICATIONS

- 5.1 The contract with UZ Ltd will conclude at the end of the year. There are no other legal obligations

6. CONCLUSION

- 6.1 Big in Falkirk has been hugely successful over the 10 years of its existence. It has brought new and exciting arts forms and spectacles to the area. It has placed Falkirk among the best of street theatre festivals in Europe. However given the financial challenges facing the Council it is suggested that its priorities lie elsewhere and that unfortunately Big in Falkirk will not take place in 2010. It is proposed that the Council remain open to developing new events in future should funding become available.

7. RECOMMENDATIONS

7.1 It is recommended that Members:

- **Note that the contract with UZ Ltd concludes at the end of 2009;**
- **Agrees that there will be no event in 2010; and**
- **Agree to consider alternative event options should funds become available.**

.....
Maureen Campbell
Director

Date: 4th November 2009

Contact Officer: Maureen Campbell, Director (Extn. 0902)

BACKGROUND PAPERS

Nil

FALKIRK COUNCIL

Subject: REFERRAL FROM AUDIT COMMITTEE
Meeting: FALKIRK COUNCIL
Date: 9 December 2009
Author: DIRECTOR OF FINANCE

1. INTRODUCTION

- 1.1 The following report on Financial Regulations was presented to the Audit Committee on 16 November 2009. After consideration it was agreed that the report be referred to Falkirk Council for approval.

2. RECOMMENDATION

- 2.1 That Falkirk Council endorses the Financial Regulations as outlined in the report and as approved by the Audit Committee on 16 November 2009.

Director of Finance

Date: 12 November 2009

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the AUDIT COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 16 NOVEMBER 2009 at 10.00 a.m.

AC21. FINANCIAL REGULATIONS

There was submitted Report (circulated) dated 6 November 2009 by the Director of Finance Services (a) advising of a review of the Council's Financial Regulations (b) highlighting proposed key changes to the Regulations and (c) presenting as an appendix, the revised Financial Regulations for approval.

AGREED to refer the proposed revised Financial Regulations to Falkirk Council for approval.

FALKIRK COUNCIL

Subject: FINANCIAL REGULATIONS
Meeting: AUDIT COMMITTEE
Date: 16 November 2009
Author: DIRECTOR OF FINANCE

1. INTRODUCTION

- 1.1 Members will recall a paper presented to this Committee in April advising that a review of the Council's Financial Regulations was being undertaken, and that a further report on progress would be provided in due course.
- 1.2 The review process is now complete, and a copy of the updated draft Financial Regulations is attached. The key changes are summarised in this report.

2. REVIEW OF FINANCIAL REGULATIONS

- 2.1 Falkirk Council's Financial Regulations form part of the Standing Orders approved by the Council. They are designed to ensure the highest standards of probity in dealing with public money and to assist and protect staff in such dealings.
- 2.2 The Director of Finance is, for the purposes of Section 95 of the Local Government (Scotland) Act 1973, designated 'Proper Officer' for the administration of the Council's financial affairs. This responsibility encompasses ownership of the Council's Financial Regulations and responsibility for ensuring that these remain relevant and up to date.
- 2.3 The previous formal review and update of the Council's Financial Regulations took place in 2004, with the current Regulations endorsed by Policy and Resources Committee on 13 April 2004 and approved by Council on 05 May 2004.

3. FINANCIAL REGULATIONS – KEY CHANGES

- 3.1 Falkirk Council's Financial Regulations are well embedded, and are an accepted and fundamental element of the Council's governance and control framework. While the general principles of control do not change over time, periodic review and update of the Financial Regulations allows emerging practice and technology to be reflected.
- 3.2 In particular, Members should note the following key changes:

Changed From	Changed To
Section 5: Budget Transfers (Virement) and Budget Changes	
<p>'Virement' has been defined as the transfer of whole or part of a Committee approved revenue or capital budget to a different budget heading through the Council's financial ledger. This definition applies to transfers between Divisions or Services.</p> <p>To align Financial Regulations with Contract Standing Orders, it is proposed that virements of up to £350k can be proposed by Chief Officers and approved by the Director of Finance. Policy and Resources Committee approval would be required for virements exceeding this amount.</p>	
Section 8: ICT Security	
<p>Updated to reflect in more detail the provisions of the Council's Information Security Policy. Also to make it clear that it is the responsibility of each employee to adhere to the Policy and that all Chief Officers are directly responsible for implementing the Policy within their Service (and for the adherence to the Policy of their staff).</p>	
Section 9: Segregation of Duties	
No Officer should have sole responsibility for any financial transaction.	No Officer should have sole responsibility for all elements of a financial transaction, for example, the requisition, order, receipt and payment for a good or service. It is Chief Officers' responsibility to ensure that appropriate segregation is applied between the key stages of every transaction, from beginning to end.
Section 10: Following the Public Pound	
<p>Altered to reflect reviewed and revised Following the Public Pound Guidance. Key changes relate to the level of scrutiny applied at the application and monitoring stages.</p>	
Section 11: Income	
All money received by an Officer on behalf of the Council must be paid in full and without delay into an official nominated bank account.	All money received by an Officer on behalf of the Council must be paid in full and without delay into an official nominated bank account. Appropriate arrangements must be made for ensuring that all monies are banked securely. Where possible the Council's contract with an appointed security company should be utilised. Where this is not possible, alternative arrangements should be put in place in consultation with the Council's Income Manager.

Changed From	Changed To
Section 12: Debt Write-Off	
<p>The levels of authority to write-off debt remain unchanged (Director of Finance up to £5,000 and Policy and Resources Committee over £5,000).</p> <p>The responsibility of Chief Officers to manage and monitor debts accruing, and to take all reasonable steps, within a reasonable timescale, to ensure that all monies due are collected has been added, as has the requirement that a formal and balanced assessment of risk is carried out, to inform the debt recovery action to be taken.</p>	
Section 13: Purchasing of Goods and Services	
Formal competitive tenders must be sought for all contracts above £20,000.	<p>Formal competitive tenders must be sought for all contracts over £30,000 (to bring in line with Contract Standing Orders).</p> <p>Also updated to reflect revised procurement governance arrangements.</p>
Section 16: Salaries, Wages, Pensions and Expense Claims	
Periodically, the Director of Finance will issue details of all Officers and payments made to them. Chief Officers should certify these details and confirm that there are no excessive or anomalous payments made to Officers.	<p>Each month, the Director of Finance shall provide Chief Officers with a report of the payments that were made to their employees in the preceding calendar month. The purpose of the report is to provide Chief Officers with information that will enable them to identify any matters that may need further investigation and / or correction. For example an employee who: appears to be wrongly coded to the Chief Officer's budget; has an unexpectedly high payment; or has left employment but continues to be paid.</p> <p>Each Chief Officer shall certify to the Director of Finance before the end of the calendar month following receipt of the report that the report has been checked and that any exceptional or anomalous payments have been explained and corrected if necessary.</p>
Section 20: Vehicles, Plant and Equipment	
Additional paragraph: Chief Officers are also responsible for ensuring that best value is achieved through the use of all vehicles, whether owned, leased or hired, and for ensuring that Service fleet size and structure, and vehicle usage, is commensurate with business need.	
Section 21: Estates and Property Security	
Additional paragraph: Responsibility for ensuring that there is an effective management system for overseeing the control and maintenance of individual operational Council properties' security systems rests with the appointed Premises Manager. Chief Officers are responsible for ensuring that a Premises Manager has been formally appointed for all buildings within their Service, and for ensuring that the appointed Premises Manager fulfils their obligations as per the Premises Manager's Handbook.	

Changed From	Changed To
Section 25 – Risk Management and Business Continuity	
Updated to reflect the role and remit of the Corporate Risk Management Group, and links to Corporate Management Team and Audit Committee.	
Section 27: Banking Arrangements and Cheques	
Two additional paragraphs added, to reflect that bank accounts must not be opened unless authorised in writing by the Director of Finance, and that any direct debits or standing orders must only be set up in accordance with procedures put in place by the Director of Finance.	

3.3 In addition to the key changes listed in the table above, the document has been updated to reflect current roles, responsibilities, and systems.

4. RECOMMENDATION

4.1 Members are invited to:

4.1.1 Comment on the updated draft Financial Regulations;

4.1.2 Recommend the Financial Regulations to Full Council.

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Director of Finance Services

Date: 06 November 2009

Section A: Introduction

1. Status of Financial Regulations

Section B: Financial Stewardship and Budgeting

2. Financial Stewardship
3. Budgets
4. Budgetary Control
5. Budget Transfers and Budget Changes
6. Accounting

Section C: Control Arrangements

7. Document Retention
8. ICT Security
9. Segregation of Duties
10. Following the Public Pound

Section D: Income and Expenditure

11. Income
12. Debt Write Off
13. Purchasing of Goods and Services
14. Orders for Goods and Services
15. Payment for Goods and Services
16. Salaries, Wages, Pensions and Expense Claims
17. Payments to Members

Section E: Assets and Security

18. Inventories
19. Stocks and Stores
20. Vehicles, Plant and Equipment
21. Estates and Property Security
22. Cash Security
23. Data Protection

Section F: Internal Audit, Risk Management and Insurance

24. Internal Audit
25. Risk Management and Business Continuity
26. Insurance

Section G: Banking and Treasury

27. Banking Arrangements and Cheques
28. Pension Investments
29. Treasury Management

Section H: Imprests, Advances and Other Funds

30. Imprests / Petty Cash
31. Advances
32. Independent Funds
33. Client Funds
34. Protection of Private Property
35. Trust Funds

SECTION A: INTRODUCTION

1. STATUS OF FINANCIAL REGULATIONS

- 1.1 These Financial Regulations form part of the Standing Orders approved by the Council and must be read in conjunction with the Standing Orders.
- 1.2 The Council's Standing Orders and Financial Regulations form a key element of the Council's code of Corporate Governance, that is, the framework of guidance and control that allows the Council to demonstrate that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest, and accountable manner.
- 1.3 All Falkirk Council elected Members and Officers are required to ensure that they maintain the highest standards of probity in dealing with public money and in demonstrating that all appropriate steps have been taken to ensure that best value is achieved. While compliance with these Financial Regulations should provide a framework to facilitate this, the overriding principles of best value should be borne in mind at every stage of Members' and Officers' decision making process.
- 1.4 The Director of Finance is, for the purposes of Section 95 of the Local Government (Scotland) Act 1973, the Proper Officer, under the general direction of the Council and the Chief Executive, for the administration of the Council's financial affairs.
- 1.5 In addition to these Financial Regulations, the Director of Finance may issue financial guidelines. Subject to the approval of, and in collaboration with, the Director of Finance, Chief Officers may also issue financial guidelines, as appropriate, for their Service. A list of such guidelines is available from the relevant Services.
- 1.6 Any exemptions from the principles and procedures set out in these Financial Regulations must be authorised, in writing, by the Director of Finance. Consideration will only be given to exemptions where there are alternative, efficient and effective control arrangements in place.
- 1.7 Every Committee, Sub-Committee, Member, and Officer of the Council must adhere to these Financial Regulations (in exceptional circumstances the principles of best value may override these Regulations, in which case advice should be sought from the Director of Finance).
- 1.8 Chief Officers must ensure that all Officers are made aware of the Regulations and the requirement to comply with them. All new staff should be made aware of the Financial Regulations through the induction process.
- 1.9 All staff must report any breach of these Financial Regulations that they become aware of to their line manager or to the Director of Finance immediately. Failure by any Officer to comply with the Regulations or, in the case of staff with supervisory responsibilities, failure to ensure the compliance of others, may give rise to disciplinary consequences.

- 1.10 In addition to these Financial Regulations, Members and Officers must follow the Council's policies and procedures. Of particular relevance are the Councillors' Code of Conduct, the Code of Conduct for Members and Officers, and employees' Conditions of Service. These contain rules on issues such as gifts, hospitality, use of Council resources and conflicts of interest.
- 1.11 Wherever practical, financial transactions should be aggregated for the purposes of these Financial Regulations and, therefore, financial limits must not be avoided by deliberately splitting transactions into smaller components.
- 1.12 In exceptional circumstances, an Officer may make an expenditure commitment which is essential to meet any immediate need created by an emergency, subject to any such action being reported to, and retrospectively approved (or otherwise) in writing by, the relevant Chief Officer at the earliest opportunity.

SECTION B: FINANCIAL STEWARDSHIP AND BUDGETING

2. FINANCIAL STEWARDSHIP

- 2.1 The Policy and Resources Committee is responsible for regulating and controlling the finances of the Council in conformity with these Regulations. It will keep the Council informed as to the state of the Council's finances and will report on the accounts of each financial year as soon as practicable.
- 2.2 In addition, the Audit Committee has a role in monitoring the adequacy of the Council's arrangements for risk management, governance and control. The Audit Committee is responsible for reviewing the Annual Governance Statement, which provides a report on the adequacy of the Council's corporate governance arrangements, including financial governance, prior to its inclusion in the Council's Annual Report, on an annual basis.
- 2.3 The Director of Finance is responsible for:
- reporting to the Policy and Resources Committee on the level of financial resources proposed to be used in each financial year;
 - keeping the Policy and Resources Committee informed with respect to the Council's finances and financial performance;
 - informing other Committees about the financial implications of their activities.
- 2.4 Chief Officers must consult with the Director of Finance on the financial aspects of any report to any Committee, and before any commitment is incurred, which may significantly affect the finances of their Service and / or the Council.

3. BUDGETS

- 3.1 The detailed form of capital and revenue budgets will be determined by the Director of Finance under the general direction of the Policy and Resources Committee.
- 3.2 Each Chief Officer will, in good time and in line with the timetable set by the Director of Finance, submit proposed programmes of budgeted revenue and capital expenditure and income for the ensuing financial year(s) to the Director of Finance for transmission to the Policy and Resources Committee.
- 3.3 The draft revenue budgets must be submitted to the Council for approval no later than the date prescribed by statute, currently 11th March in each year. In practice, as the Council collects the first direct debit from Council Tax payers in April, approval requires to be provided by mid-February.
- 3.4 The inclusion of items in approved revenue or capital budgets will constitute authority to the Committee or Chief Officer, as appropriate in terms of the Scheme of Delegation, to incur such expenditure during the period covered by that budget.

4. BUDGETARY CONTROL

- 4.1 It is the responsibility of each Chief Officer to monitor and control revenue and capital income and expenditure within the limits of the budgets approved by the Council.
- 4.2 In terms of the Local Government in Scotland Act 2003, the Council has agreed that a statutory trading account is required for trading operations with a turnover greater than 2% of the Council's total revenue spending. The Directors of Corporate and Neighbourhood Services and Development Services are responsible for ensuring that the Building Maintenance and Roads and Civil Engineering trading operations maintain statutory trading accounts and meet the requirements laid down by the Local Government in Scotland Act 2003. In order to demonstrate best value, Directors are responsible for ensuring that appropriate accounts are maintained for the Council's non-statutory trading operations.
- 4.3 To facilitate the monitoring and control of revenue and capital expenditure, and income, the Director of Finance will provide Services with access to the corporate financial systems. The Director of Finance may also provide statements of income and expenditure to Services where this is deemed necessary to maintain sound financial control.
- 4.4 The Director of Finance, after consultation with each Chief Officer will, in good time, ensure that the Policy and Resources Committee is informed if it is forecast that the total revenue or capital expenditure or income for a Service is likely to vary significantly from the approved budget.
- 4.5 The Director of Finance will submit regular statements of revenue and capital expenditure and income against budgets to the Policy and Resources Committee, as well as a report on the projected (and actual) year-end outturn.

5. BUDGET TRANSFERS (Virement)

- 5.1 Virement is the transfer of whole or a part of a Committee approved revenue or capital budget to a different budget heading through the Council's financial ledger. For the avoidance of doubt, this definition applies to transfers between Divisions or between Services.
- 5.2 Except as detailed below, virements of up to £350,000 between budgets can be proposed by Chief Officers and approved by the Director of Finance. A clear and documented trail of the proposal, including the reasons for the proposed virement, must be prepared by the Chief Officer and submitted in writing to the Director of Finance. Formal written approval, or otherwise, of virements must be retained by the Director of Finance. Virements in excess of £350,000 must be approved by the Policy and Resources Committee.
- 5.3 For capital budgets, the Policy and Resources Committee must approve any individual changes to the approved project or expenditure block of more than £350,000.

- 5.4 If unbudgeted revenue or capital income of more than £50,000 is received from a single external organisation over any 12 month period, details of the source, amount and intended use should be reported to the relevant Chief Officer, the Director of Finance, and the Policy and Resources Committee.
- 5.5 Schools must adhere to the budget virement and carry forward rules contained within the Devolved Schools Management Scheme.

6. ACCOUNTING

- 6.1 All accounts and accounting records of the Council must be compiled under the direction of the Director of Finance. The Director of Finance will exercise supervision and control over all financial records and systems maintained by other Services, particularly with regard to ensuring uniformity. Services must inform the Director of Finance of any issues in this regard at the earliest opportunity.
- 6.2 The Director of Finance is responsible for ensuring that the Abstract of Accounts is produced in accordance with accounting requirements and that it is submitted to the Controller of Audit by the required statutory deadline, currently 30th June. Chief Officers must promptly provide the Director of Finance with all relevant information to meet this deadline.

SECTION C: CONTROL ARRANGEMENTS

7. DOCUMENT RETENTION

- 7.1 Chief Officers must put in place, and enforce, proper arrangements to ensure that all financial, legal and other documents are retained in accordance with the Council's retention schedules. This requirement applies equally to those documents stored electronically.
- 7.2 Where there is any doubt, Services must seek advice from the Records Management Section of Law and Administration Services as to the retention periods for specific documents.

8. ICT SECURITY

- 8.1 All Officers of Falkirk Council, Elected Members, and Officers and agents of external organisations who in any way access or have responsibility for any Council information system, or have access to Council owned data, must adhere to the Council's Information Security Policy issued by the Director of Corporate and Neighbourhood Services. All new staff should be made aware of the Information Security Policy through the induction process.
- 8.2 The purpose of the Information Security Policy is to ensure that:
- all groups of staff are aware of the policy statement and associated legal and regulatory requirements, and of their rights and responsibilities in relation to Information Security;
 - all Council assets, including equipment and data, are adequately secured and protected;
 - a high level of awareness exists of the need to comply with Information Security measures;
 - where appropriate, monitoring arrangements are put in place to ensure compliance with policy objectives, guidelines and standards.
- 8.3 The Information Security Policy and associated guidelines for specific areas of Information Security will be developed by ICT in conjunction and consultation with the Corporate ICT Strategy Group (as appropriate) and agreed and implemented through the Corporate ICT Strategy.
- 8.4 While it is the responsibility of each member of staff to adhere to the Policy, all Chief Officers are directly responsible for implementing the Policy within their Service and for adherence to the Policy by their staff. Failure to comply with defined Policy and procedures, which are based on the security principles set out in ISO27001, the international standard for the establishment, implementation, control and improvement of the Information Security Management System, may be treated as a disciplinary offence, irrespective of whether there is any compromise of systems or data.

9. SEGREGATION OF DUTIES

- 9.1 No Officer should have sole responsibility for all elements of a financial transaction, for example the requisition, order, receipt and payment for a good or service. It is Chief Officers' responsibility to ensure that appropriate segregation is applied between the key stages of every transaction, from beginning to end.
- 9.2 Ideally, there should be segregation between the Officers ordering and receipting/paying for goods and services. In exceptional circumstances, however, this may not be practical and, in those instances, the Director of Finance may approve exceptions (submitted formally and in writing), provided adequate compensating control and monitoring procedures are in place.
- 9.3 Officers involved in calculating and / or recording any income due to the Council should not collect or process the related income.
- 9.4 All cash collection and cash accounting records should be examined and checked by a second Officer, with periodic sample checks by line management as appropriate. All checks must be documented. Particular care must be taken to implement proper controls in all Council offices where Officers are required to collect and handle cash or valuables, in order to protect those individuals from suspicion or accusation.

10. FOLLOWING THE PUBLIC POUND

- 10.1 Services must adhere to the Council's 'Funding at Falkirk' guidance for allocating funds to external organisations. This guidance incorporates the "Code of Guidance on Funding External Bodies and Following the Public Pound" issued jointly by COSLA and the Accounts Commission, and applies where funding is provided or transferred to arms-length bodies such as companies, trusts and voluntary organisations. Contractual arrangements which have been agreed via a process of competitive tendering are exempt, and Contract Standing Orders apply.
- 10.2 Prior to the allocation of funding to an external organisation, advice should be sought from the Council's External Funding Unit. In summary, the process for the allocation of funding will be as follows:
 - determine whether funding is to be provided in line with Following the Public Pound or Contract Standing Orders (External Funding Unit will provide assistance as required);
 - Undertake a risk assessment based on the level of funding to be provided, the period over which funding is to be provided, and other risk factors as per Following the Public Pound Guidance;
 - Based on the results of the risk assessment, the following will apply:
 - **Single year** support of <£20,000 and risk assessment **low**: apply small grants terms and conditions. Authorisation by Head of Service and no requirement to report to Committee;
 - **Single Year** support of <£20,000 and risk assessment **medium/high**: Joint Working Agreement and Committee approval required. Annual report to Information Bulletin;

- **Multi-year** support of <£20,000 and risk assessment **low**: Joint Working Agreement and Committee approval required. Annual report to Information Bulletin;
- **Multi-year** support of <£20,000 and risk assessment **medium/high**: Joint Working Agreement and Committee approval required. Annual monitoring report must be submitted to Committee;
- **Single year** support of >£20,000 and risk assessment **low/medium/high**: Joint Working Agreement and Committee approval required. Annual report to Information Bulletin;
- **Multi-year** support of >£20,000 and risk assessment **low/medium/high**: Joint Working Agreement and Committee approval required. Annual monitoring report must be submitted to Committee.

SECTION D: INCOME AND EXPENDITURE

11. INCOME

- 11.1 Chief Officers will, at least annually and in consultation and agreement with the Director of Finance, review all scales of charges or tariffs relating to their Service. Appropriate steps will be taken to publicise all fees and charges.
- 11.2 Chief Officers are responsible for identifying all sources of income within their Service, for calculating and collecting the income due to the Council, and for monitoring to ensure all income is duly and timeously received (all significant shortages must be immediately brought to the attention of the Director of Finance). Chief Officers are also responsible for retaining clear and formal records relating to amounts due, received and outstanding.
- 11.3 Finance Services and Law and Administration Services may provide assistance to Services in the collection and monitoring of income.
- 11.4 Chief Officers must promptly provide the Director of Finance with the details necessary to raise accounts for sums due to the Council.
- 11.5 All income received by an Officer of the Council must be immediately acknowledged by the issue of an official receipt, or other such document as approved by the Director of Finance. An exception to this rule may be permitted with the specific written approval of the Director of Finance.
- 11.6 All receipts and other forms of stationery used to record income will be in a form approved by the Director of Finance. They should be treated as accountable stationery and will be ordered, controlled and issued under secure arrangements approved by the Director of Finance.
- 11.7 All money received by an Officer on behalf of the Council must be paid in full and without delay into an official nominated bank account. Appropriate arrangements must be made for ensuring that all monies are banked securely. Where possible, the Council's contract with an appointed security company should be utilised. Where this is not possible, alternative arrangements should be put in place in consultation with the Council's Income Manager (arrangements will be dependant on factors such as location, amount banked, and staffing).
- 11.8 A clear, documented audit trail must be maintained as evidence of proper income handling, administration and banking.

12. DEBT WRITE-OFF

- 12.1 It is the responsibility of Chief Officers to manage and monitor debts accruing, and to take all reasonable steps, within a reasonable timescale, to ensure that all monies due are collected. A formal and balanced assessment of the likelihood of full or partial debt collection should be carried out, and this should inform the debt recovery action to be taken. There may be occasions where this assessment concludes that it would be uneconomical or impractical to commence or pursue recovery action. Appropriate evidence must be retained to support the results of the assessment.

- 12.2 In those cases where recovery action is pursued, there may be instances where, despite all reasonable steps having been taken, the debt remains outstanding and, in these cases, advice should be sought from the Director of Finance.
- 12.3 Only properly raised sundry accounts can be written off (Note that in the case of outstanding sums in respect of deceased pensioners there is no requirement to raise a sundry account). Where there is to be write off, this should take account of the following financial limits:
- Director of Finance (or delegated Chief Officer): authority to write off any individual debt of £5,000 or less;
 - Policy and Resources Committee: authority to write off any individual debt of more than £5,000.
- 12.4 Accurate and complete records must be retained by the Director of Finance for all debts written off, with documentation retained in line with the Council's retention schedule.

13. PURCHASING OF GOODS AND SERVICES

- 13.1 The Director of Finance and the Director of Law and Administration (or equivalent) must be consulted before any contract, lease, rental, hire purchase arrangement or equivalent is entered into that will result in significant future financial commitment.
- 13.2 Contract Standing Orders specify the circumstances and value of contracts for which formal competitive tenders are mandatory. All contracts above this value, currently £30,000, must comply with the Contract Standing Orders. All Officers responsible for contracts, whatever their value, must read, be familiar with, and apply the requirements of the Contract Standing Orders, including the Protocol on Appointment of Consultants.
- 13.3 The total contract value of orders for similar goods and services must be used when assessing financial limits for purchasing, ie the total cost over the lifetime of the contract. Only in exceptional circumstances should one-off order values be used.
- 13.4 The Council has a Procurement Strategy and operates a Central Purchasing Service (CPS) and User Intelligence Groups (UIG) to co-ordinate and undertake purchasing. The role of the CPS and UIGs is to co-ordinate purchasing arrangements across and within Council Services, ensuring that purchasing decisions achieve best value and reflect the principles of the Council's Procurement Strategy and Policy.
- 13.5 To ensure that the objectives of the Procurement Strategy are achieved, Services must follow any purchasing policies issued by the Director of Corporate and Neighbourhood Services. These policies will also incorporate and cover areas such as environmental purchasing and community benefit.

- 13.6 For purchases below £30,000, Services should use the formal tendering process in which case they must follow the procedure in Contract Standing Orders. If a formal tendering process is not followed, then the Officer authorising the order should be able to demonstrate that best value has been achieved. This can be done by:
- use of contracts or catalogues prepared by the CPS/UIGs;
 - obtaining and retaining a minimum of 3 written quotations;
 - following the advice of the CPS, or Corporate and Neighbourhood Services ICT for computer equipment.
- 13.7 Where no purchasing contracts are in place, Services, in consultation with the CPS, may make their own purchasing arrangements:
- for orders below £1,000;
 - where there is demonstrably no genuine competition; or
 - for orders that require to be made in an emergency.
- 13.8 The principle of achieving best value in purchasing still applies, and Services must retain all relevant documentation relating to all purchases and purchasing decisions.

14. ORDERS FOR GOODS AND SERVICES

- 14.1 Official orders will be in a form approved by the Director of Finance. They should be treated as accountable stationery and will be ordered, controlled and issued under arrangements approved by the Director of Finance.
- 14.2 Official orders must be raised for all goods or services to be supplied to the Council except where:
- an acceptance letter has been written following a tendering process;
 - there is a prior written agreement which prescribes payment frequency;
 - periodic payments such as rates, subscriptions, and maintenance agreements have been agreed;
 - payment is based on metered use such as gas, telephone, water and electricity;
 - payments are being made via imprest;
 - the supplier requests the completion of their own order stationery, such as for training courses and publications;
 - there are exceptional circumstances, and the specific approval of the Director of Finance has been obtained.
- 14.3 Corporate purchasing cards may also be used by Services for making low value purchases which require instant payment and where there is no corporate contract in place. Appropriate controls over the issue and rescinding of cards, the imposition of transaction and monthly/annual authorisation limits, and the independent checking of transaction statements must be established and rigorously enforced.
- 14.4 For purchases made electronically via the Council's approved systems, appropriate controls over authorisation, ICT security, and pre-payment checks should be established and enforced.

- 14.5 Orders must be given to the supplier in advance of any work, goods or services being provided to the Council. If a verbal order is given, this must be confirmed in writing as soon as possible and marked 'confirmation order'. Exceptions may be approved by the Director of Finance.
- 14.6 All orders and internal requisitions to another Service will be authorised via the Council's approved electronic systems or be signed by an appropriate authorised signatory. Chief Officers will maintain lists of such authorised signatories.
- 14.7 The Officer authorising an order must be satisfied that:
- all appropriate procedures have been followed in the raising of the order;
 - the expenditure is legal and within the power of the Council;
 - there is sufficient budget provision;
 - best value has been achieved;
 - the timing of the order and the quantities ordered are appropriate;
 - the price has been agreed;
 - the nature and quantity of goods or services to be supplied is clearly stated on the order;
 - a correct ledger code has been provided.

15. PAYMENT FOR GOODS AND SERVICES

- 15.1 All payments, except those out of imprests (petty cash) and advances, will be by the automated transfer of funds from the Council's main bank accounts, cheque, or corporate purchasing card.
- 15.2 In the absence of a proper invoice (and matched purchase order), any request for payment must be supported by appropriate documentation signed by an authorised signatory. Chief Officers must, at least annually, supply and update the Director of Finance with the names and specimen signatures of all such authorised signatories.
- 15.3 All invoices must be certified for payment by an authorised signatory. Chief Officers will maintain lists of such authorised signatories.
- 15.4 The authorised signatory must be different to the signatory of the related order. In exceptional circumstances, where this may not be practical, appropriate compensating controls must be in place.

- 15.5 The Officer certifying an invoice or other payment must be satisfied that:
- the goods or services have been received and are of the agreed quantity and quality;
 - the invoice price matches the agreed price;
 - the arithmetic is correct including discounts, credits and VAT;
 - appropriate entries have been made in inventories or stock records;
 - the invoice has not previously been authorised for payment;
 - the invoice is in the name of Falkirk Council (or an integral part of it);
 - the invoice is a proper liability of the Council.
- 15.6 Care must be taken not to make duplicate payments, especially if the invoice is a fax, copy invoice or photocopied invoice. Payments must not be made on the basis of suppliers statements.
- 15.7 Goods and services should not be paid for in advance. In exceptional circumstances, pre-payment may be appropriate, but should only be undertaken after discussion with the Director of Finance, and where it has been established that the advantages clearly outweigh the risks.
- 15.8 Invoices will be promptly input to the creditors system and matched to an order and goods received note. Non-purchase order invoices should be registered in the creditors system and promptly authorised.

16. SALARIES, WAGES, PENSIONS AND EXPENSE CLAIMS

- 16.1 The payment of all salaries, wages, pensions and other payments to employees or former employees of the Council and pensioners of the pension schemes administered by the Council, shall be made by the Director of Finance, or under alternative arrangements approved and controlled by the Director of Finance.
- 16.2 All documents which form the basis of a payment must be in a format approved by the Director of Finance.
- 16.3 All documents, including electronically generated documents, which form the basis of a payment, must be signed by the person completing the form and certified by an authorised signatory(s) as required. The completing and certifying signatures can be either manual or electronic. Chief Officers must supply and update the Director of Finance with the names, designations and specimen signatures of such authorised signatories on at least an annual basis. In the case of electronic signatures and certification, Chief Officers must supply and update the Director of Finance with the names and designations of Officers authorised to complete and certify electronic documents, again on at least an annual basis. Other than in exceptional circumstances, and with the prior approval of the Director of Finance, documents that form the basis of a payment cannot be completed and certified by the same person.

16.4 The certifying Officer must be satisfied that:

- forms and claims have been completed fully, accurately, and in line with all relevant guidance;
- claims are valid;
- claims are not excessive or anomalous;
- in the case of expense claims, journeys were necessary and authorised, expenses were properly and necessarily incurred, and allowances were properly due;
- evidence of expenditure, such as petrol VAT receipts, is provided where appropriate;
- in the case of overtime claims, the Officer was authorised in advance to work the additional hours, and the claimed hours were actually worked.

16.5 Each Chief Officer must keep records to support claims for payment and provide information in a format agreed with the Director of Finance. Each Chief Officer is responsible for the accuracy and authenticity of such information.

16.6 Each month, the Director of Finance shall provide each Chief Officer with a report of the payments that were made to their employees in the preceding calendar month. The purpose of the report is to provide Chief Officers with information that will enable them to identify any matters that may need further investigation and/or correction. For example, an employee who:

- appears to be wrongly coded to the Chief Officer's budget;
- has an unexpectedly high payment; or
- has left employment but continues to receive payments.

16.7 Each Chief Officer shall certify to the Director of Finance, before the end of the calendar month following receipt of the report, that the report has been checked and that any exceptional or anomalous payments have been explained and corrected if necessary.

16.8 The monthly payroll report process is a key financial control that will be subject to scrutiny by both Internal and External Audit. Chief Officers must ensure that documentation is retained to confirm that the report has been checked and that any necessary investigation and/or corrective action has been taken.

16.9 Chief Officers will notify the Director of Corporate and Neighbourhood Services and the Director of Finance as soon as possible of all matters affecting the payment and pension entitlement of employees.

16.10 Appointments of all employees and changes to grades will be made in accordance with approved establishments, grades and rates of pay and any procedures approved by the Director of Corporate and Neighbourhood Services.

16.11 Overtime must be authorised prior to it being worked. Chief Officers must have regard to the reasonableness of the amount of overtime worked, and must ensure that Working Time Regulations, as well as the principle of best value, is adhered to.

16.12 Claims for payment of salaries, wages, overtime and other allowances, including travel and subsistence, must be submitted to the Payroll Section within the deadlines specified by the Director of Finance from time to time. In addition:

- claims must relate to a single pay period;
- claims for travel and subsistence and expenses must be submitted with appropriate receipts attached, including petrol VAT receipts;
- in exceptional circumstances, claims submitted more than two months after the end of the calendar month to which the claim relates will only be paid if authorised by the Chief Officer, and accompanied by a memo from the Chief Officer outlining the reason for the delay.

16.13 The Director of Corporate and Neighbourhood Services and the Director of Finance will keep all Chief Officers informed of changes to conditions of service, pension benefits and other relevant matters.

17. PAYMENTS TO MEMBERS

17.1 Payments to Members of the Council, including co-opted Members and Justices of the Peace, will be made by the Director of Finance, or under arrangements approved by the Director of Finance. For claims relating to expenses, properly completed standard claim form must be submitted in accordance with:

- Guidelines issued on Members Expenses and Allowances; and
- any relevant legislation.

17.2 As per paragraph 16.12:

- claims must relate to a single calendar month; and
- claims for travel and subsistence and expenses must be submitted with appropriate receipts attached, including petrol VAT receipts.

SECTION E: ASSETS AND SECURITY

18. INVENTORIES

- 18.1 Chief Officers must make arrangements for inventory lists to be drawn up for all areas of their Service. The inventory should include details and location of office equipment, furnishings, plant and machinery and any other valuable property. As a guide, a purchase price of £200 may be used to determine if an item should be included on an inventory list. Other factors, such as attractiveness and portability should, however, also be taken into consideration.
- 18.2 For insurance purposes, a copy of all inventory lists should be kept off site. Where manual inventories are held, a separate copy should be held electronically, as part of Services' business continuity arrangements. Where inventories are held electronically, a back-up copy should be held at a different location or on a different server.
- 18.3 Inventories must be kept up to date, with at least an annual check of all items. Any significant discrepancies should be reported to the Director of Finance.
- 18.4 Wherever practical, valuable property should be clearly marked as the property of the Council. All ICT equipment should be clearly marked with an asset number, with guidance available from the Director of Corporate and Neighbourhood Services.
- 18.5 Council property should not be removed from Council premises, other than in the course of proper Council business, except with the specific authority of the Chief Officer.
- 18.6 The Director of Corporate and Neighbourhood Services should be consulted before disposing of any ICT equipment. The disposal of other inventory items should be undertaken in accordance with Financial Regulation 19.4.

19. STOCKS AND STORES

- 19.1 Chief Officers are responsible for the control of any and all stocks and stores held within their Service. Chief Officers must ensure that:
- stock is securely stored;
 - stock levels are maintained at the minimum level required to meet operational requirements;
 - stock records are sufficient and reliable taking into consideration the value and risk associated with the stock;
 - stocks are counted at least once per year and checked by a person independent of the day to day administration of the stock.
- 19.2 All stock write-offs must be authorised in writing by a manager independent of the day to day administration of the stock. Chief Officers should consider the value of individual stock items held in making arrangements for such write-off.
- 19.3 Any significant stock losses or write-offs should be reported to the Director of Finance.

19.4 Surplus stocks can be disposed of as follows:

- if the income realised is expected to be under £5,000, Chief Officers may authorise its disposal (while taking cognisance of 19.5 below);
- if over £5,000, disposal must be by competitive tender, public auction, or equivalent, in consultation with the Central Purchasing Service.

19.5 Where surplus stocks are not suitable for sale or auction, the methods of disposal should follow the priority order below:

- Reuse: Clarify whether there is an interest in the reuse of the surplus stocks, firstly within the disposing Council Service, then with other Council Services and then finally with charity or voluntary groups. The stocks should be transferred to those intending to reuse them following any necessary treatment, for example removal of Council markings;
- Recycle: If there is no demand for reuse then the surplus stocks, where practical, should be appropriately recycled;
- Disposal: if the surplus stocks cannot practically be reused or recycled then they should be disposed of in an appropriately licensed landfill facility.

19.6 Officers disposing of waste must ensure compliance with the 'duty of care' legislation in the Environmental Protection Act 1990.

20. VEHICLES, PLANT AND EQUIPMENT

20.1 The Fleet Manager is responsible for ensuring that all vehicles are maintained in a satisfactory state of repair, and will take action or issue advice to ensure that all legal and safety requirements are complied with. Vehicles includes all those owned, leased, hired by, or otherwise in the custody or control of, the Council.

20.2 Each Chief Officer is responsible for the operation and control of all vehicles, plant and equipment in use within their Service, and for compliance with any guidance and instruction issued by the Fleet Manager, or their Service.

20.3 Chief Officers are also responsible for ensuring that best value is achieved through the use of all vehicles, whether owned, leased, or hired, and for ensuring that Service fleet size and structure, and vehicle usage, is commensurate with business need.

20.4 Vehicles must only be used for the purposes of the Council, and by such persons and in such a manner as the Chief Officer directs.

20.5 No Officer may take a vehicle home unless on official stand-by duty, or where prior formal and written permission has been granted by the relevant Chief Officer. Permission will only be given if use of the vehicle is essential for the conduct of Council business. The unofficial or unauthorised use of a vehicle, including the carrying of unauthorised passengers, is prohibited, and so doing may result in disciplinary action.

- 20.6 If any vehicle is involved in an accident, whether or not there is injury or damage, the person in charge of the vehicle at the time of the accident must complete an accident report on the standard form and forward it immediately to the Fleet Manager and to the Director of Finance. Where there is personal injury the Director of Corporate and Neighbourhood Services should also be notified.
- 20.7 All use of vehicles must be recorded in log books provided by the Fleet Manager.
- 20.8 All vehicles surplus to the requirements of the Council will be disposed of by public auction, or by such other method as the Fleet Manager, and the Central Purchasing Service, may jointly determine.

21. ESTATES AND PROPERTY SECURITY

- 21.1 The Director of Corporate and Neighbourhood Services must maintain a complete, accurate, and up to date register of all Council houses.
- 21.2 The Director of Community Services must maintain a complete, accurate, and up to date register of all other properties, owned or leased by the Council, in line with an agreed Property Management Plan.
- 21.3 The Director of Law and Administration (or equivalent) must keep custody of all title deeds under secure arrangements.
- 21.4 Responsibility for ensuring that there is an effective management system for overseeing the control and maintenance of individual operational Council properties' security systems rests with the appointed Premises Manager. Chief Officers are responsible for ensuring that a Premises Manager has been formally appointed for all buildings within their Service, and for ensuring that the appointed Premises Manager fulfils their obligations as per the Premises Manager's Handbook.

22. CASH SECURITY

- 22.1 Chief Officers must advise the Director of Finance of all new circumstances within the Service where cash is held or is otherwise under the control of Officers of the Council. Chief Officers must ensure that the minimum level of cash is held, subject to the practicalities of individual circumstances.
- 22.2 The transfer of cash, incoming cheques, or valuables, from one Officer to another should be evidenced by a receipt or written record. Chief Officers are responsible for ensuring that Officers are provided with the appropriate guidance and documentation to allow the evidencing of all transfers.
- 22.3 Chief Officers are responsible for the security of safes and similar receptacles. Access must be controlled and limited, and security should be commensurate with risk. A register of keyholders should be maintained and the loss of any key should be reported immediately to the Chief Officer.

23. DATA PROTECTION

- 23.1 The Director of Corporate and Neighbourhood Services, in consultation with the Director of Law and Administration (or equivalent), is responsible for ensuring that proper privacy and security is maintained in respect of information held on manual or computer records, and that the requirements of relevant legislation, such as the Data Protection Act 1998, are complied with.
- 23.2 Chief Officers must ensure that all personal information held on manual or computer records is confined solely to the purposes detailed in the relevant data protection register entry. No person will communicate any such personal information to a third party except where the information is being communicated in compliance with the data protection register entry and where the third party is entitled to receive it in terms of that entry.

SECTION F: INTERNAL AUDIT, RISK MANAGEMENT AND INSURANCE

24. INTERNAL AUDIT

- 24.1 The Director of Finance will make arrangements for a continuous and effective Internal Audit of the financial and other operations of the Council and in doing so, will not be subject to the control or direction of any person.
- 24.2 The aim of the Internal Audit function is to provide an independent and objective opinion to the Council on the risk and control environment, comprising risk management, governance and control, by evaluating its effectiveness in achieving the Council's objectives. It objectively examines, evaluates and reports on the adequacy of the framework of internal controls as a contribution to the proper, economic, efficient and effective use of resources.
- 24.3 Internal Audit must comply with relevant professional guidance, currently the CIPFA Code of Practice for Internal Audit in Local Government in the United Kingdom 2006.
- 24.4 The Internal Audit Manager has access to report directly to the Audit Committee, Chief Executive, Director of Finance and all other Chief Officers of the Council.
- 24.5 Internal Auditors have authority, on production of identification, to:
- enter at all reasonable times any Council premises or land;
 - access any records, documents, correspondence, and any data held on computer storage media;
 - request and receive such explanations as are necessary concerning any matter under examination; and
 - require any Officer to produce cash, stores or any other Council property under their control or to which they have access.
- 24.6 Chief Officers are responsible for identifying and managing the risk of fraud and corruption, for ensuring that appropriate risk management, internal control and governance arrangements are in place, and that best value is achieved. The Internal Audit Manager's Annual Assurance Report to the Audit Committee will provide an opinion on the overall adequacy and effectiveness of these arrangements.
- 24.7 During the course of each financial year, Internal Audit will review and report on the adequacy and effectiveness of internal controls, in particular:
- the safeguarding of assets;
 - the economic, efficient and effective use of resources;
 - the suitability and reliability of management information; and
 - compliance with approved Council policies, plans and procedures.
- 24.8 Where Internal Audit write a report incorporating recommendations aimed at improving the existing framework of internal control, Chief Officers, must confirm in writing, within the specified timescale, details of the action taken or to be taken, or give an explanation as to why no action is to be taken.

- 24.9 Chief Officers are required to notify Internal Audit of all significant proposed changes to systems, or the establishment of new systems.
- 24.10 In respect of partner organisations, Chief Officers are required to inform Internal Audit where:
- key systems are being operated, or key services provided, to other organisations by the Council;
 - key systems are being operated, or key services provided, by other organisations on behalf of the Council.
- 24.11 The Internal Audit Manager will decide, in consultation with all relevant parties, whether Internal Audit conduct the necessary audit work to derive the required opinions themselves, or rely on the opinions provided by other auditors or inspectors.
- 24.12 Chief Officers are required to promptly notify the Director of Finance of all financial irregularities or of any circumstances which may suggest the possibility of irregularities.
- 24.13 Any Officer has the right to use the Council's Confidential Reporting Policy or contact the Director of Finance or Internal Audit Manager on any financial irregularity or issue which gives them cause for concern.
- 24.13 The Director of Finance will form an opinion on the process to be followed on notification of an irregularity. This decision will be made with due regard to the Council's Anti-Fraud and Corruption Strategy and guidance on Financial Irregularity Investigations.. The Chief Executive and the Director of Law and Administration (or equivalent) will be informed in all significant cases, and the Director of Corporate and Neighbourhood Services will be informed where formal disciplinary action is likely.

25. RISK MANAGEMENT AND BUSINESS CONTINUITY

- 25.1 The Corporate Risk Management Group is responsible for ensuring that there is a consistent approach to risk management, including health and safety, business continuity planning, community safety and emergency planning, across the Council. The Corporate Risk Management Group will be chaired by a Chief Officer, and is responsible for the ongoing review and update of the Corporate Risk Register. The Chair will report periodically to CMT and to the Audit Committee on the status of the Council's Risk Management arrangements.
- 25.2 Chief Officers must ensure that appropriate Risk Management arrangements are established within their Service. A Service Risk Management Plan must be drawn up and maintained by each Chief Officer. This may be supported by subsidiary divisional Risk Management Plans. Services will operate their risk management systems in accordance with corporate guidance.
- 25.3 Chief Officers must have a comprehensive Business Continuity Plan(s) in place for their Service, covering all operational activities and locations. The relevant staff must be aware of, and properly trained to ensure the effectiveness of, the Plan. Plans should be tested at least annually.

- 25.4 Updated copies of Business Continuity Plans and Risk Management Plans must be passed to the Emergency Planning Section of Development Services which will act in a corporate co-ordinating capacity for the Plans.
- 25.5 The Emergency Planning Section will maintain the Council's Emergency Plan for dealing with emergencies affecting the public in the Falkirk Council area. Chief Officers must assist with this plan, for example, by providing regular updated information.

26. INSURANCE

- 26.1 The Director of Finance will make appropriate insurance arrangements and negotiate all claims.
- 26.2 Chief Officers will notify the Director of Finance promptly of any changes in properties, vehicles, equipment and other assets, any new or increased risks, and any activities which might result in claims against the Council.
- 26.3 Chief Officers will immediately notify the Director of Finance in writing of any loss, liability or damage, or any event likely to lead to a claim. Chief Officers will inform the Police where there is a legal liability to do so, or where the Insurance Section has advised them to.
- 26.4 Chief Officers will notify the Director of Corporate and Neighbourhood Services of all cases involving personal injury.
- 26.5 All appropriate Officers of the Council will be included in suitable fidelity guarantee insurance.
- 26.6 Chief Officers will consult the Director of Finance and the Director of Law and Administration (or equivalent) regarding the terms of any indemnity which the Council is requested to give.

SECTION G : BANKING AND TREASURY

27. BANKING ARRANGEMENTS AND CHEQUES

- 27.1 All arrangements with the Council's bankers, including indemnities, will be made by, or under arrangements approved by, the Director of Finance, who is authorised to operate such bank accounts as may be considered necessary.
- 27.2 Bank accounts must not be opened unless authorised in writing by the Director of Finance.
- 27.3 Any direct debits or standing orders must only be set up in accordance with procedures put in place by the Director of Finance.
- 27.4 The Director of Finance will ensure that secure arrangements are in place for the ordering, storage and printing of cheques.
- 27.5 Cheques drawn on the Council's main bank accounts will bear the facsimile signature of the Director of Finance or be signed by the Director of Finance or other Officers formally authorised by the Director of Finance.
- 27.6 All arrangements for transfer, receipt or payment using any form of automated bank transfer will be made by, or under arrangements approved by, the Director of Finance.
- 27.7 Personal cheques must not be cashed out of money held on behalf of the Council, or substituted for cash collected on behalf of the Council.

28. PENSION FUND INVESTMENTS

- 28.1 All pension fund investments will be made in the name of the Council, or in the name of nominees approved by Committee. Bearer securities are excepted from this regulation, but the purchase of bearer securities must be reported to Committee.
- 28.2 All securities other than heritable securities will be deposited with the Director of Finance, or the nominees approved by Committee.
- 28.3 The Director of Finance will report periodically on investment strategy, and on the progress of investments, to the Investment Committee.

29. TREASURY MANAGEMENT

- 29.1 The Council adopts the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice 2001 (as amended).
- 29.2 Accordingly, the Council will create and maintain, as the cornerstones for effective treasury management:
- a Treasury Management Policy Statement, stating the policies and objectives of its treasury management activities;

- suitable Treasury Management Practices, setting the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
- 29.3 The Policy and Resources Committee will receive reports on the Council's treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year report, and an annual report after its close, in the form set out in the Treasury Management Practices.
- 29.4 The Council delegates responsibility for the implementation and monitoring of its treasury management policies and practices to the Policy and Resources Committee, and for the execution and administration of treasury management decisions to the Director of Finance, who will act in accordance with the Council's Policy Statement and Treasury Management Practices, and CIPFA's Standard of Professional Practice on Treasury Management.
- 29.5 All borrowing and lending will be effected in the name of the Council.
- 29.6 The Director of Finance will be the Council's registrar of stocks, bonds and mortgages granted by the Council, and will maintain records of all borrowing of money by the Council.
- 29.7 The Director of Finance will be responsible for ensuring the Council's compliance with CIPFA's Prudential Code for Capital Finance in Local Authorities, including the preparation and monitoring of prudential indicators.

SECTION H : IMPRESTS, ADVANCES AND OTHER FUNDS

30. IMPRESTS/ PETTY CASH

- 30.1 The Director of Finance will provide an amount of money, called an imprest, for nominated Officers of the Council, for the purpose of paying for minor petty cash expenditure.
- 30.2 Imprests will be operated in accordance with detailed procedures issued by the Director of Finance.

31. ADVANCES

- 31.1 An advance may be issued to an Officer who is likely to incur expenditure on behalf of the Council out of their own pocket.
- 31.2 Advances will be issued and operated in accordance with detailed procedures issued by the Director of Finance.

32. INDEPENDENT FUNDS

- 32.1 Independent funds are those operated by Council Officers by reason of their employment with the Council. Examples include school funds and donation accounts.
- 32.2 Such funds should be operated in accordance with any specific guidance issued by the Director of Finance.
- 32.3 Chief Officers are responsible for:
- authorising the establishment of funds;
 - maintaining a register of all funds and bank accounts;
 - ensuring all funds with their own bank accounts are audited annually.

33. CLIENT FUNDS

- 33.1 Any Officer who, by reason of their employment with the Council, is responsible for the custody or management of cash or property belonging to a third party, must employ standards of stewardship no less than those laid down elsewhere in these Regulations.
- 33.2 Officers must adhere to any guidance issued by their Chief Officer.
- 33.3 Each Officer must, if so required by the Director of Finance or Chief Officer concerned, provide immediately a full account of all cash and property received from, or on behalf of, a third party.

34. PROTECTION OF PRIVATE PROPERTY

- 34.1 Circumstances may arise where the Council is required to assume legal responsibility over the moveable property of a third party. For example, personal possessions left in an abandoned house or where a client is moving into care.
- 34.2 Chief Officers must prepare a detailed inventory of all such property. The inventory should be assessed for items of value or legal importance, and arrangements made for their safe custody and eventual disposal in line with operational Service guidance.

35. TRUST FUNDS

- 35.1 Trust funds are money or other assets to be used for the purpose(s) specified in the trust deed. Trust funds are commonly used as a method of donating money for the benefit of a community or project, for example bequests from the public.
- 35.2 Trust funds must be operated under the directions of the Director of Finance and the Director of Law and Administration (or equivalent).
- 35.3 A trust deed setting out the terms and conditions of the trust should be deposited with the Director of Law and Administration (or equivalent).
- 35.4 Trustees are bound by the terms of the trust deed and trust legislation, and when they have responsibility for cash or other assets, should employ standards no less than those laid down elsewhere in these Regulations.

FALKIRK COUNCIL

SUBJECT: NATIONAL ELIGIBILITY CRITERIA AND WAITING TIMES FOR PERSONAL AND NURSING CARE OF OLDER PEOPLE

MEETING: FALKIRK COUNCIL

DATE: 9 DECEMBER 2009

AUTHOR: ACTING DIRECTOR OF SOCIAL WORK SERVICES

1. INTRODUCTION

- 1.1 The purpose of this report is to inform Members of the new guidance for local authorities and their partners which was issued jointly by the Scottish Government and COSLA on 28th September 2009 and to make proposals for implementing this guidance. This report follows on from the report which Members of the Housing and Social Care Committee considered on 1st September 2009.

2. BACKGROUND

- 2.1 The Scottish Government and COSLA together with ADSW and relevant others have worked on developing a national eligibility criteria for adult social care and waiting times for personal and nursing care. This guidance flows from the joint work undertaken to improve the clarity, presentation and implementation of the free personal and nursing care policy; including taking forward recommendations arising from Lord Sutherland's independent review of Free Personal and Nursing Care Funding, published in April 2008.
- 2.2 During the summer, draft guidance on the national framework for access and entitlement to all service for adult social care groups was issued and Members will be aware that the response to this document was discussed at the Housing & Social Care Committee held on 1st September 2009. Members agreed at that meeting that proposals should be brought forward in relation to eligibility criteria for adult social care services following publication of the final guidance.
- 2.3 Following receipt of responses, the Scottish Government and COSLA have decided that the national guidance will apply to older people, which reflect the original agreement between Councillor Leaders and Scottish Ministers on Lord Sutherland's recommendations about Free Personal and Nursing Care.

However, there was recognition that some Council's might choose to apply the Eligibility Framework set out within the guidance to **all** Community Care groups as the framework is generic and need not be confined only to the management of older people's care.

The guidance has been written so that it can be applied consistently across all adult care groups if individual Councils choose to do so.

- 2.4 The guidance encourages the application of eligibility criteria in such a way as to promote the concepts of well-being and personalisation. Personalisation, including a strategic shift towards early intervention and prevention, is seen as the cornerstone of public services into the future and will require a change in the way care and support services are commissioned. Focus will move away from addressing illness or crisis intervention towards promoting and prolonging wellbeing. Councils and their partners are encouraged to consider whether the provision of services or other interventions might help prevent or reduce the risk of an individual's needs becoming more intensive. A copy of the new document is attached as Appendix 1.
- 2.5 Chief Social Work Officers are asked to confirm with the Scottish Government by the 1st December 2009 that their local arrangements for access to social care services and timescales for access to personal and nursing care services are consistent with the finalised guidance. It is intended that adherence to this guidance will be monitored by the Scottish Government who, in conjunction with COSLA, are currently consulting on how monitoring will be undertaken.
- 2.6 The Scottish Government made available an additional £40million to local authorities from April 2009. This is towards the operation of the Free Personal and Nursing Care policy which was to address the shortfall which was identified in Lord Sutherland's report. This is to assist council's which had ceased charging older people for meals preparation and to assist the development of more consistent and transparent arrangements for eligibility and access to community care services, including waiting lists management. The allocation to Falkirk Council is £861,000 which has already been set against the existing level of spend.

3. THE GUIDANCE

3.1 Aims of the Guidance

The aim of the guidance is to help achieve better outcomes for older people. It is intended to provide a framework for delivering on the shared commitments agreed by Scottish Ministers and COSLA following the publication of Lord Sutherland's review of free personal and nursing care, including:

- A common standards eligibility framework for older people which categorises the needs of individuals and which is applied by all Local Authorities
- A common commitment to deliver personal and nursing care services to older people within a maximum period of 6 weeks following the identification of need, identified as being critical or substantial risk as regards their independent living or wellbeing
- The application of the single shared assessment model and associated tools, by local authorities and their partners as a key element in ensuring consistent processes for individual needs assessment
- Appropriate management and review arrangements for responding to needs of individuals assessed as having less intensive care needs, including preventative services

3.2 Key Principles

The guidance also seeks to reinforce the following key principles:

- The central role of assessment in determining access to social care services
- The responsibility of Local Authorities to determine the provision of care services in their area, taking account of their financial and other resources and the costs of service provision.
- That the prioritisation process should target resources towards responding to people at critical or substantial risk as regards independent living or wellbeing, whilst not excluding consideration of the benefits of preventative support and less intensive care services for people at less risk.

3.3 The Guidance in the Context of the Sutherland Review

The need for a national eligibility framework originally came from reports on free personal care published by Audit Scotland in 2008 and subsequently Lord Sutherland's independent review. Lord Sutherland's report acknowledged that it is an accepted principle of social care policy that local authorities will manage their resources to focus first on supporting those people who are in most urgent need. He stated that it was crucial that the lever used by Councils to manage access to finite care services – such as waiting lists and eligibility criteria – should be “transparent and should not inappropriately restrict legitimate access to care” to meet needs that call for the provision of a social care service.

He recommended that there should be:

- A clear entitlement for those assessed as needing personal and nursing care analogous with the NHS
- A standard eligibility framework
- Common assessment processes
- Clearly stated target waiting times

He further recommended that the move to more consistent and transparent processes should be linked with improved public information and understanding of the policy and better monitoring of financial and other information both at local and national level.

Lord Sutherland also recommended that the Government should undertake a much wider review of future funding and delivery of long term care services and actions to prepare for demographic change. The Scottish Government, COSLA, NHS Scotland and stakeholders are in the process of taking forward this wider review.

3.4 The Eligibility Criteria

The new guidance encourages Local Authorities to set a low threshold for access to a care needs assessment. Thereafter, the issue of eligibility for a community care service would be determined having regard to the eligibility criteria and following the assessment of the person's needs for community care services. These processes would conclude with a decision about the level of service provision, if any, which an individual would require.

Eligibility criteria are a method for employing limited resource in a way that ensures that those resources are targeted to those in greatest need while also recognising the types of low level intervention that can be made to halt a deterioration of a person in less urgent need of services.

Eligibility criteria should be applied fairly and not discriminate between a person's needs on the basis of age, client group, geographical location, gender, ethnicity, social class, sexuality or any other basis other than from risk to independent living and wellbeing.

The new eligibility framework prioritises risk into 4 bands;

Critical Risk: Indicates that there are major risks to an individual's independent living or health and wellbeing likely to call for the immediate* or imminent* provision of social care services (high priority).

Substantial Risk: Indicates that there are significant risks to an individual's independence or health and wellbeing likely to call for the immediate or imminent provision of social care services (high priority).

Moderate Risk: Indicates that there are some risks to an individual's independence or health and wellbeing. These may call for the provision of some social care services managed and prioritised on an ongoing basis or they may simply be manageable over the foreseeable future* without service provision, with appropriate arrangements for review.

Low Risk: Indicates that there may be some quality of life issues, but low risks to an individual's independence or health and wellbeing with very limited, if any, requirement for the provision of social care services. There may be some need for alternative support or advice and appropriate arrangements for review over the foreseeable future or longer term*.

In these definitions, the timescale descriptions (marked*) are used to indicate that services are likely to be required as follows:

- **Immediate** – required now or within approximately 1-2 weeks;
- **Imminent** – required within 6 weeks;
- **Foreseeable future** – required within next 6 months;
- **Longer term** – required within next 12 months or subsequently.

4. **CURRENT FALKIRK COUNCIL ARRANGEMENTS REGARDING ELIGIBILITY CRITERIA WITHIN SOCIAL WORK SERVICES FOR ADULT SOCIAL CARE AND PERSONAL AND NURSING CARE**

- 4.1 Social Work Services receive referrals, via the duty worker in local community care teams, from a variety of sources many of which are police and health services. Community Care Teams operate a priority system (1/2/3) for undertaking assessments and this ensures that anyone who has a priority 1 need will be responded to quickly. Immediate needs will be acted on and services provided as appropriate to ensure a person's safety and immediate risks are dealt with. Teams use the single shared assessment format agreed with NHS Forth Valley. A copy of the Service's leaflet describing the assessment process is attached as Appendix 2.
- 4.2 Social Work Services do not currently operate Eligibility Criteria for the provision of services which are provided to people following an assessed need. Waiting times for the provision of these services are variable depending upon which service a person has been identified as requiring

An example is if someone is in need of care and support at home then this service is provided to them and there is no waiting list. If someone is assessed as requiring a residential care resource or a day care placement and can continue in current residence then the service is provided to them when that resource becomes available. For people who are assessed as needing particularly specialist provision there can be a lengthy waiting period due to lack of availability of these types of resources by providers.

- 4.3 In relation to personal and nursing care Social Work Services do not operate a waiting list for the allocation of funds categorised in this way. The Free Personal and Nursing Care funding will be paid when the resource becomes available for the person.
- 4.4 Local Authorities have a duty under section 12A of the Social Work (Scotland) Act 1968 to assess any adult who appears to need Community Care services. Good quality assessment practice is vital to the provision of better outcomes for people with social care needs and to ensure consistency and transparency in how decisions are reached. Over the years the Scottish Government has issued a number of guidance documents on the assessment framework (Single Shared Assessment) (2001), (2008). The 1968 Act clearly describes assessment as a two stage process; the first is the assessment of needs and following this having regard to results of that assessment the local authority shall decide whether the needs of the person call for the provision of services. The operation of the new Eligibility Criteria applies to the second stage of the assessment process. The 1968 Act recognises the central role of the local authority in determining where there are needs that call for the provision of community care services and how such needs should be met. Local authority resources require to be deployed effectively both in individual cases and across the Community Care client group. Eligibility Criteria therefore assists Local Authorities to achieve fairness, consistency and transparency in how decisions are taken.
- 4.5 The current priority arrangements for assessment operated in Falkirk reflect the categories outlined above in paragraph 3.4. To date, on a completion of an assessment where there has been identified needs, arrangements have been made for the provision of services for people in the first 3 categories. Due to the increasing demand for services this has had a major impact on the budget position. There is obviously a tension in relation to ensuring that resources are targeted to those most in need and also include the provision of services to those in lower need as a preventative measure to slow down or stop movement into the higher risk categories, where this is avoidable. This is a major challenge in implementing the new guidance.

5. PROPOSALS FOR IMPLEMENTATION

- 5.1 It is proposed that the new guidance should be applied across **ALL** care groups rather than this just being specifically for older people as this would lead to a 2 tier system being in operation and would not be an equitable position for adults across Falkirk. It could lead to priorities not being seen across all those who seek services and therefore failing to ensure the correct priority of provision of service.
- 5.2 It is proposed that priority should be given to those people whose needs and risks are assessed as being Critical or Substantial.

- 5.2.1 Confirmation can therefore be given to the Scottish Government that local arrangements for access to social care services and timescales for access to Personal and Nursing Care services are consistent with the finalised guidance.
- 5.3 It is proposed that a more limited approach should be taken to the provision of services when needs have been assessed as moderate and that services should only be provided where there is clear evidence that provision of services would prevent that person deteriorating to the point where their needs/risks became substantial. A descriptor of the needs which fall into each category and the proposed service response is contained in Appendix 3.
- 5.4. It is further proposed that ceilings for the level of service which would be provided to people whose needs are assessed as moderate could be applied, for example a maximum number of home care hours per week. Responsibility for setting these levels would rest with the Acting Director of Social Work Services.
- 5.5 It is proposed that the eligibility criteria would apply to all new service users from the point of approval by Members.
- 5.6 It is proposed that all existing service users are re-assessed against the eligibility criteria at the earliest opportunity. The process of re-assessment would take at least 6 months if reviews are undertaken within existing resources and consideration will be given to any ways in which this can be accelerated.
- 5.7 It is proposed that a more systematic approach will be taken to reviewing service users circumstances to ensure that levels of service continue to match levels of need and to insure that independence of service users is maximised.

6. FINANCIAL IMPLICATIONS

- 6.1 There is currently a national funding shortfall in relation to the provision of free personal and nursing care. As indicated in previous reports, other areas of adult social care budgets are also under severe pressure, most notably budgets relating to learning disabilities and physical disabilities. Implementation of eligibility criteria and ongoing review of service users against these criteria will ensure that resources are targeted at those people whose needs are greatest. It may also result in levels of service reducing for those people whose needs are assessed as moderate or who have been assisted towards higher levels of independence. This has the potential to alleviate budget pressures, however, the extent of this will not be clear until a full programme of re-assessment has taken place. There are potential financial benefits to concluding this programme as speedily as possible.

7 RECOMMENDATION

It is recommended that Council:

- 7.1 note the Guidance issued by the Scottish Government relating to Eligibility Criteria, as contained in Appendix 1**

7.2 approve the proposals set out in paragraphs 5.1 to 5.7

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Acting Director of Social Work Services

Date: 16th November 2009

Contact Officer: Margaret Anderson, Acting Director, 01324 506525

LIST OF BACKGROUND PAPERS

NONE

NATIONAL STANDARD ELIGIBILITY CRITERIA AND WAITING TIMES FOR THE PERSONAL AND NURSING CARE OF OLDER PEOPLE - GUIDANCE

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NATIONAL STANDARD ELIGIBILITY CRITERIA AND WAITING TIMES FOR THE PERSONAL AND NURSING CARE OF OLDER PEOPLE

INTRODUCTION

1.1 This document is issued by Ministers as guidance under section 5(1) of the Social Work (Scotland) Act 1968. Its terms have been agreed jointly by the Scottish Government and the Convention of Scottish Local Authorities (COSLA).

1.2 The aim of this document is to help achieve better outcomes for older people. It seeks to deliver the shared commitments agreed by Scottish Ministers and local authority elected members, following publication of Lord Sutherland's review of free personal and nursing care, to be introduced in 2009-10, including:

- a common standard eligibility framework for older people which categorises the needs of individuals and which is applied by all local authorities;
- a common commitment to deliver personal and nursing care services to older people within a maximum period of six weeks following the identification of need, identified as being at critical or substantial risk as regards their independent living or wellbeing;
- the application of the Single Shared Assessment model, and associated tools, by local authorities and their partners as a key element in ensuring consistent processes for individual needs assessment;
- appropriate management and review arrangements for responding to the needs of individuals assessed as having less intensive care needs, including preventative services; and
- the provision of £40m in additional funding from 2009-10 to respond to the impact of existing funding pressures, as identified by Lord Sutherland, and deliver measurable improvements in access to services for individuals.

1.3 Whilst promoting consistent and transparent national standards, the guidance also seeks to re-enforce the following key principles:

- the central role of assessment in determining access to social care services;
- the responsibility of local authorities to determine the provision of care services in their areas, taking account of their financial and other resources and the costs of service provision;
- that the prioritisation process should target resources towards responding to people at critical or substantial risk as regards independent living or wellbeing, whilst not excluding consideration of the benefits of preventative support and less intensive care services for people at less risk.

1.4 The implementation of this guidance will assist Councils and Partnerships to deliver improved outcomes for older people as set out in the National Framework for Community Care Outcomes.

1.5 It is also recognised that some councils might choose to apply the eligibility framework set out within this guidance to all community care groups – the framework is generic and need not be confined solely to the management of older people's care. It has been written in such a way that it can be applied consistently across all adult care groups if individual councils choose to do so. However, this is a matter solely for individual councils and is not tied to the agreement between Scottish Government and council Leaders on Free Personal and Nursing Care.

TIMESCALES

2.1 Councils are expected to ensure by **1 December 2009** that their local eligibility criteria and definitions for older people and the timescales for accessing personal and nursing care services are compatible with the national definitions and standards set out in this document.

FUNDING

3.1 The costs of implementing this guidance, alongside councils' existing expenditure on care services for older people, should be met from the £40 million in additional funding for 2009-10 allocated by Ministers.

BACKGROUND – SUTHERLAND REVIEW

4.1 The need for a national eligibility framework was originally identified in 2008 in reports on Free Personal Care published by Audit Scotland and subsequently by Lord Sutherland's Independent Review of Free Personal and Nursing Care in Scotland. Lord Sutherland's report acknowledged that it is an accepted principle of social care policy that local authorities will manage their resources to focus first on supporting those people who are in most urgent need. Lord Sutherland concluded that whilst the majority of councils were operating local arrangements in an appropriate way, it was crucial that the levers used by councils to manage access to finite care services - such as waiting lists and eligibility criteria - should be "transparent and should not inappropriately restrict legitimate access to care" to meet needs that call for the provision of a social care service.

4.2 Lord Sutherland concluded that greater national consistency in standards and expectations could be achieved without compromising local decision making. He recommended that there should be:

- a clear entitlement for those assessed as needing personal and nursing care, analogous with the NHS;
- a standard eligibility framework ;
- common assessment processes; and
- clearly stated target waiting times.

4.3 Lord Sutherland recommended that the move to more consistent and transparent processes should be linked with improved public information and understanding of the policy and better monitoring of financial and other information at local and national levels.

4.4 To support this approach, Scottish Ministers agreed to provide £40 million in additional funding to local authorities from 2009-10 to help stabilise the FPNC policy and improve outcomes for older people and more widely for all community care client groups. The specific focus of the resources is:

- to address the Free Personal Care funding shortfall identified in Lord Sutherland's report;
- to assist councils that have ceased charging older people for meals preparation or will cease these charges by 1 April 2009; and
- to assist the development of more consistent and transparent arrangements for eligibility and access to community care services, including waiting list management.

4.5 This guidance is issued within the context of significant changes to policy, planning and delivery of services for older people. The Sutherland Review^(a) recommended that, alongside immediate actions to stabilise and improve the delivery and clarity of free personal and nursing care, Government at all levels should undertake a much wider review of future funding and delivery of long-term care services and actions to prepare for demographic change. The Scottish Government, COSLA, NHS Scotland and stakeholders are in the process of taking forward this wider review.

WIDER POLICY CONTEXT

5.1 The projected growth in the numbers and proportions of older people; the need to continually improve health and social care outcomes; and the increasing cost of formal care mean that our strategic objective is to shift the balance of care for our older people, and develop preventative strategies. This means optimising independence and well being by enabling people to stay at home or in a homely setting, with maximum independence, for as long as possible - through access to universal services, through supporting unpaid carers and through a focus on re-ablement and rehabilitation.

5.2 This guidance, therefore, should be considered within the overall context of improving and sustaining the well-being of older people. Well-being is a broad-ranging concept affected in a complex way by a person's physical health, psychological state, level of independence, social relationships, and their

(a) Independent Review of Free Personal and Nursing Care in Scotland – A Report by Lord Sutherland – April 2008.

<http://www.scotland.gov.uk/Publications/2008/04/25105036/0>

relationships to salient features of their environment.¹ The improvement of well-being is allied to a more general move towards the personalisation of services, whereby people are encouraged to become actively involved in selecting and shaping the services they receive. Personalisation, including a strategic shift towards early intervention and prevention, will be the cornerstone of public services into the future.

5.3 The personalisation agenda marks a step-change in the way care and support services for older people are commissioned. Rather than only addressing illness or crisis interventions, services will be commissioned to promote and prolong well-being. Thus the emphasis has shifted to prevention. Older people in particular should benefit from the new commissioning agenda, including potential improvements in access to crucial low-level services that prevent further, more serious ill-health. To that end, it is recognised that councils and their partners will want to consider whether the provision of services or other interventions might help prevent or reduce the risk of an individual's needs becoming more intensive.

5.4 Similarly, the principle of re-ablement is at the heart of assisting older people to recapture and sustain well-being and autonomy after an acute episode of ill-health, or in the management of a long-term condition, or in response to a general deterioration in ability. This will normally involve intensive work with service users to increase their skills, confidence, and ability to live independently. This approach could involve assistive technologies like telecare, and is focused on achieving positive outcomes for older people, as well as reducing the number of people requiring ongoing social care support.

5.5 It is recognised that the use of eligibility criteria to manage demand for social care services alongside personalisation, early intervention and prevention, presents challenges for local partnerships. The Scottish Government and COSLA will seek to make available examples of good practice from the experience of partnerships in implementing this guidance.

5.6 It is also important that we learn from the experience of local authorities elsewhere in the UK in applying a national eligibility framework. In particular, a National Eligibility Framework – set out in the '*Fair Access to Care Services*' guidance – for social care services has operated in England for a number of years. During 2008, the UK Government commissioned the Commission for Social Care Inspection in England to undertake a review of the operation of the eligibility system. The Commission published its report in November 2008 and set out a number of recommendations for the future operation of the national eligibility framework for social care services in England. Elements of the Scottish guidance in this document aim to address concerns raised in the Commission's report. The framework emphasises the importance of the Single Shared Assessment as key to ensuring consistent processes in determining individuals' needs. Urgency of response has been included in the definitions of the eligibility categories. The framework also considers risk factors relating to carers in determining eligibility.

¹ World Health Organisation, 2003

5.7 Finally, the guidance and eligibility framework is designed to sit alongside other current relevant strands of work, including, for example, shifting the balance of care from hospital and residential care to home-based services; <http://www.shiftingthebalance.scot.nhs.uk/> action to enhance support for people with long-term conditions www.scotland.gov.uk/Topics/Health/NHS-Scotland/Delivery-Improvement/1835/210369; a new strategy for carers, to be published in 2010; further development of the personalisation agenda, building on the work that emerged from Changing Lives; and new approaches to the delivery of home care services. Further relevant policy documents are available on the Scottish Government web page: <http://www.scotland.gov.uk/Topics/Health>. These developments are particularly important in balancing the requirement to respond to immediate, high level care needs, with the aim of developing more personalised, self-managed and preventative care services described above.

ASSESSMENT PROCESS AND ELIGIBILITY CRITERIA

6.1 Under section 12A of the Social Work (Scotland) Act 1968 (“the 1968 Act”), local authorities have a duty to assess any adult who appears to need community care services. Good quality assessment practice is vital to the provision of better outcomes for people with social care needs and to ensuring consistency and transparency in how decisions are reached:

- Circular CCD8/2001: *Guidance on Single Shared Assessment of Community Care Needs* confirmed that the adoption of Single Shared Assessment was integral to the delivery of community care services.
- Circular CCD3/2008: *National Minimum Information Standards for Assessment and Care Planning for Adults* provided an updated version of the National Minimum Information Standards (NMIS) for assessment and introduced new standards for shared care and support plans, and for reviews. All partnerships were asked to ensure that they were operating the updated guidance, at least within their paper systems, by March 2009.

6.2 Assessment of needs is, of course, not a static process. Individuals’ needs can change over time, even over relatively short timescales. For example, an individual’s assessed needs may call for the provision of a certain level of services following discharge from hospital, but a different level of service once they are re-established in their own home. The operation of eligibility criteria and timescales by local authorities should take account of the wider care management and review process.

6.3 The 1968 Act clearly describes assessment **as a two-stage process**: first there is the assessment of needs and then, having regard to the results of that assessment, the local authority shall decide whether the needs of that person call for the provision of services. The operation of local eligibility criteria applies to this second stage of the assessment process.

6.4 The 1968 Act recognises the central role of the local authority in determining where there is need that calls for the provision of community care services and how such need should be met. Local authority resources require to be deployed effectively both in the individual case and across the community care client group.

Effective deployment of resources will include ensuring that they are applied in a fair, consistent and transparent manner. Eligibility criteria assist local authorities to achieve fairness, consistency and transparency in how decisions are taken. This guidance promotes a nationally consistent approach to the way in which local eligibility criteria are formulated whilst recognising that eligibility for community care services is fundamentally a matter for the local authority.

6.5 If someone appears to be in need of community care services they should receive a care needs assessment. Local authorities are encouraged to set a low threshold for access to a care needs assessment. Whether someone is eligible for a community care service is a matter that will be determined, having regard to eligibility criteria, by assessing the person's need for community care services and deciding whether there is need that calls for the provision of such a service. To support the policy direction on personalisation and self management, self assessment tools have a significant function in enabling the user or carer to consider the key outcomes they would like to achieve as part of their assessment of need.

6.6 Eligibility criteria recognise urgency and risk as factors in the determination of eligibility for community care services. Where an individual is eligible, the urgency of that individual's needs should be kept in focus in determining how to respond to the care needs assessment or on-going review. It is fundamental to the approach set out in this guidance that individuals who require services should not simply be placed in a date order queue. Response to need should be informed by the continuing systematic review of each individual's needs, including consideration of how urgently service provision is called for and what interim measures may be appropriate pending a more permanent response.

6.7 It is important to recognise that need, and the response to need, is often not a matter of simple assessment and response. For example, where there is a need for a range of services, the various needs and the various services that may be provided, or available, to meet those needs will be interdependent. This is where high quality professional judgement and the effective deployment of available services and resources to meet need is critical.

6.8 The following sections cover two separate elements:

- The first section (paragraphs 7.1 - 8.5) provides guidance on the application of a standard national framework for eligibility criteria for access to personal and nursing care services for older people.
- The second section (paragraphs 9.1-9.8) provides guidance on standard timescales for the delivery of personal and nursing care services.

ELIGIBILITY CRITERIA – A NATIONAL FRAMEWORK

7.1 This section sets out a national framework for eligibility criteria that local authorities should use in setting local eligibility criteria for access to personal and nursing care services for older people. Local eligibility criteria indicate what level of need councils and their partners recognise as requiring services. In setting such

criteria, local authorities will have regard to a range of factors including the overall level of resources available to meet need, the cost of service provision and ensuring equity in their service decisions. Eligibility criteria are a method for deploying limited resources in a way that ensures that those resources are targeted to those in greatest need, while also recognising the types of low level intervention that can be made to halt the deterioration of people in less urgent need of services. Eligibility criteria are intended to apply fairly and not discriminate between people's needs on the basis of age, client-group, geographical location, gender, ethnicity, social class, sexuality, or any other basis apart from risk to independent living and well-being.

7.2 The framework set out below is based on eligibility frameworks already operated by a majority of councils in Scotland for social care services. The operation of the national framework should continue to be based on an assessment, through the Single Shared Assessment process, of the needs of service users and risks to each individual's independent living and well-being. The framework considers both (a) the severity of the risks and (b) the urgency for intervention to respond to the risks. Some levels of risk will call for the provision of services as a high priority whilst others may call for some service provision, not as a high priority but managed and prioritised on an ongoing basis. Some may not call for any social care service at all as engagement in local community activities may be the most appropriate way of addressing the need. In other circumstances the assessment may indicate a potential requirement for service provision in the longer term which requires to be kept under review. As part of the process for assessment and considering whether an individual's needs call for the provision of services, it is for relevant social work staff to consider how each individual's needs match against eligibility criteria in terms of severity of risk and urgency for intervention. The eligibility framework prioritises risks into 4 bands: critical, substantial, medium and low:

Intensity of Risk

Critical Risk: Indicates that there are major risks to an individual's independent living or health and well-being likely to call for the immediate* or imminent* provision of social care services (high priority).

Substantial Risk: Indicates that there are significant risks to an individual's independence or health and wellbeing likely to call for the immediate or imminent provision of social care services (high priority).

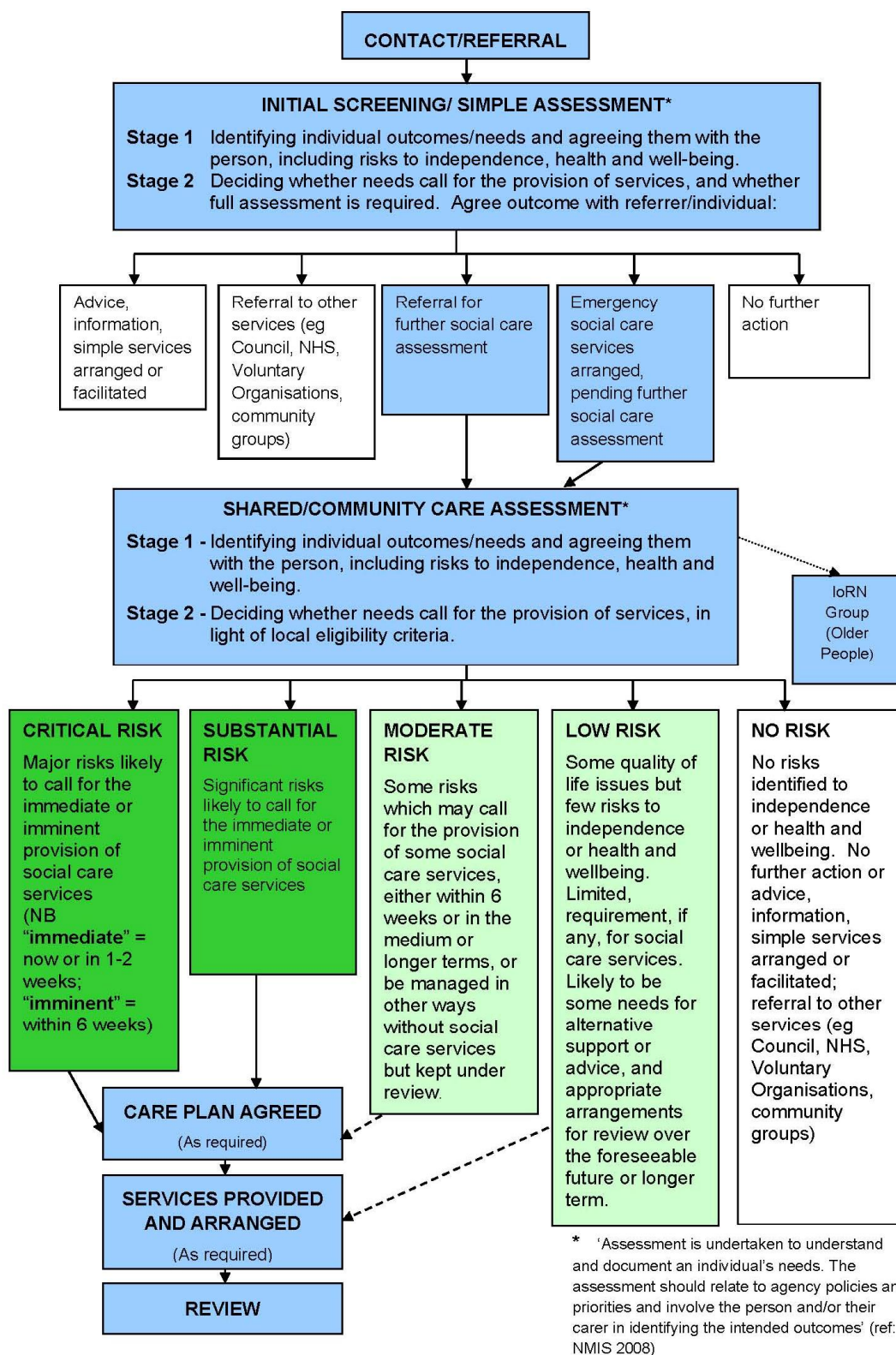
Moderate Risk: Indicates that there are some risks to an individual's independence or health and wellbeing. These may call for the provision of some social care services managed and prioritised on an ongoing basis or they may simply be manageable over the foreseeable future* without service provision, with appropriate arrangements for review.

Low Risk: Indicates that there may be some quality of life issues, but low risks to an individual's independence or health and wellbeing with very limited, if any, requirement for the provision of social care services. There may be some need for alternative support or advice and appropriate arrangements for review over the foreseeable future or longer term*.

In these definitions, the timescale descriptions (marked *) are used to indicate that services are likely to be required as follows:

- **Immediate** – required now or within approximately 1-2 weeks;
- **Imminent** – required within 6 weeks;
- **Foreseeable future** – required within next 6 months;
- **Longer term** – required within next 12 months or subsequently.

7.3 The following diagram illustrates how the intensity of risk and access to care services is determined using the standard eligibility criteria:



7.4 The above framework acknowledges that, in managing access to finite care resources, local authorities and their local partners focus first on those people assessed as having the most significant risks to their independent living or well-being. Where people are assessed as being in the ‘critical’ and ‘substantial’ risk categories their needs will generally call for the immediate or imminent provision of services. Those clients are entitled to receive such services and it is expected that they will receive them as soon as reasonably practicable and, in the case of older people in need of personal or nursing care services, not later than six weeks from the confirmation of need for the service. This is the minimum expectation on local partnerships. Both COSLA and the Scottish Government encourage partnerships to seek to provide support within their available resources, beyond this minimum level, and particularly to consider the benefits of preventative and lower intensity interventions. This is considered further in paragraph 8 below.

Definition of Risk Factors

7.5 The following table provides definitions of risk factors for each of the bands in the national eligibility framework. These are based on definitions already operated by some Scottish councils. Inevitably, these are broad descriptions and call on the judgement of those applying the eligibility criteria in each case. The Scottish Government, COSLA and ADSW will prepare “pen pictures” for each criterion to assist councils and their partners in interpreting the necessarily broad descriptions for each of the criteria.

Table 1: Definitions of Risk / Priority

CRITICAL	SUBSTANTIAL	MODERATE	LOW
(High)		(Medium / Preventative)	(Low/ Preventative)
Risks relating to neglect or physical or mental health			
Major health problems which cause life threatening harm or danger to client or others.	Significant health problems which cause significant risks of harm or danger to client or others.	Some health problems indicating some risk to independence and/or intermittent distress, potential to maintain health with minimum interventions.	Few health problems indicating low risk to independence, potential to maintain health with minimum interventions
Serious abuse or neglect has occurred or is strongly suspected and client needs protective intervention by social care services (includes financial abuse and discrimination).	Abuse or neglect has occurred or is strongly suspected (includes financial abuse and discrimination).	Vulnerable person need to raise their awareness to potential risks of abuse	Preventive measures including reminders to minimise potential risk of abuse

CRITICAL	SUBSTANTIAL	MODERATE	LOW
(High)		(Medium / Preventative)	(Low/ Preventative)
Risks relating to personal care /domestic routines /home environment			
Unable to do vital or most aspects of personal care causing a major harm or danger to client or others or major risks to independence.	Unable to do many aspects of personal care causing significant risk of danger or harm to client or others or there are significant risks to independence.	Unable to do some aspects of personal care indicating some risk to independence.	Difficulty with one or two aspects of personal care, domestic routines and/or home environment indicating little risk to independence.
Unable to manage the most vital or most aspects of domestic routines causing major harm or danger to client or others or major risks to independence.	Unable to manage many aspects of domestic routines causing significant risk of harm or danger to client or others or significant risk to independence.	Able to manage some aspects of domestic activities indicating some risk to independence.	Able to manage most aspects of basic domestic activities
Extensive/complete loss of choice and control over vital aspects of home environment causing major harm or danger to client or others or there are major risks to independence.	Substantial loss of choice and control managing home environment causing a significant risk of harm or danger to client or others or a significant risk to independence.	Able to manage some aspects of home environment, leaving some risk to independence.	Able to manage most basic aspects of home environment
Risks relating to participation in community life			
Unable to sustain involvement in vital aspects of work/ education/ learning causing severe loss of independence.	Unable to sustain involvement in many aspects of work/ education/ learning causing a significant risk to losing independence.	Unable to manage several aspects of involvement in work/ learning /education and this will, in the foreseeable future, pose a risk to independence.	Has difficulty undertaking one or two aspects of work/learning / education / family and/or social networks indicating little risk to independence.
Unable to sustain involvement in vital or most aspects of family /social roles and responsibilities and social contact causing severe loss of	Unable to sustain involvement in many aspects of family /social roles and responsibilities and social contact causing significant distress and/or risk to	Able to manage some of the aspects of family / social roles and responsibilities and social contact, that pose some risk to independence.	Able to manage most of the aspects of family / social roles and responsibilities and social contact, that pose some risk to independence.

CRITICAL	SUBSTANTIAL	MODERATE	LOW
(High)		(Medium / Preventative)	(Low/ Preventative)
independence.	independence.		
Risk relating to carers			
Carer has major physical/mental health difficulties due to the impact of their role as a carer causing life threatening harm or danger to themselves or others.	Carer has significant physical / mental health difficulties due to the impact of their role as a carer causing significant risk of harm or danger to themselves or others.	Carer able to manage some aspects of the caring / family / domestic / social roles. Potential risk to breakdown of their own health identified.	Carer able to manage most aspects; has difficulty undertaking one or two aspects of their caring / domestic role but with low risk.
There is a complete breakdown in the relationship between client and carer and carer is unable to continue caring or has difficulty sustaining vital or most aspects of their caring role.	There is a significant risk of breakdown in the relationship between client and carer and carer is unable to sustain many aspects of their caring role.	Relationship maintained although at times under strain between client and carer/ limiting some aspects of the caring role.	Relationship maintained between client and carer by limiting aspects of the caring role.
Carer is unable to manage vital or most aspects of their caring / family / work / domestic / social roles and responsibilities.	Carer is unable to manage many aspects of their caring / family / work / domestic / social roles and responsibilities.	Carer is able to manage some aspects of their caring / family / work / domestic / social roles and responsibilities	Carer is able to manage most aspects of their caring / family / work / domestic / social roles and responsibilities

7.6 It is for the Chief Social Work Officer / Director of Social Work to consider the changes necessary to any existing eligibility criteria in order to meet the requirements of the standard national eligibility framework. Each local authority should ensure that their local eligibility criteria are compatible with the national eligibility framework and definitions set out above, as well as ensuring that their arrangements for accessing care services are lawful and have been the subject of an equality impact assessment.

7.7 A key aim is to ensure that eligibility criteria are operated as consistently as possible by staff and that there is transparent understanding amongst service users, their families and the wider public about how decisions about access to care services are reached. It will be necessary for councils to train staff and prepare relevant public information on revised local eligibility criteria.

MODERATE AND LOW RISKS

8.1 The aim of the guidance set out above is to ensure greater consistency and transparency in standards for access to care services.

8.2 It remains the statutory responsibility of each local authority to assess the potential needs of each individual and consider whether those needs call for the provision of some social care service. An individual client may be assessed as having being at 'moderate' or 'low' risk, but this may still be considered by the council to require the provision of services. If so, the urgency for such intervention will require to be considered in determining how to respond to the care needs assessment or on-going review. As previously stated, it is not considered appropriate simply to place individuals who require services in a date order queue. Response to need should be informed by the continuing systematic review of each individual's needs, including consideration of how urgently service provision is called for and what interim measures may be appropriate pending a more permanent response.

8.3 It is also important that councils and their partners consider whether the provision of services or equipment or other interventions might help prevent or reduce the risk of an individual's needs becoming more intensive.

8.4 Councils should ensure that they have in place clear arrangements for meeting, managing or reviewing the needs of individuals who are not assessed as being at 'critical' or 'substantial' risk, including:

- adopting a strong preventative approach to help avoid rising levels of need;
- embedding preventative strategies at every level of the social care system, informed by assessment of local needs and created in partnership with relevant agencies;
- timely investment in re-ablement services, therapy, intermediate care and assistive technologies to reduce the number of people requiring ongoing social care support;
- an actively managed waiting list for those who are intended to receive service provision;
- a clear timescale for review of needs arising from the care needs assessment;
- provision of advice on alternative sources of support and request to contact relevant referring agent if needs change.

8.5 As set out in previous guidance, individual clients should receive clear information about the support they will receive based on the care needs assessment.

MANAGING WAITING TIMES

9.1 This section sets out requirements for the operation of a standard national waiting time for the delivery of personal and nursing care services for older people.

As acknowledged in section 6, local authorities need to be able to manage their resources to effectively meet demand for care services.

9.2 As noted above, drawing on the national framework, local eligibility criteria should be based on an assessment of the severity of risks to independence and wellbeing and the urgency with which any social care intervention is called for.

9.3 Those people assessed as being at 'critical' or 'substantial' risk are likely to have an immediate or imminent requirement for care services. For people at 'critical' risk, local authorities will continue to arrange and deliver services as a matter of urgency, often within a matter of days.

9.4 For older people in need of personal and nursing care services assessed at 'critical' or 'substantial' risk, a maximum 6 week waiting time standard is defined in this guidance.

Personal and Nursing Care Services - Standard Waiting Time from Confirmation of Need to Delivery of Service

9.5 For older people assessed as being at 'critical' or 'substantial' risk there should be a standard maximum waiting time for personal and nursing care services of **six weeks (42 calendar days)** from the 'confirmation of need' to the 'delivery of service':

- "Confirmation of need" means the point at which an individual's need for personal or nursing care services is identified against the eligibility criteria following the care needs assessment or review. The individual may already be in receipt of some existing or emergency service or services.
- "Delivery of service" means the point at which personal and nursing care services as set out in the agreed Care Plan are being delivered to the client. It is acknowledged that some elements of the full agreed Care Plan, e.g. complex equipment or adaptations may not fully be in place.
- "Personal and nursing care services" means social care within the meaning of section 1 of, and schedule 1 to, the Community Care and Health (Scotland) Act 2002 as read with any regulations made under section 1 or 2 of that Act.

9.6 The terms of the definitions will be given in more detail in the guidance on monitoring and reporting that will issue separately.

9.7 Chief Social Work Officers / Directors of Social Work should ensure that their local arrangements aim to deliver agreed personal and nursing care services for all older people within the 'critical' or 'substantial' bands, as defined in the national eligibility framework, within the standard 6 week timescale.

9.8 Local authorities should keep under review both the overall management of waiting times against the standard and particular circumstances where the standard is not met for whatever reason.

Assessment Timescales

9.9 As noted above, local authorities have a clear statutory duty to assess the needs of any adult who appears to be in need of community care services. It would not be appropriate for delays with assessment processes to be used to manage access to or demand for social care services. It is not possible to determine fully the urgency with which an individual might require services before an assessment has commenced. However, COSLA and the Scottish Government have agreed that local partnerships should monitor the timescales from first referral to confirmation of need and summary information should be collected nationally.

- “First referral” means the point at which the potential need for an assessment is first notified to the council or a care needs review is initiated.
- “Confirmation of need” means the point at which an individual’s needs are identified against the eligibility criteria following the care needs assessment or review.

9.10 No firm standard or target has been set for this timescale. However, COSLA and the Scottish Government will keep under review the information collected from councils on the actual timescales between first referral and confirmation of need and consider what appropriate standard or standards might be applied in future. As with the “delivery of service” measurement, more detailed guidance on the national measurement of actual timescales experienced will be issued separately.

NATIONAL MONITORING

10.1 The Scottish Government will continue to collect quarterly statistical information on the numbers of clients receiving Personal and Nursing Care services. It will also continue to collect specific information on local authority expenditure levels on personal and nursing care and other care services for older people through the annual Local Finance Returns.

10.2 In addition, the Scottish Government and COSLA will ask councils to compile, from **1 December 2009**:

- information on the numbers of individuals identified within the eligibility criteria;
- information on the timescales from initial referral to the confirmation of need, as described above and in the more detailed measurement guidance;
- information on timescales from the confirmation of need to the initial delivery of services, as described above and in the more detailed measurement guidance. This information will enable monitoring of the national standard.

REVIEW

11.1 The Scottish Government and COSLA will continue to reflect on our work to stabilise the Free Personal and Nursing Care policy in general and the delivery of the eligibility framework in particular.

11.2 Local authorities and partners should keep under review the way that the eligibility criteria are applied locally in practice to ensure consistency, transparency, and fairness. A key aim is a transparent understanding amongst service users, their families and the wider public about how decisions about access to care services are reached.

11.3 Local profiling of the application of the eligibility criteria by age band, gender, relative need or dependency (Indicator of Relative Need group), and ethnic group will provide local authorities with the information they need to demonstrate over time, and, if they choose through 'benchmarking', the consistency with which they are applying the criteria. For many local authorities use of the IoRN will be new. Local authorities should ensure that they are able to collect and analyse IoRN information by the end of 2009/10.

11.4 Local authorities are asked to notify the Scottish Government and COSLA of any significant future changes to the operation of their eligibility criteria and waiting times.

CONTACTS

12.1 For further information or any enquiries about this guidance, please contact: Shaun Eales, Scottish Government, Room 2ER, St Andrews House, Regent Road, Edinburgh, EH1 3DG, Tel; 0131 244 5430, E: shaun.eales@scotland.gsi.gov.uk, or Ron Culley at COSLA Tel: 0131 474 9257, E-mail: ron@cosla.gov.uk.

September 2009

Social Work offices

Please contact your local Social Work office, if you need advice or assistance. The offices are open Monday to Friday 9.00am-5.00pm.

Please note that sending e-mails is not secure as there is a risk that they could be intercepted and read by someone else. Please bear this in mind when sending personal information by e-mail.

Social Work Headquarters

Brockville
Hope Street
Falkirk
FK1 5RW
T: 01324 506400

Grahamston Office

150 Grahamston Road
Falkirk
FK2 7BQ
T: 01324 506595
E: grahamston.swk@falkirk.gov.uk

Laurieston Office

1 James Street
Laurieston
FK2 9FZ
T: 01324 500300
E: laurieston.swk@falkirk.gov.uk

Grangemouth Office

Oxgang Road
Grangemouth
FK3 9EF
T: 01324 504343
E: grangemouth.swk@falkirk.gov.uk

Boness Office

Kinglass Centre
Gaulze Road
Boness EH51 9UE
T: 01506 778668
E: boness.swk@falkirk.gov.uk

Emergency Duty Team: If you need an urgent Social Work Service outwith normal working hours, please phone 01786 470500.

Hospital Social Work team (for facilitating hospital discharge)

Falkirk Royal Infirmary
Social Work Unit (Rt 5)
Majors Loan
Falkirk FK1 5QE
T: 01324 616039

Meadowbank Office

1 Salmon Inn Road
Polmont
FK2 0XF
T: 01324 508853
E: meadowbank.swk@falkirk.gov.uk

Denny Office

Canonbank House
Canonbank Crescent
Denny FK9 6GA
T: 01324 504160
E: denny.swk@falkirk.gov.uk

Stenhousemuir Office

130 King Street
Stenhousemuir
FK5 4HS
T: 01324 508503
E: lerbart.swk@falkirk.gov.uk

Carnelon Office

108B Glasgow Road
Carnelon
FK1 4HS
T: 01324 501200
E: carnelon.swk@falkirk.gov.uk

If you would like this information in another language, Braille, LARGE PRINT or audio, please contact your local Social Work office.

Polish

Józefi chciałbyś/chciałabyś uzyskać owe informacje w języku innym aniżeli język angielski, w języku Braille'a, w DUŻYM FORMACIE lub zapisane na kasetach audio skontaktuj się z lokalnym biurem Opieki Społecznej (social work office).

Lithuanian

Jeigu Jūs norėtumėte gauti šią informaciją kita kalba, Brailio šriftu, spausdintu šriftu ar įrašintą, prašome susisiekti su Jūsų vietiniu socialinės rūpybos ofisu.

Arabic

إذا كنت بحاجة إلى هذه المعلومات بلغة أخرى، بريد جروف كبير، أو مسجلة صوتياً نرجوا منك الاتصال بمكتب الخدمات الاجتماعية المحلي.

Urdu

اگر آپ معلومات در زبان اردو میں حاصل کرنا چاہتے ہیں تو براہ کرم بزرگ حروف یا مسجلہ صوتیہ سے رابطہ کریں۔

Chinese

如果你希望獲得此份資料的其他語言，國字、大號字印刷或者錄音格式，請與你附近的社會工作辦公室聯絡。

Punjabi

ਜੇਕਰ ਤੂੰ ਹੋਰ ਸ਼ਬਦਾਵਲੀ ਵਿਚ ਇਹ ਜਾਣਨਾ ਚਾਹੁੰਦਾ ਹੈ ਜਾਂ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਸ਼ਬਦਾਵਲੀ ਪੜ੍ਹਨਾ ਚਾਹੁੰਦਾ ਹੈ ਤਾਂ ਸੋਸ਼ਲ ਵਰਕ ਆਫਿਸ ਨਾਲ ਸੰਪਰਕ ਕਰ।

SWC21

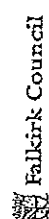
www.falkirk.gov.uk



Falkirk Council

May 08

social work ... putting people first



Falkirk Council

what is an assessment?

Assessment is the way in which we establish - with you - what your needs are. It also helps ensure that services and resources go first to those in greatest need.

You have a right to an assessment of your needs (and so does your carer).

Carers should refer to our leaflet called 'Are you a Carer?'

How we can help is available from all local Social Work offices or from our website www.falkirk.gov.uk.

initial assessment

When you contact Housing and Social Work Services you will speak to a member of our staff who will ask you a number of simple questions about your current circumstances. The answers you give will enable us to determine whether and when we can assist you in meeting your needs.

a comprehensive or standard assessment

If your needs are complex, or if you are concerned about the future, (but are coping quite well now) we may ask if we can visit to carry out a thorough assessment. We may also (with your permission) seek advice from relatives or your G.P.

what happens next?

Once we have completed an assessment, we will discuss with you what services are available to meet your needs; how long you may have to wait; what the options are, and what you want.

We will also explain any charges, however a number of our services are provided free of charge.

You are entitled to ask for a copy of your assessment and to have it explained - and for a copy of the complaints procedure if you are dissatisfied.

when will the assessment be carried out?

The time taken to complete an assessment depends on a number of factors - for example the availability of staff such as O.T.'s with the specialist skills to assess your needs and the current level of demand.

If you are waiting for an assessment and your circumstances change or worsen, please let us know so that we can review the urgency of your need, and if necessary give it a higher priority.

We operate a priority system:

Priority 1

We must give first priority to those whose safety is at immediate risk, and there is no one else available or willing to help. We respond to these situations immediately.

Priority 2

If your physical safety is increasingly at risk, you are

struggling with all the activities of daily living and your own carers are under increasing pressure, we will respond as soon as we can after priority 1 situations.

Priority 3

You may be asking for help because:

- Your family or care network may require support.
- Your personal care needs require the provision of some assistance, though you can manage most things.
- You need some basic equipment, to help maintain your independence.

We will undertake an assessment and arrange a service as soon as we can - but you may have to wait some time. We will try to give an estimate of how long the wait is likely to be at the time of your first contact.

how to comment on our service

We always welcome feedback about our service

- tell us what you think we got right, as well as what we did not get right. This helps us to make sure that our services are the best they can be for you in the future. You can pass any comments to the member of staff providing the service. Alternatively you can pick up a comments form from any local Social Work office, or you can complete the online feedback form which is available on our website.

We hope that you're happy with the service, but if you're not then please speak initially to the staff member providing the service you received as most problems can be dealt with quickly by them. If the matter still can't be resolved then you can speak to their manager. If you're still not happy with the response then you can follow our formal complaints procedure which is outlined in our complaints leaflet. You can pick up a leaflet from any social work office or you can download it from our website.

Levels of Risk / Priority

CRITICAL(1)	SUBSTANTIAL(2)	MODERATE(3)	LOW(4)
(High)		(Medium / Preventative)	(Low/ Preventative)
Risks relating to neglect or physical or mental health			
<p>Major health problems which cause life threatening harm or danger to client or others.</p> <p><i>In line with current policy Falkirk Council would always meet the needs of individuals in this category</i></p>	<p>Significant health problems which cause significant risks of harm or danger to client or others.</p> <p><i>In line with current policy Falkirk Council would continue to meet the needs of individuals in this category</i></p>	<p>Some health problems indicating some risk to independence and/or intermittent distress, potential to maintain health with minimum interventions.</p> <p><i>Services would only be provided if there was a clear assessment that service provision would prevent a service user deteriorating to the point where they entered the high risk categories. Limits would be placed on the levels of service which would be provided</i></p>	<p>Few health problems indicating low risk to independence, potential to maintain health with minimum interventions</p> <p><i>Services would not be provided directly by Falkirk Council, however, service users would be signposted to other organisations for support</i></p>
<p>Serious abuse or neglect has occurred or is strongly suspected and client needs protective intervention by social care services (includes financial abuse and discrimination).</p> <p><i>Falkirk Council offers a wide range of support to individuals in this category ranging from extensive learning disability and mental health services to council run residential care services. This would continue</i></p>	<p>Abuse or neglect has occurred or is strongly suspected (includes financial abuse and discrimination).</p> <p><i>Falkirk Council would continue to offer services to individuals in this area. We have a strong commitment to protecting are vulnerable adults and older people in particular and this would not change</i></p>	<p>Vulnerable person need to raise their awareness to potential risks of abuse.</p> <p><i>Service provision would be more limited and may consist of advice and guidance. Systems would be in place to ensure that people were reviewed periodically to ensure that risks had not escalated</i></p>	<p>Preventive measures including reminders to minimise potential risk of abuse.</p> <p><i>This area of work would be promoted through interagency approaches to adult protection</i></p>

CRITICAL(1)	SUBSTANTIAL(2)	MODERATE(3)	LOW(4)
(High)		(Medium / Preventative)	(Low/ Preventative)
Risks relating to personal care /domestic routines /home environment			
Unable to do vital or most aspects of personal care causing a major harm or danger to client or others or major risks to independence.	Unable to do many aspects of personal care causing significant risk of danger or harm to client or others or there are significant risks to independence.	Unable to do some aspects of personal care indicating some risk to independence.	Difficulty with one or two aspects of personal care, domestic routines and/or home environment indicating little risk to independence.
Unable to manage the most vital or most aspects of domestic routines causing major harm or danger to client or others or major risks to independence.	Unable to manage many aspects of domestic routines causing significant risk of harm or danger to client or others or significant risk to independence.	Able to manage some aspects of domestic activities indicating some risk to independence.	Able to manage most aspects of basic domestic activities
Extensive/complete loss of choice and control over vital aspects of home environment causing major harm or danger to client or others or there are major risks to independence. <i>Falkirk Council provide a range of services to individuals in this area and would continue to do so</i>	Substantial loss of choice and control managing home environment causing a significant risk of harm or danger to client or others or a significant risk to independence. <i>Falkirk Council provide a range of services to individuals in this area and would continue to do so</i>	Able to manage some aspects of home environment, leaving some risk to independence. <i>Services would only be provided if there was a clear assessment that service provision would prevent a service user deteriorating to the point where they entered the high risk categories. Limits would be placed on the levels of service which would be provided</i>	Able to manage most basic aspects of home environment <i>Services would not be provided directly</i>

CRITICAL(1)	SUBSTANTIAL(2)	MODERATE(3)	LOW(4)
(High)		(Medium / Preventative)	(Low/ Preventative)
Risks relating to participation in community life			
<p>Unable to sustain involvement in vital aspects of work/ education/ learning causing severe loss of independence.</p> <p><i>Falkirk Council will continue to offer services to individuals in this category, where no alternative forms of support are available</i></p>	<p>Unable to sustain involvement in many aspects of work/ education/ learning causing a significant risk to losing independence.</p> <p><i>Falkirk Council will continue to offer services to individuals in this category, where no alternative forms of support are available</i></p>	<p>Unable to manage several aspects of involvement in work/ learning /education and this will, in the foreseeable future, pose a risk to independence.</p> <p><i>Falkirk Council will signpost individuals to community organisations that will assist them</i></p>	<p>Has difficulty undertaking one or two aspects of work/learning / education / family and/or social networks indicating little risk to independence.</p> <p><i>Falkirk Council will signpost individuals to community organisations that will assist them</i></p>
<p>Unable to sustain involvement in vital or most aspects of family /social roles and responsibilities and social contact causing severe loss of independence.</p> <p><i>Falkirk Council will assist individuals to maintain family life and social connections</i></p>	<p>Unable to sustain involvement in many aspects of family /social roles and responsibilities and social contact causing significant distress and/or risk to independence.</p> <p><i>Falkirk Council will assist individuals to maintain family life and social connections</i></p>	<p>Able to manage some of the aspects of family / social roles and responsibilities and social contact, that pose some risk to independence.</p> <p><i>Falkirk Council will signpost individuals to community organisations that will assist them</i></p>	<p>Able to manage most of the aspects of family / social roles and responsibilities and social contact, that pose some risk to independence.</p> <p><i>Falkirk Council would signpost individuals in this category to other agencies who can assist</i></p>
Risk relating to carers			
<p>Carer has major physical/mental health difficulties due to the impact of their role as a carer causing life threatening harm or danger to themselves or others.</p>	<p>Carer has significant physical / mental health difficulties due to the impact of their role as a carer causing significant risk of harm or danger to themselves or others.</p>	<p>Carer able to manage some aspects of the caring / family / domestic / social roles. Potential risk to breakdown of their own health identified.</p>	<p>Carer able to manage most aspects; has difficulty undertaking one or two aspects of their caring / domestic role but with low risk.</p>
<p>There is a complete breakdown in the relationship between client and carer and carer is unable to continue</p>	<p>There is a significant risk of breakdown in the relationship between client and carer and carer is unable to sustain many</p>	<p>Relationship maintained although at times under strain between client and carer/ limiting some</p>	<p>Relationship maintained between client and carer by limiting aspects of the caring role.</p>

CRITICAL(1)	SUBSTANTIAL(2)	MODERATE(3)	LOW(4)
(High)		(Medium / Preventative)	(Low/ Preventative)
caring or has difficulty sustaining vital or most aspects of their caring role.	aspects of their caring role.	aspects of the caring role.	
<p>Carer is unable to manage vital or most aspects of their caring / family / work / domestic / social roles and responsibilities.</p> <p><i>Falkirk Council would continue to offer support to carers in this category. Many carers require active respite and personal support in their own right and as a council we would continue to support individuals under this much pressure and stress</i></p>	<p>Carer is unable to manage many aspects of their caring / family / work / domestic / social roles and responsibilities.</p> <p><i>Falkirk Council would continue to offer support to individuals carers in this category</i></p>	<p>Carer is able to manage some aspects of their caring / family / work / domestic / social roles and responsibilities.</p> <p><i>Falkirk Council would support carer organisations to provide services to carers in this category</i></p>	<p>Carer is able to manage most aspects of their caring / family / work / domestic / social roles and responsibilities.</p> <p><i>Falkirk Council would support carer organisations to provide services to carers in this category</i></p>

FALKIRK COUNCIL

Subject: ALLOCATIONS POLICY IMPLEMENTATION
Meeting: FALKIRK COUNCIL
Date: 9TH DECEMBER 2009
Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 Members will recall the report to Housing & Social Services Committee on 9 December 2008 which asked Members to agree the Council's Allocation Policy as set out in Appendix 1. The report noted the proposal to bring further reports to Members setting out a timetable for transition to the new policy subject to the implementation of the Integrated Housing Management System (IHMS)
- 1.2 Members will also recall that at the meeting on 11 August 2009, Policy and Resources Committee agreed the recommendation to accept the tender from Capita to provide an IHMS with the allocations module planned to go live in January 2010. The purpose of this report is to:
- provide details of the transition to the new allocation arrangements;
 - set out in further detail and seek approval of arrangements for allocating adapted houses and Housing with Care; and
 - seek approval to re-categorises properties currently designated as Housing for the Elderly as either Level 3 Housing with Care or mainstream housing.

2. IMPLEMENTATION OF IHMS

- 2.1 A small project team has been established to work with Capita to implement the IHMS system. Based at Seabegs Road Bonnybridge, the team has initially focused on cleansing data contained on the existing allocations system prior to transfer of this information to the Capita system. The team has also worked with allocations consultants from Capita to develop and configure the IT system to meet the requirements of the Council's revised Allocations Policy and the team has received training in the operation and administration of the Capita system. To date, two successful transfers of housing applicant details have been carried out and systems testing using this data is now in progress.
- 2.2 The final transfer of applicant details to the Capita system will take place in early December to allow data testing to be completed prior to the system going live on 5 January 2010. From that date, vacant mainstream properties will be advertised and allocated through Choice Based Lettings.

3. INFORMATION FOR EXISTING APPLICANTS

- 3.1 Members are aware that we have recently written to all applicants to tell them about the changes to housing allocations and the implications for their housing application. At the same time, we are taking the opportunity to:
- ensure that applicants wish to be registered for housing with the Council;
 - advise applicants which applicant group they are placed in i.e Home Seeker, Home Mover or Home Starter;
 - gather additional information from applicants to allow their circumstances to be prioritised according to the revised allocations policy;
 - ensure that relevant details regarding their housing circumstances are up-to-date; and
 - advise applicants with no housing needs based on the circumstances currently recorded that their priority under the revised policy will be Band 4.
- 3.2 A reply paid envelope has been provided to enable applicants to return their response. For applicants who require further assistance, a freephone telephone service has been provided so that a member of staff can contact them directly.
- 3.3 Additional and amended information returned by applicants is being processed prior to the final transfer of data to the Capita system. A reminder letter is being sent to those applicants who have a housing need but so far have failed to respond advising that until they reply their application will be suspended for no contact and they will be unable to bid for properties.

4. LAUNCH OF NEW ARRANGEMENTS

- 4.1 In addition to the letters which have been sent to all applicants currently on the housing list, the new allocations arrangements are being publicised more widely. Information is available on the Council's Website and the current editions of the tenants' newsletter "In the Neighbourhood" and the "Falkirk Council News" are carrying features on the new arrangements and a press release has been sent to the local press. The plasma TV screens in local offices/One Stop Shops and posters in appropriate Council offices and libraries will also display information.
- 4.2 The revised allocations policy and choice base letting system will be branded as "Homespot" and a new application form and information for applicants are being printed with this branding. A newsletter, carrying the Homespot branding will be produced and distributed fortnightly, to advertise the properties which are available for letting. The newsletter will be available in local offices/One Stop Shops and other appropriate Council offices and libraries. It will also be routinely distributed to partner and advocacy organisations. Details of available properties will also be listed on the Council's Website.
- 4.3 Allocations of properties using the current policy and matching process will cease at close of business on 31 December 2009. The first properties will be advertised in a cycle commencing on 13 January 2010 at 12 noon with bids for the available properties closing at 4pm on 26 January 2010. All bids received at any time between these dates will be

considered and thereafter prioritised according to the revised Allocations Policy. Vacant mainstream properties will be advertised on a fortnightly basis thereafter.

- 4.4 Applicants will be given a unique “PIN” to enable them to bid for the properties advertised in a number of ways – via the Council Website from any location with Internet access, at local offices/One Stop Shops and using a Freephone Service. PIN Numbers and details of how to bid for properties will be sent to current applicants from 5 January 2010.

5. TRAINING

- 5.1 Staff in local offices/One Stop Shops have attended briefing sessions on the new arrangements and detailed training for key frontline staff on the Capita system is programmed for early December 2009. Thereafter, training on the Capita system will be rolled out across Neighbourhood Services as appropriate.
- 5.2 A demonstration of the new system will be held in January 2010 and Members will receive an invitation to this event.

6. LETTING ADAPTED HOUSING

- 6.1 Members will recall that the revised allocations arrangements did not include advertising adapted properties. Falkirk Council has a number of such properties across its housing stock and when these are available for re-letting, we seek to match them with applicants on our housing list who require such facilities. An adapted property is one that is suitable for a person with a medical condition or disability and has one or more of the following adaptations:
- A low/level access shower or wet room;
 - An external ramp or altered steps; and
 - A fully adapted and accessible kitchen
- 6.2 Detailed arrangements for prioritising applicants and matching applicants to properties which have been adapted have been developed to complement the provision of other Community Care services for people with disabilities and to take account of the national eligibility criteria. These arrangements are set out in Appendix 1. It is proposed that this Appendix be included within Section 5.3 of the Housing Allocations Policy.
- 6.3 Applicants who require adapted housing will register with the Council in the normal manner. The registration form records basic details about the applicant and their household, their housing circumstances and their housing preferences. The registration form also indicates if the applicant (or any member of their household) requires accommodation with specific adaptations such as low/level access shower or wet room, ramp or level access, adapted kitchen.
- 6.4 Where the applicant has indicated that they require adapted accommodation, their needs are assessed using the Single Shared Assessment model and eligibility criteria are applied to prioritise the urgency with which a move to adapted housing is required.

- 6.5 To match an available property, a short list of suitable applicants will be drawn up. These are applicants whose:
- needs are such that they require the adaptations available and
 - whose family complement meets the household size criteria for the property
 - whose housing preferences match the vacancy available
- 6.6 Short-listed applicants are ranked in order of eligibility criteria priority awarded. Where there is more than one applicant with the same level of priority, the applicant who has had the award of priority longest will be offered the property.
- 6.7 Where there is no adapted housing available to meet the needs of a particular applicant with eligibility criteria Priority 1 or 2, the applicant may be matched to a vacant mainstream property which is suitable for adaptation as outlined in Section 2.3 of Appendix 1.
- 6.8 It is anticipated that the comprehensive process of assessment and matching applicants to available vacancies will result in successful offers of tenancies of adapted houses. However, in an effort to ensure that adapted housing is utilised to maximum potential in terms of addressing the particular needs of applicants and complementing community care services, there is no limit on the number of offers of adapted accommodation that an applicant can receive.

7. LETTING HOUSING WITH CARE

- 7.1 Similarly, the revised allocation arrangements do not include advertising Housing with Care. Falkirk Council's Housing with Care provides accommodation which is aimed at older people who want to live independently in their own self contained home but in a socially supportive environment.
- 7.2 Housing with Care is provided at three different levels:
- 27 x Level 1 properties (Dorrator Court);
 - 230 x Level 2 properties (Salmon Court; Glenfuir and Glenbrae Courts; Tygetshaugh Court and Cottages); and
 - 106 x Level 3 properties in a variety of locations across the Council area.
- 7.3 Detailed arrangements for prioritising applicants and matching applicants to Housing with Care vacancies have been developed to complement the provision of other Community Care services for older people and to take account of the national eligibility. These arrangements are set out in Appendix 2. It is proposed that this Appendix be included within Section 5.2 of the Housing Allocations Policy.
- 7.4 To qualify for Housing with Care, applicants must normally be aged 60 or over and have support needs. Support needs are assessed using the Single Shared Assessment model and eligibility criteria are applied to prioritise the urgency with which a move to Housing with Care is required. Existing applicants for Housing with Care have been assessed using this methodology.

- 7.5 There are separate lists for each of the three levels of Housing with Care. It is proposed that when a Level 1 or 2 Housing with Care property becomes available for letting, it is matched to an applicant on the register whose needs and housing preferences match the property. Qualifying applicants will be prioritised according to eligibility criteria and matched to the property as detailed in Sections 2.1 and 2.2 of Appendix 2.
- 7.6 It is anticipated that the comprehensive process of assessment and matching applicants to available properties will result in successful offers of tenancies of Level 1 & 2 Housing with Care properties. However, in an effort to ensure that Housing with Care resources are utilised to the maximum potential in terms of delivering community care services and assisting vulnerable people move to appropriate housing, it is proposed that there be no limit on the number of offers of Level 1 & 2 Housing with Care that applicants can receive.
- 7.7 In respect of Level 3 Housing with Care, currently there are 106 such properties across the Council. In addition to these, there are a further 574 properties which are currently designated as “Housing for the Elderly”. These properties were originally mainstream housing and approximately 15-20 years ago, a policy decision was taken to allocate them to older people. There were two reasons for this:
- funding was available from national government to install central heating in properties occupied by older people; and
 - concern that allocating properties to young people in groups of houses that were predominantly occupied by older residents could create a range of housing management difficulties. To address these concerns, allocations in such blocks were restricted to older applicants who had a similar lifestyle to the other occupants in the block.
- 7.8 Whilst this arrangement was appropriate at the time, many of the older people who previously occupied these properties have since died or moved away and it is now considered that some of these properties are suitable to meet general housing needs. For example, a number of the properties are upper tenement flats which are not ideally suited to older people and in some cases, there are no older applicants on the waiting list.
- 7.9 There is also the need to ensure that the lettings policy takes account of the Council’s obligations under housing and equalities legislation by ensuring that there is fair and appropriate access to the housing stock. Restricting access to properties that were originally designed to meet general housing needs to one particular client group on the basis means that the Council’s policy could be subject to criticism by the Scottish Housing Regulator. Notwithstanding this, the revised allocations policy has provision for specific properties to be the subject of a local lettings initiative in appropriate circumstances.
- 7.10 In respect of the properties currently identified as Housing for the Elderly, analysis has been of the physical attributes of each individual property and current demand from older people has been carried out. From this analysis, it is proposed that 316 of the properties designated as Housing for the Elderly be re-categorised as Level 3 Housing with Care and the remaining 258 properties be made available for mainstream letting. Appendix 3 sets out in detail the proposed changes to the list of properties currently designated as Housing for the Elderly.

- 7.11 Re-categorising properties in this way will increase the number of Level 3 Housing with Care properties across the Council to 422. It is proposed that when a Level 3 Housing with Care property becomes available for letting, it should be advertised in the same way as mainstream houses through the choice-based lettings scheme. Adverts will specify that preference will be given to bids from applicants who have been assessed as requiring Level 3 Housing with Care as set out in Section 2.3 of Appendix 2. By advertising these properties, it is anticipated that awareness of this housing option will increase across our communities.
- 7.12 In accordance with the policy for letting mainstream housing, it is proposed that an applicant's priority for Level 3 Housing with Care be reviewed if there have been two instances where an applicant successfully bids for a property then refuses it.

8. CONCLUSION

- 8.1 Arrangements are well advanced for the transfer of the details of current housing applicants to the Capita IT system and for the first module of this IHMS to be operational from January 2010. This will enable the revised allocations policy and Choice Based Letting system for mainstream housing to be implemented with effect from 5 January 2010.
- 8.2 As part of the implementation of the revised allocations policy, detailed letting arrangements for adapted and Housing with Care properties have been developed. These arrangements aim to make the best use of the Council's housing stock and help those with particular needs move to appropriate accommodation in a manner which takes account of the national framework of eligibility criteria for community care services.
- 8.3 In developing these arrangements for Housing with Care, it has been recognised that properties currently designated as "Housing for the Elderly" require to be reviewed to ensure that the best use is made of the Council's housing stock and that all legislative requirements are adhered to.

9. RECOMMENDATIONS

Council is requested to:

- 9.1 **Note the progress of transition to the revised Allocations Policy and Choice Based Lettings system approved in December 2008**
- 9.2 **Note the timetable for implementation of the new allocation arrangements with effect from 5 January 2010**
- 9.3 **Approve the inclusion in the Allocations Policy the arrangements for letting adapted houses and Housing with Care as attached at Appendices 1 & 2**
- 9.4 **Approve re-categorisation of the properties listed in Appendix 3 as either Level 3 Housing with Care or mainstream housing as set out in that document.**

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DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 17 November 2009

Ref: AAL1109

Contact Names: Jennifer Litts, Head of Service Ext 0789
 Liz MacEwen, Service Manager Ext 0786

LETTING ADAPTED HOUSES

1. ASSESSMENT OF NEEDS AND AWARD OF PRIORITY

The registration form records basic details about the applicant and their household, their housing circumstances and their housing preferences. The registration form also indicates if the applicant (or any member of their household) requires accommodation with specific adaptations such as low/level access shower or wet room, ramp or level access, adapted kitchen.

1.2 ASSESSMENT OF APPLICANTS' NEEDS

Where the applicant has indicated that they require accommodation with adaptations, their priority for adapted housing is assessed as set out below.

If the applicant is already known to Social Work or Health Services, a Single Shared Assessment is available. A Single Shared Assessment (SSA) is a person-centred approach which takes a holistic view of a person's health, social and care needs. The assessment involves the applicant and may involve family, carers or other professionals. SSAs are shared across health, social work and housing services to facilitate partnership working and provision of services.

The SSA assesses needs across a wide range of situations including the applicant's ability to manage daily activities, the extent of support required and provided, and information on any accommodation needs that they may have. Eligibility criteria are also applied to assess the severity of any risks to the applicant's independent living and well-being and the urgency with which a response is required to address their needs.

The SSA may indicate which adaptations are required by the applicant and establish their priority for adapted housing according to the national eligibility criteria. Where more detailed information is required about the applicant's functional ability and difficulties in and around their home, a visit will be carried out to undertake a specialist assessment. The specialist assessment will identify the adaptations and type of housing required by the applicant (see Annex A). During the home visit, the applicant will also be given advice about their housing options.

Where the applicant is assessed as not requiring an adapted house, they will be advised of this and their application will be assessed in accordance with the Allocations Policy for mainstream housing e.g where the assessment has indicated that the applicant does not need an adapted house but would benefit from being nearer a carer for support, Band 2 priority will be awarded for mainstream housing.

If the applicant lives out with the Falkirk Council area, information about the applicant's needs will be sought from their current Social Work or Health Service.

1.3 ELIGIBILITY CRITERIA

In addition to setting out the adaptations required by the applicant, the SSA indicates the urgency of the need to move to adapted housing through the award of a priority based on eligibility criteria. There are three levels of priority as set out below:

Priority 1

Applicants are awarded Priority 1 for adapted housing where they are assessed to be at critical risk in terms of their physical or mental health; personal care/domestic routines and home environment; participation in community activities and existing care arrangements. Priority 1 is awarded to applicants with one or more of the following:

- who are at major risk in their existing environment
- who are delayed in being discharged from hospital
- who have health problems which cause life-threatening harm or danger to the applicant or others
- whose existing care or support arrangements have broken down
- who are unable to carry out most aspects of domestic routines or personal care in their existing home

Priority 2

Applicants are awarded Priority 2 for adapted housing where they are assessed to be at significant risk in terms of their physical or mental health; personal care/domestic routines and home environment; participation in community activities and existing care arrangements. Priority 2 is awarded to applicants with one or more of the following:

- who are at significant risk in their existing environment
- who have health problems which cause significant harm or danger to the applicant or others
- who have difficulty sustaining an existing package of care or support
- who have difficulty carrying out most aspects of domestic routines or personal care in their existing home

Priority 3

Applicants are awarded Priority 3 for adapted housing where they are assessed to be at moderate risk in terms of their physical or mental health; personal care/domestic routines and home environment; participation in community activities and existing care arrangements. Priority 3 is awarded to applicants with one or more of the following:

- who are at moderate risk in their existing environment
- who have health problems which cause moderate harm or danger to the applicant or other
- who have difficulty carrying out some aspects of domestic routines or personal care in their existing home:
- assist applicants access family or neighbourhood support and/or other care and support services
- assist applicants maintain or increase their independence

1.4 AWARD OF PRIORITY

Following assessment, applicants will be advised of their award of priority.

The following household size criteria will also apply to their application for housing.

Couples are expected to share a room. However, it is recognised that there may be circumstances where each individual requires a room of their own. Where the SSA indicates that an individual requires their own bedroom, this will be taken into account in determining the house size appropriate for the household's needs.

Couples and single applicants will be considered for 1 or 2 bedroom properties.

Each household member over 8 years of age is entitled to a bedroom of their own, however due to the lack of larger accommodation, a household requiring adapted housing may be considered for a move to adapted accommodation which does not satisfy this parameter.

In letting adapted houses, the Council will seek to select applicants whose household size makes best use of the property.

Applicants may appeal using the Appeals process set out in the Allocations Policy if they consider that the priority they have been awarded does not reflect their needs.

2. LETTING AN ADAPTED PROPERTY

2.1 Void Properties

When a house becomes void it is recorded on the allocations database which indicates if the property is:

- Housing with Care accommodation;
- adapted for applicants with a medical condition or disability;
- a mainstream house.

An adapted property is one that is suitable for a person with a medical condition or disability and has one or more of the following adaptations:

- A low/level access shower or wet room
- An external ramp or altered steps
- A fully adapted and accessible kitchen

Adapted properties will not be advertised through the Choice Based Letting scheme for mainstream houses. Adapted properties will be directly matched to applicants on the housing register who have been assessed as requiring adapted housing.

2.2 Matching an Adapted Property

When an adapted property becomes available for letting, a shortlist is prepared of applicants:

- whose needs are such that they require the adaptations available and
- whose family complement meets the household size criteria and
- whose housing preferences match the vacancy available.

The short-listed applicants are ranked in order of eligibility criteria Priority awarded. Where there is more than one applicant with the same level of eligibility criteria Priority, the applicant who has had the award of Priority longest will be offered the property.

Where there are no applicants on the housing list which can be matched to a particular adapted void property, it will be advertised through the Choice Based Lettings scheme.

2.3 Adaptable Property

Where there is no adapted housing available to meet the needs of a particular applicant with eligibility criteria Priority 1 or 2 for adapted housing, the applicant may be matched to a vacant mainstream property which meets the following criteria:

- the external access to the house is suitable or can be adapted for the practical and safe use by people with a disability or others
- the internal layout of the house is suitable and can be adapted for the practical and safe use by people with a disability or others
- there are no technical constraints which limit potential alterations/adaptations
- the household's requirement with regard to household size criteria
- the applicants housing preferences

2.4 Number of Offers

It is anticipated that the comprehensive process of assessment and matching applicants to available vacancies will result in successful offers of tenancies of adapted houses. However, in an effort to ensure that adapted housing is utilised to maximum potential in terms of addressing the particular needs of applicants and complementing community care services and to offer applicants the widest opportunity to move into suitable housing, there is no limit on the number of offers of adapted accommodation that an applicant can receive.

2.5 Nominations to RSLs including New Build Properties

Falkirk Council has nomination arrangements in place with RSLs providing adapted houses in the Council's area. Generally, the Council is able to make nominations to 50% of available adapted RSL properties.

Nominations for adapted houses are made using the matching process set out above.

REQUIREMENTS FOR ADAPTED PROPERTY - Assessment outcomes.

Property Code	ASSESSED REQUIREMENTS	ESSENTIAL characteristics or adaptations	DESIRABLE characteristics or adaptations
1	Wheelchair user indoors (at all times) and/or using a hoist or lifting equipment	Ramped or level access Level access shower or wet room Wide doors Wheelchair kitchen (if main kitchen user) Separate bedroom (couples or families) Near carers (if applicant lives alone)	Space for equipment Extra bedroom for carer Disabled car parking An area without steep hills Near to facilities Near carers (if not living alone) Adapted kitchen (if not the main kitchen user)
2	Wheelchair user indoors (sometimes)	Ramped or level access Level access shower or wet room Wide doors Adapted kitchen (if main kitchen user) Near carers (if applicant lives alone)	Space for equipment Extra bedroom for carer Disabled car parking An area without steep hills Near to facilities Near carers (if not living alone) Adapted kitchen (if not the main kitchen user)
3	Wheelchair user outdoors (at all times)	Ramped or level access Level access shower or wet room Near carers (if applicant lives alone)	Space for equipment Disabled car parking An area without steep hills Near to facilities Near carers (if not living alone)

4	Wheelchair user outdoors (sometimes)	Ramped or level access Level access shower or wet room	Space for equipment Disabled car parking An area without steep hills Near to facilities Near carers
5	Walking frame user	Level access or altered steps Level or low access shower	Near carers
6	Walking stick or crutches user	Low access shower	Altered steps Near carer
7	No steps managed	Low access shower Ramped or level access	Near carer
8	1-2 steps managed	Low access shower	
9	Bathing difficulties		Low access shower
10	Meal preparation difficulties		Adapted kitchen

LETTING HOUSING WITH CARE PROPERTIES

1. ASSESSMENT OF NEEDS AND AWARD OF PRIORITY

The registration form records basic details about the applicant, their household and their housing circumstances.

To determine an individual's eligibility and access to community care services, a Single Shared Assessment (SSA) is carried out and is used to determine an applicant's priority for Housing with Care.

The information gathered during the SSA is used to complete the national IoRN tool which classifies older people into groupings according to their relative needs. Eligibility criteria are also applied to assess the severity of any risks to the applicant's independent living and well-being and the urgency for a response to those risks. The eligibility criteria mirror the common standard eligibility framework for older people approved by Scottish Ministers, COSLA and ADSW which categorises the needs of individuals and which is to be applied by all local authorities.

1.2 ASSESSMENT OF APPLICANTS' NEEDS

When an individual applies for Housing with Care, if a current SSA is not already available, a home visit is carried out and a standard or review SSA is completed. The SSA, for the purposes of assessing an applicant's need for Housing with Care, will focus particularly on the applicant's care and support needs as well as their housing needs. The assessment involves the applicant and may involve family, carers or other professionals. Where an applicant lives out with the Falkirk Council area, a telephone interview may be carried out or a questionnaire is sent to the applicant. If necessary, confirmation will be sought from the applicant's current Social Work Service.

The SSA is a holistic assessment covering the applicant's health and social care needs encompassing mental health and physical needs. This will include the ability of the applicant to manage daily living activities, the extent of support required and provided by others, the help the applicant currently has at home and the social activities they are able to take part in.

In addition, in order to ensure that older people are maximising their income and are in receipt of appropriate benefits, arrangements will be made for a Benefits Advisor to contact the applicant, with their permission.

1.3 THE INDICATOR OF RELATIVE NEED (IORN)

The national IoRN tool is a means of recording the outcome of a SSA and awarding a level relative to the identified needs of the individual with regard to the activities of daily living/mobility, personal care, eating, mental well-being and bowel management.

Where the IoRN indicates high needs the applicants are considered for vacancies in Level 1 Housing with Care; those with moderate needs are considered for Level 2 Housing with Care and those with lower needs are considered for Level 3 Housing with Care.

The Eligibility Criteria Priority awarded to individual applicants is determined in consultation with Community Care Services.

An applicant's SSA – IoRN grouping can change higher/lower over a short period of time and should be subject to appropriate review.

1.4 ELIGIBILITY CRITERIA

Priority 1 – Critical Risk

Housing with Care applicants are awarded Priority 1 where they are assessed to be at critical risk in terms of their physical or mental health; personal care/domestic routines and home environment; participation in community activities and existing care arrangements. Priority 1 is awarded to applicants with one or more of the following:

- who are at major risk in their existing environment
- who are delayed in being discharged from hospital
- who have health problems which cause life-threatening harm or danger to the applicant or others
- who are homeless or threatened with homelessness
- whose existing care or support arrangements have broken down

Priority 2 – Substantial Risk

Housing with Care applicants are awarded Priority 2 where they are assessed to be at substantial risk in terms of their physical or mental health; personal care/domestic routines and home environment; participation in community activities and existing care arrangements. Priority 2 is awarded to applicants with one or more of the following:

- who are at significant risk in their existing environment
- for whom social isolation is causing observable low mood
- who have health problems which cause significant risks of harm or danger to the applicant or others
- who have difficulty sustaining an existing package of care or support
- to prevent unnecessary admission to residential care

Priority 3 – Moderate Risk

Housing with Care applicants are awarded Priority 3 where they are assessed to be at moderate risk in terms of their physical or mental health; personal care/domestic routines and home environment; participation in community activities and existing care arrangements. Priority 3 is awarded to:

- applicants due to frailty or advanced ageing
- assist applicants access family or neighbourhood support
- assist applicants maintain or increase their independence
- prevent applicants becoming socially isolated
- assist applicants access care and support services

Priority 4 – Low Risk

Housing with Care applicants are awarded Priority 4 where they are assessed as having a minimal risk in terms of their care and/or support needs or their needs are already being met in their current home.

1.5 AWARD OF PRIORITY

Applicants are advised of the Level of Housing with Care where their needs can be met and the priority that they have been awarded in terms of eligibility criteria for an offer of Housing with Care accommodation.

2. LETTING A HOUSING WITH CARE PROPERTY

There are separate lists of applicants for each of the three levels of Housing with Care.

When a Level 1 or 2 Housing with Care property becomes available for letting, it is matched to an applicant on the appropriate Housing with Care list whose preferences for accommodation i.e. location and accommodation type, match the vacancy available.

When a Level 3 Housing with Care property becomes available for letting, it is advertised through the Choice Based Letting system. Adverts for Housing with Care 3 will indicate that preference will be given to applicants who have been assessed as requiring Housing with Care Level 3.

2.1 LEVEL 1 HOUSING WITH CARE

As soon as a vacancy in Level 1 Housing with Care is identified, applicants assessed as requiring Level 1 Housing with Care are considered in order of eligibility criteria Priority awarded. Where there is more than one applicant with the same level of Eligibility Criteria Priority, individual applicant's IoRN level and characteristic scoring will be considered for allocation of the property. If there is more than one applicant with the same IoRN level and characteristic scoring, the applicant who has had this assessment longest is considered for the property. The Housing with Care Manager for the establishment will visit the applicant to ensure that the accommodation and level of support available are suitable for the applicant or if a review of the SSA is required. Where appropriate, arrangements are made for the applicant to visit the property.

If it is considered that the property is not suitable for the applicant, the next applicant selected following the process set out above, is considered for the property. If there are no suitable applicants on the list, applicants assessed as requiring Level 2 Housing with Care will be considered for the vacancy in order of award of Eligibility Criteria Priority.

Requests from existing tenants to move from one property to another within Level 1 Housing with Care will only be considered if there are no applicants living in mainstream housing with eligibility criteria Priority (1) on the list.

2.2 LEVEL 2 HOUSING WITH CARE

Level 2 Housing with Care provides accommodation for applicants with a range of support needs, from those with moderate care needs in terms of their physical health or personal care to those with lesser physical care needs but who are socially isolated. In allocating vacancies in Level 2 Housing with Care, applicants across the range of needs will be considered in an effort to create a community within each individual complex which is balanced and sustainable.

As soon as a vacancy in Level 2 Housing with Care is identified, applicants assessed as requiring Level 2 Housing with Care are considered in order of Eligibility Criteria Priority awarded. Where there is more than one applicant with the same level of Eligibility Criteria Priority, individual applicant's IoRN level and characteristic scoring will be considered for allocation of the property. If there is more than one applicant with the same IoRN level and characteristic scoring, the applicant who has had this assessment longest is considered for the property. The Housing with Care Manager for the establishment will visit the applicant to ensure that the accommodation and level of support available are suitable for the applicant or if a review of the SSA is required. Where appropriate, arrangements are made for the applicant to visit the property.

If it is considered that the property is not suitable for the applicant, the next applicant selected following the process set out above, is considered for the property. If there are no suitable applicants on the list, applicants assessed as requiring Level 3 Housing with Care will be considered for the vacancy in order of award of Eligibility Criteria Priority.

Requests from existing tenants to move from one property to another within Level 2 Housing with Care will only be considered if there are no applicants living in mainstream housing with eligibility criteria priority critical (1) on the list.

Number of Offers for Level 1 & 2 Housing with Care

It is anticipated that the comprehensive process of assessment and matching applicants to available vacancies will result in successful offers of tenancies of Housing with Care properties. However, in an effort to ensure that adapted housing is utilised to maximum potential in terms of addressing the particular needs of applicants and complementing community care services and to offer applicants the widest opportunity to move into suitable housing, there is no limit on the number of offers of adapted accommodation that an applicant can receive.

2.3 LEVEL 3 HOUSING WITH CARE

Advertising Level 3 Housing with Care Properties

To ensure efficiency in managing void turnover and to minimise voids rent loss, arrangements to advertise Level 3 Housing with Care are made as soon as a termination of tenancy is notified. Such properties are advertised along with mainstream voids in a fortnightly cycle which states the closing date for bids. Adverts indicate when properties are likely to be available for occupancy. Adverts for Level 3 Housing with Care properties indicate that preference is given to all applicants who have been assessed as requiring Level 3 Housing with Care.

Properties are advertised locally and on the Council's Website, in ARC Neighbourhood Offices/One Stop Shops, local supported accommodation projects, local libraries and in RSL partners' offices. Additionally, there is a freephone service listing the properties which are advertised. Applicants for Level 3 Housing with Care can indicate during their assessment if they require assistance to bid for appropriate properties.

Matching Bids for Level 3 Housing with Care

Once bidding has closed, bids received are assessed to prepare a short-list of suitable applicants. Suitable applicants are those who:

- meet the criteria in the advert i.e have been assessed as requiring Level 3 Housing with Care
- meet the household size criteria for the property; and
- are not affected by the policy on suspensions set out in the Allocations policy

Where there is more than one applicant with the same level of Eligibility Criteria Priority, individual applicant's IoRN level and characteristic scoring will be considered for allocation of the property. If there is more than one applicant with the same IoRN level and characteristic scoring, the applicant who has had this assessment longest is considered for the property.

Number of Bids Level 3 Housing with Care

There is no limit to the number of properties applicants can bid for during each advertising cycle (2 weeks). The number of bids applicants can make during each advertising cycle is routinely monitored and reviewed at the end of each year.

Offering a Level 3 Housing with Care Property

The successful bidder is notified that they are to be offered the property they have bid for. Unsuccessful bidders are not notified individually however the results of the bidding process i.e. how many applicants bid for the property and what priority the successful applicant had, are placed on the Council's website and displayed in ARC, Neighbourhood Offices/One Stop Shops, local supported accommodation projects, local libraries and in RSL partners' offices. Staff will provide housing options advice to applicants whose bids have been unsuccessful.

Refusal of Level 3 Housing with Care Properties

Given that applicants have the opportunity to choose which Level 3 Housing with Care properties they bid for, there is an expectation that successful applicants will accept the properties offered. However, if an applicant refused two offers of Level 3 Housing with Care properties which they have successfully bid for, their circumstances and Eligibility Criteria Priority will be re-assessed.

No bids received for Level 3 Housing with Care

Where a Level 3 Housing with Care property is advertised and no qualifying bids are received i.e. bids from applicants who have been assessed as requiring Level 3 Housing with Care, any other bids received which meet the household size and age criteria are considered in order of priority as set out above.

2.4 NOMINATIONS TO RSLs INCLUDING NEW BUILD PROPERTIES

Falkirk Council has nomination arrangements in place with RSLs providing Housing with Care in the Council's area. Generally, the Council is able to make nominations to 50% of available RSL Housing with Care properties.

Nominations for Housing with Care are made using the process set out above.

Appendix 3**Re-categorisation of Properties Currently Designated as Housing for the Elderly**

Office	Type	Address	Recommendation
Dawson	Lower flat 4 in a block	1 Haugh St Falkirk (elderly Housing)	mainstream
Dawson	Bungalow	1A Merchiston Avenue Falkirk (elderly Housing)	HC three
Dawson	Bungalow	3A Merchiston Avenue Falkirk (elderly Housing)	HC three
Stenhousemuir	Bungalow	45 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	46 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	47 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	48 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	49 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	50 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	51 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	52 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	53 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	54 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	55 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	57 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	59 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	61 Balmoral Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	2 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	4 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	6 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	8 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	14 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	16 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	18 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	20 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	45 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	47 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	49 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	51 Linlithgow Place Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	56 Queen's Drive Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	58 Queen's Drive Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	60 Queen's Drive Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	62 Queen's Drive Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	64 Queen's Drive Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	1 James St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	3 James St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bedsit	5 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	93 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	101 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Lower flat 4 in a block	103 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	105 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Lower flat 4 in a block	107 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	109 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Lower flat 4 in a block	111 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	113 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Flat Ground Floor Only	115 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Lower flat 4 in a block	117 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Flat 1st Floor and Above	119 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Bungalow	123 James St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	125 James St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	127 James St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Lower flat 4 in a block	129 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	133 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	135 James St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Bungalow	4 Park Avenue Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	54 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	56 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	65 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	67 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	70 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	72 Valeview Stenhousemuir (elderly Housing)	HC three

Office	Type	Address	Recommendation
Stenhousemuir	Bungalow	73 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	75 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	77 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	79 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	81 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	83 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	85 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	87 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	89 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	91 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	93 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	95 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	97 Valeview Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	1 Waverley Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	2 Waverley Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	3 Waverley Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	4 Waverley Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	5 Waverley Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	6 Waverley Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	8 Waverley Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	7 Akarit Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	9 Akarit Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	11 Akarit Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	13 Akarit Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	15 Akarit Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	17 Akarit Rd Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Flat Ground Floor Only	27 Church St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Flat Ground Floor Only	29 Church St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Upper flat 4 in a block	31 Church St Stenhousemuir (elderly Housing)	mainstream
Stenhousemuir	Bungalow	15 Union St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	17 Union St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	19 Union St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	21 Union St Stenhousemuir (elderly Housing)	HC three
Stenhousemuir	Bungalow	25 Bruce Crescent Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	12 Symington Place Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	14 Symington Place Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	16 Symington Place Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	31 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	33 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	35 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	37 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	39 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	41 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	43 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	47 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	49 Webster Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	6 Castle Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	8 Castle Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	10 Castle Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	12 Castle Avenue Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	33 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	35 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	37 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	39 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	41 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	43 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	45 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	47 North Main St Carronshore (elderly Housing)	HC three
Stenhousemuir	Bungalow	1 Ronald Crescent Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	3 Ronald Crescent Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	5 Ronald Crescent Larbert (elderly Housing)	HC three
Stenhousemuir	Bungalow	7 Ronald Crescent Larbert (elderly Housing)	HC three
Bo'ness	Flat Ground Floor Only	51a Dean Rd Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	51b Dean Rd Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	51c Dean Rd Bo'ness (elderly Housing)	mainstream

[illegible]

Office	Type	Address	Recommendation
Bo'ness	Flat Ground Floor Only	8A Doocot Brae Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	8B Doocot Brae Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	1 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	3 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	5 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	7 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	9 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	11 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	13 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	15 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	17 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	19 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	21 Grangepans Bo'ness (elderly housing)	mainstream
Bo'ness	Flat 1st Floor and Above	23 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	25 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	27 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	29 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	31 Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	48a Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	48b Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	50a Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	50b Grangepans Bo'ness (elderly Housing)	mainstream
Bo'ness	Bungalow	5 Philpingstone Lane Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	7 Philpingstone Lane Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	9 Philpingstone Lane Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	11 Philpingstone Lane Bo'ness (elderly Housing)	HC three
Bo'ness	Flat Ground Floor Only	1A Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	1B Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	3A Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	3B Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	5A Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	5B Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	7A Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	7B Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	9A Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	11a Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	13a Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	13b Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	15a Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	15b Thirlestane Bo'ness (elderly Housing)	mainstream
Bo'ness	Bungalow	36 Hillcrest Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	37 Hillcrest Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	38 Hillcrest Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	39 Hillcrest Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	41 Hillcrest Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	9 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	10 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	11 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	12 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	13 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	27 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	28 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	29 Amulree Place Bo'ness (elderly Housing)	HC three
Bo'ness	Flat Ground Floor Only	2 Angus Rd Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	4 Angus Rd Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	6 Angus Rd Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	8 Angus Rd Bo'ness (elderly Housing)	mainstream
Bo'ness	Bungalow	73 Castlehill Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	77 Castlehill Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	79 Castlehill Bo'ness (elderly Housing)	HC three
Bo'ness	Flat 1st Floor and Above	36 Livingstone Drive Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	38 Livingstone Drive Bo'ness (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	40 Livingstone Drive Bo'ness (elderly Housing)	mainstream
Bo'ness	Bungalow	20 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	22 Wotherspoon Drive Bo'ness (elderly Housing)	HC three

Office	Type	Address	Recommendation
Bo'ness	Bungalow	24 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	26 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	28 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	71 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	73 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	79 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	81 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	83 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	85 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	87 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	88 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Bungalow	92 Wotherspoon Drive Bo'ness (elderly Housing)	HC three
Bo'ness	Upper flat 4 in a block	4 Avontoun Crescent Whitecross (elderly Housing)	mainstream
Bo'ness	Lower flat 4 in a block	6 Avontoun Crescent Whitecross (elderly Housing)	mainstream
Bo'ness	Upper flat 4 in a block	8 Avontoun Crescent Whitecross (elderly Housing)	mainstream
Bo'ness	Flat Ground Floor Only	15 Cockburn Crescent Whitecross (elderly Housing)	mainstream
Bo'ness	Lower flat 4 in a block	17 Cockburn Crescent Whitecross (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	19 Cockburn Crescent Whitecross (elderly Housing)	mainstream
Bo'ness	Flat 1st Floor and Above	21 Cockburn Crescent Whitecross (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	110 Beancross Rd Grangemouth (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	112 Beancross Rd Grangemouth (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	1 Primrose Avenue Grangemouth (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	3 Primrose Avenue Grangemouth (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	5 Primrose Avenue Grangemouth (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	7 Primrose Avenue Grangemouth (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	9 Primrose Avenue Grangemouth (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	15 Primrose Avenue Grangemouth (elderly Housing)	mainstream
Grangemouth	Bungalow	2 Tenacres Place Grangemouth (elderly Housing)	HC three
Grangemouth	Bungalow	3 Tenacres Place Grangemouth (elderly Housing)	HC three
Grangemouth	Bungalow	4 Tenacres Place Grangemouth (elderly Housing)	HC three
Grangemouth	Bungalow	6 Tenacres Place Grangemouth (elderly Housing)	HC three
Grangemouth	Flat Ground Floor Only	49 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	51 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	52 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	53 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	54 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	55 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	56 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	57 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	59 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	60 Sunart Place Grangemouth (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	2 Wallacestone Brae Reddingmuirhead (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	4 Wallacestone Brae Reddingmuirhead (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	8 Wallacestone Brae Reddingmuirhead (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	2 Overton Crescent Redding (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	6 Overton Crescent Redding (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	8 Overton Crescent Redding (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	10 Overton Crescent Redding (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	12 Overton Crescent Redding (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	14 Overton Crescent Redding (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	16 Overton Crescent Redding (elderly Housing)	mainstream
Grangemouth	Bungalow	34 School Rd Redding (elderly Housing)	HC three
Grangemouth	Bungalow	36 School Rd Redding (elderly Housing)	HC three
Grangemouth	Bungalow	38 School Rd Redding (elderly Housing)	HC three
Grangemouth	Lower flat 4 in a block	43 School Rd Redding (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	45 School Rd Redding (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	47 School Rd Redding (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	49 School Rd Redding (elderly Housing)	mainstream
Grangemouth	Bungalow	2 Woodburn Crescent Redding (elderly Housing)	HC three
Grangemouth	Bungalow	4 Woodburn Crescent Redding (elderly Housing)	HC three
Grangemouth	Bungalow	6 Woodburn Crescent Redding (elderly Housing)	HC three
Grangemouth	Flat Ground Floor Only	14 Briar Brae Brightons (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	16 Briar Brae Brightons (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	16 Briar Brae Brightons (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	18 Briar Brae Brightons (elderly Housing)	mainstream

Office	Type	Address	Recommendation
Grangemouth	Flat 1st Floor and Above	20 Briar Brae Brightons (elderly Housing)	mainstream
Grangemouth	Bungalow	1 Craiglaw Terrace Brightons (elderly Housing)	HC three
Grangemouth	Bungalow	2 Craiglaw Terrace Brightons (elderly Housing)	HC three
Grangemouth	Lower flat 4 in a block	9 Hazelhurst Brightons (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	10 Hazelhurst Brightons (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	12 Hazelhurst Brightons (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	34 Maranatha Crescent Brightons (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	35 Maranatha Crescent Brightons (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	37 Maranatha Crescent Brightons (elderly Housing)	mainstream
Grangemouth	Bungalow	1 Willow Brae Brightons (elderly Housing)	HC three
Grangemouth	Bungalow	2 Willow Brae Brightons (elderly Housing)	HC three
Grangemouth	Bungalow	3 Willow Brae Brightons (elderly Housing)	HC three
Grangemouth	Bungalow	4 Willow Brae Brightons (elderly Housing)	HC three
Grangemouth	Flat Ground Floor Only	17 Woodside Gardens Brightons (elderly Housing)	mainstream
Grangemouth	Lower flat 4 in a block	19 Woodside Gardens Brightons (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	21 Woodside Gardens Brightons (elderly Housing)	mainstream
Grangemouth	Upper flat 4 in a block	23 Woodside Gardens Brightons (elderly Housing)	mainstream
Grangemouth	Flat Ground Floor Only	14 Jeffrey Terrace Polmont (elderly Housing)	mainstream
Grangemouth	Flat 1st Floor and Above	18 Jeffrey Terrace Polmont (elderly Housing)	mainstream
Grangemouth	Bungalow	19 Murray Crescent Maddiston (elderly Housing)	HC three
Grangemouth	Bungalow	37 Murray Crescent Maddiston (elderly Housing)	HC three
Grangemouth	Bungalow	6 Oronsay Avenue Maddiston (elderly Housing)	HC three
Grangemouth	Bungalow	8 Oronsay Avenue Maddiston (elderly Housing)	HC three
Grangemouth	Bungalow	10 Oronsay Avenue Maddiston (elderly Housing)	HC three
Grangemouth	Bungalow	12 Oronsay Avenue Maddiston (elderly Housing)	HC three
Grangemouth	Bungalow	3 Parkhall Drive Maddiston (elderly Housing)	HC three
Grangemouth	Bungalow	5 Parkhall Drive Maddiston (elderly Housing)	HC three
Grangemouth	Housing with Care	1 Salmon Inn Rd Redding (elderly Housing)	HC three
Grangemouth	Housing with Care	3 Salmon Inn Rd Redding (elderly Housing)	HC three
Grangemouth	Housing with Care	5 Salmon Inn Rd Redding (elderly Housing)	HC three
Falkirk	Bungalow	1 Allan Barr Court Glen Village (elderly Housing)	HC three
Falkirk	Bungalow	3 Allan Barr Court Glen Village (elderly Housing)	HC three
Falkirk	Bungalow	4 Allan Barr Court Glen Village (elderly Housing)	HC three
Falkirk	Bungalow	6 Allan Barr Court Glen Village (elderly Housing)	HC three
Falkirk	Bungalow	8 Allan Barr Court Glen Village (elderly Housing)	HC three
Falkirk	Lower flat 4 in a block	1 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	3 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	5 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	7 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	9 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	11 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	13 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	17 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	19 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	21 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	23 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	25 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	27 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	29 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	31 Braemar Crescent Falkirk (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	25 Castings Drive Falkirk (Elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	49 Castings Drive Falkirk (elderly Housing)	mainstream
Falkirk	Bungalow	1 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	2 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	3 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	4 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	5 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	6 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	7 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	8 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	9 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	10 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	11 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Bungalow	12 Cedar Crescent Westquarter (elderly Housing)	HC three
Falkirk	Flat 1st Floor and Above	12 Abbotsford Drive Laurieston (elderly Housing)	mainstream

Office	Type	Address	Recommendation
Falkirk	Flat Ground Floor Only	79 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	81 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	83 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	137 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	139 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	141 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	143 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	145 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	147 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	149 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	151 Grahamsdyke St Laurieston (elderly Housing)	mainstream
Falkirk	Lower Flat (4-in-a-block)	21 Zetland Drive Laurieston (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	25 Zetland Drive Laurieston (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	27 Zetland Drive Laurieston (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	29 Zetland Drive Laurieston (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	31 Zetland Drive Laurieston (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	33 Zetland Drive Laurieston (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	35 Zetland Drive Laurieston (elderly Housing)	mainstream
Falkirk	Bungalow	43 Zetland Drive Laurieston (elderly Housing)	HC three
Falkirk	Bungalow	45 Zetland Drive Laurieston (elderly Housing)	HC three
Falkirk	Bungalow	47 Zetland Drive Laurieston (elderly Housing)	HC three
Falkirk	Bungalow	49 Zetland Drive Laurieston (elderly Housing)	HC three
Falkirk	Bungalow	51 Zetland Drive Laurieston (elderly Housing)	HC three
Falkirk	Flat Ground Floor Only	11 Mossiel Terrace Laurieston (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	13 Mossiel Terrace Laurieston (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	17 Mossiel Terrace Laurieston (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	21 Mossiel Terrace Laurieston (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	23 Mossiel Terrace Laurieston (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	25 Mossiel Terrace Laurieston (elderly Housing)	mainstream
Falkirk	Bungalow	11 Greenmount Drive Shieldhill (elderly Housing)	HC three
Falkirk	Bungalow	13 Greenmount Drive Shieldhill (elderly Housing)	HC three
Falkirk	Bungalow	15 Greenmount Drive Shieldhill (elderly Housing)	HC three
Falkirk	Flat Ground Floor Only	63 Main St Shieldhill (elderly Persons Housing)	mainstream
Falkirk	Flat 1st Floor and Above	65 Main St Shieldhill (elderly Persons Housing)	mainstream
Falkirk	Lower flat 4 in a block	112 Main St Shieldhill (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	116 Main St Shieldhill (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	118 Main St Shieldhill (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	1 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	2 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	3 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	4 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	5 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	6 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	7 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	8 Ebenezer Place California (elderly Housing)	mainstream
Falkirk	Bungalow	44 Mamre Drive California (elderly Housing)	HC three
Falkirk	Bungalow	46 Mamre Drive California (elderly Housing)	HC three
Falkirk	Bungalow	48 Mamre Drive California (elderly Housing)	HC three
Falkirk	Bungalow	18 Queen's Drive California (elderly Housing)	HC three
Falkirk	Bungalow	20 Queen's Drive California (elderly Housing)	HC three
Falkirk	Bungalow	22 Queen's Drive California (elderly Housing)	HC three
Falkirk	Bungalow	24 Queen's Drive California (elderly Housing)	HC three
Falkirk	Bungalow	27 Craigbank Rd Avonbridge (elderly Housing)	HC three
Falkirk	Bungalow	31 Craigbank Rd Avonbridge (elderly Housing)	HC three
Falkirk	Bungalow	33 Craigbank Rd Avonbridge (elderly Housing)	HC three
Falkirk	Bungalow	35 Craigbank Rd Avonbridge (elderly Housing)	HC three
Falkirk	Bungalow	37 Craigbank Rd Avonbridge (elderly Housing)	HC three
Falkirk	Lower flat 4 in a block	39 Craigbank Rd Avonbridge (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	41 Craigbank Rd Avonbridge (elderly Housing)	mainstream
Falkirk	Bungalow	2 Gowanlea Drive Slamannan (elderly Housing)	HC three
Falkirk	Bungalow	7 Gowanlea Drive Slamannan (elderly Housing)	HC three
Falkirk	Bungalow	8 Gowanlea Drive Slamannan (elderly Housing)	HC three
Falkirk	Lower flat 4 in a block	10 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	12 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Bungalow	13 Gowanlea Drive Slamannan (elderly Housing)	HC three

Office	Type	Address	Recommendation
Falkirk	Lower flat 4 in a block	14 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Lower flat 4 in a block	18 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	20 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	22 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	24 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	29 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	31 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Upper flat 4 in a block	33 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	35 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat Ground Floor Only	39 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	41 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Falkirk	Flat 1st Floor and Above	43 Gowanlea Drive Slamannan (elderly Housing)	mainstream
Denny	Bungalow	1 Bye Pass Rd Dennyloanhead (elderly Housing)	HC three
Denny	Bungalow	3 Bye Pass Rd Dennyloanhead (elderly Housing)	HC three
Denny	Bungalow	5 Bye Pass Rd Dennyloanhead (elderly Housing)	HC three
Denny	Bungalow	40 Park Avenue Dennyloanhead (elderly Housing)	HC three
Denny	Bungalow	75 Castleview Terrace Haggs (elderly Housing)	HC three
Denny	Bungalow	2 Margaret Avenue Haggs (elderly Housing)	HC three
Denny	Bungalow	6 Margaret Avenue Haggs (elderly Housing)	HC three
Denny	Bungalow	8 Margaret Avenue Haggs (elderly Housing)	HC three
Denny	Flat Ground Floor Only	5 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Flat 1st Floor and Above	7 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Flat Ground Floor Only	9 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Flat 1st Floor and Above	11 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Flat Ground Floor Only	13 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Flat 1st Floor and Above	15 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Lower flat 4 in a block	17 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Flat 1st Floor and Above	19 Dunure St Bonnybridge (elderly Housing)	mainstream
Denny	Bungalow	111 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	113 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	115 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	117 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	119 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	121 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	123 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	125 Larbert Rd Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	1 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	2 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	3 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	4 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	5 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	6 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	7 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	8 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	9 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	10 Norwood Place Bonnybridge (elderly Housing)	HC three
Denny	Upper flat 4 in a block	5 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Upper flat 4 in a block	7 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Flat 1st Floor and Above	9 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Upper flat 4 in a block	15 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Upper flat 4 in a block	17 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Upper flat 4 in a block	19 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Lower flat 4 in a block	21 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Cottage	25 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Upper flat 4 in a block	29 Wellpark Terrace Bonnybridge (elderly Housing)	mainstream
Denny	Bungalow	3 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	5 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	8 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	10 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	11 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	12 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	13 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	14 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	16 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	18 Anderson St Bonnybridge (elderly Housing)	HC three

Office	Type	Address	Recommendation
Denny	Bungalow	20 Anderson St Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	1 Cowdenhill Gardens Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	6 Cowdenhill Gardens Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	18 Mannfield Avenue Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	20 Mannfield Avenue Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	22 Mannfield Avenue Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	24 Mannfield Avenue Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	28 Mannfield Avenue Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	24a Thornton Avenue Bonnybridge (elderly Housing)	HC three
Denny	Bungalow	24b Thornton Avenue Bonnybridge (elderly Housing)	HC three
Denny	Bedsit	5 Milton Row Dunipace (elderly Housing)	mainstream
Denny	Bedsit	7A Milton Row Dunipace (elderly Housing)	mainstream
Denny	Bedsit	9 Milton Row Dunipace (elderly Housing)	mainstream
Denny	Bedsit	9A Milton Row Dunipace (elderly Housing)	mainstream
Denny	Bedsit	11 Milton Row Dunipace (elderly Housing)	mainstream
Denny	Bedsit	11a Milton Row Dunipace (elderly Housing)	mainstream
Denny	Bedsit	15a Milton Row Dunipace (elderly Housing)	mainstream
Denny	Bungalow	11 Tarduff Place Stoneywood (elderly Housing)	HC three
Denny	Bungalow	12 Tarduff Place Stoneywood (elderly Housing)	HC three
Denny	Bungalow	13 Tarduff Place Stoneywood (elderly Housing)	HC three
Denny	Bungalow	102 Braes View Denny (elderly Housing)	HC three
Denny	Bungalow	106 Braes View Denny (elderly Housing)	HC three
Denny	Bungalow	180 Braes View Denny (elderly Housing)	HC three
Denny	Bungalow	182 Braes View Denny (elderly Housing)	HC three
Denny	Bungalow	184 Braes View Denny (elderly Housing)	HC three
Denny	Bungalow	186 Braes View Denny (elderly Housing)	HC three
Denny	Bungalow	188 Braes View Denny (elderly Housing)	HC three
Denny	Bungalow	1A Ferguson Drive Denny (elderly Housing)	HC three
Denny	Bungalow	1B Ferguson Drive Denny (elderly Housing)	HC three
Denny	Bungalow	3 Lochridge Place Denny (elderly Housing)	HC three
Denny	Bungalow	5 Lochridge Place Denny (elderly Housing)	HC three
Denny	Bungalow	49 Sawers Avenue Denny (elderly Housing)	HC three
Denny	Bungalow	51 Sawers Avenue Denny (elderly Housing)	HC three
Camelon	Bungalow	2 Aitken Terrace Falkirk (elderly Housing)	HC three
Camelon	Bungalow	4 Aitken Terrace Falkirk (elderly Housing)	HC three
Camelon	Bungalow	6 Aitken Terrace Falkirk (elderly Housing)	HC three
Camelon	Bungalow	8 Aitken Terrace Falkirk (elderly Housing)	HC three
Camelon	Bungalow	13 Carnegie Drive Falkirk (elderly Housing)	HC three
Camelon	Bungalow	17 Carnegie Drive Falkirk (elderly Housing)	HC three
Camelon	Bungalow	119 Cumbræ Drive Falkirk (elderly Housing)	HC three
Camelon	Bungalow	121 Cumbræ Drive Falkirk (elderly Housing)	HC three
Camelon	Bungalow	123 Cumbræ Drive Falkirk (elderly Housing)	HC three
Camelon	Bungalow	1 Elizabeth Crescent Falkirk (elderly Housing)	HC three
Camelon	Bungalow	2 Elizabeth Crescent Falkirk (elderly Housing)	HC three
Camelon	Bungalow	3 Elizabeth Crescent Falkirk (elderly Housing)	HC three
Camelon	Bungalow	4 Elizabeth Crescent Falkirk (elderly Housing)	HC three
Camelon	Bungalow	234 Glasgow Rd Falkirk (elderly Housing)	HC three
Camelon	Bungalow	238 Glasgow Rd Falkirk (elderly Housing)	HC three
Camelon	Bungalow	240 Glasgow Rd Falkirk (elderly Housing)	HC three
Camelon	Bungalow	242 Glasgow Rd Falkirk (elderly Housing)	HC three
Camelon	Bungalow	1 Wilson Gardens Falkirk (elderly Housing)	HC three
Camelon	Bungalow	3 Wilson Gardens Falkirk (elderly Housing)	HC three
Camelon	Bungalow	5 Wilson Gardens Falkirk (elderly Housing)	HC three
Camelon	Bungalow	9 Wilson Gardens Falkirk (elderly Housing)	HC three
Camelon	Bungalow	11 Wilson Gardens Falkirk (elderly Housing)	HC three
Camelon	Bungalow	9 Wilson Rd Falkirk (elderly Housing)	HC three
Camelon	Bungalow	11 Wilson Rd Falkirk (elderly Housing)	HC three
Camelon	Bungalow	13 Wilson Rd Falkirk (elderly Housing)	HC three

FALKIRK COUNCIL

**Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; REVISION TO
NEW RESOLUTION**
Meeting: FALKIRK COUNCIL
Date: 9 December 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. PURPOSE OF REPORT

- 1.1 On 18 August 2009 the report attached as Appendix A was considered by the Environment & Community Safety Committee. This Committee agreed the recommendations and agreed to recommend them to Falkirk Council for approval. The report was then considered at Falkirk Council on 7 October 2009 and Council agreed the recommendations detailed in paragraph 3 of the covering report dated 7 October 2009, which is attached as Appendix B.
- 1.2 In accordance with paragraph 3(1) of the report of 7 October 2009 a notice was published in the Falkirk Herald on 15 October 2009 to which no representations were received.
- 1.3 If Council approves the revised resolution today a further notice will be published in the Falkirk Herald on 17 December 2009 indicating that the revised resolution will come into operation on 1 October 2010. The notice will also state that, with effect from that date, (1 October 2010) it will be an offence under section 7(1) of the 1982 Act to do without a licence whatever the resolution specifies as being an activity that requires to be licensed and that applications for licences in respect of the activity will be considered by the authority after the expiry of one month after the date of making the revised resolution.

2. RECOMMENDATIONS

That Council:-

- 2.1 makes a revised resolution in terms of the report and appendices approved by Environment & Community Safety Committee on 18th August 2009 and Falkirk Council on 7 October 2009.
- 2.2 approves the publication of a notice in the Falkirk Herald on 17 December 2009, which notice shall inter alia identify the date of coming into operation of the revised resolution as 1st October 2010.

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Director of Development Services
Date: 1st December 2009

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501013)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

**Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; REVISION TO
NEW RESOLUTION**
Meeting: ENVIRONMENT & COMMUNITY SAFETY
Date: 18 August 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 At its meeting on 3 October 2007, Falkirk Council agreed to make a new Resolution in terms of Section 9 of the Civic Government (Scotland) Act 1982 (“the Act”). This report and other associated reports are attached as Appendix 1.
- 1.2 Societal changes in the period from when the Resolution was first promoted in 1983 prompted the promotion of the new Resolution in 2007 and new activities were included within the Resolution as optional activities that the Council would licence. A clear example of this was the review of activities covered under the category of public entertainment licence. It was considered that in the intervening years from 1983 to 2007 there had evolved certain activities that could not have reasonably been foreseen as an activity that would require a public entertainment licence. Such new activities included in the new Resolution in 2007 were bungee jumping and the use of bouncy castles.

2. BACKGROUND

- 2.1 In 2008 an application for a public entertainment licence was submitted on behalf of a proposed paintball operator within Falkirk and the matter was duly considered at the Civic Licensing Committee. The licence was ultimately refused by the committee but this decision was not appealed against. The Council’s position in respect of licensing of such an activity is now being challenged although the precise nature of the challenge has not been made clear and the matter was not tested in court. The Council’s position was and remains that the paintballing activity which was the subject of the application required to be licensed in terms of the 2007 Resolution. It is suggested, however, that it would be better if the matter were made clear in the Resolution to place the issue beyond doubt.

3. PURPOSE OF REPORT

- 3.1 In order to address the issues that this matter has raised, it is proposed that Members give consideration to revision of the Resolution by the insertion of a more specific category of activity – “Premises used for paintball games, laser display and games and airsoft games”, if satisfied that these activities should continue to require a licence

4. PROCESS

- 4.1 Prior to the Resolution being modified, the terms of the proposed modification, together with a notice stating that the Licensing Authority intend to make the modification and that representations about the modification can be made in writing to the authority within 28 days of the first date of publication of the notice, must be published in a newspaper or newspapers circulating within the licensing authority area. The licensing authority shall consider any representations made and make any alterations to the proposed modification in light of these representations, if appropriate.
- 4.2 As soon as the modified Resolution is made, the Licensing Authority will arrange for the terms of the modified resolution to be published in a newspaper or newspapers circulating in its area.

5. RECOMMENDATIONS

That Committee agrees:-

- 5.1 to consider the option detailed in paragraph 3.1 in terms of the report and appendices; and
- 5.2 that should Members be minded to agree to the option detailed above, that it be recommended to Council to promote the proposed modified resolution and authorise officers to undertake the prescribed procedures to advertise the intention to make the Resolution and ingather any representation as detailed in this report; and
- 5.3 that officers report back on the outcome of these procedures with further recommendations.

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Director of Development Services
Date: 10 August 2009

Contact Officer: **Bryan Douglas**, Licensing Co-ordinator (telephone 501013)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; NEW RESOLUTION
Meeting: FALKIRK COUNCIL
Date: 3 October 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. PURPOSE OF REPORT

- 1.3 On 12 June 2007 the detailed report attached as Appendix 1 was considered by the Policy and Resources Committee. This Committee agreed the recommendations and agreed to recommend them to Falkirk Council for approval. The report was then considered at Falkirk Council on 27 June 2007 and the Committee agreed the recommendations detailed in paragraph 3 of the covering report dated 27 June 2007, which is attached as Appendix 2.
- 1.4 In accordance with paragraph 3(2) of the report of 27 June 2007 a notice was published in the Falkirk Herald on 5 July 2007 to which no representations were received.
- 1.5 If Council approves the resolution today a further notice will be published in the Falkirk Herald on 11 October 2007 indicating that the new resolution will come into operation on 1 August 2008 and that the resolutions of 27 September 1983 and 22 November 1983 will be revoked on 31 July 2008. The notice will also state that, with effect from that date, (1 August 2008) it will be an offence under section 7(1) of the 1982 Act to do without a licence whatever the resolution specifies as being an activity that requires to be licensed and that applications for licences in respect of the activity will be considered by the authority after the expiry of one month after the date of making the resolution.

2. RECOMMENDATIONS

That Council:-

- 2.1 makes a new resolution in terms of the report and appendices approved by Policy and Resources Committee on 12th June 2007 and Falkirk Council on 27 June 2007.
- 2.2 approves the publication of a notice in the Falkirk Herald on 11 October 2007, which notice shall inter alia identify the date of coming into operation of the resolution as 1st August 2008.

.....
Director of Development Services

Date:

Contact Officer: Alison Cairns, Consumer Protection Manager (telephone 501005)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

**Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982, NEW
RESOLUTION; LATE HOURS CATERING POLICY AND
CONDITIONS; STREET TRADERS POLICY AND CONDITIONS**
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 12 June 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 The Civic Government (Scotland) Act 1982 (the Act) sets out the framework within which Local Authorities in Scotland license the carrying out of various specified activities within their administrative areas. Certain activities specified in the Act are mandatory in that Local Authorities (Licensing Authorities) are required to operate licensing schemes in respect of these. Other activities are optional and each Authority can determine whether or not to operate a licensing scheme for any, or all, of these, having regard to local circumstances.
- 1.2 Where an Authority determines to license a specific optional activity, it must make a formal resolution to do so in terms of Section 9 of the Act. The resolution must specify a date from which the activity or activities, which the licensing authority has chosen to license, shall require to be licensed in accordance with the provisions of the Act. This date must not be before the expiry of nine months beginning with the day on which the resolution was made.
- 1.3 Before a resolution can be made, the terms of the proposed resolution, together with a notice stating that the Licensing Authority intend to make the resolution and that representations about the resolution can be made in writing to the authority within 28 days of the first date of publication of the notice, must be published in a newspaper or newspapers circulating within the licensing authority area. The licensing authority shall consider any representations made and make any alterations to the proposed resolution in light of these representations, if appropriate.
- 1.4 As soon as the resolution is made, the Licensing Authority shall publish, in a newspaper or newspapers circulating in its area, the terms of the resolution, together with a notice stating that, from the date specified in the resolution, it will be an offence under the Act to do without a licence whatever the resolution specifies as requiring to be licensed, and, further, that the licensing authority will consider applications for licences after the expiry of one month from the date of making the resolution.
- 1.5 In September and November 1983, the former Falkirk District Council made resolutions to license various optional activities and extracts of the minute of the appropriate meetings of the Council are attached as Appendices 1 and 2.

- 1.6 It is considered that the passage of time, changes in society, the increase in the numbers and variety of premises offering, for example, late hours catering, and the growth and change in the economy have all contributed to the circumstances where a review of the Council's policy and licensing requirements in relation to civic licensing issues is now necessary to ensure that they are relevant and appropriate to meet the needs and aspirations of the economy, community and environment. To respond to this, it is suggested that a new resolution requires to be promoted and certain policies and conditions require to be revised.

2. PROPOSED NEW RESOLUTION

- 2.1 Sections 10 to 23 of the Act deal with taxi and private hire car licences and this optional licensing activity was included in the resolution made in September 1983. Since that time, the hire of stretch limousines and special event vehicles e.g. fire engines has become very popular and a number of operators now trade in the Falkirk area. It is consequently recommended that these types of activity be specified as included as part of the above activity and included in the new resolution.
- 2.2 Sections 24 to 27 of the Act deal with second hand dealers licences and this optional licensing activity was included in the resolution made in September 1983. In relation to second hand dealers, the licensing authority requires to specify the class or classes of that activity which they will license and regulate. Over the last twenty years there have been significant changes in the availability and ownership of items such as mobile telephones, personal computers, music compact discs, DVDs etc which has led to the creation of a second hand market for these types of item. Additionally, second hand sellers of motor cycles, caravans, spare parts, tyres and musical instruments have been identified in the Falkirk Council area. It is consequently recommended that this activity be included in the new resolution with the following additional classes being included:
- Mobile Telephone Equipment
 - Motor Cycles and caravans including spare parts and tyres
 - Sport and recreational effects including personal computers, computer peripherals and discs
 - Musical Instruments
- 2.3 Section 38 of the Act deals with boat-hire licences and this optional licensing activity was not included in either of the 1983 resolutions. In light of the Millennium Canal Project, including the opening of the iconic Falkirk Wheel in May 2002, and the associated and continual development of the canals and waterways in the area, it is recommended that this type of activity be specified in the new resolution.
- 2.4 Section 39 of the Act deals with street traders' licences and this optional licensing activity was included in the September 1983 resolution. It is recommended that this type of activity continues to be specified in the new resolution.
- 2.5 Section 40 of the Act deals with market operators' licences and this optional licensing activity was included in the September 1983 resolution. It is recommended that this type of activity continues to be specified in the new resolution.

- 2.6 Section 41 of the Act deals with public entertainment licences and this optional licensing activity was included in the resolution made in September 1983. In relation to public entertainment, the licensing authority must specify the class or classes of that activity and the place or places where the activity may be carried on which they will license and regulate. Since the resolution was passed in 1983, other classes and places of public entertainment have been established in the Falkirk area and it is therefore recommended that the places and classes of public entertainment specified in the 1983 resolution are augmented by the following in the new resolution:

Stadia or open spaces when used for open air concerts, shows, displays or events
Go-kart tracks, mulator rides, bungee jumping, trampolines, quad bikes, motor stunt displays

- 2.7 Section 42 of the Act deals with late hours catering and this optional licensing activity was included in the September 1983 resolution. The Act specifies in this section that a licence shall be required for the use of premises between the hours of eleven o'clock in the evening and five o'clock the following morning for the sale to or consumption by the public of meals or refreshment on or off the premises. The resolution passed by Falkirk District Council in September 1983, specified that the commencement hour for such licences was 12.00 midnight. It is therefore recommended that this type of activity be specified in the new resolution and that the commencement hour for such a licence be 11pm to conform with the provisions of the Act.
- 2.8 Section 43 of the Act deals with window cleaners' licences and this optional licensing activity was the subject of the November 1983 resolution. It is therefore recommended that this type of activity continues to be specified in the new resolution.
- 2.9 It is recommended that the two previous resolutions which were made on 1983 be rescinded and replaced with a new resolution which more accurately reflects social, economic, environmental and regulatory needs in the Falkirk Council area. The proposed new resolution is attached as appendix 3

3. PROPOSED AMENDMENTS TO EXISTING POLICY

- 3.1 **Late Hours Catering licences** are personal to the holder thereof and are not transferable. The Licensing Authority currently licenses approximately 70 persons to operate Late Hours Catering premises.
- 3.2 The Licensing Authority has not developed any specific policy on the matter of Late Hours Catering licences other than setting a terminal hour for such licences at 1:30am at the meeting of the Performance, Policy and Resources Committee held on 16 November 1993 (Committee Reference Number: 665). It is therefore recommended that a policy is approved in relation to this activity. The proposed new policy is attached as appendix 4.
- 3.3 The current late hours catering licence is renewed every three years and difficulties have been experienced by officers of the Licensing Section in maintaining accurate records and exercising regulatory control as ownership of this type of business changes on a frequent basis without the licensing authority being notified. It is therefore recommended that the duration of a late hours catering licence be changed from three years to one year, which will effectively increase the frequency of regulatory checks by officers to ensure accurate records are maintained.

- 3.4 As stated in paragraph 3.1, the general terminal hour granted for licences is 1:30am. This policy was approved in 1993 and it is proposed to review this policy with a view to introducing different terminal hours for take away premises operating in residential and non-residential areas. The Falkirk Council Local Plan (finalised draft) deposit version states that pubs, restaurants, hot food takeaways and other similar types of businesses have formed a significant growth area in the local economy and provide an important facility to both local people and visitors to this area. However, it is recognised that this type of premise can create amenity problems when located adjacent to residential properties. It is recommended that in relation to Falkirk, Denny, Bo'ness, Grangemouth and Stenhousemuir, the areas contained within the designated Town or District boundaries detailed in the Falkirk Council Local Plan (finalised draft) deposit version are classed as non residential and would generally have a terminal hour granted for licences of 1.30am. All other areas are classed as residential and, as such, in general have a terminal hour granted for licences of 12.30am. Maps outlining the Falkirk, Grangemouth, Stenhousemuir, Bo'ness and Denny, and designated Town or District boundaries are attached as appendices 5a, b, c, d and e respectively. Nothing in the policy would preclude the Licensing Authority from granting a licence subject to an earlier terminal hour if this was considered appropriate in the particular circumstances.
- 3.5 There has been an increase in the number of premises that operate on a 24 hour a day basis, namely supermarkets and petrol retailers, and these can be easily distinguished from take away premises as in the case of the former, the sale of take away food and drinks for immediate consumption is ancillary to the main function of these premises. It is therefore recommended that the licences for 24 hour supermarkets and 24 hour petrol retailers be generally granted until 5am.
- 3.6 **Street traders' licences** are personal to the holder thereof and are not transferable. The Licensing Authority currently licenses approximately 60 persons to carry out street trading activities with products supplied including fresh fish, confectionery, hot food, meat, hardware and textiles. Wheelie bin cleaning services and mobile valet services are also licensed.
- 3.7 The Licensing Authority has not developed any specific policy on the matter of street traders' licences other than setting a terminal hour for such licences at 1:30am. It is therefore recommended that a policy is approved in relation to this activity. The proposed new policy is attached as appendix 6.
- 3.8 The Scottish Executive has recently introduced the Schools (Health Promotion and Nutrition) (Scotland) Bill to Parliament which, if passed, will place health promotion at the heart of the schools' activities and ensure that food and drink served in schools meet high nutritional standards. Imposing an outright ban on street trading in the vicinity of schools is not within the scope of the Bill. Consultation with the Head of Educational Resources in Falkirk Council in relation to street trading near schools has revealed concerns about the availability of fast/junk food at a time when schools are trying to improve the quality and nutrition of food in schools and promoting a healthy eating agenda and culture. There is also a clear link between pupils' nutritional needs and their achievement in schools. It is therefore recommended that there is a 500 metre exclusion zone around schools in which street traders are not allowed to trade. However, these restrictions only apply during term time and then between the hours of 12 noon to 2pm and 3pm to 5pm on school days regardless of whom the traders are targeting.

- 3.9 It should, however, be noted that each licensing application must be considered on its merits. If it is contrary to policy, consideration must be given as to whether sufficient grounds have been put forward to justify a departure from policy. Even if a licensing application conforms with the policy, there can be circumstances when a license might not be given the full benefit of the policy position.

4. PROPOSED AMENDMENTS TO EXISTING CONDITIONS

- 4.1 Concerns have been expressed by Falkirk Council's Corporate and Commercial Services Estates Management Service about the problem of litter, particularly in the vicinity of take away food premises (both mobile and static). They also have concerns about the disposal of trade waste from these types of businesses.
- 4.2 Falkirk Council's current conditions for both late hours catering and street traders do not contain any conditions relating to trade waste. Although they both have a condition relating to litter neither condition is sufficient to address the problems currently being experienced. The current conditions for late hours catering and street traders are attached as appendices 7 and 8, with the conditions relating to litter and trade waste being condition 4 and condition 9 respectively.
- 4.3 A comparison process was carried out with 12 other local authorities in relation to both street traders' conditions and late hours catering conditions in respect of litter and trade waste. Consultation then took place with Corporate and Commercial Services Estates Management Service and the Environmental Protection Unit of Development Services.
- 4.4 The Environmental Protection Act 1990 prohibits the unauthorised deposit of waste and puts a duty of care on businesses to prevent escape of waste, to pass waste only to an authorised person and to produce appropriate paperwork in respect thereof. To comply, all businesses must have documentation to show who their trade waste has been passed to, the nature of the waste and when it was collected. The onus is on the business to ensure that their trade waste is only passed to a registered waste carrier. Section 47(2) of this Act makes a requirement for the provision by the occupier of the premise of suitable waste receptacles and the method of presentation to facilitate emptying, i.e. where the waste is to be stored for collection, when it is to be ready for collection and in what type of container.
- 4.5 To deal with the problem of licenceholders not accepting responsibility for, and therefore not removing litter outside their premises, it is proposed that in respect of applications for both late hours catering and street traders' licences a plan will be produced which will detail in respect of litter an area to be maintained. The licenceholder shall, during business and at the end of each day, ensure the collection and removal of any paper, food wrapping, food, litter or refuse, containers and drinks containers within the area specified on their plan. If required, the holder of a late hours catering licence shall provide and service litter receptacles within the areas to be maintained. Where the holder of a street traders' licence trades at a particular location for a period exceeding 5 minutes, there will be a requirement that a litter receptacle shall be provided at the trading site for the use of customers and removed by the trader thereafter..

- 4.6 To address the issue of adequate trade waste practices, it is proposed that holders of street trader licences shall make provision for emptying of the litter receptacle and ensure that all waste collected is removed along with all other commercial waste produced by the business. Additionally it is proposed that there should be a requirement for the applicant to submit appropriate “Duty of Care” documentation, an annual contract with a registered trade waste carrier for example, with the licence application.
- 4.7 In relation to late hours catering premises, it is proposed that the Licenceholder shall ensure that adequate and suitable provision is made for the presentation, storage and removal of refuse and other waste from the premises in accordance with the provisions of the Environmental Protection Act 1990. It is therefore proposed that a form detailing arrangements for disposal and presentation of waste and a copy of a current waste transfer agreement be submitted with the licence application. These arrangements will require to be considered satisfactory before a licence will be granted. A copy of the form detailing arrangements for disposal and presentation of waste is attached as appendix 9.
- 4.8 For the reasons outlined in paragraphs 4.1 to 4.5 above, it is therefore recommended that new conditions are approved in relation to litter and trade waste for both street traders and late hours catering. The proposed new conditions are attached as appendices 10 and 11 respectively.
- 4.9 In relation to street traders’ licence conditions, a review of the conditions relating to food hygiene issues was carried out by the Food and Safety Manager, Development Services. It is recommended that conditions 6, 7 and 8 in the existing conditions, attached as appendix 8, be removed as the issues covered by these conditions are already covered by statute. Additionally, condition 10 has been removed as Scottish Executive Circular 6/1983 states that conditions must not be imposed so as to restrict/distort competition.
- 4.10 It is recommended that the new conditions, both late hours catering and street traders, apply to new and existing licences. In relation to existing licences, the procedures contained in Section 10 of the Civic Government (Scotland) Act Licensing Provisions to vary the terms of a licence will be commenced.

5. MANDATORY LICENSING ACTIVITIES

- 5.1 As stated in paragraph 1.1 of this report, certain activities specified in the Civic Government (Scotland) Act 1982 are mandatory in that licensing authorities are required to operate licensing schemes in regard to these. Mandatory activities specified in the Act are metal dealers, itinerant metal dealers and indoor sports entertainment. Section 44 of the Act makes provision for new activities to be brought within the scope of the Act. New activities can be either optional, and therefore have to be covered by a section 9 resolution, or mandatory. The Licensing of Houses in Multiple Occupation Order 2000 requires mandatory licensing of houses in multiple occupation.
- 5.2 The Licensing of Skin Piercing and Tattooing Order 2006 was made on 1st of February 2006 and came into force on 1st of April 2006. Licensing of these activities is mandatory. The purpose of the order is to provide a mechanism to increase hygiene and reduce levels of infection in relation to skin piercing and tattooing, utilising inspection and licensing. The conditions that the licensing authority must impose are outlined in Schedule 1 to the Order.

- 5.3 A report was made to the Civic Licensing Committee by the Director of Development Services on 5th of April 2006 detailing the Order. A copy of this report is attached as appendix 12.
- 5.4 On 12th of December 2006, an amendment Order came into force which made a number of significant alterations to the principal Order. The amendment Order amends the conditions that must be imposed by a licensing authority when granting or renewing a licence for the carrying on of a business which provides skin piercing or tattooing, including in particular amending the conditions imposed on premises which carry out ear piercing but no other skin piercing or tattooing activities. The principal Order created an exemption for registered medical practitioners within a hospital or independent clinic. The amendment Order has now extended this exclusion to include any member of a profession regulated by a body specified in Section 25(3) of the National Health Service and Health Care Professions Act 2002.
- 5.5 It is, therefore, recommended that the conditions, which are attached as appendix 13, are approved. These conditions have been drafted in accordance with the amendment order.
- 5.6 A comparison process was carried out with 9 other local authorities in relation to the duration of skin piercing and tattooing licences and the fees charged. Some authorities issue licences for a period of three years, others for one year. It is recommended that Falkirk Council charge an annual fee of £200. Annual renewal would ensure an appropriately frequent inspection regime is applied.

6 RESOURCE IMPLICATIONS

- 6.1 The net effect of the application of the recommendations in this report will have no significant resource implications.

7. CONSULTATION

- 7.1 A total of 12 other local authorities were consulted in relation to litter, trade waste and skin piercing and tattooing issues.
- 7.2 Corporate and Commercial Services Estates Management section were consulted in relation to litter and trade waste issues.
- 7.3 Central Scotland Police were asked to comment on the matter and have made no objections thereto.
- 7.4 The Council's Food and Safety Regulation Manager was asked to comment on the matter and has made no objections thereto.
- 7.5 The Council's Environmental Protection Manager was asked to comment on the matter and has made no objections thereto.
- 7.6 The Council's Development Control Manager was asked to comment on the matter and has made no objections thereto.
- 7.7 The Council's Head of Education Services was asked to comment on the matter and has made no objections thereto.

8. RECOMMENDATIONS

That Members recommend to Council the following:

- 8.1 that Council promote the proposed resolution attached as appendix 3 to this report and authorise officers to undertake the prescribed procedures to advertise the intention to make the Resolution and ingather any representation as detailed in this report;
- 8.2 that officers report back on the outcome of these procedures with further recommendations;

In relation to licences granted in terms of the existing Resolutions, Members recommend to Council the following:

- 8.3 that the late hours catering policy, attached to this report as appendix 4, is approved;
- 8.4 that the street trading policy, attached to this report as appendix 6, is approved
- 8.5 that the new street traders' conditions attached to this report as appendix 10 are approved and will apply to existing, renewed and new licences. Officers are instructed to undertake the process referred to in paragraph 4.10 of this report;
- 8.6 that the new late hours catering conditions attached to this report as appendix 11 are approved and will apply to existing, renewed and new licences. Officers are instructed to undertake the process referred to in paragraph 4.10 of this report;
- 8.7 that the mandatory licences in respect of skin piercing and tattooing continue to be for a one year duration with a fee of £200;
- 8.8 that the skin piercing and tattooing conditions, attached to this report as appendix 13, are approved.

.....
Director of Development Services
5th June 2007

Contact Officer: Alison Cairns, Consumer Protection Manager (telephone 501005)

FALKIRK COUNCIL

Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; NEW
RESOLUTION; LATE HOURS CATERING POLICY AND
CONDITIONS; STREET TRADERS POLICY AND CONDITIONS
Meeting: FALKIRK COUNCIL
Date: 27th June, 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. PURPOSE OF REPORT

- 1.2 The attached report was considered at the Policy and Resources Committee on 12 June 2007. The Committee agreed the recommendations and agreed to recommend them to Falkirk Council for approval.

2. IMPLICATIONS FOR RESOLUTION

- 2.1 As stated in paragraph 1.3 of the attached report, before a resolution can be made, the licensing authority require to publish a notice stating that they intend to make a resolution, and that representations about the resolution may be made in writing to the authority within 28 days of the first publication of the notice. The licensing authority shall consider any representations made and may make any alterations to the proposed resolution in light of these representations, if appropriate, but provided these alterations do not extend the scope of the resolution.
- 2.2 A notice shall be published in the Falkirk Herald on 5th July 2007, from which the 28 day representation period shall start if Council indicates today that it is minded to make the resolution.
- 2.3 It is proposed that the notice identify the date on which the resolution will come into operation as 1st August 2008. This date may require to be put back when Council is asked to formally make the resolution, should any slippage of time have occurred e.g. by reason of the process of obtaining and considering representations.

3. RECOMMENDATIONS

That Council:-

- 3.1 approves the recommendations as outlined in the attached report and as approved by the Policy and Resources Committee on 12th June 2007, and, in particular indicates that it is minded to make a resolution in terms of the draft approved by Policy and Resources Committee.

- 3.2 approves the publication of a notice in the Falkirk Herald on 5th July 2007, which notice shall inter alia identify the date of coming into operation of the resolution as 1st August, 2008, and acknowledges that it may have to amend that this date and
- 3.3 notes that a further report on this matter will be made to a future meeting.

.....
Director of Development Services

Date: 19 June, 2007

Contact Officer: Alison Cairns, Consumer Protection Manager (telephone 501005)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

**Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; REVISION TO
NEW RESOLUTION
Meeting: FALKIRK COUNCIL
Date: 7 OCTOBER 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES**

1. INTRODUCTION

- 1.1 The report that was considered at the Environment & Community Safety Committee on 18 August 2009. The Committee agreed to the recommendations contained within the report and to recommend them to Falkirk Council for approval.

2. IMPLICATIONS FOR EXISTING RESOLUTION

- 2.1 In order that a revision can be made to the existing resolution, the licensing authority is required to publish a notice stating that they intend to revise the resolution, and that any representations concerning the proposed revisions be made in writing to the authority within a period of 28 days of the first publication of the notice. Thereafter, the licensing authority will consider any representations that are timeously made and may make any alterations to the proposed revision in light of representations received, if considered appropriate.
- 2.2 If Council indicates today that it agrees to the proposed revision to the resolution, a notice will be published in the Falkirk Herald on 15th October 2009, from which the 28 day representation period will commence.
- 2.3 It is proposed that the notice specify the date on which the revised resolution will come into effect, namely, 1st October 2010. It must be borne in mind that this date may require to be put back when Council is asked to formally agree to the revised resolution, should any slippage of time have occurred by dint of the process of obtaining and considering representations.

3. RECOMMENDATIONS

- 3.1 That Council approves the recommendations as outlined in the report and as approved by the Environment & Community Safety Committee on 18th August 2009, and, in particular, indicates that it is minded to make a revised resolution in terms of the draft approved by the Environment & Community Safety Committee;

- 3.1 approves the publication of a notice in the Falkirk Herald on 15th October 2009, which shall inter alia specify the date of coming into operation of the revised resolution as 1st October, 2010, and acknowledges that it may have to amend this date; and
- 3.2 notes that a further report on this matter will be made to a future meeting of Council.

.....
Director of Development Services
15 September 2009

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501013)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

Subject: EXECUTION OF DEEDS
Meeting: FALKIRK COUNCIL
Date: 9 December 2009
Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION SERVICES

1. INTRODUCTION

- 1.1 The Deeds shown in the Appendix to this Report have been signed and sealed on behalf of the Council by the Acting Director of Law and Administration Services.

2. RECOMMENDATION

- 2.1 That Council notes the signing and sealing by the Acting Director of Law and Administration Services of the Deeds listed in the Appendix.

.....
Acting Director of Law and Administration Services

Date: 20 November 2009

Contact Officer: Brian Pirie (Tel: 01324 506110)

LIST OF BACKGROUND PAPERS

Nil.

CHARGING ORDER by FALKIRK COUNCIL

Elizabeth Struthers
Catherine Duncan

12 Woodburn Street, Falkirk
26 Ewing Drive, Falkirk

DEED of RESTRICTION between FALKIRK COUNCIL and Stewart Homes (Scotland) Limited

Plot 2 Milnquarter Farm, Roman Road, Bonnybridge

DISPOSITION by FALKIRK COUNCIL in favour of

L M Bell
D McFarlane and S M W McFarlane
R A T McIntosh
T A Kane
L Tastan
B Paterson and E Seve
H Griffiths and R Griffiths
K Milne
E D Martin and I R Martin
J S Stewart
L Fenton
D Ross and K Lyon or Ross
J Kerr
J D Greenhorn
D Johnston
CG Bow and T Bow
I Birnie and M Birnie
A Martin
Link Group Limited
J S Kirkwood and K Kirkwood
L M Bell
J Binnie
Whyte & MacKay Limited
A Burns & J Burns
P M Nicol
J McDermott
H & K Estates Limited

2 McGregors Buildings, Blackston Road, Avonbridge
45 Mayfield Drive, Longcroft
77 Woodburn Crescent, Bonnybridge
60 Thornton Avenue, Bonnybridge
12 Bothkennar Road, Carronshore
25 High Street, Airth
19 Webster Avenue, Carronshore
9 Margaret Avenue, Haggs
12 Mingle Place, Bo'ness
29 Ochil Street, Grangemouth
201 Merchiston Avenue, Falkirk
98 Garry Place, Falkirk
52 Valeview, Stenhousemuir
14 Mansionhouse Road, Falkirk
Land at Shore Road, Airth
52 Crawfield Avenue, Bo'ness
14 Letham Terrace, Letham
23 Skaithmuir Crescent, Carronshore
Site at Station Road, Longcroft
18 Crawfield Avenue, Bo'ness
2 McGregors Buildings, Blackston Road, Avonbridge
66 South View, Stenhousemuir
Wood Street, Grangemouth
30 Park Avenue, Stenhousemuir
27 James Street, Laurieston
7 Bonnywood Avenue, Bonnybridge
0.069 hectares at South Street, Bo'ness

GRANT of SERVITUDE by FALKIRK COUNCIL in favour of Scotland Gas Networks Plc

Ground at Nethermain Road, Denny

LEASE between FALKIRK COUNCIL and

G Phillips and H Scott t/a Henry Grant Skip Hire
A Green and F Green t/a Magic Motifs
J Marshall and J Beattie
B Mousa
G Phillips and H Scott t/a Henry Grant Skip Hire
Barnardos

1 Victoria Sawmills, Bridgeness Road, Bo'ness
76 La Porte Precinct, Grangemouth
3A West Mains Industrial Estate, Falkirk
22 Charlotte Dundas Court, Grangemouth
Unit 2 & Yard 1 Victoria Sawmills, Bridgeness Road, Bo'ness
Dundas Unit, Moray Primary School, Grangemouth

MINUTE of AGREEMENT between FALKIRK COUNCIL and

H S Dhillon and Mrs B K Dhillon
Bank of Scotland Plc
Link Group Limited
Kwok Wing Yau
Partners and Trustees of Campbell Properties
Ogilvie Homes Limited

342 Main Street, Camelon, Falkirk
Area East of East Pier Street, Bo'ness
Mayfield Drive, Longcroft
3 York Square, Grangemouth
Proposed Flats East of Falkirk Road, Larbert
Old Redding Road, Laurieston, Falkirk

MINUTE OF TERMINATION of LEASE between FALKIRK COUNCIL and

Falkirk and District Business Park Ltd
Falkirk and District Business Park Ltd
Falkirk and District Business Park Ltd
Falkirk and District Business Park Ltd
Falkirk and District Business Park Ltd
Falkirk and District Business Park Ltd

Denny Business Centre, Carronbank Crescent, Denny
Grangemouth Enterprise Centre
Newhouse Road, Grangemouth
Phase 1, Newhouse Road, Grangemouth
Phase 4, Newhouse Road, Grangemouth
1-5 Almond Court, Middlefield, Falkirk

MINUTE OF TERMINATION of LEASE between

G W Smith Cycle Agents and Falkirk Council

9C East Bridge Street, Falkirk

MINUTE OF VARIATION between FALKIRK COUNCIL and

I Sharp
Dr C Barth and Others

174 Grahams Road, Falkirk
2 Tiree Place, Hallglen

PARTIAL RUNUNCIATION by

The Secretary of State for Communities and Local
Government with consent in favour of Trillium (Prime)
Property of GP Limited
Ronald McArthur
Victim Support Scotland

Callendar Business Park, Falkirk

Ground at Kemper Avenue, Falkirk
A, B & D, 30 Newmarket Street, Falkirk

PRE-DIPLOMA TRAINING CONTRACT between FALKIRK COUNCIL and
Eilean Margaret Anne McCrae

SECTION 75 AGREEMENT among FALKIRK COUNCIL and
Tesco Stores Limited (Tesco) and Santon Group
Developments Limited (the Landowner)
Ogilvie Homes Limited

Redding Road, Redding, Falkirk

Old Redding Road, Laurieston, Falkirk

TEMPORARY PROHIBITION OF TRAFFIC ORDERS

The Falkirk Council Broomage Avenue/Bellsdyke Road, Larbert (Temporary Footpath Closure) Order 2000