

**PE53. PRIVATE EQUITY AND ALTERNATIVES UPDATE**

The Committee considered a report by the Chief Finance Officer on the progress of the Pension Fund's private equity and alternatives programme arising from the Investments Programme of SL Capital (Standard Life), Wilshire Associates, Grosvenor Capital, M&G and Hearthstone for the quarter ending 31 December 2014.

**Decision**

**The Committee and Panel noted the progress of the Pension Fund's private equity, infrastructure and credit markets programme for the quarter ending 31 December 2014.**



**FALKIRK COUNCIL**

**MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 17 MARCH 2015 at 9.30 a.m.**

**COUNCILLORS:**

Jim Blackwood  
Dennis Goldie  
Gerry Goldie  
Linda Gow  
Adrian Mahoney  
Craig Martin (Convener)  
Dr Craig R Martin  
Malcolm Nicol  
Alan Nimmo  
Robert Spears

**OFFICERS:**

Margaret Anderson, Director of Social Work Services  
Paul Ferguson, Revenue Manager  
Rhona Geisler, Director of Development Services  
Rose Mary Glackin, Chief Governance Officer  
Jennifer Litts, Head of Housing  
Brian Pirie, Democratic Services Manager  
Mary Pitcaithly, Chief Executive  
Stuart Ritchie, Director of Corporate and Neighbourhood Services  
Alan Rodger, Planning and Environment Manager  
Bryan Smail, Chief Finance Officer  
Valerie Thomson, Customer Liaison Officer

**ALSO ATTENDING:**

Maureen Campbell, Chief Executive, Falkirk Community Trust,  
Lesley O'Hare, Culture and Libraries Manager, Falkirk Community Trust,  
Ian Scott, Chair, Falkirk Community Trust

**EX134. APOLOGIES**

No apologies were intimated.

**EX135. DECLARATIONS OF INTEREST**

Councillor Mahoney declared a non-financial interest in items EX141 and 143 as a member of the Friends of Kinneil and Historic Scotland but did not consider that this required him to recuse himself from consideration of the items having had regard to the objective test in the Code of Conduct.

**EX136. MINUTES****Decision**

The minute of meeting of the Executive held on 24 February 2015 was approved

**EX137. JOINT CONSULTATIVE COMMITTEE – 17 FEBRUARY 2015  
FLEXIBLE WORKING POLICY**

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting a revised Flexible Working Policy for approval.

A Flexible Working Policy, aimed at ensuring a consistent approach to the management of flexible working options was considered by the Joint Consultative Committee on 12 November 2014 (ref JCC29). As part of its deliberations the Committee sought further information on Voluntary Reduced Working Time requests. The Committee reconsidered the Policy together with the information requested at its meeting on 17 February 2015 (ref JCC38). The Committee agreed to amend the draft Policy, in regard to temporary part-time working arrangements and referred the amended Policy to the Executive for consideration.

**Decision**

**The Executive agreed the adjusted Flexible Working Policy and its immediate implementation.**

Councillors D Goldie, G Goldie and Gow joined the meeting during the previous item.

**EX138. REVIEW OF FALKIRK COMMUNITY TRUST**

The Executive considered a report by the Chief Finance Officer setting out proposed terms of reference for a policy development panel review of Falkirk Community Trust and requesting that the Executive establish a panel to undertake the review.

Council noted, at its meeting on 12 January 2015 (ref FC66), that it was timely to review and develop the relationship between the Council and Falkirk Community Trust and requested that the Executive be invited to establish a policy development panel for that purpose.

The report set out proposals for the review including terms of reference. A scoping document, setting out the work of the panel, will be developed by the panel at its first meeting.

**Decision**

**The Executive agreed:-**

- (1) the proposed terms of reference for the policy development panel and that these terms of reference will be developed by the policy development panel in the form of a scoping document, and**

- (2) to establish a panel of 5 members with 3 places reserved for members of the Administration and 2 from the Opposition, the panel to be chaired by Councillor C Martin with the remaining nominations to be intimated to the Chief Governance Officer.

Councillor Dr C R Martin joined the meeting during consideration of the previous item.

#### **EX139. LOCAL HOUSING STRATEGY 2014 UPDATE**

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting an update on the 2014 Local Housing Strategy and proposing that, in future, such reports are published on the Council's website.

Council agreed its Local Housing Strategy (LHS) for 2011-2016 in 2011. The LHS sets out the strategic direction for tackling housing need and demand and informs future investment in housing and related services. Progress in regard to achieving the 6 outcomes set out in the LHS was set out in the report.

Progress for the period 2011 to 2013 was reported to the Executive on 18 March 2014 (ref EX136). It was recommended that, in future, the information is published on the Council's website and not reported formally.

#### **Decision**

#### **The Executive agreed to:-**

- (1) note the progress to date in delivering the Local Housing Strategy;
- (2) authorise officers to prepare a Local Housing Strategy for the period 2017/2022 for approval in late 2016, and
- (3) the update on Local Housing Strategy outcomes for 2015 and 2016 being published on the Council's website.

#### **EX140. FALKIRK LOCAL DEVELOPMENT PLAN – SUPPLEMENTARY GUIDANCE**

The Executive considered a report by the Director of Development Services presenting 3 Local Development Plan Supplementary Guidance Notes for approval.

The Executive authorised, on 25 February 2014 (ref EX46), the preparation of, and consultation on, 16 Supplementary Guidance Notes to assist in the interpretation of the Council's proposed Local Development Plan. To date 10 Notes have been prepared, consulted upon and approved by the Executive. A further 3 have been prepared and consulted upon namely:- SG02 Neighbourhood Design Guide; SG03 Residential Extension and Alterations; and SG14 Spatial Framework and Guidance for Wind Energy Development.

The report summarised each of the Guidance Notes, provided details on the feedback from consultations and proposed amendments to SG02 and SG14.

The Guidance Notes were appended for approval.

### **Decision**

**The Executive agreed:-**

- (1) the following Supplementary Guidance Notes, including modifications in response to consultations as detailed in appendix 1, and to submit these to Scottish Ministers for approval, along with the Falkirk Local Development Plan:**

**SG02 Neighbourhood Design Guide**

**SG03 Residential Extensions and Alterations**

**SG14 Spatial Framework and Guidance for Wind Energy Development**

- (2) to authorise the Director of Development Services to make minor adjustments to text arising from change of circumstances.**

## **EX141. THE ANTONINE WALL - A LOCAL ACTION PLAN**

The Executive considered a report by the Director of Development Services presenting the Antonine Wall Local Action Plan for approval.

The Antonine Wall Management Plan 2014-19, approved by Historic Scotland and the 5 Local Authorities partners (East Dunbartonshire, Falkirk, Glasgow City, North Lanarkshire and West Dunbartonshire Councils), outlines the long term vision for the wall and includes aims and actions for all partners over the period of the plan. A Local Action Plan for the Falkirk Council area was set out together with detail on the implementation of the Action Plan through the Falkirk Council Antonine Wall Corporate Working Group. The aim of the Action Plan is to develop fully the social and economic potential of the wall in the Falkirk Council area.

Local Authority Working Groups have responsibility for the implementation of each Local Action Plan.

### **Decision**

**The Executive agreed the Antonine Wall Local Action Plan as appended to the report and the activities of the Council's Corporate Working Group to develop and implement the Action Plan.**

**EX142. ECONOMIC STRATEGY AND PROMOTION**

The Executive considered a report by the Director of Development Services proposing that a policy development panel is established to review and develop the Council's Economic Strategy.

The Council's Economic Strategy, My Future's in Falkirk was last updated in 2010 (Ref ESD32) to reflect changes in the economic environment and, in particular, the consequences of the recession of 2008. It is now proposed that the Strategy is reviewed to reflect changes in the interim in regard to the economic environment, business needs, opportunities and challenges with a view to presenting a strategy for the next 5 to 10 years, with the Falkirk Economic Partnership acting as a steering group for the process.

The Executive was invited to establish a policy development panel (PDP) to review the current strategy and develop an updated strategy by September 2015.

The report also summarised a review of the design imagery used to promote the area which would be further developed to reflect the outcome of the PDP review.

**Decision**

**The Executive agreed to:-**

- (1) the development of an updated Economic Strategy;**
- (2) establish a 5 member policy development panel to co-ordinate Council input to the strategy with 3 places reserved for members of the Administration and 2 from the Opposition, the panel to be chaired by Councillor D Goldie with the remaining nominations to be intimated to the Chief Governance Officer;**
- (3) note the work proposed to develop refreshed marketing material for economic promotion, and**
- (4) receive a progress report in May 2015 with a finalised economic strategy in August 2015.**

**EX143. KINNEIL ESTATE, BO'NESS**

The Executive considered a report by the Director of Development Services presenting the Kinneil Estate Masterplan for 2015-2025 for approval.

The Kinneil Estate Masterplan for 2015-2025 had been developed by Falkirk Community Trust following consultation with key partners including Falkirk Council, Historic Scotland, Friends of Kinneil and Bo'ness Community Council. The Masterplan sets out a framework to conserve, enhance and develop the estate over the next 10 years. A draft Masterplan was appended for consideration.

**Decision**

**The Executive agreed:-**

- (1) the final draft of the Kinneil Estate Masterplan 2015-2025 as set out in appendix 1 of the report;**
- (2) to note the consultation undertaken with key stakeholders, and**
- (3) to request annual progress reports on delivery of the Masterplan.**

#### **EX144. TREASURY MANAGEMENT STRATEGY 2015/16**

The Executive considered a report by the Chief Finance Officer presenting a Treasury Management Strategy 2015/16 for consideration prior to referral to Council.

In terms of the CIPFA Code of Practice for Treasury Management, Council is required to agree an annual Treasury Management Strategy. The recommended strategy for 2015/16 was presented. The Strategy set out:-

- the economic and interest rate outlook;
- debt outstanding at 1 April 2015;
- the long term borrowing requirement for 2015/16;
- borrowing and investment strategies;
- Treasury Indicators and management advisers; and
- Member and officer training.

#### **Decision**

**The Executive agreed to recommend to Council that it:-**

- (1) adopts the Borrowing Strategy for 2015/16 as set out in the report;**
- (2) adopts the Investment Strategy for 2015/16;**
- (3) approves the list of “Permitted Investments” as set out in section 6 of the report, and**
- (4) approves the Treasury Indicators as set out in section 7 of the report.**

#### **EX145. SCOTTISH NATURAL HERITAGE GREEN INFRASTRUCTURE PROJECT: RIVER CARRON CONNECTIONS**

The Executive considered a report by the Director of Development Services setting out a proposal for submission to Scottish Natural Heritage (SNH) for inclusion in its Green Infrastructure Project programme.

The (SNH) Green Infrastructure project is aimed at creating multi-functional green networks within urban areas, improving quality of life, promoting health and physical activity, economic growth and investment and opportunities for community engagement. Public and third sector organisations have been invited to submit



proposals for inclusion within this 5 year European Regional Development Fund project.

A proposal, River Carron Connections, was set out. This project, comprising 11 individual projects, was costed at approx. £2.2m. Up to 40% funding could be available from the Green Infrastructure Project, with the remaining 60% to be provided by the Council and partners. Projects would be tailored to match the available funding. The Executive was invited to approve the proposal in principle and to authorise the Director of Development Services to complete the submission to SNH. It was anticipated that SNH would advise on the outcome of those the bids made in June 2015.

### **Decision**

#### **The Executive agreed:-**

- (1) the River Carron Connections proposal in principle for submission to Scottish Natural Heritage's Green Infrastructure Project, and**
- (2) to authorise the Director of Development Services to co-operate with partner agencies and complete the submission.**

At this stage, Councillor Spears declared a non-financial interest in the following item as a former employee of BP but did not consider that this required him to recuse himself from consideration of the item having had regard to the objective test in the Code of Conduct.

### **EX146. BUSINESS SUPPORT – INVESTMENT FUNDING**

The Executive considered a report by the Director of Development Services setting out proposals in regard to business support investment funding.

Three funds are available through the Council to support businesses in the area:- the East of Scotland Loan Fund, the BP Loan Fund and the Business Grant Scheme.

The Council is a member of the East of Scotland Loan Fund which offers loans up to £100,000 to new and growing, small and medium sized businesses. A similar fund is set up in the West of Scotland. It was intended that a pan-Scotland Fund is created and that the respective funds are restructured into a single fund. The report summarised the proposal and the anticipated benefits for Falkirk Council.

The BP Loan Fund was established in 2001 in partnership with BP to provide unsecured loans of up to £10,000 at 6% interest to anyone looking to start up or grow a business in the Falkirk Council area. The fund has been managed by Falkirk Council since 2012. The report set out a proposal that BP conclude its involvement in the fund and that a new Start Up Loan Company is established.

The Small Business Grant Scheme was established by Council in October 2012 to assist businesses invest for growth. The report summarised the success of the Scheme and proposed revisions to eligibility criteria for the Scheme.

## **Decision**

**The Executive agreed to:-**

- (1) progress Falkirk Council's membership of the pan-Scotland Loan Fund replacing its current membership of the East of Scotland Loan Fund;**
- (2) note the establishment of the Start Up Loan Company loan fund and to review the BP Loan Fund, and**
- (3) implement changes to the eligibility criteria for the Small Business Grant Scheme, as set out in section 4 of the report.**

## **EX147. COMMUNITY LINKS AND SMARTER MEASURES FUNDING APPLICATIONS**

The Executive considered a report by the Director of Development Services providing an update on bids made for funding Sustrans, Transport Scotland and Cycling Scotland.

Council had been invited to bid for funding from Sustrans Community Links funding stream for projects aimed at enhancing pathways in 2015/16. Four bids were made for 2015/16 and were set out in the report. Should the funding be awarded match funding would be required to progress the projects further.

In addition, bids were made to Transport Scotland for measures which promote and encourage sustainable travel, and to Cycling Scotland for projects to encourage cycling in schools.

## **Decision**

**The Executive agreed:-**

- (1) to approve bids and acceptance of grants from the bodies listed within the report and, following notification of successful applications, authorise officers to seek match funding from appropriate sources;**
- (2) that, if any of the bids to Sustrans are unsuccessful, officers be authorised to continue with these projects, as approved resources allow, including seeking match funding;**
- (3) that, subject to the Chief Finance Officer being satisfied that funds for acquisition are available, the Director of Development Services and the Chief Governance Officer be authorised to enter into negotiations and thereafter conclude a bargain for the acquisition of land or rights of access necessary for the projects listed in the report (irrespective of success in the current round of bidding), with each of the transactions being at a purchase price considered satisfactory to the Director of Development Services; and**

- (4) **in principle, the outcome of negotiations for access agreements which are to be concluded for Carronshore Bridge, Bo'ness to Blackness Phase 3 and Victoria Park.**

#### **EX148. CENTRAL DEMOLITION LIMITED, LAND AT HIGH BONNYBRIDGE**

The Executive considered a report by the Director of Development Services seeking authority to conclude the transaction for the sale of land at High Bonnybridge to Central Demolition Limited at a purchase price of £280,000.

The Executive authorised, on 18 June 2013 (ref EX36), the disposal of land at High Bonnybridge to Central Demolition Ltd. The land had been valued at £350,000. On the basis of the proposed transaction, which involved the purchases upgrading a nearby football pitch and pavilion, the Council would receive a capital receipt of £146,000.

Since then, the land has been revalued at £280,000 as a result of the reduction in developable area arising from Historic Scotland's requirements to impose a buffer zone protecting the line of the Antonine Wall. Additionally, the agreed costs to the purchaser for the upgrading works have increased from £204,000 to £232,000. As a consequence the net capital receipt to the Council, should the Executive agree to amend the purchase price to reflect the revised valuation, will be £48,000.

#### **Decision**

**The Executive authorised the Director of Development Services to arrange for conclusion of the transaction with Central Demolition Limited on the basis of the amended purchase price of £280,000 as detailed in paragraphs 3 and 4 of the report.**

#### **EX149. EXCLUSION OF PUBLIC**

**The Executive agreed in terms of s50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting for the following items of business on the ground that they would involve the likely disclosure of exempt information as defined in Paragraphs 8 & 12 of Part 1 of Schedule 7A to the said Act.**

#### **EX150. KINSHIP CARE – PROPOSED REVIEW OF POLICY AND PROCEDURES**

The Executive considered a report by the Director of Social Work Services recommending an amendment to the Kinship Care Policy and Procedures.

Following an enquiry by the Equalities and Human Rights Commission (EHRC) in regard to the equity of payments to approved kinship carers of looked after children compared to allowances paid to foster parents, the Kinship Care Policy was reviewed. The enquiry, made to a number of Local Authorities, has implications for all Scottish Local Authorities and a response is being co-ordinated by Social Work Scotland and COSLA, with the Scottish Government. At the request of the Scottish Government an interim position is sought pending a longer term solution.

The report provided background together with the legal and financial implications.

### **Decision**

The Executive agreed to:-

- (1) note the enquiry that Falkirk Council have received from Equality and Human Rights Commission (EHRC) in relation to equity of payment to kinship carers of looked after children with foster carers, the potential for EHRC to use its enforcement powers and the legal and financial implications arising from the proposed amendment to the current Kinship Care Policy and Procedures;
- (2) the amendment to the current Kinship Care Policy and Procedures on an interim basis to make payments in terms of Section 22 of the Children (Scotland) Act 1995 with a view to ensuring Kinship Carers income is broadly comparable with foster care allowances, effective incrementally from 1 April 2015;
- (3) authorise the Director of Social Work Services, or duly authorised officers on her behalf, to continue working with Social Work Scotland; COSLA and Scottish Government to contribute to a longer term solution, and
- (4) request the Director of Social Work Services and thereafter the Director of Children's Services to update the Executive as the situation progresses.

### **EX151. IRRECOVERABLE DEBTS 2014/15**

The Executive considered a report by the Chief Finance Officer recommending that irrecoverable debts in regard to Council Tax, Housing Benefit Overpayments, Non Domestic Rates, Sundry Accounts and Payroll Overpayments are written out of the 2014/15 accounts.

In terms of Financial Regulations, debts not exceeding £5,000 can be written out of the accounts by the Chief Finance Officer. For debts exceeding £5,000, Executive approval is required.

Details were given of debts exceeding £5,000 in regard to Council Tax, Housing Benefit Overpayments, Non Domestic Rates, Sundry Accounts and Payroll Overpayments and approval was sought to write off these debts.

### **Decision**

The Executive agreed that:-

- (1) Council Tax debts in excess of £5,000 totalling £22,156.12 as detailed in appendix A of the report be written out of the accounts in 2014/15, subject to further recovery action being taken should the opportunity arise;

- (2) rent debts in excess of £5,000 totalling £11,333.88 as detailed in appendix B of the report be written out of the accounts in 2014/15, subject to further recovery action being taken should the opportunity arise;
- (3) Housing Benefit Overpayments in excess of £5,000 totalling £50,441.88 as detailed in appendix C of the report be written out of the accounts in 2014/15, subject to further recovery action being taken should the opportunity arise;
- (4) Non-Domestic Rates debts in excess of £5,000 amounting to £766,810.91 as detailed in appendix D of the report be written off, with an appropriate adjustment to the Rate Income Return for 2014/15, subject to amendments should further information on the debtors concerned become available;
- (5) Sundry Accounts debts in excess of £5,000 totalling £71,807.36 (Inclusive of VAT) as detailed in appendix E of the report be written out of the accounts in 2014/15, subject to further recovery action being taken should the opportunity arise, and
- (6) payroll debts in excess of £5,000 totalling £116,666.00 as detailed in appendix F of the report be written out of the accounts in 2014/15.



**MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 18 MARCH 2015 at 9.30 A.M.**

**COUNCILLORS:**

Jim Blackwood  
Baillie William Buchanan  
Gordon Hughes  
Depute Provost John Patrick  
Provost Pat Reid (Convener)  
Ann Ritchie

**OFFICERS:**

Bryan Douglas, Licensing Co-ordinator  
Frances Kobiela, Senior Solicitor  
Brian Samson, Licensing Enforcement Officer  
Antonia Sobieraj, Committee Services Officer

**CL140. APOLOGIES**

Apologies were intimated on behalf of Baillie Paterson and Councillor McNally.

**CL141. DECLARATIONS OF INTEREST**

No declarations were intimated.

**CL142. MINUTE**

**Decision**

**The minute of the meeting of the Civic Licensing Committee on 18 February 2015 was approved.**

Councillor Ritchie entered the meeting during consideration of the following item of business.

**CL143. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN JANUARY 2015 AND NOTIFICATIONS OF PUBLIC PROCESSIONS PENDING**

The committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 and 31 January 2015 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002, and (b) notifications of pending public processions.

**Decision**

**The committee noted the report.**

**CL144. CIVIC LICENSING ENFORCEMENT – JANUARY 2015**

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during January 2015.

**The committee noted the report.**

**CL145. EXCLUSION OF PUBLIC**

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

**CL146. APPLICATION FOR THE GRANT OF A NEW SECOND HAND DEALER LICENCE**

The applicant, Ms M, on behalf of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new second hand dealer licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and the responses received.

Ms M spoke in support of the application.

Questions were then asked by Members of the Committee.

**Decision**

**The committee agreed to grant the licence for a period of three years subject to the standard conditions but with a variation in relation to the following conditions:-**

- (a) The condition requiring that records be maintained in a bound book to be varied to enable such records to be maintained electronically; and**
- (b) The condition prohibiting the activity of pawn broking in the same premises as a second hand dealer to be removed.**

**CL147. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE**

The applicant, Mr W, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal of a new taxi driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr W spoke in support of the application.



Questions were then asked by members of the committee.

### **Decision**

The committee agreed to renew the licence for a period of one year with a stern warning letter detailing the standards expected of taxi drivers and subject to the standard conditions.

## **CL148. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

The applicant, Mr S, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application, and (b) summarising the consultations undertaken and responses received.

Mr S spoke in support of the application.

Questions were then asked by Members of the Committee.

### **Decision**

**The committee agreed:-**

- (a) that the applicant be given a final opportunity to take and pass the knowledge test;
- (b) that should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the licence without further reference to Committee;
- (c) that should the applicant take and pass the knowledge test, officers would arrange for the applicant to sit the Council's medical test;
- (d) that should the applicant pass both tests, to authorise the Chief Governance Officer to grant the taxi driver licence; and
- (e) that should the applicant pass the knowledge test but fail the medical test, that the application be considered at a future meeting of the Committee.

## **CL149. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

The applicant, Mr R, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr R spoke in support of the application.

Questions were then asked by Members of the Committee.

### **Decision**

**The committee agreed:-**

- (a) that the applicant be given a final opportunity to take and pass the knowledge test;
- (b) that should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the licence without further reference to Committee;
- (c) that should the applicant take and pass the knowledge test, officers would arrange for the applicant to sit the Council's medical test;
- (d) that should the applicant pass both tests, to authorise the Chief Governance Officer to grant the taxi driver licence; and
- (e) that should the applicant pass the knowledge test but fail the medical test, that the application be considered at a future meeting of the Committee.

## **CL150. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

The applicant, Mr L, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application, and (b) summarising the consultations undertaken and responses received.

Mr L spoke in support of the application.

Questions were then asked by Members of the Committee.

### **Decision**

**The committee agreed:-**

- (a) that the applicant be given a final opportunity to take and pass the knowledge test;
- (b) that should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the licence without further reference to Committee;
- (c) that should the applicant take and pass the knowledge test, officers would arrange for the applicant to sit the Council's medical test;
- (d) that should the applicant pass both tests, to authorise the Chief Governance Officer to grant the taxi driver licence; and

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

#### **CL151. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

The applicant, Mr S, was not in attendance.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record. The Committee noted that the applicant had been invited to sit the knowledge test on four separate occasions but had on no occasion attended to undertake the test. No reason for non attendance was given despite the Licensing section's efforts to obtain clarification. The committee agreed to consider this item in the applicant's absence.

##### **Decision**

The committee refused to grant the taxi driver licence application in terms of the Civic Government (Scotland) Act 1982, Section 13(5) on the ground that the applicant, having failed to pass the knowledge test, has failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates and the layout of the roads in the area.

#### **CL152. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

The applicant, Mr C, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr C spoke in support of the application.

Questions were then asked by Members of the Committee.

##### **Decision**

The committee agreed that the applicant undergo a medical but should he fail the test, that the application be considered at a future meeting of the Committee and should the applicant pass the medical to grant the licence for a period of one year with a stern warning letter detailing the standards expected of taxi drivers and subject to the standard conditions.



**MINUTE of MEETING of the COMMON GOOD SUB-COMMITTEE (FALKIRK)  
held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 24 MARCH 2015 at  
9.30 AM.**

**COUNCILLORS:**

Provost Pat Reid (Convener)  
Colin Chalmers  
Dennis Goldie  
Gerry Goldie  
Cecil Meiklejohn

**OFFICERS:**

Hilary McArthur, Accountancy Services Manager  
Harry Forster, Committee Services Officer

**CGF5. APOLOGIES**

No apologies were intimated.

**CGF6. DECLARATIONS OF INTERESTS**

No declarations were made.

**CGF7. MINUTE**

**Decision**

**The minute of the meeting held on 17 September 2014 was approved.**

**CFG8. APPLICATION FOR FINANCIAL ASSISTANCE DOLLAR PARK  
COMMUNITY TENNIS COURTS**

The Sub-Committee considered a report by the Chief Finance Officer, advising of an application to the Falkirk Common Good Fund by Falkirk Community Trust to assist with costs in the upgrade and improvement of the tennis courts located within Dollar Park.

The report provided a summary of the proposed project and estimated costs together with other sources of funding.

**Decision**

**Agreed to provide funding of £15,000 from the Falkirk Common Good Fund to Falkirk Community Trust towards the cost of upgrading and improving the four tennis courts located within Dollar Park.**



## FALKIRK COUNCIL

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 25 MARCH 2015 at 9.30 a.m.**

**COUNCILLORS:**

Baillie William Buchanan (Convener)  
 Steven Carleschi  
 Colin Chalmers  
 Craig Martin  
 John McLuckie  
 Cecil Meiklejohn  
 Alan Nimmo  
 Baillie Joan Paterson  
 Sandy Turner

**OFFICERS:**

John Angell, Head of Planning and Transportation  
 Kevin Collins, Transport Planning Co-ordinator  
 Ian Dryden, Development Manager  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Stuart Henderson, Environmental Health Officer  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator

**P125. APOLOGIES**

Apologies were intimated on behalf of Councillors McNally and Nicol.

**P126. DECLARATIONS OF INTEREST**

No declarations were made.

**P127. REQUESTS FOR SITE VISITS**

Having heard requests by members for site visits, the Committee agreed to the continuation of planning applications P/14/0587/FUL, P/14/0094/FUL and P/14/0475/FUL.

**P128. MINUTES****Decision**

- (a) The minute of meeting of the Planning Committee held on 25 February 2015 was approved; and
- (b) The minute of meeting of the Planning On-Site Committee held on 9 March 2015 was approved.

**P129. DEMOLITION OF RUINED FARMHOUSE, ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE, FORMATION OF ACCESS, CHANGE OF USE OF AGRICULTURAL LAND TO GARDEN GROUND AT DOUBLEDYKES FARM, FALKIRK FOR MRS ALISON ARNOTT - P/14/0682/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 February 2015 (Paragraph P119 refers), Committee (a) gave further consideration to a report by the Director of Development Services; and (b) considered an additional report by the said Director on an application for full planning permission for the demolition of ruined farmhouse and erection of dwellinghouse and domestic garage and formation of access and change of use of agricultural land to garden ground at Doubledykes Farm, Falkirk.

Members considered that, while this application is strictly contrary to the current Development Plan, looking at the particular facts and circumstances of the proposal it would improve the visual amenity of the area and road safety concerns would be mitigated by the creation of a bellmouth. It was proposed that there be an advisory in relation to potential provision by the developer of an additional passing place on Drove Road. Members considered that officers' recommendation at paragraph 7c.5 of the report, in the event of a decision to support the application, be followed and that the Committee indicate that it is minded to grant the application subject to design changes to the proposed dwellinghouse being agreed with the Director of Development Services.

**Decision**

The Committee agreed that it is MINDED to GRANT planning permission subject to design changes to the proposed dwellinghouse being agreed with the Director of Development Services and, thereafter on the conclusion of and agreement being reached on the said design changes, to remit to the Director of Development Services to grant planning permission subject to appropriate conditions as determined by the said Director and an informative with regard to creation by the applicant of an additional passing place on Drove Road.



**P130. DEMOLITION OF EXISTING FARM BUILDINGS AND FARMHOUSE, AND ERECTION OF 6 NO. DWELLINGHOUSES WITH ASSOCIATED WORKS AT NETHERTON, FALKIRK FK2 0BU FOR SPRINGFIELD PROPERTIES PLC - P/14/0716/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the demolition of existing farm buildings and farmhouse and the erection of six detached dwellinghouses with associated works on a site extending to 1.4 hectares at Netherton Farm, Candie, Falkirk.

**Decision**

The Committee agreed to grant planning permission subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
- (2) Before development commences, site investigations shall be undertaken as identified in the approved Coal Mining Risk Assessment Report. In the event that site investigations confirm the need for remedial works to ensure the safety and stability of the development all necessary works shall be undertaken prior to the occupation of any approved dwellinghouse. The developer shall inform Falkirk Council as Planning Authority in writing in advance of any necessary site remediation works.
- (3) Before development commences on site samples of all construction materials for all masonry, slate, aluminium rainwater goods, wet dash render, timber fenestration and timber cladding shall be submitted for the written approval of Falkirk Council as Planning Authority including amendment as required.
- (4) Before development commences on site construction techniques for the re-use of all retained natural stone in the approved dwellinghouses shall be submitted for the written approval of Falkirk Council as Planning Authority including amendment as required.
- (5) Prior to the occupation of any approved dwellinghouse, the site access arrangements approved in the "Site Access Arrangements" plan (drawing number 16) shall be implemented.
- (6) Prior to the occupation of the last dwellinghouse all approved core path connection works (drawing number 30) and Candie Road passing places (drawing number 17) shall be implemented.

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.

- (2) In the interest of public safety.
- (3-4) In the interests of visual amenity.
- (5) In the interest of road safety.
- (6) In the interests of recreation use.

**Informative(s):-**

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online number(s) 01 - 16, 17A, 18A and 19.
- (3) The developer should contact Scottish Water and SEPA to seek water connection and approval of the proposed private drainage arrangements.

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

- P131. ERECTION OF 8 DWELLINGHOUSES AND ASSOCIATED INFRASTRUCTURE ON LAND TO THE NORTH OF 35 FOUNTAINPARK CRESCENT, BO'NESS FOR DA DEVELOPMENTS - P/14/0587/FUL**
- P132. USE OF LAND FOR END OF LIFE VEHICLE DECONTAMINATION AND DELIQUIDISING FACILITY AND STORAGE OF SCRAP MATERIAL (RETROSPECTIVE) AT ALL PARTS AUTO SALVAGE HILLVIEW ROAD, HIGH BONNYBRIDGE, BONNYBRIDGE FK4 2BD FOR ALL PARTS AUTO SALVAGE - P/14/0094/FUL**
- P133. ERECTION OF SHOP, HOT FOOD TAKE-AWAY AND 6 FLATTED DWELLINGS WITH ASSOCIATED CAR PARKING AT SPAR AND FLAMES SALMON INN ROAD, POLMONT, FALKIRK FK2 0XF FOR MR ABDUL SATTAR - P/14/0475/FUL**

## FALKIRK COUNCIL

**MINUTE of MEETING of the PERFORMANCE PANEL held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 26 MARCH 2015 at 9.30 AM.**

**CORE MEMBERS:** Rosie Murray  
Baillie Joan Paterson  
Depute Provost John Patrick

**MEMBERS ATTENDING:** David Alexander  
Stephen Bird  
Jim Blackwood  
Gordon Hughes  
Brian McCabe  
Cecil Meiklejohn  
Alan Nimmo  
Provost Pat Reid

**OFFICERS:** Alex Black, Quality Improvement Manager  
Fiona Campbell, Head of Policy, Technology and Improvement  
Megan Farr, Policy Officer  
Paul Ferguson, Revenue Manager  
Jack Frawley, Committee Services Officer  
Rose Mary Glackin, Chief Governance Officer  
Gary Greenhorn, Joint Acting Director of Education  
Colin Moodie, Depute Chief Governance Officer  
Anne Pearson, Joint Acting Director of Education  
Mary Pitcaithly, Chief Executive  
Bryan Smail, Chief Finance Officer

**ALSO ATTENDING:** Robert Naylor, Director of Children's Services (designate)

### PP15. MINUTE

#### Decision

**The minute of the meeting of the Performance Panel held on 5 February 2015 was approved.**

### PP16. EDUCATION SERVICES SCRUTINY REPORT

The panel considered a report by the Joint Acting Director of Education Services setting out the performance for the service from April to December 2014. Anne Pearson gave an overview of the report.

The panel welcomed Robert Naylor as the newly appointed Director of Children's Services.

Members asked about the challenge of providing appropriate support to children with additional support needs. Anne Pearson stated that in relation to Oxbgangs School there were no significant difficulties at the current time and that two new teachers had been appointed. An improvement plan was in place and the service was carrying out an on-going inclusion review. The vision from this had been agreed and adopted.

The panel sought information on how effectively and well used Glow had been since its re-launch. Anne Pearson stated that lots of work was being carried out using Glow, particularly around the issue of personal security on social media. The revised version of Glow was a good product and use throughout the service was being encouraged. Alex Black stated that there would be a long lead in time to see significantly increased usage as people tended to be driven to Glow by need. In terms of the use of social media in schools, Anne Pearson highlighted that Primary 5 and 6 pupils from Kinnaird Primary School had created a youtube video about palm oil. Education Scotland had contacted the service and asked to use the video as an example of good practice. The panel requested that a briefing session on Glow for all members, Gary Greenhorn advised that a briefing on Glow would take place. Members asked for their access to Glow to be restored, Anne Pearson confirmed that this would be done.

Members asked if there was mitigation in place to deal with the proposed reductions to the Community Learning and Development (CLD) service. Gary Greenhorn stated that there were 104 live activity agreements involving young people three months prior to leaving school and 63 for those aged 20 and over. CLD provided support directly in schools but support was also provided by third sector organisations such as Barnado's. The service was working on the reduction to CLD provision and highlighted that agreements key to the business of the service would be treated as a priority.

The panel asked if budget constraints around book selection would limit the impact of the literacy strategy. Anne Pearson advised that the service was working with the principal librarian to undertake a review of how to best organise provision in schools. She stated that a report would be provided to members following the review.

In response to a question on tensions between schools and communities about the use of outdoor learning, Anne Pearson stated that the service was aware of a particular issue and the head teacher of the school was engaging with the community around their concerns.

The panel asked how the service equipped young people to use social media and the internet safely. Anne Pearson advised that the service had worked hard on guidance for young people of all ages and had engaged parent councils.

In response to a question on the improved fluidity between school and adult literacy, Anne Pearson stated that improvements were made following increased contributions from CLD.

The panel asked for further information on the work to develop tracking and monitoring systems. Anne Pearson stated that two depute head teachers were working collaboratively on this for children from 3 to 18 years old. The work would improve the experiences of children and young people through school transitions.

Responding to a question on teacher number requirements, Gary Greenhorn advised that the service had been working toward the August intake since January. After talking to schools, which identified their requirements, the service had requested 85 probationer teachers for the coming year. The recruitment process would commence in late April or May in order to have the required number of teachers ready for the start of term in August. In terms of penalties for a drop in numbers, Gary Greenhorn stated that a tolerance had been included to ensure the required level was met.

The panel highlighted that attainment at Higher level had become static and that the target had remained more or less the same, asking how Falkirk compared nationally. Alex Black stated that there had been a gentle rise in the number of pupils achieving three or more Highers since 2007, from 26% to 38%. He advised that the Falkirk figures were a percentage point below the Scottish average but that the long term trend was positive. He stated that Falkirk was usually in line with or slightly better than the national average and comparator authorities. Members expressed that they wanted Falkirk to be better than average and asked what was being done to achieve this. Anne Pearson stated that annual school improvement meetings had been reviewed and were now held with head teachers more often. The service was tightening up its focus on attainment, particularly through the work on tracking and monitoring.

In response to a question on the uptake of free school meals by eligible pupils, Gary Greenhorn stated that the figures were positive with Falkirk having a higher uptake than other areas.

The panel asked for information on the looked after children scrutiny group. Alex Black advised that the group was led by David Mackay and currently held at Oxbang School. The group drilled down to a pupil level focus. The next steps for the group were to look beyond traditional measures to the wider process, especially the support provided to looked after children post exclusion. The group was multi-agency, including social work services and Barnardo's Cluaran Service.

Members asked for information on the work done to build family capacity. Alex Black advised that the work included summer programmes and learning opportunities provided with CLD throughout the year. 230 families, who had been identified by social work services or the third sector, had attended events.

The panel asked about the provision of wi-fi in primary schools and any performance issues. Gary Greenhorn stated that he was not aware of any performance problems but that there had been a challenge to get infrastructure in place. There was also a challenge in using guest devices on the network due to security protocols.

Members expressed concern about the number of reported incidents of violence against school staff. Anne Pearson advised that recording processes had been revised and that the reporting method did not highlight where a single pupil was responsible for multiple incidents. She also advised that the range of incidents went from the minor to the very serious but that most incidents were minor. Gary Greenhorn stated that the service would review how to present the information to provide greater clarity in the future.

The panel asked for information on tracking and monitoring of vulnerable young people. The panel highlighted that the deadline for the work had been August 2014 and that although it was now done it had been behind the timescale. Anne Pearson stated that an update would be brought to a future meeting.

Members asked about the variance in offer of subject choice to children across the area. Gary Greenhorn stated that secondary school head teachers were looking at implementing standardised choice. Work was also being carried out with Forth Valley College and would involve the Director of Children's Services. Alex Black advised that upon entering the senior phase pupils were offered six subjects on average. The curriculum was structured to offer an equality of entitlement across high schools. He stated that pupils could take on an additional course in sixth year and that if the pupil was able to achieve five Highers in one sitting they would be given the opportunity.

The panel asked about early identification of children with additional support needs. Anne Pearson stated that identification could start pre-birth and was a collaborative process. There was a team focussed on under 3 year olds who worked with the NHS for pre or post birth. If issues arose later there was a team focussed on 3 to 8 year olds.

Members asked what was done in the case of a dispute between parent and school about whether a child had additional support needs and the level of provision necessary. Anne Pearson stated that requests for entry deferral would be considered by an appeals committee. If parents were unhappy with a decision then they could go to tribunal. However, the service worked to avoid such circumstances and used mediation to encourage discussion.

The panel asked how schools identified children with additional support needs. Anne Pearson advised that if a child was struggling in school and their behaviour showed that their needs were not being met then the school would act in an incremental fashion. Where necessary a team around the child was established and meetings would be held with the parents and named person to identify how to best meet the child's needs.

Members asked about the implementation of the customer first system across the service. Alex Black stated that customer first was being trialled in one area of the service. Megan Farr was the officer accountable for taking forward the roll out across the service. The system would be rolled out to schools in 2016. He stated that the implementation of customer first would improve reporting and that more robust data would be collected.

The panel asked for information on equality and poverty impact assessments (EPIA). Gary Greenhorn stated that EPIAs were an integral part of the budget process and that detailed corporate assessment was carried out where savings were proposed. Anne Pearson advised that further training would be given to staff across the service.

In response to a question on the use of e-learning packages around data protection, Anne Pearson stated that a reminder and guidance had been issued to staff on data protection and that there were three mandatory e-learning modules.