

The panel asked for information on why there was a decrease to 84% of secondary school pupils who felt safe and well looked after/secure in school. Alex Black stated that the information was useful but that limited comparisons could be drawn to previous years as different cohorts of pupils were surveyed. He stated that the satisfaction level was lower than the service wanted. A focus group had been set up with senior secondary school pupils to feed in to the service plan.

Members asked for information on the Family Information Service. Alex Black stated that the service was soon to be launched which would include a helpline and website for further support.

The panel asked how the Council audited the accounts of community centres and school halls. Gary Greenhorn stated that parent councils submitted accounts to the service and they were then audited by Education, who referred any questions to Finance. CLD staff had been trained on financial governance. He advised that the accounts received by Education Services included the level of reserves held by a group.

Members asked about the percentage of looked after children achieving positive destinations. Alex Black stated that a breakdown could be provided after the meeting. Mary Pitcaithly advised that this area was to be subject to the work of a scrutiny panel, as part of the scrutiny plan considered by Council on 11 March 2015.

Decision

The panel noted the performance statement.

PP17. CHIEF EXECUTIVE OFFICE SCRUTINY REPORT

(i) Chief Executive Office – Finance Performance

The panel considered a report by the Chief Finance Officer setting out the performance for the service from 1 April 2014 to 31 January 2015. Bryan Smail gave an overview of the report.

Members asked for an update on the work to ensure that existing collection policies mitigated the impact of welfare reform and complied with statute and best practice. Paul Ferguson stated that the collections policy had been rewritten twice in the previous six months but that implementation had been delayed by the absence of the Depute Chief Finance Officer. The draft policy had been submitted to Corporate and Neighbourhood Services for consultation and it would be provided to Councillors shortly thereafter.

The panel asked for further information on the service's work to improve customer service. Paul Ferguson stated that an improvement team had been set up. The team were looking at how to better plan resources based on identifying peaks of demand. Customer service training had been provided to staff and extra staff would be deployed to front counters during busy periods at Callander Square. Wait times were displayed on nine back office computers and a trigger was set if those waiting times reached ten minutes.

Members asked for further information on rent arrears and discretionary housing payment (DHP). Bryan Smail advised that the Council's full allocation of (DHP) would be spent. The service had worked to ensure that everyone who was entitled to the payment accessed it. He stated that the general economic climate and the pressure on family budgets had led to increased arrears. He highlighted the legacy issue of non-payment from the bedroom tax which had a ripple effect to rent collection. Paul Ferguson stated that rent arrears over the previous two to five months had been more positive. He highlighted the work of the Council's Tenancy Sustainment Officers who had been important to the prevention of serious debts. He stated that the building of new council houses created new tenants who needed support to develop the skill set to manage and pay all their bills. Tenancy Sustainment Officers had provided support through training and education.

The panel asked if the £800,000 towards proposed capital expenditure received from tax incremental financing was in line with what was expected. Bryan Smail advised that the received amount was in line with expectations and that what had been claimed for was approved.

Members asked about the work to implement e-procurement with all services. Bryan Smail stated that the implementation was being worked through with all services in smaller sections. There were challenges around the variation to current practice across services and time was required to map this. He stated that good progress was being made and that the electronic system would be rolled out service by service. Completion of this large scale project was expected to take between a year and a half and two years.

The panel asked if the DHP allocation was overspent if there would be an affect to the accounts. Bryan Smail stated that an accrual would be built into the accounts, if prudent. The Scottish Government had held back an element of DHP to assess the initial national picture. He stated that the use of DHP was positive in managing arrears. He advised that by the end of the year there was likely to be a £100,000 overspend.

Members asked for information on the impact of welfare reform on staff and workloads. Bryan Smail advised that over the previous few years there had been waves of pressure, including major system implementation which created backlogs in others areas which were now cleared. Welfare reform had created feelings of uncertainty especially as the timetable for implementation had slipped. The range of pilots was narrow and short of what full implementation would be. This led to uncertainty in planning staff resources and an increased use of temporary contracts. Paul Ferguson stated that in Revenues and Benefits there had been no increase in absence due to stress and that a change management course had been provided to staff.

The panel asked who was responsible for ensuring that annual general meetings were held for groups running community halls and that proper accounts were submitted. Bryan Smail stated that Education Services were responsible in that case. Mary Pitcaithly stated that the responsible service would take on the responsibility for all liaison and that in this case Education Services worked with Finance to ensure that proper financial information was presented. She advised that support was provided to community centre management teams by the organisation's monitoring officer.

Members asked if information on council tax and housing benefits could be sent to people in a single envelope rather than in separate mail runs. Paul Ferguson advised that would be the approach for this year. The service had received positive feedback on taking this approach.

The panel asked for further information on pursuing small council tax debts. Paul Ferguson advised that the Council had a statutory obligation to tell people of their outstanding council tax debts. The service did not pursue debts under £2.50.

Members asked for further information regarding topped up state pensions, where the gross figure was used for tax calculation. Bryan Smail stated that he would look into the matter further after the meeting.

The panel asked for information on the pilot of universal credit in Highland Council. Bryan Smail advised that there was a process to follow, including the elapse of time before meeting a trigger which meant that arrears built up. The timescale was that of the Department of Work and Pensions (DWP). There were concerns arising from the pilot that the DWP were slow to action requests sent once people met the trigger. He stated that the best approach to debt management was to intervene early but the timescales for universal credit delayed the initiation of intervention. Fiona Campbell stated that Falkirk was to be included in the second phase of the roll out, which was anticipated to be toward the end of May, and would impact on new clients.

Members asked if any information was available on the impact of universal credit regarding mental health and self harm. Bryan Smail stated that he did not have that information but that it was likely that the risk was real and higher than it otherwise would be.

The panel asked for information on the impact of universal credit on social care landlords and housing associations. Paul Ferguson highlighted that an Edinburgh based Registered Social Landlord had been given DWP support but had still suffered a loss of income. He advised that as universal credit was paid after an individual had built up other debts in order to keep their household running it was more unlikely that rent payments would be made. He stated that meetings were being held with the DWP to discuss how to mitigate the impact of the changes. Mary Pitcaithly stated that a report providing an update on welfare reform had been submitted to the Executive on 2 December 2014.

Decision

The panel noted the performance statement.

(ii) Chief Executive Office – Governance

The panel considered a report by the Chief Governance Officer setting out the performance for the service for the period 1 April 2014 to 31 January 2015. Rose Mary Glackin gave an overview of the report.

The panel asked for clarification about recording the percentage of Council and Joint Board agendas issued within set timescales. Rose May Glackin stated that where the calling notice was issued five clear days prior to the meeting it was recorded as meeting the target. However, if the calling notice was issued within five clear days of the meeting it would be recorded as being issued late. She advised that where a report was marked as 'to follow' this did not breach the performance indicator if the calling notice was issued in time with available papers.

Members asked about the projection that Printworks would not achieve its targeted surplus. Mary Pitcaithly advised that all budgets were prepared using anticipated spend and income. Rose Mary Glackin stated that a business analysis of Printworks was being taken forward. The service aimed to achieve value for money wherever possible. She highlighted that in line with the corporate print policy all services should use Printworks for their volume print needs. The policy was supported throughout the Council by service champions.

The panel asked why the percentage of licensing applications acknowledged within five working days was below target. Rose Mary Glackin advised that management action had been taken and that improvements would be seen in future reporting periods.

Members asked why standing orders and the scheme of delegation were kept under review. Rose Mary Glackin advised that they were kept under review so that where decisions taken by members necessitated a change to the standing orders or scheme of delegation this could be done.

The panel asked if after updating guidance on data protection it was given to the Information Commissioner for feedback. Rose Mary Glackin stated that there were two parts to the regulation of information and data protection. The Scottish Information Commissioner (SIC) was responsible for enforcing and promoting Scotland's freedom of information laws, as well as being responsible for approving the Council's publication scheme. She advised that the Information Commissioner's role was to uphold information rights in respect to the Data Protection Act 1998. The Council complied with the good practice guidance issued by both Commissioners. Updates to Council guidance were not referred to the Commissioners but the SIC reviewed all Scottish Councils' adherence to freedom of information laws.

Members asked when a policy framework for public processions would be implemented. Rose Mary Glackin advised that a policy development panel had been undertaken to develop the policy.

The panel expressed concern that consultants had been engaged to review the Printworks business before engaging with elected members. Mary Pitcaithly stated that Business Gateway were not external consultants in the sense of the question, Business Gateway was a part of Development Services. Rose Mary Glackin advised that the service sought to identify how to best support Printworks.

Members asked what the overheads for Printworks were, as the service drew in a substantial income. Rose Mary Glackin stated that the projected income for 2014/15 was approximately £780,000 to £790,000, while Printworks had expenditure of around £820,000. She provided members with information on the changes in usage of Printworks by services and highlighted that materials associated with the changes to the refuse collection cycle had been a source of increased revenue.

The panel discussed electoral registration and noted their thanks to the election team for their work during the Scottish Independence Referendum. Members discussed an issue where people had registered before the deadline but were not on the electoral roll on the day. Mary Pitcaithly advised that the electoral roll was the responsibility of the Electoral Registration Officer (ERO). She stated that she would pass on members' concerns to the ERO.

The panel asked if the register for the General Election in May 2015 would revert to that held before the referendum. Mary Pitcaithly stated that work was being carried out to compile a new register and that assurance had been given from the Government that no one would lose their vote if previously registered. However, postal and proxy vote applications needed to be made again for the May election. Rose Mary Glackin advised that the ERO had issued letters to all households and that these would advise if action needed to be taken to be included on the roll. Mary Pitcaithly advised that she would ask the Falkirk Herald to run an article on this to publicise the issue.

Members asked for clarification around whether or not people who had been involved in a campaign group during the Referendum on Scottish Independence could be employed as election staff for the General Election in May. Mary Pitcaithly stated that individuals who had been active in a campaign or were counting agents would not be able to be employed. Rose Mary Glackin advised that there was a legal requirement for the referendum that an individual could not be employed if they had been directly involved in a campaign.

Decision

The panel noted the performance statement.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PLANNING COMMITTEE held in MADDISTON PRIMARY SCHOOL, MAIN ROAD, MADDISTON, FALKIRK on MONDAY 30 MARCH 2015 commencing at 7.00 P.M.

The purpose of the meeting was to hold a pre-determination hearing in terms of the Planning etc. (Scotland) Act 2006. When sitting in this capacity, the Planning Committee comprises all members of the Council.

COUNCILLORS:

Jim Blackwood
 Baillie William Buchanan (Convener)
 Steven Carleschi
 Gordon Hughes
 Adrian Mahoney
 Craig Martin
 Rosie Murray
 Alan Nimmo
 Baillie Joan Paterson
 Depute Provost John Patrick
 Provost Pat Reid
 Sandy Turner

OFFICERS:

John Angell, Head of Planning and Transportation
 Kevin Collins, Transport Planning Co-ordinator
 Ian Dryden, Development Manager
 Rhona Geisler, Director of Development Services
 Rose Mary Glackin, Chief Governance Officer
 Iain Henderson, Legal Services Manager
 Stuart Henderson, Environmental Health Officer
 Alexandra Lewis, Planning Officer
 Stephanie McGhee, Committee Assistant
 Connor Rae, Modern Apprentice
 Julie Seidel, Planning Officer
 Antonia Sobieraj, Committee Services Officer
 Russell Steedman, Network Co-ordinator
 Richard Teed, Senior Forward Planning Officer

**ALSO
ATTENDING:**

Simon Deans, Senior Planner and Greg Limb, Partner,
 Gladman Developments Limited

P134. APOLOGIES

Apologies were intimated on behalf of Councillors Alexander, Black; Bird, Chalmers, Coleman, Gow, McCabe, McLuckie, McNally, Oliver, Ritchie, MacDonald, Dr C R Martin, Meiklejohn and Nicol.

P135. DECLARATIONS OF INTEREST

No declarations were made.

P136. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES INCLUDING OPEN SPACE, ACCESS, LANDSCAPING AND ASSOCIATED ENGINEERING WORKS AT PARKHALL FARM, MADDISTON, FALKIRK FK2 0BN FOR GLADMAN DEVELOPMENTS LIMITED - P/14/0707/PPP

There was submitted Report (circulated) dated 18 March 2015 by the Director of Development Services on an application for planning permission in principle for the development of land for residential purposes including open space, access, landscaping and associated engineering works at Parkhall Farm, Maddiston, Falkirk.

1. The Convener formally welcomed those present and outlined the procedures relating to the meeting.
2. The Planning Officer (J Seidel) outlined the nature of the application.

Councillor C Martin entered the meeting at this point in the proceedings.

3. The applicant's representative was heard in relation to the application.
4. Questions were then asked by Members of the Committee as follows:-

Q(a) Clarification was sought on the reason it took a long time to deal with Coal Authority matters and the objection from the Coal Authority regarding lack of information.

Response by the applicant's representative:-

The application had been submitted together with a Phase 1 Environmental Risk Assessment which included information on mining. The Coal Authority did not consider that the information was sufficient and as a result the applicant instigated a formal risk assessment and this was immediately provided to the Coal Authority. This showed that there was no risk from previous mining at the site. An update would be available for the meeting of the Council on 13 May 2015.

Q(b) Clarification was sought on Education provision and the impact on that of the proposed development

Response by the Senior Forward Planning Officer:-

The proposed development would put considerable pressure in particular on Maddiston Primary School which is currently full. New housing anticipated under the Local Plan could be covered by extending the school with the use of developer contributions. This development is, however, beyond expectations contained in the Local Plan and would take the school beyond the scope of an extension. There would also be pressure on Braes High School, St Mungos RC High School and St Andrews RC Primary School. No school has more than 3 class streams. Should the application be approved, normal contributions would not meet the needs. A new school would be required.

Q(c) Clarification was sought on the suitability of the access to the site.

Response by the Network Co-ordinator:-

There would be a need for another access to the site. The development would place pressure on the junction of Nicolton Road and the B805 Main Road. In its current state Nicolton Road would be unsuitable.

Response by the Transport Co-ordinator:-

The Transport Planning Unit was not completely satisfied that Nicolton Road could be upgraded to a suitable standard to operate as a secondary access into the proposed development. The favoured access was the A801 not via Nicolton Road. There are issues for capacity on Nicolton Road and upgrading would be required including provision of a roundabout.

Q(d) Clarification was sought on the calculation of the number of school places required for the houses within the development.

Response by the Senior Forward Planning Officer:-

In relation to a local primary school there is a formula that reflects one pupil place for every 4 houses and all calculations take into account the demographic factors in play within the local area such as birth rates and other school roles.

The primary school was full (at 95% capacity) and had two temporary modular classrooms. The additional special needs and nursery facilities were full. The demand for the nursery outweighed the spaces available and this was expected to continue throughout the timeframe of the Falkirk Proposed Local Development Plan (FPDP).

Q(e) Clarification was sought on the supply of housing within the Falkirk Proposed Local Development Plan (FPDP).

Response by the Planning Officer (A Lewis):-

The FPDP identified Maddiston for additional housing and sustainable growth for approximately 280 additional houses. For the Polmont area this would equate to around 616 units over a 5 year period. The examination report was published by the Reporter on 4 March 2015 and there were no changes proposed in relation to settlement boundaries affecting the application. The FPDP maintained the northern site as being within the countryside and outwith the urban limit of Maddiston. The southern site was identified as a housing opportunity forming part of the Maddiston East Growth Area. There was therefore no requirement to allocate additional housing for the Polmont area.

The total housing land allocation within the FPDP from 2014 to 2024 for the Council as a whole represented 7964 units as follows:-

- existing supply sites 6217 units; and
- new proposals 1747 units.

Q(f) Clarification was sought on whether other local authority areas were not meeting housing supply.

Response by the applicant's representative:-

The majority of local authorities were in the same position. Supply is not meeting need. There is a need for additional sites to be released to meet needs in the short term - within the next 5 years in planning terms. It is considered that this site would be delivered within 5 years.

Q(g) In recognition that the Council's Roads Unit considered there may be issues with Nicolton Road, clarification was sought on whether the applicant had a Plan B for a second access.

Response by the applicant's representative:-

This had been left in the hands of the transport consultant. The applicant would look to upgrade Nicolton Road within the design guidelines. There was disagreement with the Council's Roads team over the design guidelines. The proposals are in a pack which is before officers.

Q(h) In terms of the upgrade of Nicolton Road, clarification was sought on the disagreement between the Roads Unit and the applicant on the required improvements necessary for the road.

Response by the Network Co-ordinator:-

He is not clear what the difference of opinion is.

Response by the applicant's representative:-

He is not a transport engineer and is aware that the proposals are not acceptable at present but believes there is a suitable solution per the transport assessment.

- Q(i) In recognition of concern raised by members on the lack of detailed information from the applicant's representatives on Nicolson Road, further clarification was sought on whether the Roads Unit and the applicant were working to the same design standards principles.

Response by the Network Co-ordinator:-

The applicant should be working to the same roads and transport design principles as the Council's Roads Unit.

- Q(j) Clarification was sought on the degree of ground contamination at the site of the proposed development.

Response by the Planning Officer (J Seidel):-

Should the application be approved in principle the normal conditions would be attached to any permission. These would require the applicant to undertake additional work following approval. The Planning Officer undertook to consult with the Council's Environmental Health Unit on the necessary conditions prior to the meeting of the Council on 13 May 2015.

- Q(k) Clarification was sought on the number of additional vehicles expected to leave the development and enter the road network and the surrounding areas.

Response by the Transport Co-ordinator:-

The Transport Assessment had identified that approximately 60 vehicles would exit the development between 8 a.m. and 9 a.m. It was expected that the majority of the residents of these properties would leave the development at different times and therefore the traffic movement would be spread throughout the day.

- Q(l) Clarification was sought on the number of vehicles expected for each of the 212 dwellinghouses and the number of car spaces that would be provided by the applicant.

Response by the Network Co-ordinator:-

3 parking spaces are required for properties of more than 3 bedrooms with 2/3 bedroom properties requiring 2 parking spaces.

Q(m) Clarification was sought on the guidelines for assessing numbers of cars within the development and the journeys that would generate.

Response by the Transport Co-ordinator:-

The best estimation of the level of car ownership was derived from information contained within a national database of housing developments of a similar size and scale. This represented the most accurate information available at present. It was reiterated that the national database allows modelling showing that not all cars leave between, say, 8 a.m. and 9 a.m.

Q(n) Clarification was sought on the measures to be undertaken by the applicant to address the education school capacity shortfall.

Response by the applicant's representative:-

The position is that the Council has factored in developments included in the Local Plan. This site would backfill the sites that are not going to come forward. The fallback is the potential for financial contributions which would be looked at by the applicant if the Council decides to grant permission. It is expected that contributions could be considerable.

5. Section 38A of the Town and Planning (Scotland) Act 1997 together with Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 give those persons who have submitted representations on relevant planning applications the right to be heard before a Committee of the Council before the application is determined.

(a) Mr I Storrar, an objector to the development, raised concern that the applicant's representative had not adequately answered the earlier questions in relation to a Plan B to address the problems on Nicolton Road or the impact on schools in the area. A concern is Nicolton Road and the potential to reduce living standards, result in security concerns and he has no idea of the impact on the fence line. He stressed the loss of open space and the adverse affect on wildlife and dog walkers. The unique nature of the surrounding area was highlighted. He was also concerned that the local community would not benefit from employment in building the development with skilled jobs coming from external sources. He also felt that a community hall is just a sweetener.

- (b) Mr P Neaves, an objector to the development, raised concern that development of the land was not supported in the FPDP, the Reporter's report on which had only just been received by the Council. He commented that the Plan is so new that to go against it at this time would be perverse. He commented that the development would clearly extend over the whole of the wider area. He felt there would be other areas better placed to meet demand. There are drainage issues with the site that may not be in the control of the applicant. The economic argument is a red herring and something any development would support. He also stressed that there would be an increase in traffic, drainage issues, an increased demand for school places and that schools had reached their capacity level. He indicated that this would then create opportunities for development over an extended area. The uncertainty in relation to the site at Whitecross also meant that consideration of this development was premature.
- (c) Mr J Wotherspoon, representing Maddiston Community Council, raised concern at the poor transport arrangements and the general lack of infrastructure to support the development. He commented on the dormitory nature of the village and that it is without the adequate services to support the development. The development would therefore place added strains on the community. He also was concerned at the lack of capacity within local schools and the pressure on GP practices.
- (d) Mrs S Storrar, an objector to the development, referred to the significant pressure on schools and the NHS which would be exacerbated by the development.
- (e) Mr M Taylor, an objector to the development, stated that the area was already turning into a commuter based area and that new residents would focus their expenditure outwith the Maddiston area. He stressed that any further building required the necessary supporting infrastructure. He also referred to concerns over impact on greenspace and the pylons nearby which would need to be fenced to keep children safe.
- (f) Mr J Smith, an objector to the development, was concerned at the lack of capacity within local schools and that Education Services did not support the application. He also raised concern at the inadequate nature of Nicolton Road and the increased pressure on the road from the large number of additional cars as well as the associated damage to the road and to the local vegetation. He pointed to cases of drivers currently ignoring the speed limit and large vehicles that take the road then have to reverse out again.
- (g) Mr H Rudge, an objector to the development, indicated that land was not available for this development, the site being located within the countryside and not supported by the FPDP.

- (h) Mr G Crawford, an objector to the development, referred to the proposals for the Suburban Urban Drainage System (SUDS) and that the pipe to the pond would be under housing. He also raised concern that the development would encroach on the protective buffer zone.
 - (i) Mr A Davie, an objector to the development, raised concerns at the negative visual impact from the development and the effect on privacy. He highlighted that the nursery school could not accommodate additional children as it was full and the need for an access to the site from Nicolton Road. He also referred to environmental concerns including the loss of greenspace and the importance of protecting badgers in the area.
 - (j) Ms S J McMahon, an objector to the development, raised concerns at the significant pressures on GP surgeries and the lack of NHS facilities in the area which would undoubtedly increase as a result of the development.
 - (k) Mr W Crow, an objector to the development, raised concerns at the increased carbon footprint from the development due to the large number of additional cars. He highlighted the severe smell from the additional car fumes and road safety issues as well as school capacity concerns and the need for further information from the applicant in terms of the education contribution and the benefit of the development to the local economy.
 - (l) Mr D Irwin, an objector to the development, raised concerns at the erosion of the greenbelt and the increased traffic and the significant effect on Nicolton Road and Glendevon Road. The accuracy of the Traffic Survey undertaken by the Council's Transport Unit was also questioned.
 - (m) Mr S Holmes, an objector to the development, raised concerns at the increased number of cars from the development and that there could be as many as 400 to 800 additional car journeys directly attributable to the development. He also stressed the increased traffic from the A801 which would generate a rat run.
6. Responses were given by the applicant's representatives and Officers from Development Services in relation to the issues raised by Members and contributors as follows:-

Response by the Senior Forward Planning Officer:-

There is an awareness that the school is under pressure. Any new development would require contributions but it cannot be said that the demands of this development could be met without a new school. The Council invested £9m in the year 2000 to replace the old school with the current school.

Response by the Transport Co-ordinator:-

It was confirmed that the Transport Survey information represented trip generation on weekdays and used data from the national survey.

Response by the Network Co-ordinator:-

If the development is approved and Nicolton Road ends up serving it then the road will need upgrading. In its current form, the road would not be suitable to service the development. On the matter of carbon generation, the car movements will be movements whether they are on Nicolton Road or not.

Response by the applicant's representative:-

The contributors had raised a number of good points during the course of the Hearing and there was not a great to be added. As a point of clarification, and further to a question on the definition of affordable housing, the Scottish Government definition related to properties being affordable to persons on modest incomes. In terms of the contributors' concerns in relation to visual impact and privacy these issues would be addressed at a later stage should the application receive planning permission in principle. On the matter of the traffic generation on Nicolton Road, a written response covering issues raised and requiring clarification, would be submitted to the Planning Officer (J Seidel) prior to the Council meeting on 13 May 2105.

Response by the Planning Officer (A Lewis):-

The Polmont area has a substantial supply of existing sites - 840 units from existing supply sites. In relation to comments about undersupply of housing in the area, the Reporter does not deem there is an undersupply. There is a mechanism for other sites if there is an undersupply.

7. Further questions were then asked by Members of the Committee as follows:-
 - (a) Clarification was sought on the incorporation of the NHS provision within the Section 75 through planning gain should planning permission in principle be approved.

Response by Planning Officer (J Seidel):-

There was no provision for this in the current Local Plan but the FPDp mentions healthcare and there is draft Supplementary Planning Guidance on the matter.

- (b) Clarification was sought on the likelihood of the FPDP being changed in terms of this site prior to the date of the Council meeting.

Response by Development Manager:-

This was unlikely.

8. Close of Meeting

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by Falkirk Council on 13 May 2015.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 31 MARCH 2015 at 11.30 a.m.

COUNCILLORS:

Allyson Black
 Thomas Coleman
 Craig Martin (Convener)
 Cecil Meiklejohn
 Alan Nimmo
 Provost Pat Reid

OFFICERS:

Karen Algie, Head of Human Resources and Customer First
 Jack Frawley, Committee Services Officer
 Mary Pitcaithly, Chief Executive

ALSO ATTENDING:

Robert Naylor, Director of Children's Services (Designate)

AP15. APOLOGIES

None.

AP16. DECLARATIONS OF INTEREST

None.

AP17. EXCLUSION OF PUBLIC

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

AP18. APPOINTMENT OF HEAD OF EDUCATION

The committee considered a report by the Chief Executive which provided an update on the selection process for the post of Head of Education. The report provided information on the progress to date; the selection process undertaken; feedback from officer interviews and assessments, and options to progress the selection process.

Decision

The committee agreed to re-advertise the post of Head of Education with one of the three short listed candidates kept in the process.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 2 APRIL 2015 at 11.15 AM.

COUNCILLORS:

Allyson Black
Baillie William Buchanan
Charles MacDonald
Baillie Joan Paterson
Provost Pat Reid (Convener)

OFFICERS:

Fiona Campbell, Head of Policy, Technology and Improvement
Jack Frawley, Committee Services Officer
Colin Moodie, Depute Chief Governance Officer
Bryan Smail, Chief Finance Officer

ALSO ATTENDING:

Neil Brown, General Manager, Falkirk Community Trust
Jane Clark, Business Development Manager, Falkirk Community Trust

S1. APOLOGIES

An apology was intimated on behalf of Councillor McLuckie.

S2. DECLARATIONS OF INTEREST

Provost Reid and Baillie Buchanan declared a non-financial interest in S4 as directors of Falkirk Community Trust but did not consider that this required them to recuse themselves from consideration of the item, having regard to the objective test in the Code of Conduct and the relevant specific exclusion contained in the code.

S3. MINUTES

- (a) **The minute of the meeting of the Performance Panel held on 5 February 2015 was noted, and**
- (b) **The minute of the meeting of the Scrutiny Committee held on 19 February 2015 was approved.**

Baillie Paterson entered the meeting during consideration of the following item of business.

S4. FOLLOWING THE PUBLIC POUND: FALKIRK COMMUNITY TRUST

The committee considered a report by the Chief Executive presenting an update on the performance of Falkirk Community Trust (the Trust) against key objectives for the period 1 April 2014 to 31 December 2014, in line with Following the Public Pound and Council procedures.

The report provided information on the Trust's objectives and performance, key achievements and financial performance. Neil Brown, General Manager, Falkirk Community Trust gave an overview of the report.

The committee highlighted the Trust's success in securing the Commonwealth Games running track for Grangemouth Stadium and asked for further information on funding opportunities arising from that. Neil Brown stated that an application had been made for a grant of £500,000 from sportscotland. Meetings had been held with sportscotland prior to securing the replacement track for Grangemouth Stadium. The work to get the track had convinced sportscotland that the Trust was committed to the future of the facility. If funding was awarded by sportscotland it would be used to refurbish the indoor running track, reception and changing rooms.

Members asked about the opportunities for income generation at Callendar House, particularly around Christmas events. Neil Brown stated that due to the layout of the site it was challenging to create a traditional visitor pathway ending in the gift shop. The gift shop had been refreshed and a review carried out of staffing and the layout. The number of products had been reduced and the products stocked were carefully selected by doing so the circulation space for visitors had been increased. He stated that while the portacabin site for souvenir sales at Helix Park had been well used as a temporary solution, it would not be suitable to use at Callendar House as it would detract from the site's aesthetic. He stated that the Trust was aware of the need to improve the tea room at Callendar House and that work was ongoing.

The committee stated that income generation at Helix Park could be improved and asked what plans were in place. Neil Brown stated that the park had been designed to be free for all and that visitor numbers had nearly doubled predictions. The Trust had inherited the site and was adapting its approach in order to maximise income. The visitor centre would open in October 2015. The Trust had run coaching sessions for children but these had not been well enough attended to sustain. There had been demand for pedalos, kayaks and canoes at the lagoon which had been procured and were available. He advised that the cost of a tour of the Kelpies had increased from £4.95 to £6.95. A familiarisation event had been held with coach tour companies to encourage them to stop at the Kelpies. The Trust had engaged nine franchisees who offered varied catering throughout the park. He stated that car park charges at the visitors centre had been introduced from 1 April 2015.

Members stressed the importance of making the most of the opportunity for income generation at Helix Park and asked if any events were planned. Neil Brown stated that no major events would be held until the appropriate infrastructure was in place. The retail product range had been developed and was, in his opinion, the best range since opening. He highlighted the opportunity to have live music and kids' clubs on site to attract footfall. Jane Clark stated that there would be events in 2016 around the year of innovation, architecture and design. Neil Brown advised that the emergency services event which had been held in 2014 was a success and would be held again in 2015. Neil Brown stated that

Visit Falkirk had worked with a local bus operator to brand and market a route between five key tourist sites including the Falkirk Wheel and Helix Park.

In response to a question on the new software invested in for libraries, Neil Brown stated that a better service was now available for customers and that the new system had been necessary as the old one was not fit for purpose.

Members asked for an update on the gym facility at Stenhousemuir. Neil Brown stated that following a procurement process the contract had been awarded and that the facility was on target to open around late August 2015.

The committee stated that they had hoped to see a more balanced winter programme at the Hippodrome to meet both populist and avant-garde tastes. Neil Brown stated that the committee's comments had been taken on board and were reflected in the most recent programme for the Hippodrome.

Members asked for information on the marketing resources of the Trust. Neil Brown stated that the Trust had a marketing team of six people which included one officer who was solely dedicated to marketing Helix Park. There had been an impact on the operation of the team due to long term sickness absence but the team had reprioritised its focus to ensure that key areas were delivered effectively.

The committee asked how performance measures and targets were set. Neil Brown advised that targets were set by team leaders and staff and then reviewed by the senior management team before submission to the Trust's board as part of the business plan. Jane Clark advised that the performance indicators were developed from statutory reportable indicators. Neil Brown stated that the Trust was a member of Sporta – the national association of leisure and cultural trusts. Most trusts were only responsible for sport and leisure so direct benchmarking and comparisons were not made but informal evaluation and best practice sharing occurred.

In response to discussion about following the public pound and ensuring best value, Neil Brown referred to the performance trends since the establishment of the Trust. He stated that the amount of income generated had increased by 22% for the period of the Trust's operation and that the annual report showed real progress in participation, improvements to assets and finances.

Members asked about the Festival of Silent Cinema and income generated. Neil Brown advised that the financial outcome of the event was currently unknown as it had only concluded on 22 March 2015.

The committee asked for an update on work to the flumes at Grangemouth swimming pool. Neil Brown stated that the refurbished flumes would be operational before the school summer holidays at the end of June.

In response to a question on how the Trust got feedback from customers, Neil Brown stated that a survey had been carried out with customers two years ago and would be carried out again in 2016.

Members sought further information on the availability of family swim tickets at the Mariner Centre. Neil Brown advised that family tickets were available for all of the Trust's swimming pools and that there was also discount available to customers who purchased monthly passes.

The committee asked if issues arising from the introduction of charges to school lets had been resolved. Neil Brown advised that following discussions organisations who had been resistant to the changes had accepted the reasoning for the policy and that it resulted in the better utilisation of assets. He confirmed that where voluntary organisations booked multiple areas they were only charged for the use of one part of the facility.

Members raised concern about the heating system in Falkirk Town Hall. Neil Brown stated that significant investment was required in the heating system to address the issue.

The committee asked if the Trust was looking at ways to increase the usage of the Hippodrome for corporate events. Neil Brown stated that a report had been considered by the board's sub-group and that reduced charges had been agreed. He stated that there were a number of issues including; lack of daytime demand, no backstage facility and little circulation space.

Decision

The committee approved the report and acknowledged the progress Falkirk Community Trust has made in delivering on its core commitments for the Council.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPEALS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 30 OCTOBER 2014 at 9.30 a.m.

COUNCILLORS:

Jim Blackwood (Convener)
Dennis Goldie
Linda Gow
Depute Provost John Patrick
Sandy Turner

OFFICERS:

Tracey Gillespie, Human Resources Manager
Colin Moodie, Depute Chief Governance Officer
Antonia Sobieraj, Committee Services Officer

A1. APOLOGIES

Apologies were intimated on behalf of and Councillors Chalmers, Jackson and McLuckie

A2. DECLARATIONS OF INTEREST

No declarations were made.

A3. MINUTE**Decision**

The minute of meeting of the Appeals Committee held on 12 December 2014 was approved.

A4. EXCLUSION OF PUBLIC

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

A5. APPEAL AGAINST FINAL WRITTEN WARNING

The Committee considered papers relating to an Appeal against a final written warning which included (a) Note of Procedure; (b) Submission from the Head of Economic Development and Environmental Services dated 25 March 2015; and (c) copies of core documents relating to the Appeal.

The Depute Chief Governance Officer and the Human Resources Manager were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Mr B, was present and was accompanied by S Crook, Unison.

The Head of Economic Development and Environmental Services, D Duff, and Human Resources Adviser, A Reid, were present as representatives of the Council.

The Appellant presented his case.

The Head of Economic Development and Environmental Services intimated that he had no questions for the Appellant or their representative.

Members of the Committee then asked questions of the Appellant.

The Head of Economic Development and Environmental Services presented the case on behalf of the Council.

The Appellant then asked questions of the Head of Economic Development and Environmental Services.

Members of the Committee then asked questions of the Head of Economic Development and Environmental Services.

The Head of Economic Development and Environmental Services summarised the case on behalf of the Council.

The Appellant summarised his case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the decision taken by management to issue Mr B with a final written warning was justified in all the circumstances. Accordingly the appeal was **REFUSED**.

The parties to the appeal were recalled and the decision intimated to them.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 13 APRIL 2015 commencing at 9.30 a.m.

COUNCILLORS:

Baillie William Buchanan (Convener)
Adrian Mahoney (for application P/14/0587/FUL)
John McLuckie
Malcolm Nicol
Sandy Turner

OFFICERS:

Kevin Brown, Planning Officer (for application P/14/0475/FUL)
Ian Dryden, Development Manager
Stuart Henderson, Environmental Health Officer (for applications P/14/0475/FUL and P/14/0094/FUL)
Craig Russell, Roads Development Officer (for application P/14/0094/FUL)
Julie Seidel, Planning Officer (for application P/14/0587/FUL)
Antonia Sobieraj, Committee Services Officer
Russell Steedman, Network Co-ordinator (for applications P/14/0475/FUL and P/14/0587/FUL)
Karen Quin, Solicitor
Brent Vivian, Senior Planning Officer (for application P/14/0094/FUL)

P1. APOLOGIES

Apologies were intimated on behalf of Baillie Paterson and Councillors McNally, Meiklejohn and C Martin.

P2. 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

With reference to Minute of Meeting of the Planning Committee held on 25 March 2015 (Paragraph P133 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the erection of a shop, a hot food take-away and 6 flatted dwellings with associated car parking at Spar and Flames, Salmon Inn Road, Polmont, Falkirk.

The Convener introduced the parties present.

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

Mr Thomson, the applicant's agent, was heard in relation to the application.

Mrs Fraser, an objector, was heard in relation to the application.

The objections included the following issues:-

- The general overdevelopment of the site;
- The removal of trees and greenspace;
- The poor bus stop positioning;
- The overlooking of the nursery garden area;
- The increase in traffic and on-street parking and concerns about increased congestion and road safety;
- The loss of privacy to nearby dwellinghouses;
- The difficulty in accessing the school; and
- The inadequate sewerage and drainage capacity.

Questions were then asked by Members of the Committee.

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

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 29 April 2015.

P3. 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

With reference to Minute of Meeting of the Planning Committee held on 25 March 2015 (Paragraph P131 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the erection of 8 semi detached dwellinghouses and associated infrastructure on land to the north of 35 Fountainpark Crescent, Bo'ness.

The Convener introduced the parties present.

The Planning Officer (J Seidel) outlined the nature of the application.

Mr Grant, the applicant's agent, was heard in relation to the application.

Mr Gourlay, the applicant's representative, was heard in relation to the application.

Ms MacDonald, having clarified that she had submitted a letter of representation as opposed to support, was heard in relation to the application. She requested clarification on the proposed boundary enclosures, access during construction, drainage and planting.

Mrs Plumb, an objector, was heard in relation to the application.

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

Mrs Georgeson, an objector, was heard in relation to the application.

Mrs Plumb, an objector, was heard in relation to the application.

The objections included the following issues:-

- The insufficient visitor parking and associated congestion and road safety issues;
- The unacceptable impact on the volume of traffic on Fountainpark Crescent;
- The existing residents parking on-street;
- The parking and access problems, particularly for large vehicles;
- The overshadowing and overlooking of existing properties and noise nuisance;
- That the road should be kept free of building materials at all times; and
- The overdevelopment of the site.

Questions were then asked by Members of the Committee.

Councillor Ritchie, a local Member for the area, was heard in relation to the application.

Members thereafter visited the garden area of the neighbouring property at 18b South Philpinstone Lane to view the position of the proposed development and the entry point for construction traffic.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 29 April 2015.

P4. 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

With reference to Minute of Meeting of the Planning Committee held on 25 March 2015 (Paragraph P132 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the use of land for an end of life vehicle decontamination and deliquidising facility and the storage of scrap material (retrospective) at All Parts Auto Salvage, Hillview Road, High Bonnybridge, Bonnybridge.

The meeting first convened at the main entrance area of the site near the site office to view the general area of the site. The Convener introduced the parties present.

The Senior Planning Officer (B Vivian) outlined the nature of the application.

The Senior Planning Officer thereafter read out an email from the Scottish Environmental Protection Agency (SEPA) which had been received that morning submitting the organisation's apologies for the non attendance at the meeting.

Ms Philips, the applicant's agent, was heard in relation to the application.

Mr Shaw, the applicant's representative, was heard in relation to the application.

The meeting then moved and was reconvened at the north west area of the site to view the stockpile at this area. The objectors were then heard.

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

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

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

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

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

Mr Rae, on behalf of Bonnybridge Community Council, an objector, was heard in relation to the application.

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

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

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

Mrs McCutcheon, an objector, was heard in relation to the application.

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

The objections included the following issues:-

- The insufficient visitor parking provision;
- The noise impacts due to proximity to residential house including from the crushing of vehicles;
- The heightened noise, dust levels in the air and light pollution;
- The lack of detail in relation to the crushing machine and barriers;
- The concerns in relation to operating hours;
- The increase in vehicle numbers stored at the site;
- The detrimental effect on a pleasant living area and the immediate and surrounding environment;
- The blight on the skyline from piles of scrap metal;
- That the proposed tree planting would take at least 12 years to have any visual impact;
- The road safety issues including local roads being inadequate for large HGV's, existing high levels and speed of traffic in the neighbourhood, the increase in amount of heavy vehicles visiting the site; sustained damage already on the new bridge and road blocks;
- The inadequate footpaths in the vicinity of the development and the danger to pedestrians;
- The increased traffic going past two primary schools;
- The concerns regarding the handling of hazardous substances;

- The close proximity to a railway line;
- The concerns about the ground sustaining the weight;
- The risks of fire and pollution;
- The operator deliberately flaunting the rules;
- The expiry in 2008 of the temporary permission and the operator continuing to operate the facility;
- The disregard of conditions attached to past planning permissions;
- The depreciation in house values in the area;
- The financial cost if tenants of three rental properties were lost; and
- That no mention had been made by the operator at a public meeting of the expansion of the site and the stockpile of metal in excess of the permitted height; and
- The operator's lack of dialogue with local residents.

Questions were then asked by Members of the Committee.

Councillor Gow, a local Member for the area, was heard in relation to the application.

Councillor Coleman, a local Member for the area, was heard in relation to the application.

Members thereafter visited the view of the stockpile at the north west area of the site from 40 Reilly Gardens.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 29 April 2015.

