



# Falkirk Council

**VOLUME OF COUNCIL  
AND COMMITTEE MINUTES**

**VOLUME 5  
2015/2016**

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## FALKIRK COUNCIL

**MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 23 FEBRUARY 2016 at 9.30 a.m.**

**COUNCILLORS:**

David Alexander	Adrian Mahoney
Jim Blackwood	Craig Martin (Convener)
Tom Coleman	Dr Craig R Martin
Dennis Goldie	Alan Nimmo
Linda Gow	

**OFFICERS:**

Carron Smith, Principal Business Support Officer  
 Colin Frame, Principal Surveyor (Strategic Projects)  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Robert Naylor, Director of Children's Services  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive  
 Stuart Ritchie, Director of Corporate and Housing Services  
 Bryan Smail, Chief Finance Officer

**EX88. APOLOGIES**

Apologies were intimated on behalf of Councillors G Goldie and Spears.

**EX89. DECLARATIONS OF INTEREST**

Councillor Mahoney declared a non-financial interest in item EX92 as his business has received support from Business Gateway and stated that he would take no part in the discussion or decision making on this item.

**EX90. MINUTES**

**Decision**

The minute of the meeting of the Executive held on 12 January 2016 and the special meeting of the Executive held on 5 February 2016 were approved.

**EX91. SCRUTINY COMMITTEE – 4 FEBRUARY 2016**

- **ROWANS SHORT BREAK SERVICE**
- **SOCIAL WORK CHILDREN & FAMILIES BUDGET UPDATE**

The Executive considered a report by the Director of Children's Services and Head of Social Work Adult Services presenting recommendations from the Scrutiny Committee.

The Scrutiny Committee considered, on 4 February 2015, reports on the Rowans short break service (ref SC37) and an update on the Social Work Children and Families budget (ref SC39) and made the following recommendations to the Executive:-

Rowans Short Break Service

- (1) where service redesign is undertaken in the future it is carried out using a model of co-production with service users; and
- (2) that there is greater clarity provided around decisions made in the budget process.

Social Work Children & Families Budget Update

- (3) action is taken to set a realistic budget for external fostering

Councillor C Martin, seconded by Councillor D Goldie, moved that the Executive:-

- (1) *requests a further report to include progress on the Community Empowerment Act and guidelines; and*
- (2) *notes that Children's Services recognises (as set out in paragraph 4.7 of the report) the opportunity to progress "transformation of current services in our approach to service delivery" and (at para 5.1) that they "will be reviewing working practices and seeking transformational change to address these issues" and that, accepting that this will take time and resource, the Service needs to demonstrate that it is on the front foot about this.*

The Executive then adjourned at 9.45a.m. to allow members of the Opposition to consider the motion and reconvened at 9.50a.m. with all members present as per the sederunt.

Councillor Meiklejohn, as convener of the scrutiny committee, provided an overview of the recommendations before the Executive.

**Decision**

**The Executive agreed the motion.**

Councillor Gow joined the meeting during consideration of the previous item.

**EX92. TENANT & CUSTOMER PARTICIPATION STRATEGY 2016-19**

The Executive considered a report by the Director of Corporate and Housing Services presenting the Tenant and Customer Participation Strategy 2016 – 2019 and associated action plan for approval.

The Council has a duty, in terms of the Housing (Scotland) Act 2001, to (a) consult tenants on any proposed increases in rent or other charges, (b) to publish a Tenant Participation Strategy, (c) to publish a list of registered Tenant Organisations and (d) to notify tenants about, and explain the likely effect of, any proposals that would significantly affect them. Additionally the Scottish Social Housing Charter defined the Customer/Landlord relationship in terms of equalities, communication and participation.

The Tenant and Resident Participation Strategy 2013-2016 was developed in 2012. The report highlighted achievements and instances of external recognition in terms of the current Strategy and set out the consultations undertaken to develop the draft Tenant and Customer Participation Strategy 2016 – 2019. The aims of the strategy are to ensure the Council complies with its legal obligation and gives tenants and other residents a bigger say in how housing services are run. It includes a Housing Participation Action Plan based on the duties outlined in the preceding paragraph. The benefits of participation were highlighted.

In terms of the Act, the Strategy must incorporate the resources required to implement it. The costs (£190,000) will be met from current budgets.

Councillor C Martin, seconded by Councillor Blackwood, moved that *the Executive approves the Tenant and Customer Participation Strategy 2016-2019 and associated action plan.*

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved that, in addition:

*An annual postal survey of all tenants is undertaken each year at the same time as information is provided about any proposed rent increase.*

On a division, 7 members voted for the motion and 2 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, Gow, Mahoney, C Martin, C R Martin and Nimmo.

For the amendment (2) – Councillors Alexander and Coleman.

### **Decision**

**The Executive agreed the motion.**

## **EX93. CAPITAL PROGRAMMES UPDATE REPORT**

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the 2015/16 Housing and General Services Capital Programmes.

The projected outturn for the 2015/16 Housing Capital programme is £26.9m representing a £3.5m underspend. The report detailed the spend across the various areas of the programme and the movement in forecast since the previous report in December 2015 (ref EX74).

The projected outturn for the General Services Capital programme for 2015/16 is £28.02m (compared to the December 2015 figure of £29.15m). The report set out the main areas of spend for 2015/16 and projected an underspend of £1.68m.

**The Executive noted:-**

**(1) the budget and forecast position for the General Fund & Housing Capital Programmes for 2015/16; and**

**(2) the Prudential Indicators as set out at appendix 3 to the report.**

## **EX94. DENNY TOWN CENTRE REGENERATION: PHASE TWO DEVELOPMENT**

The Executive considered a report by the Director of Development Services presenting options for delivery of phase 2 of the Denny Town Centre Regeneration project.

The Executive had requested, on 9 June 2015 (ref EX21), further detail on a proposal from County Properties (Northern) Ltd. for development of the phase 2 site. As the preferred bidder County Properties had been asked to review its submission to better fit the requirements of the brief and to seek a commitment from a store operator. County Properties had engaged in negotiations with B&M Retail Ltd for a 15,000sq ft single story retail unit within the site. As the store size was smaller than the original 23,500sq ft planned size the offer of £433,227 was less than the original offer of £650,000. The report set out 2 options together with an analysis of the advantages and disadvantages of each. These were:-

- option 1 – accept the offer by County Properties; or
- option 2 – reject the offer and remarket the site on completion of phase 1 of the project.

Councillor D Goldie, seconded by Councillor C Martin, moved that *the Executive agrees to accept the offer by County Properties (Northern) Ltd. as detailed in the report.*

### **Decision**

**The Executive agreed to:-**

- (1) note the report; and**
- (2) accept the offer by County Properties (Northern) Ltd. as detailed in the report.**

Councillor D Goldie left the meeting following consideration of this item.

In accordance with his declaration Councillor Mahoney withdrew from the meeting and took no part in the discussion and decision making on the following item.

## **EX95. BUSINESS GATEWAY & BUSINESS SUPPORT UPDATE**

The Executive considered a report by the Director of Development Services providing an update on the Council's business support activity from April 2014 to September 2015, proposing participation in Business Loans Scotland and seeking approval for the implementation of the European Regional Development Fund (ERDF) Business Gateway programme for 2015-20.

The report provided an overview of business support services for the period April 2014 to September 2015 highlighting:-

- support type;
- growth businesses;
- customer satisfaction feedback; and
- the creation of, and Council's participation in, the Longannet Task Force.

European Regional Development Funding (ERDF) funding of £293,000 had been secured in June 2013 to provide additional support to services to enhance business support in the area. A programme for 2015 to 2020 aimed at encouraging business to grow and create jobs had been developed and submitted to the Scottish Government for approval. If successful this would create two posts – Business Advisor and part-time Economic Development Officer to manage all ERDF claims. Both posts would be funded from the ERDF funding.

The report provided an overview of financial support available to businesses through the Small Business Loans Grants Scheme; Falkirk Business Loan Fund (formerly the BP Business Loan Fund), East of Scotland Investment Fund (ESIF) and Business Loans Scotland. The latter is a pan Scotland fund which will replace ESIF funding. It was proposed that Falkirk Council joins the initiative, transferring the balance of ESIF funding in Falkirk to the new body.

### **Decision**

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

- (1) **note the performance of Business Gateway and related business support activities since April 2014;**
- (2) **note the changes to the BP Loan fund as set out in para 6.3 of the report and the use of an exception to competition under paragraph 5.8 of contract standing orders;**
- (3) **note the conclusion of the East of Scotland Investment Fund;**
- (4) **participate in the formation of Business Loans Scotland, transferring the ESIF balance of £172,123 over to the new fund;**
- (5) **implement the ERDF Business Gateway Programme for the period 2015-20 when approved including recruitment of two additional members of staff as set out in para 8.2 of the report; and**
- (6) **note the progress of the Longannet Task Force.**

#### **EX96. SITE DISPOSAL, MURNIN ROAD INDUSTRIAL ESTATE, BONNYBRIDGE**

The Executive considered a report by the Director of Development Services seeking approval to declare surplus and dispose of a 0.18 acre site at Murnin Road Industrial Estate, Bonnybridge to Storage UK Ltd.

The report set out a proposal by Storage UK Ltd to expand its current storage space by building a new 15,000 sq ft facility at a cost of C.£750,000. The company had identified the site at Murnin Road Industrial Estate for the development. The Council owned site had been valued by the District Valuers at £14,400.

### **Decision**

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

- (1) to declare the site extending to 0.18 acres at Murnin Road Industrial Estate, Bonnybridge surplus to operational requirement; and
- (2) to dispose of the site to Storage UK Ltd for a sum of £14,400.



## FALKIRK COUNCIL

### MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 24 FEBRUARY 2016 at 9.30 a.m.

#### **COUNCILLORS:**

Baillie William Buchanan (Convener)  
 Colin Chalmers  
 Steven Carleschi  
 Paul Garner  
 Adrian Mahoney  
 Craig Martin  
 John McLuckie  
 Malcolm Nicol  
 Alan Nimmo  
 Martin Oliver  
 Sandy Turner

#### **OFFICERS:**

John Angell, Head of Planning and Transportation  
 Kevin Collins, Transport Planning Co-ordinator  
 Ian Dryden, Development Manager  
 Elspeth Forsyth, Senior Planning Officer (Landscape)  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator  
 Richard Teed, Senior Forward Planning Officer  
 Brent Vivian, Senior Planning Officer  
 Bernard Whittle, Development Management Co-ordinator

#### **P129. APOLOGIES**

Apologies were intimated on behalf of Baillie Paterson.

#### **P130. DECLARATIONS OF INTEREST**

Councillor Garner declared a non financial interest in item 4 (minute P132) by virtue of him being an employee of a company responsible for carrying out maintenance on telecommunications masts, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

Councillor Oliver declared a non financial interest in item 10 (minute P139) by virtue of him being an objector to the application, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

Prior to consideration of business, the Members below made the following statements:-

- Councillor Chalmers informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/15/0364/FUL (minute P134) but he would take part in consideration of planning applications P/15/0266/FUL and P/15/0580/FUL (minute P132 and P133) as he was sufficiently familiar with the sites.
- Councillor Oliver informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/15/0266/FUL, P/15/0580/FUL and P/15/0364/FUL (minute P132, P133 and P134) as he was sufficiently familiar with the sites.
- Councillor Nicol informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/15/0266/FUL, P/15/0580/FUL and P/15/0364/FUL (minute P132, P133 and P134) as he was sufficiently familiar with the sites.

Councillor Garner left the meeting prior to consideration of the following item of business.

#### **P131. MINUTES**

##### **Decision**

- (a) The minute of meeting of the Planning Committee held on 1 February 2016 was approved; and
- (b) The minute of meeting of the Planning On-Site Committee held on 8 February 2016 was approved.

#### **P132. ERECTION OF TELECOMS STREETWORKS TOWER AT SCOTTISH FIRE AND RESCUE, MAIN ROAD, MADDISTON, FALKIRK FK2 0LG FOR EVERYTHING EVERYWHERE - P/15/0266/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 1 February 2016 (Paragraph P120 refers), Committee (a) gave further consideration to a report to that meeting 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 erection of a 14.7 metre high monopole style mobile phone mast and associated equipment cabinets on an existing footway at Main Road, Maddiston, Falkirk.

In accordance with Standing Order 38.1 (x) the Convener gave consent to Councillor Hughes to speak in relation to this item of business, the said Member having duly given at least 24 hours notice.

The Convener agreed a recess, at the request of members, prior to full consideration of this item of business to allow officers to provide members with copies of the related plan detailing the precise location and height of the telecoms mast and to provide copies of the plan of the proposed wind turbine to be considered under agenda item 5 (minute P133). The meeting adjourned at 10.00 a.m. and reconvened at 10.20 a.m. with all Members present as per the sederunt, with the exception of Councillor Garner.

### **Decision**

**The Committee agreed to refuse planning permission on the grounds that the proposal is contrary to Scottish Planning Policy Advice Note PAN62 ‘Radio Telecommunications’ and Policy INF13 ‘Telecommunications Development’ as contained in the Falkirk Local Development Plan (FLDP) as (1) the applicant has failed to fully demonstrate that all alternative locations have been fully considered within the surrounding area, and (2) the proposed development will have an adverse visual impact upon the overall street scene in this particular location.**

Councillor Garner re-entered the meeting prior to consideration of the following item of business.

**P133. ERECTION OF A SINGLE WIND TURBINE MAXIMUM BLADE TIP HEIGHT OF 78 METRES, HUB HEIGHT OF 50 METRES AND ASSOCIATED ELECTRIC CABINET AND ACCESS TRACK AT POLMONT GOLF CLUB, SIMPSON DRIVE, MADDISTON, FALKIRK FOR FINE ENERGY LTD - P/15/0580/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 1 February 2016 (Paragraph P121 refers), Committee (a) gave further consideration to a report to that meeting 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 erection of a single 500kw wind turbine measuring 78 metres to blade tip, located in open countryside to the west of Polmont Golf Club, Simpson Drive, Maddiston, Falkirk.

The Committee also considered additional information in relation to the Supplementary Access Statement dated 12 February 2016 which had been submitted by the applicant, copies of which were circulated at the meeting.

The Committee considered that the proposed development, while not strictly in accord with the Development Plan, was acceptable in the circumstances of the particular case as the development would (1) not have an adverse visual impact on the landscape, neighbouring properties or the settlements of Maddiston and Rumford due to the undulating ground conditions, and (2) not have an adverse effect on bats. It was noted that the Roads Development Unit made no objections in relation to access proposals.

## Decision

The Committee agreed to grant planning permission subject to such conditions as shall be determined by the Director of Development Services.

**P134. ERECTION OF 167 HOUSING UNITS WITH ASSOCIATED INFRASTRUCTURE AND GREEN SPACE ON LAND TO THE SOUTH OF KINGLASS COTTAGE, BORROWSTOUN ROAD, BO'NESS FOR MILLER HOMES AND AWG PROPERTY LTD - P/15/0364/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 1 February 2016 (Paragraph P122 refers), Committee (a) gave further consideration to a report to that meeting 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 erection of 167 housing units with a mixture of two storey detached and semi-detached dwellinghouses and two storey cottage flats and open space, landscaping, a footpath network and Sustainable Urban Drainage (SUDS) on land to the south of Kinglass Cottage, Borrowstoun Road, Bo'ness.

## Decision

The Committee agreed that it was MINDED to GRANT planning permission subject to the conclusion, within six months, of a Legal Agreement/Planning Obligation to the satisfaction of the Director of Development Services within the terms of Section 69 of the Local Government (Scotland) Act 1973 or Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, for the sum of (1) £463,425 for affordable housing provision; (2) £208,750 for education/nursery provision, and (3) an appropriate sum as determined by the Director of Development Services towards the core path network.

Thereafter on the conclusion of the above, to remit to the Director of Development Services 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 this 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) (i) No development shall commence on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;

- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination;
  - (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority; and
  - (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
- (3) No development shall commence on site until an appropriate scheme of intrusive site investigation works has been undertaken to confirm coal mining conditions, including mine entries on site. The findings and details of any necessary remedial or other mitigation measures to ensure safety and stability of the proposed development shall be submitted to and approved in writing by the Planning Authority. The approved mitigation measures shall be implemented prior to the development commencing.
  - (4) No development shall commence on site until a drainage strategy has been submitted to and approved in writing by the Planning Authority. Thereafter development shall proceed in accordance with the approved details, unless otherwise agreed in writing.
  - (5) No development shall commence on site until a material schedule, of all external materials, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved materials shall be used, unless otherwise agreed in writing.
  - (6) Details of the phasing of the development shall be submitted to the Planning Authority for approval, and no work shall begin until the phasing scheme has been approved in writing. Thereafter, the development shall be implemented in accordance with the approved scheme unless otherwise agreed in writing.

- (7) No development shall commence on site until a detailed specification for all landscaping, play areas and the maintenance thereof have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details unless otherwise agreed in writing.
- (8) Within three months of the occupation of the last residential unit occupied on site, all road and footway construction shall be completed in accordance with the approved site plan.

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.
- (2,3) To ensure the ground is made suitable for the approved development.
- (4) To ensure adequate drainage can be achieved.
- (5) To safeguard the visual amenity of the area.
- (6,7) To safeguard the environmental amenity of the area.
- (8) To safeguard the interests of the users of the highway.

**Informatives:-**

- (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 reference number(s) 01B, 02A, 03, 04A, 05A, 06, 07, 08B, 09, 10 and Supporting Information.

Councillors Mahoney and Carleschi left the meeting prior to consideration of the following item of business.

Councillors C Martin and Nimmo left the meeting during consideration of the following item of business.

Councillors Carleschi and C Martin re-entered the meeting during consideration of the following item of business.

**P135. USE OF LAND FOR END OF LIFE VEHICLE DECONTAMINATION AND DE-LIQUIDISING FACILITY AND STORAGE OF SCRAP MATERIAL (RETROSPECTIVE) AT ALL PARTS AUTO SALVAGE, HILLVIEW ROAD, HIGH BONNYBRIDGE FK4 2BD FOR ALL PARTS AUTO SALVAGE - P/14/0094/FUL**

With reference to Minutes of Meetings of the Planning Committee held on 25 March, 29 April, 25 June and 28 October 2015 and 1 February 2016 (Paragraphs P132, P10, P34, P77 and P115 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director in relation to conditions imposed in a planning permission granted for the use of land for an end of life vehicle decontamination and de-liquidising facility and storage of scrap material (retrospective) at All Parts Auto Salvage, Hillview Road, High Bonnybridge, Bonnybridge.

**Decision**

**The Committee:-**

- (1) noted the contents of the report; and
- (2) agreed to consider further update reports at future meetings of the Committee until the matters detailed in the report have been resolved.

Councillor Nimmo re-entered the meeting during consideration of the following item of business.

Councillor Garner left and re-entered the meeting during consideration of the following item of business.

**P136. DISTRIBUTOR ROAD AND ASSOCIATED EARTH WORKS ON LAND TO THE NORTH OF SHAMISTLE, MADDISTON, FALKIRK FOR MANOR FORREST LTD & LAND OPTIONS WEST LTD - P/14/0483/PPP**

With reference to Minutes of Meetings of the Planning Committee held on 27 May, 25 June and 28 October 2015 (Paragraphs P23, P35 and P80 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for the construction of a distribution road and associated earth works measuring 7.3 metres in width with 2 x 2 metre wide verges and a 3 metre wide footway/cycleway linking to the recently constructed roundabout at the Parkhall housing development at Maddiston to an approved roundabout on the A801 on land to the north of Shamistle, Maddiston, Falkirk.

### Decision

The Committee agreed to continue consideration of the application to await the decision of the Executive in relation to the Development Framework for the Maddiston East Strategic Growth Area.

### P137. REQUEST FOR SITE VISIT

Having heard a request by a member for a site visit, the Committee agreed to the continuation of planning application P/15/0713/FUL.

Councillor Oliver left the meeting during to consideration of the following item of business.

### P138. ORDER OF BUSINESS

In terms of Standing Order 14.2(i), the Convener advised of a variation to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

### P139. DEVELOPMENT OF LAND FOR UP TO 550 HOUSES, A COMMERCIAL BLOCK INCLUDING A CONVENIENCE STORE AND NURSERY, AND ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS JUNCTION WORKS, NEW ROADS AND PATHS, OPEN SPACE, WOODLAND PLANTING, SURFACE WATER DRAINAGE PONDS AND PLAY FACILITIES ON LAND TO THE NORTH OF WATSON PLACE, GLASGOW ROAD, LONGCROFT FOR MACTAGGART & MICKEL - P/09/0508/OUT

With reference to Minutes of Meetings of the Planning Committee held on 23 March 2011 and 25 February and 28 October 2015 (Paragraphs P215, P122 and P78 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle (formerly outline planning permission) for the development of land for up to 550 dwellinghouses and a commercial block and associated infrastructure including an access junction works, new roads and paths, open space, woodland planting, surface water drainage ponds and play facilities on a site to the north of Watson Place, Glasgow Road, Longcroft.

### Decision

The Committee:-

- (1) noted the contents of the report;
- (1) agreed to continue consideration of the application, noting that if the Section 75 Planning Obligation had not been satisfactorily concluded and



planning permission in principle granted (with updated planning conditions detailed in the recommendation to the report dated 28 October 2015) by 31 May 2016, the matter will require to be brought back to Committee for further consideration and potential refusal; and

(2) agreed to amend items (c) (iii) and (iv) of the matters covered in the Section 75 Planning Obligation as agreed by Committee on 23 March 2011 to read:-

- the payment of a financial contribution towards nursery provision at Head of Muir Primary School at a rate of £350 per dwellinghouse and £150 per flat; and
- the payment of a financial contribution towards a new or upgraded sports pitch in the vicinity of the development for use by the community at a rate of £750 per residential unit.

Councillor Chalmers left the meeting during to consideration of the following item of business.

**P140. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT MILNQUARTER FARM, ROMAN ROAD, BONNYBRIDGE FK4 2DE FOR STEWART HOMES - P/11/0142/PPP**

With reference to Minutes of Meetings of the Planning Committee held on 19 August, 28 October and 25 November 2015 (Paragraphs P56, P79 and P93 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for the development of land for residential purposes on a site at Milnquarter Farm, Roman Road, Bonnybridge.

Councillor Carleschi, seconded by Councillor Turner, moved that Committee indicate to Scottish Ministers that it retains its position as advised to the DPEA on 26 November 2015 that it would have been minded to refuse planning permission in principle for the updated reasons detailed in the report.

By way of an amendment, Baillie Buchanan, seconded by Councillor McLuckie, moved that Committee indicate to Scottish Ministers that, taking into account the additional information submitted to DPEA by the applicant, (1) it would have been minded to approve planning permission in principle; and (2) if Scottish Ministers are minded to grant planning permission in principle on the basis of the current submissions, that they do so in accordance with the recommended conditions and matters to be secured by a Planning Obligation which are attached to the report as Appendix E, and further that Falkirk Council should be a party to any Section 75 Planning Obligation and the detailed drafting of the Section 75 subject to the agreement by the Council as a party to the Obligation.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 8 members present with voting as undernoted:-

For the motion (3) - Councillors Carleschi, Garner and Turner.

For the amendment (5) - Baillie Buchanan; Councillors C Martin, Nicol, McLuckie and Nimmo.

### **Decision**

The Committee to indicate to Scottish Ministers that, taking into account the additional information submitted to DPEA by the applicant, (1) it would have been minded to approve planning permission in principle, and (2) if Scottish Ministers are minded to grant planning permission in principle on the basis of the current submissions, that they do so in accordance with the recommended conditions and matters to be secured by a Planning Obligation which are attached to the report as Appendix E, and further that Falkirk Council should be a party to any Section 75 Planning Obligation and the detailed drafting of the Section 75 subject to the agreement by the Council as a party to the Obligation.

In accordance with the decision taken earlier in the meeting, **NOTED** that the following item had been continued to a future meeting to allow an inspection of the site by Committee:-

**P141. ERECTION OF OUTBUILDING (RETROSPECTIVE) AT 28 DROVER ROUND, LARBERT FK5 4TT FOR MR MARTIN BRENNAN - P/15/0713/FUL**

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 25 FEBRUARY 2016 at 9.30 A.M.**

**COUNCILLORS:** Baillie William Buchanan (Convener)  
John McLuckie  
Sandy Turner

**OFFICERS:** Iain Henderson, Legal Services Manager  
Antonia Sobieraj, Committee Services Officer  
Bernard Whittle, Development Management Co-ordinator

**PRC40. APOLOGIES**

No apologies were intimated.

**PRC41. DECLARATIONS OF INTEREST**

No declarations were made.

**PRC42. MINUTE**

**Decision**

**The minute of meeting of the Planning Review Committee held on 11 February 2016 was approved.**

**PRC43. OPENING REMARKS**

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

**PRC44. PLANNING APPLICATION - P/15/0129/VRC - DELETION OF CONDITION 12 OF PLANNING PERMISSION P/11/0595/FUL RELATING TO OCCUPATION OF DWELLINGHOUSE, DRUMBROIDER FARM, FALKIRK FK1 2HN**

The Committee considered documents which related to the Application for Review for planning application P/15/0129/VRC for the deletion of condition 12 of planning permission P/11/0595/FUL relating to occupation of a dwellinghouse at Drumbroider Farm, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement and representations.

After further discussion and having sought and heard advice from Mr Henderson and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Letter from Scottish Government dated 4 November 2011 - Occupancy Restrictions and Rural Housing;
- (2) Extracts from Scottish Government Circular 4/1998;
- (3) Scottish Planning Policy 2010;
- (4) Scottish Planning Policy 2014;
- (5) Policy CG03 of the Falkirk Local Development Plan;
- (6) Policy SC03 of the Falkirk Local Plan;
- (7) the representations submitted;
- (8) the site history; and
- (9) the supporting documents provided by the applicant.

After discussion, and having sought and heard advice from Mr Henderson, the Committee **AGREED**:-

- (1) That the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** for the reasons set out in the original notice of decision namely:
  - That the deletion of Condition 12 of application P/11/0595/FUL restricting occupancy of the dwellinghouse would not be in accordance with the terms of Policy CG03 'Housing in the Countryside' of the Falkirk Local Development Plan and that the condition satisfies the criteria contained in Circular 4/1998 'The Use of Planning Conditions in Planning Permissions'; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

**PRC45. PLANNING APPLICATION - P/15/0289/FUL - SITING OF RESIDENTIAL CARAVAN (RETROSPECTIVE) AT HOMESTEAD FARM, BINNIEHILL ROAD, SLAMANNAN, FALKIRK FK1 3BE**

The Committee considered documents which related to the Application for Review for planning application P/15/0289/FUL for the siting of a residential caravan (in retrospect) at Homestead Farm, Binniehill Road, Slamannan, Falkirk.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 10.15 a.m. for the purpose of conducting a site inspection and reconvened at 11.35 a.m., with all those present as per the sederunt.

**PRC46. PLANNING APPLICATION - P/15/0289/FUL - SITING OF RESIDENTIAL CARAVAN (RETROSPECTIVE) AT HOMESTEAD FARM, BINNIEHILL ROAD, SLAMANNAN, FALKIRK FK1 3BE**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/15/0289/FUL for the siting of a residential caravan (in retrospect) at Homestead Farm, Binniehill Road, Slamannan, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement and representations.

After further discussion and having sought and heard advice from Mr Henderson and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Policy CG01 of the Falkirk Local Development Plan;
- (2) Policies EQ19, EQ23, EQ26 and SC03 of the Falkirk Local Plan;
- (3) the representations submitted;
- (4) the site history;
- (5) the supporting documents provided by the applicant; and
- (6) the benefit of the site inspection.

After discussion, and having sought and heard advice from Mr Henderson, the Committee **AGREED:-**

- (1) To **GRANT** temporary planning permission for a period of two years and subject to such other conditions as shall be determined by the Director of Development Services; and
- (2) That the preparation of the decision notice and the precise wording of the planning condition be delegated to the Chief Governance Officer.

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 7 MARCH 2016 commencing at 9.30 a.m.**

**COUNCILLORS:**

Baillie William Buchanan (Convener)  
Steven Carleschi  
Colin Chalmers  
John McLuckie  
Malcolm Nicol  
Sandy Turner

**OFFICERS:**

Ian Dryden, Development Manager  
Antonia Sobieraj, Committee Services Officer  
Karen Quin, Solicitor

**P142. APOLOGIES**

Apologies were intimated on behalf of Councillors Garner, Oliver and Mahoney.

**P143. DECLARATIONS OF INTEREST**

No declarations were made.

**P144. ERECTION OF OUTBUILDING (RETROSPECTIVE) AT 28 DROVER ROUND, LARBERT FK5 4TT FOR MR MARTIN WILLIAM BRENNAN - P/15/0713/FUL**

With reference to Minute of Meeting of the Planning Committee held on 24 February 2016 (Paragraph P141 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 single storey outbuilding (in retrospect), measuring 4 metres in length, 3 metres in width and 3.1 metres in height on a site located within the rear garden of a dwellinghouse at 28 Drover Round, Larbert.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr Brennan, the applicant, was heard in relation to the application.

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

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

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

The objections included the following issues:-

- The incorrect date of the commencement of works;
- The inaccuracies on the plans and the application which should not be valid;
- The overlooking/privacy concerns;
- That the height of the shed appeared to have been measured from the lowest point of the shed, rather than the land adjacent to it;
- The request from two neighbouring properties to carry out a site visit from neighbouring gardens;
- The drawing referred to one set of recycled doors however the proposal had two sets of doors;
- The external lighting provision had been provided and not included in the plans;
- The application gave no reference to where the guttering would drain to;
- The information provided by the applicant was inconsistent in respect of the reasons for altering the roof;
- The required clarification on the exact measurement from the windows according to SG03;
- The building being unsympathetic to the character of the surrounding area in that it did not provide a balanced appearance, nor did it sit comfortably in the wider surroundings;
- The scale of proposal being over dominant;
- The previous raising of the garden ground level;
- The overshadowing and loss of light;
- The materials used/proposed were not used normally in the construction of a garden shed thus reflecting it was intended for personal use or a home office;
- The overdevelopment of the site as the applicant now had three outbuildings;
- The excess water in neighbouring gardens following the erection of the outbuilding;
- The neighbouring garden shed being of a similar in size making it feel “hemmed in” and creating a congested appearance;
- That the proposal could be sited elsewhere;
- That the intended use was questionable;
- The external wiring was an electrocution risk;
- The clarification of the meaning of what ‘SW doors will be obscured’ meant;
- The loss of a view; and
- The noise and disturbance.

Questions were then asked by Members of the Committee.

Members also visited the neighbouring back gardens of numbers 12 and 14 Galbraith Crescent for the purposes of viewing the development from those locations.

The Convener concluded by thanking the parties for their attendance. The matter would be determined at the Planning Committee on 23 March 2016.



**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the SCRUTINY COMMITTEE (EXTERNAL) held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 10 MARCH 2016 at 9.30 a.m.**

**COUNCILLORS:**

David Balfour  
Gordon Hughes  
Steven Jackson (Convener)  
Charles MacDonald  
Brian McCabe  
John McLuckie  
Rosie Murray  
Depute Provost John Patrick

**OFFICERS:**

Richard Broadley, Planning & Environment Manager  
Fiona Campbell, Head of Policy, Technology & Improvement  
Elaine Costello, Integration Support Manager  
Jack Frawley, Committee Services Officer  
Rhona Geisler, Director of Development Services  
Iain Henderson, Legal Services Manager  
Pete Reid, Growth & Investment Manager  
Joanna Stewart, Senior Development Officer

**ALSO ATTENDING:**

Gary Laing, Scottish Fire and Rescue Service  
Martin Riach, Scottish Fire and Rescue Service  
Eddie Ritchie, Scottish Fire and Rescue Service

**SE25. APOLOGIES**

There were no apologies.

**SE26. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**SE27. MINUTE****Decision**

**The minute of meeting of the Scrutiny Committee (External) held on 7 January 2016 was approved.**

Councillor Hughes entered the meeting prior to consideration of the following item.

**SE28. SCOTTISH FIRE AND RESCUE SERVICE – FALKIRK & WEST LOTHIAN  
COMMAND PERFORMANCE REPORT**

The committee considered a report by the Director of Corporate and Housing Services presenting reports by the Local Senior Officer on: Falkirk performance for 1 April 2014 to 31 December 2015; contextual appendices containing supplementary information, and a report on Bonfire/Firework Activity for 2015. Gary Laing, Martin Riach and Eddie Ritchie (all Scottish Fire and Rescue Service (SFRS)) provided an overview of the attached performance reports.

The committee asked for information relating to fire incidents at schools. Gary Laing advised that the incidents had been of an anti-social nature and the Service had engaged directly with children in the schools.

Members asked if there was a reason for the 16% increase in deliberate fire setting. Gary Laing stated that there was no specific reason but that trend analysis had been carried out which had resulted in a more targeted approach in specific areas.

Following a question from members, Martin Riach confirmed that the comparator authority used in the figures was West Lothian.

The committee discussed the Safe Drive Stay Alive campaign and asked if this work had reduced the number of road traffic accidents involving young people. Gary Laing stated that it was difficult to make a direct correlation and highlighted that the Fire Service's approach was of education not enforcement.

Members asked why the number of false alarms varied quite significantly in different areas across the district. Gary Laing advised that each area had specific circumstances which needed to be accounted for, such as the hospital being situated in Larbert. The Service was being proactive and was carrying out engagement with owners of premises with high rates of false alarms. Martin Riach advised that more industrial areas tended to have higher incidents of false alarms.

The committee discussed derelict properties and associated fire risk.

Members asked about abuse toward Scottish Fire and Rescue Service staff on Bonfire night. Gary Laing stated that there had been a good response from Police Scotland where incidents occurred and that information had been exchanged between the two organisations as part of the preparation for the night.

**Decision**

**The committee noted the performance report and supporting information.**

**SE29. FOLLOWING THE PUBLIC POUND (FPP): MARGINALISED GROUPS**

The Committee considered a report by the Director of Corporate and Housing Services providing an update on the work of external organisations in receipt of funding to provide services with a focus on marginalised groups and who fall within the Following the Public Pound (FPP) reporting and monitoring arrangements. In addition the report

provided an update regarding the live commissioning process for services for survivors of trauma. Fiona Campbell provided an overview of the report.

The committee then heard from officers in relation to the individual reports.

(a) The Action Group – Real Jobs Falkirk

Elaine Costello provided an overview of the report, advising that The Action Group – Real Jobs Falkirk received a direct grant of £90,000 in the period.

Members asked if the opportunity of accessing funds through the Integration Joint Board (IJB) or other funders had been explored. Elaine Costello advised that the IJB route had not yet been examined and that the focus of the work had been on the children's part to date. Projects relating to employability could be explored with the IJB.

**Decision**

**The committee approved the report and acknowledged progress by The Action Group – Real Jobs Falkirk in meeting Council priorities.**

(b) Salvation Army – Soup Kitchen

Joanna Stewart provided an overview of the report, advising that the Salvation Army – Soup Kitchen had received £10,745 of Council funding in the reporting period.

In relation to a question on the role of volunteers with the soup kitchen, Joanna Stewart advised that they were involved with the day to day running of the service including preparing food and providing company. The number of volunteers present varied.

Members asked how people were engaged beyond the physical confines of the soup kitchen. Joanna Stewart stated that the soup kitchen co-ordinator carries out work on the streets and visits other communities. Further, a minivan was utilised to take people to the soup kitchen when needed.

**Decision**

**The committee approved the report and acknowledged progress by the Salvation Army – Soup Kitchen in meeting Council priorities.**

(c) Central Scotland Regional Equality Council (CSREC)

Fiona Campbell provided an overview of the report, advising that CSREC received £10,200 of Council funding and £10,000 of in-kind support in the reporting period.

Members asked about the widened remit of the organisation. Fiona Campbell stated that the organisation was formerly the Racial Council and had expanded its objectives to include all the protected characteristics. However, she noted that other organisations cover some of the other protected characteristics.

The committee asked how long CSREC had been reported as a high risk organisation. Fiona Campbell advised that CSREC had been rated as high risk for the past two years. This was due to challenges with the board, governance and financial issues.

Members discussed governance and board skill sets. Fiona Campbell stated that the board membership had been refreshed and that a new Chair was in place. There were regular meetings between the monitoring officer, Chair and staff. There had been increased support along with better scrutiny and challenge. It was noted that although the organisation has a treasurer they need advice beyond that, particularly pertaining to pension liability.

The committee asked about the funding for the organisation. Fiona Campbell stated that there was a complicated mix of funding in place between core funding and that for specific projects. Core funding was provided by the Council and Forth Valley Language Support which was supplemented by the accommodation provided. The organisation had been asked to present its accounts at a meeting to discuss finances. Members asked if the organisation received Scottish Government funding, Fiona Campbell advised this would need to be checked with the organisation.

### **Decision**

**The committee agreed to request a further report on Central Scotland Regional Equality Council to the next meeting providing an update on the key challenges facing the organisation.**

#### **(d) Falkirk and District Women's Aid – Domestic Abuse Support Services**

Joanna Stewart provided an overview of the report, advising that Falkirk and District Women's Aid – Domestic Abuse Support Services received £244,170 of Council funding and £8,000 of in-kind support for the reporting period.

The committee commented that there was a significant amount of funding held in reserves by the organisation and queried if this represented best value for the public pound. Joanna Stewart stated that the reserves had been significantly reduced and that the information would be included in future reports.

Members asked about the organisation's governance arrangements. Joanna Stewart stated that there was a good mix of expertise on the board and that there was a separate board for financial matters. The monitoring officer was in close contact with the organisation, usually on a weekly basis.

The committee asked if the number of referrals the organisation received was increasing. Joanna Stewart stated that referrals were up year on year and that this could be due to increased awareness rather than increased incidents.

Members asked about the potential impact of the introduction of universal credit. Joanna Stewart advised that there had been increased joint working with Housing and that advice would be available for clients of the organisation.

## Decision

**The committee approved the report and acknowledged progress by Falkirk and District Women's Aid – Domestic Abuse Support Service in meeting Council priorities.**

### (e) LinkLiving - Smartliving

Joanna Stewart provided an overview of the report, advising that LinkLiving - Smartliving received £14,114 of Council funding for the reporting period.

The committee asked if alternative methods of service delivery had been considered in order to ensure continuity of service. Joanna Stewart stated that there were discussion with the group who had produced a video and created activities and games to engage young people. One example was that of a household budget setting exercise. A discussion could be held with the organisation regarding schools having access to their video resource.

## Decision

**The committee approved the report and acknowledged progress by LinkLiving - Smartliving in meeting Council priorities.**

## **SE30. FOLLOWING THE PUBLIC POUND REPORT: FALKIRK ENVIRONMENT TRUST / FALKIRK TOWNS LTD**

The Committee considered a report by the Director of Development Services providing an update on the work of external organisations in receipt of funding, in part, from Development Services and who fall within the Following the Public Pound (FPP) reporting and monitoring arrangements. Rhona Geisler provided an overview of the report.

Councillor McLuckie declared a non-financial interest in SE30 as a director of Falkirk Environment Trust during the reporting period and stated that he considered that this required him to recuse himself from consideration of the item having regard to the objective test in the Code of Conduct. In accordance with his declaration of interest Councillor McLuckie left the meeting at this point.

The committee then heard from officers in relation to the individual reports.

### (a) Falkirk Environment Trust

Richard Broadley provided an overview of the report, advising that Falkirk Environment Trust received a direct grant of £27,450 in the period.

Members asked about future issues facing the organisation. Richard Broadley stated that the Service was happy with performance in the period reported. The board would consider the impact of the small reduction to their allocation as a result of reduced receipts from Landfill tax credits. He advised that the maximum grant had been reduced from £50,000 to £30,000.

The committee asked when the criteria used for granting funding was last reviewed. Richard Broadley stated that the grant eligibility was informed by the national categories and the organisation makes its recommendations in line with that.

### **Decision**

**The committee approved the report and acknowledged progress by Falkirk Environment Trust in meeting Council priorities.**

Prior to consideration of the following item of business Councillor McLuckie re-joined the meeting.

#### **(b) Town Centre Management**

Pete Reid provided an overview of the report, advising that Town Centre Management had received £188,890 of Council funding in the reporting period.

Members commented on the number of people using out of town retail locations and the cost of car parking in the town centre. Pete Reid advised that it was a BiD priority action to promote the town centre and night time economy. New retailers had recently been brought into the centre and this should attract increased footfall. However, he stated that it was a difficult retail landscape with vacant units and the rise of online retail. Reference was made to the Free After Three car parking initiative and it was stated that business owners had felt this had been successful.

The committee asked how Falkirk compared to other similar town centres nationally. Pete Reid stated that Falkirk had been 15<sup>th</sup> in Scotland out of well over a hundred as rated in the KACI measure. He stated that comparable town centres were Stirling, Dunfermline, and Livingstone. Members requested further information on KACI performance.

Members discussed the role of social media in promoting the town centre, Pete Reid confirmed that the organisation used social media actively as a tool for promotion activities.

### **Decision**

**The committee approved the report and acknowledged progress by Town Centre Management in meeting Council priorities.**

DRAFT**FALKIRK COUNCIL**

**MINUTE of JOINT MEETING of the PENSIONS COMMITTEE/BOARD held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 11 MARCH 2016 at 9.30 A.M.**

**PRESENT:**

Committee:-  
Councillors Falkirk Council:-  
Jim Blackwood  
Tom Coleman  
Steven Carleschi  
Depute Provost John Patrick (Convener)

Councillor Colin Campbell, Stirling Council  
Andrew Douglas, Unison  
Ian McLean, Pensioner Representative

Board:-  
Susan Crook, Unison  
Sandy Harrower, UCATT  
Gordon Laidlaw, Scottish Autism  
Ed Morrison, Scottish Children's Reporter Administration's (SCRA)  
Tommy Murphy, GMB  
Jennifer Welsh, SEPA

**ATTENDING:**

Alastair McGirr, Pensions Manager  
Bryan Smail, Chief Finance Officer  
Antonia Sobieraj, Committee Services Officer

**ALSO IN ATTENDANCE:**

Bruce Miller, Investment Manager and Stephen Piotrowicz, Lothian Pension Fund  
Jim Rundell and Louise Dodds, Audit Scotland  
William Marshall and Simon Jones, Hymans Robertson  
Julie Pine and Andrew Brown, Aberdeen Asset Management

**PE37. APOLOGIES**

Apologies were intimated on behalf of Councillor Archie Drummond, Clackmannanshire Council.

**PE38. DECLARATIONS OF INTEREST**

No declarations were made.

**PE39. MINUTE****Decision**

**The minute of the joint meeting of the Pensions Committee and Board on 10 December 2015 was approved.**

**PE40. PENSION FUND - ANNUAL AUDIT PLAN**

The Committee and Board considered a report by the Director of Corporate and Housing Services presenting Audit Scotland's Annual Audit Plan for 2015/2016.

The report detailed:-

- The consideration of the unaudited Financial Statements by the Committee and Board on 23 June 2016;
- The submission of the Internal Audit Plan for the Fund for 2016/2017 to the Committee and Board on 23 June 2016;
- The submission of the unaudited Financial Statements by 30 June 2016;
- The consideration of the audited Financial Statements by the Committee and Board on 22 September 2016;
- The submission of the audited Financial Statements by 30 September 2016;
- The anticipated submission of a report to the meeting of the Committee and Board on 22 September 2016 of the ISA260 ("Communication of audit matters to those charged with governance") and the Annual Audit Report;
- The issue of ISA 260 and Annual Audit Report by 30 September 2016;
- The matters identified in the Annual Audit Plan as being of potential risk to the Fund included Administration Performance, Member Training and Risk Management; and
- The fee for the 2015/16 audit was £23,010 and was unchanged from the financial year 2014/15.

**Decision**

**The Committee and Panel noted the issuing of Audit Scotland's Annual Audit Plan for 2015/2016 consistent with the audit of the Falkirk Pension Fund Annual Report and Accounts for that year.**

**PE41. 2015/16 PROJECTED OUTTURN AND BUDGET 2016/17**

The Committee and Board considered a report by the Director of Corporate and Housing Services on the Pension Fund Projected Outturn for 2015/16 and the Budget for 2016/2017.

**Decision**

**The Committee and Board noted the draft Pension Fund budget for 2016/2017 and estimated outturn for 2015/2016.**



**The Committee agreed to approve the budget for 2016/2017.**

**PE42. PENSION FUND - RISK REGISTER**

The Committee and Board considered a report by the Director of Corporate and Housing Services to approve a revised risk register for the Fund.

The report detailed:-

- The format of the current risk register was agreed by the Committee in June 2013;
- That a risk register could act as a basis through which Fund risk could be identified, analysed, evaluated and monitored;
- The development of a number of risk containment strategies;
- The recommendations of the internal audit review of Fund Governance arrangements that a risk register be updated to further incorporate investment risk; and
- That the need to update the central risk register should now be as recommended by External Audit in the 2015/2016 Audit Plan.

**Decision**

**The Committee and Board noted the report.**

**The Committee agreed to approve the revised risk register and to request the Director of Housing and Corporate Services to report any changes to the register on a regular basis.**

**PE43. ORDER OF BUSINESS**

In terms of Standing Order 14.2(i), Depute Provost Patrick advised of a variation to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

**PE44. HEARTHSTONE SOCIAL AND AFFORDABLE HOUSING MANDATE**

The Committee and Board considered a report by the Director of Corporate and Housing Services on the matters relating to the Fund's investment in social and affordable housing with Hearthstone Investments.

The Committee had agreed on 17 March 2014 to the investment of £30m Hearthstone Investments Housing Fund for Scotland to fund new social and affordable housing. The investment was made on the basis of £15m being allocated to social housing and £15m to affordable housing.

The areas covered in the update report included:-

- The investment of £15m in a Places for People Bond to back the social and affordable housing programme;
- The work in partnership with Castle Rock Edinvar, Edinburgh on the delivery of new property units;
- The £15m earmarked for social housing has, to date, been invested in successive short term debt instruments with the Places for People Group and the commitment to invest £15m in social housing in the Forth Valley area;
- The social housing programme involving the construction of 195 units across the area comprising:-
  - Clackmannanshire - Sauchie 39 units;
  - Falkirk - Bellsdyke 62 units and Overton 34 units;
  - Stirling - Durieshill 60 units; and
- The additional £10m from Scottish Government thereby increasing the total social housing programme to £25m;
- The timetable for completion of all social housing units;
- The affordable housing purchases totalling £7.9m (the balance of £7.1m still requiring to be deployed) as follows:-
  - Bo'ness 17 units - £1.8m;
  - Rutherglen 16 units - £1.6m; and
  - Aberdeen 18 units £4.5m; and
- The changes to the Government policy on social and affordable housing provision leading the Places for People Group to restructure its Medium Term Bond Issuance Programme;
- The Places for People Group's re-launched latest bond issuance programme and the option for the Fund to consider Hearthstone using the £15m to acquire further affordable housing assets and then leasing them back to the Places for People Group thus enabling an estimated yield of around 6% (net of fees) based on the rental stream and the capital growth of the properties over the term of the lease;
- The risk profile associated with the physical property; and
- The issues associated with the purchase and leaseback proposal.

### **Decision**

**The Committee and Board noted the developments surrounding the social and affordable housing mandate.**

**The Committee agreed to approve that the £15m investment earmarked for affordable housing should be used to acquire new affordable housing units with a view to these being leased back to the Places for People Group.**

### **PE45. ABERDEEN ASSET MANAGEMENT**

The Committee and Board received a presentation by Ms Julie Pine and Mr Andrew Brown, Aberdeen Asset Management.

The presentation covered the undernoted:-

- The benefit of being truly Active Managers;
- Portfolio Fundamentals;

- Shifting Market Dynamics; and
- Manager Fees.

The Convener thanked Ms Pine and Mr Brown for their comprehensive presentation.

#### **PE46. GENERAL GOVERNANCE MATTERS**

The Committee and Board considered a report by the Director of Corporate and Housing Services presenting an update on various matters associated with the governance of the Falkirk Council Pension Fund.

The areas covered within the report included the following:-

- The Pensions Increase;
- The Proposed Scheme changes;
- The Local Government Pension Scheme Advisory Board;
- The Scottish Parliament Infrastructure Report;
- The Pensions and Lifetime Savings Association; and
- The Local Authority Pension Fund Forum (LAPFF) of 58 local authority Pension Funds including work relating to the Fund supporting LAPFF as it bids to file a resolution on carbon disclosure at the next AGM of Anglo American.

#### **Decision**

**The Committee and Board noted the report.**

#### **PE47. PRIVATE EQUITY AND ALTERNATIVES UPDATE**

The Committee and Board considered a report by the Director of Corporate and Housing Services on the progress of the Pension Fund's private equity and alternatives investment programme for SL Capital (Standard Life), Wilshire Associates, Grosvenor Capital, M&G, Hearstone and UK Infrastructure (in conjunction with Lothian Pension Fund) for the quarter ending 31 December 2015.

#### **Decision**

**The Committee and Board noted the progress of the Pension Fund's private equity and alternatives investment programme for the quarter ending 31 December 2015.**

#### **PE48. PENSION FUND - INVESTMENT SUB GROUP UPDATE**

The Committee and Board considered a report by the Director of Corporate and Housing Services providing an update on the work of the Sub Group reviewing the Pension Fund's Investment Strategy.

The Pensions Committee had agreed on 26 June 2015 to the establishment of an Investment Strategy Sub Group, the purpose being to review the Fund's Investment Strategy and make appropriate recommendations to the Committee. The Group would take forward a de-risking plan within the context of a wider review of the Strategy.

The Sub Group had held five meetings and the report summarised the Sub Group's findings. The Group had now completed its work and the final minute was attached for information. Further consideration of the work of the Group was considered under agenda item 15 (minute PE52).

### **Decision**

**The Committee and Board noted the report.**

## **PE49. INVESTMENT STRATEGY - ENVIRONMENTAL SOCIAL AND GOVERNANCE (ESG) UPDATE**

The Committee and Board considered a report by the Director of Corporate and Housing Services providing an update on the environmental, social and governance (ESG) considerations arising from the review of investment strategy.

The report highlighted:-

- The Fund's approach to environmental, social and governance (ESG) matters as set out in Section 9 of the Statement of Investment Principles (SIP);
- The Fund's obligations as a responsible investor and the commitment to ensuring companies meet acceptable standards of practice with a particular focus on human rights, environmental issues and employment standards;
- That engagement and influence took place through the Fund including having regular discussions with Asset Managers on their own specific ESG monitoring, the exercising of voting rights through proxy voting agents and membership of the Local Authority Pension Funds Forum (LAPFF);
- That in terms of Fund policy in general the non interference in the investment decisions of Managers and to allow them to base their decisions on the risk/return characteristics of each investment opportunity;
- The corporate governance matters of significance being reported quarterly to the Pensions Committee and Board;
- The monitoring of Managers to ensure the embedding of ESG considerations into their investment processes and the evaluation of risk and return; and
- The work of the investment Sub Group in relation to regulatory matters, fiduciary duty, legal consensus and divestment.

### **Decision**

**The Committee and Board noted the report.**

**The Committee agreed to approve that a dedicated training event be held in due course addressing the Fund's approach to environmental, social and ethical matters (ESG) in relation to investment decision making.**

**PE50. EXCLUSION OF PUBLIC**

The Committee agreed, in terms of section 50A(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 Paragraph 9 of Part 1 of Schedule 7A to the said Act.

**PE51. FUND MANAGER PERFORMANCE REVIEW**

The Committee and Board considered a report by the Director of Corporate and Housing Services reviewing the overall performance of the Fund and of the undernoted Fund Managers:-

- Aberdeen Asset Management
- Baillie Gifford (Bond Mandate)
- Baillie Gifford (Diversified Growth)
- Legal and General Investment Management
- Newton Investment Management
- Schroder Investment Management (UK Equities)
- Schroder Investment Management (Property)

**Decision**

The Committee and Board noted the Fund Managers' performance and the action taken by them during the quarter to 31 December 2015, in accordance with their investment policies.

**PE52. INVESTMENT STRATEGY CONSIDERATIONS**

The Committee and Board considered a report by the Director of Corporate and Housing Services on the work of the Sub Group established to take forward a review of the Fund's Investment Strategy.

The Sub Group had held five meetings and the report summarised the Sub Group's findings and contained a number of recommendations for consideration.

**Decision**

The Committee and Board noted the report.

The Committee agreed:-

- (1) the revised strategic allocation as detailed in the report;
- (2) the Fund having a long term objective to increase the allocation to property to 15%;

- (3) to retain existing managers, subject to making a final decision at a future meeting on the global equity mandate and making alternative arrangements for the property mandate;
- (4) to progress an investment in the Smart Beta mandate and to consider at the next meeting the type of Smart Beta investment most appropriate for the Fund;
- (5) the existing private equity programme being run down;
- (6) that no new private equity investments be made;
- (7) that a report be submitted to a future meeting on the options for the property mandate; and
- (8) the continuation of consideration of the investment beliefs at a future meeting as set out in Appendix 1 to the report.

**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 14 MARCH 2016 at 9.30 A.M.**

**COUNCILLORS:** Baillie William Buchanan (Convener)  
John McLuckie  
Martin Oliver  
Sandy Turner

**OFFICERS:** Donald Campbell, Development Management Co-ordinator  
Iain Henderson, Legal Services Manager  
Antonia Sobieraj, Committee Services Officer

**PRC47. APOLOGIES**

Apologies were intimated on behalf of Councillor Nicol.

**PRC48. DECLARATIONS OF INTEREST**

No declarations were made.

**PRC49. OPENING REMARKS**

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

**PRC50. PLANNING APPLICATION - P/15/0424/FUL - INSTALLATION OF WIND TURBINE (50M TO HUB AND 77.9M TO BLADE TIP) WITH ASSOCIATED INFRASTRUCTURE AND ACCESS TRACK ON LAND TO THE EAST OF GLENHEAD FARM, CALIFORNIA**

The Committee considered documents which related to the Application for Review for planning application P/15/0424/FUL for the installation of a wind turbine measuring 50 metres to hub and 77.9 metres to blade tip with associated infrastructure and access track on land to the east of Glenhead Farm, California.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 9.40 a.m. for the purpose of conducting a site inspection and reconvened at 11.05 a.m., with all those present as per the sederunt.

**PRC51. PLANNING APPLICATION - P/15/0424/FUL - INSTALLATION OF WIND TURBINE (50M TO HUB AND 77.9M TO BLADE TIP) WITH ASSOCIATED INFRASTRUCTURE AND ACCESS TRACK ON LAND TO THE EAST OF GLENHEAD FARM, CALIFORNIA**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/15/0424/FUL for the installation of a wind turbine measuring 50 metres to hub and 77.9 metres to blade tip with associated infrastructure and access track on land to the east of Glenhead Farm, California.

The Committee requested and heard a short presentation from Mr Campbell, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement and representations.

After further discussion and having sought and heard advice from Mr Henderson and Mr Campbell, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Supplementary Guidance SG14 'Spatial Framework and Guidance for Wind Energy Development';
- (2) Policies CG01, GN02, GN03 and RW01 of the Falkirk Local Development Plan;
- (3) the consultation responses received;
- (4) the representations submitted;
- (5) the site history;
- (6) the supporting documents provided by the applicant; and
- (7) the benefit of the site inspection.

After discussion, and having sought and heard advice from Mr Henderson and Mr Campbell, the Committee **AGREED**:-

- (1) That the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** for the reasons set out in the original notice of decision namely:-



- That the proposed turbine, by virtue of its scale and positioning in close proximity to other approved turbines, would result in detrimental cumulative impact on the visual amenity and landscape quality of the area. The proposal is therefore contrary to the terms of Policies RW01 'Renewable Energy' and GN02 'Landscape' of the Falkirk Local Development Plan and Supplementary Guidance SG14 'Spatial Framework and Guidance for Wind Energy Development';
- (2) That the additional reason be added for refusal namely:-
- That the proposed turbine would be located within close proximity to the public road which would not be in the interest of road safety given its size, its flickering effect on the road and its visual impact; and
- (3) That the preparation of the decision notice be delegated to the Chief Governance Officer.



## FALKIRK COUNCIL

**MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 15 MARCH 2016 at 9.30 a.m.**

**COUNCILLORS:**

David Alexander	Craig Martin (Convener)
Jim Blackwood	Dr Craig R Martin
Tom Coleman	Alan Nimmo
Dennis Goldie	Malcolm Nicol
Linda Gow	Robert Spears

**OFFICERS:**

Karen Algie, Head of Human Resources and Business Transformation  
 Sally Buchanan, Welfare Reform Project Manager  
 Matthew Farrell, Economic Development Officer  
 Paul Ferguson, Revenue Manager  
 Colin Frame, Principal Surveyor (Strategic Projects)  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Joe McElholm, Head of Social Work Adult Services  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive  
 Stuart Ritchie, Director of Corporate and Housing Services  
 Bryan Smail, Chief Finance Officer

**EX97. ORDER OF BUSINESS**

As the portfolio holder for Economic Development required to leave the meeting to attend a funeral, the Convener varied the order of business from that detailed in the agenda for the meeting. The following items have been recorded in the order that they were taken at the meeting.

**EX98. APOLOGIES**

Apologies were intimated on behalf of Councillors G Goldie and Mahoney.

**EX99. DECLARATIONS OF INTEREST**

No declarations were made.

**EX100. MINUTE****Decision**

The minute of the meeting of the Executive held on 23 February 2016 was approved.

**EX101. FALKIRK LOCAL DEVELOPMENT PLAN – SUPPLEMENTARY GUIDANCE FEEDBACK ON CONSULTATION ON SG16 LISTED BUILDINGS AND UNLISTED PROPERTIES IN CONSERVATION AREAS (FIFTH BATCH)**

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

The Executive authorised, on 25 February 2014 (ref EX46), the preparation of and consultation on 16 Supplementary Guidance Notes referred to in the Local Development Plan. A further Guidance Note on renewable energy was subsequently identified. To date, four ‘batches’ containing 10 Supplementary Notes have been developed, consulted upon and approved by the Scottish Ministers. Supplementary Guidance Note – SG16 Listed Buildings and Unlisted Properties in Conservation Areas – was now presented for approval.

The report set out the feedback from consultations together with proposed minor amendments.

**Decision**

The Executive agreed Supplementary Planning Guidance Note SG16 Listed Buildings and Unlisted Properties in Conservation Areas (including modifications in response to consultations as detailed in paragraphs 4.1, 4.2 and 4.3 of the report) and its submission to the Scottish Ministers for final approval.

**EX102. GRANGEMOUTH ENERGY PROJECT: NEXT STEPS**

The Executive considered a report by the Director of Development Services seeking authority to progress the Grangemouth Energy Project.

The Executive agreed on 13 January 2015 (ref EX109) to progress an energy project for the Grangemouth area which could utilise renewable technologies to deliver sustainable energy cost savings to the industrial complex and potentially the wider area through the development of a district heating scheme.

A business case for the Energy Project was presented as an appendix to the report. The business case set out the work to date and identified a range of energy generating options for the area. This included a cost benefit analysis which identified a district heating network covering the Grangemouth area as the preferred option. This would comprise three distinct heating networks, each based around an assessed demand profile and underpinned by a variety of balanced supply options, with a particular focus on the re-use of waste heat and low carbon solutions. An analysis of each proposed

network – Eastern, Northern and Western indicated that the proposed Northern network was not viable at the current time. The Eastern network was the strongest proposition and although the Western network was not currently viable, the planned introduction of a masterplan for the Falkirk Gateway sites indicated that it could be economically viable as energy demand increased.

The report set out proposed next steps to develop the project. Further bids for funding to Scotland's Energy Efficiency Programme and the Scottish Government/EU Low Carbon Infrastructure Transition Programme had been made. It was proposed that the Council participate in the EU supported 'INTERREG' programme, which supports the development of transitional economic development activities which focus on the creation of business support programmes to improve the development of sustainable economic clusters and in identifying international partners.

Councillor D Goldie, seconded by Councillor Dr C R Martin, moved that the Executive:-

- (1) *notes the terms of the report on the progress of the energy project and the delivery of the Grangemouth Energy Project;*
- (2) *agrees the next steps in developing the project including the preparation of a business case for the Eastern and Western networks through seeking financial support from the Scottish Low Carbon Infrastructure Transition Programme;*
- (3) *agrees to participate in the EU funded INTERREG initiative for the promotion of local energy networks; and*
- (4) *requests officers to report back in due course, with the results of the business case and recommending the next steps.*

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the terms of the motion with clause (2) replaced by the following:

- (2) *agrees the next steps in developing the project, including fast tracking the preparation of a business case for the Eastern network through seeking financial support from the Scottish Low Carbon infrastructure Transition programme but not to proceed with a business case for the Western network at this time.*

On a division 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, Gow, C Martin, C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

## **Decision**

### **The Executive agreed the motion.**

Councillor Gow joined the meeting during consideration of the previous item.

### **EX103. FALKIRK TAX INCREMENTAL FINANCING INITIATIVE AND FALKIRK GATEWAY**

The Executive considered a report by the Director of Development Services presenting a revised schedule for the implementation of the Falkirk Tax Incremental Financing (TIF) initiative with particular reference to the Falkirk Gateway Project.

The Executive agreed, on 18 June 2013 (ref EX29), to commit to the delivery of the Falkirk TIF initiative. An Infrastructure and Development Plan was developed to take forward each of the projects. Key to this will be a development plan for the eastern entrance to Falkirk and the Gateway site. A preliminary Infrastructure Development Framework has been developed by WSP, an engineering and design consultancy, to assist in the creation of a flagship development at the Eastern entrance to Falkirk.

The report provided an overview of the Framework, highlighting in particular proposals for each of the key sites within the development including Falkirk Gateway, Falkirk Community Stadium, Forth Valley College, and the Helix Park and Kelpies Hub. In addition to an improvement in the road network connecting each of the Gateway sites, a crossing and path network to support cyclists/pedestrians joining between the four key sites was proposed. It was recommended that, as a key element of the TIF programme, further work on design and funding opportunities was undertaken.

The Executive had also agreed, on 9 June 2015 (ref EX23), to develop a business case for an investment model in liaison with key partners Ernst & Young, the Council's TIF advisers, carried out this work and the report summarised the main findings.

The next step suggested for the Gateway site is to initiate market testing but certain preliminary elements need to be in place before that is done. The report gave further information on those elements and updated the TIF Development Programme.

#### **Decision**

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

- (1) to note the update of progress on the Falkirk Tax Incremental Finance (TIF) initiative and the outcome of the Falkirk Gateway Preliminary Development Framework proposals;**
- (2) to note the proposals for the Crossing outlined in paragraph 4 of the report;**
- (3) the revised implementation schedule for TIF projects as outlined in appendix 4, to the report, including the commissioning of a drainage and public realm strategy for the Gateway site; and**
- (4) to progress the actions for delivery of the Gateway development as set out in paragraphs 5 & 6 of the report including initiating discussions with Callander Estates over the terms of a landowners agreement for delivery of the Gateway site.**

Councillor D Goldie withdrew from the meeting following consideration of the previous item.

**EX104. WORKFORCE STRATEGY**

The Executive considered a report by the Director of Corporate and Housing Services presenting a revised Workforce Strategy for approval.

The Council's Best Value Audit 2015 Improvement Plan, which had been agreed by Council on 7 October 2015 (ref FC48) following Audit Scotland's Best Value Audit of Falkirk Council, stated that the Council would update its Workforce Strategy and that this would be submitted for approval by 31 March 2016. The revised Strategy was set out as the appendix to the report. It will sit within the Council's strategic planning and management framework and link to the Corporate and Service Plans and to the revenue budget.

Councillor Nicol, seconded by Councillor C Martin, moved that the Executive *agrees the draft Workforce Strategy, as attached as appendix 1 to the report.*

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved in substitution for the motion, that *officers bring the strategy back to the Executive in a more structured and coherent form.*

On a division 6 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (6) – Councillors Blackwood, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

**Decision**

**The Executive agreed the motion.**

**EX105. LOCAL ADVICE AND SUPPORT HUBS**

The Executive considered a report by the Director of Corporate and Housing Services proposing the introduction of Local Advice and Support Hubs to deliver frontline customer services.

Following a review of the current frontline service provision it was proposed that three advice hubs covering the East, West and Central populations are introduced with bespoke arrangements for customers to access services through existing facilities within their local areas. The hubs would replace the current Once Stop Shop service and would provide services which are more aligned to meeting the needs of customers by establishing specialist services in each 'hub' complemented by additional services across each area on a 'surgery' basis. The refocusing of the face to face service would be accompanied by an increased availability in digital support, in particular online support. A pilot in the East area was proposed. The Hub would be located in the One Stop Shop facility in Grangemouth with outreach provided across the Bo'ness/Grangemouth area with possible locations including Bo'ness Library, Bo'ness Community Education base, Bo'ness Recreation Centre and the Kersiebank Community Project. Additionally payment facilities would be available in 10 local shops in Bo'ness and 12 local shops in Grangemouth.

The report set out the services anticipated to be provided and the financial benefits in introducing Local Advice Hubs.

Councillor Nicol, seconded by Councillor C Martin, moved that the Executive agrees:-

- (1) *the implementation of a Local Advice and Support Hub pilot based in Grangemouth but covering the east of the District; and*
- (2) *to request a further report detailing arrangements for the central and west area hubs.*

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved in substitution for the motion that the Executive *notes the report and its contradictions and resolves to refer the matter to the Scrutiny Committee for further detailed consideration, including the retention of One Stop Shops.*

On a division, 6 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (6) – Councillors Blackwood, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

### **Decision**

**The Executive agreed the motion.**

## **EX106. TREASURY MANAGEMENT STRATEGY 2016/17**

The Executive considered a report by the Director of Corporate and Housing Services presenting a Treasury Management Strategy for 2016/17 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 2016/17 was presented. The Strategy set out:-

- the economic and interest rate outlook;
- debt outstanding at 1 April 2016;
- the longer term borrowing requirement for 2016/17;
- borrowing and investment strategies;
- Treasury indicators and treasury management advisers; and
- Elected member and officer training.

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

- (1) **adopts the Borrowing Strategy for 2016/17 as set out in the report;**
- (2) **adopts the Investment Strategy for 2016/17 and approves the list of “Permitted Investments” as set out in Section 6 of the report; and**
- (3) **approves the Treasury Indicators as set out in Section 7 of the report.**



**EX107. ACTUARIAL VALUATION OF THE INSURANCE FUND AND STATUS OF MUNICIPAL MUTUAL INSURANCE (MMI)**

The Executive considered a report by the Director of Corporate and Housing Services providing an update on the triennial actuarial valuation of the Insurance Fund and the current position in respect of Municipal Mutual Insurance (MMI).

The triennial actuarial valuation of the Insurance Fund had been undertaken by Milliman LLP. The Fund was found to be broadly healthy with a surplus of £0.6m. However, Milliman did not recommend the release of funds despite the surplus due to the uncertainty facing the Fund.

The valuation set Services' contribution at £1.29m. The budgeted annual provision was £1.21m. It was proposed that the shortfall of £0.08m was provided by the Fund surplus.

An update was also provided in regard to the agreed 'solvent run off' arrangement which had been put in place following MMI entering into administration. MMI's administrators, Ernst & Young, established a levy payment of 15% on all costs paid to date on the Council's behalf by MMI. Council had agreed a levy rate of 30% in recognition that 15% was insufficient and that a second levy was likely. MMI advised in January 2016 that the range of the second levy would be between 15 and 34% with the exact figure known in April 2016. It was recognised that the current MMI provision would require an additional £0.09m and that it could be met from the surplus in the Insurance Fund.

**The Executive:-**

- (1) agreed the use of the Insurance Fund surplus to fund the shortfall in revenue contributions of £0.08m;
- (2) agreed the use of the Insurance Fund surplus to fund the shortfall in the Municipal Mutual Insurance (MMI) provision of £0.09m; and
- (3) noted that the MMI provision would need to be increased and that this will be funded from the Insurance Fund.

**EX108. POLICE SCOTLAND PROPOSALS TO WITHDRAW THE TRAFFIC WARDENS SERVICE AND DECRIMINALISATION OF PARKING ENFORCEMENT – UPDATE REPORT**

The Executive considered a report by the Director of Development Services providing an update on Police Scotland's proposals to withdraw the traffic warden service.

The Chief Constable of Police Scotland advised Council in 2013 of his intention to withdraw the traffic warden provision from 28 February 2014. Council agreed on 12 March 2014 (ref FC96) to authorise the Director of Development Services to enter into a Service Level Agreement with the Local Area Commander, Police Scotland, to maintain the current service provision. The initial term to 30 June 2015 was subsequently extended to continue indefinitely unless terminated by any of the involved partners.

Police Scotland had now intimated its intention to terminate the agreement with effect from 31 March 2016.

The Executive, in considering Police Scotland's proposed withdrawal and instructed the Director of Development Services on 19 November 2013 (ref EX92) to prepare a business case to support any application to the Scottish Ministers seeking Decriminalised Parking Enforcement (DPE) powers.

An application for DPE powers must demonstrate that the scheme can operate on a financially neutral basis by the end of the first 5 years of operation. A review of existing waiting restrictions was also required in order to satisfy Ministers that the DPE could be properly enforced. The business case will be presented to a future meeting of the Executive in order to determine if application for DPE powers should be pursued.

**The Executive agreed:-**

- (1) to note the terms of the report; and**
- (2) that the business case to support any application for Decriminalised Parking Enforcement Powers is presented as soon as possible upon conclusion of the remaining tasks to allow a decision to be made on whether an application to Scottish Ministers seeking Decriminalised Parking Enforcement powers should be pursued.**

Councillor Goldie rejoined the meeting during consideration of the previous item.

#### **EX109. EXCLUSION OF PUBLIC**

Councillor C Martin, seconded by Councillor D Goldie, moved that the Executive *agrees in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for items 13( minute reference EX110) and 14(minute reference EX111) on the agenda on the ground that they involve the likely disclosure of exempt information as defined in Paragraphs 8, 9 and 11 of Part 1 of Schedule 7A to the said Act.*

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved that *item 13 (CCTV Update) should be held in public.*

On a division, 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

#### **Decision**

**The Executive agreed the motion.**

#### **EX110. CCTV UPDATE**

The Executive considered a report by the Director of Corporate and Housing Services presenting options for delivery of CCTV provision in the area.

The Executive agreed, on September 2015 (ref EX44) to tender for a 1 year peak time CCTV recording service for the Falkirk Council area.

No tenders had been received for the provision of the service. The report set out three options for future service provision. These were:-

- option 1 – prepare for a recorded service from 1 April 2016;
- option 2 – use the negotiated procedure to attempt to agree a peak time service; and
- option 3 – ceasing the CCTV service.

Councillor Blackwood, seconded by Councillor C Martin, moved that the Executive *agrees to use the negotiated procedure to attempt to agree a peak time service (option 2) failing which to prepare for a recorded service from 1 April 2016 (option 1).*

As an amendment, Councillor Alexander, seconded by Councillor Coleman, moved that the Executive *agrees to use the negotiated procedure to attempt to agree a peak time service (option 2) failing which the matter is brought back to the Executive.*

On a division, 7 members voted for the motion and 3 voted for the amendment, with voting as follows:-

For the motion (7) – Councillors Blackwood, D Goldie, Gow, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (3) – Councillors Alexander, Coleman and Spears.

### **Decision**

**The Executive agreed the motion.**

## **EX111. IRRECOVERABLE DEBTS 2015/16**

The Executive considered a report by the Director of Corporate and Housing Services 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 2015/16 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 these off.

The Executive agreed: -

- (1) that Council Tax debts in excess of £5,000 totalling £74,477.62 as detailed in Appendix A to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise;
- (2) that Rent debts in excess of £5,000 totalling £21,456.51 as detailed in Appendix B to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise;
- (3) that Housing Benefit Overpayments in excess of £5,000 totalling £5,718.21 as detailed in Appendix C to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise;
- (4) that Non-Domestic Rates debts in excess of £5,000 amounting to £917,990.14 as detailed in Appendix D to the report be written off, with an appropriate adjustment to the Rate Income Return for 2015/16, subject to amendments should further information on the debtors concerned become available;
- (5) that Sundry Account debts in excess of £5,000 totalling £64,683.86 (Inclusive of VAT) as detailed in Appendix E to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise; and
- (6) that Temporary Accommodation charges in excess of £5,000 totalling £25,621.70 as detailed in Appendix F to the report be written out of the Accounts in 2015/16, subject to further recovery action being taken should the opportunity arise.

**MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 16 MARCH 2016 at 9.30 a.m.**

**COUNCILLORS:**

Jim Blackwood  
Gordon Hughes  
Depute Provost John Patrick  
Provost Pat Reid (Convener)  
Ann Ritchie  
Sandy Turner

**OFFICERS:**

Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Glackin, Chief Governance Officer  
Frances Kobiela, Senior Solicitor

**CL137. APOLOGIES**

Apologies for absence were intimated on behalf of Baillie Joan Paterson and Councillor Paul Garner.

**CL138. DECLARATIONS OF INTEREST**

No declarations were intimated.

**CL139. MINUTE**

**Decision**

The minute of the meeting of the Civic Licensing Committee held on 10 February 2016 was approved.

**CL140. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN JANUARY 2016 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 January and 31 January 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

**Decision**

The committee noted the report.

**CL141. CIVIC LICENSING ENFORCEMENT – JANUARY 2016**

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 2016.

**Decision**

**The committee noted the report.**

Councillor Hughes joined the meeting during consideration of the previous item.

**CL142. 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.

**CL143. LICENSING OF HOUSES IN MULTIPLE OCCUPATION**

The committee considered a report by the Chief Governance Officer providing members with an update on the rationale and requirements that underpin the licensing of Houses in Multiple Occupation (HMOs) along with details of the current licensed HMO's in the Falkirk Council area, set out in Appendix 1 to the report.

**Decision**

**The committee noted the report.**

**CL144. APPLICATION FOR THE GRANT OF A NEW SKIN PIERCING AND TATTOOING LICENCE**

The applicant, Ms C, entered the meeting and was accompanied by her mother, Mrs C.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new skin piercing and tattooing licence (a) advising of the background to the application; (b) outlining the licence conditions; (c) detailing the consultations undertaken and responses received, and (d) summarising the experience and training of the proposed tattooist.

**Decision**

**The committee agreed to grant the skin piercing and tattooing licence for a period of one year subject to the standard conditions.**

**CL145. APPLICATIONS FOR THE GRANT OF 3 NEW PRIVATE HIRE CAR OPERATOR LICENCES**

Ms B and Ms M, the two directors of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on applications received for the grant of 3 private hire car operator licences (a) advising of the background to the applications, and (b) summarising the consultations undertaken and responses received.

**Decision**

**The committee agreed to grant 3 private hire car operator licences for a period of one year, subject to the standard conditions.**

**CL146. APPLICATION FOR THE GRANT OF A NEW LATE HOURS CATERING LICENCE**

Ms A, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a late hours catering licence (a) advising on the application; (b) referring to the recent amendments made to the policy and conditions applicable to late hours catering licences as it relates to Falkirk Town Centre, and (c) detailing the consultations undertaken and the responses received.

Ms A spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to grant the late hours catering licence for a period of three years, subject to the standard conditions.**

**CL147. APPLICATION FOR THE VARIATION OF LATE HOURS CATERING LICENCE NUMBER 252**

Ms D, Director and Mr D, the day to day manager of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the variation of late hours catering licence No.252 (a) advising on the application; (b) referring to the recent amendments made to the policy and conditions applicable to late hours catering licences as it relates to Falkirk Town Centre, and (c) detailing the consultations undertaken and the responses received.

**Decision**

**The committee agreed to grant the variation of late hours catering licence No.252.**

**CL148. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 344**

Mr D, licenceholder, entered the meeting.

The committee considered a report by the Chief Governance Officer (a) detailing the standard of fitness level required for licensed taxi drivers; (b) summarising the medical condition of the licenceholder, and (c) the background and outcome of an independent medical analysis which that licenceholder had recently undertaken.

Mr D was heard in relation to his medical condition.

Questions were asked of the licenceholder by members of the committee.

Mr D was invited to sum up.

Thereafter, the committee agreed to a short adjournment.

The committee adjourned at 10.10 a.m. and reconvened at 10.20 a.m. with all members present as per the sederunt.

**Decision**

**The committee agreed to suspend the taxi driver licence for the unexpired portion of the duration of the licence, in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(2)(v) on the ground of public safety.**

**CL149. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 2033**

Mr M, licenceholder, entered the meeting.

The committee considered a report by the Chief Governance Officer advising that the licenceholder had omitted to disclose two convictions at the time of submitting his original taxi driver licence application.

Mr M was heard in relation to the reason for these omissions.

Questions were asked of the licenceholder by members of the committee.

Mr M was invited to sum up.

**Decision**

**The committee agreed to take no further action.**



# **CL150. APPLICATION FOR THE RENEWAL OF A SECOND HAND DEALER LICENCE (USED VEHICLES)**

Mr M, agent, and 4 employees of the applicant company, entered the meeting. Mr Whittle, Development Management Co-ordinator, Falkirk Council also entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal of a second hand dealer licence (used vehicles) (a) advising of the background to the application; (b) summarising the consultations undertaken and the responses received, and (c) confirming that a letter of objection had been received in respect of the renewal application.

The Licensing Co-ordinator advised that the objectors, Mr & Mrs H, were unable to attend this meeting.

The agent, Mr M, advised that he had no preliminary points to make on the competency of the letter of objection.

The Licensing Co-ordinator referred to a submission from the applicant company in response to the letter of objection. The committee agreed that both the letter of objection and the submission be circulated.

Mr M was heard in support of his client's application and in relation to concerns raised in the objection and the action taken to address specific issues.

Questions were then asked by members of the committee.

Mr Whittle was then heard in relation to specific planning issues referred to in the letter of objection.

## **Decision**

**The committee agreed to grant the renewal of the second hand dealer licence (used vehicles) for a period of 3 years, subject to the standard conditions.**

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

Mr S, applicant, entered the meeting.

One objector, Mr D entered the meeting accompanied by his agent, Mr S and Ms B, Interpreter. Mr S, agent, advised that the other objector, Mr N, would not be attending as he was currently out of the country.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi operator licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received; (c) detailed the applicant's record; (d) confirming that two letters of objection had been received in respect of the application, and (e) referring to the meeting of the Civic Licensing Committee held on 13 January 2016 when the applicant had requested a continuation, due to him being unable to attend due to illness.

Mr S, agent, referred to the meeting on 13 January 2016 and sought clarification on whether medical evidence had been submitted by the applicant confirming that he had attended his GP.

The Licensing Co-ordinator advised that a letter had been received from the applicant's GP confirming that Mr S, had attended a GP appointment on 13 January 2016.

The letters of objection were circulated to members. The applicant had also submitted two letters of support, and with the agreement of the objectors' agent, these were also circulated to members.

Mr S, agent, was heard in relation to his clients' objections to the application.

No questions were asked of the agent by the applicant or members of the committee.

The applicant, Mr S, was then heard in support of his application and in response to issues raised in the letters of objection.

Questions were asked of the applicant by Mr S, agent and by members of the committee.

Both parties were invited to sum up.

Thereafter, the committee agreed to a short adjournment.

The committee adjourned at 12.10 p.m. and reconvened at 12.20 p.m. with all members present as per the sederunt

### **Decision**

**The committee agreed to grant the new taxi operator licence for a period of one year, subject to the standard conditions.**

## **CL152. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 1889**

Mr S, the licenceholder, entered the meeting. One complainant, Mr D entered the meeting accompanied by his agent, Mr S and Ms B, Interpreter. Mr S, agent, advised that he was also representing another complainant, Mr N, but that he would not be attending as he was currently out of the country. Four other complainers also entered the meeting, namely, Mr S S, Mr H P, Mr J S, and Mr K S.

Members were advised of the background to the complaint which relates to two letters of complaint submitted to the licensing section, alleging that the taxi driver is not a fit and proper person to be the holder of a taxi driver licence. Six taxi drivers and one private hire car driver had also made complaints against the licenceholder, and each had attended the licensing offices and submitted individual statements.

The two letters of complaint, witness statements and two letters of support submitted on behalf of the licenceholder, were circulated to members of the committee.

Mr S, agent, was heard in relation to his clients' letters of complaint.

Mr H P, on behalf of the other 3 complainants in attendance, was heard in relation to their complaints.

The licenceholder, Mr S, was then heard in response to the issues and concerns raised in the complaints.

Questions were asked of the licenceholder by Mr S, agent and by members of the committee.

Both parties were invited to sum up.

Thereafter, the committee agreed to a short adjournment.

The committee adjourned at 12.55 p.m. and reconvened at 1.05 p.m. with all members present as per the sederunt

### **Decision**

**The committee agreed to take no further action.**



**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 22 MARCH 2016 at 9.30 A.M.**

**COUNCILLORS:** Baillie William Buchanan (Convener)  
Steven Carleschi  
Adrian Mahoney  
John McLuckie

**OFFICERS:** Iain Henderson, Legal Services Manager  
John Milne, Senior Planning Officer (for application P/15/0353/PPP (minute PRC57 and PRC 59))  
Antonia Sobieraj, Committee Services Officer  
Bernard Whittle, Development Management Co-ordinator (for application P/15/0449/FUL (minute PRC58 and PRC60))

**PRC52. APOLOGIES**

Apologies were intimated on behalf of Councillor Oliver.

**PRC53. DECLARATIONS OF INTEREST**

No declarations were made.

**PRC54. MINUTES****Decision**

**The minute of meeting of the Planning Review Committee held on 25 February 2016 was approved.**

**PRC55. OPENING REMARKS**

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

**PRC56. PLANNING APPLICATION - P/15/0353/PPP - ERECTION OF DWELLINGHOUSE ON LAND TO THE SOUTH OF DONALDSON LODGE, LINLITHGOW**

The Committee considered documents which related to the Application for Review for planning application P/15/0353/PPP for the erection of a dwellinghouse on land to the south of Donaldson Lodge, Linlithgow.

The Committee requested and heard a short presentation from Mr Milne, who provided a summary of the application and the papers before the Committee, referring to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement and representations.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

**PRC57. PLANNING APPLICATION - P/15/0449/FUL - ERECTION OF DWELLINGHOUSE AT KINGSBARN EQUESTRIAN CENTRE, FALKIRK FK1 3AT**

The Committee considered documents which related to the Application for Review for planning application P/15/0449/FUL for the erection of a dwellinghouse at Kingsbarn Equestrian Centre, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, referring to the Report of Handling, the reasons for refusal of the application now being reviewed and the applicant's supporting statement.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 10.30 a.m. for the purpose of conducting the site inspections and reconvened at 11.55 a.m., with all those present as per the sederunt.

**PRC58. PLANNING APPLICATION - P/15/0353/PPP - ERECTION OF DWELLINGHOUSE ON LAND TO THE SOUTH OF DONALDSON LODGE, LINLITHGOW**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/15/0353/PPP for the erection of a dwellinghouse on land to the south of Donaldson Lodge, Linlithgow.

The Committee requested and heard a short presentation from Mr Milne, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement and representations.

After further discussion and having sought and heard advice from Mr Henderson and Mr Milne, and having given consideration to the material contained within the documentation, the Committee considered that it did have sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Supplementary Guidance SG01 - Development in the Countryside;
- (2) Policies CG01, CG03, D13, GN02, GN03 and RW06 of the Falkirk Local Development Plan;
- (3) the consultation responses received;
- (4) the representations submitted;
- (5) the site history;
- (6) the supporting documents provided by the applicant; and
- (7) the benefit of the site inspection.

After discussion, and having sought and heard advice from Mr Henderson, the Committee **AGREED**:-

- (1) That the decision of the Director of Development Services to **REFUSE** planning permission in principle be **UPHELD** for the reasons set out in the original notice of decision namely:-
  - That the application is considered to be contrary to Policies CG01 'Countryside' and CG03 'Housing in the Countryside' of the Falkirk Local Development Plan and to Falkirk Council's Supplementary Guidance SG01 for 'Development in the Countryside'. In particular, it has not been demonstrated that there is an essential need for the development proposal at this countryside location and the proposal is not considered to represent appropriate infill development. The proposal therefore represents unjustifiable and inappropriate development in the countryside;
  - The development proposal would introduce additional turning traffic onto the de-restricted, unlit rural road (the B825) and the visibility requirement to the west of the proposed new access is unable to be satisfied due to existing obstructions. The development proposal is therefore not considered to be in the best interests of road safety; and

- The application is considered to be contrary to Policy RW06 'Flooding' of the Falkirk Local Development Plan as it has not been demonstrated that the development proposal would be free of significant flood risk or avoid an increase in the level of flood risk to existing development; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

**PRC59. PLANNING APPLICATION - P/15/0449/FUL - ERECTION OF DWELLINGHOUSE AT KINGSBARN EQUESTRIAN CENTRE, FALKIRK FK1 3AT**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/15/0449/FUL for the erection of a dwellinghouse at Kingsbarn Equestrian Centre, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, referring to the Report of Handling, the reasons for refusal of the application now being reviewed and the applicant's supporting statement.

After further discussion and having sought and heard advice from Mr Henderson and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it did had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Supplementary Guidance SG01 - Development in the Countryside;
- (2) Policies CG01 and CG03 of the Falkirk Local Development Plan;
- (3) the consultation responses received;
- (4) the site history;
- (5) the supporting documents provided by the applicant; and
- (6) the benefit of the site inspection.

After discussion, and having sought and heard advice from Mr Henderson, the Committee **AGREED:-**

- (1) To **GRANT** planning permission subject to such conditions as the Director of Development Services shall deem appropriate; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.



# **FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 23 MARCH 2016 at 9.30 a.m.**

**COUNCILLORS:** Baillie William Buchanan (Convener)  
Steven Carleschi  
Colin Chalmers  
Paul Garner  
Adrian Mahoney  
Craig Martin  
John McLuckie  
Malcolm Nicol  
Martin Oliver  
Sandy Turner

**OFFICERS:** John Angell, Head of Planning and Transportation  
Donald Campbell, Development Management Co-ordinator  
Elspeth Forsyth, Senior Planning Officer (Landscape)  
Rose Mary Glackin, Chief Governance Officer  
Iain Henderson, Legal Services Manager  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Brent Vivian, Senior Planning Officer

## **P145. APOLOGIES**

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

## **P146. DECLARATIONS OF INTEREST**

No declarations were made.

## **P147. REQUEST FOR SITE VISIT**

Having heard a request by members for a site visit, the Committee agreed to the continuation of planning application P/15/0583/FUL.

## **P148. MINUTES**

### **Decision**

- (a) The minute of meeting of the Planning Committee held on 24 February 2016 was approved subject to (a) deletion of the words in brackets ('to be submitted to the meeting of the Executive in April 2016') in the decision on

item P136, and (b) adjustment to item P140 at paragraph 3 to record that the amendment was moved by Baillie Buchanan and seconded by Councillor McLuckie, and

- (b) The minute of meeting of the Planning On-Site Committee held on 7 March 2016 was approved.

**P149. ERECTION OF OUTBUILDING (RETROSPECTIVE) AT 28 DROVER ROUND, LARBERT FK5 4TT FOR MR MARTIN WILLIAM BRENNAN - P/15/0713/FUL**

With reference to Minute of Meeting of the Planning Committee held on 24 February 2016 (Paragraph P141 refers), Committee (a) gave further consideration to a report to that meeting 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 erection of a single storey outbuilding (in retrospect), measuring 4 metres in length, 3 metres in width and 3.1 metres in height on a site located within the rear garden of a dwellinghouse at 28 Drover Round, Larbert.

Councillor Carleschi, seconded by Councillor Chalmers, moved that the application be refused on the grounds that it is contrary to Policy HSG07 'House Extensions and Alterations' and Supplementary Guidance SG03 'Residential Extensions and Alterations' of the Falkirk Local Development Plan and that the development has an adverse impact on the amenity of the surrounding area.

By way of an amendment, Councillor McLuckie, seconded by Baillie Buchanan, moved that Committee grant the planning permission in accordance with the recommendations within the report.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (2) - Councillors Carleschi and Chalmers.

For the amendment (7) - Baillie Buchanan; Councillors C Martin, Nicol, McLuckie, Mahoney, Oliver and Turner.

Abstention - Councillor Garner.

### **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) Within three months of the date of the permission, details of the colour stain and external materials to be used on the surfaces of any walls, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

**Reasons(s):-**

- (1) As these drawings and details constitute the approved development.
- (2) To enable the Planning Authority to consider these aspect(s) in more detail and to safeguard the visual amenity of the area.

**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 reference number(s) 01 and 02B.
- (3) The roof run-off from the out-building should be connected to the existing drain within the applicant's garden.

Councillor Carleschi left and re-entered the meeting during consideration of the following item of business.

**P150. 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 Minutes of Meetings of the Planning Committee held on 25 March, 29 April, 25 June and 28 October 2015 and 1 February and 24 February 2016 (Paragraphs P132, P10, P34, P77, P115 and P135 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director in relation to conditions imposed in a planning permission granted for the use of land for an end of life vehicle decontamination and de-liquidising facility and storage of scrap material (retrospective) at All Parts Auto Salvage, Hillview Road, High Bonnybridge, Bonnybridge.

**Decision**

**The Committee:-**

- (1) noted the contents of the report; and
- (2) agreed to consider further update reports at future meetings until the matters detailed in the report are resolved noting that the report to the meeting on 27 April 2016 shall contain options on enforcement action for consideration should the matters referred to in the report not be resolved by that time.

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

**P151. ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE ON LAND TO THE WEST OF 10 AGRICULTURAL HOLDINGS, KILSYTH ROAD, LONGCROFT FOR MRS FIONA CARLIN – P/15/0583/FUL**

**P152. DEMOLITION OF DERELICT BUILDING AT CRAIGIEBURN, FALKIRK FK1 2AQ FOR CALLENDAR ESTATE TRUST – P/15/0759/LBC**

The Committee considered a report by the Director of Development Services on an application for listed building consent for the demolition of a derelict category B listed farmhouse within a rural location at Craigieburn Farm, Falkirk.

#### **Decision**

The Committee agreed to refuse listed building consent for the following reason:-

The proposal would result in the unjustified demolition of a category B listed building to the detriment of the conservation and enhancement of the historic environment. The proposal fails to accord with the terms of Policy D09 Listed Buildings of the Falkirk Local Development Plan, Scottish Planning Policy (SPP) and Scottish Historic Environment Policy (SHEP).

**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the EDUCATION EXECUTIVE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 29 MARCH 2016 at 9.30 AM.**

**COUNCILLORS:**

David Alexander  
 Jim Blackwood  
 Thomas Coleman  
 Dennis Goldie  
 Linda Gow  
 Adrian Mahoney  
 Craig Martin (Convener)  
 Dr Craig R Martin  
 Alan Nimmo  
 Robert Spears

**REPRESENTATIVES  
 OF RELIGIOUS  
 BODIES:**

Hector Cairns  
 Margaret Coutts  
 Michael Rollo

**CO-OPTEES:**

Mike Ablett (Parent Representative)  
 Jonathan Barclay (Pupil Representative)  
 Helena Barton (Pupil Representative)  
 Martin Craigen (Parent Representative)

**OFFICERS:**

Jack Aitken, Design Co-Ordinator  
 Tony Bragg, Team Manager: Performance Management  
 Andrew Facherty, Additional Support for Learning Manager  
 Jack Frawley, Committee Services Officer  
 Gary Greenhorn, Head of Planning and Resources  
 Alan Livingstone, Property Manager  
 Stephen Miller, Head Teacher, Denny High School  
 Colin Moodie, Depute Chief Governance Officer  
 Robert Naylor, Director of Children's Services  
 Richard Teed, Senior Forward Planning Officer

**ALSO ATTENDING:**

Gary Bushnell, Chief Executive, hub East Central Scotland  
 Constable Ian Taylor, Police Scotland

**EE42. APOLOGIES**

Apologies were intimated on behalf of Councillor G Goldie, Fiona Craig and Margaret Smith.

**EE43. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**EE44. MINUTE****Decision**

**The minute of the meeting of the Education Executive held on 2 February 2016 was approved.**

Councillor D Goldie entered the meeting during consideration of the following item.

**EE45. NEW ASN SECONDARY SCHOOL**

The Education Executive considered a report by the Director of Children's Services providing an update on the new ASN secondary school project including details of the Hubco Stage 2 report and seeking approval for the Stage 2 report and to proceed to financial close.

The report advised that the Hubco Stage 1 report had been considered by Council on 7 October 2015, where approval had been given to progress to Stage 2. A summary of the information contained within the Stage 2 report was provided. The Stage 2 report confirmed that the final maximum cost to the Council would be £17,554,357 which is £13,643 below the agreed budget for construction costs and is within the "affordability cap" set by the Scottish Future's Trust. The Executive Summary was appended to the report.

Jack Aitken and Richard Teed provided the Education Executive with a presentation which provided members with further information on the new ASN secondary school.

**Decision**

**The Education Executive agreed to:-**

- (1) approve the Hubco Stage 2 report;**
- (2) authorise the Chief Executive or her nominee to conclude final discussions and negotiations with Hubco and take all decisions required to take the project forward to Financial Close, and**
- (3) authorise the Chief Executive or the Chief Governance Officer to sign the contractual documentation with Hubco including the Design and Build Development Agreement.**

**EE46. SCHOOL/CAMPUS BASED POLICE OFFICERS**

The Education Executive considered a report by the Director of Children's Services seeking approval to extend the provision of school or campus based Police Officers to each Falkirk Council secondary school.

School based Police Officers had been located at Larbert High School from 2007/08 and at Denny High School from 2008/09 as part of a pilot project. On 21 August 2012 the former Education Committee agreed to extend the provision to three further secondary schools; Braes, Falkirk and Grangemouth. Benefits which arise from the provision of school based Police Officers had been recognised through academic research by Ipsos MORI and through the recent review of Children's Services in Falkirk. Details of these benefits were provided as an appendix to the report.

The report also provided information relating to the objectives, role and outcomes of school based Police Officers along with the financial implications of the proposal to increase provision across all eight secondary schools. Funding for the proposal would be met by Police Scotland and Children's Services, with Children's Services funding two of the eight posts at a total cost of c£84,000. This cost would be met from each school's devolved budget and from the Children's Services revenue budget.

**Decision**

**The Education Executive agreed:-**

- (1) to extend provision of school based Police Officers as outlined in Section 3 of the report at an additional cost to Children's Services of c£49,000 per annum, and**
- (2) that the Director of Children's Services review the operation and outcomes from the deployment of a Police Officer in all 8 secondary schools, in conjunction with the Head Teachers at the end of the 2015/16 term.**

**EE47. ATTAINMENT (5-18) IN FALKIRK COUNCIL'S SCHOOLS**

The Education Executive considered a report by the Director of Children's Services providing information on:

- i) standardised test results for Reading and Mathematics in Falkirk Council schools in 2015 from Primary 1 to Secondary 2, based specifically on testing in P1, P3, P5, P7 and S2, with comparisons in performance over time;
- ii) SQA examination attainment of school leavers at the end of session 2014/15;

- iii) the impact of strategies to date to raise attainment across primary and secondary schools, including the Council's Literacy and Numeracy strategies, and
- iv) ongoing work as part of the Council's commitment to continuous improvement.

The report provided statistical information relating to attainment. This included performance in: broad general education; the senior phase, and literacy and numeracy. The actions planned to improve attainment were detailed along with information on the strategies to improve performance in secondary schools.

### **Decision**

#### **The Education Executive:-**

- (1) **noted the analysis of the Standardised Tests in Falkirk Council's primary and secondary schools, and the attainment in the Senior Phase of secondary schools, and**
- (2) **requested that the Director of Children's Services implement the strategies already in place which were intended to further improve performance in:**
  - (i) **Literacy and Numeracy in Falkirk Council schools and nurseries, and**
  - (ii) **the Senior Phase of secondary schools.**

#### **EE48. INCREASING CAPACITY IN SPECIALIST PRIMARY EDUCATION FOR CHILDREN WITH SEVERE AND COMPLEX NEEDS**

The Education Executive considered a report by the Director of Children's Services which provided an update on the challenges faced by Children's Services in relation to the growing number of primary aged children requiring specialised adaptations to their curriculum, high levels of personal care and careful control of the physical environment. The report set out proposals to address the challenges in the short term and to address future capacity challenges across the early years and school estates.

Information was provided on the current capacity and rolls within primary ASN support bases. The total capacity provided by facilities at The Base, TimeZone and Thistle Wing was 78 places. The pupil roll for 2015/16 was 79. There was a net increase of 19 pupils from 2015/16 to 2016/17 who required specialised support to best meet their needs.

The Service proposed that to increase capacity in time for the school session beginning in August 2016 that two initiatives were introduced:



- i) expanding the ASN base provision at Maddiston Primary School (TimeZone), and
- ii) creation of a new facility, utilising existing unused space at Carrongrange School.

It was estimated that an additional four FTE Teacher posts and eight FTE Support for Learning Assistant posts would be required to meet the increased level of demand. The cost for 2016/17 was estimated to be £175,000.

To relocate an existing modular classroom from Weedingshall to Maddiston Primary School and undertake the necessary internal alterations within classrooms at Carrongrange a cost of c£100,000 would be incurred. This would be met from the Children's Services Capital Budget (school demographic pressures) and utilisation of planning gain monies available for use at Maddiston Primary School. Work would be carried out during the summer of 2016.

### **Decision**

#### **The Education Executive:-**

- (1) noted the pressures Children's Services faces in meeting the educational and social needs of rising numbers of children with severe and complex additional support needs;
- (2) agreed the proposals put forward by Children's Services to meet the needs of those children in August 2016, and
- (3) requested that the Director of Children's Services bring further reports to Education Executive that consider:
  - options associated with meeting the long term needs of pupils with severe and complex ASN
  - options to address primary school capacity issues, and
  - options to address secondary school capacity issues.



**DRAFT**

**MINUTE of MEETING of the COMMON GOOD SUB-COMMITTEE (FALKIRK)**  
**held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 31 MARCH 2016 at**  
**4.00 PM.**

**COUNCILLORS:**

Provost Pat Reid  
 Depute Provost John Patrick  
 David Alexander  
 Colin Chalmers  
 Craig R Martin  
 Cecil Meiklejohn

**OFFICERS:**

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

**CGF16. APOLOGIES**

No apologies were intimated.

**CGF17. DECLARATIONS OF INTERESTS**

Provost Reid declared a non financial interest in item CGF19 as a member of the Community Trust Board and took no part in the discussion or decision making on this item.

**CGF18. MINUTE****Decision**

The minute of the meeting held on 10 December 2015 was approved.

**CGF19. APPLICATION FOR FINANCIAL ASSISTANCE CALLENDAR PARK  
NATURAL PLAY PROJECT**

The Sub-Committee considered a report by the Director of Corporate and Housing Services detailing a request for funding from Falkirk Community Trust towards the development of a trail within Callendar Park.

The report gave details of the cost of the Trust's natural play trail project. Funding of £30,000 towards the project had been approved by Falkirk Environmental Trust on the condition that funding of £3,000 was received from a third party source. The Trust had sought and been unsuccessful in securing funding from a number of third parties.

## Decision

The Sub-Committee agreed:

- (1) in principle to award up to £3,000 from the Falkirk Common Good Fund towards the Falkirk Community Trust's natural play trail project subject to further potential third party funding sources being identified by the Trust and applications made for funding; and
- (2) that feedback is provided to members on third party funding sources and the outcome of the funding requests.

**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 31 MARCH 2016 at 9.30 AM.**

**COUNCILLORS:**

Stephen Bird  
 Allyson Black  
 Steven Carleschi  
 Colin Chalmers  
 Cecil Meiklejohn (convener)  
 Baillie Joan Paterson  
 Provost Pat Reid

**OFFICERS:**

Caroline Binnie, Communications and Participation Manager  
 Danny Cairney, Acting Depute Chief Finance Officer  
 Fiona Campbell, Head of Policy, Technology and Improvement  
 Jack Frawley, Committee Services Officer  
 Julie Hanlon, Head Teacher, St. Mary's RC Primary School  
 Kenny McNeill, Educational Resources Manager  
 Colin Moodie, Depute Chief Governance Officer  
 Robert Naylor, Director of Children's Services  
 Catherine Quinn, Curriculum Support Manager  
 Catriona Reid, Depute Head Teacher, Bo'ness Academy

**S41. APOLOGY**

An apology was received from Baillie Buchanan.

**S42. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**S43. MINUTES****Decision**

- (1) The minute of the meeting of the Scrutiny Committee held on 4 February 2016 was approved, and
- (2) The minute of the meeting of the Performance Panel held on 18 February 2016 was noted.

#### **S44. EDUCATION SCOTLAND INSPECTION REPORTS AND ACTION PLANS**

The committee considered a report by the Director of Children's Services providing information on Education Scotland inspections at St Mary's RC Primary School and Bo'ness Academy which had identified at least one category in each case as 'weak'. The report provided, as appendices:-

- Inspection Letter: St Mary's RC Primary School and Nursery Class;
- Action Plan: St Mary's RC Primary School and Nursery Class;
- Inspection Letter: Bo'ness Academy, and
- Action Plan: Bo'ness Academy.

Robert Naylor provided an overview of the report and introduced Julie Hanlon, Head Teacher, St. Mary's RC Primary School and Catriona Reid, Depute Head Teacher, Bo'ness Academy.

The committee then heard from Julie Hanlon regarding progress made against the action plan at St Mary's RC Primary School. Members asked what support had been available to the school from the Service. Catherine Quinn stated that there had been a team around the school in place who had first worked through the positives noted in the inspection and then addressed the action points. The Head Teacher had identified areas which required extra support. Catherine Quinn and Tony Bragg had delivered sessions to the school's staff on leadership and use of data respectively. Support was given as needed.

Members asked about the impact on resources as a result of the number of children with English as a second language at the school. Julie Hanlon stated that the school had worked closely with the bi-lingual support team. The school's teachers were skilled in dealing with the challenges associated with this area and that parents with English as a second language were very engaged with the school. She commented that there was a disadvantage in standardised testing to children with English as a second language and that it was important to understand the story behind the figures.

The committee sought further information on the assessment by Education Scotland of the curricular offering. Robert Naylor stated that Education Scotland evaluated all aspects of the school under eight broad headings. Inspectors evaluated both the content balance and pace of curriculum delivery in school and considered how much time was spent on literacy and numeracy proportionately.

Members asked how adherence to timescales in the action plan was monitored. Catherine Quinn stated that the Service monitored these timescales carefully and Julie Hanlon advised that the school provided feedback to the team around the school frequently as progress occurred.

In response to comments on the integration of the nursery into the school, Julie Hanlon stated that the initiatives also applied to the nursery and that the Depute Head Teacher, who managed the nursery provision and the Senior Early Years Officer were involved in joint planning with the school. Further, the nursery used the school's computer suite, hall and library.

Following a question on continuous professional development, Catherine Quinn advised that all teachers were met with on an annual basis and plans for development were linked

to the needs of the individual and school. The Council had links with Glasgow University, a good leadership course locally and used the approach of personal action research.

The committee thanked Julie Hanlon for her attendance and contributions.

The committee then heard from Catriona Reid regarding progress made against the action plan at Bo'ness Academy.

Members asked what work had been undertaken to ensure that the curriculum was meeting the needs of all. Catriona Reid stated that there had been a review of the overall curriculum and that vocational routes had been considered as well as participation in the Schools College Opportunities to Succeed (SCOTS) programme.

In response to a question on the Children's University, Catriona Reid stated that this was a cluster project aimed at raising aspiration. The project targeted children at the upper stage of primary school. A pupil passport would be issued to children who would get their passport stamped when they visited places like libraries and upon completion of certain tasks. This would lead to participation in a graduation ceremony at Forth Valley College. The project also operated for young people in second year at high school, the graduation ceremony for this group was to be at Stirling University.

The committee discussed nurture classes and asked for information on the approach at Bo'ness Academy. Catriona Reid stated that there were nurture groups in place with different groups for the different year groups. There was a group who went to St Mary's RC Primary School, accompanied by staff, to do a gardening project and a similar project was in place at Blackness Primary School. Children were identified at the transition stage for inclusion in the nurture groups and the school worked with Community Learning & Development who provided other services in the school.

Members commented that attainment at Bo'ness Academy had fallen out of line with that of the authority's other high schools and asked about staff morale. Catriona Reid stated that there had been significant improvements at Bo'ness Academy over a long period and that there was a good atmosphere at the school, although she commented that there was an opportunity to instil an ethos of greater challenge. She stated that staff changes and new management had brought new ideas and fresh approaches which would drive the school forward. She advised that there would be a revised approach taken to course selection where the students would have a one to one meeting to consider their options which included individual prelim analysis and how they could best be supported.

The committee asked how the school would address the perception that parental and staff expectations were not very high. Catriona Reid advised that there had been a meet the Head Teacher evening which had engaged parents. Two careers events had been held with employers, colleges and universities and a UCAS evening had also been held. The turnout for these events was felt to be significant and had resulted in positive engagement with parents. The school had also been using its twitter feed to provide careers information.

The committee thanked Catriona Reid for her attendance and contributions.

## Decision

**The committee agreed to request that the Director of Children's Services:-**

- (i) provide an update on the progress made on the agreed action plans to the committee on 17 November 2016, and**
- (ii) report back to committee following publication of Education Scotland's subsequent inspection letters.**

Provost Reid left the meeting during consideration of the previous item of business.

## **S45. USE OF DEVOLVED SCHOOL MANAGEMENT (DSM) RESERVE**

The committee considered a report by the Director of Children's Services providing information on the background to the DSM scheme, and the purpose of the DSM reserve and how it operates. Kenny McNeill provided an overview of the report.

Members commented that in order to give full consideration to the topic it would be useful to get further information on what the DSM budget was spent on, why there are contractual time differences and why there were carry forwards.

In response to a question on the use of the DSM budget to cover costs between April and June, Robert Naylor stated that this was caused by the non-alignment of the financial and academic years. Members asked why this was not built into the Council's budget setting process. Robert Naylor stated that some costs to schools fluctuated throughout the year such as staffing levels, which are related to school roll size. Schools needed to be able to fund their teaching posts from August until the end of June, which crossed the end of the financial year. He also commented that in some cases schools built up a small carry forward in order to purchase resources they would not be able to afford from a single year's budget. However, he advised that there were agreed tolerances relating to carry forward and that anything beyond this level needed to have the Director's approval.

There was discussion on how much money was spent by all schools each year from their DSM budget and how carry forward was generated. Danny Cairney stated that the schools broadly tended to spend the entirety of the £2million per capita budgets they were allocated. In terms of the DSM Reserve he commented that this had decreased from approximately £7.5million in 2010/11 to a projected £3.5million for 2015/16.

In discussion on what DSM was used for, Robert Naylor stated that the majority is spent on staffing costs, which gave Head Teachers some flexibility to get the right structure for their school. The scheme was run in line with recent guidance from COSLA and that the fund was used to smooth variance between the financial year and academic year.

The committee requested that a further report is submitted to its next meeting providing information on: an outline of the issues that are devolved to school level and those retained by the Service; the extent of the budget devolved to schools compared with the wider Education budget; the extent to which the areas devolved allow for decision making by the head teacher (with examples); the proportion of the DSM Reserve which arises from the non-alignment of the school year and the financial year (with examples),



and in the event that the DSM Reserve is required for reasons other than the non-alignment of the school and financial years, an outline of those reasons.

### **Decision**

**The committee requested a further report providing information on:**

- (i) an outline of the issues that are devolved to school level and those retained by the Service;**
- (ii) the extent of the budget devolved to schools compared with the wider Education budget;**
- (iii) the extent to which the areas devolved allow for decision making by the head teacher (with examples);**
- (iv) the proportion of the DSM Reserve which arises from the non-alignment of the school year and the financial year (with examples), and**
- (v) in the event that the DSM Reserve is required for reasons other than the non-alignment of the school and financial years, an outline of those reasons.**

## **S46. COUNCIL COMPLAINTS HANDLING PROCEDURE**

The committee considered a report by the Director of Corporate and Housing Services providing information on complaints handling within the Council. The report set out performance against the indicators set by the Scottish Public Services Ombudsman (SPSO) during the financial year 2014/15 and included benchmarking information drawn from the Improvement Service and Audit Scotland. Information was also provided on how the Council learns from complaints. Caroline Binnie provided an overview of the report.

Members asked how many complaints had been considered by the SPSO relating to Falkirk Council. Caroline Binnie advised that there had been 26 complaints which the SPSO had investigated and that this had resulted in 6 being upheld or partially upheld. She stated that in a number of cases the SPSO would not investigate a complaint if it had been referred prematurely, before going through the full Council procedure, or if it did not fall within their remit.

The committee discussed how people can make suggestions to the Council without raising a formal complaint and raised that other organisations have comments and concerns sections on their websites. Caroline Binnie stated that learning of this type was currently carried out at Service level and that lessons learned from complaints were recorded in the system.

Members asked if there was a corporate definition of what constitutes a complaint. Caroline Binnie stated that the SPSO had provided a definition within their model complaints handling procedure which advises that a complaint is an: “expression of dissatisfaction by one or more members of the public about the local authority’s action or lack of action, or about the standard of service provided by or on behalf of the local authority”.

## **Decision**

### **The committee:-**

- (i) noted the corporate position with complaints performance during the period April 2014 to March 2015;
- (ii) noted that the information in the report would be used as the basis for the Council’s Complaints Annual Report, which would be published on the Council’s website and submitted to the SPSO;
- (iii) noted the Council’s performance against the national average, as set out in the benchmarking report;
- (iv) agreed that SPSO indicators 3 and 5 will be used by all Services as the standard performance indicators for complaints reported to the Performance Panel; and
- (v) noted that a Scrutiny Panel will be established to look at the operation of the Complaints Procedure within the Council, in particular the extent to which complaints information is used to improve services, and that a scoping meeting will take place to establish a timetable and process for the review prior to the summer recess.

Councillor Chalmers left the meeting following consideration of the previous item.

## **S47. REVIEW OF INCOME AND CHARGING**

The committee considered a report by the Director of Corporate and Housing Services providing information on fees and charges. The report provided information on recommendations from the Accounts Commission regarding budget setting; the Council’s approach to income from charges, and concessions. Appended to the report were: Questions for Councillors, an extract from the Accounts Commission publication – *Charging for Services: are you getting it right*; a summary of Falkirk Council Charges, and a summary of 2015/16 – 2017/18 Corporate Savings – Income. Danny Cairney provided an overview of the report.

The committee discussed that it would be useful to see comparator information from other councils to evaluate approach and practise against. Fiona Campbell highlighted the importance of considering the approach to charging together with that of a concessions policy and how this aligned with the Council’s poverty strategy. She commented that this contextual situation would need to be taken into account whenever comparing local practice to that of other areas. Members stated that the outcomes of equality and poverty

impact assessments should also be taken into account to identify if any particular group is disproportionately affected.

### **Decision**

**The committee agreed to request a further report to committee including benchmarking and comparator information from other authorities.**



**FALKIRK COUNCIL**

**MINUTE of MEETING of the APPEALS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 1 APRIL 2016 at 9.30 a.m.**

**COUNCILLORS:**

Jim Blackwood  
John McLuckie (Convener)  
Depute Provost John Patrick  
Sandy Turner

**OFFICERS:**

Tracey Gillespie, Human Resources Manager  
Rose Mary Hoey, Interim Legal Services Manager  
Antonia Sobieraj, Committee Services Officer

**A1. APOLOGIES**

Apologies were intimated on behalf of Councillors Bird, Chalmers, D Goldie and Gow.

**A2. DECLARATIONS OF INTEREST**

No declarations were made.

**A3. MINUTE**

**Decision**

**The minute of meeting of the Appeals Committee held on 15 February 2016 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 AND REDEPLOYMENT**

The Committee considered papers relating to an Appeal against a final written warning and redeployment which included (a) Note of Procedure; (b) Submission from the Head of Social Work Adult Services dated 21 March 2016; and (c) Copies of core documents relating to the Appeal.

The Interim Legal Services Manager and the Human Resources Manager were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Mr D, was present and was accompanied by M Cook, Unison.

The Head of Social Work Adult Services and Human Resources Business Partner (J Blair) were present as representatives of the Council.

The Appellant's representative presented the case and this was supplemented by Mr D the appellant.

The Head of Social Work Adult Services then intimated that he had no questions for the Appellant or his representative

Members of the Committee then asked questions of the Appellant.

The Head of Social Work Adult Services presented the case on behalf of the Council.

The Appellant and his representative then asked questions of the Head of Social Work Adult Services.

Members of the Committee then asked questions of the Head of Social Work Adult Services.

The Head of Social Work Adult Services summarised the case on behalf of the Council.

The Appellant's representative summarised the 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 discipline Mr D was justified in the circumstances and that the decision to issue him with a final written warning together with the additional sanction of disciplinary redeployment was reasonable 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 4 APRIL 2016 commencing at 9.30 a.m.**

**COUNCILLORS:**

Baillie William Buchanan (Convener)  
Paul Garner  
Martin Oliver  
Adrian Mahoney  
John McLuckie  
Sandy Turner

**OFFICERS:**

John Angell, Head of Planning and Transportation  
Ian Dryden, Development Manager  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Karen Quin, Solicitor

**P1. APOLOGIES**

Apologies were intimated on behalf of Baillie Paterson; and Councillors Chalmers, C Martin and Nicol.

**P2. DECLARATIONS OF INTEREST**

No declarations were made.

**P3. ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE ON LAND TO THE WEST OF 10 AGRICULTURAL HOLDINGS, KILSYTH ROAD, LONGCROFT FOR MRS FIONA CARLIN – P/15/0583/FUL**

With reference to Minute of Meeting of the Planning Committee held on 23 March 2016 (Paragraph P151 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 four bedroom two storey detached dwellinghouse and an attached double garage on a site consisting of open grazing land lying to the west of an existing dwellinghouse on land to the west of Agricultural Holdings, Kilsyth Road, Longcroft.

The Convener introduced the parties present.

The Head of Planning and Transportation outlined the nature of the application.

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

Mrs Shanks, the landowner, was heard in relation to the application.

Mrs Carlin, the applicant, was heard in relation to the application.

Ms Shanks, the landowner's daughter, was heard in relation to the application.

Questions were then asked by Members of the Committee.

Councillor Blackwood, 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 at the Planning Committee on 27 April 2016.



**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the APPEALS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 15 APRIL 2016 at 9.30 a.m.**

**COUNCILLORS:**

Jim Blackwood  
 Stephen Bird  
 Colin Chalmers  
 John McLuckie (Convener)  
 Depute Provost John Patrick  
 Sandy Turner

**OFFICERS:**

Kathleen Docherty, Senior Human Resources Adviser  
 Rose Mary Hoey, Interim Legal Services Manager  
 Antonia Sobieraj, Committee Services Officer

**A6. APOLOGIES**

Apologies were intimated on behalf of Councillor D Goldie.

**A7. DECLARATIONS OF INTEREST**

No declarations were made.

**A8. MINUTE****Decision**

**The minute of meeting of the Appeals Committee held on 1 April 2016 was approved.**

**A9. 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.

**A10. APPEAL AGAINST DISMISSAL**

The Committee considered papers relating to an Appeal against a final written warning and redeployment which included (a) Note of Procedure; (b) Submission from the Head of Education dated 21 March 2016; and (c) Copies of core documents relating to the Appeal.

The Interim Legal Services Manager and the Senior Human Resources Adviser (K Docherty) were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Mr G, was present and was accompanied by G Tucker, Unison.

The Head of Education and Human Resources Business Partner (G Dick) were present as representatives of the Council.

The Appellant's representative presented the case and this was supplemented by Mr G the appellant.

The Head of Education then intimated that she had no questions for the Appellant or his representative

Members of the Committee then asked questions of the Appellant.

The Head of Education presented the case on behalf of the Council.

The Appellant's representative then asked questions of the Head of Education.

Members of the Committee then asked questions of the Head of Education.

The Head of Education summarised the case on behalf of the Council.

The Appellant's representative summarised the 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 discipline Mr G was justified in the circumstances in relation to the first and third allegations but not in relation to the second allegation and therefore the sanction of dismissal was considered to be excessive. The Committee therefore agreed that the Appeal be **UPHELD IN PART**. Mr G would be reinstated to his post and that in substitution of the sanction of **Dismissal**, Mr G would be issued with a **Final Written Warning** which would remain on his personal record for a period of 18 months from the date of the disciplinary hearing held on 23 December 2015.

Councillor Blackwood left the meeting prior to the end of the meeting.

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

**DRAFT****FALKIRK COUNCIL**

**MINUTE of the MEETING of the AUDIT COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 18 APRIL 2016 at 9.30 a.m.**

**MEMBERS:**

Steven Carleschi  
Tom Coleman  
Rosie Murray  
Depute Provost John Patrick  
Provost Pat Reid

**OFFICERS:**

Karen Algie, Head of HR & Business Transformation  
John Angell, Head of Planning & Transportation  
Fiona Campbell, Head of Policy, Technology & Improvement  
Gary Greenhorn, Head of Planning & Resources  
Gordon O'Connor, Internal Audit Manager  
Brian Pirie, Democratic Services Manager  
Mary Pitcaithly, Chief Executive  
Bryan Smail, Chief Finance Officer

**ALSO ATTENDING:**

Ann Cairns, Audit Scotland  
Lisa Duthie, Audit Scotland  
David Meechan, Audit Scotland  
Jim Rundell, Audit Scotland

**AC1. APOLOGIES**

Apologies were intimated on behalf of Roseann Davidson and Baillie Paterson.

**AC2. DECLARATIONS OF INTEREST**

No declarations were made.

**AC3. MINUTE****Decision**

**The minute of the meeting of the Audit Committee held on 14 December 2015 was approved.**

**AC4. INTERNAL AUDIT PROGRESS REPORT 2015/16**

The committee considered a report by the Internal Audit Manager providing an update on the Internal Audit Plan for 2015/16.

In regard to the plan, 17 assignments had been completed and 2 were in progress, nearing completion.

Internal Audit performance to date, as measured by 5 key performance indicators, was broadly comparable to performance at the same point in 2014/15.

The report set out the key findings of those assignments which have been completed in 2015/16, and the position in relation to 13 recommendations which were outstanding.

Members sought further detail on the review of review of IT Systems - Security and Management and in particular in regard to access to the ICT suite in the Municipal Buildings.

In response to a question the Internal Audit Manager provided background to the review of Financial Regulations, explaining the purpose and the consultation leading to a report to Council in June which will present revised Financial Regulations for approval.

In regard to outstanding recommendations the Chief Finance Officer explained the background to the development of a corporate debt recovery policy, advising that service pressures had impacted on its development. It was envisaged that a policy would be finalised in June 2016. He also explained that a Register of Interests for Pensions Committee members would be in place by August 2016.

The Internal Audit Manager explained, following a question, the reasons why the assurance placed on the review of members training, allowances, expenses, and civic events and receptions had been both substantial and limited. This was because the review had covered 3 audits.

## **Decision**

**The committee noted:-**

- (1) progress in completing planned 2015/16 Internal Audit work; and**
- (2) the position in relation to recommendations outstanding.**

Councillor Murray joined the meeting during consideration of the previous item.

## **AC5. INTERNAL AUDIT PLAN 2016/17**

The committee considered a report by the Internal Audit Manager presenting the Internal Audit Plan for 2016/17.

The Internal Audit Plan for 2016/17 encompassed 21 audits with 655 hours planned for direct internal audit time, 120 hours for ad hoc/consultancy work and 5 hours allowed for work on outstanding recommendations.

The plan had been prepared in accordance with Public Sector Internal Audit Standards 2013.

Members then asked questions in regard to:-

- the review of the ICT Service Desk and in particular the benchmarks to be used to define 'good' and 'bad' service;
- the process for agreeing which review would be undertaken by West Lothian Council as part of the reciprocal work arrangements;
- the process for determining which contracts will be reviewed as part of the audit of Procurement Services from external providers of social work services; and
- the process by which audits of the Trust were agreed.

Members then discussed the flexible and Mobile Working project and asked the Head of Policy, Technology & Improvement to provide detail of costs and projected savings.

### **Decision**

**The committee agreed:-**

- (1) the Internal Audit Plan for 2016/17;**
- (2) to note the resources available to Internal Audit; and**
- (3) to note that progress will be reported to on an ongoing basis.**

## **AC6. HEALTH AND SOCIAL CARE INTEGRATION – INTERNAL AUDIT WORK 2015/16 AND 2016/17**

The committee considered a report by the Internal Audit Manager summarising completed Internal Audit Work for the Falkirk Integration Joint Board (IJB) and setting out planned future work.

The IJB had agreed on 5 February 2016 that the Chief Internal Auditor role for the Board would rotate on a 3 year basis between Falkirk Council and the Health Board's audit teams with the initial three year period falling to the Health Board. A report, to the Board, set out the audit work to date together with a proposed audit plan for 2016/17. This was provided as an appendix.

Members of the committee sought further clarification of the audit arrangements. In response to questions in regard to the Board's budget, and in particular in regard to arrangements in the event that the Board overspent on its budget, the Chief Executive gave an overview of the financial arrangements for the Board's first year and the budget process thereafter.

The Chief Finance Officer, in response to a question, confirmed that while it would be desirable for the Council and Health Board financial cycles to be synchronised it was unlikely that either partner would alter its internal processes.

The Internal Audit Manager confirmed, following questions, that the Board was developing a corporate risk management framework.

## **Decision**

**The committee agreed to note the report.**

### **AC7. EXTERNAL AUDIT PROGRESS UPDATE REPORT**

The committee considered a report by Audit Scotland on progress made in implementing the Audit Plan for 2015/16.

In terms of the 7 planned outputs Audit Scotland was on target to meet the target delivery dates. The report set out Audit Scotland's work in regard to:-

- governance;
- performance; and
- financial statements.

In response to questions, the External Audit Manager provided detail on the national reviews and findings in regard to reviews of local authority national capital projects and community planning. In regard to the latter Members sought information on the likely impact of the Community Empowerment Act on community planning. Members then asked for information on the Community Planning Leadership Board's response to Audit Scotland's follow up review and in particular the Council's role on the Board. Members concurred that the Council's prominent role in driving the Board meant that other partners had not played an equal part. Guidance would clarify the need for equal contributions and focus on strategy.

The Head of Policy, Technology & Improvement advised that guidance required partners to have an equal role in the Board with equal contribution. Members concurred that the Council's prominent role in driving the Board meant that other partners had not played an equal part. Guidance would clarify the need for equal contributions and focus on strategy.

## **Decision**

**The committee agreed to note the report.**

### **AC8. ANNUAL AUDIT PLAN 2015/16**

The committee considered a report by Audit Scotland presenting the Audit Plan for 2015/16.

The Audit Plan for 2015/16 set out:-

- the audit approach;
- key responsibilities;
- materiality;
- key reporting arrangements;
- audit timetable;
- audit issues and risks; and
- fees and recourses.

Following the Best Value audit of Council in 2015 a follow up would be undertaken by Audit Scotland in April/May 2016.

In response to a question the Chief Finance Officer explained the processes for managing Overspends within corporate budgets.

The External Audit Manager confirmed that the Council's auditor from 1 October 2016 would be Ernst & Young.

### **Decision**

**The committee agreed to note the report.**

## **AC9. LOCAL SCRUTINY PLAN 2016/17**

The committee considered a report by the Chief Executive presenting the Local Area Network's Local Scrutiny Plan for 2016/17.

The Local Area Network, led by Audit Scotland, and consisting of Audit Scotland, the Scottish Housing Regulator, Education Scotland, the Care Inspectorate and Healthcare improvement Scotland had finalised its Local Scrutiny Plan for 2016/17 for Falkirk. The plan included:-

- a Care Inspectorate to review the services delivered by Drug and Alcohol partnerships including the Falkirk Partnership.
- follow up work on progress made to improvement areas following the Best Value and Community Planning Audit – fieldwork in May /June with published report in August 2016;
- a national review of housing benefit risk will take place in 16/17 but would not affect Falkirk until the end of 16/17 if at all;
- a validated self-assessment for Educational Psychology Services between August – December 2016;
- Education Scotland would carry out a review of quality of careers information and advice and guidance services delivered by Skills Development Scotland in October 2016;
- the Scottish Housing Regulator (SHR) would monitor the areas of service it noted as needing improvement with reports being submitted on a regular basis to the regulator; and
- in addition the SHR would identify topics for theme studies including the review of charter data submitted by landlords.

### **Decision**

**The committee agreed to note the report.**

## **AC10. AUDIT OF HOUSING BENEFIT – RISK ASSESSMENT REPORT**

The committee considered a report by the Director of Corporate and Housing Services presenting Audit Scotland's report on its risk assessment audit of housing benefit.

A risk assessment of housing benefit arrangements had been carried out in February 2014. Of the 5 risks which had been identified 1 remained outstanding (the development and implementation of a benefit specific overpayment policy.) In regard to the latter, Audit Scotland had acknowledged the significance performance improvement in this area.

As part of the follow-up work Audit Scotland had identified a further four risks:-

- having staff contingency arrangements in place to manage the potential loss of temporary staff to other areas of the council or externally;
- ensuring the performance against all aspects of the benefit service, such as accuracy of payments and the percentage of overpayments recovered against all debt outstanding, is routinely and regularly reported to staff, senior managers and members;
- increasing automation levels within the DWP's Automated Transfer to Local Authority Systems (ATLAS) to reduce the manual processing of changes; and
- collating and analysing management checks in respect of all its activities to provide the council with a holistic view of errors found and to help identify areas for learning and development of staff and the service.

The report acknowledged that the Council had made a positive contribution to the delivery of the benefit service.

Members praised the work and commitment of staff in delivering the benefits service and commented on the successes in meeting the targets set out in the improvement plan. The Chief Executive, in response to concerns expressed by members, recognised the impact of budget cuts on staff and the knock on effect on mental and physical well-being.

### **Decision**

**The committee agreed to note the report.**

## **AC11. CORPORATE RISK MANAGEMENT UPDATE**

The committee considered a report by the Director of Corporate and Housing Services presenting a revised Corporate Risk Management Policy and Framework for approval. In January 2016 the Corporate Management Team (CMT) agreed to refocus the Council's approach to risk management to ensure that –

- there is a clear process for capturing existing, rising, and emerging risks from Services, and reporting these to Corporate Risk Management Group (CRMG), CMT, and Members;



- arrangements reflect the new Service structures; and include reference to the role of Statutory Officers in relation to risk;
- Service Risk Management arrangements are ‘owned’ by Services, and that risk becomes part of managers’ ‘way of thinking’;
- risk reporting and scrutiny arrangements are proportionate and effective; and
- consideration of risk and opportunity forms an integral part of the decision making process, including performance management, budget / savings, self-assessments, lessons learnt, and change reviews.

A revised Corporate Risk Management policy and framework had been developed. Following consideration by the Audit Committee the document would be submitted to the Executive for approval and implementation.

In response to a question on the need to ensure that members are advised of risks the Head of HR & Transformation confirmed that a revised reporting format, which had been agreed by CMT, would include a section on risks and that training would be provided on risk.

#### **Decision**

**The Committee agreed:-**

- (1) the revised Corporate Risk Management Policy and Framework; and**
- (2) to refer the Policy and Framework to the Executive for approval;**
- (3) to note that further updates would be submitted on a 6 monthly basis.**

#### **AC12. LOCAL CONSIDERATION OF NATIONAL AUDIT REPORTS**

The committee considered a report by the Director of Corporate and Housing Services detailing those national audit reports published by Audit Scotland in 2015/16 and confirming how the reports would be dealt with.

Between March 2015 and March 2016 Audit Scotland had published 5 national reports. All had been, or would be, formally considered by a committee or by Council itself.

#### **Decision**

**The committee agreed to note the report.**

**AC13. BEST VALUE IMPROVEMENT PLAN**

The committee considered a report by the Director of Corporate and Housing Services presenting an overview of the arrangements for the oversight for implementation of Council's Best Value Improvement Plan.

The Committee had noted, on 14 December 2015 (ref AC42) the arrangements in place by Council to monitor the implementation of the Council's Best Value Improvement Plan.

An update on progress had been submitted to Council on 9 March and was appended for information Council had agreed that progress in implementing the plan would be reviewed by the Provost, Leader of the Council and the Leader of the Opposition.

Council had agreed to next consider progress in September 2016. However in response to a question the Chief Executive agreed to provide a verbal update on the current position at the next meeting on 25 June.

**Decision**

**The committee agreed to note the report.**

**FALKIRK COUNCIL**

**MINUTE of MEETING of the JOINT CONSULTATIVE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 19 APRIL 2016 at 9.30 A.M.**

**COUNCILLORS:**

David Balfour  
Stephen Bird  
Paul Garner  
Adrian Mahoney  
Dr Craig R Martin  
Depute Provost John Patrick

**TRADE UNION  
REPRESENTATIVES:**

Grey Allan, UNISON  
Herbie Schroder, T&G  
Bert McManus, GMB  
Christina Lambie, GMB  
Lynne Tanner, UNISON  
Margaret Cook, UNISON  
Gordon Irvine, Unite

**OFFICERS:**

Karen Algie, Head of HR & Business Transformation  
Carl Bullough, Waste Manager  
Tracey Gillespie, Human Resources Manager  
Kenny McNeill, Educational Resources Manager  
Brian Pirie, Democratic Services Manager  
Ian Renton, HR Systems & Payroll Manager

**JCC1. APOLOGIES**

An apology was intimated on behalf of Councillor G Goldie.

**JCC2. DECLARATIONS OF INTEREST**

No declarations were made.

**JCC3. MINUTE**

**Decision**

**The minute of the meeting of the Joint Consultative Committee held on 16 February 2016 was approved.**

**JCC4. EMPLOYEE TURNOVER**

The committee considered a report by the Director of Corporate and Housing Services detailing the employee turnover figures for the period April 2015 to July 2015 and August 2016 to March 2016 due to the Service structures changing on 1 August 2015 as set out against the benchmark comparison figure for public sector organisations of 9.4%. The Falkirk Council turnover figure for the period was 8.2%.

**Decision**

**The committee noted the report.**

**JCC5. SICKNESS ABSENCE**

The committee considered a report by the Director of Corporate and Housing Services providing updated information on sickness absence across Services and the steps being taken to manage sickness absence.

**Decision**

**The committee noted the sickness absence statistics provided and the actions being developed and carried out to support managers in managing sickness absence.**

**JCC6. SERVICE BASED FORUMS**

The committee considered a report by the Director of Corporate and Housing Services presenting minutes from the meetings of Central Support, Children's Services and Development Services for the period October – December 2015.

**Decision**

**The committee noted the contents of the report.**

**JCC7. GRIEVANCE POLICY**

The committee considered a report by the Director of Corporate and Housing presenting a revised Grievance Policy for approval.

The Grievance Policy had been reviewed as part of the Council's policy review timetable. Revisions had been made in regard to:-

- to include clearer definitions of issues which may be considered under the Grievance Policy and others which are specifically excluded from consideration under this policy;
- it is to include greater emphasis on informal mechanisms, including mediation, for resolving grievance concerns; and

- management and employee responsibilities to try to resolve issues in a positive manner.

### **Decision**

**The committee approved the revised Grievance Policy and agreed to refer it to the Executive for consideration.**

## **JCC8. DISPUTES POLICY**

The committee considered a report by the Director of Corporate and Housing presenting a revised Disputes Policy for approval.

The Disputes Policy had been reviewed as part of the Council's policy review timetable. Revisions had been made in regard to:-

- to include clearer definitions of issues which may be considered under the Disputes Policy and others which are specifically excluded from consideration under this policy;
- to place greater emphasis on seeking informal resolution at a local level; and
- the timescale for convening formal meeting to explore dispute (from 3 to within 5 working days).

### **Decision**

**The committee approved the revised Disputes Policy and agreed to refer it to the Executive for consideration.**

## **JCC9. CROWN OFFICE AND PROCURATOR FISCAL SERVICE LETTER**

The committee considered a report by the Directors of Corporate and Housing and Development Services summarising the key recommendations arising from the Fatal Accident Inquiry (FAI) in regard to the Glasgow bin lorry accident in December 2014.

A number of the recommendations from the FAI were applicable to Local Authorities. The report set out each recommendation together with a response in regard to the Council's position.

### **Decision**

**The committee agreed to refer the report to the Executive for consideration.**



**NOTE OF MEETING OF THE FALKIRK DISTRICT TWINNING ASSOCIATION  
HELD WITHIN THE MUNICIPAL BUILDINGS, FALKIRK ON TUESDAY 2  
FEBRUARY 2016 AT 6.30 PM**

Provost P Reid

E Mitchell

I Burt

R Robertson

A Christie

H Forster

L McEwan (Graeme High School)

**E Mitchell in the Chair**

Apologies for absence were intimated on behalf of Councillor L Gow, Councillor D Goldie, S Bell (Falkirk Community Trust), K Collins (Graeme High School) and E Plenderleith (Graeme High School).

**1. NOTE OF MEETING HELD ON 6 OCTOBER 2015**

The note of meeting of the Falkirk District Twinning Association held on 6 October 2015 was **APPROVED**, subject to additional information being included by L McEwan, Graeme High School.

**2. MATTERS ARISING**

**(i) Megan Farr**

Elaine Mitchell advised Association Members that Megan Farr had left the Council to take up another employment opportunity and would no longer be involved with the Twinning Association. Elaine expressed her thanks to Megan for her valuable contribution during her period on the Twinning Association. Elaine to contact Education Services to establish if a new representative from Education Services will attend future meetings of the Association.

**(ii) Ancien Combattants**

Provost Reid advised the Association that the Ancien Combattants were unable to attend this year's Festival of Remembrance due to financial constraints and in light of this it was agreed to consider appropriate support for attendance at future Festival of Remembrances.

**(iii) Youth Wrestling Competition January 2016**

Elaine advised the Association that contact had been made with the local councillor to ascertain whether Denny Wrestling Club could take part in the youth wrestling competition in Créteil. Unfortunately due to changes at Denny Wrestling Club, the Association had been advised that the Club would be unable to participate in this year's event.

**(iv) Erasmus +**

Elaine advised the Association that regrettably the Association had been unable to progress the request for a youth group to take part in an Erasmus+ project due to delays in planning because of the necessary embargo on international youth travel. Future consideration will be given to a theatre group based in Grangemouth who had expressed interest in taking part in the Erasmus + project.

**3. STUDENT AND YOUTH EXCHANGES****(i) Graeme High School – Visit to Créteil**

Laura McEwan, Graeme High School advised the Association that regrettably the Graeme High School visit had been cancelled following the Paris attacks and the resulting embargo. Details were given of the circumstances which led the cancellation of the visit.

**(ii) 1+ 2 Language Learning Programme in Primary Schools - links with PS in Créteil**

Laura McEwan advised that contact had been made with the Academie Française and a response was awaited. Hallglen PS is developing a link with a primary school in Créteil. Laura hopes to broaden links with other schools in Créteil to support the 1+ 2 language learning programme.

**4. FOREIGN LANGUAGE LEARNING**

Discussion took place regarding conversational classes in the community for both members of the public and for primary school teachers aiming for SQA qualification in languages.

Discussion also took place in relation to potential trainers, costs involved in holding classes, promotion of classes on the website and the opportunity to promote the Twinning Association.

Elaine highlighted the role of Bob Gallagher (WASP) and agreed to contact him regarding potential material for holding language classes with an aim to implement such classes in late summer/early autumn.

**NOTED.**



## **5. TWINNING VISITS**

The Association were advised of the visit of students from Créteil studying English which is taking place between 19th and 22nd April 2016. A draft programme was circulated to members for discussion. It was noted that seven persons would be visiting and further discussion took place regarding the itinerary, the accommodation for the group and transport arrangements.

Following further discussion it was agreed that Elaine would send out a revised programme/action plan and discuss potential visits to Bo'ness with Councillor Adrian Mahoney.

## **6. TWINNING WEBSITE**

Elaine advised the Association of the new website design and the Créteil information which had been uploaded to the website. Discussion also took place regarding the potential for a Facebook page alongside the website information which would be developed by Emma and Kirsten (Graeme High School). The Association expressed its thanks to Myra Christie for all the hard work that she has carried in the development of the new Twinning website.

## **7. PROMOTION OF TWINNING ASSOCIATION**

The note of the Sub Committee meeting held on 16 June 2015 was circulated for information. Discussion took place in respect of the DVD which had been prepared for the Odenwald and members of the Association were asked to provide picture information on Creteil to be downloaded on memory sticks and discussed at the next Sub Group meeting.

Elaine advised members of the Sub Group that details of potential dates of the next meeting would be sent out in due course.

## **8. MAGDA VORCHIN**

Elaine Mitchell advised that Magda Vorchin had retired as Directrice of the Comité de Jumelage de Créteil but will continue as a member of the twinning team working on special projects. Romain Guimber who is well known to Falkirk District Twinning Association will replace Magda as Director of the Twinning Committee. It was agreed that the Association would send an appropriate card to Magda.

## **9. DATE OF NEXT MEETING**

To be arranged.



## **FALKIRK INTEGRATION JOINT BOARD**

**Minute of Meeting of the Falkirk Integration Joint Board held in the Learning Centre, NHS Forth Valley Royal Hospital, Larbert on Friday 5 February 2016 at 9.30am.**

### **Voting Members:**

Councillor Allyson Black, Falkirk Council (Chair)  
John Ford, Non-Executive Member, NHS Forth Valley (substitute)  
Councillor Gerry Goldie, Falkirk Council (substitute)  
Councillor Linda Gow, Falkirk Council  
Alex Linkston, Chairman, NHS Forth Valley  
Julia Swan, Non-Executive Member, NHS Forth Valley

### **Non-voting Members:**

Patricia Cassidy, Chief Officer  
Claire Crossan, Carer Representative  
Leslie Cruickshank, GP Medical Representative  
Jane Grant, Chief Executive, NHS Forth Valley  
Tom Hart, Staff Representative, NHS Forth Valley  
Karen Herbert, Third Sector Interface Representative  
Kathy McCarroll, Chief Social Work Officer  
Martin Murray, Service User Representative  
Mary Pitcaithly, Chief Executive, Falkirk Council  
Angela Price, Third Sector Representative  
Kevin Robertson, Staff Representative, Falkirk Council (substitute)  
Angela Wallace, Nursing Representative, NHS Forth Valley

### **Officers:**

Fiona Campbell, Head of Policy, Technology and Improvement, Falkirk Council  
Graham Foster, Director of Public Health & Strategic Planning, NHS Forth Valley  
Jack Frawley, Committee Officer, Falkirk Council  
Joe McElholm, Head of Social Work Adult Services, Falkirk Council  
Colin Moodie, Depute Chief Governance Officer, Falkirk Council  
Kathy O'Neill, CHP General Manager, NHS Forth Valley  
Fiona Ramsay, Director of Finance, NHS Forth Valley  
Bryan Smail, Chief Finance Officer, Falkirk Council  
Suzanne Thomson, Programme Manager – Health and Social Care Integration  
Elaine Vanhegan, Head of Performance and Governance, NHS Forth Valley

**IJB26. Opening Remarks**

The Chair welcomed Patricia Cassidy, Chief Officer to her first meeting of the Integration Joint Board.

**IJB27. Apologies**

Apologies were received on behalf of Sandra Burt; Tracey Gillies; Councillor D Goldie, and James King.

**IJB28. Declarations of Interest**

No declarations were made.

**IJB29. Minute****Decision**

**The minute of meeting of the Integration Joint Board held on 4 December 2015 was approved.**

**IJB30. Matters Arising**

None.

**IJB31. Membership of the Integration Joint Board**

The Integration Joint Board considered a report by the Chief Officer providing information regarding a change of staff representation and invited the Board to confirm this appointment. The Programme Manager – Health and Social Care Integration provided an overview of the report.

**Decision**

**The Integration Joint Board agreed to appoint Kevin Robertson as the substitute staff representative for Falkirk Council.**

**IJB32. Strategic Plan**

The Integration Joint Board considered a report by the Chief Officer providing an update on progress made in relation to strategic planning arrangements including information on consultation and engagement arrangements. The Programme Manager – Health and Social Care Integration provided an overview of the report.

The board discussed the draft strategic plan which was appended to the report and raised potential amendments, that:

- reference to the Adult Support and Protection Committee to be made more explicit;
- reference to be made to the Clinical and Care Governance Framework as a key supporting document, and
- there should be increased clarity regarding the board's priorities.

There was discussion on the understanding of GP contracts and the board requested that a seminar was arranged on this.

The board agreed a suggestion that the meeting scheduled for 1 April 2016 is cancelled and replaced by a special meeting on 24 March 2016 to enable approval of the strategic plan prior to the 1 April 2016 deadline.

## **Decision**

### **The Integration Joint Board agreed:-**

- (1) that the following points are incorporated into the Strategic Plan, that:-**
  - (i) reference is made to the Adult Support and Protection Committee;**
  - (ii) reference is made in section 5.7 to the Clinical and Care Governance Framework as a key supporting document, and**
  - (iii) there is increased clarity regarding the Board's priorities;**
- (2) to request that a seminar for board members is organised on GP contracts;**
- (3) to hold a special meeting on 24 March 2016, and**
- (4) that the meeting scheduled for 1 April 2016 is cancelled.**

## **IJB33. Delayed Discharge**

The Integration Joint Board considered a report by the CHP General Manager and Head of Social Work Adult Services which provided an update on progress with meeting the national target that no-one who is ready for discharge should be delayed by more than 2 weeks. An action plan was appended to the report. The CHP General Manager and the Head of Social Work Adult Services provided an overview of the report.

The board discussed the availability of care packages and challenges facing the sector. Joe McElholm advised that discharge was prevented by lack of a care package in a very small number of cases. He highlighted that a new electronic monitoring system would lead to more efficient use of home care staff time. He stated that there needed to be closer communication between

partners regarding the best use of resources. Angela Wallace stated that as pathways became integrated services would work more closely. Kathy O'Neill stated that the Closer to Home team could be used to bridge gaps in provision until care packages were in place but that this was only a short term measure.

Members highlighted concern over the use of interim placements and the impact of the policy on choice. Information was sought on how many people discharged to interim placements did not move on to their first choice and how long the average stay in an interim placement was before moving to a first choice placement. Kathy O'Neill advised that she would provide this information after the meeting. She stated that many people do not enter interim placements as a place in their first choice becomes available prior to their discharge from hospital.

The board commented that through reporting on the action plan it should be demonstrated what impact the actions had had and where differences had been made.

In relation to staffing, the board discussed societal perceptions and rates of pay. They highlighted the importance of effective communication and engagement with the social care staff group. Members also highlighted the need to retain current staff and limit turnover. The introduction of the living wage was discussed as a positive action. However, it was recognised that there were varying terms and conditions offered by providers across the independent sector and that staff in some organisations did not receive holiday or sick pay.

The board requested that future reports include comparator information, performance against the national average and examples of good practice from other areas. Kathy O'Neill confirmed that this information could be included and that Falkirk's performance was slightly better than the national average.

## **Decision**

### **The Integration Joint Board:-**

- (1) noted the report, and**
- (2) agreed to request that future reports include comparator information, performance against the national average and examples of good practice from other areas.**

### **IJB34. Health and Social Care Integration Programme Plan Update**

The Integration Joint Board considered a report by the Chief Officer providing information on the programme of work to implement health and social care integration. A work stream update was appended to the report. The Programme Manager – Health and Social Care Integration provided an overview of the report.

## **Decision**

**The Integration Joint Board noted the report.**

### **IJB35. Partnership Fund Update**

The Integration Joint Board considered a report by the Chief Officer providing an update on partnership funding. The Chief Officer provided an overview of the report and highlighted that recruitment of a co-ordinator for the Integrated Care Fund had been successful and that this provided the board with a six month resource.

Members highlighted that in considering the use of interim funding for six months information needed to be gathered on the value of projects in order to allow long term decisions to be made. Fiona Ramsay noted that evaluation was critical as there were not sufficient funds available to continue all the current projects. Patricia Cassidy highlighted that it would be important to build in some capacity into long term planning so that new projects could be commissioned locally if they were identified as successful in other areas.

## **Decision**

**The Integration Joint Board agreed:-**

- 1) to authorise the Chief Officer, in discussion with the Chair and Vice-chair and Chief Executives, to agree interim funding of up to 6 months beyond 31 March 2016, where funding ends at that date, within the existing available resources;**
- 2) to request that the Chief Officer completes a full evaluation and review of each project and reports back in detail to the meeting on 3 June 2016;**
- 3) to remit the Chief Officer, in conjunction with the Joint Management Group, to review local governance arrangements for the administration of the partnership funding;**
- 4) to remit the Chief Officer, in conjunction with the JMG, to bring forward to the June meeting a detailed Partnership Spending Plan for 16/17 that will support the implementation of the Strategic Plan priorities, and**
- 5) to remit the Chief Executives, in conjunction with the Chief Officer, to consider support arrangements for the IJB and bring forward proposals as part of the Financial Plan at the next meeting of the IJB.**

**IJB36. Budget Position**

The Integration Joint Board considered a report by the Chief Finance Officer and Director of Finance providing information on the Scottish Government Budget and Financial Settlement; Falkirk Council's budget position; Forth Valley Health Board's budget position; the first year payment to the IJB, and due diligence areas to be agreed. The Chief Finance Officer and Director of Finance provided an overview of the report.

Members discussed the budget setting timescales and budgetary pressures on Falkirk Council and NHS Forth Valley. Concern was expressed that the funding allocated nationally to alcohol and drug partnerships was being reduced as this area is associated with many issues within the scope of the IJB.

In considering financial pressures which the IJB would likely have to deal with, members commented that this gave added weight to the need to do things differently in service delivery and make improvements. Further, there would need to be better scrutiny and measurement of performance to ensure that value for money was being achieved.

**Decision**

**The Integration Joint Board noted the report.**

**IJB37. Financial Governance**

The Integration Joint Board considered a report by the Chief Finance Officer and Director of Finance providing an update on progress toward establishing a framework for financial governance for the IJB. The Chief Finance Officer provided an overview of the report.

Members highlighted that the IJB's Chief Finance Officer post was yet to be filled and that this was a priority for the board going forward.

**Decision**

**The Integration Joint Board:-**

- 1) noted the progress on establishing a framework for financial governance;**
- 2) agreed the arrangements for the provision of Internal Audit Services as set out at section 8 of the report, and**
- 3) agreed the Reserves Policy and Strategy.**

**IJB38. Joint Staff Forum**

The Integration Joint Board considered a report by the Chief Officer providing information on the establishment of the Joint Staff Forum. The Chief Officer provided an overview of the report and highlighted that the Forum was Forth Valley wide. The Forum's constitution and list of employee representatives were appended to the report.



The Forum had met toward the end of January 2016 and discussions had been positive. The board requested that update reports were provided to future meetings of the Board providing a summary of the key discussions at the Forum.

### **Decision**

**The Integration Joint Board noted the establishment of the Joint Staff Forum.**

## **IJB39. Integrated Workforce Plan**

The Integration Joint Board considered a report by the Chief Officer providing an Integrated Workforce Plan for approval, which was appended to the report. The Chief Officer provided an overview of the report and highlighted that the appended plan was a starting point which would be fine tuned and under constant review. The Joint Staff Forum had been involved in the development of the plan and would also be involved in the implementation.

The board discussed the pathways available to modern apprentices in social care as part of successful succession planning and highlighted the importance of recruiting well to the profession. Patricia Cassidy stated that the workforce was valued and given development pathways. There were links with schools and colleges. Modern apprentices were given meaningful opportunities.

Members discussed paragraph 1.2 of the Integrated Workforce Plan and recommended that this wording was used at the start of the Strategic Plan to highlight was the IJB is.

### **Decision**

**The Integration Joint Board agreed:-**

- 1) the Integrated Workforce Plan, and**
- 2) to request that the wording in paragraph 1.2 of the Integrated Workforce Plan is incorporated at the beginning of the Strategic Plan.**