



# Falkirk Council

**VOLUME OF COUNCIL  
AND COMMITTEE MINUTES**

**VOLUME 3  
2016/2017**

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**FALKIRK COUNCIL**

**Minute of meeting of the EDUCATION EXECUTIVE held in the Municipal Buildings, Falkirk on Tuesday 6 September 2016 at 9.30 am.**

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

**REPRESENTATIVES  
OF RELIGIOUS  
BODIES:** Margaret Coutts

**CO-OPTees:** Mike Ablett (Parent Representative)  
Jonathan Barclay (Pupil Representative)  
Helena Barton (Pupil Representative)  
Fiona Craig (Teacher Representative)  
Martin Craigen (Parent Representative)  
Margaret Smith (Teacher Representative)

**OFFICERS:** Arlene Fraser, Committee Services Officer  
Gary Greenhorn, Head of Planning & Resources  
David Mackay, Head of Education  
Colin Moodie, Depute Chief Governance Officer  
Robert Naylor, Director of Children's Services

**EE8. Minute's Silence**

The Convener referred to the recent passing of former Councillor Joe Lemetti and that of George Boyle, a former Education Committee Church Representative. He paid tribute to both Mr Lemetti and Mr Boyle. The Education Executive observed a minute's silence in their memory.

**EE9. Convener's Remark**

The Convener welcomed David Mackay to his first meeting of the Education Executive as Head of Education.

**EE10. Apologies**

Apologies were intimated on behalf Councillors Coleman and Mahoney; and Rev M Rollo.

**EE11. Declarations of Interest**

No declarations were made.

**EE12. Minute****Decision**

**The minute of the meeting of the Education Executive held on 7 June 2016 was approved.**

**EE13. Delivering Excellence and Equity in Scottish Education – A Delivery Plan for Scotland**

The Education Executive considered a report by the Director of Children's Services providing an update on the Scottish Government's delivery plan for Scottish education which was published in late June. The plan set out how the Scottish Government intends to deliver excellence and equity in education for children in Scotland.

The delivery plan would have considerable implications for the way in which education is delivered. The plan contained a number of actions which are focused around three key priorities, namely:

- closing the attainment gap
- ensuring we have a curriculum which delivers for our children and teachers, and
- empowering our teachers, schools and communities to deliver for children and young people

The report also highlighted the Scottish Government's launch of a Governance Review alongside the Programme for Government which will take place in September 2016.

Councillor Nimmo, seconded by Councillor C Martin, moved that:-

The Education Executive agrees:

- (1) to note the publication of the plan, and

- (2) to request that the Director of Children's Services provides further reports on emerging issues associated with the national plan and its implementation in Falkirk.

Following discussion, Councillor Nimmo, with the consent of Councillor C Martin, as his seconder, adjusted the terms of his motion to include the following clause:-

- (3) that a letter be sent to the Cabinet Secretary for Education and Skills advising that the Council has the gravest concerns regarding the proposals contained within the "Delivering Excellence and Equity in Scottish Education – a Delivery Plan for Scotland".

Councillor Alexander, seconded by Councillor Spears, moved the following amendment:-

To delete from clause 3 of the motion "the gravest concerns" and to substitute therefor "some concerns".

On a division 8 members voted for the motion and 2 for the amendment, with the voting as follows:-

For the motion (8) – Councillors Blackwood, D Goldie, Gow, C Martin, Dr C R Martin, Nicol and Nimmo; and Margaret Coutts (Religious Representative).

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

### **Decision**

**The Education Executive agreed the motion.**

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

## **EE14. The Scottish Attainment Challenge Schools Programme**

The Education Executive considered a report by the Director of Children's Services providing an update on the Scottish Attainment Challenge Schools Programme (SAC) within Langlees Primary School and Falkirk High School.

The report set out the background to the Scottish Attainment Challenge initiative which aims to raise attainment of children and young persons living in deprived areas and close the equity gap.

The report summarised the roll out of the SAC which now includes individual secondary schools. Falkirk High School has been identified for attainment challenge funding, and a bid to secure an annual allocation over the next 5 years was recently submitted.

### **Decision**

**The Education Executive agreed:-**

- (1) to note that additional funds have been allocated to Langlees Primary School and Falkirk High School, and**
- (2) to request that the Director of Children's Services provide the Education Executive with regular updates on the impact and learning arising from the Attainment Challenge in these schools.**

**EE15. Initial Report on Scottish Qualifications Authority (SQA) Attainment in Secondary Schools in 2015-16**

The Education Executive considered a report by the Director of Children's Services setting out the initial Scottish Qualifications Authority (SQA) attainment within Falkirk Council secondary schools in 2016.

The report, at this stage, provided information obtained from the Council's management information system (SEEMIS) and details only A to C passes for pupils in S4-S6. Attainment figures would be updated later in the session by the Scottish Government Insight information system and would include post results outcomes, together with national and comparator authority figures.

The report also set out the future actions and strategies which were being implemented to further improve attainment levels and performance.

**Decision****The Education Executive agreed:-**

- (1) to note Falkirk Council secondary preliminary attainment results, and**
- (2) to request a further report following the publication of updated insight data in February 2017.**

Fiona Craig left the meeting after consideration of the previous item.

**EE16. School Estate Management Plan (SEMP) (June 2016)**

The Education Executive considered a report by the Director of Children's Services providing an overview of the annual School Estate Management Plan (SEMP) and seeking approval for its submission to the Scottish Government.

The SEMP is reviewed and updated annually by Children's Services and submitted to the Scottish Government, together with the outcome of the annual core facts data which assesses the condition, suitability and sufficiency of each school property. This data provides the service with a

basis for prioritising resources and investment in schools up to 5 years ahead.

Information on the major works carried out across the school estate during 2015/16 and the works planned for 2016/17 was contained within the SEMP, which was attached as an appendix to the report.

### **Decision**

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

- (1) to note the content of the annual update of the School Estate Management Plan (SEMP) as detailed in Appendix 1, and**
- (2) to submit the SEMP to the Scottish Government.**

Councillor Nicol left the meeting during consideration of the previous item.

## FALKIRK COUNCIL

**Minute of special meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 6 September 2016 at 12.00 noon.**

<b>Councillors:</b>	David Alexander	Dr Craig R Martin
	Jim Blackwood	Craig Martin (Convener)
	Dennis Goldie	Alan Nimmo
	Linda Gow	Robert Spears

**Officers:**

Douglas Duff, Head of Economic Development and Environmental Services  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Craig Isdale, Principal Surveyor (Asset Management)  
 Robert Naylor, Director of Children's Services  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive  
 Bryan Smail, Chief Finance Officer

### **EX48. Apologies**

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

### **EX49. Declarations of Interest**

Councillor C Martin declared a financial interest in item EX50 as a Director of Falkirk Football Club Foundation and stated he would take no part in the decision making on this item.

In accordance with his declaration Councillor Martin left the meeting at this point, demitting the chair. Councillor Nimmo took the chair for the remainder of the meeting.

Councillor Spears declared a non-financial interest in item EX50 as a Director of Falkirk Community Trust, but did not consider that this required him to recuse himself from consideration of the item, having regard to the specific exclusions contained in the Code of Conduct.

**EX50. Woodlands Games Hall**

The Executive considered a report by the Directors of Children's Services and Development Services seeking approval for proposals to transfer Woodlands Games Hall and sports pitch to a community enterprise, Woodlands Community Sports Ltd (WCS Ltd.)

The proposal for the transfer of the asset, which is owned by Falkirk Council and operated by Falkirk Community Trust, was that a community enterprise (WCS Ltd.) would take a 25 year lease at a nominal annual rent of £1. This would allow the community to operate the hall and the pitch for the benefit of the local area. WSC Ltd intended to secure £200k of new capital investment (including £22k from the Council) to improve the pitch and surroundings.

Given the disparity between the proposed rent and the open market rental value as determined by the District Valuer, the Disposal of Land by Local Authorities (Scotland) Regulations 2010 required the Council to compare the costs and other benefits and disbenefits before agreeing to the disposal. These were set out in the business case for the project which was summarised within the report.

Should the proposal be agreed, Council would pay annual rent to WCS Ltd. of £10,000 to secure the use of the hall by Comely Park School.

The report set out alternative options to the leaseback or reservation arrangement for Comely Park Primary School:-

- build a new games hall at the school at an estimated cost of £600k; or
- Children's Services take over the existing hall.

Each of these options would incur costs in addition to the existing budget of £22,000.

The report set out the risks surrounding the proposal and recommended that any agreement should be subject to the resolution of these risks.

**Decision**

**The Executive agreed:-**

**(1) subject to the resolution of the risks detailed in paragraph 7.4 of the report to the satisfaction of the Director of Development Services; the proposals for the transfer of Woodlands Games Hall and pitch to Woodlands Community Sports Ltd (WCS Ltd.) and that the Council enters into agreement with WCS Ltd. on the following terms:-**

- (i) to lease Woodlands games hall and pitch to WCS Ltd. for a period of 25 years on full repairing and insurance terms at a nominal rent of £1 per annum;**



## FALKIRK COUNCIL

**Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 14 September 2016 at 9.30 a.m.**

**COUNCILLORS:** Baillie William Buchanan (Convener)  
 Colin Chalmers  
 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)  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Martin Macniven, Environmental Health Officer  
 Crawford Sibbald, Environmental Health Officer  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator  
 Brent Vivian, Senior Planning Officer

### **P43. Minute's Silence**

The Convener, prior to the commencement of business, referred to the recent passing and funeral of longstanding former Councillor J Lemetti, close friend and a very valuable member of this Committee. He paid tribute to Councillor Lemetti and to the high esteem in which he was held. The Committee expressed its condolences to Councillor Lemetti's family and observed a minute's silence in his memory.

### **P44. Apologies**

Apologies were intimated on behalf of Councillor Carleschi.

### **P45. Declarations of Interest**

No declarations were made.

Prior to consideration of business, the Member below made the following statement:-

Councillor Chalmers informed the Committee as he had not attended the site visit he would not take part in consideration of planning application P/16/0127/FUL (minute P50) but he would take part in consideration of planning applications P/16/0214/FUL and P/16/0162/FUL (minute P48 and P49) as he was sufficiently familiar with the sites.

**P46. Request for Site Visits**

Having heard requests by members for site visits, the Committee agreed to the continuation of planning applications P/16/0385/FUL, P/16/0393/FUL and P/16/0360/FUL.

**P47. Minutes**

**Decision**

- (a) The minute of meeting of the Planning Committee held on 17 August 2016 was approved; and
- (b) The minute of meeting of the Planning Committee On-Site held on 29 August 2016 was approved.

**P48. Change of Use from Beauty Salon to Hotel Annex (Retrospective) at 21A Orchard Street, Falkirk FK1 2RF for Mr Stuart Crawford – P/16/0214/FUL**

With reference to Minute of Meeting of the Planning Committee held on 17 August 2016 (Paragraph P32 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 change of use from beauty salon, located on the ground floor of a building sub divided into flatted dwellings, to a hotel annex (in retrospect) at 21A Orchard Street, Falkirk.

**Decision**

**The Committee agreed to grant planning permission.**

**Informative:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02 and 03.

**P49. Alterations and Change of Use from Retail/Offices to Hotel and Alterations, Extension and Change of Use from Office and Hairdressers to Hotel (Partially Retrospective) at 22 and 26 Princes Street, Falkirk FK1 1NE and 2, 4, & 6 Kerse Lane, Falkirk FK1 1RG for Mr Stuart Crawford – P/16/0162/FUL**

With reference to Minute of Meeting of the Planning Committee held on 17 August 2016 (Paragraph P33 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 change of use of two units operating as retail/offices and associated alterations (partially in retrospect) adjoining a hotel comprising several buildings, the main building being category B listed, on a site surrounded by a mixture of both commercial and residential properties and fronting onto Kerse Lane and Princes Street, Falkirk.

**Decision**

**The Committee agreed to continue consideration of the matter to allow officers the opportunity for further discussion with the applicant in relation to options to address issues around noise encroachment from the proposed frontage of the building onto Kerse Lane.**

**P50. Change of Use of Open Space to Extend Car Compound at Adjacent (Class 6) Storage and Distribution Business and Erection of 2.1m Boundary Fence at D J Manning Auctioneers, Bridgeness Road, Bo'ness EH51 9SF for John Pye Auctioneer Ltd – P/16/0127/FUL**

With reference to Minute of Meeting of the Planning Committee held on 17 August 2016 (Paragraph P36 refers), Committee gave (a) 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 change of use of an area of open space extending 748 square metres (forming part of a larger area of open space) for the extension of a car park (for the existing commercial premises) and the erection of a 2.1 metre boundary fence on a site at D J Manning Auctioneers, located on the north side of Bridgeness Road at the junction of Carriden Brae, Bo'ness.

**Decision**

**The Committee agreed that it is Minded to Grant planning permission subject to the satisfactory completion, within six months, of a Planning Obligation within the terms of section 75 of the Town and Country Planning (Scotland) Act 1997 or a legal agreement within the terms of Section 69 of the Local Government (Scotland) Act 1973 in terms satisfactory to the Director of Development Services in respect of the payment of a financial contribution towards qualitative improvements in**

other parts of the green network, to offset the loss of an area of open space, in the sum of £15,708;

And thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to (a) a condition that, prior to the start of work on site, a full landscaping plan covering details of the planting for the screening of the front of the development shall be submitted to and approved in writing by the Planning Authority, and (b) 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) No work shall commence on site until written communication from SEPA and Scottish Water, confirming acceptance of drainage discharge from the site, are submitted to and approved in writing by the Planning Authority; and
- (3) Unless otherwise agreed in writing by the Planning Authority, all approved landscaping works shall be implemented by the end of the first planting and seeding season following the commencement of development on site.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure the extended car park can be adequately drained.
- (3) 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 02.
- (3) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall

**not recommence without the prior written approval of the Planning Authority.**

Councillor Garner left the meeting during consideration of the following item of business.

**P51. 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 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, 24 February, 23 March and 27 April 2016 (Paragraphs P132, P10, P34, P77, P115, P135, P150 and P10 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 a further update report at a future meeting.**

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

**P52. Extension to Dwellinghouse at 11 Callendar Park View, Falkirk FK1 1SX for Mr Shraz Khaliq - P/16/0385/FUL**

**P53. Change of Use of Public Open Space to Garden Ground and Erection of Boundary Fence (Retrospective) at 32 Howieson Avenue, Bo'ness EH51 9JG for Mr David Stewart - P/16/0393/FUL**

**P54. Erection of 15 Dwellinghouses, Retail Unit and Associated Infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk FK1 2AQ for Alpha Glen Developments Ltd - P/16/0360/FUL**

**FALKIRK COUNCIL**

**Minute of meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 15 September 2016 at 9.30 am.**

**COUNCILLORS:**

Allyson Black  
Stephen Bird  
Colin Chalmers  
Cecil Meiklejohn (convener)  
Joan Paterson  
Provost Patrick Reid

**OFFICERS:**

Jack Frawley, Committee Services Officer  
Tracey Gillespie, Human Resources Manager  
Gary Greenhorn, Head of Planning & Resources  
Elizabeth Hood, Neighbourhood & Access to Housing Manager  
Jennifer Litts, Head of Housing  
David McGhee, Head of Procurement & Housing Property  
Colin Moodie, Depute Chief Governance Officer  
Robert Naylor, Director of Children's Services  
Brian Smail, Chief Finance Officer

**S8. Apologies**

An apology was intimated on behalf of Councillor Carleschi.

**S9. Declarations of Interest**

There were no declarations of interest.

**S10. Minutes**

**Decision**

- (1) The minute of the meeting of the Scrutiny Committee held on 26 June 2016 was approved;**
- (2) The minute of the meeting of the Performance Panel held on 19 May 2016 was noted;**

- (3) **The minute of the meeting of the Performance Panel held on 26 May 2016 was noted, and**
- (4) **The minute of the meeting of the Performance Panel held on 11 August 2016 was noted.**

### **S11. Rolling Action Log**

A rolling action log detailing the status of actions arising at previous meetings was provided.

#### **Decision**

**The committee noted the rolling action log.**

Provost Reid joined the meeting during consideration of the following item.

### **S12. Devolved School Management System (DSM)**

The committee considered a report by the Director of Children's Services which provided information on points previously raised by committee in relation to devolved school management. Robert Naylor and Gary Greenhorn provided an overview of the report.

The committee asked what the totality of funding devolved to schools was. Gary Greenhorn advised that £101m was devolved in some way including funds for property costs and teachers salaries which was not discretionary spend. However, there was local autonomy in relation to the use of the budget for supply teachers. Approximately £1.5m of devolved funding could be influenced by schools for matters such as photocopying and purchase of resources like textbooks.

Members asked if any devolved funding was used specifically for clusters. Gary Greenhorn stated that it was but that it would be held by a specific school for cluster use, usually the school whose Head Teacher was leading on the project.

The committee discussed the consultation on 'Empowering teachers, parents and communities to achieve excellence and equity in education - A Governance Review'. Robert Naylor stated that part of the review would be to ask for views on what level of control around spend head teachers should have. The initial impression received from head teachers was that the general principle of more money going to the school level was good but that extra responsibilities would arise as a result.

Following discussion on the non alignment of the financial year and school year, Gary Greenhorn stated that schools were required to submit a business case to the Service in order to carry funding forward. Examples were provided in the appendices to the report. He further advised that if schools carry forward overspend then they need to rein this back in future years.

Members asked why there were large amounts of funding devolved which schools had no control over. Gary Greenhorn highlighted that where possible budgets should reflect spend and that in order to be able to give a true cost of running a school and cost per pupil the exercise was important.

### **Decision**

**The committee requested a further report after receipt of Scottish Government proposals following the consultation on the “Empowering teachers, parents and communities to achieve excellence and equity in education - A Governance Review” including information on how DSM will progress going forward.**

The committee agreed to a short adjournment at 11.55am and reconvened at 12.00pm with members present as per the sederunt.

### **S13. Allocations Outcome Report 2015/16**

The committee considered a report by the Director of Corporate and Housing Services which provided statistical information on housing allocations during 2015/16 and analysis of the allocations outcomes. An updated Allocation Policy had been agreed by the Executive in January 2015. Jennifer Litts provided an overview of the report.

The committee discussed band one priorities and if ground floor properties could be reserved for applicants with medical disabilities. Jennifer Litts advised that the majority of suitable properties were already adapted where appropriate but adapted properties are advertised to everyone. Few properties for the Housing with Care group had become available in the previous year. The end of the right to buy scheme coupled with the Council building new properties was leading to an increase in Council Housing stock which would increase available for the Housing with Care group. However, she noted that there was a lack of adapted properties in high demand areas. There would be an opportunity for members and communities to comment on the Local Housing Strategy and Older People’s Housing Plan which were being developed. The Service had carried out an analysis of all properties to identify which would be suitable for adaptation and this information was held in a database as part of the asset management survey.

Further discussion raised points in relation to allowing a tenant to occupy a property and then have adaptations made after entry. Elizabeth Hood stated that there were occasions where further adaptations to properties were made after occupancy but highlighted that not all properties were suitable for adaptation. Further, new build properties were constructed to be as suitable as possible to all groups. Members commented that the waiting time for priority one applicants in the Housing with Care group needed work to be reduced.

In response to a question on allowing tenants to arrange adaptations themselves, Jennifer Litts stated that the Service did not ask people to do their own adaptations and that the aim was to carry out adaptations prior to entry.

Members stated that Home Seekers, who comprised 2.5% of the waiting list were able to bid for 33% of properties while the Home Starters group was significantly larger. Jennifer Litts advised that homeless applicants were the highest priority group under legislation. Under the previous approach they had access to 66% of properties but the ratios between groups were now equal at a third. She stated that only 25% of Home Seekers were obtaining lets and that not all properties were suitable for each applicant's individual needs. The Service also worked with, and referred people to, Registered Social Landlords. Where potential lets were not taken up by Home Seekers the properties were offered to other applicant groups.

Information was sought on how many Home Seekers did not make bids for properties. Jennifer Litts stated that there were none as applicants would lose their priority if they did not bid. Where an applicant is not bidding the case worker intervenes and seeks to match them to a suitable property.

The committee asked about the proposal to change priority for under occupancy. Jennifer Litts stated that the change would only be made if it was approved through consultation.

Members sought information on the allocation of properties to people who also owned private residences. Jennifer Litts advised that the legislation did not allow for differentiation to be made on such grounds. The only requirement was that tenants showed that the Council house was their main residence.

Members discussed the allocations policy in respect of an applicant's income. In response to the discussion, Colin Moodie stated that an uncommenced provision of the Housing (Scotland) Act 2014 would allow the Service to take ownership into account but not income. Following further discussion, a report to the next committee was requested providing an update relating to tenants who also own private properties or who have a high income.

The committee raised that some applicants felt that priority did not help them secure a let. Elizabeth Hood stated that there were not enough of the most desired properties in terms of area and house type.

### **Decision**

#### **The committee:-**

- (1) noted the allocation outcomes for 2015/16;**
- (2) noted that further analysis and consultation will be carried out and reported back to a future meeting, and**
- (3) requested a report to committee in November to include statistical information of the number of allocations to property owners or those with high incomes.**

Provost Reid left the meeting prior to consideration of the following item of business.

### **S14. An Overview of Local Government in Scotland 2016**

The committee considered a report by the Director of Corporate and Housing Services which provided a summary of the findings from the Accounts Commission publication "An Overview of Local Government in Scotland 2016". Bryan Smail provided an overview of the report.

Members asked about the use of reserves for revenue spending and noted that nearly half of Councils had used reserves for this. Bryan Smail stated that commentary on this issue is provided in the budget report to Council where it is noted that the use of reserves as a plug in the revenue budget was not sustainable. Reserves are a finite resource but can be used to 'buy time' if aligned with making fundamental changes to how services are delivered. Such spend could be described as a positive application of resources.

The committee sought an update on the impact of the UK's vote to leave the European Union. In terms of access to financial markets, Bryan Smail advised that there was some risk of financial institutions moving part of their operations to the continent. In relation to interest rates he stated that it was unlikely interest rates would increase due to current global dynamics including dampened growth. Further, as inflation was low the driver for an increase in borrowing rates was not present.

Members asked if, while interest rates were low, the Council had considered maximising its long term borrowing for projects such as spend to save. Bryan Smail stated that such an option was under consideration but that short term borrowing rates were still lower than

long term ones. If the Council borrowed on a longer term but did not need to spend immediately then a carry cost would be incurred. The Council also carefully considered the advice of its treasury advisors.

The committee asked about how the pension fund is invested and if that could include investments in the arms trade. Bryan Smail advised that this was not a straightforward area as the fund would invest in companies with a diversity of operations. There would be a Pensions Conference held in October which would include consideration of ethical investments. There was a requirement that the fund earns a sufficient amount to pay its liability. The Council had received legal opinion which advised that there could be consideration of ethics in investments but that the primary objective of covering liability must remain primary.

### **Decision**

**The committee noted the report.**

### **S15. Audit Scotland Report: Scotland's Public Sector Workforce Impact Report 2015**

The committee considered a report by the Director of Corporate and Housing Services which provided a summary of the Audit Scotland Impact report which assessed the actions taken as a result of an earlier report on Scotland's Public Sector Workforce. Tracey Gillespie provided an overview of the report.

The committee asked for an update on work to develop improvement plans. Tracey Gillespie advised that each Service would have its improvement plan in place by October while the Council's overall plan would be in place by December. These improvement plans would then be kept under review.

### **Decision**

**The committee noted the:-**

- (1) summary of the report.**
- (2) position of the Council in relation to the recommendations outlined in the report.**

**FALKIRK COUNCIL**

**Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Monday 19 September 2016 at 9.30 A.M.**

**Councillors:** Baillie William Buchanan (Convener) (except for agenda item 5, minute PRC28 and PRC31)  
John McLuckie  
Craig Martin  
Malcolm Nicol

**Officers:** Donald Campbell, Development Management Co-ordinator (for agenda item 7, minute PRC30 and PRC33)  
Rose Mary Glackin, Chief Governance Officer (for agenda item 5, minute PRC28 and PRC31)  
Iain Henderson, Legal Services Manager (for agenda items 6 and 7, minute PRC29, PRC30, PRC32 and PRC33)  
Antonia Sobieraj, Committee Services Officer  
Bernard Whittle, Development Management Co-ordinator (for agenda items 5 and 6, minute PRC28, PRC29, PRC31 and PRC32).

**PRC24. Apologies**

Apologies were submitted on behalf of Councillor Carleschi.

**PRC25. Declarations of Interest**

Baillie Buchanan declared a non financial interest in item 5 (minute PRC28 and PRC31) by virtue of him being a member of the Board of Falkirk Community Trust, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct and the terms of paragraphs 5.18(2) and 7.5 of the Code of Conduct.

**PRC26. Minute**

**Decision**

**The minute of meeting of the Planning Review Committee held on 12 August 2016 was approved.**

**PRC27. 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.

In accordance with his declaration of interest, Baillie Buchanan left the Chair and the meeting prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

**PRC28. Planning Application P/16/0313/FUL - Siting of Catering Outlet and Erection of Fence (Retrospective) at Kelpies Hub, The Helix, Falkirk.**

The Committee considered documents which related to the Application for Review for planning application P/16/0313/FUL for the siting of a catering outlet and the erection of a fence (in retrospect) at Kelpies Hub, The Helix, 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.

Baillie Buchanan re-entered the meeting following consideration of the foregoing matter and resumed the Convener's role of the meeting.

**PRC29. Planning Application P/16/0203/FUL - Extension to Dwellinghouse at Pirnie Lodge Farm, Falkirk FK1 3DJ.**

The Committee considered documents which related to the Application for Review for planning application P/16/0203/FUL for the extension, in the form of a UPVC conservatory, to the side of a dwellinghouse at Pirnie Lodge Farm, 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 accompanied inspection of the site.

**PRC30. Planning Application P/16/0074/FUL - Erection of 3 No. Dwellinghouses on Land to the South West of Wester Bonhard, Bo'ness.**

The Committee considered documents which related to the Application for Review for planning application P/16/0074/FUL for the erection of 3 no. dwellinghouses on land to the south west of Wester Bonhard, Bo'ness.

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 9.55 a.m. for the purpose of conducting site inspections and reconvened at 12.40 p.m., with all those present as per the sederunt.

The meeting adjourned at 12.42 p.m. and reconvened at 1.20 p.m., with all those present as per the sederunt.

In accordance with his declaration of interest, Baillie Buchanan left the meeting prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

**PRC31. Planning Application P/16/0313/FUL - Siting of Catering Outlet and Erection of Fence (Retrospective) at Kelpies Hub, The Helix, Falkirk.**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0313/FUL for the siting of a catering outlet and the erection of a fence (in retrospect) at Kelpies Hub, The Helix, 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 the representations.

After further discussion and having sought and heard advice from Ms Glackin 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) Policies BUS05, CG02, D02, D03, D14, GN01 and TC04 of the Falkirk Local Development Plan;
- (2) the consultation responses received;

- (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 Ms Glackin and Mr Whittle, 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 development fails to enhance or integrate sensitively to the surrounding Kelpies and Helix Park landscape. The scale, siting and design of the development does not respond positively or sympathetically to the site's surroundings and it is an incongruous addition to the designed landscape and architectural character of the area, contrary to policies D02 'Sustainable Design Principles' and D03 'Urban Design' of the Falkirk Local Development Plan;
  - That the development fails to demonstrate a specific need, being located directly adjacent to the Helix visitor centre and café. The development results in an adverse impact on local amenity and the visual quality of the locality, contrary to policy TC04 'Food and Drink' of the Falkirk Local Development Plan; and
  - That the development fails to protect or enhance the visual amenity of the canal and its environs. The development does not achieve a high design standard, with particular emphasis on siting, materials, detailing and impact on canal-side landscaping, contrary to policy D14 'Canals' of the Falkirk Local Development Plan; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

Baillie Buchanan re-entered the meeting following consideration of the foregoing matter and resumed the Convenership of the meeting.

**PRC32. Planning Application P/16/0203/FUL - Extension to Dwellinghouse at Pirnie Lodge Farm, Falkirk FK1 3DJ.**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0203/FUL for the extension, in the form of a UPVC conservatory, to the side of a dwellinghouse at Pirnie Lodge 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 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 had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Supplementary Guidance SG03 - Residential Extensions and Alterations;
- (2) Supplementary Guidance SG16 - Listed Buildings and Unlisted Properties in Conservation Areas;
- (3) Policies D09 and HSG07 of the Falkirk Local Development Plan;
- (4) the consultation response received;
- (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 Whittle, 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.

The meeting adjourned at 2.20 p.m. and reconvened at 2.25 p.m., with all those present as per the sederunt.

**PRC33. Planning Application P/16/0074/FUL - Erection of 3 No. Dwellinghouses on Land to the South West of Wester Bonhard, Bo'ness.**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0074/FUL for the erection of 3 no. dwellinghouses on land to the south west of Wester Bonhard, Bo'ness.

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, further information submitted and the representations. Mr Henderson brought to the attention of the Committee a letter recently received from an agent acting for objectors and the letter was read out to the Committee.

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) Scottish Planning Policy 2014;
- (2) Supplementary Guidance SG01 - Development in the Countryside;
- (3) Supplementary Guidance SG15 - Low and Zero Carbon Development;
- (4) Policies CG02, CG03 , D04, GN02, RW04 and RW10 of the Falkirk Local Development Plan;
- (5) the consultation responses received;
- (6) the representations submitted, including the recent letter from the objectors' agent;
- (7) the site history;
- (8) the supporting documents provided by the applicant; and
- (9) the benefit of the site inspection which included members of the Committee viewing and travelling along Borrowstoun Road from the A904 to Kinglass.

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

- (1) That it was **MINDED** to **GRANT** planning permission, subject to consultation with the Coal Authority in terms satisfactory to the Director of Development Services, and thereafter, on the conclusion of the foregoing matter, to grant planning permission subject to conditions relating to (a) treatment of trees; (b) boundary enclosures; (c) construction materials; (d) contaminated land; and (e) road related matters, and such other conditions as the said Director shall deem appropriate; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

**Minute of special meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Monday 19 September 2016 at 2.00 p.m.**

**Councillors:** Jim Blackwood  
Gordon Hughes  
Depute Provost John Patrick  
Provost Pat Reid (convener)

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Frances Kobiela, Senior Solicitor

**CL53. Apology**

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

**CL54. Declarations of Interest**

No declarations were made.

**CL55. Exclusion of Public**

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

**CL56. Application for the Renewal of a Late Hours Catering Licence**

The Director of the applicant, Mr D, his mother, Mrs D and their representative, Mr M, all entered the meeting.

Three objectors, Mr C, Mr T and Mrs U entered the meeting.

With reference to minute of meeting of the Civic Licensing Committee held on 24 August 2016 (paragraph CL45 refers), the committee considered a report by the Chief Governance Officer on an application received for the renewal of a later hours catering licence (a) advising of the background to 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.

The committee heard from the Licensing Co-ordinator in relation to the withdrawal of an objection which had been previously submitted.

The committee **NOTED** that 13 objections had been received in respect of the application and that 3 objectors were in attendance.

The applicant's representative, Mr M, advised that he had no preliminary matters to raise concerning the validity of the objections. Accordingly, copies of the objections were circulated to members.

An objector, Mr M entered the meeting at this stage.

The objectors spoke in amplification of their objections.

The objectors were heard in response to questions asked by the applicant's representative.

Questions were then asked by members of the committee.

The applicant's representative was then heard in response to the issues raised in the objections and in clarification of questions raised by members.

Thereafter the applicant's representative was heard in support of the application.

The committee agreed to a short adjournment.

## **Decision**

**The committee agreed:-**

- (1) that there was no justification to depart from Council policy with regard to the premises;**
- (2) that the terminal hour of 0030 hrs Monday to Sunday be granted for a period of one year, which reflects the Council's policy and conditions applicable to late hours catering licences outwith a town centre area, and**
- (3) that the following condition be applied to the licence, namely:-**  
**That the extract ventilation fan must be switched off at midnight and a timer fitted for that purpose to the satisfaction of the Environmental Health Service.**

**FALKIRK COUNCIL**

**Minute of Joint Meeting of the Pensions Committee/Board held in the Municipal Buildings, Falkirk on Thursday 22 September 2016 at 9.30 a.m.**

**Present:**

Committee:-

Councillors Falkirk Council:-

Tom Coleman

Steven Carleschi

Dr Craig R Martin

Depute Provost John Patrick (Convener)

Councillor Callum Campbell, Stirling Council

Andrew Douglas, Unison

Board:-

Donald Balsillie, Clackmannanshire Council

Susan Crook, Unison

Sandy Harrower, UCATT

Tommy Murphy, GMB

Jennifer Welsh, SEPA

**Attending:**

Justyna Korszen-Bennett, Senior Accountant

Alastair McGirr, Pensions Manager

Bryan Smail, Chief Finance Officer

Antonia Sobieraj, Committee Services Officer

**Also in****Attendance:**

Jim Rundell and Louise Dodds, Audit Scotland

William Marshall and Steven Scott, Hymans Robertson

Bruce Miller, Investment Manager, Lothian Pension Fund

Chris Murphy and Patrick Edwardson, Baillie Gifford.

Rob Hay, Jeff Munroe and David Moylett, Newton Investment Management

**PE16. Apologies**

Apologies were intimated on behalf of Councillor Jim Blackwood; Ed Morrison, Scottish Children's Reporter Administration's (SCRA); and Ian McLean, Pensioner Representative.

**PE17. Declarations**

No declarations were made.

**PE18. Minute**

**Decision**

**The minute of the joint meeting of the Pensions Committee and Board on 23 June 2016 was approved.**

**PE19. Annual Audit Report 2015/16**

The Committee and Board considered a report by the Director of Corporate and Housing Services on the Fund's Annual Audit Report 2015/16.

**Decision**

**The Committee and Board noted:-**

- (1) the proposed unqualified audit opinion for the Fund for 2015/16; and**
- (2) that Annual Audit Report for 2015/16 and the proposed management actions.**

**PE20. Audited Annual Report and Accounts - 2015/16**

The Committee and Board considered a report by the Director of Corporate and Housing Services on the Falkirk Pension Fund's Audited Annual Report and Accounts for 2015/2016 and attaching as an appendix for inspection, a copy of the Fund's Audited Annual Report and Accounts for 2015/16.

**Decision**

**The Committee and Board noted the Audited Falkirk Council Pension Fund Annual Report and Accounts 2015/16.**

**The Committee agreed the Audited Falkirk Council Pension Fund Annual Report and Accounts 2015/16.**

**PE21. Funding Update**

The Committee and Board considered a report by the Director of Corporate and Housing Services indicating the fund's latest funding position.

The report detailed:-

- The funding positions at the 31 March 2014, 31 March 2016 and 31 August 2016;
- The funding level in setting the Fund's Investment Strategy;

- The deterioration from the 2014 position mainly as a result of the continuing fall in bond yields; and
- The work being undertaken to bring the funding position to employers for the possible rate increases at the 2017 valuation.

### **Decision**

**The Committee and Board noted the funding position at 31 August 2016 and the steps taken to bring the issues contained therein to the attention of Fund managers.**

### **PE22. 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.

### **PE23. Presentation - Baillie Gifford**

The Committee and Board received a presentation by Chris Murphy and Patrick Edwardson, Baillie Gifford.

The presentation covered the undernoted:-

- The diversified growth;
- The performance and associated risks;
- The active currency; and
- The portfolio hedging and positioning.

The Convener thanked Mr Murphy and Mr Edwardson for their comprehensive presentation.

### **PE24. Presentation- Newton Investment Management**

The Committee and Board received a presentation by Rob Hay, Jeff Munroe and David Moylett, Newton Investment Management.

The presentation covered the undernoted:-

- The global equities;
- The long term performance and attribution;
- The world market; and
- The portfolio positioning.

The Convener thanked Mr Hay, Mr Munroe and Mr Moylett for their comprehensive presentation.

## **PE25. 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 Risk Register;
- The Annual Benefit Statements;
- The Board Membership and Governance Review;
- The Public Sector Exit Payments;
- The Corporate Governance Issues including the Local Authority Pension Fund Forum (LAPFF) of 58 local authority Pension Funds and the Fund Seminar on Environmental, Social and Governance (ESG) Issues on 24 October 2016; and
- The Training Opportunity.

### **Decision**

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

## **PE26. 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, Hearthstone and UK Infrastructure (in conjunction with Lothian Pension Fund) for the quarter ending 30 June 2016.

### **Decision**

**The Committee and Board noted the progress of the Pension Fund's private equity and alternatives investment programme for the quarter ending 30 June 2016.**

## **PE27. Market Review and Fund Manager Performance**

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 (L&G);
- Newton Investment Management;
- Schroder Investment Management (UK Equities); and
- Schroder Investment Management (Property).

#### **Decision**

**The Committee and Board noted the Fund Managers' performance and the actions taken by them during the quarter to 30 June 2016, in accordance with their investment policies.**

#### **PE28. 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.**

#### **PE29. Commentary and Fund Manager Performance**

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

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

#### **Decision**

**The Committee and Board noted the Fund Managers' performance and the action taken by them during the quarter to 30 June 2016, in accordance with their investment policies.**

#### **PE30. Investment Strategy – Smart Beta**

The Committee and Board considered a report by the Director of Corporate and Housing Services on developments in relation to a proposed £200m smart beta investment.

The areas covered in the update report included:-

- The smart beta investment of £200m, with £100m being allocated to fundamental weighting and low volatility strategies thereby improving the diversity of the Fund's equity structure and offering a solution with lower costs and lower risk than another active mandate;
- The implementation of the smart beta investment through the Fund's existing relationships with Legal and General and Lothian Pension Fund;
- The consideration of the fundamental weighting part of the smart beta investment tracks one of Research Affiliates Fundamental Indexation (RAFI);
- The investment through Legal and General (LGIM) on the basis of their experienced provider of passive equity index funds;
- The smart beta investment based on the low volatility portfolio; and
- The detailed proposals being considered at the meeting of the Committee and Board in December 2016.

### **Decision**

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

**The Committee agreed:-**

- (1) the investment of £100m into the Legal and General RAFI All World 300 Equity Index Fund; and**
- (2) the investment funded from the existing Legal and General passive mandate.**

**FALKIRK COUNCIL**

**Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Friday 23 September 2016 at 9.30 a.m.**

**Councillors:** Jim Blackwood  
Dennis Goldie  
Linda Gow  
John McLuckie (Convener)  
Depute Provost John Patrick

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

**A19. Apologies**

Apologies were intimated on behalf of Councillors Bird, Chalmers and Turner.

**A20. Declarations of Interest**

No declarations were made.

**A21. 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.

**A22. Appeal Against Dismissal**

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Submission from the Head of Social Work Adult Services dated 14 September 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 K, was not present and had not contacted the Council or his union representative to indicate that he would not be able to attend. S Crook, Unison was present as the Appellant's representative.

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

The Committee, having given careful consideration of the matter and having received information provided by the Unison representative (S Crook), **AGREED** that the meeting be adjourned to allow the appellant an opportunity to confirm whether he wished to proceed with his appeals, failing which, no further action would be taken in relation to them.

**FALKIRK COUNCIL**

**Minute of meeting of the Planning Committee held On Site on Monday 26 September 2016 commencing at 9.30 a.m.**

**Councillors:** Baillie William Buchanan (Convener)  
Steven Carleschi (Items P57 & P58)  
Colin Chalmers (Items P57 & P58)  
Adrian Mahoney  
Malcolm Nicol (Item P59)  
Martin Oliver (Item P57)  
Sandy Turner (Item P59)

**Officers:** Kevin Collins, Transport Planning Co-ordinator (for application P/16/0360/FUL)  
Jack Frawley, Committee Services Officer  
Kirsty Hope, Assistant Planning Officer (for application F/16/0385/FUL)  
Karen Quin, Senior Solicitor  
Julie Seidel, Planning Officer (for applications P/16/0360/FUL and P/16/0393/FUL)  
Russell Steedman, Network Co-ordinator (for applications P/16/0360/FUL and P/16/0393/FUL)  
Bernard Whittle, Development Management Co-ordinator

**P55. Apologies**

Apologies were intimated on behalf of Baillie Paterson; Councillors Garner, McLuckie, C Martin and Nimmo.

**P56. Declarations of Interest**

No declarations were made.

**P57. Erection of 15 Dwellinghouses, Retail Unit and Associated Infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk FK1 2AQ for Alpha Glen Developments Ltd - P/16/0360/FUL**

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P54 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 15 dwellinghouses, retail unit and associated infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk.

The Convener introduced the parties present.

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

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

Mr McIntosh, a resident was heard in relation to his neutral representation to the application.

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

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

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

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

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

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

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

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

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

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

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

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

Mr & Mrs Wallace, objectors, were heard in relation to the application.

The objections included the following issues:-

- properties at Glenbank (backing onto the application site from the south) will not be able to have oil heating delivered, as access is currently taken from the application site
- Glen Crescent is already busy and the development will increase traffic
- no provision has been made for existing residents, including the post office, who use the application site to park
- road, parking and access issues at the proposed development site
- Glen Crescent is too narrow
- anti-social behaviour problems associated with the retail development
- no demand for retail units and impact on the business of the Glen Village post office due to the proximity
- application includes land outwith the applicant's ownership

- issues relating to the water supply
- loss of community facility

Questions were then asked by members of the committee.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 26 October 2016.

**P58. Extension to Dwellinghouse at 11 Callendar Park View, Falkirk FK1 1SX for Mr Shraz Khaliq - P/16/0385/FUL**

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P52 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the extension to dwellinghouse at 11 Callendar Park View, Falkirk.

The Convener introduced the parties present.

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

The applicant was not in attendance.

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

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

Mr & Mrs Yeardley, objectors, were heard in relation to the application.

Mrs Mincher, objector, was heard in relation to the application.

Miss Brogan, objector, was heard in relation to the application.

The objections included the following issues:-

- the scale of the extension and the affect this would have on the value of neighbouring property
- privacy and overshadowing concerns
- the visual impact
- noise, dust, disruption and overall site safety concerns during the construction
- shared access and parking concerns
- the length of time the project would take
- the monitoring of the project during construction
- who would be responsible for any damages

- concerns that the house would be used as a house in multiple occupation
- concerns relating to the storing of materials, skips, scaffolding plant and machinery and the impact of piling

Questions were then asked by members of the committee.

Provost Reid, a local member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 26 October 2016.

**P59. Change of Use of Public Open Space to Garden Ground and Erection of Boundary Fence (Retrospective) at 32 Howieson Avenue, Bo'ness, EH51 9JG for Mr David Stewart - P/16/0393/FUL**

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P53 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the change of use of public open space to garden ground and erection of boundary fence (retrospective) at 32 Howieson Avenue, Bo'ness.

The Convener introduced the parties present.

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

Mrs Stewart, the applicant's wife, was heard in relation to the application.

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

The objections included the following issues:-

- major loss of amenity due to felling of the trees
- visually intrusive fence line
- the development is not on land owned by the applicant
- access to open space area has been blocked

Questions were then asked by members of the committee.

The Convener concluded by thanking the parties for their attendance. The matter would be determined by the Planning Committee on 26 October 2016.

**FALKIRK COUNCIL**

**Minute of the meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 26 September 2016 at 1.30 p.m.**

**Members:**

Councillor Steven Carleschi  
 Councillor Tom Coleman  
 Roseann Davidson (Convener)  
 Councillor Rosie Murray  
 Baillie Joan Paterson  
 Depute Provost John Patrick  
 Provost Pat Reid

**Officers:**

Karen Algie, Head of HR and Business Transformation  
 Fiona Campbell, Head of Policy, Technology and Improvement  
 Douglas Duff, Head of Economic Development and Environmental Services  
 Sara Lacey, Senior Service Manager, Children's Services  
 Kenny McNeil, Children's Services Resources Manager  
 Gordon O'Connor, Internal Audit Manager  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive  
 Bryan Smail, Chief Finance Officer  
 Amanda Templeman, Acting Depute Chief Finance Officer

**Also Attending:**

Laura Caulder, Audit Scotland  
 Lisa Duthie, External Auditor, Audit Scotland  
 Fiona Mitchell Knight, Audit Scotland  
 Jim Rundell, External Audit Manager, Audit Scotland

**AC23. Apologies**

No apologies were intimated.

**AC24. Declarations of Interest**

No declarations were made.

**AC25. Minute****Decision**

**The minute of the meeting of the Audit Committee held on 20 June 2016 was approved.**

**AC26. Corporate Risk Management Update**

The committee considered a report by the Director of Corporate and Housing Services presenting a revised summary of corporate risks together with an update in progress made in embedding the Corporate Risk Management (CRM) policy and framework.

The Audit committee had, on 18 April 2016 (ref AC11), agreed to refer the revised CRM policy and framework to the Executive for approval together with the Corporate Risk Register. Both had been approved by the Executive on 17 May 2016 (ref EX13). In approving the documents, the committee had requested 6 monthly updates on progress in embedding the CRM policy and framework.

Services had participated in risk workshops and were currently finalising their individual risk reviews. These will include “worst case” scenarios, key controls and lessons learned. A summary of corporate risks was provided. Additionally, the Corporate Risk Management Group and the Council’s Corporate Management Team had agreed that a CRM training plan would be implemented (for members and officers) and that a risk workshop for members and Corporate Management Team would be held in early 2017. Services were currently embedding Service Risk Management arrangements as part of the Service Performance Planning process.

An audit of the CRM arrangements had been undertaken by West Lothian Council and this had resulted in substantial assurance being provided.

The Chief Finance Officer explained the risk “insufficient funding to deliver services and deliver outcomes”, following a question and summarised the mitigating factors. Members of the committee highlighted the costs of building Council housing and questioned whether, on the basis of the costs provided within previous reports to the Executive, they represented best value. The Chief Executive summarised the factors which contributed to the costs per unit and undertook to provide members with a breakdown.

In regard to the risk of insufficient funding itself, members sought clarification of those services deemed to be “statutory” as opposed to “discretionary”. In responding, the Chief Executive suggested that as budgets become tighter, Councils had to look at the services they must provide and how they provide them. The Chief Finance Officer set out the likely timetable for setting the 2017/18 budget and confirmed that a funding gap of £20m was projected.

The Head of HR and Business Transformation then confirmed that the proposed CRM workshop would be held before April 2017 and that this was in line with previous advice to members.

The committee considered the risks relating to adult services. The Chief Executive confirmed in response to a question, that the Council had sufficient officers to meet its statutory obligations. The Head of HR and Business Transformation undertook to provide members with detail of the mitigating actions in regard to Self-Directed Support.

The committee discussed the Council's budget setting process and sought information on how Council will engage and consult with staff, stakeholders and the public. The Chief Finance Officer confirmed that officers' proposed savings options would be considered by the Executive in October and engagement/consultation would begin after this. This would include staff briefings and public discussion, for example with community councils. The Head of Policy, Technology and Improvement confirmed that an engagement strategy had been agreed by the Executive in 2015.

### **Decision**

**The committee noted:-**

- (1) the summary of very high and high Corporate Risks as detailed in appendix 1 of the report, and the Summary of Medium Corporate Risks at appendix 2 of the report; and**
- (2) that a Corporate Risk Management update will be provided to the Executive on 18 October 2016.**

Baillie Paterson and Councillor Carleschi joined the meeting during consideration of the previous item.

### **AC27. Internal Audit Progress Report.**

The committee considered a report by the Internal Audit Manager setting out progress in completing the 2016/17 Internal Audit Plan.

The plan included 21 planned assignments. Five additional assignments had been added to Internal Audit's work programme. These were:-

- Carbon Reduction Commitment Energy Efficiency Scheme Audit;
- Contact Centre – Data and Information Security;
- Social Work Intermediary Accounts;
- Residential and Non Residential Charging – Debt Management; and
- LEADER funding.

The report also summarised the processes in place for monitoring Community Halls' accounts.

In regard to the agreed plan, 9 assignments were in progress, 10 had yet to be started and draft reports had been issued for 2 of the assignments. In response to questions, the Internal Audit Manager confirmed that he expected all to be completed to draft report stage or further by March 2017.

Of the additional assignments, final reports had been issued in regard to the “Carbon Reduction” and “Contact Centre” reviews. The scope of the reviews and main findings were provided in an appendix to the report.

The committee discussed progress to date and the timescales for completing the planned audits and the additional assignments. The Internal Audit Manager reiterated that he anticipated that all would be completed however the plan could be readjusted. He described the fieldwork which was being undertaken in regard to the audit of the Redundancy and Severance Arrangements, confirming that a sample of 18 applications had been used.

In regard to a review of LEADER funding, the Internal Audit Manager confirmed that this is the first annual review of compliance with SLA terms. He considered that it was more appropriate that this work was treated as an assigned piece of work as opposed to ad hoc/consultancy work. It had not, he confirmed, been initiated as a consequence of, nor was it related to, BREXIT.

Following a question on the processes for monitoring the submission of Community Halls’ accounts, the Internal Audit Manager explained the processes which were now in place to monitor and pick up issues at an early stage.

The committee discussed the continuous auditing assignment. Creditors’ duplicate payments of £7.5k had been identified so far. Members asked whether this showed that effective controls were in place or whether it indicated a larger problem. The Internal Audit Manager stated that in context the sum was small and the audit showed no indication of systemic flaws. The audit was therefore reassuring.

### **Decision**

**The committee noted that good progress is being made with completing the 2016/17 Internal Audit Plan.**

## **AC28. 2015/16 Annual Audit Report**

The committee considered a report by the Director of Corporate and Housing Services presenting Audit Scotland’s Annual Audit report to members of the Council and the Controller of Audit together with a letter of representation to Audit Scotland on the accounts.

The unaudited accounts had been considered by committee on 20 June 2016 (ref AC17). These had now been audited and the Auditor’s certificate was free from qualifications.

The Auditor’s Annual Report highlighted key messages in regard to:

- audit of financial statements;
- financial management and sustainability;

- governance and transparency;
- best value; and
- outlook.

In regard to Best Value, the report contained an extract from Audit Scotland's Best Value Follow Up report. The Auditor's report summarised the findings together with commentary. A separate report on the Best Value Improvement Plan had been considered by Council on 21 September 2016 (ref FC39).

The Auditor's report also included comments on Governance and Transparency and provided a summary of the Council's outlook.

Following questions from members, Ms Mitchell-Knight advised that the Accounts Commission would consider Audit Scotland's Best Value Follow Up Inspection report in December. It could make recommendations, hold a hearing, monitor progress via the annual audit process or request a further follow up review. The Chief Executive advised that Council had agreed, on 21 September, that in the first instance, the Leader of the Council, the Leader of the Opposition and the Provost would consider how the Council should respond to the report and that a report would be submitted to Council. The committee members discussed this and concurred that the agreed approach would allow all members to take a view on the report.

In response to a question on the Annual Report, Ms Mitchell-Knight stated that the message to all Councils to "work differently and to deliver services in a different way". She also confirmed that guidance suggested that Councils should review their reserves policy and make their own determination on the appropriate level of reserves held.

### **Decision**

**The committee noted the Annual Report on the 2015/16 Audit.**

## **AC29. Annual Accounts 2015/16**

The committee considered a report by the Director of Corporate and Housing Services presenting the annual accounts 2015/16 for approval.

The accounts had now been audited by Audit Scotland and were presented for approval. The audit certificate was free from qualification.

### **Decision**

**The committee approved the audited annual accounts for 2015/2016.**

**AC30. Temperance Trust Annual Accounts 2015/16**

The committee considered a report by the Director of Corporate and Housing Services presenting Falkirk Temperance Trust's audited annual accounts 2015/16 for approval.

The accounts had now been audited by Audit Scotland and were presented for approval. The audit certificate was free from qualification.

**Decision**

**The committee approved the annual audit accounts of the Falkirk Temperance Trust and agreed to recommend them to the Trust's Board for approval.**

## FALKIRK COUNCIL

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 27 September 2016 at 3.00p.m.**

<b>Councillors:</b>	David Alexander	Adrian Mahoney
	Jim Blackwood	Dr Craig R Martin
	Tom Coleman	Craig Martin (Convener)
	Dennis Goldie	Malcolm Nicol
	Gerry Goldie	Alan Nimmo
	Linda Gow	

**Officers:**

Fiona Campbell, Head of Policy, Technology and Improvement  
 Danny Cairney, Acting Depute Chief finance Officer  
 Colin Frame, Principal Surveyor (Strategic Projects)  
 Duncan Gardner, Senior Network Officer  
 Rhona Geisler, Director of Development Services  
 Kenny Gillespie, Property and Asset Manager  
 Rose Mary Glackin, Chief Governance Officer  
 Iain Henderson, Legal Services Manager  
 Sara Lacey, Senior Service Manager, Children's Services  
 Alexandra Lewis, Planning 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  
 Vivien Thomson, Service Manager

**Also Attending:**

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

### **EX48. Order of business**

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.

### **EX49. Apologies**

An apology was imitated on behalf of Councillor Spears.

**EX50. Declarations of Interest**

Councillor Gow declared a non-financial interest in the item EX65, as a family member was the owner of a business referred to in the report, and stated that she would take no part in the discussion or decision making on the item.

**EX51. Minutes**

**(a) Minute of Meeting of the Executive held on 16 August 2016**

**(b) Minute of Special Meeting of the Executive held on 6 September 2016**

**Decision**

**The minutes of the meeting of the Executive held on 16 August 2016 and the special meeting of the Executive held on 6 September 2016 were approved.**

**EX52. Rolling Action Log**

A rolling action log showing progress on outstanding actions from previous meetings was provided.

**Decision**

**The Executive noted the rolling action log.**

**EX53. Joint Consultative Committee – 23 August 2016**

The Executive considered a report by the Director of Corporate and Housing Services presenting three revised policies for approval. The policies had been considered by the Joint Consultative Committee on 23 August 2016 and had been referred to the Executive for immediate implementation.

**Decision**

**The Executive agreed the immediate implementation of the:-**

**(1) Recruitment & Selection Policy;**

**(2) PVG and Criminal Convictions Checking Policy; and**

**(3) Gender Based Violence Policy.**

**EX54. Whistleblowing Policy**

The Executive considered a report by the Director of Corporate and Housing Services presenting a whistleblowing policy for approval together with a related anti-fraud and corruption strategy.

Council had a confidential reporting policy in place which had enabled employees, and others, to raise any concerns they had about serious wrongdoing in the Council. The policy, which sat within the corporate governance arrangements alongside other policies, such as the anti-fraud and corruption strategy, was intended to prevent, detect and investigate fraud and corruption.

The confidential reporting policy had been updated and refreshed to take account of guidance which had been issued by the charity, Public Concern at Work and the Department for Business, Innovation and Skills. It dovetailed with the facility for Council staff to raise concerns relating to fraud or corruption. The refreshed document, which was now in a more plain English style, had been renamed in recognition that “whistleblowing” was a more generally understood term.

The aim of the policy is to encourage employees and others who have serious concerns about any aspect of the Council’s work to come forward and voice their concerns. The report also referred to the anti-fraud and corruption strategy, approved by the Audit Committee on 22<sup>nd</sup> September 2014 (ref AC17), and the corporate fraud team which had been established within the Internal Audit unit in February 2016.

Councillor C Martin, seconded by Councillor Nimmo, moved that:-

The Executive:

- (1) approves the whistleblowing policy attached as appendix 1 to the report; and
- (2) notes and endorses the anti-fraud and corruption strategy attached as appendix 2.

As an amendment, Councillor Coleman, seconded by Councillor Alexander, moved the terms of the motion and in addition that:

- (3) the policy be amended to include reference in part 4 thereof to the ‘Internal Audit Manager, as the whistleblowing champion’ as one of the persons with whom concerns should be raised.

Following discussion, Councillor Martin, as Convener and mover of the motion and Councillor Nimmo, as his seconder, altered the text of the motion accordingly.

## Decision

### The Executive agreed to:

- (1) approve the whistleblowing policy subject to the inclusion of the Internal Audit Manager in the list provided at section 4 of the policy; and
- (2) endorse the anti-fraud and corruption strategy.

## EX55. Falkirk Local Development Plan – Supplementary Guidance SG17 – Renewable Energy

The Executive considered a report by the Director of Development Services presenting Local Development Plan Supplementary Guidance Note SG17 for approval.

The Executive had authorised on 25 February 2014 (ref EX46) the preparation of and consultation on 16 Supplementary Guidance Notes. An additional Note on renewable energy had been subsequently identified. To date, 14 Notes had been developed, consulted upon and approved by the Scottish Ministers. Supplementary Guidance Note SG17 – Renewable Energy was now presented for approval.

SG17 sets out the general principles and guidance for a range of renewable technologies including biomass, solar/photovoltaics as well as the potential for district heating within the Council area.

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

## Decision

**The Executive agreed the Supplementary Planning Guidance SG17 Renewable Energy including modifications in response to consultation as detailed in appendix 2 of the report, and to submit it to the Scottish Ministers for final approval.**

## EX56. Decriminalised Parking Enforcement

The Executive considered a report by the Director of Development Services presenting a model for Decriminalised Parking Enforcement in the Falkirk area together with the next steps should it be agreed.

Following withdrawal by Police Scotland of the traffic warden service, the Executive had asked the Director of Development Services to prepare a business case for an application to the Scottish Government for the

introduction of Decriminalised Parking Enforcement (DPE) in the Council area. DPE would enable the Council to enforce on-street parking in the area and allow the enforcement of both on-street and off-street parking in a co-ordinated and comprehensive manner. If adopted, Police Scotland would still remain responsible for enforcement of traffic regulations on all publicly adopted roads in the area on the grounds of road safety and for all endorsable offenses such as dangerous parking or obstruction.

The report set out the process for adopting a DPE regime, the options available and the anticipated costs and recommended the adoption of a model which was anticipated to break even in 2 years (excluding capital start up costs) and 20 years (if the set up costs were included).

## **Decision**

### **The Executive:-**

- (1) agreed option F from within the business model described in the report;**
- (2) noted the financial implications of the current Decriminalised Parking Enforcement business case;**
- (3) agreed that a phased implementation of traffic signs and road markings remedial works on a priority basis should be undertaken to align with available budgets; and**
- (4) requested further reports giving updates on progress**

At this stage, Councillors Gow and D Goldie each declared a non-financial interest in items EX57 and EX58 as Directors of Falkirk Community Trust, but did not consider that this required them to recuse themselves from consideration of the items, having regard to the specific exclusions contained in the Code of Conduct.

## **EX57. Falkirk Community Trust Policy Development Panel – Improvement Plan**

The Executive considered a report by the Director of Corporate and Housing Services summarising the outcomes of the discussion between the Council and Falkirk Community Trust following a review by the policy development panel. The resultant Improvement Plan was presented together with recommendations to progress the agreed outcomes.

The Executive had on 7 June 2016 (ref EX23) considered the interim findings of the policy development panel on its review of Falkirk Community Trust and had agreed to appoint an independent and external facilitator to work with the Council and Trust on the improvement areas which had been identified by the panel.

The facilitator, Stephen Philips of Burness Paull, had met separately with panel members and the portfolio holder and also with representatives of the Trust prior to holding a joint workshop on 1 September 2016.

The facilitator had subsequently provided an Improvement Plan for consideration by the Executive. The proposals set out in the plan related to strategy development and sign off, the contractual framework between the Council and the Trust and corporate governance. The Improvement Plan had been circulated to the panel, portfolio holder and Chief Executive of the Trust who had agreed its submission to the Executive for consideration

## **Decision**

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

- (1) that, in order to develop a clear sense of joint ownership, Falkirk Community Trust is requested to work with the Council to prepare and implement a procedure for development of the overarching strategy for culture and leisure allowing for increased joint working and maximising opportunities for officers and elected members of the Council to contribute (as set out at paragraphs 4.6.1 to 4.6.3 of the Improvement Plan);**
- (2) to request that the Trust works with the Council to establish joint working groups involving Council officers, members of the Trust's Senior Management Team, Trust board members and Council elected members to develop agreed strategies in response to challenging areas of work including:-**
  - (a) approaches to income generation;**
  - (b) community engagement; and**
  - (c) treatment of Trust facilities (as set out at paragraph 4.6.4 of the Improvement Plan);**
- (3) to request that the Trust works with the Council to jointly review the existing Funding Agreement between the Council and the Trust with a focus on:-**
  - (a) introducing a more detailed specification of the Trust's services;**
  - (b) agreeing a procedure for annual adjustment of the specification and services fee which allows for appropriate engagement through a defined process;**
  - (c) agreeing a more detailed change control mechanism which reflects the principle of collaboration between the Council**

and the Trust in response to unforeseen changes in circumstances during a given financial year; and

- (d) reviewing the monitoring and reporting mechanisms to ensure that there is full clarity with the Council's requirements (as set out at paragraphs 4.6.5 to 4.6.7 of the Improvement Plan);
- (4) to request that the Trust holds its Board meetings in public and publishes minutes of such meetings on its website, having regard to the need for appropriate redaction of material and private sessions where matters would be of a confidential or sensitive nature;
- (5) to request that the Chief Executive of the Trust attends the Council's regular Corporate Management Team;
- (6) that the Directors of the Trust and the policy development panel members should jointly explore the following proposals (set out in paragraphs 4.6.8 to 4.6.12 of the Improvement Plan):-
  - (a) that the Chair of the Trust be an elected member
  - (b) that the Portfolio Holder for Culture, Leisure and Tourism be a standing director of the Trust
  - (c) that efforts are made to engage elected members from across the Council with elected members being encouraged to attend Trust events and learn more about the activities of the Trust
  - (d) that elected members on the board of the Trust are encouraged to act as a channel of communication from the Trust to other elected members
  - (e) that appreciation of the achievements of both the Trust and the Council since the inception of the Trust are fostered; and
  - (f) that the most appropriate channels of communication and response are identified in the context of ad hoc representations from individual elected members; and
- (7) to retain the support of the facilitator as required and that the Executive will receive an update report on progress and on the outcome of the discussions referred to at recommendations 2.1.3 and 2.1.6

**EX58. Falkirk Community Trust – Delivery Plans**

The Executive considered a report by the Director of Corporate and Housing Services presenting three delivery plans which had been developed by Falkirk Community Trust for approval.

The Executive had approved the Culture and Sport Strategy on 18 March 2014 (ref EX133). The document, which had been developed by the Council's advisors, Falkirk Community Trust, was a high level strategy which would be underpinned by delivery plans. In approving the Strategy, The Executive had agreed that each delivery plan would be submitted for approval.

Three delivery plans had been developed by the Trust. These were:

- (1) A Physical Activity and Wellbeing Plan for Falkirk;
- (2) Arts Plan 2016 – 2021; and
- (3) The Future of Our Libraries – A Library Service Development Plan for Falkirk 2016 – 2021.

Following the meeting of the Executive in 2014 a protocol had been established to ensure meaningful consultation between the Trust and elected members in the preparation of each delivery plan.

Having been developed in accordance with the protocol, the delivery plans were now presented for approval by the Executive.

**Decision**

**The Executive approved the following delivery plans:-**

- (1) A Physical Activity and Wellbeing Plan for Falkirk;**
- (2) Arts Plan 2016-2021; and**
- (3) The Future of our Libraries – A Library Service Development Plan for Falkirk 2016-2021.**

Councillor Mahoney withdrew from the meeting following consideration of the previous item.

**EX59. Council Tax Levy on Long Term Unoccupied Dwellings**

The Executive considered a report by the Director of Corporate and Housing Services proposing to levy an increase in Council Tax payable on long-term unoccupied dwellings.

The Council Tax (Variation for Unoccupied Dwellings)(Scotland) Regulations 2013 allow local authorities to levy a charge up to 200% of the standard Council Tax charge in respect of certain long term unoccupied dwellings. Falkirk Council had charged 90% since 1 April 2015.

It was proposed that the charge is increased to 200%. It was estimated that this would yield approximately £270,000 annually. An additional member of staff would be required to administer the scheme with the cost offset against income.

The increase would apply to most properties which have been unoccupied for a period of 12 months or longer. However, the regulations provided for exemptions which were set out in the report.

Additionally it was proposed that the Chief Finance Officer be granted authority to delay the application of the levy for up to 6 months in exceptional circumstances.

**Decision****The Executive agreed to:-**

- (1) apply a 100% Council Tax levy on all properties that have been no-one's main residence for more than 12 months, except where legislation does not permit this, from 1<sup>st</sup> April 2017;**
- (2) grant the Chief Finance Officer discretion to delay the application of this levy for up to 6 months in exceptional circumstances where, due to these circumstances, the Council Tax payer could not have avoided this levy; and**
- (3) fund a single post, from the additional revenue generated, to ensure the scheme is administered and policed effectively.**

**EX60. Implications of Part 13 Children and Young People (Scotland) Act 2014, Kinship Care**

The Executive considered a report by the Director of Children's Services summarising the implications of recently published guidance on Part 13 of the Children and Young People (Scotland) Act 2014, and presenting the plans for implementation of these new duties.

Part 13 of the Children and Young People (Scotland) Act 2014 set out new duties for local authorities to provide support for certain kinship carers with

children who are not looked after but for whom a carer holds or is seeking to hold a Section 11 order to become a kinship carer.

Guidance on Part 13 of the Act includes parity of financial support to that provided by foster carers. Payments to carers who meet the criteria should be backdated to 1 October 2015. In addition, the Council is required to provide and publish a wide range of information and advice to carers and eligible children including advice on the legal system, finance and available support and how that support is assessed, reviewed and provided.

At 30 June 2016, the Council financially supported 72 children who were all living with kinship carers. Each would be assessed and their payments amended to the new foster rate (minus relevant benefits). However it was acknowledged that other eligible carers were not on the system and it was estimated that 30 could be added annually.

The report summarised the differential between foster and kinship payments and estimated that the annual cost could be £458,790, leaving £132,170 in the budget. To cover any additional unknown demand. 2016/17 is £590,960.

These figures assume that benefits are available to offset the total cost (£907,750). If this position changed there would be a significant financial pressure on the Council.

### **Decision**

**The Executive agreed:-**

- (1) to move towards parity of age related allowances with foster carers;**
- (2) the programme for implementation of the guidance, including back dating of payments to eligible carers to 1<sup>st</sup> October 2015; and**
- (3) the proposals for publication of information on Kinship Care.**

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

### **EX61. Assets Surplus to Operational Requirements**

The Executive considered a report by the Director of Corporate and Housing Services recommending that six assets are declared surplus to requirements for disposal or transfer.

### **Decision**

**The Executive agreed to declare the following land as surplus to operational requirements and to authorise disposal and transfer on the terms set out in the report:**

- (1) property at 11 Broad Street, Denny – disposal on the open market;
- (2) property at Redding Cottage, Redding, Westquarter – disposal on the open market;
- (3) land at Parkhall Drive, Maddiston – transferred to Children’s Services at open market value;
- (4) land at Stirling Street, Dunipace – negotiate disposal to Kingdom Housing Association;
- (5) land at Fountainpark Crescent, Bo’ness – negotiate disposal to private developer; and
- (6) property at 1-3 Seaview Place, Bo’ness – disposal on the open market.

#### **EX62. Capital Programmes Update 2016/17**

The Executive considered a report by the Director of Corporate and Housing Services detailing the provisional outturn position of the 2016/17 General Fund Services and Housing Capital Programmes.

In regard to the General Fund Services Budget, the outturn figure at was projected to be £33.7m. The report detailed spends across Services and set out the main reasons for the variance of £1.3m against the revised budget for 20176/17 of £35m.

Services had identified projects which could be accelerated to mitigate the anticipated slippage of £3.4m (which includes external grants/contributions). The projects from Falkirk Community Trust and Social Work would reduce slippage by £0.3m.

In regard to the Housing Capital Programme, the outturn was forecast to be £28.4m. The report summarised the various workstreams, highlighting any variance from budget.

Revised prudential indicators were set out in an appendix to the report.

#### **Decision**

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

- (1) noted the forecast spend for both the General Fund Services (£33.7m) and Housing Capital Programmes (£28.4m);

- (2) approved the acceleration of projects from 2017/18 as detailed in paragraph 4.3.4 of the report and the inclusion of other projects that may be identified for acceleration during the course of the year; and
- (3) noted the revised Prudential Indicators.

#### **EX63. Attendance at Conference – Request for Approval**

The Executive considered a report by the Director of Corporate and Housing requesting permission for Councillor C Martin to attend the COSLA and Improvement Service Annual Conference on 6 and 7 October 2016.

In terms of Standing Orders Committee approval is required for Members' attendance at conferences and seminars when the cost exceeds £200. The cost of attendance at the COSLA and Improvement Service Annual Conference, which is being held in Crieff Hydro on 6 and 7 October 2016, is £399 excluding VAT.

#### **Decision**

The Executive agreed:-

- (1) to approve the request from Councillor Craig Martin to attend the COSLA and Improvement Service Annual Conference to be held at the Crieff Hydro Hotel on 6<sup>th</sup> and 7<sup>th</sup> October 2016 at a cost of £399+VAT; and
- (2) to authorise the Director of Corporate and Housing Services to approve any further requests from members to attend the conference.

In accordance with her declaration, Councillor Gow left the meeting at this point.

#### **EX64. Exclusion of Public**

The Executive 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 item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A to the said Act.

**EX65. Denny Town Centre Regeneration: Phase One Developments**

The Executive considered a report by the Director of Development Services giving an update on the status of the Denny town centre regeneration phase 1 project and presenting recommendations with regard to offers received from prospective tenants.

**Decision**

**The Executive:-**

- (1) noted the report on the progress of the Denny town centre regeneration project; and**
- (2) agreed the allocation of units as recommended in the report.**

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 28 September 2016 at 9.30 a.m.**

**Councillors:** Jim Blackwood  
Gordon Hughes  
Baillie Joan Paterson (convener)  
Depute Provost John Patrick  
Sandy Turner

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Frances Kobiela, Senior Solicitor  
Brian Samson, Licensing Enforcement Officer

The following items have been recorded in the order that they were taken at the meeting.

**CL57. Apologies**

Apologies for absence were intimated on behalf of Provost Reid and Councillor Paul Garner.

**CL58. Declarations of Interest**

No declarations were intimated.

**CL59. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 24 August 2016 was approved.**

Councillor Hughes entered the meeting after discussion of the previous item.

**CL60. List of Applications Granted under Delegated Powers in July and August 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 July and 31 August 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

**Decision**

**The committee noted the report.**

**CL61. Civic Licensing Enforcement - July/August 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 July and August 2016.

**Decision**

**The committee noted the report.**

**CL62. 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.

**CL63. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr D, entered the meeting.

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

Mr D spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence, subject to the standard conditions.**

**CL64. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr A, entered the meeting.

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

Mr A spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

**The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence, with a warning letter, subject to the standard conditions.**

#### **CL65. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr M, and his cousin, Mr R, both entered the meeting.

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

Mr M spoke in support of the application.

Questions were then asked by members of the committee.

### **Decision**

**The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence, subject to the standard conditions.**

#### **CL66. Application for the Grant of a New Window Cleaner Licence**

The applicant, Mr H, was not in attendance.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new window cleaner licence (a) advising on the background to the application; (b) referring to the meeting of the Civic

Licensing Committee held on 24 August 2016 when the application was continued to enable the applicant to be in attendance; (c) summarising the consultations undertaken and responses received, and (d) detailing the applicant's record.

**Decision**

**The committee agreed to continue the application to the next meeting of the Civic Licensing Committee on 2 November 2016 to allow the applicant a further opportunity to attend.**

**CL67. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr P, was not in attendance.

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

**Decision**

**The committee agreed to continue the application to a future meeting to allow the applicant a further opportunity to attend.**

**FALKIRK COUNCIL**

**Minute of meeting of the SCRUTINY COMMITTEE (EXTERNAL) held in the Municipal Buildings, Falkirk on Thursday 6 October 2016 at 9.30 a.m.**

**COUNCILLORS:**

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

**OFFICERS:**

Nick Balchin, Principal Educational Psychologist  
Fiona Campbell, Head of Policy, Technology and Improvement  
Jack Frawley, Committee Services Officer  
Iain Henderson, Legal Services Manager

**ALSO ATTENDING:**

Neil Brown, General Manager, Falkirk Community Trust  
Jane Clark, Business Development Manager, Falkirk Community Trust  
Gary Laing, Scottish Fire and Rescue Service  
Martin Rioch, Scottish Fire and Rescue Service  
Eddie Ritchie, Scottish Fire and Rescue Service

**SE11. Apologies**

An apology was intimated on behalf of Councillor Murray.

**SE12. Declarations of Interest**

There were no declarations of interest.

**SE13. Minute**

**Decision**

**The minute of meeting of the Scrutiny Committee (External) held on 18 August 2016 was approved.**

**SE14. Performance Report: Scottish Fire & Rescue Service**

The committee considered a report by the Director of Corporate and Housing Services which provided an update on the local performance of the Scottish Fire and Rescue Service, for the period 1 April 2016 to 30 June 2016. Fiona Campbell provided an overview of the report.

The committee discussed the youth engagement activities which the service was involved in including football events at Bowhouse and asked if these would continue. Eddie Ritchie stated that there had been an average of 40 to 60 young people attending the football events which were being taken forward into another ward area.

Members sought an update on the level of incidents requiring a response and approaches to tackling this. Gary Laing advised that there was often a spike in incidents during quarter one due to the combination of lighter nights and the school holidays. This trend was seen nationally. A Community Safety Hub had been established at Falkirk Fire Station which included ICT provision which could be used by community planning partners. There was focussed partnership working with Police Scotland to target deliberate fire setting which was often tied with anti social behaviour. Collaboratively effective interventions were developed. Martin Rioch informed the committee that at present the maximum number of retained fire officers had been recruited.

The committee discussed the Biker Down Initiative. Eddie Ritchie stated that most motorbikes were now away for winter. From around the middle of February the service would offer information to riders which included basic life saving skills which were appropriate for group riders. More information on this would be included in the next report to committee.

Gary Laing advised that the development of the local plan would be put back until December 2017. Members endorsed this approach noting that with the Local Government elections in May 2017 this approach would allow the new Council time to settle in.

**Decision**

**The committee noted the performance report.**

**SE15. Following the Public Pound: Falkirk Community Trust**

The committee considered a report by the Director of Corporate and Housing Services which provided an update on the performance of Falkirk Community Trust (the Trust), in line with Following the Public Pound and Council procedures. The report covered the performance of the Trust for the periods 01 April 2015 to 31 March 2016 and 01 April 2016 to 30 June 2016. Fiona Campbell provided an overview of the report.

The committee asked about the approach to determining which indicators were included in the report, highlighting that information relating to Polmont ski slope was not included. Neil Brown advised that the report presented the key income generation or participation indicators. Not all sites were included as a matter of scale and proportionality.

Members discussed the role of the Trust in lifelong learning. Neil Brown stated that this was not just about education and that the Trust took a holistic view of a person's development. Activities included active schools, libraries, museums, local heritage work, and physical and mental wellbeing. The Trust's ten year strategy in this area was 'Inspiring Active Lives'.

The committee asked about the links between the Trust and Community Learning & Development (CLD). Neil Brown stated that when the Trust was established the Council took the decision not to include CLD. Both parties worked closely together but did not duplicate the work of the other. The Trust carried out activities like art clubs while CLD focussed more on local community facilities.

Members sought an update on the use of Denny Football Centre. Neil Brown stated that the facility had been in a poor state of repair two years ago. However, after storm damage to the facility the Trust replaced the old wooden floor with an indoor artificial surface which had resulted in an increase to the performance statistics. Following a question regarding future security of facilities, it was stated that the long term position in relation to any facility could not be confirmed at this time as the business plan would be submitted to the Council as part of its budget setting process.

There was discussion on the Hallglen sports centre which had seen an increase in lets. Neil Brown stated that the usage trend at Hallglen was upwards and that the previous intention for withdrawal was due to the overall condition of the asset where significant upgrades were required. This included an ongoing issue with the heating of the building.

The committee sought an update on the work undertaken by the Trust in relation to health and fitness clubs. Neil Brown stated that the Trust had invested in health and fitness centres as a method of income generation. In 2012 the Mariner centre had had its gym extended while a further £1m had been invested in the Stenhousemuir gym. In its first year the Stenhousemuir facility had gained 800 members. The intention was to continue to refresh facilities, equipment and staff skills. This was however a competitive area with a number of independent sector providers operating locally. Therefore the Trust had looked at what its unique selling points were and these were highlighted in advertising media.

Members then discussed car parking provision at the Helix. Neil Brown stated that the Trust sought to resolve the issues with problem parking and highlighted that there was an overflow car park available at Inchyra which could be better utilised. The Helix car park had been designed for a smaller number of visitors than the levels which had been realised since opening.

There had been meetings with Police Scotland and elected members to find a solution to the issue of indiscriminate parking. Falkirk Football Stadium's car park was also used by visitors to the Helix when there were no events on at the stadium. There was close liaison with Falkirk Football Stadium management to avoid clashes of events with the football club and Helix but sometimes this could not be avoided where matches are rescheduled at short notice.

The committee asked about the downward trend in relation to library usage. Neil Brown stated that this trend was seen nationally but that there was concern with the decrease in memberships. New mothers were automatically enrolled to get a library card to help children make a positive start. The Trust arranged games in the libraries and librarians conducted readings of childrens' books to encourage attendance. The Trust's Library Development Plan had been approved at the September meeting of the Executive. There had been upgrades to the wi-fi provision at libraries which gave the public the option to use their own devices onsite. The Trust also provided support to HMYO Polmont through a four day a week library service.

### **Decision**

**The committee noted the progress made by Falkirk Community Trust in meeting Council priorities.**

#### **SE16. Following the Public Pound: Early Intervention Services to Children & Young People – 2015/16**

The committee considered a report by the Director of Children's Services which provided an update on the work of external organisations in receipt of funding in whole or in part, who provide early intervention services to children and young people, and who fall within the Following the Public Pound (FPP) reporting and monitoring arrangements. Nick Balchin provided an overview of the report.

The committee discussed the commissioning of services and how organisations would adjust if they faced reductions in funding. Fiona Campbell advised that Children's Services were reviewing all services for any instances of duplication or other issues. It was highlighted that there was an outstanding remit to report to committee on the entirety of the family support service work. The Council had agreed to undertake a review of external funding as part of its budget process and this review was being progressed to identify if money was being well spent on commissioning external organisations.

##### **(a) Aberlour Childcare Trust – Early Years Outreach**

Nick Balchin provided an overview of the report, advising that Aberlour Childcare Trust – Early Years Outreach received a direct grant of £276,384 in the reporting period.

**Decision****The committee approved the report and acknowledged progress by Aberlour Childcare Trust – Early Years Outreach.**

Councillor McCabe left the meeting during consideration of the previous item and re-joined the meeting during consideration of the following item.

**(b) Aberlour Childcare Trust – Family Support Service - Langlees**

Nick Balchin provided an overview of the report, advising that Aberlour Childcare Trust – Family Support Service - Langlees received a direct grant of £199,695 in the reporting period.

Members asked if some of the families helped by this service would also have received assistance from the early years outreach service. Nick Balchin stated that some families would have been supported by both services and that the family support service worked to support parents to have a key role in the education of their children.

Following a question on the use of peer assisted interviews, Nick Balchin stated that this was a way of helping children articulate their feelings when they did not have the language skills to do so. A computer was used and support was provided by a staff member alongside the child's parent.

**Decision****The committee approved the report and acknowledged progress by Aberlour Childcare Trust – Family Support Service - Langlees.****(c) Barnados – Education and Family Support Service**

Nick Balchin provided an overview of the report considering the performance of Barnados – Education and Family Support Service. He advised that a direct grant of £279,208 was received by the organisation in the reporting period.

**Decision****The committee approved the report and acknowledged progress by Barnados – Education and Family Support Service.****(d) Barnado's – New Beginnings**

Nick Balchin provided an overview of the report considering the performance of Barnados – New Beginnings. He advised that a direct grant of £182,724 was received by the organisation in the reporting period.

The committee highlighted that the number of families assisted had halved from the previous year but funding had remained at the same level. A question was raised as to whether this could be said to reflect good value. Nick Balchin stated that the level of demand for the year was unusually low and demand was expected to increase to previous levels. Members asked if the same need did still exist and when the service was provided to 25 families did they all need support. It was stated that the benefit should be maximised.

The members also stated that more information was required on the level of support provided and what support was available for young people of high school age. Nick Balchin stated that some young people moved onto the Mariners Service if they needed continuing support. If there was a need for intensive agency support then this could be provided by Cluaran. It was stated that some young people did enter mainstream education at the end of their time at Oxfangs and did not need continued support or the level of support was reduced.

The committee discussed that more information was required across all following the public pound reports to show what service was provided across the Council area. Information should also show if people's issues were being dealt with and what was the minimum level of funding required before there would be a significant detrimental impact to service provision.

## **Decision**

### **The committee:-**

- (i) approved the report and acknowledged progress by Barnados – Education and Family Support Service, and**
- (ii) requested that a report was submitted to a future meeting of the committee to provide more detail on the entirety of the service provided in relation to early intervention services to children and young people.**

### **(e) Home Start**

Nick Balchin provided an overview of the report considering the performance of Home Start. He advised that a direct grant of £29,488 was received by the organisation in the reporting period.

## **Decision**

**The committee approved the report and acknowledged progress by Home Start.**

(f) NHS Forth Valley – Speech & Language Therapy

Nick Balchin provided an overview of the report considering the performance of NHS Forth Valley – Speech & Language Therapy. He advised that a direct grant of £465,040 was received by the organisation in the reporting period.

**Decision**

**The committee approved the report and acknowledged progress by NHS Forth Valley – Speech & Language Therapy.**

(g) One Parent Families Scotland – Braes Children & Family Centre

Nick Balchin provided an overview of the report considering the performance of One Parent Families Scotland – Braes Children & Family Centre. He advised that a direct grant of £120,755 was received by the organisation in the reporting period.

**Decision**

**The committee approved the report and acknowledged progress by One Parent Families Scotland – Braes Children & Family Centre.**

**FALKIRK COUNCIL**

**Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 18 October 2016 at 9.30 a.m.**

<b>Councillors:</b>	David Alexander	Dr Craig R Martin
	Jim Blackwood	Craig Martin (Convener)
	Tom Coleman	Malcolm Nicol
	Dennis Goldie	Alan Nimmo
	Gerry Goldie	Robert Spears
	Adrian Mahoney	

**Officers:**

Karen Algie, Head of HR and Business Transformation  
 Richard Broadley, Planning and Environment Manager  
 Arlene Fraser, Committee Services Officer  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Gary Greenhorn, Head of Planning and Resources  
 David McGhee, Head of Procurement and Housing Property  
 Mary Pitcaithly, Chief Executive  
 Bryan Smail, Chief Finance Officer

**EX66. Apologies**

No apologies were intimated.

**EX67. Declarations of Interest**

Councillor Mahoney declared a non-financial interest in item EX77 as a member of Historic Scotland and as a Trustee of The Friends of Kinneil, but did not consider that this required him to recuse himself from consideration of the item, having had regard to the objective test in the Code of Conduct.

Councillor Spears also declared a non-financial interest in item EX77 as a Director of Falkirk Community Trust, but did not consider that this required him to recuse himself from consideration of the item, having regard to the specific exclusions contained in the Code of Conduct.

**EX68. Minute****Decision**

**The minute of the meeting of the Executive held on 27 September 2016 was approved.**

**EX69. Rolling Action Log**

A rolling action log detailing decisions not yet implemented following the previous meeting on 27 September 2016 was provided.

**Decision**

**The Executive noted the rolling action log.**

**EX70. Resolution under s.9 of the Civic Government (Scotland) Act 1982**

The Executive considered a report by the Director of Corporate and Housing Services seeking approval to vary the resolution made under section 9 of the Civic Government (Scotland) Act 1982 in respect of optional licensing activities. The proposed resolution was appended to the report.

The Executive had on 16 August 2016 (ref EX38) agreed to vary the resolution. In accordance with s.9(6) of the Act, a notice of the intention to update the resolution was published in the Falkirk Herald on 1 September which sought representations to be made in the following 28 day period. No comments by way of representation had been received to the proposed resolution.

If the resolution is made, a further notice requires to be published in the local press setting out the new terms.

**Decision****The Executive:-**

- (1) noted that no representations were received in response to the proposed civic licensing resolution, which had been advertised in the Falkirk Herald on 1 September 2016, and**
- (2) agreed to make the resolution under section 9 of the Civic Government (Scotland) Act 1982 in respect of optional licensing activities, as detailed in the appendix to the report.**

**EX71. Strategic Housing Investment Plan 2016/2021**

The Executive considered a report by the Director of Corporate and Housing Services presenting for approval the Strategic Housing Investment Plan (SHIP) 2016-2021, prior to submission to the Scottish Government.

The SHIP is a core element of the Local Housing Strategy (LHS) and is required to be produced and submitted to the Scottish Government biannually. The SHIP's core purpose is to set out strategic investment

priorities for affordable housing for a 5 year period in order to achieve the outcomes set out in the LHS.

The report provided information on the proposed new affordable housing programmes for the Council and Registered Social Landlord (RSL) partners based on Scottish Government Funding and set out the actions required to progress and support the delivery of specific projects.

In addition, the report detailed the minimum Scottish Government Resource Planning Assumptions (RPA), together with the estimated Scottish Government funding required for each project in the SHIP. It is anticipated that there will be an overall funding shortfall of around £14.35m. However, discussions are ongoing with Scottish Government on the potential to secure additional funding to meet this shortfall.

## **Decision**

### **The Executive:-**

- (1) agreed the Strategic Housing Investment Plan 2016-2021 for submission to the Scottish Government;**
- (2) authorised officers to enter into negotiations to purchase land at Abbots Road, Grangemouth and Blinkbonny Road, Falkirk from Children’s Services for additional affordable housing, in line with independent valuations, and**
- (3) noted that officers will adapt the Strategic Housing Investment Plan to maximise the supply of affordable housing locally and provide updates to members on any changes.**

## **EX72. Report of the National Cremation Investigation**

The Executive considered a report by the Director of Development Services setting out the findings of the “Report of the National Cremation Investigation” by The Rt. Hon. Dame Elish Angiolini DBE QC, published on 17 June 2016.

The report provided details on the events that led to the production of the Report of the National Cremation Investigation, and information on the findings into cremation practices at Falkirk Crematorium. Also provided, were details of the outcome of an ancillary inspection of Falkirk Crematorium carried out by HM Inspector of Crematoria.

The report concluded that the Council’s crematorium is well run, and neither the Report of the National Cremation Investigation nor the inspection by HM Inspector of Crematoria Scotland identified any failings in procedures.

## Decision

### The Executive:-

- (1) **accepted the general recommendations for all crematoria in the “Report of the National Cremation Investigation” by Dame Elish Angiolini as summarised in section 4.2 of the report;**
- (2) **noted and accepted the six conclusions detailed in the “Report of the National Cremation Investigation” by Dame Elish Angiolini in relation to cremation practices of infants and babies at Falkirk Crematorium in section 4.4 i) to vi) of the report, and**
- (3) **noted the findings of the first annual HM Inspector of Crematoria Scotland as set out in his recent report of Falkirk Crematorium.**

Councillor D Goldie joined the meeting during discussion of the previous item of business.

### **EX73. Review of Open Space Strategy and Parks Development Plan**

The Executive considered a report by the Director of Development Services presenting a set of changes to the consultative draft Open Space Strategy which had been raised through public consultation, and to agree the adoption of the finalised document as Council policy.

The Executive had on 19 August 2014 (ref EX45) established a policy development panel to review the Falkirk Council Open Space Strategy and Parks Development Plan (Strategy).

The panel had presented its draft Strategy to the Executive on 20 October 2015 (ref EX59) when it was agreed to publish the consultative draft Open Space Strategy and Parks Development Plan and carry out a public consultation exercise. The public consultation was undertaken between 7 December 2015 and 7 March 2016.

The report summarised the extensive policy development process undertaken by the panel, the wide ranging public consultation and minor changes suggested in response to this exercise.

A consultation report was presented to the panel on 26 August when it recommended that a finalised Open Space Strategy and Parks Development Plan be submitted to the Executive seeking approval to adopt the document as Council policy.

## Decision

### The Executive agreed:-

- (1) the proposed responses to comments received during consultation and consequential changes to the draft Open Space Strategy outlined in appendix 1 to the report, and**
- (2) to adopt the finalised Open Space Strategy shown at appendix 2 to the report, as Council policy.**

#### **EX74. Projected Financial Position 2016/17**

The Executive considered a report by the Director of Corporate and Housing Services presenting an update on the financial position of the Council for 2016/17 and reflects the situation as at 31 August 2016. Information was also provided on the position relating to Reserves in line with the policy approved by the Executive in January 2015 (ref EX106).

At 31 August 2016, an underspend of £1.913m was projected in General Fund net expenditure.

The report set out the reasons for the significant overall deviations from budget, as well as highlighting workforce changes throughout the year and on progress in meeting the budgeted financial targets.

The report also summarised the year-end position in regard to General Fund Reserves, including the Repairs and Renewals Fund, Earmarked Reserves and Capital Financing Costs, together with the year-end position on the Housing Revenue Account.

#### **Decision**

**The Executive noted:-**

- (1) the Council's projected year-end financial position for 2016/17, and**
- (2) the position with respect to Reserves.**

#### **EX75. 2017/18 Budget/Initial Savings Options**

The Executive considered a report by the Director of Corporate and Housing Services presenting officers' budget savings options identified to date.

Council had agreed on 21 September 2016 (ref FC36) that officers would submit savings options to this meeting. The service savings options templates were attached to the report to allow the necessary consultations and Equality and Poverty Impact Assessments (EPIAs) to be carried out.

#### **Decision**

**The Executive noted that:-**

- (1) the budget savings options identified by officers in the appendices to the report will be the subject of consultation with stakeholders;
- (2) officers will continue to research further savings options which can be brought before members later in the 2017/18 budget process, and
- (3) in terms of section 4.2 of the report, with respect to workforce:
  - (a) the potential impact on the workforce if the options being consulted on were to subsequently be agreed;
  - (b) the current position in relation to negotiations on terms and conditions and that officers progress these in order to achieve, if possible, an agreement on a revised package, keeping the Leader and Leader of the Opposition advised of progress, and
  - (c) the discussions being progressed with Trade Unions on the removal of the 35 hour protection and that an update will be provided at an appropriate stage on the outcome of these discussions.

#### **EX76. Corporate Risk Management Update**

The Executive considered a report by the Director of Corporate and Housing Services presenting a 6 monthly update on the CRM Policy and Framework (CRM) and the Corporate Risk Register (CRR).

The Executive had agreed on 17 May 2016 (ref EX13) the revised CRM Policy and Framework and CRR, and to receive 6 monthly CRM updates.

The report set out the need for continued commitment to embedding the CRM Policy and Framework and managing the risks identified within the CRR. A summary of corporate risks was attached as appendices 1 & 2 to the report.

#### **Decision**

**The Executive noted:-**

- (1) the revised Corporate Risk Register, including the Summary of Very High and High Risks at Appendix 1, and the Summary of Medium Risks at Appendix 2;
- (2) that West Lothian Council's Internal Audit Team undertook an audit of the Council's CRM arrangements in early 2016, and

**provided Substantial Assurance. They will undertake a follow-up audit in early 2017;**

- (3) that a Corporate Management Team and Members' Risk Workshop will take place in 2017, and Members' Risk Management Training will be arranged during 2017/18, and**
- (4) that further updates will be provided to the Executive every 6 months.**

#### **EX77. HLF Bid – Rediscovering the Antonine Wall**

The Executive considered a report by the Director of Development Services seeking approval to support and part-fund a bid to the Heritage Lottery Fund (HLF) in partnership with the Antonine Wall World Heritage Site Management Group for a programme of community projects that will help people find out about and enjoy the Antonine Wall.

The Antonine Wall Management Group, which includes various stakeholders, commissioned economic and visitor studies which found a general lack of awareness and understanding of the Wall's location and its significance. Opportunities for developing projects which aim to address this may be eligible for HLF funding.

The report summarised the proposed HLF project "Rediscovering the Antonine Wall" which would run from June 2018 to June 2021. A funded project development phase would commence from April 2017 until March 2018 subject to Council approval, partner approvals and HLF funding bid success.

In addition, the report detailed the benefit this project could make to local communities, as well as providing an enhanced visitor experience to the site.

#### **Decision**

**The Executive agreed:-**

- (1) to support the HLF bid in principle, and**
- (2) forward commit £70,000 to the project over the next 4 years:**
  - a) Year 1 : 2017-2018 £10,000**
  - b) Year 2 : 2018-2019 £20,000**
  - c) Year 3 : 2019-2020 £20,000**
  - d) Year 4 : 2020-2021 £20,000**

**EX78. Portfolio Management Plan Update Report**

The Executive considered a report by the Director of Development Services presenting an updated Portfolio Management Plan (PMP) for approval.

The PMP seeks to sustain and enhance a visible property portfolio for economic development through the phased disposal of existing assets to the investment market and re-investment of the proceeds in developing new business property.

The report detailed the outcome of the 7 lots marketed in 2015/16 and the 16 PMP lots programmed for marketing in 2016/17. The properties marketed in 2015/16 that did not receive acceptable offers will be remarketed at an appropriate time. Information was provided on factors which prevented the sale of the site at South Bridge Street, Grangemouth. Work was underway to allow the site to be remarketed, without the requirement to incorporate the former Grangemouth Clock Tower.

In addition, the report summarised the PMP re-investment programme and set out the future phasing of the industrial development at Plot 5, Abbotsford Business Park as phase one was due to be complete by end October 2016.

**Decision**

**The Executive agreed:-**

- (1) the updated proposals for the PMP disposal and reinvestment plans as set out in the report and detailed in appendices 1 & 2;**
- (2) to re-market the South Bridge Street site, and**
- (3) that alternative arrangements are sought for the siting of the Grangemouth Town Clock.**

## FALKIRK COUNCIL

**Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 26 October 2016 at 9.30 a.m.**

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

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

### **P60. Apologies**

Apologies were intimated on behalf of Councillor Nicol.

### **P61. Declarations of Interest**

Baillie Buchanan declared a non financial interest in item 14 (minute P68) by virtue of him being related through marriage to the applicant, 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/16/0393/FUL (minute P61).

- Councillor McLuckie informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/16/0360/FUL, P/16/0385/FUL and P/16/0393/FUL (minute P59, P60 and P61) as he was sufficiently familiar with the sites.

Councillor C Martin entered the meeting during consideration of the following item of business.

#### **P61. Requests for Site Visits**

Having heard requests by members for site visits, the Committee agreed at the start of the meeting to the continuation of planning applications P/16/0112/FUL, P/16/0114/PPP and P/16/0423/FUL.

In accordance with his declaration of interest, Baillie Buchanan left the Chair and the meeting prior to consideration of the request to continue consideration of application P/16/0476/FUL to visit the site and Councillor McLuckie assumed the role of Convener. Thereafter, the Committee agreed to continue to a site visit.

Following the item of business, Baillie Buchanan re-entered the meeting and resumed the Convenership of the meeting.

#### **P62. Minutes**

##### **Decision**

- The minute of meeting of the Planning Committee held on 14 September 2016 was approved subject to Councillor Carleschi being added to the intimated apologies for the meeting; and**
- The minute of meeting of the Planning Committee On-Site held on 26 September 2016 was approved.**

#### **P63. The Falkirk Council (On-Street Parking Space for Disabled Persons (No.TRO/DB/16/042)) Order 2016 – Steps Street, Stenhousemuir**

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council Steps Street, Stenhousemuir (On-Street Parking Space for Disabled Persons) (No TRO/DB/16/042) Order 2016.

##### **Decision**

**The Committee agreed to make the Traffic Regulation Order referred to in the report.**

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

**P64. Erection of 15 Dwellinghouses, Retail Unit and Associated Infrastructure at Bowling Club, Glen Crescent, Glen Village, Falkirk FK1 2AQ for Alpha Glen Developments Ltd - P/16/0360/FUL (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P54 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 15 dwellinghouses, a retail unit and associated infrastructure at the Bowling Club, Glen Crescent, Glen Village, Falkirk.

Councillor Chalmers, seconded by Councillor Carleschi, moved that Committee continue consideration of the application to allow (1) the undertaking of a Traffic Impact Assessment at peak times on both Glen Crescent and Falkirk Road to measure and record the volume of vehicular traffic; (2) the applicant to provide further information and proposals on the layout of the retail area and the development in general with regard to the potential to accommodate further parking; and (3) information to be provided by Falkirk Community Trust and the Council's Children's Services on future proposals for Hallglen Community Centre and Ettrick Dochart Community Hall with that information then being assessed by Development Services in terms of its impact on the assessment for open space contributions.

By way of an amendment, Baillie Paterson, seconded by Councillor C Martin, moved that Committee be minded to grant 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 11 members present with voting as undernoted:-

For the motion (7) - Councillors Carleschi, Chalmers, Garner, Mahoney, McLuckie, Oliver and Turner.

For the amendment (4) - Baillies Buchanan and Paterson; and Councillors Martin and Nimmo.

**Decision**

**The Committee agreed to continue consideration of the matter to allow:-**

- (1) the undertaking of a Traffic Impact Assessment at peak times on both Glen Crescent and Falkirk Road to measure and record the volume of vehicular traffic;**

- (2) the applicant to provide further information and proposals on the layout of the retail area and the development in general with regard to the potential to accommodate further parking; and
- (3) information to be provided by Falkirk Community Trust and the Council's Children's Services on future proposals for Hallglen Community Centre and Ettrick Dochart Community Hall with that information then being assessed by Development Services in terms of its impact on the assessment for open space contributions.

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

**P65. Extension to Dwellinghouse at 11 Callendar Park View, Falkirk FK1 1SX for Mr Shraz Khaliq - P/16/0385/FUL (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P52 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 two storey extension to a modern two storey detached dwellinghouse incorporating the existing domestic garage and including on the ground floor a study room with a front entrance area and on the first floor accommodating two additional bedrooms and a shower room.

**Decision**

**The Committee agreed to refuse planning permission on the basis that:-**

- (1) **The proposed two storey extension by reason of its overall scale, massing and location in relation to neighbouring properties and to the north on Cromwell Road would have an unacceptable adverse visual impact on the amenity of these properties and the surrounding area. The proposed extension is therefore contrary to HSG07 of the Falkirk Local Development Plan to HSG07 'Residential Extensions and Alterations' of the Falkirk Local Development Plan and Falkirk Council's Supplementary Guidance SG03 'Residential Extensions and Alterations'.**
- (2) **The proposed two storey extension due to its overall size and proximity to the neighbouring dwellings on Cromwell Road would overshadow neighbouring gardens which would have an unacceptable overbearing impact on the residential amenity of neighbouring properties. The proposed extension is therefore contrary to HSG07 'Residential Extensions and Alterations' of the Falkirk Local Development Plan and Falkirk Council's**

**Supplementary Guidance SG03 'Residential Extensions and Alterations'.**

- (3) **The proposed two storey extension due to its proximity to neighbouring dwellings on Cromwell Road and positioning of windows would overlook the neighbouring gardens and habitable rooms which would therefore have a detrimental impact on the privacy of the neighbouring properties. The proposed extension is therefore contrary to HSG07 'Residential Extensions and Alterations' of the Falkirk Local Development Plan and Falkirk Council's Supplementary Guidance SG03 'Residential Extensions and Alterations'.**

**P66. Change of Use of Public Open Space to Garden Ground and Erection of Boundary Fence (Retrospective) at 32 Howieson Avenue, Bo'ness EH51 9JG for Mr David Stewart - P/16/0393/FUL (Continuation)**

With reference to Minute of Meeting of the Planning Committee held on 14 September 2016 (Paragraph P53 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 change of use of public open space to garden ground and the erection of a boundary fence (in retrospect) at 32 Howieson Avenue, Bo'ness.

Councillor Mahoney, seconded by Baillie Paterson, moved that Committee be minded to grant planning permission in accordance with the recommendations within the report.

By way of an amendment, Councillor Turner, seconded by Councillor Carleschi, moved that Committee refuse planning permission on the grounds of the loss of amenity and a vital area of open space and that the development proposal would be contrary to policy INF03 'Protection of Open Space'.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 9 members present with voting as undernoted:-

For the motion (5) - Baillie Paterson; and Councillors Mahoney, C Martin, Nimmo and McLuckie.

For the amendment (4) - Baillies Buchanan; and Councillors Carleschi, Oliver and Turner.

Councillor Garner abstained.

## Decision

The Committee agreed that it was minded to grant planning permission subject to the satisfactory completion, within six months, of a Legal Agreement within the terms Section 69 of the Local Government (Scotland) Act 1973 or Section 75 of the Town and Country Planning (Scotland) Act 1997 in terms satisfactory to the Director of Development Services in respect of the payment of a financial contribution towards qualitative improvements in other parts of the green network, to offset the loss of an area of open space, to the sum of £1,323.

And thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to the following informative.

### Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 - 03.

Baillie Paterson left the meeting prior to consideration of the following item of business.

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

Councillor Garner left the meeting during consideration of the following item of business.

**P67. Alterations and Change of Use from Retail/Offices to Hotel and Alterations, Extension and Change of Use from Office and Hairdressers to Hotel (Partially Retrospective) at 22 and 26 Princes Street, Falkirk FK1 1NE and 2, 4, & 6 Kerse Lane, Falkirk FK1 1RG for Mr Stuart Crawford – P/16/0162/FUL**

With reference to Minutes of Meeting of the Planning Committee held on 17 August and 14 September 2016 (Paragraphs P33 and P49 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 full planning permission for the change of use of two units operating as retail/offices and associated alterations (partially in retrospect) adjoining a hotel comprising several buildings, the main building being category B listed, on a site surrounded by a mixture of both commercial and residential properties and fronting onto Kerse Lane and Princes Street, Falkirk.

**Decision**

**The Committee agreed, Councillor Chalmers dissenting, to grant planning permission subject to the following condition(s):-**

- (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) Prior to works commencing on the shop frontages and rear extension to the units on Kerse Lane, details of the materials to be used on the external surfaces of the building, 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.**

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.**
- (2) To enable the Planning Authority to consider this/these aspect(s) in detail.**

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02A, 03A, 04A, 05A, 06A, 07A, 08A and 09.**
- (2) All noise generated from musical entertainment within the premises shall be inaudible within nearby properties to the satisfaction of Falkirk Council Environmental Health.**
- (3) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.**
- (4) The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:-**

**Monday to Friday 08:00 - 18:00 Hours**

**Saturday 09:00 - 17:00 Hours**  
**Sunday / Bank Holidays 10:00 - 16:00 Hours**

**Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.**

- (5) The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); minegas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.**

**It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Standards approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at [www.coal.gov.uk](http://www.coal.gov.uk)**

**Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.**

**Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at [www.groundstability.com](http://www.groundstability.com)**

**If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website [www.coal.gov.uk](http://www.coal.gov.uk)**

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

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

Councillor Mahoney left the meeting during consideration of the following item of business.

**P68. Erection of 2 Storey Dwellinghouse with Ancillary Detached Garage on Land to the East of 31 Kilsyth Road, Kilsyth Road, Haggs for Mr and Mrs Cooper – P/14/0161/FUL**

The Committee considered a report by the Director of Development Services in relation to a previously granted planning permission for the erection of a two storey dwellinghouse with an ancillary detached garage on land to the east of 31 Kilsyth Road, Kilsyth Road, Haggs.

**Decision**

**The Committee, having noted the undertaking by the owner of the entire H10 site that she (a) has no intention now or in the future of allowing development of the site with the exception of the self build house which is the subject of the application P/16/0359/FUL; and (b) will support removal of the site from the Falkirk Local Development Plan, agreed to refund, with interest and Council legal fees, the financial contribution of £7,640 paid in respect of planning application P/14/0161/FUL.**

Councillors Carleschi and Oliver left the meeting following consideration of the foregoing item of business.

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

**P69. Demolition of Existing Buildings/Structures Erection of Shop (Class 1) (2040 sq.m) with Associated Landscaping, Car Parking, Servicing and Formation of Access (King Street) at 44 Tryst Road, Stenhousemuir, Larbert FK5 4QH for Ramoyle Group – P/16/0112/FUL**

**P70. Erection of Restaurant/Public House, Associated Infrastructure Including Roads, Car Parking and Amenity Spaces, Pedestrian Access and Landscaping at 44 Tryst Road, Stenhousemuir, Larbert FK5 4QH for Ramoyle Group – P/16/0114/PPP**

**P71. Change of Use from a Vacant Retail Unit (Class 1) to a Hot Food Takeaway (Sui Generis); Installation of Extraction/Ventilation Equipment and External Alteration at 24 High Street, Bonnybridge FK4 1DA for DPSK Ltd – P/16/0423/FUL**

The Convener agreed a short adjournment at 12.10 p.m. The meeting reconvened at 12.12 p.m. with all Members present as per the sederunt following the return of Councillor Carleschi.

**P72. Formation of Access Track at Polmont Golf Club, Simpson Drive, Maddiston, Falkirk FK2 0LS for Fine Energy - P/16/0469/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the development of an alternative access track, to serve a wind turbine granted planning permission on 24 February 2016 (ref: P/15/0580/FUL) to reduce the impact of development on the functioning of the golf course at Polmont Golf Club, Simpson Drive, 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. Copies of a paper read out by Councillor Hughes were issued to members for information.

**Decision**

**The Committee agreed to continue consideration to allow officers the opportunity for further discussion with the applicant and appropriate officers, as required, in relation to the times of construction work at the site, truck movements along Simpson Drive/Sunnybrae Terrace, traffic speed along Simpson Drive/Sunnybrae Terrace and drainage and infrastructure.**

In accordance with the decisions 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:-

**P73. Erection of 2 Dwellinghouses at Inches House, Bellsdyke Road, Larbert FK5 4EL for Mr John Pollock – P/16/0476/FUL**

**P74. Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray – P/16/0498/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for a single storey rear extension to a semi detached category B listed building at 2 Princess Gate, Slamannan Road, Falkirk and measuring approximately 4 metres by 4 metres.

With reference to Standing Order 33, Baillie Buchanan referred to an application received from Dr Kurt Mills, an objector, for admission to the meeting to be heard in relation to this item of business.

The Committee consented to hear the deputation.

Dr Mills gave details of his concerns over the proposed development, as the owner of the neighbouring property, including the adverse effect on the character and appearance of the B listed building, the impact on privacy, the loss of natural light to his rear garden and the overdevelopment of the site.

The Committee thereafter reconvened normal business.

**The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee.**

**P75. Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray – P/16/0499/LBC**

The Committee considered a report by the Director of Development Services on an application for listed building consent for a single storey rear extension to a semi detached category B listed building at 2 Princess Gate, Slamannan Road, Falkirk and measuring approximately 4 metres by 4 metres.

**The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee.**

**FALKIRK COUNCIL**

**Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Thursday 27 October 2016 at 9.40 A.M.**

**Councillors:** Baillie William Buchanan (Convener)  
John McLuckie  
Steven Carleschi

**Officers:** Iain Henderson, Legal Services Manager  
Antonia Sobieraj, Committee Services Officer  
Brent Vivian, Senior Planning Officer

**PRC34. Apologies**

No apologies were intimated.

**PRC35. Declarations of Interest**

No declarations were made.

**PRC36. Minute**

**Decision**

**The minute of meeting of the Planning Review Committee held on 19 September 2016 was approved.**

**PRC37. 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.

**PRC38. Planning Application P/16/0215/FUL - Erection of Dwellinghouse on Land to South East of Tappernail Farm, Hillcrest Square, Reddingmuirhead**

The Committee considered documents which related to the Application for Review for planning application P/16/0215/FUL for the erection of a two storey detached dwellinghouse on land to south east of Tappernail Farm, Hillcrest Square, Reddingmuirhead.

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 9.50 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.

**PRC39. Planning Application P/16/0215/FUL - Erection of Dwellinghouse on Land to South East of Tappernail Farm, Hillcrest Square, Reddingmuirhead**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0215/FUL for the erection of a two storey detached dwellinghouse on land to south east of Tappernail Farm, Hillcrest Square, Reddingmuirhead.

The Committee requested and heard a short presentation from Mr Vivian, 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 the representations.

After further discussion and having sought and heard advice from Mr Henderson and Mr Vivian, 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) Trees and Development Supplementary Guidance SG06;
- (2) Housing Opportunity Site H69 - Rural South – Slamannan;
- (3) Policies D02 and GN04 of the Local Development Plan;
- (4) the consultation responses received;
- (5) the representations submitted;
- (6) the site history;
- (7) the supporting documents provided by the applicant;
- (8) the benefit of the site inspection.

After discussion, the Committee considered that it did not have sufficient information to allow it to make a determination. Thereafter, the Committee **AGREED:-**

- (1) that the matter be continued to a future meeting of the Committee on a date to be agreed;
- (2) that further information in the form of a written submissions, be provided by the applicant and the Director of Development Services within a period of 14 days from receipt of the requests;
- (3) that the applicant's submission:-
  - (a) provide information as to how the design of the proposed roof terrace can avoid detrimental impact to the privacy of residents at Hillcrest Square; and
  - (b) be made available to interested parties and the Director of Development Services in order that they may make comments in reply and that the respective comments, be made available to the applicant to make further comments thereon with each being allowed a period of 14 days from receipt of the request; and
- (4) that the Director of Development Service's submission:-
  - (a) provide information as undernoted:-
    - (i) With reference to the additional plans/information submitted by the applicant, would these, generally, have changed any of the refusal reasons noted in the Report on Handling;
    - (ii) Do the amended plans/information address concerns in relation to satisfactory visibility and sightlines at the junction of Hillcrest Square and the B810 Shieldhill Road;
    - (iii) Do the amended plans/information address concerns in relation to boundary treatments and planting and respecting the rural setting of the application site;
    - (iv) Do the amended plans/information address concerns in relation to orientation of the main front elevation of the proposed property and, generally, the disposition of the proposed development; and
    - (v) In the event (and for the avoidance of doubt, not pre-judging the decision of the Committee on the review) that the Committee were to be minded to grant permission, would any financial contributions be applicable and, if so,

how much would they be and what would they be in respect of; and

- (b) be made available to the applicant and interested parties in order that they may make comments in reply and that the respective interested parties' comments, be made available to the applicant to make further comments thereon, and with each being allowed a period of 14 days from receipt of the request.

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 2 November 2016 at 9.30 a.m.**

**Councillors:** Jim Blackwood  
Gordon Hughes  
Baillie Joan Paterson  
Depute Provost John Patrick  
Provost Pat Reid (Convener)  
Ann Ritchie

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Glackin, Chief Governance Officer  
Frances Kobiela, Senior Solicitor  
Brian Samson, Licensing Enforcement Officer

**CL68. Apologies**

Apologies for absence were intimated on behalf of Baillie William Buchanan; Councillors Paul Garner and Sandy Turner.

**CL69. Declarations of Interest**

No declarations were intimated.

**CL70. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 28 September 2016 was approved.**

**CL71. List of Applications Granted under Delegated Powers in September 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 and 30 September 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

**Decision**

**The committee noted the report.**

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

Baillie Paterson joined the meeting prior to consideration of the following item.

**CL72. Civic Licensing Enforcement - September 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 September 2016.

**Decision**

**The committee noted the report.**

**CL73. Air Weapons & Licensing (Scotland) Act 2015 – Changes to Licensing of Metal Dealers and Itinerant Metal Dealers**

The committee considered a report by the Chief Governance Officer providing details of changes to s.28 and s.37 of the Civic Government (Scotland) Act 1982 introduced by the Air Weapons & Licensing (Scotland) Act 2015.

The report set out the aims of the 2015 Act which is to protect public safety by creating a new licensing regime for air weapons and how this impacts on s.28 and s.37 of the Local Government (Scotland) Act 1982.

The changes to the 1982 Act specifically relate to the licensing of metal dealers and itinerant metal dealers and include changes to the definition of those terms. These amendments have also necessitated a review of the mandatory conditions for metal dealers and itinerant metal dealers. The proposed new mandatory conditions were attached as appendices to the report.

**Decision**

**The committee agreed to:-**

- (1) note the report;**
- (2) approve the new mandatory conditions for metal dealers, and**
- (3) approve the new mandatory conditions for itinerant metal dealers.**

**CL74. 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.

**CL75. Application for the Grant of a New Window Cleaner Licence**

The applicant, Mr H, was not in attendance.

After hearing from the Licensing Co-ordinator on the background to the application, the committee agreed to consider the matter in the applicant's absence.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new window cleaner licence (a) advising on the background to the application; (b) referring to the meetings of the Civic Licensing Committee held on 24 August and 28 September 2016 when the application was continued to enable the applicant to be in attendance; (c) summarising the consultations undertaken and responses received, and (d) detailing the applicant's record.

**Decision**

**The committee agreed to refuse the application in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3)(d) on the grounds that there was other good reason for refusing the application, namely that they were not satisfied that the applicant had provided sufficient information to be the holder of such a licence.**

**CL76. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr P, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) advising on the background to the application; (b) referring to the meeting of the Civic Licensing Committee held on 28 September 2016 when the application was continued to enable the applicant to be in attendance; (c) summarising the consultations undertaken and responses received, and (d) detailing the applicant's record.

Mr P spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence, subject to the standard conditions.**

**CL77. Applications for the Grant of 2 New Private Hire Car Operator Licences**

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

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

Ms M spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

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

**CL78. Applications for the Grant of 3 New Private Hire Car Operator Licences**

Mr B, an employee and representative of the applicant company, entered the meeting.

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

**Decision**

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

**CL79. Application for the Grant of a New Skin Piercing and Tattooing Licence**

The applicant, Mr G, was not in attendance.

After hearing from the Licensing Co-ordinator on the background to the application, the committee agreed to consider the matter in the applicant's absence.

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 refuse the application in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3)(d) on the grounds that there was other good reason for refusing the application, namely that they were not satisfied that the applicant had demonstrated a sufficient level of knowledge, skill, training, experience in relation to the activities to be licensed.**

### **CL80. Application for the Grant of a New Second Hand Dealer Licence (Used Vehicles)**

Mr C, an employee of the applicant company, together with Chief Inspector Armstrong and Inspector Cape, Police Scotland, entered the meeting.

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

Chief Inspector Armstrong was heard in relation to the Chief Constable's representation which had been submitted in relation to the application.

Questions were then asked by members of the committee.

The committee then heard from Mr C in support of the application and in clarification of questions raised by members.

### **Decision**

**The committee agreed to grant the new second hand dealer licence (used vehicles) for a period of three years, subject to the standard conditions, and to the following additional condition, namely:**

- the licence holder shall ensure that any motor vehicle or trailer or stock in trade for which they are responsible does not cause an obstruction in Glasgow Road, Camelon. The licence holder shall use all reasonable endeavours to encourage their customers to use the designated parking facilities on site.

#### **CL81. Suspension Hearing in Relation to Private Hire Car Operator Licence No. 020**

The licenceholder, Mr T, entered the meeting, together with Chief Inspector Armstrong and Inspector Cape, Police Scotland.

Mr T confirmed that he had no preliminary matters and that he was content that representatives of Police Scotland be present.

The committee considered a report by the Chief Governance Officer providing the background to the complaint and advising that a hearing under paragraph 11 of schedule 1 of the Civic Government (Scotland) Act 1982 required to be held.

The committee heard from the Licensing Co-ordinator in relation to the complaint.

Mr T was then heard in relation to the complaint.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.45 a.m. and reconvened at 11.00 a.m. with all members present as per the sederunt.

Provost Reid, seconded by Depute Provost Patrick, moved that:-

The private hire car operator licence be suspended with immediate effect for the unexpired portion of the duration of the licence, namely, 30 November 2016, in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(2)(d) on the ground that a condition of the licence had been contravened.

As an amendment, Baillie Paterson, seconded by Councillor Ritchie, moved that the licence holder be issued with a warning letter and that no further action be taken.

On a division, 4 members voted for the motion and 2 voted for the amendment.

#### **Decision**

**The committee agreed the motion.**

**CL82. Application for the Renewal of a Taxi Driver Licence**

The applicant, Mr T, entered the meeting.

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

Mr T spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to renew the taxi driver licence for a period of one year subject to the standard conditions and with a warning letter.**

**CL83. Suspension Hearing in Relation to Private Hire Car Driver Licence No.487**

The licenceholder, Mr M, his representative, Mr S, together with Chief Inspector Armstrong and Inspector Cape, Police Scotland, entered the meeting.

Mr S raised a preliminary matter in relation to the competency of representatives from Police Scotland being in attendance as the Chief Constable had made no representation on the matter. After a short discussion, the officers from Police Scotland left the meeting.

The committee considered a report by the Chief Governance Officer providing the background to the complaint and advising that a hearing under paragraph 11 of schedule 1 of the Civic Government (Scotland) Act 1982 required to be held.

The Licensing Co-ordinator was heard in relation to the complaint.

Mr S was then heard in relation to the complaint.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 12 noon and reconvened at 12.15 p.m. with all members present as per the sederunt.

**Decision**

**The committee agreed:-**

- (1) to continue consideration of the suspension hearing to a future meeting of the committee;**
- (2) to instruct officers to arrange for the appellant to undertake a medical examination which meets the DVLA Group 2 Regulations Standard, recognising that includes physical fitness in relation to mental health, and**
- (3) that officers carry out further investigations with the Australian authorities in relation to the appellant's background checks.**

## FALKIRK COUNCIL

**Minute of meeting of the Planning Committee held On Site on Monday 7 November 2016 commencing at 9.30 a.m.**

**Councillors:**

Baillie William Buchanan (Convener) (except for application P/16/0476/FUL)  
 Colin Chalmers (for applications P/16/0498/FUL, P/16/0499/LBC and P/16/0423/FUL)  
 Steven Carleschi  
 Paul Garner (for applications P/16/0498/FUL, P/16/0499/LBC and P/16/0423/FUL)  
 John McLuckie  
 Martin Oliver (for applications P/16/0112/FUL and P/16/0114/PPP)  
 Sandy Turner (for applications P/16/0112/FUL, P/16/0114/PPP and P/16/0476/FUL)

**Officers:**

Douglas Blyth, Team Leader, Legal Services  
 Kevin Brown, Planning Officer (for applications P/16/0498/FUL and P/16/0499/LBC)  
 Kevin Collins, Transport Planning Co-ordinator (for applications P/16/0112/FUL and P/16/0114/PPP)  
 Ian Dryden, Development Manager  
 John Milne, Senior Planning Officer (for applications P/16/0112/FUL and P/16/0114/PPP)  
 Stephen McClure, Planning Officer (for application P/16/0476/FUL)  
 Craig Russell, Roads Development Officer (for applications P/16/0112/FUL, P/16/0114/PPP and P/16/0423/FUL)  
 Antonia Sobieraj, Committee Services Officer  
 Russell Steedman, Network Co-ordinator (except for applications P/16/0498/FUL and P/16/0499/LBC)  
 Kevin Swanson, Transport Planning Officer (for applications P/16/0112/FUL and P/16/0114/PPP)  
 Brent Vivian, Senior Planning Officer (for application P/16/0423/FUL)

**P76. Apologies**

Apologies were intimated on behalf of Councillors C Martin, Mahoney, Nicol and Nimmo.

**P77. Declarations of Interest**

No declarations were made.

**P78. Demolition of Existing Buildings/Structures Erection of Shop (Class 1) (2040 sq.m) with Associated Landscaping, Car Parking, Servicing and Formation of Access (King Street) at 44 Tryst Road, Stenhousemuir, Larbert FK5 4QH for Ramoyle Group – P/16/0112/FUL**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P69 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the demolition of existing buildings/structures and the erection of a shop (class 1) (2040 sq.m) with associated landscaping, car parking, servicing and the formation of access (King Street) at 44 Tryst Road, Stenhousemuir, Larbert.

The Convener introduced the parties present.

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

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

Ms Carr, the applicant's representative, was heard in relation to the application.

Mr Fergie, a supporter, was heard in relation to the application and referred to the good use of the derelict site which would enhance the local community.

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

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

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

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

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

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

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

Mr McMenemy, on behalf of Stenhousemuir Football Club, an objector, was heard in relation to the application.

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

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

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

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

The objections included the following issues:-

- The increased volume of traffic/noise on Tryst Road to access the restaurant/pub adding to current volume of traffic /parking on Tryst Road when football matches were held nearby;
- The vehicles servicing proposal causing noise during the day;
- That the development looked 'boxy';
- The noise and disturbance to residents;
- That neither residents nor commercial users were consulted on the proposal;
- The already high number of lorries and HGV's using Tryst Road;
- That HGV's should use new junction on King Street;
- That lorries would mount the pavement when accessing Gladstone Road;
- The devaluing of property;
- That Gladstone Road was too narrow for service vehicles;
- The existing on street parking problem;
- That the proposal was against Development Plan policy;
- That the transport statement was flawed;
- The adverse effect on the character of the area;
- That there were already three sets of traffic lights in the area;
- That the football club already had parking problems; and
- That Gladstone Road was not owned by the developer.

Questions were then asked by Members of the Committee.

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

**P79. Erection of Restaurant/Public House, Associated Infrastructure Including Roads, Car Parking and Amenity Spaces, Pedestrian Access and Landscaping at 44 Tryst Road, Stenhousemuir, Larbert FK5 4QH for Ramoyle Group – P/16/0114/PPP**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P70 refers), Committee gave further consideration to a report by the Director of Development Services on an application for planning permission in principle for the erection of a restaurant/public house, associated infrastructure including roads, car parking and amenity spaces, pedestrian access and landscaping at 44 Tryst Road, Stenhousemuir, Larbert.

The Convener introduced the parties present.

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

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

Ms Carr, the applicant's representative, was heard in relation to the application.

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

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

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

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

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

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

The objections included the following issues:-

- The increased volume of traffic/noise on Tryst Road to access the restaurant/pub adding to current volume of traffic /parking on Tryst Road when football matches were held nearby;
- The vehicles servicing proposal causing noise during the day;
- That another pub/restaurant was not needed as there were enough pubs in the area;
- The litter, noise and disturbance to residents including when people were leaving the area;
- That neither residents nor commercial users were consulted on the proposal;
- The already high number of lorries and HGV's using Tryst Road;
- That HGV's should use new junction on King Street;
- That lorries would mount the pavement when accessing Gladstone Road;
- The devaluing of property;
- That Gladstone Road was too narrow for service vehicles;
- The existing on street parking problem;
- That the proposal was against Development Plan policy;
- That the transport statement was flawed;
- The adverse effect on the character of the area;
- That there were already three sets of traffic lights in the area;
- That the football club already had parking problems; and
- That Gladstone Road was not owned by the developer.

Questions were then asked by Members of the Committee.

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

**P80. Erection of 2 Dwellinghouses at Inches House, Bellsdyke Road, Larbert FK5 4EL for Mr John Pollock – P/16/0476/FUL**

Councillor McLuckie (Convener in the absence of Baillie Buchanan) stated that the quorum for the meeting was 4 members. Only three members had been able to attend the site visit due to other commitments. The Convener had declared a non financial interest in this matter at the meeting of the Planning Committee on 26 October 2016 (minute 61). The meeting as related to this item stood adjourned and would be reconvened as appropriate.

The Committee heard from all parties for agenda items 6 and 7 (minute P81) together as a consequence of the applications relating to the same site, applicant and objector.

**P81. Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray – P/16/0498/FUL and Extension to Dwellinghouse at 2 Princess Gate, Slamannan Road, Falkirk FK1 5BP for Mr Gordon Murray – P/16/0499/LBC**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraphs P74 and P75 refer), Committee gave further consideration to reports by the Director of Development Services on applications for (a) full planning permission for a single storey rear extension to a semi detached category B listed building at 2 Princess Gate, Slamannan Road, Falkirk and measuring approximately 4 metres by 4 metres; and (b) listed building consent for a single storey rear extension to a semi detached category B listed building at 2 Princess Gate, Slamannan Road, Falkirk and measuring approximately 4 metres by 4 metres.

The Convener introduced the parties present.

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

Mr Toleman, the applicant's agent, was heard in relation to the applications.

Dr Mills, an objector, was heard in relation to the applications.

The objections included the following issues:-

- The adverse effect on the character and appearance of the B listed building;
- The impact on privacy, the loss of natural light to the rear garden of the neighbouring property; and
- The overdevelopment of the site.

Questions were then asked by Members of the Committee.

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

Members thereafter viewed the site from the garden of the neighbouring property at 1 Princess Gate.

**P82. Change of Use from a Vacant Retail Unit (Class 1) to a Hot Food Takeaway (Sui Generis); Installation of Extraction/Ventilation Equipment and External Alteration at 24 High Street, Bonnybridge FK4 1DA for DPSK Ltd – P/16/0423/FUL**

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P71 refers), Committee gave further consideration to a report by the Director of Development Services on an application for full planning permission for the change of use from a vacant retail unit (class 1) to a hot food takeaway (sui generis), the installation of extraction/ventilation equipment and external alteration at 24 High Street, Bonnybridge.

The Convener introduced the parties present.

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

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

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

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

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

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

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

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

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

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

The objections included the following issues:-

- The existing noise problems;
- The late night opening;
- The noise and odour from extractors and ventilators;
- The exacerbation of existing litter problems;

- The concerns relating to the storage of food waste and associated containers;
- The existing constant traffic on the private road (Lade Road);
- The existing traffic congestion on Lade Road from deliveries and waste uplift vehicles;
- The increase in traffic congestion from the proposal;
- The exacerbation of existing parking problems for local residents;
- The increased adversity to those trying to pass/drive through Bonnybridge;
- That there were already too many hot food takeaways in the area;
- That a variety of shops was needed in the village to get people shopping locally again;
- The adverse impacts on existing long standing businesses;
- The proposal making the High Street weaker than it already was;
- That the outline of the property appeared to encroach over neighbouring residential property;
- The loss of property values; and
- That another fast food outlet would encourage people to eat unhealthily.

Questions were then asked by Members of the Committee.

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

**FALKIRK COUNCIL**

**Minute of meeting of the EDUCATION EXECUTIVE held in the Municipal Buildings, Falkirk on Tuesday 8 November 2016 at 9.30 am.**

**COUNCILLORS:** David Alexander  
Jim Blackwood  
Tom Coleman  
Dennis Goldie  
Gerry Goldie  
Linda Gow  
Adrian Mahoney  
Alan Nimmo (Convener)  
Robert Spears

**REPRESENTATIVES  
OF RELIGIOUS  
BODIES:** Margaret Coutts  
Rev Michael Rollo

**CO-OPTTEES:** Jonathan Barclay (Pupil Representative)  
Martin Craigen (Parent Representative)  
Margaret Smith (Teacher Representative)

**OFFICERS:** Arlene Fraser, Committee Services Officer  
Gary Greenhorn, Head of Planning & Resources  
Colin Moodie, Depute Chief Governance Officer  
Robert Naylor, Director of Children's Services

**EE17. Chair**

In the absence of the Convener, Cllr Martin, it was agreed that Cllr Nimmo would take the chair for the remainder of the meeting.

**EE18. Opening Remarks**

Members of the Education Executive offered their condolences to Cllr Martin and Cllr Dr Martin on their recent bereavement.

The Convener advised that the recently completed extension to Antonine Primary School had won an award for the Best Commercial Building of the Year from the Stirling Society of Architects. He also advised that the Care Inspectorate Report for Kinneil Primary School Nursery had recently been published and had graded the facility "very good" in its quality of care; environment; staffing, and management and leadership.

**EE19. Apologies**

Apologies were intimated on behalf of Councillors Craig Martin and Dr Craig R Martin; Mike Ablett (Parent Representative), and Fiona Craig (Teacher Representative).

**EE20. Declarations of Interest**

No declarations were made.

**EE21. Minute****Decision**

**The minute of the meeting of the Education Executive held on 6 September 2016 was approved.**

**EE22. Rolling Action Log**

A rolling action log detailing a decision which had been implemented following the previous meeting on 6 September 2016 was provided.

**Decision**

**The Executive noted the rolling action log.**

**EE23. New ASN Secondary School: Report on Feedback from Naming Consultation and Project Update**

The Education Executive considered a report by the Director of Children's Services updating on progress of the new build project and the outcome of the recent consultation on the preferred name for the new ASN secondary school.

Construction on the new secondary school is underway with the building expected to be wind and water tight by January, with an anticipated completion date in July 2017.

Following the consultation carried out between 26 September and 7 October 2016, the responses received from parents, staff and pupils indicated that "Carrongrange High School" was the preferred choice. Details of the consultation were detailed in Appendix 1 to the report.

**Decision****The Education Executive:-**

- (1) noted the progress on the new build project, and**
- (2) agreed that the new school will be named “Carrongrange High School” in accordance with the preference expressed by parents, pupils and staff.**

**EE24. Early Learning and Childcare**

The Education Executive considered a report by the Director of Children’s Services providing details on the outcome of a recent consultation exercise to assess views on the introduction of 600 hours early years provision. The report also set out the impact and future challenges for Children’s Services to the Scottish Government’s plans to expand this provision to 1140 hours per annum.

Provision was made in the Children and Young People (Scotland) Act 2014 that the amount of free early learning and child care be increased from 475 to 600 hours per annum for eligible 2, 3 and 4 year olds. The Act also placed a duty on local authorities to consult with parents and service users once the increased provision has been introduced.

This provision has now been established in the Falkirk area and the required consultation exercise was undertaken during March and April 2016. It concluded that the majority of service users were pleased with the current service being offered. A detailed summary of responses was appended to the report.

Information was also provided on the Scottish Government’s consultation document “A Blueprint for 2020 – The Expansion of Early Learning and Childcare in Scotland”. The expansion proposals include increasing the amount of childcare provision to 1140 hours per annum and giving parents increased flexibility. These proposals will have significant financial, planning and infrastructure challenges for Children’s Services however work is currently ongoing to assess the additional infrastructure and financial resources required.

**Decision****The Education Executive agreed to:-**

- (1) note the responses from the consultation exercise;**

- (2) **note the Children's Services' responses to the feedback from the consultation exercise and the challenges to be faced in the future regarding the Scottish Government's plans to expand early learning and childcare provision to 1140 hours per annum by 2020, and**
- (3) **instruct the Director of Children's Services to bring a further report to Education Executive which provides –**
- **an update on the financial position and infrastructure challenges**
  - **options for consideration around offering parents increased flexible choices of early years provision as further details and information are known regarding the Scottish Government's plans to expand provision within the early years sector.**

Councillor G Goldie left the meeting during discussion of the previous item.

#### **EE25. Tackling Bureaucracy, Response to Education Scotland Review**

The Education Executive considered a report by the Director of Children's Services setting out education Scotland's assessment of Falkirk Council's approach to tackling bureaucracy within schools, together with the action plan to address the areas highlighted for improvement.

Education Scotland was asked by the Scottish Government to undertake a review of the demands placed on schools by local authorities in relation to Curriculum for Excellence (CfE), with particular focus on their arrangements for curriculum, planning, assessment and reporting. The review was undertaken as part of the Government's "Delivery Plan", designed to eliminate unnecessary workload demands associated with the implementation of CfE.

The review took place in August 2016 and included HM Inspectors meeting a variety of Education officers, teaching staff and representatives of teachers' associations. Inspectors looked at arrangements, expectations and associated workload requirements for CfE, as well as any guidance and support provided by the authority to help minimise bureaucracy in schools.

HM Inspectors highlighted three areas for improvement which are detailed in Appendix 1 to the report. Children's Services have, in response to the review, produced an action plan to address these areas. The action plan was attached as Appendix 2 to the report.

**Decision**

**The Education Executive agreed:-**

- (1) to note the Education Scotland evidence template and the identified aspects for improvement as detailed in Appendix 1 to the report, and**
- (2) the Children's Services Action Plan which seeks to address the areas highlighted for improvement.**

**FALKIRK COUNCIL**

**MINUTE of MEETING of the Joint Consultative Committee held in the Municipal Buildings, Falkirk on Tuesday 9 November 2016 at 9.30 a.m.**

**Councillors:** David Alexander  
David Balfour  
Paul Garner  
Dr Craig R Martin  
Rosie Murray  
Depute Provost John Patrick

**Trade Union Representatives:** Gray Allan, UNISON  
Colin Finlay, EIS  
Les Grant, UCATT  
Bert McManus, GMB  
Margaret Smith, EIS  
Raymond Smith, GMB  
Lynne Tanner, UNISON

**Officers:** Karen Algie, Head of HR and Business Transformation  
Rhona Geisler, Director of Development Services  
Tracey Gillespie, Human Resources Manager  
Brian Pirie, Democratic Services Manager  
Ian Renton, HR Systems and Payroll Manager

**JCC19. Apologies**

Apologies were intimated on behalf of Councillors Bird and Mahoney; and Margaret Cook (UNISON); Christina Lambie (GMB); and G Turnbull (UCATT).

**JCC20. Declarations of Interest**

No declarations were made.

**JCC21. Minute****Decision**

**The minute of the meeting of the Joint Consultative Committee held on 23 August 2016 was approved.**

**JCC22. Employee Turnover**

The committee considered a report by the Director of Corporate and Housing Services detailing the employee turnover figures for the period April to August 2016 as set out against the benchmark comparison figure for public sector organisations of 9.4%. The Falkirk Council turnover figure for the period April to August 2016 was 5.0%.

**Decision**

**The committee noted the report.**

**JCC23. Sickness Absence**

The committee considered a report by the Director of Corporate and Housing Services providing updated information on sickness absence across Services for the period April to August 2016 and the steps being taken to manage sickness absence.

**Decision**

**The committee noted the sickness absence statistics for the period April to August 2016 and the actions being developed and carried out to support managers in managing sickness absence.**

**JCC24. Service Based Forums**

The committee considered a report by the Director of Corporate and Housing Services presenting minutes from the meetings of Development Services and Corporate and Housing Service Based Forums for the period April to August 2016.

**Decision**

**The committee noted the report.**

**JCC25. Managing Sickness Absence Policy**

The committee considered a report by the Director of Corporate and Housing Services presenting a revised Managing Sickness Absence Policy for approval.

The Managing Sickness Absence Policy had been reviewed to account for policy and process changes, in light of legislative changes and to include reference to the Council's recruitment portal.

The main changes were:-

- streamlining and avoiding duplication between the Managing Sickness Absence and Capability Policies to ensure greater clarity;
- inclusion of additional guidance to managers about managing triggers and employees where there is a repeated pattern of monitoring;
- additional further references to the Stress Risk Assessment Process to ensure that work related mental well-being issues are addressed appropriately;
- the amendment of the current absence trigger of 2 or more absences totalling 20 days or more in any 12 month period to 10 days absence within a 12 month period;
- the extension to the informal and formal absence monitoring periods from 3 months to 6 months to provide a longer monitoring period for those employees whose absence is causing concern;
- the inclusion of further guidance to managers re progressing to capability where there is no clear indication of a return to work date following several months of absence;
- the incorporation of a formal review for long-term absence at the 4 month stage and every 2-3 months thereafter;
- the inclusion of a checklist for managers to consider prior to referral for a capability hearing;
- the removal of the option for up to 6 months unpaid special leave as this did not meet the requirements of current case law which focuses on adjustments required to allow an individual to return to work rather than extending their absence; and
- the removal of references to the Employee Counselling Service but highlighting the other support mechanisms available.

Councillor Alexander, seconded by Councillor Balfour, moved that, the policy is not approved and that there is discussion between officers, Trades Union representatives and elected members in regard to the proposals to amend the absence trigger and to remove the option for up to 6 months unpaid special leave.

As an amendment, Councillor Murray seconded by Councillor Dr C R Martin moved, in substitution for the motion, that the Committee notes the recommendations set out in the report.

In terms of the JCC's constitution, a decision can only be reached when the majority of both sides present and voting agree. With a motion and an amendment proposed, the JCC proceeded to vote on each. The vote was taken by roll call, with voting as follows:-

Employees' side:

For the motion (0)

For the amendment (7) - Gray Allan, Colin Finlay, Les Grant, Bert McManus, Margaret Smith, Raymond Smith and Lynne Tanner.

Employers' side:

For the motion (3) – Councillors Alexander, Balfour and Garner.

For the amendment (3) – Depute Provost Patrick and Councillors Dr C R Martin, Murray.

As the votes were tied, the Convener, in accordance with Standing Order 23, cast her second vote for the amendment.

Accordingly, with the majority of the Employees side and the Employers side voting in favour of the amendment, the amendment was carried.

**Decision**

**The committee approved the amended Managing Sickness Absence Policy and agreed to refer it to the Executive for consideration.**

**JCC26. Extra-Mural Employment Policy**

The committee considered a report by the Director of Corporate and Housing Services presenting a revised Extra-Mural Employment Policy for approval.

The policy had been reviewed to account for changes in legislation and guidance received and to better reflect the processes in place.

The main changes were:-

- the Policy now covered individuals setting up their own business or becoming an officeholder with a charitable/ voluntary organisation, Parent Council or other similar body where their extra-mural role had

the potential to conflict with their Council employment;

- the Policy now provided greater clarity on the process for reporting and recording extra-mural employment or activities from the recruitment and selection process onwards; and
- the Record of Extra-Mural Employment Form had been amended to include the declaration of any extra-mural activities not regarded as employment e.g. voluntary work.

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

The Committee agrees the policy subject to the deletion of references to involvement in parent councils and voluntary organisations.

As an amendment, Councillor Dr C R Martin, seconded by Councillor Murray, moved the recommendations set out in the report.

In terms of the JCC's constitution a decision can only be reached when the majority of both sides present and voting agree. With a motion and an amendment proposed, the JCC proceeded to vote on each. The vote was taken by roll call, with voting as follows:-

Employees' side:

For the motion (0)

For the amendment (7) - Gray Allan, Colin Finlay, Les Grant, Bert McManus, Margaret Smith, Raymond Smith and Lynne Tanner.

Employers' side:

For the motion (3) – Councillors Alexander, Balfour and Garner.

For the amendment (3) – Depute Provost Patrick and Councillors Dr C R Martin, Murray

As the votes were tied, the Convener, in accordance with Standing Order 23, cast her second vote for the amendment.

Accordingly with the majority of the Employees side and the Employers side voting in favour of the amendment, the amendment was carried.

**Decision**

**The committee approved the amended Extra-Mural Employment Policy and agreed to refer it to the Executive for consideration.**

**JCC27. Grievance Policy**

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

The Grievance Policy had been considered and approved in 2016. It had been revised to reflect internal Service reviews and the budget implementation process.

It was now proposed that a representative from Human Resources would only be present at all levels of a formal grievance and they would provide advice to the Chairperson on the correct procedures to be adopted, precedents and to address the employee relations implications arising from the grievance itself. Where necessary, however, the hearing may be adjourned to allow the Chairperson to seek legal advice on specific points/issues raised.

**Decision**

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

**JCC28. Learning and Development Policy**

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

The policy had been reviewed to account for legislative changes and to reflect best value.

The main changes were:-

- A change of name of the responsible team from Employee Development to Organisational Development to reflect the current Council structure;
- A change in arrangements for the Learning Resource Centre;
- The Organisational Development team would no longer keep a database of acceptable External Providers as individual Divisions and Services are much more knowledgeable of the acceptable providers in their area of expertise;
- A change of responsibilities from Head of Service to Chief Officer to capture recent organisational changes;
- The section on Investors in People (IiP) had been removed as Services were no longer aiming to achieve IiP accreditation due to the

financial and resource implications in the application process. Services were however, continuing to work to the liP standards without the formal accreditation; and

- Equality monitoring of training applications has been added to the policy to aid with capturing information required by legislation.

### **Decision**

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

### **JCC29. Accident and Incident Reporting Policy**

The committee considered a report by the Director of Corporate and Housing Services presenting a revised Accident and Incident Reporting Policy for approval.

The Accident and Incident Policy has been adapted to include a revised Accident Incident reporting form. The new form would provide a more robust investigation process which should help identify causes and related actions to help reduce the risk of future accidents occurring.

Additionally, with the move towards mobile and flexible working, the new policy sought to minimise the use of paperwork, with documentation sent and recorded electronically.

### **Decision**

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

### **JCC30. Family Leave Policy**

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

The policy had been reviewed to account for legislative changes and to reflect best value.

Specifically, HMRC had to confirm that employers will no longer be required to provide childcare vouchers (CCV) during an employee's maternity or adoption leave. It was now proposed that the Council would no longer pay for childcare vouchers whilst an employee is on maternity or adoption leave.

**Decision**

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

**JCC31. Severance Report 2015/16**

The committee considered a report by the Director of Corporate and Housing Services presenting a summary of numbers, costs and savings attached to early retirements for employees in 2015/16.

**Decision**

**The committee noted the costs and savings achieved from voluntary severance and ill health retirement arrangements for the period 2015/16.**

**FALKIRK COUNCIL**

**Minute of meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 17 November 2016 at 9.30 am.**

**COUNCILLORS:**

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

**OFFICERS:**

Tony Bragg, Education Team Manager  
 Fiona Campbell, Head of Policy, Technology & Improvement  
 Jack Frawley, Committee Services Officer  
 Kenny Gillespie, Property & Asset Manager  
 Elizabeth Hood, Neighbourhood & Access to Housing Manager  
 Frank Kennedy, Service Manager  
 Robert McMaster, Head of Roads and Design  
 David Mackay, Head of Education  
 Colin Moodie, Depute Chief Governance Officer

**S16. Appointment of Convener**

Jack Frawley welcomed members to the meeting and in the absence of the convener sought nominations for the position for the meeting. Councillor Carleschi, seconded by Councillor Chalmers nominated Councillor Bird as convener. There being no other nominations Councillor Bird assumed the chair for the remainder of the business.

**S17. Apologies**

An apology was intimated on behalf of Councillor Meiklejohn.

**S18. Declarations of Interest**

There were no declarations of interest.

**S19. Minutes****Decision**

- (a) **The minute of the meeting of the Scrutiny Committee held on 15 September 2016 was approved;**
- (b) **The minute of the meeting of the Performance Panel held on 29 September 2016 was noted, and**
- (c) **The minute of the meeting of the Performance Panel held on 20 October 2016 was noted.**

**S20. Rolling Action Log**

A rolling action log detailing the status of actions arising at previous meetings was provided.

**Decision**

**The committee noted the rolling action log.**

**S21. Scrutiny Panel Conclusions and Recommendations – Outcomes for Looked After Children**

The committee considered a report by the Director of Corporate and Housing Services which set out the work and recommendations of the Scrutiny Panel established to review outcomes for looked after children. The report set out: details of the scrutiny process undertaken by the panel, and the summary and conclusions reached. The report by the Scrutiny Panel was appended to the report which set out the panel's specific recommendations. Fiona Campbell provided an overview of the report.

Members commented that the report showed that the panel had undertaken a comprehensive review of the area and they thanked the panel members and supporting officers, external organisations and young people for their work and input.

The committee discussed that the panel, as part of its evidence gathering, heard that there had been instances of young people returning home from school to discover that they were being moved placement and that this had a very negative impact on emotional health and wellbeing. Members highlighted that this practice must not occur and that every young person in Falkirk should have equality of opportunity. Members highlighted the Champions Board as a key instrument going forward.

Regarding the panel's recommendation that the Children's Commission ensure that mental health services are aligned to meeting the needs of looked after children, members highlighted that there was a national shortage of

children's psychologists. This shortfall in provision was particularly acute in relation to those young people with learning disabilities.

The committee sought clarification on what was meant by a family firm approach. Fiona Campbell stated that the family firm concept meant that corporate parents across the community planning partnership would offer more opportunities to looked after children to be part of their organisations. This would be achieved in different ways including the provision of training, work experiences and modern apprenticeships. She stated that the Employment and Training Unit were involved in looking at how to support looked after young people. She advised that as the Council's workforce was reducing there would be a need to develop innovative ways to offer opportunities. It was important to raise the aspirations of looked after young people.

Members asked about the support available to foster carers and the work undertaken to recruit more foster carers. Frank Kennedy stated that all foster carers get allocated a social worker as their primary source of support and that this individual is different to the social worker dealing with any child in their care. In terms of recruitment, demographic pressures meant that new foster carers tended to be replacing those lost through retirement and that net gains were difficult to make. The service ran regular recruitment campaigns and had built up a relationship with Falkirk Football Club to advertise for new carers at their events. More recently the service had looked at innovative methods including the use of digital marketing to recruit more foster carers.

The committee discussed the role of scrutiny panels. It was stated that they were fulfilling their aim and looking at topics in a new way. Members also highlighted the work carried out by policy development panels as a good way of drawing thoughts together on complex issues.

Members discussed the work of the looked after children's psychologist who was funded by the Council but formed part of NHS Forth Valley's provision. David Mackay advised that this post was subject to ongoing negotiation between the Council and NHS Forth Valley. The post holder had been highly commended for her work by the Children's Commission. He stated that ideally there would be more of this type of provision.

## **Decision**

### **The committee:-**

- (1) noted the recommendations of the Panel, set out in appendix one to the report, section 10, and**
- (2) referred the Panel's recommendations to the Executive.**

Provost Reid joined the meeting during consideration of the following item.

## **S22. Education Scotland Inspection Report - California Primary School**

The committee considered a report by the Director of Children's Services which summarised the findings of Education Scotland's inspection of California Primary School and Nursery class, carried out in June 2016. A copy of the inspection findings and Education Scotland's published letter to parents were attached to the report. Tony Bragg provided an overview of the report.

The committee sought an explanation of the comments relating to curriculum development and reliance on resources. Tony Bragg stated that the school used Big Maths which was highly structured and included resources with frequent testing. However, this did not fully take account of the learning outcomes of curriculum for excellence (CfE). He advised that the complexity of CfE experiences and outcomes presented a challenge. Schools were working on how to pick these out while having a structured curriculum without having received much guidance from Education Scotland. The Significant Aspects of Learning had only been published recently and schools could now start to develop the curriculum around these.

Members asked why this resource was being used if it was incompatible with CfE which had been in place for many years. David Mackay stated that the school had implemented CfE and used Big Maths to complement this work but had become too focussed and needed to shift to include it in the wider learning journey. This would eliminate the overreliance on Big Maths.

The committee asked about the use of joint headship. David Mackay stated that the head teacher recognised the points raised by the inspectors and work was being undertaken to address these. He felt that the shared headship was positive for California Primary School as it helped to address the challenge faced by smaller schools to network with other schools. On a day to day basis it was now easier for colleagues at the schools to share practice and expertise.

Members asked about the role of continuous professional development in relation to CfE for staff. David Mackay stated that there had been a comprehensive offering available. It would be included in the school's action plan to look at the uptake of this from the school. The Council's Service Manager - Broad General Education would soon be in place and this would bring better support for schools. Tony Bragg stated that the membership of the Team Around the School was determined in order to provide support in key areas and that it was the first time a parent had been included on the Team Around the School.

### **Decision**

**The committee requested that the Director of Children's Services:-**

- (1) reports back to the next Scrutiny Committee with a copy of the Action Plan Scotland, and**

- (2) provides a further report to the Scrutiny Committee following Education Scotland's further inspection which will take place within one year of the original inspection.

### **S23. Standards of Gardens for Re-letting Properties**

The committee considered a report by the Director of Corporate and Housing Services which provided an update on the standard of gardens for re-letting properties. The report provided information on the voids standard; inspection criteria for gardens and common areas, and other works undertaken in gardens and common areas. Kenny Gillespie provided an overview of the report.

The committee asked for information about fencing around divisible space. Kenny Gillespie stated that the service were now installing dividing fences where possible and boxing in front gardens. Further work was required on this area to include back gardens. Over £1.5m had been spent on fencing and cases would be looked at individually where raised.

Members commented on the positives which came from using stones, gravel or chips and the removal of bushes. It was felt this was better for the long term as the gardens were easier to maintain.

The committee asked about the location of new pilot projects. Kenny Gillespie stated that there were two Grangemouth projects ongoing which should bring significant improvements and feel different for the tenants.

Members asked what happens where tenants leave an item such as a garden shed which is then not wanted by the incoming tenants and if the service charged the previous tenants in such circumstances. Kenny Gillespie stated that this was covered in the exit conversation and that if assets were in good condition the service could take ownership of them.

The committee, highlighting that tenants sign a missive to accept tenancy, asked how long term issues of poor garden maintenance were dealt with. Kenny Gillespie stated that if tenants do not comply with their conditions then they can be suspended from the allocations process. It was possible that after due process that the service could carry out garden tidying works and then charge the tenant and chase the debt. There was a dedicated team to chasing debts and the service tried its best to recoup funds. Direct intervention was preferred by the service and had led to a number of successes.

Members asked about the upkeep required to maintain fencing. Kenny Gillespie stated that the fences were pressure impregnated and would last for 7 to 8 years without a need to re-do them.

The committee asked that details of the pilot work were circulated to members; Kenny Gillespie confirmed that this would be done.

## **Decision**

**The committee noted the position regarding the standard of gardens when re-letting properties.**

### **S24. Allocation of Council Properties**

The committee considered a report by the Director of Corporate and Housing Services which provided information in relation to the housing allocations position regarding owner occupiers and the level of applicants income. The report provided information on the legislative position and other considerations. Appended to the report was an extract from the Scottish Government "Social Housing Allocations – A Practical Guide". Elizabeth Hood provided an overview of the report.

Members asked about the legislative difference between Scotland and England in relation to allocation. Elizabeth Hood stated that in England social landlords were able to take account of an applicant's income and assets before allowing them onto their housing register. In Scotland the legislation sets out the need to be fair and transparent to those with the highest need. Those with the most significant housing need tended to be those on lower incomes. The service always assessed people based on housing need. She referred to legislation that would allow the ownership of property to be taken into account in allocation decisions that was yet to be brought into force.

The committee discussed instances they were aware of where properties had been allocated to applicants with high incomes. Discussion included comments that the system was open to abuse. Elizabeth Hood stated that the service ensured that allocations were made on the basis of greatest housing need and that the income of an applicant was not a factor. In cases where people presented as homeless a housing options interview was conducted. People with alternative options such as utilising a private tenancy tended to use them.

Members discussed that individuals who own former council properties could be allocated a tenancy and then sell the property they own which was initially purchased at a discounted rate.

## **Decision**

**The committee noted the position regarding property ownership and income in housing allocations.**

**S25. Review of Income and Charging**

The committee considered a report by the Director of Corporate and Housing Services which provided information on the fees and charges at the Council's discretion to set and those which are set nationally. Detail was also provided on the Council's concessions policy. The Falkirk Council Charges – Summary document was appended to the report. Danny Cairney provided an overview of the report.

The committee asked about the category of 'other' information in the charges summary appendix referred to and if benchmarking information would be provided. Danny Cairney advised that information on the detail of other charges would be provided to members after the meeting. Benchmarking information would be included in the local government settlement report to Council in December.

**Decision**

**The committee noted the report.**

**S26. Road Asset Management Planning**

The committee considered a report by the Director of Development Services which provided an update in relation to road asset management planning. Audit Scotland's "Maintaining Scotland's Roads – A Follow-up Report"; Road Condition Indicators, and Carriageway Spending Options were appended to the report. Robert McMaster provided an overview of the report.

Following a question on the suitability of surface dressing, Robert McMaster advised that in certain high volume areas a different solution to surface dressing would be used in order to last longer. In response to a further question, he confirmed that most other councils also used surface dressing as their default treatment.

The committee asked if capital funding could be used to improve the asset, as it would in the case of a building. Robert McMaster stated that capital funding was used for planned spend and was more than £2m per year. Revenue funding was used for reactive spending where necessary.

**Decision**

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

## Falkirk Community Trust

## Board Meeting

## Minute

Minute of a meeting of the Board of Directors of Falkirk Community Trust Limited (the "Company") held at Falkirk Stadium on 19<sup>th</sup> May 2016 at 9.30am. Ian Scott (IS) chaired the meeting throughout.

**Present:** Ian Scott (IS) Chairman; Cllr Dennis Goldie (DG); Cllr Linda Gow (LG); Steve Mackie (SM); Alex McQuade (AMcQ); Ruth Morrison (RMor); Provost Pat Reid (PR); Simon Rennie (SR); Cllr Robert Spears (RS); Bob Tait (BT); David Whyte (DW).

**Apologies:** Cllr W Buchanan (BB).

**In Attendance:** Maureen Campbell (MC); Neil Brown (NB); Paul Finnie (PF); Lesley O'Hare (LoH); Jane Clark (JC); Danny Cairney (DC) item 1-5+7; Paul Eames(PE) item 6.

No.	Agenda Item	Agreement / Action	Due Date	Who
	Welcome	The Chairman welcomed Directors to the meeting.		
1	Minute of Meeting	The Minute of the meeting on 18 <sup>th</sup> February 2016 was approved.		
2	Matters Arising	<p><u>Board attendance</u></p> <p>The Board noted that with the exception of a few recent meetings Director attendance was good. LG flagged that it would be helpful if meetings kept to the allocated time in order to minimise part attendance.</p> <p><u>Library Development Plan</u></p> <p>The Board noted that following discussion with the Provost a meeting had been held with the Portfolio Holder and that some amendments are being made to the Plan.</p> <p><u>Business Plan update</u></p> <p>MC advised that the Trust has not had to draw on reserves in order to meet voluntary severance payments.</p> <p><u>Strategic Risk</u></p> <p>The Board noted the considerable engagement between the Trust and Police Scotland to ensure public safety at key sites.</p>		
3	Budgetary Control Statement	<p>DC presented the provisional outturn report for the 12 months to March 2016 which is the final position for the year subject to the audit process. The Board welcomed the positive position which was better than anticipated in the February report. The projected surplus on charitable activities is £122,000 due to lower employee costs due to holding vacancies, lower than anticipated property costs and supplies and services. The Board noted that the outturn incorporates the previously unbudgeted voluntary severance costs and that whilst there is an underachievement on income target, overall income from fees and charges is £365,000 higher in comparison to last year.</p> <p>The Board welcomed the strong performance in Trading which has been transformed from a subsidised position to a generating a surplus and charitable donation to Company. The Board expressed their thanks to staff for this achievement.</p> <p>The Board noted that the Company reserves are well above range.</p> <p>The Board discussed the statement and the following points were made:</p> <ul style="list-style-type: none"> <li>• The impact of maintaining a tight organisational</li> </ul>		

No.	Agenda Item	Agreement / Action	Due Date	Who
		<p>capacity on the ability to generate income and the intention to address this through restructuring the organisation;</p> <ul style="list-style-type: none"> <li>• The impact of investment on income generation and understanding the return on the investment at key sites such as the Mariner Centre and Grangemouth Stadium;</li> <li>• The need to plan for proposals to utilise reserves and that reserves could be utilised for severance payments if required;</li> <li>• The strong position secured of costs reduced, income increased and reserves added to.</li> </ul> <p><b>Decision</b></p> <p>The Board approved the Budgetary Control Statement.</p>		<b>PF</b>
4	Soft Play Project Update	<p>The Board noted the confidential paper including a Council report and information from Social Investment Scotland (SIS). The Board welcomed the granting of Landlords Consent by the Council and their positive reception of the Business Case; welcomed the offer of a loan from SIS and noted their helpful support and advice received from their staff.</p> <p><b>Decision</b></p> <p>The Board agreed to enter into a financial funding agreement with the Council and authorised the Chief Executive to progress to the next stage of project delivery and enter into appropriate agreements with the Council.</p>		
5	Arts Centre Business Case	<p>IS expressed disappointment on the Council's decision in respect of the Arts Centre and acknowledged that a decision not to progress had always been a possibility.</p> <p>The Board noted that the Council motion confirmed an intention to continue to seek a new Arts Centre. The Board discussed the uncertainty created for the arts community and the need for pragmatism and to continue exploring options.</p> <p><b>Decision</b></p> <p>The Board agreed to write to the Council expressing its disappointment and that the Trust looks forward to the opportunity to discuss what happens next.</p>		<b>MC/IS</b>

6	Arts Plan Consultation	<p>PE presented on the recent consultation exercise. The Board noted that the Arts Community were the key target for the consultation which focussed on 14 questions with the establishment of an Area Arts Network the key driver for the Plan. The Plan was well received by consultees and responses included that it is positive and forward thinking. The Board welcomed the updated Plan, welcomed that it had taken on board comments made in the consultation and noted the revisions highlighted in the document presented. The Board noted that the next step will be to seek Council endorsement for the Plan.</p> <p>Points raised in discussion:</p> <ul style="list-style-type: none"> <li>• The Plan is well presented and helpful;</li> <li>• The link to tourism is important;</li> <li>• Many related themes exist around history and heritage;</li> <li>• The need for a new Arts Centre remains;</li> <li>• Creating a climate that attracts and retains artists and audiences;</li> <li>• The role of the Creative Place Award in giving national recognition;</li> <li>• The role for the Trust as policy adviser to the Council.</li> </ul> <p><b>Action</b> PR agreed to discuss the time it takes for Trust policy reports to be presented to the Council with the Portfolio Holder.</p> <p><b>Decision</b> The Board approved the revisions made to the Arts Plan and agreed that it be remitted to the Council for their approval.</p>		PR
7	External Funding VAT	<p>DC advised the Board of the position in relation to external funding bids for capital works. The Board noted that capital works cannot be undertaken by the Council and funded by payment of grant received directly by the Trust. The Board noted that current bids for capital funding are being reviewed to ensure appropriate accounting arrangements are applied. DC explained the principles that can be applied and that going forward the Trust will have to consider its position with regard to capital grant applications. The Board noted the potential for an adverse impact on the fundraising target.</p> <p><b>Decision</b></p> <p>The Board approved the work to ensure the appropriate accounting arrangements are in place for existing and future funding bids.</p>		
8	Review of compliance with Corporate Governance and Charity Law	<p>MC advised of an exercise undertaken to review the Trust's compliance with Corporate Governance Charity Law. The Board noted that a similar exercise had been undertaken 5 years ago when the Trust was established. The Board noted that whilst the Trust is compliant the nature of the relationship with the Council has an impact in some areas of partial compliance.</p> <p><b>Decision</b></p> <p>The Board noted the review findings and agreed to a review being undertaken on a 3 yearly basis.</p>		
9	Savings Plan Update	<p>The Board welcomed the update report from NB who presented on the activity to put in place new arrangements for the start of the financial year. The Board noted the key aspects of the work as follows:</p>		

		<ul style="list-style-type: none"> <li>• A new staffing structure in Libraries;</li> <li>• Retention of opening hours;</li> <li>• Withdrawal of the Mobile Library;</li> <li>• A new staffing structure in Arts and Heritage;</li> <li>• New opening hours at Callendar House and Kinneil Museum;</li> <li>• New opening hours and reduced staffing levels at Bo'ness Recreation Centre.</li> </ul> <p>The Board noted that the majority of voluntary severance requests were processed at the end of 2015/16 financial year which had a positive impact on the 2016/17 budget. The Board noted a number of management actions that have been taken to manage the budget gap for 2016/17 and noted that work has commenced to plan for the anticipated 2017/18 savings with further impact on the delivery of services and operation of facilities likely.</p> <p>The Board discussed the following points:</p> <ul style="list-style-type: none"> <li>• Relationship to Council employee Terms and Conditions;</li> <li>• The Council Policy Development Panel review of assets;</li> <li>• The Business Plan for Falkirk Community Stadium Ltd;</li> <li>• The Development Group being established by the Board.</li> </ul>		
10	Trust Development Group	IS asked the Board to note the remit and membership of the working group to bring forward proposals on the future development of the Trust's work. The Board noted that there will be opportunities for all Directors to input and that the first meeting of the group is on 1 <sup>st</sup> June.		
11	Audit & Performance Sub Group	The Board noted the minute of 03.03.16		
12	Trading Board	The Board noted the minute of 25.02.16		
13	Information Items	The Board welcomed the information items and Directors noted that these and the monthly update are of great interest.		
	Date of next meeting	Thursday 25 <sup>th</sup> August at 9.30am in Callendar House		

## **FORTH VALLEY NHS BOARD**

### **DRAFT**

Minute of the Forth Valley NHS Board meeting held on Tuesday 31 May 2016 at 9am in Forth Valley Royal Hospital, Stirling Road, Larbert, FK5 4WR.

<b>Present</b>	Mr Alex Linkston ( <b>Chair</b> )	Mrs Jane Grant
	Dr Graham Foster	Mrs Fiona Ramsay
	Councillor Corrie McChord	Miss Tracey Gillies
	Professor Angela Wallace	Mr James King
	Mr Tom Hart	Mrs Julia Swan
	Dr Stuart Cumming	Ms Fiona Gavine
	Mr John Ford	Councillor Les Sharp
	Mrs Joanne Chisholm	Dr James King

<b>In Attendance</b>	Ms Elaine Vanhegan, Head of Performance and Governance
	Mrs Elsbeth Campbell, Head of Communications
	Mrs Kathy O'Neill, General Manager, Community Services
	Mr David McPherson, General Manager, Surgical Directorate
	Dr Neil Houston, Clinical Lead, Community Services
	Mrs Gail Caldwell, Pharmacy Director
Ms Jo McLaren, Corporate Services (minute)	

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated on behalf of Mrs Helen Kelly and Mr Tom Steele.

### **2. DECLARATION(S) OF INTEREST(S)**

There were no declarations of interest.

### **3. MINUTE OF FORTH VALLEY NHS BOARD MEETING HELD ON 29 MARCH 2016**

The minute of the Forth Valley NHS Board meeting held on 29 March 2016 was approved as a correct record.

### **4. MATTERS ARISING FROM THE MINUTE**

There were no matters arising from the minute.

### **5. QUALITY AND SAFETY**

#### **5.1 Quality and Safety in Primary Care**

The NHS Board received a presentation on 'Quality and Safety in Primary Care' presented by Dr Neil Houston, CHP Clinical Lead.

Dr Houston advised that until recently the primary focus for patient safety had been within secondary care. Locally, NHS Forth Valley had already taken forward patient safety work in relation to primary care. An overview of the aim of patient safety in primary care was provided and it was highlighted that the roll out of this work had been taken forward on a phased approach from March 2013 across all NHS Board's.

An overview of the measures used within the primary care patient safety was provided which included:

- Safety Climate Survey
- Medicine reconciliation which had resulted in a gradual but sustained improvement since its launch.
- Results handling

It was highlighted that a Community Pharmacy pilot had taken place across 16 pharmacies, to identify how medicine reconciliation could be made safer for patients following discharge. In terms of next steps, this would be rolled out across all Community Pharmacies within 2016, with a focus on non steroidal anti inflammatory drugs in the first instance, following the results of the pilot.

A number of benefits from the increased focus on patient safety in primary care were highlighted within the presentation. Person Centred care had been a key priority while progressing this work, ensuring that the patient was fully involved with their own care plan. A system wide approach to patient safety had been delivered, leading to better team working and engagement within the primary care workforce. There had been a number of challenges which were detailed within the presentation.

Additional work around quality and patient safety included; reducing the prescribing cost per patient, where Forth Valley had originally been an outlier, good progress had been made to reduce the cost per patient to below the Scottish average. Work continued around both the Key Information Summary uploads and also around reducing the prescribing of hypnotics.

Discussion took place around performance and whether it was possible for patients to view performance data for their Practice. It was agreed that more could be done to make this easier for patients, focusing on culture change and openness going forward.

Following a specific question in relation to patients admitted due to adverse drug reaction (ADR) it was noted that the work currently ongoing was with regards to immediate harm.

The NHS Board noted the update provided.

## **5.2 Patient Story**

The NHS Board considered a short patient story presentation in relation to the 'Playlist for Life' by Professor Angela Wallace, Director of Nursing.

The presentation detailed that work was ongoing within Forth Valley to encourage families of dementia patients to create meaningful, personal playlists for patients to help them reconnect with their lives and identity. The short video provided an overview of the impact this idea had on a specific patient and his wife, highlighting the benefits to both him and his family.

Professor Wallace advised that this initiative had started within the community and through fundraising, various ipods and itunes vouchers were purchased specifically for these patients. It was highlighted that there were a whole range of tools used throughout NHS Forth Valley for dementia patients and this was one example. Professor Wallace agreed to bring back detail on other initiatives at a later date which was welcomed by the Board.

The NHS Board advised that this was a positive story around the ongoing work with regards to dementia and noted the update provided

### **5.3. National Healthcare Associated Infection Reporting Template (HAIRT)**

The NHS Board considered a paper “National Healthcare Associated Infection Reporting Template”, presented by Dr Graham Foster, Director of Public Health and Strategic Planning.

An overview of the Healthcare Associated Infections within NHS Forth Valley was provided to April 2016. Dr Foster advised that even although there had been variability in month with regards to Staphylococcus aureus Bacteraemia (SABs) there had been a downward trend in the number of SABs within the past 12 months. The position was noted as follows:

- At April 2016, 7 SABs had been identified; 3 hospital, 1 Community, 2 Healthcare and 1 nursing home acquired.
- There had been one nursing home acquired Clostridium difficile Infection (CDI) in April 2016.
- Four Device associated Bacteraemias (DABs) had been identified in April 2016, three of which had been Urinary Catheter infections.
- The paper outlined the surgical site infections for both April 2016 and the total identified from January 2016. It was noted that the position was in line with other NHS Board's in Scotland.

The detail in relation to the ward visit programme was highlighted within the paper, Dr Foster summarised the activity, advising that this compared positively with previous performance and that work would continue in order to reduce any non compliances further.

The estate and cleaning compliance per hospital was noted. Particular focus was required around Bellsdyke Estates monitoring and it was highlighted that work to ensure the performance around this increased had been progressed. Continued monitoring of this would take place,

There had been one instance of norovirus outbreak which had resulted in ward closure. It was noted that all staff complied with infection control procedures around this.

Dr Foster advised that following the announced HEI inspection of Clackmannanshire Community Healthcare Centre in January, the report had been published highlighting a positive performance and no recommended actions. The NHS Board acknowledged the work of all those involved and advised that this was a favourable position for NHS Forth Valley. Dr Foster highlighted that there would be continued focus around HEI on all NHS Forth Valley sites.

The NHS Board noted the update provided.

### **5.4. Corporate Risk Register**

The NHS Board considered a paper ‘Corporate Risk Register’ presented by Mrs Gail Caldwell, Pharmacy Director.

The paper provided an overview of the key risks that the organisation faced at a strategic level. An overview of the governance arrangements for the Corporate Risk Register was provided. The Board noted that the Corporate Management Team updated and reviewed this on a quarterly basis and a full update was provided to the Performance and Resources Committee twice a year. The level 4 corporate risks (very high) were noted as:

- Maintaining effective patient flow within the Emergency Department and across the patient journey.
- Sustainability of Primary Care Services, including recruitment, retention challenges and workforce capacity.
- Challenge in meeting waiting times in CAMHS and Psychological services.

The NHS Board noted the position.

### **5.3. Equality and Diversity Annual Report**

The NHS Board considered a paper 'Taking Forward the Equality and Diversity Agenda in NHS Forth Valley' presented by Professor Angela Wallace, Director of Nursing.

The paper provided an update on the progress during 2015/16 of work taken forward by NHS Forth Valley to comply with the Equality Act 2010, specifically around the Public Sector General Equality Duty. The Annual Report was not a statutory requirement, however, it was intended to inform the Board of progress to date.

It was highlighted that in relation to organisational priorities both current and ongoing, the need to ensure that equality and diversity was embedded in all areas was key. The Board agreed that the report provided a satisfactory update on the actions ongoing to promote equality and diversity throughout NHS Forth Valley.

In response to a question around ensuring that the right people were targeted within the community and appropriately supported, Professor Wallace advised that the Public Partnership Forum (PPF) and the Fair for All Group were highly involved in this work, ensuring that the messages from the community were fed back to allow actions and support mechanisms, to be developed. By providing opportunities for feedback and discussion, NHS Forth Valley were able to identify the needs within the community. It was highlighted that there was also ongoing interaction between partner organisations such as Local Authorities and Police Scotland.

Following discussion in relation to refugees within Forth Valley it was highlighted that communities had been welcoming and thoughtful around processes to help people integrate. Work was ongoing to help build capacity in relation to translation services, working alongside other NHS Boards and services.

The NHS Board noted the update provided.

## **6. HEALTH AND IMPROVEMENT AND INEQUALITIES**

### **6.1 NHS Forth Valley Local Delivery Plan and NHS Forth Valley Annual Plan (Incorporating the Local Delivery Plan)**

*It was agreed that item 6.1 NHS Forth Valley Local Delivery Plan and Item 6.2 NHS Forth Valley Annual Plan (Incorporating the Local Delivery Plan) would be presented and discussed as one item.*

The NHS Board received a presentation 'NHS Forth Valley Annual Plan and Local Delivery Plan' presented by Dr Graham Foster, Director of Public Health and Strategic Planning.

The Local Delivery Plan was the core contract between NHS Forth Valley and the Scottish Government. The Local Delivery Plan had been incorporated into NHS Forth Valley's Annual Plan which outlined further local priorities and actions which would be taken forward by the Board.

The Performance and Resources Committee had been given delegated authority by the NHS Board to approve the Local Delivery Plan for submission to the Scottish Government in February 2016. The NHS Board was asked to consider the final draft of the Local Delivery Plan which had received further amendments following Scottish Government feedback. Dr foster provided a summary of those comments within the presentation.

Dr Foster provided an overview of each section within the Local Delivery Plan and Annual Plan, including:

- Health Inequalities and Prevention
- Antenatal and Early Years
- Safe Care
- Person-Centred
- Primary Care
- Health and Social Care Integration
- Scheduled Care
- Unscheduled Care
- Mental Health

The relevant actions were highlighted within each section with further detail provided around the save 10,000 bed days programme within the unscheduled care section. With regards to the NHS Forth Valley Healthcare Strategy once finalised, this would provide a link between the actions identified within the annual plan and the joint plans progressed through the Community Planning Partnerships and the Strategic Plans of the Integration Joint Boards.

In response to a question regarding the current level 4 strategic risks it was noted that each of these risks had been considered and appropriately covered within the Annual Plan, highlighting actions to help mitigate these.

It was noted that with regards to monitoring arrangements for the Local Delivery Plan actions, these were reported routinely through the appropriate Governance Committee. It was highlighted that the Performance Team also monitor specific measurements set out within the Local Delivery Plan and the Annual plan, providing a mid year and end of year position against both specific measurements and also against qualitative actions.

It was highlighted that the Local delivery Plan had been amended in relation to Outpatients, advising that NHS Forth Valley will strive to achieve the 98% stage of treatment 12 week standard. It was noted that considerable resource would be required to fully achieve this. The NHS Board agreed that there was an appropriate balance of priorities within the plan and that putting further resource into the stage of treatment target would take focus away on other areas of importance. It was stressed that every effort would be made to meet the outpatient target within the resource currently available.

The NHS Board approved the Local Delivery Plan for submission to the Scottish Government on 31 May 2016. The Board also approved the NHS Forth Valley Annual Plan (incorporating the Local Delivery Plan) 2016-17.

### **6.3. Summary Financial Plan 2016/17 and Capital Plan 2016/17 – 2020/21**

The NHS Board considered a paper 'Summary Financial Plan 2016/17 and Capital Plan 2016/17 – 2020/21' presented by Mrs Fiona Ramsay, Director of Finance.

The NHS Board approved the Financial Plan for 2016/17 in March 2016. The paper provided an updated summary plan focusing on savings, and proposals to mitigate financial risk.

The initial savings plan which was approved by the Board in March 2016 had highlighted a savings gap which was yet to be identified. The savings plan had been updated and refreshed and the details of these proposals were outlined within the paper. The savings gap had been reduced from £4.923m to £2.109m. Work would continue to identify further cash savings with ongoing monitoring through the Finance and Savings Meeting and the Corporate Management Team.

It was agreed that there was a need to ensure continued focus on this going forward and that additional proposals were identified prior to winter to address the gap.

The NHS Board

- Approved the updated savings plan 2016/17
- Noted the 'yet to be identified' savings of £2.109m and acknowledged that work would continue to identify the remaining balance of savings.
- Noted that the savings scheme schedule would be included in Finance Reports from May 2016 onwards.
- Noted that identified mitigation proposals / actions will be included in Finance Reports from May 2016 onwards.

The Capital Plan outlined Scottish Government Health and Social Care Directorate funding for 2016/17 and estimated allocations for the following years to 2020/21. The key areas addressed within the capital plan were outlined:

- PFI schemes and the associated impact of these changes
- Stirling Care Village funding
- Primary Care Premises
- Property sales including brokerage payment.
- Medical Equipment replacement programme funding.

With regards to primary care premises, work was ongoing to assess the functionality of those practices owned by or leased by NHS Forth Valley. Following a specific question regarding GP practice requirements within the future it was highlighted that the allocations highlighted within the capital plan were for current functionality only.

The NHS Board approved the Capital Plan 2016/17 to 2020/21.

#### **6.4. Health and Social Care Integration**

The NHS Board considered a paper 'Health and Social Care Integration Update' presented by Mrs Kathy O'Neill, General Manager Community Services Directorate.

The paper provided an overview of progress to date around the implementation of Health and Social Care Integration. Both partnerships had approved their strategic Plans prior to the 1<sup>st</sup> April 2016. Work was ongoing with the Chief Officers to develop these into service delivery plans.

Further discussion took place in relation to the financial challenges across the public sector which impact on the Council, Health Board and Partnership budgets. It was stressed that both Integration Joint Boards were required to deliver their responsibilities within the resources available and to maximise the opportunities for integration across the joint services of the partnership. A financial recovery plan was to be drafted for the Falkirk Partnership and an update on progress around this would be fed back at the next Integration Joint Board.

Work was ongoing within the Stirling and Clackmannanshire partnership to review partnership funds and the services supported by them.

An overview of the Programme Board and Workstream requirements was provided as well as progress to date.

As part of the work undertaken by Audit Scotland around 'The NHS in Scotland, 2013/14 Audit' which assesses how NHS Boards, Local Authorities and partnerships deliver services differently in the future to meet the needs of the population, the key messages from this work were highlighted.

The NHS Board noted the update provided.

## **7. CORE PERFORMANCE**

### **7.1 Executive Performance Report**

The NHS Board considered a paper "Executive Performance Report", presented by Mrs Jane Grant, Chief Executive.

Significant work had taken place since the last Board meeting to take the Healthcare Strategy to the next stage of development. The Board seminar scheduled for 7 June 2016 would provide dedicated time for the Board to consider the progress in relation to the Draft Healthcare Strategy.

Work was ongoing around the introduction of a new Patient Reminder Service in order to reduce the number of patients who fail to attend an appointment. Further detail was provided within the report, outlining the pilot areas and an overview of how the system worked.

There has been a notable improvement in the stroke care bundle throughout 2015/16. The March 2016 bundle position was 90% against an 80% target. The position for each of the key elements within the bundle were detailed within the report, and all highlighted as green at April 2016.

Absence would remain a high priority for the organisation going forward. It was highlighted that in striving to meet the 4% standard, focus had been on achieving or being below the national average. The 12 month position for sickness absence for the period 1 April 2015 – 31 March 2016 highlights that NHS Forth Valley was just below the Scottish average: Scotland 5.16%, Forth Valley 5.11%. The April position was reported at 4.63% for NHS Forth Valley with the Scotland position at 4.8%.

It was highlighted that there continues to be a degree of variability with regards to ED performance. Overall Board compliance for April 2016 was 95.6%: MIU 100%, ED 94.6% with 30 eight hour breaches and 1 patient waiting over 12 hours. It was highlighted that the main reason for delays were around 'wait for bed' and 'wait for first assessment'. Work continues within the service to address specific issues as they arise.

Work continues to reduce the number of patients waiting over 12 weeks. The number waiting at the end of April 2016 was 2673 (82.7%) against the 95% target. It was noted that this was an area of particular challenge. Throughout the quarter ending March 2016, 133 patients waited longer than the 12 week TTG with 95.7% compliance. Specific focus was being given to challenged specialties.

With regards to CAMHS and Psychological Therapies it was noted that the referrals and therefore demand was increasing for both services which was of particular challenge. It had been agreed that the Performance and Resources Committee would consider the overall position around CAMHS in greater detail at the June 2016 meeting.

Continued focus was required in relation to delayed discharges across the partnerships. It was highlighted that work was ongoing, linking to the 10,000 bed day reduction highlighted within the NHS Forth Valley Annual Plan was of key importance prior to the winter..

It was noted that the financial position for NHS forth Valley at 30 April 2016 highlighted a £0.550m overspend. The Board recognised the ongoing challenges surrounding this.

An overview of various staff achievements were provided. It was agreed that it was positive to see good work being taken forward by a wide variety of staff throughout the organisation.

The Board considered the report section by section in detail and an overview of the key aspects in each was provided:

### **Safe**

- Provisional HSMR position to the quarter ending December 2015 for NHS Forth Valley was 0.92, a 22.4% reduction from the baseline. The Scotland position highlighted a 16.5% reduction. It was highlighted that actions around HSMR were referenced within the Annual Plan.
- The Board was asked to note the position in relation to the 10 Patient Safety Essentials. Work was ongoing to review how this data was presented for future reports in order to ensure continued focus around patient safety at Board level.
- The position in relation to Staphylococcus aureus Bacteraemia (SABS) and Clostridium difficile infections (CDI) had been discussed earlier in the agenda. It was emphasised that there would be continuing focus around HAI going forward.

### **Person Centred**

- The attendance management position as previously highlighted was positive and Forth Valley had remained below the Scottish average for 2015/16.
- The stroke care bundle had been a success for NHS Forth Valley for 2015/16, with a notable improvement throughout the second half of the year. It was anticipated that some of the improvement methodology used here could be applied elsewhere within other services.
- The NHS Forth Valley complaints response rate to the end of March was 69.0% excluding prisons and 100% for prison complaints. It was highlighted that throughout 2015/16 the performance had been positive and there were no particular areas of concern to note.
- With regards to reduction in complaints there had been variable success across directorates. Continued focus was required for 2016/17 around reducing the number of complaints around staff attitude / communication. Further focus was also required around reducing the number received through the prisons.
- The eKSF position at April 2016 highlighted 74% of staff had completed eKSF reviews which compared favourable with the Scotland position. Work was ongoing to ensure that there was continued focus around this throughout the organisation.

### **Equitable**

- The April 2016 position for NHS Forth Valley highlighted that 93.8% of pregnant women booked for antenatal care by 12 weeks, ahead of the 80% target. It was agreed that this was a positive position compared to the rest of Scotland.
- As previously highlighted there had been a number of 8 hour ED breaches and 1 12 hour breach at April 2016. Variability had continued from April 2016 into May 2016 and work was being taken forward to ensure consistent application of processes throughout the wards and at the front door in order to reduce this variability in performance.
- The number of outpatients waiting over 12 weeks had increased and there was work ongoing to review efficiency and productivity within each specialty, focusing on levels of demand and how this could be managed innovatively within current service capacity.
- The diagnostics position would be covered in further detail within the Waiting Times Report.
- The performance around cancer had been reasonable against the Scotland position however challenges had been experienced with regards to the 62 day target. Work was ongoing around the cancer pathways to ensure they were as streamlined as possible.
- The Psychological Therapies performance at April 2016 highlighted 59.1% of patients were treated within 18 weeks of referral,
- For CAMHS management information highlights that compliance with the 18 week Referral to Treatment target was 48.1% at April 2016.

- With regards to Musculoskeletal Physiotherapy Waits there were 44 patients waiting longer than 12-3 weeks, with the longest wait 23 weeks at March 2016.

### **Effective and Efficient**

- As previously discussed, the delayed discharge position remained challenging across partnerships. The total bed days lost to delayed discharge at April 2016 was 857 from 666 in March 2016. There were 23 delays over 14 days. Work was ongoing with Local Authority colleagues and the Integration Joint Boards to address this going forward.
- In relation to A&E attendances, the position for April 2016 was 2166 attendances per 100,000 population. Work was ongoing to review how this data was presented for future reports.
- In April 2016, 7.1% of new outpatients Did Not Attend against a Scotland position of 10.1%.

The NHS Board noted the update provided.

### **7.2 Financial Monitoring Report**

The NHS Board considered a paper “Financial Monitoring Report”, presented by Mrs Fiona Ramsay, Director of Finance.

Mrs Ramsay provided a summary of the financial position for NHS Forth Valley to 30 April 2016 highlighting a revenue overspend of £0.551m.

Budget adjustments actioned for April 2016 include Pay Awards, National Insurance increase and prescribing uplifts. It was highlighted that savings had been deducted from Directorate Budgets in line with Savings Plan approved at the March 2016 Board meeting.

It was anticipated that the new report format would be available for the May 2016 Financial reports and would highlight spend and income in relation to the Integration Joint Board.

An overview of the key challenges was provided. It was noted that a balanced in year financial position was achievable but would require continued focus. Work was underway throughout the organisation to ensure this was achieved.

The NHS Board noted the update provided.

### **7.3 Waiting Times Report**

The NHS Board considered a paper “Waiting Times Report”, presented by Mr David McPherson, General Manager.

Mr McPherson provided an update on the NHS Board’s position in relation to a range of access targets established by the Scottish Government.

It was highlighted that at the quarter ending March 2016 there were 133 patients with completed waits longer than the 12 week Treatment Time Guarantee. It was noted that the position still compared favourably with Scotland and work would continue in order to improve this going forward. There were three specialties experiencing particular challenge around this including; ENT, General Surgery and Orthopaedics. An overview of the challenges in each of these specialties was provided. It was anticipated that the General Surgery and Orthopaedics position would improve going forward. The Board noted the staffing challenges highlighted within ENT and the work ongoing to support the service.

With regards to imaging there were 61 Ultrasound patients waiting over 42 days. It was highlighted that this was a short term issue and there had already been some progress made around this to stabilise the service.

As previously highlighted there were 2673 outpatients with ongoing waits over 12 weeks. Focused work was being progressed to improve the position within the resources currently available. This would be monitored routinely through the Board's Governance structure.

The NHS Board noted the Waiting Times Report, acknowledged the progress made and the remaining challenges to date.

#### **7.4. Communications Update Report**

The NHS Board considered a paper 'Communications Update Report' presented by Elsbeth Campbell, Head of Communications.

The report provided an overview of the activities undertaken within NHS Forth Valley to develop and improve internal and external communications across the organisation in line with the priorities set out within the Communications Strategy.

In response to a specific question around using social media to provide information and advice on various health promotion initiatives. It was highlighted that the Communications team were working with the Physiotherapy team around what messages could be distributed through social media campaigns. It was noted that further detail would be provided at a future meeting.

## **8. GOVERNANCE**

### **8.1 Governance Committee Minutes**

The NHS Board considered the "Governance Committee Minutes" as follows.

#### **8.1.1. Clinical Governance – 11 March 2016**

The NHS Board noted the minute of the Clinical Governance Committee meeting held on 11 March 2016.

#### **8.1.2 Performance and Resources Committee – 26 April 2016**

The NHS Board noted the draft minute of the Performance and Resources Committee meeting held on 26 April 2016.

#### **8.1.3 Endowment Committee – 18 March 2016**

Ms Fiona Gavine highlighted a decrease in dividends received into the endowment fund due to the financial markets. Continued monitoring of the position would take place.

The NHS Board noted the minute of the Endowment Committee meeting held on 18 March 2016.

#### **8.1.4 Audit Committee – 18 March 2016**

The NHS Board noted the minute of the Audit Committee meeting held on 18 March 2016.

**8.2. Advisory Committee Minute**

**8.2.1. Area Clinical Forum: 17 March 2016 and 12 May 2016**

The NHS Board noted the minutes of the Area Clinical Forum held on 17 March 2016 and 12 May 2016.

**9. ANY OTHER COMPETENT BUSINESS**

There being no other competent business, the Chairman closed the meeting.

## FORTH VALLEY NHS BOARD

### DRAFT

Minute of the Forth Valley NHS Board special meeting held on Tuesday 7 June 2016 in the NHS Forth Valley Headquarters, Carseview House, Castle Business Park, Stirling.

<b>Present</b>	Mr Alex Linkston ( <i>Chair</i> )	Mrs Jane Grant
	Dr Graham Foster	Mrs Fiona Ramsay
	Ms Fiona Gavine	Professor Angela Wallace
	Mr James King	Miss Tracey Gillies
	Mr Tom Hart	Mrs Julia Swan
	Mr John Ford	Councillor Linda Gow
	Councillor Les Sharp	Councillor Corrie McChord

<b>In Attendance</b>	Ms Elaine Vanhegan, Head of Performance and Governance
	Mrs Elsbeth Campbell, Head of Communications
	Mrs Sonia Kavanagh, Corporate Services ( <i>minute</i> )

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Mrs Jo Chisholm, Mrs Helen Kelly, Dr James King and Mr Tom Steele.

### 2. FORTH VALLEY NHS BOARD ANNUAL ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2016

The NHS Board considered a paper "Forth Valley NHS Annual Accounts for the Year Ended March 2016", presented by Mrs Fiona Ramsay".

The NHS Boards were required to submit a signed set of accounts to the Scottish Government Health Department by 30 June 2016. The Accounts had to be signed by the relevant NHS Board members and by the Auditors.

The NHS Board Accounts would be made available in the public domain once they had been laid before Parliament with confirmation expected by September 2016. The Audit Committee members had received a full set of accounts and these were available to Board members on request.

Mrs Ramsay highlighted the Finance Report to 31 March 2016 which was presented to the Performance and Resources Committee in April 2016. A revenue surplus of £0.201m and a balanced capital position were reported. This had now been confirmed in the final out-turn recorded in the Annual Accounts and the cash target had also been achieved.

The Audit Committee met on 3 June 2016 where they reviewed and considered the respective Internal and External Audit Reports and a full set of Accounts. The Audit Committee had also prepared an Annual Report on their activities and performance during 2015/16. A draft letter of representation by the Accountable Officer had also be circulated to the committee with assurances made on aspects of the financial statements, judgement and estimates. The External Auditor had provided an unqualified auditor's report subject to receipt of the final set of financial

statements for review, to which there were no changes. There were no specific issues to highlight and the Accounts were submitted for approval.

The Patient Funds Auditors Report was considered by the Audit Committee which recommended approval of the draft audited annual accounts of the Patient Private Funds. There were no specific issues to highlight and the Accounts were submitted for approval.

The Endowment Accounts 2015/16 were reviewed along with the Endowment Auditors Report. There were no specific issues to highlight and the Accounts were submitted for approval.

Mr Alex Linkston commended Mrs Ramsay and her team for their performance and achievement within the timescales; the Annual Report had been concluded within the same timeframe as the Financial Statements Audit this year.

The NHS Board acknowledged the information contained in the report and:-

- Noted the revenue out-turn 2015/16 of a surplus of £ 0.201m, a balanced capital out-turn, and achievement of the cash requirement
- Approved the Forth Valley NHS Board Annual Accounts for the year ended 31st March 2016
- Approved the Patients Private Funds Annual Accounts of NHS Forth Valley for the year to 31st March 2016
- Approved the Endowment Accounts of NHS Forth Valley for the year ended 31st March 2016.
- Noted that the approved Annual Accounts would be made public on receipt of confirmation that they have been laid before Parliament which was anticipated to be during September 2016.

### **3. ANY OTHER COMPETENT BUSINESS**

There being no other competent business, the Chairman closed the meeting at 11.20am.

**Minute of meeting of CENTRAL SCOTLAND VALUATION JOINT BOARD held within HILLSIDE HOUSE, STIRLING on FRIDAY 17 JUNE 2016 at 9.30 a.m.**

**Councillors:**

Donald Balsillie  
 Jim Blackwood  
 Margaret Brisley  
 Irene Hamilton  
 Craig Holden  
 Gordon Hughes  
 Charles MacDonald (Convener)  
 Adrian Mahoney  
 Cecil Meiklejohn  
 Alan Nimmo  
 Jim Thomson  
 Sandy Turner

**Officers:**

Elizabeth Hutcheon, Assistant to the Treasurer  
 Brian Pirie, Assistant to the Clerk  
 Jane Wanless, Assistant Assessor  
 Peter Wildman, Assessor and Electoral  
 Registration Officer

**Also attending:**

Ian Burns, Internal Audit, Clackmannanshire  
 Council  
 Jason Ross, Internal Audit, Clackmannanshire  
 Council

**VJB1. MINUTES SILENCE**

The Board observed a minutes silence in memory of Jo Cox, Member of Parliament for Batley and Spen who had been murdered on 16 June whilst carrying out her duties as an MP.

**VJB2. APOLOGIES**

Apologies were intimated on behalf of Councillors McChord and Murray.

**VJB3. DECLARATIONS OF INTEREST**

No declarations were made.

**VJB4. MINUTE**

The minute of the meeting held on 12 February 2016 was approved.

**VJB5. DRAFT FINANCIAL STATEMENTS AS AT 31 MARCH 2016**

The Board considered a report by the Treasurer providing the draft financial statements as at 31 March 2016.

The Board was required to prepare and submit its annual accounts to the Controller of Audit by 30 June 2016. The accounts had been prepared in accordance with the Code of Practice on Local Authority Accounting.

The accounts showed a deficit of £142k for the year.

In response to a question the Assessor confirmed that budget pressures impact on service provision and on service performance.

**Decision**

**The Board agreed:-**

**(1)to note the 2015/16 Draft Statement of Accounts, and**

**(2)to their submission to the Controller of Audit.**

**VJB6. RISK ASSESSMENT**

The Board considered a report by the Assessor and Electoral Registration Officer presenting a revised Risk Management Strategy.

The Board's Risk Management Strategy had been updated in 2015 to reflect the Service's revised structure. It was proposed that this remain unchanged. Minor amendments were proposed to the risk analysis for all general roles. Both the Strategy and risk analysis were presented for approval.

The main risks were:-

- lack of funding/budget cuts;
- introduction of IER and costs;
- lack of Service Level Agreement with Clackmannanshire Council;
- computer virus attacks;
- failure to retain/attract professional staff; and

- impact of Land Reform Bill.

### **Decision**

**The Board agreed:-**

- (1) the Risk Strategy, and**
- (2) to note the current general risk assessment analysis for all functions.**

## **VJB7. HEALTH AND SAFETY GENERAL POLICY STATEMENT**

The Board considered a report by the Assessor and Electoral Registration Officer presenting a Health and Safety General Policy Statement.

The General Policy Statement had been developed in consultation with staff consultation forum and would replace the current Health and Safety note. The Policy was high level and sets out the Health and Safety Framework for the Board – a suite of procedural documents, risk assessments and guidance sit below the policy.

Members of the Board sought clarification from the Assessor on the Board's lone working policy and on the impact on staff of the policy. The Assessor explained that while office staff do not work alone there are practices in place for the valuation team. He confirmed that the policy and training for staff would be reviewed.

### **Decision**

**The Board approved the Health and Safety General Policy Statement.**

## **VJB8. INTERNAL AUDIT REPORT – POSTAL AND PROXY VOTE APPLICATIONS**

The Board considered a report by the Internal Auditor presenting the findings of an audit of postal vote and proxy vote applications.

As part of the 2015/16 audit plan, the Board's internal auditors undertook a review of the procedures for processing of postal vote applications and the administration of the Register of Electors. This included a test sample of absent voters.

Members of the Board sought further information on the audit and in particular on the sample size used and its value (40 of 29,446 absent voters had been tested). Mr Burns confirmed that this

complied with standard practice and gave more detail on the significant assurance provided.

**Decision**

**The Board noted the report.**

**VJB9. INTERNAL AUDIT ANNUAL REPORT**

The Board considered the Internal Audit report for 2015/16. The Public Sector Internal Audit Standards (PSIAS), performance Standard 2450 requires that the Internal Audit function reports on its activities annually. In terms of PSIAS the report incorporates:-

- the audit opinion;
- a summary of the work to support the opinions; and
- a statement on the conformance with the PSIAS and the results of the quality assurance and improvement programme.

The report on the activity of the Board's internal auditor was provided for consideration.

**Decision**

**The Board noted the report.**

**VJB10. INTERNAL AUDIT ANNUAL PLAN 2016/17**

The Board considered a report by the Internal Auditor presenting the Audit Plan for 2016/17.

The Audit Plan for 2016/17 consisted of the presentation of the Annual Assurance report, a review of the Registers of Electors – Overseas Voters and a review of procurement/compliance with Contract Standing Orders.

**Decision**

**The Board approved the Annual Internal Audit Plan for 2016/17.**

**VJB11. BEST VALUE REPORT 2016**

The Board considered a report by the Assistant Assessor presenting the Board's key performance information for 2016 together with comparison information.

The Board considered a report by the Assistant Assessor presenting service performance information for the period 1 April 2015 to 31 March 2016.

The service performances as measured by performance indicators for valuation roll work and for valuation list work were set out.

In regard to valuation roll work, which measures the period taken to change the valuation roll, 909 changes were made during the period - of these 74% were amended within 3 months, 90% within 6 months and 10% took longer – against targets of 82%:93% and 7% respectively.

In regard to the valuation list work, the time taken to add houses to the valuation list, 1139 new entries were registered in the period, with 97% added within 3 months, 99% added within 6 months and 1% took longer – as against targets of 97%; 99% and 1% respectively.

The performance targets for 2016/17 were:-

**Decision**

**The Board noted the continuing commitment to Best Value.**

**VJB12. ALCOHOL AND DRUGS MISUSE POLICY AND PROCEDURE**

The Board considered a report by the Assistant Assessor presenting an Alcohol and Drugs Misuse Policy and Procedure for approval.

An Alcohol and Drugs Misuse Policy and Procedure, based on that of Clackmannanshire Council, had been developed in consultation with staff.

The document set out a clear policy statement together with procedures in regard to alcohol misuse and drugs misuse.

Following a question, the Assessor agreed to amend a line in the policy (on page 4, Para 2.4) in regard to the policy statement. The

sentence 'Any breach of these requirements will be dealt with...' will be amended to "...may be dealt with...".

### **Decision**

**The Board approved the Alcohol and Drugs Misuse Policy and Procedure.**

## **FORTH VALLEY NHS BOARD**

### **DRAFT**

Minute of the Forth Valley NHS Board meeting held on Tuesday 2<sup>nd</sup> August 2016 at 9am in Forth Valley Royal Hospital, Stirling Road, Larbert, FK5 4WR.

<b>Present</b>	Mr Alex Linkston ( <b>Chair</b> )	Dr Graham Foster
	Mrs Jane Grant	Mrs Fiona Ramsay
	Councillor Corrie McChord	Miss Tracey Gillies
	Professor Angela Wallace	Mr James King
	Mr Tom Hart	Mrs Julia Swan
	Dr Stuart Cumming	Ms Fiona Gavine
	Mr John Ford	Councillor Graham Watt
	Mrs Joanne Chisholm	Dr James King
	Mrs Helen Kelly	

<b>In Attendance</b>	Ms Elaine Vanhegan, Head of Performance and Governance
	Mrs Elsbeth Campbell, Head of Communications
	Mrs Kathy O'Neill, General Manager, Community Services
	Mr David McPherson, General Manager, Surgical Directorate
	Ms Jo McLaren, Corporate Services (minute)

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated on behalf of Mr Tom Steele.

The Chairman welcomed Councillor Graham Watt who had replaced Councillor Les Sharp as the representative for Clackmannanshire Council to the meeting.

### **2. DECLARATION(S) OF INTEREST(S)**

There were no declarations of interest.

### **3. MINUTE OF FORTH VALLEY NHS BOARD MEETING HELD ON 31 MAY 2016**

The minute of the Forth Valley NHS Board meeting held on 31 May 2016 was approved as a correct record.

### **4. MATTERS ARISING FROM THE MINUTE**

There were no matters arising from the minute.

### **5. QUALITY AND SAFETY**

#### **5.1 Patient Story**

The NHS Board considered a short patient story presentation in relation to the 'Advice Line For You (ALFY)' by Professor Angela Wallace, Director of Nursing.

The gentleman in the short video provided details of his role as a carer. Following a specific issue with regards to timing of new medication for his elderly mother, the gentleman had called ALFY to explain the challenges associated with the timings instructed on the medication. The

Service was able to provide the gentleman an alternative after seeking GP advice. The service was praised for the polite and friendly staff member who had taken the call and for the quick response in obtaining further advice and feeding back to the gentleman.

It was agreed that this patient story was an excellent example of how ALFY can support both patients, families and carers throughout Forth Valley.

The NHS Board noted the update provided.

## **5.2 National Healthcare Associated Infection Reporting Template (HAIRT)**

The NHS Board considered a paper “National Healthcare Associated Infection Reporting Template”, presented by Dr Graham Foster, Director of Public Health and Strategic Planning.

An overview of the Healthcare Associated Infections within NHS Forth Valley was provided to June 2016. It was highlighted that the number of Staphylococcus aureus Bacteraemia (SABs) had been steadily decreasing, although, there still remained challenges around reaching the target of 0.24 or less per 1000 acute occupied bed days. The HAI position was noted as follows:

- At June 2016, 8 SABs had been identified; 4 hospital, 2 Healthcare and 2 Community acquired.
- There had been 5 Clostridium difficile Infections (CDI) in June 2016: 2 hospital, 2 healthcare and 1 nursing home acquired.
- 7 Device Associated Bacteraemias (DABS) had been identified in June 2016.
- The paper outlined the surgical site infections from April 2016 to June 2016.
- There were no HAI related deaths during June 2016

Further detail was provided with regards to the Bellsdyke Estates Monitoring position which highlighted 86% compliance against a target of 90%. Dr Foster advised that there had been a lot of activity around bringing this area into line with others in Forth Valley. Work would continue in order to address the issues however, it was stressed that due to the nature of this area of care there was a higher rate of wear and tear than in other areas in Forth Valley. It was noted that work was being taken forward to encourage staff to report faults and issues and this was incorporated as part of the walk-rounds.

Discussion took place in relation to the figures presented around Surgical Site Infection for vascular surgery. Miss Gillies provided background information around this and advised that there were no concerns around the position.

It was highlighted that work was continuing with regards to the ward visit programme and there would be continued efforts around reducing non compliances.

The NHS Board noted the update provided.

## **6. HEALTH IMPROVEMENT AND INEQUALITIES**

### **6.1 Hepatitis C in Forth Valley**

The NHS Board received a presentation ‘Hepatitis C in Forth Valley’ by Ms Carol Crawford, Sexual Health / Blood Borne Virus MCN manager.

An overview of the Hepatitis C programme was provided, noting that it was a blood borne virus spread through blood to blood contact with an infected person. Work was currently underway to maximise preventative measures through the Sexual Health and Blood Borne Virus Framework which was launched by the Scottish Government in 2011. There were five key outcomes within the framework which were highlighted within the supporting paper.

Work had taken place around World Hepatitis C day to raise awareness and educate the public through a local radio campaign in an attempt to help normalise attitudes towards Blood Borne Viruses.

An overview of the programme details were provided, including target population for testing and the progress made since the programme's launch. Further prevention work was taking place, including targeted work for school leavers, making them aware of the risks when getting tattoos / piercings abroad. Also with regards to raising awareness around infection control measures and the differences outwith the UK, work is continuing. It was stressed that it was not just injecting drug users who were affected and work would continue to capture all those at risk to ensure individuals access treatment and care as soon as possible.

With regards to People Who Inject Drugs (PWID) further detail was provided around the education package which is provided alongside treatment. Further detail was also provided around the outreach work being taken forward by NHS Forth Valley for prisons.

The NHS Board noted the update provided.

## **7. STRATEGIC PLANNING AND DEVELOPMENT**

### **7.1. Draft NHS Forth Valley Healthcare Strategy**

The NHS Board considered a paper and a presentation entitled 'Draft NHS Forth Valley Healthcare Strategy' by Dr Graham Foster, Director of Public Health and Strategic Planning.

The Healthcare Strategy has been drafted following engagement with staff, patients and the public and has also taken into account the recommendations of the eight clinical workstreams from the Clinical Services Review (CSR). Dr Foster highlighted the key components of the CSR and the overall aim.

It was highlighted that there were three specific themes which had been fed back from the workstreams which centred around:

- Partnership working
- Person centred care
- Prevention of health inequalities

The Healthcare Strategy was NHS Forth Valley's strategic direction based on the overall vision, highlighted within the presentation.

Following a specific question around transport links to Forth Valley Royal Hospital, Dr Foster advised one of the key priorities within the strategy was around closer to home, which included the provision of care within the Community Hospitals and the use of multidisciplinary teams to provide patient care outwith the acute setting.

It was highlighted that the key messages for staff in terms of ensuring priorities were understood and taken forward were all contained within the vision.

It was agreed that this was a comprehensive document in terms of setting out future plans. Following a question around how the Healthcare Strategy linked to the actions highlighted within the Annual Plan and those within Directorate Plans, further detail was provided. With regards to process, work was required to refine this in order to avoid duplication and variation throughout the organisation. The Corporate Management Team which included the Chief Officers would have an overview of this and monitor progress. There was a need to address pressures at a population level and further engagement would be required to take this forward.

With regards to new developments, a question was raised around how the strategy would allow for changes of opinions / developments over time. It was noted that the document was flexible enough to allow for changes and enable any developments to be incorporated into one of the ten priorities. The workstreams had covered a wide range of issues and topics in order to ensure that the strategy was a living document which could be altered as required over time.

It was agreed that there would be a need for tight management regarding the implementation processes. One of the NHS Board Seminar sessions would be used to provide an update on progress per year and also provide appropriate assurance that the key outcomes within the vision were being taken forward throughout the organisation.

It was highlighted that a further update would be presented to the Performance and Resources Committee with detail around the implementation of the Healthcare Strategy in October.

The NHS Board approved the NHS Forth Valley Healthcare strategy 2016 - 2021.

## **7.2. Health and Social Care Integration**

The NHS Board considered a paper 'Health and Social Care Integration' presented by Mrs Kathy O'Neill, General Manager Community Services Directorate.

The paper provided an update on progress around the implementation of Health and Social Care integration in Forth Valley. Both Health and Social Care partnerships were now fully established in Forth Valley with agreed Strategic Plans, delegated functions and associated budgets.

An overview of the activity to date for each partnership was provided. For the Falkirk Partnership work had been continuing around the local delivery plan with a logic modelling approach. This approach focussed on high level activities which were required in order to achieve long term objectives. A key workstream of the delivery plan being progressed through the Falkirk Partnership was around Delayed Discharge. The paper provided an overview of the outcomes following this workshop which would be considered going forward.

Work with regards to the West Locality Integrated Team Pilot had been approved by the Falkirk Integration Joint Board in June 2016. It was the intention to establish a project management lead to take this forward.

With regards to the Clackmannanshire / Stirling Partnership a staff engagement process was being taken forward around the local delivery plan. Further focus was being given on reducing hospital admissions and bringing care closer to home. Work was also continuing to develop a model of locality working for rural Stirling, building on work which was already taking place in Strathendrick.

An overview of the funding arrangements was provided and it was acknowledged that work was ongoing to ensure a streamlined process with appropriate governance was in place.

It was agreed that Mrs O'Neill would provide a briefing to Mr Linkston around the Strathendrick project following the meeting.

The NHS Board noted the update provided.

## **7.3. Annual Report**

The NHS Board considered a paper 'NHS Forth Valley Annual Report' presented by Mrs Elsbeth Campbell, Head of Communications.

The Annual Report was a requirement for all NHS Boards to summarise their performance for each financial year, including; workforce information, financial accounts and complaints. The annual report also highlighted key achievements and developments for NHS Forth Valley throughout 2015/16.

It was noted that the timing of this document tied in well with the upcoming Annual Review and would be available for download on the website prior to this.

The NHS Board agreed that this was an encouraging document to read and highlighted all the work and positive outcomes achieved throughout the year. It was suggested that more could be said with regards to 'controlling the spread of infection', Miss Swan advised that there had been a lot of positive work taken forward this year around infection control, with good progress made.

The NHS Board approved the NHS Forth Valley Annual Plan 2015/16.

## **8. CORE PERFORMANCE**

### **8.1 Executive Performance Report**

The NHS Board considered a paper "Executive Performance Report", presented by Ms Elaine Vanhegan, Head of Performance and Governance.

The NHS Forth Valley Annual Review was scheduled for 30 August 2016. This would be a Ministerial Review and would be conducted by Ms Aileen Campbell, Minister for Public Health and Sport. A brief overview of the format for the day was provided.

A positive report was received from the 2015/16 Procurement Commercial Improvement Programme assessment in which NHS Forth Valley scored an A+ banding.

As previously highlighted the Staphylococcus aureus bacteraemia (SABs) position had continued to improve to an amber status, from red on the balanced scorecard. The Forth Valley position for the quarter ending March 2016 was 0.27 per 1000 acute occupied bed days, an improvement from the previous quarter of 0.34.

Absence would remain a high priority for the organisation going forward. It was highlighted that in striving to meet the 4% standard, focus had been on achieving or being below the national average. The rolling 12 month position to May 2016 was reported as 5.14%, just ahead of the Scottish average at 5.19%.

It was noted that there continued to be challenges with regards to sustaining the 4 hour ED target of 95%. The June 2016 position was 95.9%; MIU 100%, ED 94.8%, an improved position from May 2016. During June, there were a number of difficult days with attendances over 200 however, these were significantly lower than in May 2016. The main reason for breaches continued to be 'wait for first assessment' and 'wait for bed'. Work has been taken forward by the Unscheduled Care Group which had focused on patient flow, reviewing high attendances and trying to identify trigger points ahead of time, when the system is likely to experience additional pressure. In addition, continued effort is being made to support early and weekend discharges.

It was noted that detail around waiting times would be covered under the specific agenda item. However, it was highlighted that there was a degree of challenge moving forward.

The cancer position against the 31 day target for May 2016 remained positive, reporting 98.6% against a 95% target. This compared favourably with the Scotland position. With regards to the 62 day target there was challenge both locally and nationally around achieving the 95% target. In May 2016, the management report highlighted that 85% of patients in NHS Forth Valley were treated within 62 days. It was noted that there were challenges with regards to complex

pathways, however work was being taken forward to review these and there continued to be weekly scrutiny of the position, including breaches and potential breaches.

The work around delayed discharges was presented, noting the continued challenge; a whole system approach was being progressed by the Integration Joint Boards. The position for delays over 14 days at the June 2016 census was 30 against a zero standard. The total bed days lost to delayed discharge at June 2016 increased to 1,246 from 924 at May 2016. A paper would be presented to the Falkirk Integration Joint Board highlighting the challenges and to inform discussions with regards to review of the current homecare packages

An overview of recent NHS Forth Valley awards was provided and noted as follows;

- Nominations for this year's NHS Forth Valley Staff awards saw a total of 410 nominations. The ceremony will be held on 27 September following the NHS Board meeting.
- Professor Wallace, Director of Nursing received an RCN fellowship award at this year's RCN Congress in Glasgow.
- NHS Forth Valley also won an award in the RCNs Care on Camera competition for a photograph taken of a patient and nursing staff submitted the NHS Forth Valley's Communication Team.

The Board considered each section of the performance report in detail:

### **Safe**

- The provisional HSMR position to quarter ending December 2015 for NHS Forth Valley highlights a reduction from the baseline of 22.4%, against a target of 20%. This compared favourably with the national position of 16.5% reduction. It was highlighted that an updated position to quarter ending March 2016 was expected and would be presented to the Performance and Resources Committee.
- As previously highlighted an improved position was reported around Staphylococcus aureus bacteraemia (SABs). The rolling 12 month average highlighted a reduction to 0.30 rate per 1000 acute occupied bed days against a target of 0.24. The scorecard has improved from a red status to amber.
- A brief overview of the position for the ten patient safety essentials was provided. It was highlighted that there were no concerns with regards to the performance around these.

### **Person Centred**

- At June 2016 the position for the Clinical Quality Indicators were highlighted as follows: Falls 97% Pressured Area Care 97% and Food Fluid & Nutrition 95%. Work was underway in respect of Food Fluid and Nutrition following recent discussions at the NHS Board and the Performance and Resources Committee.
- Work continued in respect of absence management and delivering the 4% LDP standard. At May 2016 the absence position was 4.75%, ahead of the Scotland position at 4.88%.
- The position at May in respect of the stroke care bundle was 80%. It was anticipated that a further reduction was expected for June with an improved position at July 2016. This was monitored weekly through the CEO Operational Group.
- At May 2016, 88.7% of complaints were responded to within 20 days. It was highlighted that there were some challenges around the increase in prison complaints however work was underway to identify alternative ways of dealing with these to ensure an improved performance.

### **Equitable**

- The target to sustain and embed successful smoking quits at 12 weeks post quit in the 40% most deprived SIMD areas was achieved for 2016/16. The target was 219 for the year and NHS Forth Valley achieved 259 successful quits.
- At quarter ending March 2016, 89.2% of staff had their ethnicity recorded which was ahead of the Scotland position of 82.1% for the same period.

**Timely**

It was agreed that the key points had been highlighted earlier and further detail would be provided under the specific agenda item.

The NHS Board noted the update provided.

**8.2 Financial Monitoring Report**

The NHS Board considered a paper “Financial Monitoring Report”, presented by Mrs Fiona Ramsay, Director of Finance.

Mrs Ramsay provided a summary of the financial position for NHS Forth Valley to 30 June 2016 highlighting a revenue overspend of £1.343m. It was highlighted that the in month position had seen an improvement.

With regards to prescribing there were some areas of challenge including costs around the new Hepatitis C drug. The financial pressure on the primary care prescribing budget was due to a combination of estimated increase in prescribing volumes and the impact of timescales for implementation of savings plans.

An emerging risk from a national perspective was highlighted with regards to PPRS receipts. Boards have been planning on a share of £60m but current projections indicate a reduction to £45m. This money is used to fund new medicines. The risk to Forth Valley is £0.750m, Boards have been asked not to change their original estimatations until further detail is available.

It was agreed that the savings delivery was proving challenging and further detail would be presented to the Performance and Resources Committee around this. There was currently a gap of £2m recurring savings to be identified. It was noted that financial balance was still achievable however, further focus would be required throughout the organisation.

Some discussion took place around Waiting Times and the need to improve the position. Work was underway to identify what efficiency was available using the current system before considering any additionality.

The NHS Board noted the update provided.

**8.3 Waiting Times Report**

The NHS Board considered a paper “Waiting Times Report”, presented by Mr David McPherson, General Manager.

Mr McPherson provided an update on the NHS Board’s position in relation to a range of access targets. There had been an increase in demand across some specialties and the key areas of challenge were highlighted:

There had been a rise in the number of new outpatients waiting over 12 weeks for their first outpatient appointment. At the 30<sup>th</sup> June 2016 the number of NHS Forth Valley outpatients with ongoing waits over 12 weeks increased to 3,561 from 3,169 in May 2016. Work was being progressed to improve the position, including, maximising base efficiency appropriately and ensuring that the Access Policy was robustly applied. A 4 phase plan had been agreed in order to improve the position. It was the intention to ensure that the ten specialties with small numbers of patients waiting over 12 weeks would ensure that no one was waiting over this time in the first instance.

Maintaining the Treatment Time Guarantee had been challenging within some specialties including Orthopaedics, ENT, Ophthalmology and General Surgery. It was highlighted that there was work ongoing, focusing on ensuring Ophthalmology and General Surgery were in balance by the end of August 2016. June 2016 highlighted that 126 patients had completed waits longer than the 12 week treatment time guarantee. The level of compliance was 95.6% against a 95% target.

At May 2016 the 18 week Referral to Treatment performance was 88.4% against a 90% target. The national performance was 86.1% at April 2016. It was highlighted that there had been a significant increase in demand for services such as CAMHS and also some staffing challenges across specialties. Psychological Therapies have experienced a number of retirements, maternity leaves and in house promotions which have impacted on performance. With regards to CAMHS there had been a 32% increase in referrals from June last year.

Further discussion took place around performance in CAMHS and it was noted that a presentation would be provided around this at the Performance and Resources Committee in September 2016. Work was to be agreed around referral protocols and it was noted that there had been significant investment and redesign in this service. The Board agreed that detail around the complete establishment and also around the tiered approach would be required. It was suggested that work to look into other organisations which could help with prevention and education around the issues which are often being seen within the CAMH Service would be beneficial.

The NHS Board noted the update provided.

## **9. GOVERNANCE**

### **9.1 Governance Committee Minutes**

The NHS Board considered the "Governance Committee Minutes" as follows.

#### **9.1.1. Clinical Governance – 11 May 2016 & 24 June 2016**

The NHS Board noted the minutes of the Clinical Governance Committee meetings held on the 11 May 2016 and the 24 June 2016.

Ms Swan advised that there had been discussions around the Significant Adverse Event processes and the importance of ensuring timely reviews had been stressed.

#### **9.1.2 Staff Governance Committee – 20 May 2016**

The NHS Board noted the draft minute of the Staff Governance Committee held on 20 May 2016.

#### **9.1.3 Endowment Committee – 3 June 2016**

The NHS Board noted the minute of the Endowment Committee meeting held on 3 June 2016.

#### **9.1.4 Audit Committee – 3 June 2016**

The NHS Board noted the minute of the Audit Committee meeting held on 3 June 2016.

**9.1.5 Performance and Resources Committee – 28 June 2016**

The NHS Board noted the minute of the Performance and Resources Committee held on 28 June 2016.

**9.2. Advisory Committee Minute**

**9.2.1. Report of the Pharmacy Practices Committee**

The NHS Board noted the report of the Pharmacy Practices Committee held on the 17 June 2016.

**10. East of Scotland Research Ethics Service Annual Report 2015- 2016**

The NHS Board considered a paper 'East of Scotland Ethics Service Annual Report 2015-16' presented by Miss Tracey Gillies, Medical Director.

The NHS Board noted the update provided,

**11. ANY OTHER COMPETENT BUSINESS**

There being no other competent business, the Chairman closed the meeting.

## FALKIRK INTEGRATION JOINT BOARD

**Minute of Meeting of the Falkirk Integration Joint Board held in the Municipal Buildings, Falkirk on Friday 5 August 2016 at 9.30am.**

**Voting Members:**

Allyson Black (Chairperson)  
Dennis Goldie  
Linda Gow  
James King (Vice-Chairperson)  
Alex Linkston  
Julia Swan

**Non-voting Members:**

Sandra Burt, Staff Representative, Falkirk Council  
Claire Bernard, Third Sector Interface (substitute)  
Patricia Cassidy, Chief Officer  
Leslie Cruickshank, GP Medical Representative  
Tracey Gillies, Medical Representative  
Jane Grant, Chief Executive, NHS Forth Valley  
Tom Hart, Staff Representative, NHS Forth Valley  
Sara Lacey, Chief Social Work Officer (substitute)  
Ewan Murray, Chief Finance Officer  
Martin Murray, Service User Representative  
Angela Price, Third Sector Representative  
Angela Wallace, Nursing Representative

**Officers:**

Fiona Campbell, Head of Policy, Technology and Improvement, Falkirk Council  
Jack Frawley, Committee Services Officer, Falkirk Council  
Tony Gaskin, Chief Internal Auditor, NHS Forth Valley  
David McGhee, Head of Procurement & Housing Property, Falkirk Council  
Morag McLaren, Associate Director of HR; Organisational Development & Learning, NHS Forth Valley  
William McQuillian, Procurement and Performance Manager, Falkirk Council  
Colin Moodie, Depute Chief Governance Officer, Falkirk Council  
Kathy O'Neill, Community Services Directorate General Manager, NHS Forth Valley  
Bryan Smail, Chief Finance Officer, Falkirk Council  
Suzanne Thomson, Programme Manager (Health & Social Care Integration)  
Elaine Vanhegan, Head of Performance and Governance, NHS Forth Valley

**Also Attending:**

Avril Blamey, Avril Blamey and Associates

**IJB25. Apologies**

Apologies were received on behalf of Claire Crossan, Councillor Gow, Karen Herbert, Kathy McCarroll and Mary Pitcaithly.

**IJB26. Declarations of Interest**

No declarations were made.

**IJB27. Minute****Decision**

**The minute of meeting of the Integration Joint Board held on 3 June 2016 was approved.**

Alex Linkston entered the meeting during consideration of the previous item of business.

**IJB28. Chief Officer Report**

The Integration Joint Board considered a report by the Chief Officer which provided an update on development within the Falkirk Health and Social Care Partnership and outlined proposals to improve the end to end care pathway for older people. The report provided: background on areas of work to be taken forward from the last meeting; a progress update on a recovery plan, delayed discharge and the work streams. Appended to the report were: Health Improvement Scotland March 2016 NHS Ayrshire & Arran Frail Older People Pathway; West Lothian Model Discharge to Assess, and Programme Board Work plan 2016-17. Patricia Cassidy provided an overview of the report.

The board highlighted the importance of consultation with staff.

**Decision****The Integration Joint Board:-**

- (1) agreed the proposal to develop a strategic whole system approach, including a Frailty Pathway and a Discharge to Assess model;**
- (2) agreed that the proposed change to the programme is developed as outlined in section 6 of the report, and**
- (3) requested that the Chief Officer work with senior colleagues to complete the required detailed work and report back to the next meeting.**

## **IJB29. Strategic Plan**

The Integration Joint Board considered a report by the Chief Officer which provided an update on the progress with implementation of the Strategic Plan. The report provided information on the local delivery plan, joint management arrangements, locality planning and the West locality integrated team pilot. Suzanne Thomson provided an overview of the report.

Avril Blamey provided a presentation titled 'Informing the Falkirk HSCP delivery plan using logic modelling and the Re-Aim framework'. The presentation highlighted the approach taken to logic modelling, common weak links in the planning process, progress to date and ongoing work.

The board discussed the measurement of outcomes and assessment of pilot projects. The board thanked Avril Blamey for her informative presentation.

### **Decision**

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

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

## **IJB30. Integration Joint Board Financial Report and Budget Recovery Plan Update**

The Integration Joint Board considered a report by the Chief Finance Officer which provided an overview of the financial position of the partnership. The report set out the financial position for the period to 30 June 2016, the budget recovery plan and savings programme updates, information on the integration fund, post due diligence issue and other financial governance issues. Ewan Murray provided an overview of the report.

The board discussed the review of eligibility criteria which was being undertaken to help address some of the existing financial pressures. Further actions to reduce cost pressures were being taken forward through the move to discharge to assess. Discussion took place on the overspend relating to prescribing. It was noted that there were savings efficiencies programmes in place but there was a time lag in the data on expenditure becoming available. It was highlighted that NHS Forth Valley had significantly reduced its expenditure on prescribing costs since 2011, now being under the national average.

### **Decision**

**The Integration Joint Board:-**

- (1) noted the financial position for the period ended 30 June 2016;**
- (2) noted the projected overspend of £1.288m for the year to 31 March 2017;**

- (3) approved, subject to all efforts continuing to deliver savings programmes, manage cost pressures and deliver services within resources available, meeting the projected overspend from a combination of the balances of Delayed Discharge, Integrated Care and Integration Funding as follows:-**
  - (i) estimated costs of Falkirk Community Hospital Ward 5 from utilising £0.378m of Delayed Discharges Funding and £0.014m of the Integrated Care Fund, and**
  - (ii) projected net overspend on adult social care services of £0.896m from the Integration Fund;**
- (4) agreed to allocate a sum of £0.086m from the Integrated Care Fund to expedite the appointment of a Project Manager post for a fixed term to March 2018 to support the development of the West Locality Pilot and the wider development of Locality Models, and**
- (5) noted the post due diligence issue in relation to Community Hospitals detailed in section 8 of the report.**

### **IJB31. Living Wage in Adult Social Care**

The Integration Joint Board considered a report by the Chief Officer which provided an update on the implications of implementing the living wage in externally commissioned adult social care services. The report set out information on the implementation options and provided revised cost estimates in an appendix. Ewan Murray provided an overview of the report.

The board asked how officers would ensure that staff did receive the living wage from external providers. David McGhee stated that there were over 100 local providers of adult social care services which varied in scale and included organisations from both the independent and voluntary sectors. Monitoring arrangements would be built from the system in place with the residential care providers where there were on-going meetings and dialogue with providers. Officers monitored these providers and there were forums for direct engagement with them. He commented that providers saw this change as positive in their ability to recruit and retain staff.

#### **Decision**

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

- (1) noted the implications and options for implementation of the Living Wage in externally commissioned adult social care services;**
- (2) agreed to delegate authority within available resources to the Head of Procurement & Housing Property to engage with providers, as outlined in paragraphs 4.2 and 4.3 (Option 4), and to report back on the outcome of the implementation process, and**

- (3) agreed to the commencement of a new tendering process for currently externally commissioned homecare and community care services, to facilitate a contract start of October 2017.**

### **IJB32. Partnership Funding**

The Integration Joint Board considered a report by the Chief Officer which provided an update regarding progress relating to the Partnership Funding, Integrated Care Fund and Delayed Discharge Fund. The report provided information on the partnership funding review, governance and monitoring arrangements, and provided as an appendix funding proposals. Suzanne Thomson provided an overview of the report.

The board discussed the challenges it faced in achieving a balanced budget and that further assurance was required in this regard before committing to any new projects. The importance of understanding this year's budget was highlighted. The shift to a whole systems approach and discharge to assess model were recognised as requiring resources to implement and it was important to ensure that new projects were assessed against their ability to support the new approach. It was stated that it was important to keep financial flexibility in order to support small local projects including through the use of the community grants project.

#### **Decision**

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

- (1) remitted the Leadership Group to progress development of a framework for commissioning Third Sector Organisations in the context of the Partnership governance framework;**
- (2) noted that the development of strategic approach to intermediate care pathways, including frailty and reablement, will be progressed in conjunction with the formation of a whole systems approach, as outlined in the Chief Officer report;**
- (3) noted that the approved governance and monitoring structure is now in place and that further performance monitoring information will be presented in December 2016;**
- (4) approved the allocations of Partnership Funding, as contained in Appendix 1, based on these services being embedded within the new whole systems approach and pathway, and**
- (5) remitted the Chief Officer to continue commissioning discussions and to disseminate information regarding partnership funding to facilitate innovative approaches and ensure equity of access.**

**IJB33. Annual Accounts 2015/16**

The Integration Joint Board considered a report by the Chief Finance Officer which provided, as an appendix, the unaudited accounts. Ewan Murray provided an overview of the report.

**Decision**

**The Integration Joint Board noted:-**

- (1) the unaudited annual accounts;**
- (2) the management commentary and annual governance statement, and**
- (3) the submission of the unaudited annual accounts to Audit Scotland on 30 June 2016.**

**IJB34. Integration Joint Board Annual Internal Audit Plan**

The Integration Joint Board considered a report by the Chief Finance Officer which provided as an appendix the Annual Internal Audit Report. Tony Gaskin provided an overview of the report and highlighted that the Board was well placed to take its work forward.

**Decision**

**The Integration Joint Board noted the Internal Audit Report including the Management Response.**

**IJB35. Delayed Discharge Progress Report**

The Integration Joint Board considered a report by the Community Services Directorate General Manager and the 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. The Information Services Division's Delayed Discharges in NHS Scotland report was appended to the report. Kathy O'Neill provided an overview of the report.

The board asked why 47% of delayed discharges in Falkirk were awaiting care home availability compared to 22% nationally. Kathy O'Neill stated that Falkirk had higher levels of people being deemed as requiring care home placements than other areas. The reason for this was not clear but could be that there was limited availability of alternative pathways. She commented that in Falkirk care at home packages had been put in place very quickly but that delivering these quickly had become more challenging from April of this. Patricia Cassidy stated that the Head of Social Work Adult Services had looked at the range of packages in Falkirk and that there was a high volume of multiple short visits in place where some other areas focussed on more

targeted intensive packages. The data was being examined in conjunction with the LIST analysts.

The board discussed the impact on people's physical and mental health of delayed discharge as well as the impact on family members. They highlighted the specific issues which were found in the older population locally due to the industrial heritage of the area, which rendered some comparisons to other areas unfair.

### **Decision**

**The Integration Joint Board noted the report and the work to develop a strategic change programme.**

## **IJB36. Support Services**

The Integration Joint Board considered a report by the Chief Officer which provided proposals to regularise the temporary funding of posts supporting the Board. Patricia Cassidy provided an overview of the report.

### **Decision**

**The Integration Joint Board:-**

- (1) agreed that the temporary funded posts were made permanent as detailed in section 4.3 of the report and that they were funded equally by Falkirk Council and NHS Forth Valley, and**
- (2) noted that the current corporate services support, as detailed in section 4.5 of the report, would be continued and be reviewed in discussion with the Chief Executives and would be confirmed in a future report to the Board.**

## **IJB37. Chief Finance Officer - Recruitment**

The Integration Joint Board considered a report by the Chief Officer which provided an update on recruitment arrangements to the post of Chief Finance Officer. Patricia Cassidy provided an overview of the report.

The board discussed the recommendation to delegate authority for defining the post as full or part time to the Chief Officer and Chief Executives. It was highlighted that in reaching this decision there needed to be a clear business case made to justify the full or part time status of the post.

### **Decision**

**The Integration Joint Board:-**

- (1) noted the complexity of the Chief Finance Officer role in the current financial environment and the level of risk previously reported to the Board as part of the Strategic Risk Register;**

- (2) **approved the recruitment and appointment of a permanent Chief Finance officer for the Board, and**
- (3) **remitted the Chief Officer, in conjunction with the Chief Executives, to agree whether the post is full or part time and proceed with the recruitment process.**

### **IJB38. Integration Joint Board Development Plan**

The Integration Joint Board considered a report by the Chief Officer which provided an update on the work undertaken to develop a plan to support the development needs of the Board. Board development activities for 2016 – 2017 were set out in the appendix to the report. Morag McLaren provided an overview of the report.

The board commented that where possible having visits to services and interactive sessions were preferred. Discussion took place on the order of topics set out in the appendix and members expressed a desire to move reablement and local service models to be their first session.

#### **Decision**

**The Integration Joint Board agreed the programme of development activities for inclusion in the Board Development Plan commencing with the reablement and local service models session on 2 September 2016.**

### **IJB39. Carers (Scotland) Act Update**

The Integration Joint Board considered a report by the Community Services Directorate General Manager which provided an update on implementation of the Carers (Scotland) Act 2016 and the steps being taken to ensure it is implemented effectively in the Falkirk area. Kathy O'Neill provided an overview of the report.

#### **Decision**

**The Integration Joint Board noted:-**

- (1) **the commencement date for the Carers (Scotland) Act 2016 as 1 April 2018;**
- (2) **that work streams have been identified at a national level including the identification of carers, carer involvement in discharge and the resource implications for implementation of the Act;**
- (3) **that a short life working group was being established to take forward activity locally, and**

- (4) that a workshop would be held to scope out the implications and implementation of the Act and ensure wider stakeholder involvement.**

#### **IJB40. Market Facilitation Plan**

The Integration Joint Board considered a report by the Chief Officer which provided a draft Market Facilitation Plan for approval as required as part of the strategic planning process. The report provided information on the market facilitation plan and the draft plan was provided as an appendix to the report. David McGhee provided an overview of the report.

In relation to section 6 of the plan, members asked about the engagement of providers. David McGhee stated that the plan had been consulted on with representatives of providers through a range of mechanisms including the provider forum for home care providers. He commented that this was an evolving process. There had also been consultation with representatives from Procurement & Commissioning, Adult Services, Health and Scottish Care, and the partnership's Strategic Planning Group.

The board highlighted the importance of being mindful of the impact on service users of commissioning social care services as service users had a personal relationship with their carers which it would be best to continue. David McGhee stated that this continuity of service delivery was fundamental to the procurement approach and there was a desire to minimise the impact of change and disruption for service users. There was continuous dialogue with providers.

A question was asked on geographical procurement and economies of scale. David McGhee stated that the approach taken would vary and depend upon the best fit for the particular circumstances. In taking forward the development of the care at home contract the feasibility of having more locality or geographically based services would be looked at. A range of options would be considered and providers would be engaged with as a resource to inform future direction.

#### **Decision**

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

- (1) approved the Market Facilitation Plan as appended to the report, and**
- (2) noted that an update on progress with delivery of the Market Facilitation Plan objectives would be provided in line with the annual review process for the Strategic Plan.**

**IJB41. Strategic Outcomes & Local Delivery Plan 2016 - 2020**

The Integration Joint Board considered a report by the Head of Policy, Technology and Improvement which provided the final Strategic Outcomes and Local Delivery Plan (SOLD) 2016-2020 for approval. The SOLD would replace the strategic community plan and single outcome agreement. The report set out the background to the development of the SOLD, additional information of the role of partners within community planning arrangements and provided the SOLD 2016-2020 as an appendix to the report. Fiona Campbell provided an overview of the report.

**Decision****The Integration Joint Board:-**

- (1) approved the Strategic Outcomes & Local Delivery Plan in its capacity as a core community planning partner;**
- (2) noted the role as a delivery group, which the IJB has in supporting the attainment of strategic priorities and local outcomes, particularly in terms of the provision of progress and performance reports to the Community Planning Leadership Board;**
- (3) agreed to have a delivery plan in place with appropriate reporting to the Community Planning Leadership Board on the outcomes and priorities within the plan in line with the agreed reporting structure by the due date;**
- (4) noted its role in contributing to all outcomes and how health and social care can support these directly and indirectly;**
- (5) noted the development of a locality planning framework for the whole community planning partnership;**
- (6) agreed to work with officers across the wider partnership to ensure locality planning for the IJB takes place within and is supported by the wider locality planning framework, and**
- (7) noted that a further update report would be submitted to the IJB following the Community Planning Leadership Board meeting of 1 September 2016.**

100  
Falkirk Community Trust

Board Meeting  
Minute

Minute of a meeting of the Board of Directors of Falkirk Community Trust Limited (the "Company") held at Callendar House on **25<sup>th</sup> August 2016** at 9.30am. Ian Scott (IS) chaired the meeting throughout.

**Present:** Ian Scott (IS) Chairman; Steve Mackie (SM); Ruth Morrison (RMor) items 1-7; Provost Pat Reid (PR); Simon Rennie (SR); Cllr Robert Spears (RS); Bob Tait (BT); David White (DW).

**Apologies:** Cllr Dennis Goldie (DG); Cllr Linda Gow (LG); Alex McQuade (AMcQ).

**In Attendance:** Maureen Campbell (MC); Neil Brown (NB); Paul Finnie (PF); Lesley O'Hare (LoH); Jane Clark (JC); Danny Cairney (DC); Greg Brown of Drummond Laurie.

No.	Agenda Item	Agreement / Action	Due Date	Who
	Welcome	The Chairman welcomed Directors to the meeting.		
1	Minute of Meeting	The Minute of the meeting on 19 <sup>th</sup> May 2016 was approved.		
2	Matters Arising	<p><u>Delivery Plans</u></p> <p>The Board noted that the Library Development Plan, Arts Plan and Physical Activity &amp; Wellbeing Plan are being presented to the Council in September.</p> <p><u>Arts Centre Business Case</u></p> <p>The Board noted the response received from the Council's Chief Executive.</p>		
3	Falkirk Council Financial Perspective	<p>Bryan Smail provided a verbal update on the financial position faced by Falkirk Council and highlighted the wider economic context that is influencing the government; the likelihood of similar reductions in each of the next 3 years; the statutory requirements placed on the Council; and the compressed timescales for delivering a budget for February 2017.</p> <p>The Board noted that the Council is working to a reduction of at least £20m and that a budget report setting out options for service savings is being presented to the Council in September. The Board recognised the impact this is having on the Council and that decision making will be difficult. The focus on discretionary areas of spend was acknowledged. The Policy Development Panel review and Strategic Property Review were noted as pertinent issues as was the Community Empowerment Act.</p> <p>The Board noted the timescales for engagement with the Council on funding and welcomed early engagement prior to November submission on budget for 17/18.</p>		
4	Budgetary Control Statement	<p>DC presented the 1<sup>st</sup> report for 16/17 based on the period to end of June and the Board noted that at this early stage in the year the overall financial projection is within budget. The Board noted that whilst income is generally up year on year it remains challenging to meet all targets.</p> <p>The Trading Company is performing well and is projecting a charitable donation.</p>		
5	Annual Accounts	DC advised the Board that the Annual Accounts 2015/16 have been prepared and audited. The Board noted that in the Auditors opinion the statements give a true and fair view of the Trust's affairs. The financial results show a surplus on unrestricted funds of £381,000. After applying £163,000 from the revaluation reserve, and transferring £175,000 to Helix,		

No.	Agenda Item	Agreement / Action	Due Date	Who
		<p>the unrestricted fund has increased to £736,000.</p> <p><u>Decision</u></p> <p>The Board approved the Trust's Financial Statements for the period to 31 March 2016.</p>		
6	Presentation from External Auditors	Greig Brown provided an overview of the Audit process for across Assets, Liabilities and Income and Expenditure. Assurance was gained across all elements of the Audit. The Board noted that the Audit was conducted in compliance with new accounting standards.		
7	Woodlands Games Hall	NB advised the Board of work that is being undertaken with Falkirk Council, Falkirk Football Foundation and Comely Park School Parent Council. The Board noted that the principle of supporting community interests in asset transfer through the Community Empowerment Act is welcomed. The Board noted that Falkirk Council will consider the matter at a committee meeting in early September. The Board noted that depending on the outcome of this Council meeting the Trust may be asked to withdraw from operation of Woodlands Games Hall.		
8	Strategy Group Presentation	<p>IS reminded the Board of the work of a small group of Directors and that this has assessed where the Trust is at the moment and has had fruitful discussions to imagine the future, where the Trust wants to be and how to get there. IS reminded the Board that the present situation is not sustainable and asked MC to summarise the findings of the group.</p> <p>MC summarised the current position and the context in which the Trust is operating referring particularly to the earlier presentation on the Council's financial position. Drawing on the example highlighted in the previous report the future scenario within a 2-5 year timeline was described as follows:</p> <ul style="list-style-type: none"> <li>• Enabled communities are called to action</li> <li>• Volunteers engage and motivate</li> <li>• FCT leading, guiding and supporting</li> <li>• Reduced portfolio of assets with clear purpose and investment in others</li> <li>• What the community values drives programmes and services</li> <li>• Diverse sources of income</li> <li>• Use of technology to inform decision making and priorities and better promote services.</li> </ul> <p>The Board discussed the development process and points noted included:</p> <ul style="list-style-type: none"> <li>• Importance of stakeholder engagement</li> <li>• Helping and supporting others</li> <li>• Shifting attitudes and cultures</li> <li>• Moving from managing to facilitating</li> <li>• Assets are only part of the answer</li> <li>• The nature of the voluntary effort</li> <li>• Finding ways to invest in core facilities.</li> </ul> <p>IS advised that a further report on implementation will be presented to the Business Planning meeting on 22<sup>nd</sup> September.</p>		

No.	Agenda Item	Agreement / Action	Due Date	Who
9	Annual Report 2015-16	The Board welcomed the Annual Report and approved its publication subject to minor amendments.		
10	Sub Group Membership	<p>The Board noted the programme of meetings for 2017. The Board agreed the following membership changes:</p> <ul style="list-style-type: none"> <li>• Steve Mackie to replace Ruth Morrison on the People Sub Group</li> <li>• Bob Spears to move from the People Sub Group to Audit &amp; Performance Group</li> </ul>		
11	Audit & Performance Sub Group	The Board noted the minute of 11.08.16		
12	Trading Board	The Board noted the minute of 12.05.16		
13	People Sub Group	The Board noted the minute of 02.06.16		
14	Information Items	The Board welcomed the information items and Directors noted that these and the monthly update are of great interest.		