



Falkirk Council

**VOLUME OF COUNCIL
AND COMMITTEE MINUTES**

**VOLUME 5
2016/2017**

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DRAFT**FALKIRK COUNCIL**

Minute of Meeting of the Appointments Committee held in the Municipal Buildings, Falkirk on Friday 3 March 2017 at 3.00p.m.

COUNCILLORS:

Linda Gow
Craig Martin
Cecil Meiklejohn

OFFICERS:

Jack Frawley, Committee Services Officer
Tracey Gillespie, Human Resources Manager
Robert Naylor, Director of Children's Services
Mary Pitcaithly, Chief Executive

AP13. Apologies

Apologies were intimated on behalf of Provost Reid and Councillors Black, Coleman and Nicol.

AP14. Declarations of Interest

None.

AP15. Exclusion of Public

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

AP16. Appointment Process for the Post of Head of Social Work Children's Services

The committee considered a report by the Chief Executive and the Director of Children's Services which outlined the available options for recruitment and selection for the post of Head of Social Work Children's Services. The report provided information on the advantages and disadvantages of three recruitment options, namely:

- recruitment and selection restricted to an internal pool of applicants;
- external advertisement with internally managed recruitment and selection, and

- external recruitment managed by appointed consultants.

A draft timetable for recruitment to the post was also included. Appended to the report were a: job description; personal specification; candidate information pack, and draft advert.

Decision

The appointments committee agreed:-

- (1) to recruit to the post of Head of Social Work Children's Services by external advertisement with an internally managed recruitment and selection process;**
- (2) to approve the draft advert;**
- (3) that the advert was placed in the Recruitment Portal – myjobscotland, the Glasgow Herald and Children & Young People Now;**
- (4) the job description, personal specification and terms and conditions appended to the report, and**
- (5) the additional selection methods outlined in paragraph 4.12 of the report.**

DRAFT**FALKIRK COUNCIL****Minute of Meeting of the Planning Committee held in Grangemouth High School, Tinto Drive, Grangemouth on Monday 13 March 2017 commencing at 7.00 P.M.**

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

Councillors:

David Balfour	John McLuckie
Allyson Black	Adrian Mahoney
Jim Blackwood	Rosie Murray
Baillie William Buchanan (Convener)	Provost Pat Reid
Steven Carleschi	Ann Ritchie
Baillie Joan Coombes	Robert Spears
Paul Garner	Sandy Turner
Linda Gow	
Gordon Hughes	
Brian McCabe	

Officers:

John Angell, Head of Planning and Transportation
 Ian Dryden, Development Manager, Development Services
 Rose Mary Glackin, Chief Governance Officer
 Iain Henderson, Legal Services Manager
 Antonia Sobieraj, Committee Services Officer
 Bernard Whittle, Development Management Co-ordinator
 Kevin Collins, Transport Planning Co-ordinator
 Sarah Colquhoun, Modern Apprentice (Governance)

**Also
Attending:**

Julie Cole, Transport Planning Manager
 Chris Cox, Sustainable Transport Co-ordinator
 Robin Duncan, Director, Dougal Baillie Associates
 David East, Communications Manager, INEOS Grangemouth
 Julian Farrar, Director, Ironside Farrar
 Kirsty Hope, Assistant Planning Officer
 Ian Little, Site Business Development Manager, INEOS Grangemouth
 Alastair McFarlane, Director, Macfarlane Associates
 Stephanie McGhee, Committee Assistant
 Riach Martin, Group Leader, Scottish Fire and Rescue Service
 Gordon Milne, Operations Director, INEOS Chemicals Grangemouth
 David Paterson, Planning Officer
 Ken Short, Transport Planning Officer
 Russell Steedman, Network Co-ordinator

David Stephen, Health and Safety Executive

P141. Apologies

Apologies were intimated on behalf of Councillors Bird, Chalmers, Coleman, Jackson, Meiklejohn, Nicol and Oliver.

P142. Declarations of Interest

No declarations were made.

P143. Works Adjacent to and within the Confines of Bo'ness Road, Grangemouth Comprising the Construction of a Security Management Centre, 2 Security Gatehouses, Security Fencing and 5 No Pipe Bridges with Supporting Infrastructure at Ineos, Bo'ness Road, Grangemouth FK3 9XH for Ineos Chemicals Grangemouth Ltd - P/17/0041/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for works adjacent to and within the confines of the A904 Bo'ness Road, Grangemouth comprising the construction of a security management centre, two security gatehouses, security fencing and five pipe bridges with supporting infrastructure at Ineos Bo'ness Road, Grangemouth. The application would require the permanent closure of a section of the A904 Bo'ness Road between the Inchyra roundabout and the River Avon road bridge.

1. The Convener formally welcomed those present and outlined the procedures relating to the meeting.
2. The Head of Planning and Transportation outlined the nature of the application.
3. The applicant's representatives were heard in relation to the application.
4. The consultees present had no further comments in relation to the application at this stage.
5. Questions were then asked by Members of the Committee as follows:-

Q(a) Clarification was sought on the objection from the Scottish Fire and Rescue Service on the grounds that the stopping up of Bo'ness Road would materially increase response times for appliances travelling from Bo'ness to West Lothian thus leaving initial attending crews exposed for a greater period of time awaiting support.

Response by the applicant's representative:-

The proposals had now evolved since the Scottish Fire and Rescue Service (SFRS) objection and there had been an exchange of correspondence with the SFRS.

Response by Group Leader, Scottish Fire and Rescue Service:-

There was no confirmation from the applicant that emergency vehicles could travel on this road. Should this assurance be provided by the applicant the Scottish Fire and Rescue Service (SFRS) would withdraw its objection to the application.

Q(b) Further detail was sought on the timescale from implementation to completion. A response was sought on whether future development would have an impact on the consultation zone.

Response by the applicant's representative:-

The timescale for the development was dependent on partners and businesses. It was confirmed that the road improvement would be carried out before any other developments. The impact on the consultation zone was not known by the representative.

Q(c) Clarification was sought on whether there were any plans to close Kerse Road, Grangemouth as part of the proposals.

Response by the applicant's representative:-

There were no proposals to close Kerse Road and only those detailed within the application.

Q(d) Clarification was sought on whether there were proposals to create a diversionary route on the Kersiebank Avenue, Grangemouth to address the problem of the rat run.

Response by the applicant's representative:-

There were no proposals for a diversionary route at Kersiebank Avenue.

Q(e) Clarification was sought on the comments from the Council's Roads and Design Unit that the applicant suggested access and mitigation provision fell below minimum expected standards and advised that the applicant should provide updated access and mitigation measures which matched the Council's standards.

Response by the applicant's representative:-

Wholeflats Road was the responsibility of Falkirk Council. Dialogue was still ongoing with the Council. Both parties were capable of agreeing that traffic

mitigation works were adequate. The proposal for the site and the investment would provide new jobs and employment to the area.

Q(f) Clarification was sought on whether there were any health and safety issues if the road remained open, it being noted that there is already a pipe bridge.

Response by the applicant's representative:-

The existing pipeline was safe and it was a viable structure.

Q(g) Clarification was sought on the five proposed constructed bridges and the reason for the closure of the road.

Response by the applicant's representative:-

It was necessary to close Bo'ness Road due to the need for five pipe bridges. The site operates at 15mph whereas the public road is a 40mph limit.

Q(h) Clarification was sought on whether there is a potential for gridlock on the road system if future developments came through in a prosperous environment.

Response by the applicant's representative:-

The circumstances for this couldn't be seen at this time. There could be a future need for "dualling" the road but not at this time.

Q(i) Clarification was sought on proposal for a twin carriageway rather than a dual carriageway and was there a procedure for emergency services to gain access to the site – would a gate be opened?

Response by Group Leader, Scottish Fire and Rescue Service:-

He is not aware of any statistics on this point. He couldn't respond on that..

Q(j) Clarification was sought on the proposals to route pipework above ground rather than below ground.

Response by the applicant's representative:-

It was now best practice to route pipework above ground rather than below ground. This allowed for more reliable monitoring and inspection of pipework. Above ground ensures the integrity of all operations.

Q(k) Clarification was sought on the feasibility of keeping the Bo'ness Road open with a lower speed limit.

Response by the applicant's representative:-

This was done recently in relation to the current bridge.

Q(l) Clarification was sought on the option to build the security centre away from the new Ineos Headquarter. Also, is there evidence of a customer of Ineos that would have difficulty due to the road?

Response by the applicant's representative:-

The security centre is where it is as it needs to be near Bo'ness Road. Amending the road is important to assist the competitiveness of the site overall. Consultants and Scottish Enterprise advise there are issues and there are competitive sites that operate well without a road dividing the site. A site in Germany reports that its best competitive advantage is an integrated site.

Q(m) Clarification was sought on the impact on Ineos from any refusal of planning permission.

Response by the applicant's representative:-

The ability to attract business would be constrained.

Q(n) Clarification was sought on the process for emergency vehicles.

Response by the applicant's representative:-

The principle at this time is that blue light vehicles would be let through the road. Further dialogue is needed and perhaps a sensor approach could be appropriate.

6. Section 38A of the Town and Planning (Scotland) Act 1997 together with Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 give those persons who have submitted representations on relevant planning applications the right to be heard before a Committee of the Council before the application is determined. On this occasion, in addition to those persons who had submitted representations, other members of the public in attendance at the meeting were permitted to address the Committee.

(a) Mrs M Hunt, Bo'ness Community Council, an objector to the development, raised the concern at the closure of the A804. She stated her surprise that at this time it is still not clear where an ambulance would go. She stressed that the road was a lifeline for the local community. She referred to the existence of the pipe bridges and that the community and Ineos/BP had co-existed for years. During this period the Health and Safety Executive had no issues. She indicated that the applicants were shutting down the community's main lifeline for five bridges. There was no reason for this and this was only the

applicant's 'vision' and the local community had not been consulted. The community required information, facts and figures on why this was necessary.

- (b) Mr W Inglis, Grangemouth Community Council, an objector to the development, raised the concern of the community at the closure of the A804 and that this would have a significant impact on the community of Grangemouth. Although not against the other aspects of the development, he stressed that the road closure detrimentally impacted on the living environment. He questioned the benefits of the development and suggested that these were speculative. The effect was however permanent for the community of Grangemouth. He referred to the purpose of the Control of Major Accident Hazards (COMAH) Regulations which were to protect the community from the site and not the site from the community. The applicant's aspirations did not have the community in mind. He questioned why the new pipelines would not be safe without the road being closed. The community was entitled to a good quality environment and the enhancement of the quality of life. The community had to be a partner and the environment was so important. He believed that there was no empirical evidence that Falkirk Council monitored these junctions. An alternative route would be across the jinkabout bridge but you can barely pass a bicycle on that road. A mitigation approach may be about turning right on Wholeflats but human nature will overrule the proposals. While Ineos are very important, they shouldn't take that as a licence to do what they wanted. The importance was partnership working – the community should be partners and not an annoyance to be overcome. He urged the Council to refuse the application in its current form.
- (c) Mr D Stephen, Health and Safety Executive (HSE) provided clarification in relation to the importance of industrial safety. The Control of Major Accident Hazards (COMAH) Regulations were not a licencing regime. Permission is not given. It is for operators to manage on site. There is a view that Ineos would manage the site more easily if they didn't have the road going through the site. Technical challenges exist when pipework goes underground such as corrosion. The pipes are better overground. . Security is another aspect. Where a public road goes through a site with dangerous materials, malicious activity will be an issue for the site. The responsibility is on the site operator with the HSE holding them to account.
- (d) Ms M Montinaro, Shieldhill and California Community Council, an objector to the development, questioned how deep the pipelines had to go under the road. She indicated that with fracking works, drilling takes place 2/3km down and across so surely there is the expertise to put pipes under a road.

Response by Mr D Stephen, Health and Safety Executive (HSE):-

The pipelines had to be located 2 to 3 metres under the road.

- (e) Ms F Jones, an objector, raised concern at the proposal to close the road and stressed that the community would be giving away the public right of way. She asked why the road would be given to a company that wants to make money. She advised that she understands the pressures but what she is hearing is that almost no-one wants the road.
- (f) Ms McDonald, an objector, raised concern at the proposal to close the road and referred to the increase in the amount of fuel that vehicles would require in an increased travel time from Bo'ness to Grangemouth. This would also affect buses which would result in an increase in fares. She also referred to the Council's budgetary constraints and the detour for Council vehicles. She questioned the security concerns as being a valid reason for the road closure.
- (g) Mr J Singh, Shieldhill and California Community Council, an objector to the development, suggested that the company is expert in drilling in pipework. The pipes could be put underground. This could be done for the benefit of everyone and there would be no need to close the road.

Response by the applicant's representative:-

The pipeworks could go underground but they still needed to be inspected. The preference was to locate these over ground for safety reasons and that was the advice from the HSE.

- (h) Mr A White, Reddingmuirhead and Wallacestone Community Council, an objector to the development, said that he had heard the culverts were big enough to walk through. It can be done and it has been done. He also asked about the cost of the proposed work and where the money was coming from.

Response by the applicant's representative:-

The cost of this work amounting to around £2,000,000 was being met by the applicant, Ineos. He had been in perhaps all the culverts in Grangemouth and you couldn't walk through them.

- (i) Mr A White, Reddingmuirhead and Wallacestone Community Council, an objector to the development, questioned the use of all this land by the applicants.

Response by the applicant's representative:-

The application was largely to enable the future development of manufacturing. Chemicals is one of the largest sectors in Scotland. It is very important for the economy with Grangemouth around 5% of Scotland's GDP.

- (j) Mr G McKean, an objector, raised concern that Ineos was unconcerned with the wellbeing of the community. He questioned the ability to build bigger culverts.
- (k) Ms S Rutton, an objector, indicated that the community had been unaware of the proposals and did not want the proposal to go ahead. The disgruntled towns of Grangemouth, Bo'ness and Grangemouth would fight the proposal all the way.
- (l) Ms H Mackie, an objector, indicated that the road closure would divert traffic along Inchyra Road and cause gridlock, affect road safety and would have a knock on effect on house prices. She requested clarification on whether Ineos would financially compensate home owners.
- (m) Dr S Euston, an objector, stressed the traffic mayhem which would result from the closure of the A804. She said there was a lack of clarity on mitigation measures.
- (n) Mr D Harrower, an objector, stressed that the A804 should not be closed.
- (o) Mr C Findlay, an objector, suggested that fencing could be scaled fairly quickly by a determined person.
- (p) Mr Steven, an objector, referred to his daily commute on the A804 and the likely significant build up of increased journey time and mileage saying it would amount to 600 miles per year more. He questioned who would pay for that. This public facility for the community should not be sold off for profit
- (q) Ms J McCormack, an objector, highlighted the increase in petrol cost and car mileage from the road closure. She referred to the issues which would arise in an emergency.
- (r) Mr Cowie, an objector, highlighted that there were more workers on the site when BP was at its busiest. Now, suddenly, Ineos wish to shut the road. The only reason is gantries yet the traffic can still get through. It is only a distance of 300/400 yards.
- (s) Ms J Harron, an objector, sought clarification on whether there would be a Pre Determination Hearing also in Bo'ness.

Response by John Angell, Head of Planning and Transportation:-

- (t) There was notification of this meeting widely and the location picked was one that is near the site. There is a legislative requirement for only one pre-determination hearing. Mr J Bundy, an objector, referred to a petition to the Council with 200 signatures and referred to the negative impact on local businesses and town centres within Bo'ness and Grangemouth from the closure of the road. Could Ineos assure the

community that there would be no such impact and if not can councillors on 29 March 2017 take this into account?

- (u) Mr N Gallagher, an objector, highlighted that the idea of a business park was not new idea and indicated that, if there was no fracking, the site may only be viable for fifteen years.

Response by the applicant's representative:-

The applicant brought a vision to fruition and this had been delivered. He indicated that Ineos was here at this site and was committed to the site and the whole community. He indicated that shale gas was being brought in to support the site. What the world would look like in 15 years no-one knows but a big investment had been made in Grangemouth.

- (v) Mr J Millar, an objector, raised concern in relation to air pollution and stressed that everyone was entitled to a good quality environment. The proposal negatively impacted on the community and the environment. It flew in the face of environmental aims and that there was no information presented by the applicant to illustrate where the new jobs would be located. The applicant's claims were therefore unsubstantiated. He believed that the applicant was ruthless and that this was understood by the community and the detrimental effects on Bo'ness and Grangemouth. He raised the importance of safety and that Ineos had given no information. The Council had a duty of care to make sure the proposal did not go ahead.
 - (w) Mr S Aitkenhead, an objector, sought clarification on why the local community had to have everything changed including the increase in traffic. He stressed that this was not for them. He questioned why the community had to work around Ineos and that the road should not be closed.
 - (x) Mr a Gray, an objector, stressed that the members of the Committee had heard the wishes of the people of Bo'ness and Grangemouth and that they wanted them to do their duty and refuse the application
 - (y) A representative of Reddingmuirhead and Wallacestone Community Council, an objector, raised concern in relation to the tunnels.
7. Further questions were then asked by Members of the Committee as follows:-
- (a) Clarification was sought as to whether any monies were involved in the purchase of land.

Response by John Angell, Head of Planning and Transportation:-

An older road like Bo'ness Road is not owned by the Council. It is owned by the adjoining proprietors and would revert to the respective owners. He understands that the Council may own part but, as matters sit, there is no suggestion of a ransom element being involved.

- (b) Clarification was sought as to how many jobs would be for the Falkirk area.

Response by the applicant's representative:-

Some workers are local and some are from outwith the area. There are a significant number of local workers at the site. The site also supports local services and businesses in the area. Ineos spends around £100m on external service provision per annum. Of that, a significant proportion is spent within 5 miles.

- (c) Clarification was sought as to the impact on bus services of the proposal.

Response by Christopher Cox, Sustainable Transport Co-ordinator:-

He had spoken with First Bus and didn't envisage any impact on fares or timings.

- (d) Clarification was sought as to why the site could not have an electrified fence like at BP or Heathrow with tunnels under the road.

Response by the applicant's representative:-

Grangemouth is low lying. While there is a limited depth that you could go down to there could be issues with the water table level.

8. Close of Meeting

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by Falkirk Council on 29 March 2017 (subsequent to the Hearing the matter was not considered by Council at that meeting).

FALKIRK COUNCIL

Minute of the meeting of the Audit Committee held in the Municipal Buildings, Falkirk on Monday 13 March 2017 at 9.30 a.m.

Members:

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

Officers:

Karen Algie, Head of HR and Business Transformation
Rhona Geisler, Director of Development Services
Gary Greenhorn, Head of Planning and Resources
Kathy McCarroll, Chief Social Work Officer
Joe McElholm, Head of Social Work Adult Services
Colin Moodie, Depute Chief Governance Officer
Gordon O'Connor, Internal Audit Manager
Mary Pitcaithly, Chief Executive
Brian Pirie, Democratic Services Manager
Amanda Templeman, Acting Depute Chief Finance Officer

Also Attending:

Stephen Reid, Ernst and Young

AC33. Apologies

No apologies were intimated.

AC34. Declarations of Interest

No declarations were made.

AC35. Minute**Decision**

The minute of the meeting of the Audit Committee held on 12 December 2016 was approved.

AC36. 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), requested 6 monthly updates on progress in embedding the CRM policy and framework. The second such update was presented.

The risk register had been updated to ensure that the risk details include meaningful consequences, lessons learnt and measurable actions.

The committee sought clarification on the timescales for the projects which form the Council of the Future change programme. In response to a question in regard to the risks should Council run out of money, the Chief Executive explained that different risk scenarios had been modelled and that Council's operated within an extensive support network so that should such an unlikely scenario arise, Council would be able to function and meet its statutory obligations. The Acting Depute Chief Finance Officer explained that there were risks in longer term financial planning given the number of assumptions made but confirmed that officers would look to develop models for 5 years+.

The committee was also provided with further information in regard to:-

- where responsibility lay for Equalities duties;
- training for elected members on Community Empowerment and Asset Transfer in particular;
- the Grangemouth Energy Project; and
- the risks in not consulting and engaging with elected members in key strategic decisions.

Decision

The committee:-

- (1) noted the revised Corporate Risk Register and background information as detailed in appendices 1 to 4 of the report;**
- (2) noted the progress in embedding the Corporate Risk Management (CRM) arrangements;**
- (3) noted that the next report, in Autumn 2017, will include the outcomes of the following reviews:**

- (a) **Corporate Risk Register and Corporate Working Group reviews;**
 - (b) **West Lothian Council's Internal Audit Team CRM Follow-up Audit; and**
 - (c) **CMT and Members' Risk Workshop (to take place after the summer recess); and**
- (4) **agreed that a CRM update will be provided to a future meeting of the Executive.**

AC37. Internal Audit Progress Report

The committee considered a report by their Internal Audit Manager providing an update on the Internal Audit Plan for 2016/17.

In regard to the plan for 2016/17, 21 assignments had been set with a further 5 assignments added over the course of the year. Of the initial 21 assignments, 9 assignments had been completed, 7 were in progress and 5 had not yet started. Of the 5 additional assignments, 4 had been completed, with the remaining assignment in progress.

Four reviews will be deferred into future years' plans. These are:-

- Code of Corporate Governance;
- Welfare Reform;
- Housing Rents; and
- Procurement from external providers of Social Work services.

In response to a question, the Internal Audit Manager summarised the key findings of the audit of building security and the progress made to address the recommendations. He then clarified the findings in regard to the audit of redundancy and severance arrangements, in particular in regard to the implementation of policies. In response to a question, the Internal Audit Manager explained the reasoning for deferring the planned review of procurement from external providers of social work services.

Internal Audit performance to date, as measured by 5 key performance indicators, was broadly comparable to performance at the same point in 2015/16.

The report set out the key findings of those assignments which had not previously been reported to committee.

Decision

The committee noted the progress being made in completing the 2016/17 Internal Audit Plan.

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

AC38. Internal Audit Plan 2017/18

The committee considered a report by the Internal Audit Manager presenting the Internal Audit Plan 2017/18 for approval.

The proposed audit plan for 2017/18 was set out in an appendix to the report. The programme included 21 assignments.

A joint working arrangement with Clackmannanshire Council had been agreed. As a result, Falkirk Council's Internal Audit team will provide management and supplemental resources to deliver Clackmannanshire Council's internal audit programme. The report set out the benefits to Falkirk Council in the arrangement together with risks. A total of 186 days of auditor time, plus 70 days of Internal Audit Manager time will be allocated to the arrangement. The agreement will be initially for a 12 month period, with evaluation after 6 months and includes the ability to terminate the pilot at short notice.

The committee sought assurance in regard to the benefits of the agreement with Clackmannanshire Council and on the impact on the ability of the Internal Audit team to deliver its plan for 2017/18. The Internal Audit Manager confirmed that the risks had been assessed but considered that the arrangement would benefit both Falkirk Council and Clackmannanshire Council and that it would not prevent the audit plan being delivered. He confirmed that fewer days were allocated to the same number of assignments in 2017/18 compared to 2016/17. However, he stressed that the plan was realistic and deliverable.

Decision

The committee:

- (1) noted work undertaken to date to develop the joint working arrangement with Clackmannanshire Council and that this would be implemented on a pilot basis for 2017/18; and**
- (2) agreed the proposed Falkirk Council Internal Audit Plan 2017/18.**

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

AC39. Annual Audit Plan

The committee considered the external auditor's Annual Audit Plan 2017/18.

Ernst and Young had been appointed as the Council's external auditor for the period 2016/17 to 2020/21.

The report set out:-

- the public sector audit framework;
- understanding the Council;
- financial statements audit;
- wide scope audit framework; and
- team, fees and deliverables.

The committee asked questions of Mr Reid in regard to the arrangements for auditing the pensions fund, the wider context within which councils operate and the sources of the Council's own self evaluation exercises upon which the external auditor will rely.

The plan summarised the assessment of the key challenges and risks facing the Council and reflected the risks and priorities facing the Council.

Decision

The Committee noted the external auditor's Annual Audit Plan for 2017/18.

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

AC40. Accounts Commission Report – Social Work in Scotland

The committee considered a report by the Chief Social Work Officer presenting the findings of the Accounts Commission's report on "Social Work in Scotland" together with a response to the findings.

The Accounts Commission published its national report on "Social Work in Scotland" in September 2016. The report set out 22 recommendations for Councils covering social work strategy and service planning, governance and scrutiny arrangements, workforce and service efficiency and effectiveness. The recommendations were set out together with Council's response to these.

The Chief Executive and Chief Social Work Officer responded to a question in regard to the recommendation that elected members should "assure themselves that the quality of social work service is being maintained and Councils are managing the risks effectively". The Chief Social Work Officer summarised the processes for measuring people's satisfaction with these services following a question and set out the processes for benchmarking with other Councils.

The committee discussed at length the significant financial challenges which face social work services and the factors, such as "real term reduction" in Council spending and the changing demographic landscape.

Decision

The committee noted:-

- (1) the content of the Accounts Commission's national report "Social Work in Scotland", attached at appendix 1 to the report, and in particular the key messages and recommendations; and**
- (2) that the Chief Social Work Officer had provided a detailed response, attached at appendix 2 of the report, which addressed each of the recommendations made by the Accounts Commission.**

DRAFT**FALKIRK COUNCIL**

Minute of Joint Meeting of the Pensions Committee/Board held in the Municipal Buildings, Falkirk on Thursday 16 March 2017 at 9.30 a.m.

Present:

Committee:-

Councillors Falkirk Council:-

Jim Blackwood

Steven Carleschi

Tom Coleman

Dr Craig R Martin

Depute Provost John Patrick (Convener)

Councillor Callum Campbell, Stirling Council

Andrew Douglas, Unison

Ian McLean, Pensioner Representative

Board:-

Susan Crook, Unison

Gordon Irvine, Unite

Sandy Harrower, UCATT

Simon Hunt, Scottish Autism

Ed Morrison, Scottish Children's Reporter

Administration (SCRA)

Jennifer Welsh, SEPA

Attending:

Alastair McGirr, Pensions Manager

Bryan Smail, Chief Finance Officer

Antonia Sobieraj, Committee Services Officer

Graham Templeton, Senior Auditor

Also in Attendance:

Julie Pine, Victoria Maclean and James Fearon, Aberdeen Asset Management

Rob Jones, Ernst and Young (External Audit)

Simon Jones, Hymans Robertson

Bruce Miller, Chief Investment Officer and Clare Scott, Chief Executive Officer, Lothian Pension Fund

PE44. Apologies

Apologies were intimated on behalf of Councillor Donald Balsillie, Clackmannanshire Council.

PE45. Declarations of Interest

No declarations were made.

PE46. Minute

Decision

The minute of the joint meeting of the Pensions Committee and Board on 8 December 2016 was approved.

PE47. Pension Fund - External Audit Annual Audit Plan 2016/17

The Committee and Board considered a report by the Director of Corporate and Housing Services on External Audit's Annual Audit Plan for the 2016/17 accounting year.

Decision

The Committee and Board noted the Annual Audit Plan by Ernst and Young, consistent with the audit of the Fund's Annual Report and Accounts for 2016/17.

PE48. Pension Fund - Internal Audit Plan 2017/18

The Committee and Board considered a report by the Internal Audit Manager outlining Internal Audit's Annual Audit Plan for 2017/18 accounting year.

Decision

The Committee and Pension Board noted the report.

The Committee agreed the Fund's Internal Audit Plan 2017/18.

PE49. Pension Fund Budget 2017/18

The Committee and Board considered a report by the Director of Corporate and Housing Services on the Fund's Budget for 2017/18.

Decision

The Committee and Board noted the report.

The Committee approved the Fund's budget for 2017/18.

PE50. 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 including the following:-

- The Risk Register;
- The Pensions for Unmarried Partners;
- The Actuarial Services Tender;
- The Scheme Closure for Fund Employers;
- The Government Actuary Section 13 Review;
- The State Pension Age; and
- The Corporate Governance Issues.

Decision

The Committee and Board noted the report.

PE51. Environmental, Social and Governance (ESG) Policy Review

The Committee and Board considered a report by the Director of Corporate and Housing Services providing an update on the Environmental, Social and Governance (ESG) Policy Review.

The areas covered within the report included the following:-

- The legal considerations surrounding Environmental, Social and Governance (ESG) policy;
- The Fund's existing ESG policy;
- The Scheme rules requiring Funds to maintain a Statement of Investment Principles (a "SIP") stating how ESG considerations would be taken into account in the investment process;
- The Fund's current approach to ESG as set out in the SIP having placed a particular emphasis on corporate environmental policy, human rights and employment standards including Executive pay;
- The considerations on the development of the Fund's approach to ESG;
- The legal purpose of the Fund being to provide benefits for members and minimise costs for employers and not be in pursuit of any purely ethical aim;

- The decisions at the meeting on 8 December 2016;
- The further discussions at the seminar on 10 March 2017; and
- The progress in the review of the Statement of Beliefs.

Decision

The Committee and Board noted the report.

The Committee agreed:-

- (1) the adoption of the additional belief statements as set out in paragraph 4.2 of the report;**
- (2) that a carbon footprinting exercise be carried out by Trucost as set out in paragraph 4.6 of the report; and**
- (3) that the Statement of Investment Principles be updated in line with the decisions at this meeting and in December 2016.**

PE52. 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.

PE53. 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, Heathstone and UK Infrastructure (in conjunction with Lothian Pension Fund) for the quarter ending 31 December 2016.

Decision

The Committee and Board noted the progress of the Pension Fund's private equity and alternatives investment programme for the quarter ending 31 December 2016.

PE54. 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 31 December 2016, in accordance with their investment policies.

The Convener agreed a short adjournment at 10.55 a.m. The meeting reconvened at 11.10 a.m. with all Members present as per the sederunt.

PE55. Fund Manager Presentation – Aberdeen Asset Management

The Committee and Board received a presentation by Julie Pine, Victoria Maclean and James Fearon, Aberdeen Asset Management.

The presentation covered the undernoted issues:-

- The global equity team;
- The long term performance and delivery;
- The investment process overview;
- The company engagement;
- The research process;
- The investment portfolio; and
- The proposed merger with Standard Life.

The Convener thanked Ms Pine, Ms Maclean and Mr Fearon for their comprehensive presentation.

PE56. Exclusion of Public

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.

PE57. Commentary on 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);
- Legal and General Investment Management;
- Newton Investment Management;
- Schroder Investment Management (UK Equities); and
- Schroder Investment Management (Property).

Discussions also included the offer from Aberdeen Asset Management for a further six months waiving of management fees.

Decision

The Committee and Board noted the Fund Managers' performance and the action taken by them during the quarter to 31 December 2016, in accordance with their investment policies.

PE58. Pension Fund Governance Arrangements

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 following matters were discussed:-

- that investment strategy would remain the responsibility of the Pensions Committee;
- that implementation of investment strategy (including the selection and deselection of Investment Managers) would be delegated to the Chief Finance Officer on the basis of advice being provided by the Joint Investment Strategy Panel. The Joint Investment Strategy Panel would include FCA authorised officers from the Lothian Fund and specialist

independent advisers as well as Falkirk Council's Chief Finance Officer and Pensions Manager;

- the potential for lower costs through utilising Lothian's internal investment facilities; and
- the potential for cost savings from shared procurement in areas such as investment advice.

Decision

The Committee and Board noted the report.

The Committee agreed:-

- (1) the entering into of a Memorandum of Understanding between the Lothian and Falkirk Pension Funds as set out in the draft document detailed in Appendix 1 to the report and subject to any final adjustments agreed by the Chief Finance Officer;**
- (2) the structure and terms of reference of the Joint Investment Strategy Panel, subject to any final adjustments agreed by the Chief Finance Officer; and**
- (3) requested that the Chief Finance Officer provide an update on the revised governance arrangements to the next meeting of the Committee and Board.**

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

PE59. Investment Strategy Considerations

The Committee and Board considered a report by the Director of Corporate and Housing Services on the Investment Strategy considerations.

Decision

The Committee and Board noted the report.

The Committee agreed the undernoted rebalancing proposals:-

- (1) to make a new investment in property in order to return the asset class to its strategic allocation of 10% of the Fund;**
- (2) to introduce a strategic allocation to private debt equivalent to 5% of the Fund value;**

- (3) to reduce the equity exposure with Aberdeen Asset Management by approximately £60m and hold the realised funds in the form of cash pending re-investment in other asset classes;**
- (4) in view of the decision to adopt the new governance model that the Chief Finance Officer make arrangements to implement the above property and private debt allocations in line with the new model (in which case advice will be taken from the Joint Investment Strategy Panel with the aim of collaborative solutions being taken forward in relation to the property and private debt investments);**
- (5) to approve the recommendation at paragraph 3.4 of the report.**

FALKIRK COUNCIL

Minute of meeting of the EXECUTIVE held within the Municipal Buildings, Falkirk on Tuesday 21 March 2017 at 11.20 a.m.

Councillors:	David Alexander	Craig Martin (Convener)
	Jim Blackwood	Dr Craig R Martin
	Tom Coleman	Malcolm Nicol
	Linda Gow	Alan Nimmo
	Adrian Mahoney	Robert Spears

Officers:

Sally Buchanan, Welfare Reform Project Manager
 Fiona Campbell, Head of Policy Technology and Improvement
 Douglas Duff, Head of Economic Development and Environmental Services
 Paul Ferguson, Revenue Manager
 Rhona Geisler, Director of Development Services
 Rose Mary Glackin, Chief Governance Officer
 Elizabeth Hood, Neighbourhood and Access to Housing Manager
 Kathy McCarroll, Chief Social Work Officer
 Cathy Megarry, Service Manager, Children's Services
 Robert Naylor, Director of Children's Services
 Brian Pirie, Democratic Services Manager
 Mary Pitcaithly, Chief Executive
 Stuart Ritchie, Director of Corporate and Housing Services
 Bryan Smail, Chief Finance Officer
 Vivien Thomson, Service Manager, Children's Services

Also attending: Councillor Stephen Bird

EX119. 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 way they were taken at the meeting.

EX120. Apologies

An apology was intimated on behalf of Councillor G Goldie.

EX121. Declarations of Interest

Councillor Mahoney declared a non-financial interest in item EX129 Consultative Draft – Historic Environment Strategy for Falkirk as a member of Historic Scotland but did not consider that this required him to recuse himself from consideration of the item having regard to the objective test in the Code of Conduct.

EX122. Minute**Decision**

The minute of the meeting of the Executive held on 7 March 2017 was approved.

EX123. Rolling Action Log

A rolling action log detailing decisions not yet implemented following the previous meeting on 7 March 2017 was provided.

Decision

The Executive noted the rolling action log.

EX124. Treasury Management Strategy 2017/18

The Executive considered a report by the Director of Corporate and Housing Services presenting a Treasury Management Strategy for 2016/17 for consideration prior to referral to Council.

In terms of the CIPFA Code of Practice for Treasury Management, Council is required to agree an annual Treasury Management Strategy. The recommended strategy for 2017/18 was presented.

The strategy set out:-

- the economic and interest rate outlook;
- debt outstanding at 1 April 2017;
- the longer term borrowing requirement for 2017/18;
- borrowing and investment strategies;
- treasury indicators and treasury management advisers; and

- elected member and officer training.

Decision

The Executive agreed to recommend that Council:-

- (1) adopts the Borrowing Strategy for 2017/18 set out in section 4.2 of the report;**
- (2) adopts the Investment Strategy for 2017/18 and approve the list of “Permitted Investments” set out in section 4.3 of the report; and**
- (3) approves the Treasury Indicators set out in section 4.5 of the report.**

Councillors Gow, Dr C R Martin, Nicol and Nimmo joined the meeting during consideration of the previous item.

EX125. Joint Consultative Committee – 28 February 2017

- **Disciplinary and Capability Policies**
- **Naloxone Policy**

The Executive considered a report by the Director of Corporate and Housing Services presenting changes to the Disciplinary and Capability policies and a policy for the use of Naloxone within the workplace.

The proposed changes to the Disciplinary and Capability policies which remove the requirement for a legal representative to attend hearings or appeals, and a policy on the use of Naloxone had been considered by the Joint Consultative Committee on 28 February 2017 (ref JCC38 and JCC39) and referred to the Executive for approval.

Decision

The Executive agreed the immediate implementation of changes to the administrative arrangements within the Disciplinary and Capability Policies and a new Naloxone Policy.

EX126. Scrutiny Committee – 9 March 2017 Scrutiny Panel – Complaints Outcome

The Executive considered a report by the Director of Corporate and Housing Services presenting recommendations from the Scrutiny Committee.

On 9 March 2017, following a Scrutiny Panel review of the Council's complaints process, the Scrutiny Committee agreed a number of recommendations (ref S36) for consideration by the Executive.

The panel's report to the Scrutiny Committee was provided for reference.

Councillor Bird, as chair of the scrutiny panel, summarised the key findings of the panel.

Decision

The Executive agreed:-

- (1) that a quarterly performance report for complaints will be produced including the number of complaints, types of complaints by Service, what we do to improve, emerging trends and outcomes of complaints to the SPSO;**
- (2) that reports to the Performance Panel should be reviewed to provide a summary of the information set out in clause 1 above;**
- (3) that the Council's annual complaints report will be expanded to include information about Service complaints trends and note that the SPSO commended the report as one of the best produced by Councils;**
- (4) to ensure that all expressions of dissatisfaction are recorded as complaints in line with our policy, rather than as requests for service, for example missed bins;**
- (5) that training is provided for Members on the complaints procedure as part of their induction training. This would include advice about unacceptable behaviour, aligned to the training they are given on lone-working and risk management as part of the process;**
- (6) to publicise positive examples of learning from complaints using our You Said, We Did framework;**
- (7) to continue to participate in the work of the Local Authority Complaints Network which looks at common issues, benchmarking and areas for improvement;**
- (8) to review complaints data for each area and community as part of our approach to locality planning;**
- (9) to work with the SPSO/Complaints Standards Authority to help them pilot their complaints improvement framework;**

- (10) to review the internal mechanisms for reporting upheld SPSO complaints to Members, and**
- (11) more generally, that complaints should be seen as part of the performance and improvement framework.**

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

EX127. Equalities Outcomes and Mainstreaming Report

The Executive considered a report by the Director of Corporate and Housing Services presenting an updated Equalities Outcomes and Mainstreaming Report for approval.

An Equalities Outcomes and Mainstreaming Report had been agreed on 28 April 2015 (ref EX6).

Under the Equality Act 2010 (Specific Duties) Scotland Regulations 2012, Council is required to publish a refreshed plan by 30 April 2017.

The updated Equalities Outcomes and Mainstreaming Report had been refreshed to reflect the Strategic Outcomes and Local Delivery Plan (SOLD) which had been adopted in 2016 by the Council and its Community Planning Partners and to also reflect the proposed integrated Children's Service Plan. The following outcomes would replace those adopted in 2015:-

- access to our services will be improved by understanding and removing barriers;
- our communities are supported to understand and celebrate the diversity of those who live, work and visit the area;
- our approach to engagement and participation will give a voice to our diverse communities;
- people with the relevant protected characteristics or who experience other forms of discrimination and disadvantage are able to be themselves and reach their full potential;
- children and young people within the relevant protected characteristic groups or who experience other forms of discrimination and disadvantage are able to reach their full potential; and
- children and young people within the relevant protected characteristic groups in Falkirk Schools feel safe and able to be themselves.

Decision

The Executive agreed the Equality Outcomes and Mainstreaming report with its supporting actions.

EX128. Welfare Reform Update

The Executive considered a report by the Director of Corporate and Housing Services seeking approval to provide an additional £10,000 to mitigate the reduction in the benefits cap. The report also provided an update on changes to the social security system more generally arising from the Welfare Reform Act 2012 and the Welfare Reform and Work Act 2016.

The Executive has received a number of reports on the impact of Welfare Reform changes and on how Council supports those affected by the changes. The most recent update was on 19 May 2015 (ref EX13) at which time universal credit was about to be implemented in the Falkirk Council area.

The report provided an update on the impact of the introduction of universal credit, of the reduction in the benefits cap and the establishment of a Scottish Welfare Fund which enables Councils to provide both crisis grants and community care grants and set out the findings of a National Audit Office report on the use of sanctions by the Department of Work and Pensions (DWP) to encourage people into work.

In regard to the benefits cap, 76 households in the Council area were currently capped at the new limit which was introduced in November 2016.

The (DWP) provided funding to Local Authorities to make Discretionary Housing Payments (DHP) to assist those whose benefits are capped. To date, 17 applications for DHP had been received – of these 9 had been approved and 6 refused. However, it was recommended, given that only 17 of 76 households had applied, that DHP is promoted within the 59 households who have not applied. It was estimated that an additional £10,000 would be required to meet additional DHP payments, in 2017/18. The Council's allocated DHP funding had been utilised and as such it was proposed that the costs are met from the Fairer Falkirk Fund.

Following discussion and with the consent of members of the Executive, Councillor C Martin stated that he would write to the Minister for Pensions to highlight the hardship caused by the sanctions regime.

Decision

The Executive agreed to further mitigate the impact of the lower benefit cap at a potential cost of approximately £10,000 which would be funded by Fairer Falkirk.

EX129. Consultative Draft – Historic Environment Strategy for Falkirk

The Executive considered a report by the Director of Development Services presenting a draft Historic Environment Strategy for Falkirk “Our Future in the Past” for approval.

A draft Historic Environment Strategy based upon the Historic Environment Strategy for Scotland 2014 “Our Place in Time” has been developed. The strategy reflects national and regional policies on the historic environment as well as the vision and strategic objectives of the Local Development Plan 2015.

The proposed strategy:-

- provides detailed background information on the historic environment within the Falkirk area;
- describes the general benefits brought by the historic environment;
- highlights past achievements, opportunities and threats; and
- sets a strategic vision and identifies specific and measurable actions in a 5 year action plan.

The strategy will replace the current Built Heritage Strategy which was adopted in 2006 and, if approved, will be the basis of external consultation with stakeholders and partners. The outcome of the consultation will be reported to the Executive together with any proposed changes by October 2017.

Decision

The Executive agreed:-

- (1) the consultative draft Historic Environment Strategy for Falkirk 2017 for external consultation; and**
- (2) that a finalised report will be reported back to the Executive for approval and adoption following external consultation.**

EX130. Council of the Future

The Executive considered a progress report by the Chief Executive on the Council of the Future framework.

On 7 December 2016, Council agreed to adopt the Council of the Future framework (ref FC55). It is intended that savings from the five year change programme will feed through to the 2018/19 budget and beyond.

The report detailed the initial phases of the programme. The first, from January to May 2017, focussed on readiness and engagement with stakeholders (including employees and elected members). In terms of readiness, a Council of the Future Board was established in January 2017. The Board, which includes the Leaders of the Council and the Opposition, will oversee the projects which are designed to deliver the necessary changes to achieve the Council's priorities.

A Change Group, comprising chief officers and project managers has also been set up. It is responsible for delivery of the projects. Services will be supported by a programme management office (PMO) and three programme management co-ordinators have been recruited to provide support to Services. It is also proposed that Improvement Groups will be established although their role has yet to be fully defined.

The second phase, vision and implementation, will begin after the local government elections in May 2017 and the programme will align with the priorities of the new Council's corporate plan.

Decision

The Executive:-

- (1) noted progress made on the Council of the Future framework of change; and**
- (2) agreed that an update report will be submitted to the Executive.**

EX131. Development Plan Scheme 2017

The Executive considered a report by the Director of Development Services presenting the Local Development Plan Scheme 2017.

The current Local Development Plan (LDP) was adopted in 2015. The proposed scheme:-

- explains the development plan framework for the area, and how it is evolving;
- explains the key stages in preparing a local development plan;
- sets out the intended programme for preparing LDP2, and the remaining Supplementary Guidance associated with LDP1;
- describes the progress made to date on LDP2; and
- explains how the Council will involve people and agencies at each stage in the preparation of LDP2 (participation statement).

Decision

The Executive agreed the Falkirk Local Development Plan Scheme 2017.

EX132. Development of a Family Firm Approach

The Executive considered a report by the Director of Children's Services setting out progress in developing a "family firm" approach to meet the needs of Looked After Children, young people and care leavers.

On 29 November 2016, following consideration of recommendations from the Scrutiny Committee, the Executive requested that a proposal for a family firm approach be brought forward, with reference to the Council in the first instance but with a view to it being extended to other public sector agencies where appropriate (ref EX85).

Decision

The Executive:-

- (1) noted progress made to date in developing a "family firm" approach; and**
- (2) agreed the direction being taken in developing this approach.**

EX133. Provision of Housing and Support for Care Leavers

The Executive considered an update report by the Directors of Children's Services and of Corporate and Housing Services on the provision of housing and support for children leaving care.

On 29 November 2016, the Executive had requested a report on the provision of housing and support for children leaving care (ref EX85) with specific reference to overcoming the challenges of providing accommodation, the potential for a protocol for housing options, the need to continue support and how this is provided, the role and remit of the leaving care service and how we provide support to older young people in line with our new obligations.

The report set out considerations in regard to:-

- housing care leavers;
- housing options protocols for care leavers; and
- the role and remit of the Leaving Care Team.

Decision

The Executive agreed to request a further progress report following consideration of the Housing Options Protocol by the Champions Board.

EX134. Social Work Complaints Procedure

The Executive considered a report by the Chief Social Work Officer presenting a model Complaints Handling Procedure (CHP) for social work complaints received on or after 1 April 2017.

The current procedure for reviewing complaints about social work provision will be replaced on 1 April 2017 with a model Complaints Handling Procedure. This procedure was developed by the Scottish Public Services Ombudsman (SPSO) in partnership with local authorities, Health and Social Care Partnerships, the Scottish Government and Third Sector. It will replace the current 3 stage process (which includes, at stage 3, a review by a Complaints Review Committee) with a 2 stage model which is in line with the model used by local authorities for other complaints about services. A model CHP for the health service will also be introduced on 1 April 2017.

Notably, the CHP accords the SPSO with wider jurisdiction in considering social work complaints than other local government functions and, in particular, enables her to consider the merits of a decision taken in exercise of professional judgement, in line with the approach in place for health complaints.

Although the CHP comes into effect on 1 April 2017, complaints received prior to this date will be handled using the current procedure.

Decision

The Executive:-

- (1) agreed to adopt the Model Complaints Handling Procedure (CHP) for handling all social work complaints from 1 April 2017, with any necessary local modifications; and**
- (2) noted that there will be a CHP for functions delegated to the Integration Joint Board and one for social work services not so delegated.**

EX135. Grangemouth Energy Project Update

The Executive considered an progress report by the Director of Development Services on the Grangemouth Energy Project.

The Executive had agreed on 15 March 2016 (ref EX102) to progress an energy project for the Grangemouth area which would deliver energy cost savings to the industrial complex and potentially to the wider area through the development of a district heating scheme.

A business case, commissioned by the Scottish Government in liaison with Council and Scottish Enterprise was prepared by Atkins, consulting engineers. The business case suggested that Council consider the requisition of energy for its buildings from the district heating network and identified 3 scenarios for this:-

- full “day one” build out across both Eastern and Western network areas;
- begin with key “hubs” and build out over the project lifespan; and
- develop standalone Eastern and Western schemes.

A summary of the advantages and disadvantages of each option was provided. The study highlighted the benefits in the Council using its purchasing powers to obtain lower carbon heat solutions to help prime the development of district heating networks. It was proposed that further consideration of the options is taken forward as part of the Investment Zone initiative.

Decision**The Executive:-**

- (1) noted the updated position of the Grangemouth Energy Project development work;**
- (2) agreed the inclusion of the next stage of the Energy Project work within the proposed Investment Zone initiative; and**
- (3) agreed to investigate the potential use of the Council’s purchasing powers for low carbon energy supplies as a means of enabling delivery of a district heating network the area.**

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

EX136. Corporate Debt Policy

The Executive considered a report by the Director of Corporate and Housing Services presenting a Corporate Debt Recovery Policy for approval. It was designed to provide consistency across each of the Council's debt streams, namely:-

- council tax;
- non domestic rates;
- rents;
- sundry debts; and
- housing benefits overpayments.

Decision**The Executive:-**

- (1) agreed the Corporate Debt Policy;**
- (2) noted that the policy will be reviewed every 3 years, but more frequently if there are material changes to the way in which any debt is recovered, and**
- (3) noted the intention to review the rent appendix in 2018 in light of Welfare Reform changes and in particular the roll-out of Universal Credit.**

EX137. 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 8 of Part 1 of Schedule 7A to the said Act.

EX138 Irrecoverable Debts 2016/17

The Executive considered a report by the Director of Corporate and Housing Services recommending that irrecoverable debts in regard to council tax, housing benefit overpayments, non domestic rates, sundry accounts and payroll overpayments are written out of the 2016/17 accounts.

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

Details were given of debts exceeding £5,000 in regard to council tax, housing benefit overpayments, non domestic rates, sundry accounts and payroll overpayments and approval was sought to write these off.

Decision

The Executive agreed that, subject to further recovery action being taken should the opportunity arise, the following debts in excess of £5,000 be written out of the accounts in 2016/17 :-

- (1) council tax debts totalling £15,593.08 as detailed in appendix A to the report;**
- (2) rent debts totalling £33,361.19 as detailed in appendix B to the report;**
- (3) housing benefit overpayments totalling £45,726.94 as detailed in appendix C to the report;**
- (4) non-domestic rates debts totalling £969,016.16 as detailed in appendix D to the report, with an appropriate adjustment to the rate income return for 2016/17;**
- (5) sundry account debts totalling £59,095.83 (inclusive of VAT) as detailed in appendix E to the report; and**
- (6) temporary accommodation charges totalling £59,091.63 as detailed in appendix F.**

EX139. Convener's Remarks

In recognition that this was the final meeting of the Executive before the local government elections in May, the Convener thanked members and officers for their support and commitment over the previous 5 years.

FALKIRK COUNCIL

Minute of meeting of the EDUCATION EXECUTIVE held in the Municipal Buildings, Falkirk on Tuesday 21 March 2017 at 9.30 am.

COUNCILLORS:

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

**REPRESENTATIVES
OF RELIGIOUS
BODIES:**

Margaret Coutts
Dr Brendan McGuckin
Rev Michael Rollo

CO-OPTES:

Jonathan Barclay (Pupil Representative)
Martin Craigen (Parent Representative)
Margaret Smith (Teacher Representative)

OFFICERS:

Nick Balchin, Principal Educational Psychologist
Tony Bragg, Education Team Manager
David Mackay, Head of Education
Cathy Megarry, Service Manager, Children's Services
Colin Moodie, Depute Chief Governance Officer
Robert Naylor, Director of Children's Services
Brian Pirie, Democratic Services Manager
Richard Teed, Senior Forward Planning Officer

EE36. Apologies

An apology was intimated on behalf of Councillor G Goldie.

EE37. Declarations of Interest

No declarations were made.

EE38. Minutes**Decision**

The minute of the meeting of the Education Executive held on 31 January 2017 was approved.

EE39. Rolling Action Log

A rolling action log detailing a decision which had been implemented following the previous meeting on 31 January 2017 was provided.

Decision

The Education Executive noted the rolling action log.

EE40. Education Executive Membership

The Education Executive considered a report by the Director of Corporate and Housing Services advising of the appointment of Dr Brendan McGuckin as the Roman Catholic Church representative and Ms Maureen Tait as the Church of Scotland representative on the Education Executive.

Dr McGuckin had been appointed with effect from 3 February 2017 and Ms Tait's appointment would commence on 5 May 2017.

The committee expressed its appreciation to Mrs Coutts for her contribution to its work and that of its predecessors since 2003.

Decision

The Education Executive noted the appointment of:-

- (1) Dr Brendan McGuckin to representative of the Roman Catholic Church with effect from 3 February 2017; and**
- (2) Ms Maureen Tait as the representative of the Church of Scotland with effect from 5 May 2017.**

EE41. Children's Services Transport Policy

The Director of Children's Services presenting a Children's Services Transport Policy for approval.

An integrated education and social work transport policy had been developed following a review of current procedures. It was proposed that the policy would replace the current Transport Policy which specifically referred

to home to school transport with one which integrates all Children's Services transport functions.

The review concluded that transport for children, whether home to school or for Looked After Children, should be organised by one Service. It was proposed that overall management of transport, including the management of Pupil Transport Assistants and volunteer drivers would lie with Development Services although the budget will remain with Children's Services.

The new integrated policy had been updated to reflect current working practices. There were no changes to eligibility criteria.

The Director confirmed that an update report would be submitted after 12 months.

Decision

The Education Executive:-

- (1) agreed the new integrated Children's Services Transport Policy set out in appendix 1 of the report;**
- (2) noted the draft operational guidance that underpins the policy set out in appendix 2 of the report; and**
- (3) agreed that the overall management of all transport provision defined within the policy was to be provided by the Transport Planning Unit in Development Services including the management of Transport Assistants, once the necessary staff transfers and a service level agreement have been agreed.**

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

EE42. Increasing Capacity in Specialist Education, Update and New Developments

The Executive considered a report by the Director of Children's Services proposing increased capacity from August 2017 for pupils with significant Additional Support Needs (ASN).

The Education Executive had previously agreed, on 29 March 2016 (ref EE48), to expand provision in the specialist primary sector for children with additional support needs and to both use the existing space in Carrongrange School and to expand the ASN base in Maddiston Primary School to meet growing demand from children with severe and complex additional support needs.

A policy development panel was established on 11 November 2014 (ref EE30) to look at the longer term strategy for the provision of ASN and inclusion services.

The demand for ASN provision has continued to grow since the meeting in March 2016. Further capacity is required over the short term to meet this demand for 2 years in the primary sector and 1 year in the secondary sector.

The report set out proposals to increase capacity at:-

- Ladeside Additional Support Facility;
- Kinnaird Thistle Wing/Annexe;
- Grangemouth High School Additional Support Centre; and
- Denny High School Northfield Unit.

The additional cost of the proposed increase in capacity was £650k, of which £405k related to 2017/18. This would be met by:-

- use of additional budget for ASN provision 17/18 (£250k);
- realignment of existing staff budgets (£105k); and
- use of Devolved School Management (DSM) reserves (£50k).

Decision

The Education Executive:-

- (1) agreed the additional staffing required to meet the growth in Additional Support Needs (ASN) capacity as detailed in section 4.2 of the report; and**
- (2) noted how Children's Services propose to finance the growth in staffing as detailed in section 6.1 of the report.**

EE43. Report on Scottish Qualifications Authority (SQA) Attainment in Falkirk in 2015/2016

The Executive considered a report by the Director of Children's Services advising on the attainment of young people leaving Falkirk Council's secondary schools in 2015/16.

The report provided information on Falkirk Schools' pupil attainment for the past 5 years in:-

- school leaver destinations – % in a positive destination;

- attainment in literacy;
- attainment in numeracy;
- average tariff points of lowest, middle and highest attaining school leavers; and
- attainment of 3 or 5 Highers.

The report provided context for the information and an analysis of each set of data compared to the national average and a virtual comparator (made up of pupils from other Local Authorities who have the same characteristics as pupils in Falkirk Council schools).

In regard to closing the attainment gap, the report presented the average points of Falkirk Council's school leavers compared with the national average, broken down by Scottish Index of Multiple Deprivation (SIMD) decile in which they live.

Decision

The Education Executive:-

- (1) noted Falkirk Council secondary schools' attainment results; and**
- (2) agreed that officers will work with the Quality Improvement Team to support and challenge schools in relation to tracking and monitoring of pupils progress, and curriculum design.**

EE44. Convener's Remarks

In recognition that this was the final meeting of the Education Executive before the local government elections in May, the convener thanked the members of the committee and officers for their support and commitment and highlighted the achievements over the previous 5 years.

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Wednesday 22 March 2017 at 9.30 a.m.

COUNCILLORS:

Baillie William Buchanan (Convener)
Jim Blackwood
Steven Carleschi
Colin Chalmers
Baillie Joan Coombes
Paul Garner
Adrian Mahoney
Craig Martin
John McLuckie
Malcolm Nicol
Martin Oliver
Sandy Turner

OFFICERS:

John Angell, Head of Planning and Transportation
Kevin Collins, Transport Planning Co-ordinator
Rose Mary Glackin, Chief Governance Officer
Philip Harris, Senior Planning Officer
Iain Henderson, Legal Services Manager
Alex Lewis, Planning Officer
Craig Russell, Roads Development Officer
Julie Seidel, Planning Officer
Crawford Sibbald, Environmental Health Officer
Antonia Sobieraj, Committee Services Officer
Brent Vivian, Senior Planning Officer
Bernard Whittle, Development Management Co-ordinator

P144. Apologies

No apologies were intimated.

P145. Declarations of Interest

No declarations were made.

P146. 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 P16/0762/FUL and P/16/0530/FUL and that a decision be taken on the applications at a special meeting of the Committee on 3 April 2017.

P147. Minutes**Decision**

- (a) The minute of meeting of the Planning Committee held on 23 February 2017 was approved; and
- (b) The minute of meeting of the Planning On-Site Committee held on 6 March 2017 was approved.

P148. Erection of 96 Dwellinghouses, 16 Flatted Dwellinghouses Formation of Access, Open Space, SUDS, Landscaping and Related Infrastructure on Land to the South West of Tappernail Farm, Reddingmuirhead for Persimmon Homes (East Scotland) - P/16/0706/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 23 February 2017 (Paragraph P116 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 96 dwellinghouses, 16 flatted dwellinghouses, the formation of access, open space, SUDS landscaping and related infrastructure on land to the south west of Tappernail Farm, Reddingmuirhead, Falkirk.

Decision

The Committee agreed to continue consideration to allow officers to assess the recently submitted information provided by the applicant and that a decision be taken on the application at a special meeting of the Committee on 3 April 2017.

P149. Alterations to Existing Frontage, Installation of Glazed Splash Screen and Washing Booms. Change of Use from Car Sales to Vehicle Repair Workshop (Including Tyre Sales and MOT Test Centre) at 7A and 7C High Station Road, Falkirk, FK1 5LP for Mr Abdul Rehman - P/16/0768/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 23 February 2017 (Paragraph P134 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 alterations to an existing car wash frontage, the installation of a glazed splash screen and washing booms, the change of use from a car sales to vehicle repair workshop (including Tyre Sales and MOT Test Centre) at 7a and 7c High Station Road, Falkirk.

Decision

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) The parking spaces shown on approved plan 03, titled 'Proposed Floor Plans and Front Elevation' (drawing reference FL2016-03/2 Revision B), shall be kept free from obstruction and made available for use by customers and employees at all times.**

Reason(s):-

- (1) As these drawings and details constitute the approved development.**
- (2) To ensure that adequate car parking is provided.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03 and 04.**
- (2) 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**

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

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

During consideration of the following item of business, Councillors Garner and Blackwood informed the Committee that as the application had been previously considered on a number occasions prior to them being members of the Committee, they would not take part in consideration of the application.

P150. Distributor Road and Associated Earth Works on Land to the North of Shamistle, Maddiston, Falkirk for Manor Forrest Ltd and Land Options West Ltd - P/14/0483/PPP (Continuation)

With reference to Minutes of Meetings of the Planning Committee held on 27 May, 25 June and 28 October 2015 and 24 February 2016 and 25 January 2017 (Paragraphs P23, P35, P80, P136 and P111 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for the construction of a distribution road and associated earth works measuring 7.3 metres in width with 2 x 2 metre wide verges and a 3 metre wide footway/cycleway linking to the recently constructed roundabout at the Parkhall housing development at Maddiston to an approved roundabout on the A801 on land to the north of Shamistle, Maddiston, Falkirk.

Decision

The Committee agreed to refuse planning permission in principle for the following reasons:-

- (1) The application is considered to be contrary to Policy D09 (Listed Buildings) of the Falkirk Local Development Plan as the development proposal has the potential for significant adverse effects on the setting of a B-Listed building (The Haining).**
- (2) The application is considered to be contrary to Policy D12 (Historic Gardens and Designed Landscapes) of the Falkirk Local Development Plan as the development proposal would not retain the character and setting of a non-inventory designed landscape (The Haining).**
- (3) The application is considered to be contrary to Policy GN04 (Trees, Woodland and Hedgerows) of the Falkirk Local Development Plan as the development proposal would not protect a long established woodland of plantation origin as a habitat resource of irreplaceable value.**
- (4) The application does not reflect the guidance as contained in the approved Development Framework for the Maddiston East Strategic Growth Area which indicates that the preferred strategic access option is to the north of The Haining walled garden. Granting the application would be premature in advance of a detailed assessment to determine the best and precise alignment of the strategic access.**

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

P151. Mixed Development Comprising 98 Flats Over 4-6 Storeys, 2 Integrated Small Commercial Units, Replacement Chapel, Associated Infrastructure and Public Space on Land North of 58 Bridge Street, Bonnybridge for Mr Colin Peat - P/07/0635/FUL

With reference to Minutes of Meetings of the former Regulatory Committee held on 21 May and 18 June 2008 (Paragraphs R24 and R29 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 erection of 98 flats, two commercial units, a replacement chapel and associated infrastructure on land north of 58 Bridge Street, Bonnybridge.

Decision

The Committee:-

- (1) noted the report; and**
- (2) agreed to continue consideration of the application and if the outstanding flood related matters and Section 75 Planning Obligation has not been satisfactorily concluded and planning permission granted by 30 September 2017, in accordance with the terms detailed in in the recommendations within the report, the Director of Development Services shall be authorised to refuse the application.**

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:-

P152. Erection of Dwellinghouse and Associated Ground Works on Land to the West of 153 Stirling Street, Denny for Mr Peter Moffat – P16/0762/FUL

P153. Change of Use of Vacant Land to Form Private Permanent Gypsy/Traveller Pitch (1 Static Caravan and 1 Touring Caravan), Erection of Boundary Wall and Formation of Hardstanding (Partly Retrospective) at Wesleymount, Church Road, California, Falkirk for Mr Alister Fowler - P/16/0530/FUL

P154. Use of Premises as Shop (Class 1) at 18 Nisbet Drive, Denny FK6 6AQ for Mrs Rajwinder Kaur – P/17/0139/CPE

The Committee considered a report by the Director of Development Services on an application for a certificate of lawfulness for the use of ground floor premises as a shop (class 1) at 18 Nisbet Drive, Denny.

Decision

The Committee agreed to issue the Certificate of Lawfulness as detailed in the report.

P155. 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 12 of Part 1 of Schedule 7A to the said Act.

Baillie Coombes left the meeting during consideration of the following item of business.

P156. Planning Review Committee Procedure

The Committee considered a report by the Director of Corporate and Housing Services in relation to a matter concerning procedure on a Planning Review Committee review.

Decision

The Committee agreed to approve the recommendations within the report.

P157. Valedictory Remarks

The Convener on behalf of the Committee referred to the impending departure of Rose Mary Glackin, Chief Governance Officer and John Angell, Head of Planning and Transportation from the Council. He thanked them for their major contributions and support to the Committee over the years and wished them well for the future.

DRAFT**FALKIRK COUNCIL**

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Tuesday 28 March 2017 at 9.30 a.m.

Councillors: Jim Blackwood
Stephen Bird
John McLuckie (Convener)
Depute Provost John Patrick
Sandy Turner

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

A31. Apologies

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

A32. Declarations of Interest

No declarations were made.

A33. 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.

A34. Appeal Against Dismissal

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Submission from the Appellant; (c) Submission from the Head of Procurement and Housing Property dated 15 March 2017; and (d) Copies of core documents relating to the Appeal.

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

The Appellant, Mr B, was present and was accompanied by G Turnbull, Unite.

The Head of Procurement and Housing Property and Human Resources Team Leader (A Reid) were present as representatives of the Council.

The Appellant's representative the case.

The Head of Procurement and Housing Property then asked questions of the Appellant.

Members of the Committee then asked questions of the Appellant.

The Head of Procurement and Housing Property presented the case on behalf of the Council.

The Appellant's representative then asked questions of the Head of Procurement and Housing Property.

Members of the Committee then asked questions of the Head of Procurement and Housing Property.

The Head of Procurement and Housing Property then summarised the case on behalf of the Council.

The Appellant's representative summarised the case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the decision taken by management to dismiss Mr B from Council service was reasonable in all the circumstances. Accordingly the appeal was **REFUSED**.

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

DRAFT**FALKIRK COUNCIL**

Minute of Meeting of the Appointments Committee held in the Municipal Buildings, Falkirk on Thursday 30 March 2017 at 2.00 p.m.

COUNCILLORS:

Allyson Black
Tom Coleman
Linda Gow
Craig Martin
Cecil Meiklejohn
Provost Pat Reid

OFFICERS:

Karen Algie, Head of HR and Business Transformation
Jack Frawley, Committee Services Officer
Robert Naylor, Director of Children's Services
Mary Pitcaithly, Chief Executive

AP17. Apology

An apology was intimated on behalf of Councillor Nicol.

AP18. Declarations of Interest

No declarations were intimated.

AP19. Exclusion of Public

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

AP20. Shortleeting Process for the Post of Head of Social Work - Children's Services

The committee considered a report by the Chief Executive and the Director of Children's Services which outlined available options for recruitment and shortleeting procedures in relation to the post of Head of Social Work Children's Services.

Decision

The Appointments Committee agreed:-

- (1) to invite 6 candidates to the next stage of the appointments process;**
- (2) that a three stage assessment process be undertaken by candidates as set out at section 4.4 of the report;**
- (3) that the Chief Executive, Director of Children's Services and Head of HR & Business Transformation make recommendations to the next meeting of the committee to determine the shortlist of candidates to be interviewed by committee, and**
- (4) the presentation topic.**

Draft**FALKIRK COUNCIL**

Minute of meeting of the Planning Committee held On Site on Monday 3 April 2017 commencing at 9.30 a.m.

Councillors:

Baillie William Buchanan (convener)
 Baillie Joan Coombes
 John McLuckie
 Adrian Mahoney
 Malcolm Nicol
 Martin Oliver
 Sandy Turner

Officers:

Iain Henderson, Legal Services Manager
 John Milne, Senior Planning Officer (for application P/16/0530/FUL)
 Antonia Sobieraj, Committee Services Officer
 Russell Steedman, Network Co-ordinator
 Brent Vivian, Senior Planning Officer (for application P16/0762/FUL)
 Bernard Whittle, Development Management Co-ordinator

P1. Apologies

Apologies were intimated on behalf of Councillors Blackwood, Chalmers and C Martin.

P2. Declarations of Interest

No declarations were made.

P3. Change of Use of Vacant Land to Form Private Permanent Gypsy/Traveller Pitch (1 Static Caravan and 1 Touring Caravan), Erection of Boundary Wall and Formation of Hardstanding (Partly Retrospective) at Wesleymount, Church Road, California, Falkirk for Mr Alister Fowler - P/16/0530/FUL

With reference to Minute of Meeting of the Planning Committee held on 22 March 2017 (Paragraph P146 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 vacant land to form a private Gypsy/Traveller Site for 1 static caravan and 1 touring caravan at Wesleymount, Church Road, California, Falkirk

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

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

Mr Coyne, a representative for Russel + Aitken was heard in relation to their representation to the application.

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

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

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

The objections included the following issues:-

- That the application does not accord with the Development Plan;
- That the views from Burnside woodland walk are marred by caravans and sheds;
- That the appearance is detrimental to the allocation of house types being permitted within the new Development Plan;
- That access to the site is strictly private;
- That the proposals is at odds with the planning brief for the adjacent housing site;
- That any housing requirement should be directed towards the adjoining allocated site;
- That as a consequence of this application, the existing access road should have to be upgraded to an adoptable standard. This is in line with the requirements for housing in the area;
- That there will be an increase in traffic and speed of traffic on Church Road, and
- That fly tipping and security of property is a concern.

Questions were then asked by Members of the Committee.

Councillor Hughes, 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 Special Planning Committee on 3 April 2017.

P4. Erection of Dwellinghouse and Associated Ground Works at Land to the West of 153 Stirling Street, Denny for Mr Peter Moffat – P16/0762/FUL

With reference to Minute of Meeting of the Planning Committee held on 22 March 2017 (Paragraph P152 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 dwellinghouse and associated ground works at land to the west of 153 Stirling Street, Denny.

The Convener introduced the parties present.

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

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

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

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

Questions were then asked by Members of the Committee.

Councillor McCabe, 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 Special Planning Committee on 3 April 2017.

DRAFT**FALKIRK COUNCIL****Minute of Special Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Monday 3 April 2017 at 1.30 p.m.****COUNCILLORS:**

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

OFFICERS:

John Angell, Head of Planning and Transportation
 Kevin Collins, Transport Planning Co-ordinator
 Christopher Cox, Sustainable Transport Co-ordinator
 Iain Henderson, Legal Services Manager
 Alex Lewis, Planning Officer
 John Milne, Senior Planning Officer
 Julie Seidel, Planning Officer
 Antonia Sobieraj, Committee Services Officer
 Russell Steedman, Network Co-ordinator
 Richard Teed, Senior Forward Planning Officer
 Brent Vivian, Senior Planning Officer
 Bernard Whittle, Development Management Co-ordinator

P5. Apologies

Apologies were intimated on behalf of Councillors Blackwood, Chalmers and C Martin.

P6. Declarations of Interest

No declarations were made.

P7. Change of Use of Vacant Land to Form Private Gypsy/Traveller Pitch (1 Static Caravan and 1 Touring Caravan), Erection of Boundary Wall and Formation of Hardstanding (Partly Retrospective) at Wesleymount, Church Road, California, Falkirk for Mr Alister Fowler - P/16/0530/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 22 March 2017 (Paragraph P146 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 vacant land to form a private gypsy/traveller site for one static caravan and one touring caravan and the erection of a boundary wall, the formation of hardstanding (part in retrospect) at Wesleymount, Church Road, California, Falkirk.

Decision

The Committee agreed, Councillor Mahoney dissenting, to refuse planning permission on the grounds that the site at the edge of California is in a visually prominent position, just within Local Landscape Character Area 3 iii as defined in Supplementary Guidance SG09 – Landscape Character Assessment and Landscape Designations. Its use as proposed would not protect or enhance the landscape quality and character of the area. It is not considered that the site could be adequately landscaped to ensure no adverse effect on the character, appearance and amenity of the area, nor would an appropriate level of residential amenity be provided. The proposal is therefore contrary to Policy HSG08 ‘Gypsy/Travellers Sites’ of the Falkirk Local Development Plan.

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

P8. Erection of Dwellinghouse and Associated Ground Works on Land to the West of 153 Stirling Street, Denny for Mr Peter Moffat – P16/0762/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 22 March 2017 (Paragraph P146 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for full planning permission for the erection of a three storey, four bedroom detached dwellinghouse on a sloping site, rising from a stone retaining wall along the site frontage to the rear boundary with a residential property on land to the west of 153 Stirling Street, Denny.

Councillor Mahoney, seconded by Baillie Coombes, moved that Committee grant planning permission in accordance with the recommendations within the report subject to the additional condition that the construction hours be restricted to exclude appropriate periods around school opening and closing times.

By way of an amendment, Councillor Nicol, seconded by Councillor Garner, moved that Committee refuse planning permission on the grounds of (1) the adverse impact of the proposed development on road safety and public safety due to the proximity of the vehicular access to a roundabout junction and school crossing point on Stirling Street and inadequate in curtilage turning space; (2) the adverse impact of the proposed development on visual

amenity due to the partial removal of the natural stone boundary wall on the Stirling Street frontage; and (3) the overdevelopment of the site with regard to the overall footprint of the proposed dwellinghouse and retaining structures.

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

For the motion (3) – Baillie Coombes and Councillors Mahoney and McLuckie.

For the amendment (5) – Baillie Buchanan and Councillors Garner, Nicol, Oliver and Turner.

Decision

The Committee agreed to refuse planning permission on the grounds of (1) the adverse impact of the proposed development on road safety and public safety due to the proximity of the vehicular access to a roundabout junction and school crossing point on Stirling Street and inadequate in curtilage turning space; (2) the adverse impact of the proposed development on visual amenity due to the partial removal of the natural stone boundary wall on the Stirling Street frontage; and (3) the overdevelopment of the site with regard to the overall footprint of the proposed dwellinghouse and retaining structures.

Baillie Coombes and Councillor Mahoney left the meeting prior to consideration of the following item of business and re-entered during its consideration.

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

Baillie Coombes thereafter left the meeting during consideration of the following item of business.

P9. Erection of 96 Dwellinghouses, 16 Flatted Dwellinghouses Formation of Access, Open Space, SUDS, Landscaping and Related Infrastructure at Land to The South West of Tappernail Farm, Reddingmuirhead for Persimmon Homes (East Scotland) - P/16/0706/FUL (Continuation)

With reference to Minutes of Meetings of the Planning Committee held on 23 February and 22 March 2017 (Paragraphs P116 and P148 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 erection of 96 dwellinghouses, 16 flatted dwellinghouses, the formation of access, open space, SUDS landscaping and related infrastructure on land to the south west of Tappernail Farm, Reddingmuirhead, Falkirk.

The Convener agreed a short adjournment at 2.40 p.m. prior to full consideration of the following item of business. The meeting reconvened at 2.45 p.m. with all Members present as per the sederunt.

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

The Committee consented to hear the deputation.

Mr Bennie, the applicant's representative, gave details of the applicant's justification for the application.

The Legal Services Manager provided procedural clarification at the request of members.

Mr Bennie, the applicant's representative, thereafter continued his deputation and responded along with Mr Johnstone, on behalf of the applicant, to members' questions.

During the lengthy duration of the reading of the deputation by the applicant's representative, and with the consent of all members, the Convener agreed a short adjournment at 3.25 p.m. to allow members to receive a procedural clarification from the Legal Services Manager. The meeting reconvened at 3.30 p.m. with all Members present as per the sederunt with the exception of Councillor Mahoney.

The Convener agreed a further adjournment at 3.32 p.m. prior to full consideration of the following item of business to allow members to receive and read copies of the deputation document. The meeting reconvened at 4.00 p.m. with all Members present as per the sederunt, with the exception of Baillie Coombes.

The Legal Services Manager provided further procedural clarification.

The Committee thereafter reconvened normal business.

Councillor McLuckie, seconded by Councillor Nicol, moved that, in view of (1) the application site being within a housing site (H69 Hillcrest, Shieldhill) allocated in the Local Development Plan and noting that development of the site would support housing growth in the area, (2) the skyline development issues being mitigated and acceptable; and (3) there being a shortfall in effective housing land supply, that Committee indicate that it is minded to grant planning permission subject to the following:-

- (a) the conclusion of a Planning Obligation (within six months of the date of a minded to grant decision and index linked from that date) within

the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of:-

- (i) a financial contribution of £375,200 (£3,350 per unit) towards school (primary and secondary) and nursery provision;
 - (ii) a financial contribution of £100,000 towards active and passive open space provision; and
 - (iii) the provision of 28 units (25% of 112 units) affordable housing, social rented accommodation, to be accommodated on site or a financial contribution to be assessed by the District Valuer Service; and
- (b) thereafter, on the conclusion of the foregoing, to remit to the Director of Development Services to grant planning permission subject to conditions as deemed appropriate by the said Director including a condition to the effect that the applicant shall meet the cost of provision of speed actuating signs on either side of the main junction into the development on the B810 and rumble strips on the B810.

By way of an amendment, Councillor Mahoney, seconded by Councillor Oliver, moved that Committee refuse 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 7 members present with voting as undernoted:-

For the motion (3) – Baillie Buchanan and Councillors McLuckie and Nicol.

For the amendment (4) – Councillors Garner, Mahoney, Oliver and Turner.

Decision

The Committee agreed to refuse planning permission for the following reasons:-

- (1) The proposed development does not accord with Falkirk Local Development Plan housing opportunity H69, as it exceeds the housing capacity of 30 units and represents an overdevelopment of the site. The proposal does not represent a sensitive landscape approach which would achieve substantial greenspace, including extensive tree planting to contain the development, appropriate access provision or habitat enhancement. The proposal does not reflect the rural character of the area and would result in coalescence with the neighbouring villages of Shieldhill and Reddingmuirhead, contrary to the Falkirk Local Development Plan.**
- (2) The siting, density and design of the proposed development would not respect the site's context or create a sense of identity. The layout and design does not accord with the Government's policy document Designing Streets and the landscape and**

greenspace is substandard and fails to integrate the development with its surroundings (including contributing meaningfully to the green network), contrary to policies GN01 'Falkirk Green Network', GN02 'Landscape', HSG04 'Housing Design', D02 'Sustainable Design Principles', D03 'Urban Design' and INF07 'Walking and Cycling' and supplementary guidance SG02 'Neighbourhood Design' of the Falkirk Local Development Plan.

- (3) The Council are not satisfied that the submitted Transport Assessment has been appropriately scoped and as such the network impacts properly defined, contrary to policy INF10 'Transport Assessments' of the Falkirk Local Development Plan.**
- (4) The proposed layout and street design is contrary to the Government's policy document Designing Streets and the National Roads Development Guide (SCOTS, 2014).**

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 5 April 2017 at 9.30 a.m.

Councillors: Baillie Joan Coombes (Convener)
Gordon Hughes
Depute Provost Patrick
Sandy Turner

Officers: Frances Kobiela, Senior Solicitor
Isabel Renton, Senior Licensing Assistant
Antonia Sobieraj, Committee Services Officer

CL1. Apologies

Apologies were intimated on behalf of Provost Reid, Baillie Buchanan and Councillor Blackwood.

CL2. Declarations of Interest

No declarations were intimated.

CL3. Minute

Decision

The minute of the meeting of the Civic Licensing Committee held on 8 March 2017 was approved.

CL4. List of Applications Granted Under Delegated Powers in February 2017 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 28 February 2017 in terms of the Civic Government (Scotland) Act 1982; and (b) notifications of pending public processions.

Decision

The Committee noted the report.

CL5. Civic Licensing Enforcement – February 2017

The Committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during February 2017.

Decision

The Committee noted the report.

CL6. 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.

CL7. Order of Business

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

CL8. Suspension Hearing in Relation to Taxi Driver Licence No.795

The licenceholder, Mr C, together with his representative, Mr S, and Sergeant M White, Police Scotland, entered the meeting.

The Committee considered a report by the Chief Governance Officer summarising the background to the request for an immediate suspension of the holder of taxi driver licence No.795.

Mr S advised that he had no preliminary points to make on the competency of the complaint by Police Scotland and confirmed that he had no objection to the letter of complaint being circulated, following which the letter was circulated to members.

Questions were asked of Sergeant White by members of the Committee.

Mr S, the licenceholder's representative was then heard in relation to the complaint.

Questions were asked of the licenceholder, Mr C, by members of the Committee.

There being no further questions, both parties summed up.

The Committee then agreed a short adjournment to enable Committee to consider the submissions.

The licenceholder, Mr C, Mr S and Sergeant White, left and were then recalled to the meeting.

Decision

The Committee agreed:-

- (1) to take no further action and not to suspend; and**
- (2) to issue a letter to the licenceholder reiterating the standards expected of taxi drivers.**

CL9. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Mr M, 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.

The Committee then agreed a short adjournment to enable Committee to consider the submission.

The applicant left and was then recalled to the meeting.

Decision

The Committee agreed:-

- (1) to instruct officers to arrange for the applicant to undertake a medical;**
- (2) that should the applicant fail the medical to refer the matter to the Chief Governance Officer for consideration; and**
- (3) that should the applicant pass the medical, to authorise the Chief Governance Officer to grant the new private hire car driver licence for a period of nine months, subject to the standard conditions.**

CL10. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Ms P, 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.

Ms P spoke in support of the application.

Questions were then asked by members of the Committee.

The Committee then agreed a short adjournment to enable Committee to consider the submission.

The applicant left and was then recalled to the meeting.

Decision

The Committee agreed:-

- (1) to instruct officers to arrange for the applicant to undertake a medical;**
- (2) that should the applicant fail the medical to refer the matter to the Chief Governance Officer for consideration; and**
- (3) that should the applicant pass the medical, to authorise the Chief Governance Officer to grant the new private hire car driver licence for a period of one year, subject to the standard conditions.**

CL11. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Mr H, was not in attendance. The Licensing Assistant (Ms Renton) advised the Committee that she had been unable to get in touch with him by telephone. The Committee agreed to consider the application in the applicant's absence.

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; and (b) summarising the consultations undertaken and responses received.

Decision

The Committee agreed to refuse to grant the new private hire car driver licence on the ground that the Committee was not satisfied that the applicant was physically fit to drive a private hire car driver licence as he

failed to demonstrate that he meets the Group 2 DVLA medical standards.

CL12. Application for the Grant of New Taxi Operator Licence

The applicant, Mr G, entered the meeting.

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

Mr G spoke in support of the application.

Questions were then asked by members of the Committee.

Decision

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

CL13. Application for the Grant of a New House in Multiple Occupation Licence

The applicant, Mr F, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application received for the grant of a new house in a multiple occupation licence (a) advising on the background to the application; and (b) summarising the consultations undertaken and responses received.

Mr F indicated that he had no further information to add in respect of the application.

Questions were then asked by members of the Committee.

Decision

The Committee agreed to grant the new house in multiple occupation licence for a period of three years, subject to the standard conditions.

DRAFT**FALKIRK COUNCIL**

Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Friday 7 April 2017 at 9.30 A.M.

Councillors: Baillie William Buchanan (Convener)
John McLuckie
Sandy Turner

Officers: Ged Hainey, Associate, Ryden LLP (for agenda item 5, minute PRC5 and PRC7)
Iain Henderson, Legal Services Manager
Antonia Sobieraj, Committee Services Officer
Bernard Whittle, Development Management Co-ordinator (for agenda item 6, minute PRC6 and PRC8)

PRC1. Apologies

No apologies were intimated.

PRC2. Declarations of Interest

No declarations were made.

PRC3. Minutes

The minutes of meetings of the Planning Review Committee held on 17 February and 23 February 2017 were approved.

PRC4. 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.

PRC5. Planning Application P/15/0022/FUL – Development of Land to Form Holiday Park with Raised Deck Mounted Chalets, Camping Pods, Deck Mounted Reception Building and Ancillary Roads and Drainage on Land to the Southwest of Denovan House, Denny (Continuation)

The Committee considered documents which related to the Application for Review for planning application P/15/0022/FUL for the development of

land to form a holiday park with raised deck mounted chalets, camping pods, deck mounted reception building and ancillary roads and drainage on land to the southwest of Denovan House, Denny.

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

PRC6. Planning Application P/16/0605/FUL - Change of Use of Former Scottish Power Call Centre (Class 4) to Use for the Sale and Display of Motor Vehicles (Sui Generis) at Glasgow Road, Falkirk FK1 4HR

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0605/FUL for the change of use of a former Scottish Power Call Centre for the sale and display of motor vehicles at Glasgow Road, Falkirk.

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

The meeting adjourned at 11.10 a.m. for the purposes of conducting site inspections and reconvened at 1.00 p.m., with all those present as per the sederunt.

PRC7. Planning Application P/15/0022/FUL – Development of Land to Form Holiday Park with Raised Deck Mounted Chalets, Camping Pods, Deck Mounted Reception Building and Ancillary Roads and Drainage on Land to the Southwest of Denovan House, Denny (Continuation)

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/15/0022/FUL for the development of land to form a holiday park with raised deck mounted chalets, camping pods, deck mounted reception building and ancillary roads and drainage on land to the southwest of Denovan House, Denny.

The Committee requested and heard a presentation from Mr Hainey, 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, the representations and the further written submissions from the applicant, the Director of Development Services, Police Scotland and the Scottish Environmental Protection Agency and other interested parties.

After further discussion and having sought and heard advice from Mr Henderson and Mr Hainey, 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 SG05 - Biodiversity and Development;
- (2) Supplementary Guidance SG06 - Trees and Development;
- (3) Supplementary Guidance SG09 - Landscape Character Assessment and Landscape Designations;
- (4) Policy ECON.7 of the former Falkirk Council Structure Plan;
- (5) Policies CG01 CG04 Policy D09 - D12 - GN03 GN04 INF12 of the Local Development Plan;
- (6) Policies EP16, EQ14, EQ18, EQ19, EQ24, EQ25, EQ26 and ST11 of the former Falkirk Council Local Plan;
- (7) Falkirk Council Tourism Strategy 2015 - 2020;
- (8) the consultation responses received;
- (9) the representations submitted;
- (10) the site history;
- (11) the supporting documents provided by the applicant;
- (12) the further written submissions from the applicant and other interested parties; and
- (13) the benefit of the two site inspections.

Decision

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

- (1) **To GRANT planning permission, subject to such conditions as the Director of Development Services shall deem appropriate including conditions relating to (i) visibility splay; (ii) restrictions on vehicles turning right when vacating the site; (iii) ground levels; (iv) excavation works and; (v) infrastructure works, their impact on the existing landscape and the bellmouth area; and**

- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.**

The meeting adjourned at 1.25 p.m. for the purposes of conducting site inspections and reconvened at 1.30 p.m., with all those present as per the sederunt.

PRC8. Planning Application P/16/0605/FUL - Change of Use of Former Scottish Power Call Centre (Class 4) to Use for the Sale and Display of Motor Vehicles (Sui Generis) at Glasgow Road, Falkirk FK1 4HR

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0605/FUL for the change of use of a former Scottish Power Call Centre for the sale and display of motor vehicles at Glasgow Road, 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 SG13 - Open Space and New Development;
- (2) Supplementary Guidance SG16 - Listed Buildings and Unlisted Properties in Conservation Areas;
- (3) Policies TC01, TC02, TC03, BUS03, INF01, INF03 and INF11 of the Falkirk Local Development Plan;
- (4) the consultation response received;
- (5) the representation submitted;
- (6) the site history;
- (7) the supporting documents provided by the applicant; and
- (8) the benefit of the site inspection.

Decision

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 including conditions in relation to (1) parking arrangements within the site, and (2) the safeguarding of an area of land along the whole Glasgow Road site for future road widening in accordance with Falkirk Local Development Proposal INF 11; and**
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.**

DRAFT**FALKIRK COUNCIL**

Minute of Meeting of the Appointments Committee held in the Municipal Buildings, Falkirk on Thursday 20 April 2017 at 9.30 a.m.

COUNCILLORS:

Allyson Black
Tom Coleman
Linda Gow
Craig Martin
Cecil Meiklejohn
Provost Pat Reid

OFFICERS:

Karen Algie, Head of HR and Business Transformation
Jack Frawley, Committee Services Officer
Robert Naylor, Director of Children's Services
Mary Pitcaithly, Chief Executive

AP1. Apology

An apology was intimated on behalf of Councillor Nicol.

AP2. Declarations of Interest

There were no declarations.

AP3. Exclusion of Public

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

AP4. Shortleeting Process for the Post of Head of Social Work - Children's Services

The committee were provided with a verbal update from the Chief Executive following the assessment centre process undertaken by applicants.

Decision

The committee agreed to invite a shortleet of 2 to interview for the post of Head of Social Work – Children's Services.

DRAFT**FALKIRK COUNCIL**

Minute of Meeting of the Appointments Committee held in the Municipal Buildings, Falkirk on Tuesday 25 April 2017 at 9.30 a.m.

COUNCILLORS: Allyson Black
Tom Coleman
Linda Gow
Craig Martin
Cecil Meiklejohn
Provost Pat Reid

OFFICERS: Karen Algie, Head of HR and Business Transformation
Jack Frawley, Committee Services Officer
Robert Naylor, Director of Children's Services
Mary Pitcaithly, Chief Executive

AP5. Apology

An apology was intimated on behalf of Councillor Nicol.

AP6. Declarations of Interest

There were no declarations.

AP7. Exclusion of Public

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

AP8. Selection Process for the Post of Head of Social Work - Children's Services

The committee considered a report by the Chief Executive which outlined the selection process for the post of Head of Social Work – Children's Services. The committee agreed to interview a short list of 2 candidates.

Decision

The committee agreed to appoint Sara Lacey to the post of Head of Social Work – Children's Services on the relevant salary and conditions of service.

DRAFT**FALKIRK COUNCIL**

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Friday 28 April 2017 at 9.30 a.m.

Councillors:

Stephen Bird
Linda Gow (Convener)
Depute Provost John Patrick
Sandy Turner

Officers:

Jack Frawley, Committee Services Officer
Tracey Gillespie, Human Resources Manager
Rose Mary Hoey, Interim Legal Services Manager

A1. Appointment of Convener

Rose Mary Hoey welcomed members to the meeting and in the absence of the convener sought nominations for the position for the meeting. Councillor Bird, seconded by Depute Provost Patrick, nominated Councillor Gow. There being no other nominations Councillor Gow assumed the chair for the remainder of the business.

A2. Apologies

Apologies were intimated on behalf of Councillors Blackwood, Chalmers and McLuckie.

A3. Declarations of Interest

No declarations were made.

A4. Minutes**Decision**

The minute of meeting of the appeals committee held on 24 February, 27 February and 28 March 2017 were approved.

A5. 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.

A6. Appeal Against Dismissal

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Submission from the Property and Asset Manager dated 19 April 2017, 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 C, was present and was accompanied by C Lambie, GMB.

The Property and Asset Manager and Team Leader (Operations) (A Reid) were present as representatives of the Council.

The Appellant presented his case and his representative provided additional points of clarification.

The Property and Asset Manager then asked questions of the Appellant.

Members of the Committee then asked questions of the Appellant.

The Property and Asset Manager presented the case on behalf of the Council.

The Appellant and his representative then asked questions of the Property and Asset Manager.

The Committee agreed to a short adjournment at 10.35 a.m. to allow the Property & Asset Manager to provide the answer to a question within the agenda papers as presented. The meeting reconvened at 10.45 a.m. with all parties present.

Members of the Committee then asked questions of the Property and Asset Manager.

The Property and Asset Manager then summarised the case on behalf of the Council.

The Appellant and his representative summarised the Appellant's case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the decision taken by management to dismiss Mr C from Council service was reasonable in all the circumstances. Accordingly the appeal was **REFUSED**.

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

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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 **2nd March 2017** at 9.30am. Ian Scott (IS) chaired the meeting throughout.

Present: Ian Scott (IS) Chairman; Cllr Linda Gow (LG); Alex McQuade (AMcQ); Steve Mackie (SM); Ruth Morrison (RMor); Provost Pat Reid (PR); Cllr Robert Spears (RS); Bob Tait (BT); David White (DW).

Apologies: Simon Rennie (SR); Cllr Dennis Goldie (DG); Baillie Billy Buchanan.

In Attendance: Maureen Campbell (MC); Neil Brown (NB); Paul Finnie (PF); Lesley O'Hare (LoH); Jane Clark (JC); Danny Cairney (DC) (items 1- 6).

No.	Agenda Item	Agreement / Action	Due Date	Who
	Welcome	The Chairman welcomed Directors to the meeting and noted that this is the penultimate meeting for several long standing Directors. The Board noted apologies received from Baillie Buchanan and the Chairman agreed to write to him regarding attendance.		IS
1	Minutes of Meetings	The minutes of meetings held on 10 th November 2016 and 12 th January 2017 were approved.		
2	Matters Arising	<u>PDP</u> The Board noted that a joint meeting was held on 3 rd February which was positive and the main outstanding matters relate to a review of the specification and the role for the Portfolio Holder. A further meeting has been arranged for 7 th March at which IS and DW will represent the Directors. A subsequent officer level meeting is planned to discuss the specification. It was noted that Board meetings will be held in public from August 2017 subject to approval of protocols at the June Board meeting.		
3	Budgetary Control Statement	DC presented an update on the financial status for the Trust's activities and the projected outturn to March 2017. The Board noted that expenditure on charitable activities is projected to be £66,000 under budget and this is a favourable move from the projection reported in November. Customer income is higher than last year but still projected to be below budget and this is being offset by lower employee costs particularly through vacancy management. The Board discussed the information report on management vacancies and the impact this is having on ability to achieve income. The Board noted that effort to align activity more closely with the income budget is required. The Trading Company projection and levels of reserves are both positive and the Board discussed the financial outlook and the use of reserves should the need for severance payments arise in future. Decision The Board agreed to create a specific reserve for severance costs and to allocate £270,000 from the unrestricted reserve.		
4	Business Plan Update	The Board welcomed the positive support from the Council to minimise the budget reduction for 2017/18 and that 10.83 jobs have been saved as a consequence. The Board noted that the overall position remains challenging and agreed that the Business Plan Approach remains central to work going forward with the coming year offering the opportunity to develop more cost effective models for the services that have been retained. The Board expressed concern about the impact of the budget process on staff and the constraints of		

No.	Agenda Item	Agreement / Action	Due Date	Who
		the tight timescales imposed on the Council. The Board welcomed the allocation of an additional £300k from the capital programme and that the Council has responded to our concerns about investment in facilities.		
5	Strategic Risk Update	The Board noted the five strategic risks with the Trust exposed to 3 high level risks associated with financial sustainability and infrastructure and 2 medium level risks associated with the political climate and health and safety. Reflecting the need to generate high levels of increased income at significantly uplifted pace the Board agreed to increase the residual risk level associated with financial sustainability from medium to high level. The Board noted the mitigating actions in the Business Plan including implementation of the new Business Approach.		
6	Woodlands Update	The Board noted that the Council has agreed to provide £22k to continue the operation of Woodlands Games Hall for one year; that the lease option for Woodlands Community Sport Ltd remains available to 31 st March 2018; that Falkirk Football Community Foundation (FFCF) is installing a new synthetic pitch by 1 st April 2017; that the Trust has put in place a Booking Agreement with FFCF for the use of the pitch; that the Council will continue to operate the site during school hours. The Board agreed that the Trust continue to operate Woodlands Games Hall to 31 st March 2018 subject to the above. The Board discussed the learning from the process and how this could inform future community engagement work, noting that our staff will be key to enabling authentic engagement.		
7	Public Art Plan Update	LOH set out a proposed approach to incorporate Public Art as a key component to the Local Development Plan for which a Main Issues report is currently being consulted on by the Council. The Board noted that discussion with Development Services has identified an overarching Placemaking Policy to sit within the plan and an enhanced approach to public art would be included in this policy with the Trust providing detailed practical guidance. The Board welcomed the proposal including an audit of existing public art that will assist in promotion and maintenance. The Board discussed the design process and community engagement that underpin the approach to public art and the number of successful artworks that have been delivered across the area. The Board asked for more information on the five public art installations planned for Denny.		LoH
8	Board Recruitment	The Board agreed the recruitment process for new Directors and that RM join the selection panel. The Board noted that the timeline for interview will be subject to panel availability. IS asked all to encourage people to apply and agreed to draft a piece for the Falkirk Herald. The Board noted that as new Directors join it will be important to keep day and time of meetings under review.		MC IS
10	Audit and Performance Sub Group	The Board noted the impact of delays in repairs and maintenance on performance and noted the long outstanding floodlight repairs at BRC have been completed. The proposed capital works at FTH were confirmed.		
12	Information Items	The Board welcomed the information items.		
	Meeting Close	IS wished Council Directors good luck on 4 th May and in the event they were not returned expressed appreciation and thanks for their contribution.		

FORTH VALLEY NHS BOARD

DRAFT

Minute of the Forth Valley NHS Board meeting held on Tuesday 28 March 2017 in the NHS Forth Valley Headquarters, Carseview House, Castle Business Park, Stirling.

Present

Mr Alex Linkston (**Chair**)
 Dr Graham Foster
 Mr Andrew Murray
 Mr Tom Hart
 Mr Jim King
 Dr James King
 Cllr Linda Gow

Mrs Jane Grant
 Mrs Fiona Ramsay
 Professor Angela Wallace
 Mr John Ford
 Mrs Julia Swan
 Ms Fiona Gavine

In Attendance

Mr Tom Steele, Director of Estates and Facilities
 Ms Elaine Vanhegan, Head of Performance and Governance
 Mrs Elsbeth Campbell, Head of Communications
 Mrs Kathy O'Neill, General Manager
 Mr David McPherson, General Manager
 Mrs Alison Richmond-Ferns, Associate Director of HR (Deputising for Helen Kelly)
 Mrs Karen Maclure, Person Centred and Patients Relations Manager (Item 5.3)
 Mr Jonathan Procter, IM&T Director/eHealth Lead (Item 6.3)
 Mrs Sonia Kavanagh, Corporate Services (*minute*)

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Mrs Jo Chisholm and Mrs Helen Kelly.

2. DECLARATION(S) OF INTEREST(S)

There were no declarations of interest.

3. MINUTE OF FORTH VALLEY NHS BOARD MEETING HELD ON 31 JANUARY 2017

The minute of the Forth Valley NHS Board meeting held on 31 January 2017 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 received a short patient story regarding "My Experience of NHS Forth Valley", presented by Professor Angela Wallace, Director of Nursing.

Professor Wallace introduced the story about a gentleman's experience following screening for and diagnoses of cancer. Although he had experienced a challenging time both emotionally and physically, the care and empathy shown by the staff provided reassurance and comfort.

Through his own business experience he was amazed at how well emergency departments handled unplanned demand within the budget available and were still able to provide friendly and professional service. He noted his admiration to all the staff and would take every opportunity to highlight the marvellous care he had experienced.

The NHS Board noted the patient story and the alternative perspective 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.

Dr Foster provided a brief update, highlighting the key position relating to infection prevention and control.

The total number of Staphylococcus aureus bacteraemia (SABs) was 83 with 15 reported SABs for February 2017. In response to Mrs Swan’s question regarding the processes in place to understand and deal with the number of cases, Dr Foster reported that although only 2 cases were hospital acquired, all infections were investigated for any common themes/issues and relevant measures were provided to assist where necessary.

Cases of Clostridium difficile infection (CDI) continued to reduce with 1 reported for February 2017. The number of cases of Device Associated Bacteraemia reported at February 2017 was 5.

Ward Visits showed a slight decrease in the total non compliances for February 2017 with 73 compared to 88 in the previous month. There was an ongoing process of continual improvement and feedback to wards. In response to Ms Gavine’s questions regarding maintenance of low technical equipment such as hoists, Dr Foster reported that all devices were subject to regular monitoring of cleaning standards.

Refurbishment work in Falkirk Community Hospital was anticipated to commence in April 2017 with a group set up in preparation for this work.

The HEI Inspectorate intended to change their inspection process to a more holistic approach, and in conjunction with NHS Forth Valley had developed a urinary catheter audit tool. This was expected to be informally trialled in Forth Valley in April 2017.

As of April 2017, all NHS Boards across Scotland were required to carry out full surveillance for elective vascular and colorectal procedures. This would initially involve collecting data on all patients undergoing these surgical procedures. Once sufficient data had been gathered only light surveillance would be necessary and details would just be required for those with an infection.

Dr Foster highlighted that in February 2017, NHS Forth Valley had identified 2 cases of linezolid resistance from the same ward, indicating the likelihood of patient to patient transmission. A Problem Assessment Group had convened and weekly screening of all patients as a precautionary measure was being performed until both patients were discharged.

The NHS Board noted the update provided.

5.3 New Complaints Handling Procedure

The NHS Board received a presentation “New Complaints Handling Procedure”, led by Professor Angela Wallace, Director of Nursing.

Professor Wallace introduced Mrs Karen Maclure who would outline the new Complaints Handling Procedure which also included the Unacceptable Actions Policy and Guidance for Dealing with Problem Behaviour.

Mrs Maclure provided the background to the new procedure which aimed to provide a standardised and person centred complaints process for NHS Scotland. The new model would come into effect from 1 April 2017 and although the 20 day target would remain, the focus would be on early resolution. The aim was for the majority of cases to be dealt with in Stage 1, however, more complex/clinical complaints would be dealt with in Stage 2 to ensure necessary investigation took place before a full response was provided.

There were 9 Key Performance Indicators (KPI's) which would record complaints data, allow analysis and provide management reporting. These would also assist with staff training and provide an opportunity to improve the complaint process experience.

Following advice from the Scottish Public Sector Ombudsman (SPSO), NHS Forth Valley had now developed a separate Unacceptable Actions Policy and Guidance for Dealing with Problem Behaviour to support the management of complaints with relevant training/awareness sessions and guide to be provided for staff.

In response to Mrs Swan's question in relation to how complaints would be dealt with from an integration position, Mrs Maclure confirmed that a lead person would be agreed to ensure the complaint was dealt with effectively and efficiently. Further work was required regarding performance reporting to provide an overview and assurance to both Integration Joint Boards (IJBs).

The NHS Board thanked Mrs Maclure for the presentation, noting the focus on local/early resolution. Final consultation would take place with the Corporate Management Team and Audit Committee at the end of March 2017.

The NHS Board approved the new Complaints Handling Procedure and the Unacceptable Actions Policy and Guidance for Dealing with Problem Behaviour.

6. STRATEGIC PLANNING AND DEVELOPMENT

6.1 Local Delivery Plan 2017/18

The NHS Board considered a paper "Local Delivery Plan 2017/18", provided by Dr Graham Foster, Director of Public Health and Strategic Planning.

Dr Foster presented the draft Local Delivery Plan (LDP) 2017/18, the performance contract between the Scottish Government and NHS Boards.

The LDP would include the local actions to be taken in relation to the Scottish Government's Health and Social Care Delivery Plan along with the progress regarding Health Visiting, the Universal Health Visitor Pathway and Family Nurse Partnerships.

The LDP process would evolve further as new arrangements for the regional planning and delivery of services were put in place and account would be taken of the national review of targets and indicators due to be published in the spring.

The draft LDP was due to be submitted by 31 March 2017 and once further guidance was received from the Scottish Government around regional planning additional changes/refinements would be made with the final version due to be submitted by September 2017.

The NHS Board approved the Local Delivery Plan, for submission to the Scottish Government on 31 March 2017 and noted the need to align with IJB Delivery Plans.

6.2 Financial Plan

The NHS Board considered a paper “Financial Plan”, presented by Mrs Fiona Ramsay, Director of Finance.

Mrs Ramsay provided an overview of the Strategic Financial Plan for 2017/18 - 2019/20 with the summary information from the plan used to complete the Finance template within the LDP.

It was essential that services continued to deliver efficiently and effectively within the resources available while still meeting the changing demands. Whilst the proposed plan outlined in-year financial balance, recurrent cash savings of approximately £5.6m remained to be identified with a further £4.2m assessed as high risk and a greater proportion than previous years assessed as medium risk.

The allocations from Scottish Government were outlined including the transfer from NHS Boards to IJBs to support the continued delivery of the Living Wage, sustainability in the care sector and pre-implementation work in respect of the new carers legislation.

The proposed 2017/18 initial budgets for the IJBs were detailed with £146.950m for Falkirk IJB and £128.892m for Clackmannanshire/Stirling IJB. In addition there were allocations received non-recurrently from Scottish Government which would cover services delegated to the IJBs and were ring-fenced, these would be added to the budget during the year.

Mrs Ramsay provided a summary of key risks such as new drugs/drug demand, rising inflation due to economic uncertainty and target delivery.

The NHS Board:

- Approved the Financial Plan 2017/18 – 2019/20
- Approved the Initial Budgets for both IJBs
- Approved the Savings Plans, recognising that those within the scope of integration required to be approved by IJBs and further work was required to prepare the cases for change in a number of areas
- Noted the ‘yet to be identified’ saving of £5.576m, although this could be covered non-recurrently in 2017/18
- Noted the estimated financial risk of between £10m and £12m for 2017/18

6.3 Replacement Patient Management System – Full Business Case

The NHS Board considered a paper “Replacement Patient Management System – Full Business Case”, presented by Mr Jonathan Procter, IM&T Director/eHealth Lead.

Mr Procter provided an outline of the proposed Replacement Patient Management System, Trakcare, which would make a significant contribution to the delivery of the outcomes set out in the NHS Board’s eHealth Strategy.

Mr Procter highlighted that Trakcare would replace the existing patient management system providing a more sustainable business solution. As well as moving NHS Forth Valley onto a National System, it would provide the building blocks for any emerging regional patient information sharing changes. Trakcare would support practitioners in the delivery of high quality patient care and provide key patient information and safety benefits. The new system would also align NHS Forth Valley with other NHS Boards, standardising the technology and allowing easier collaboration.

The NHS Board discussed the proposal, the ability to share information and patient safety benefits. It was agreed that this important eHealth and Patient Management System development was necessary to ensure NHS Forth Valley was best placed to have a sustainable base going forward.

The NHS Board approved the Replacement Management System Full Business Case for Trakcare.

6.4 Equality and Diversity in NHS Forth Valley

The NHS Board considered a paper “Equality and Diversity in NHS Forth Valley”, presented by Professor Angela Wallace, Director of Nursing.

Professor Wallace provided an update on NHS Forth Valley’s programme of work regarding Equality and Diversity to meet the legislative requirements under Section 149 of the Equality Act 2010 Specific Duties.

The report outlined the actions taken to meet the commitments from 2013-2017 as well as those to be implemented during 2017-21. The challenges and opportunities were highlighted and how they would be addressed and supported in the future.

A new set of equality outcomes were due to be published for 2017-2021 and these aligned with the NHS Forth Valley Healthcare Strategy workstream recommendations as well as local and national priorities in relation to equality issues. The report also included the Workforce Equality Action Plan to ensure a culture was created where staff were encouraged to make the best contribution they could and eliminate discrimination and harassment.

The NHS Board noted the comprehensive paper and approved the revised NHS Forth Valley Equality Mainstreaming Report for publication by 30 April 2017.

6.5 Media and Communications Policy

The NHS Board considered a paper “Media and Communications Policy”, presented by Mrs Elsbeth Campbell, Head of Communications.

Mrs Campbell provided the updated Media and Communications Policy which outlined the arrangement for managing media and communications within NHS Forth Valley, including media enquiries, filming requests and organising official events and visits. Communication support and advice was also available for staff, services and departments to ensure a consistent and coherent approach across the organisation.

The NHS Board discussed social media and the support available to enable staff to be safe and professional including awareness of and the implications of mis-use.

The NHS Board approved the updated Media and Communications Policy and this would be published on the staff intranet and shared across the organisation.

6.6 Access Policy

The NHS Board considered a paper “Access Policy”, presented by Mr David McPherson, General Manager.

Mr McPherson highlighted that the Access Policy, which was last presented to the NHS Board in August 2014, had been reviewed and updated to reflect the changes around out-patient standards, other access targets and to reflect the roles and responsibilities of key staff involved in the delivery of services.

Along with the national principles the policy would aim to ensure systems were in place to optimise the use of facilities and available capacity in order to deliver high quality and safe patient care in a timely manner.

Once the policy was approved an extensive training programme would be rolled out to all staff involved in the patient journey during April/May 2017.

In response to Mr King's question regarding patients being able to see the same consultant, Mr McPherson explained that while patients were referred to a team, they could request a named consultant. However, it was highlighted that to ensure waiting times were managed effectively and appropriately this may not always be possible.

The NHS Board approved the updated Access Policy for implementation within NHS Forth Valley.

6.7 Health and Social Care Integration

The NHS Board considered a paper "Health and Social Care Integration", presented by Mrs Kathy O'Neill, General Manager.

Mrs O'Neill provided an update on progress with the implementation of health and social care integration in Forth Valley.

The Ministerial Strategic Group for Health and Community Care had asked both Partnerships to submit local objectives and where appropriate, targets against six indicators; unplanned admissions, occupied bed days for unscheduled care, A&E performance, delayed discharge, end of life care and the balance of spend across institutional and community services. As a significant element of this work overlapped with the LDP submission, this work would be co-ordinated jointly with NHS Forth Valley and led by the Medical Director.

Work continued to deliver the target for delayed discharge as agreed with the Cabinet Secretary for Health and Sport and to plan the next transfer phase of operational responsibility to the Chief Officers.

In year budget recovery plans continued to ensure financial balance at the year end was achieved and both IJBs would agree their 2017/18 budgets taking into account Local Authority and NHS Board budget setting arrangements by end of March 2017.

NHS Forth Valley would take on responsibility for supporting the Falkirk IJB meetings from April 2017 with Mrs Swan taking over as Chair at this point. The Chair of the Clackmannanshire/Stirling IJB would be transferred to Stirling Council for the remaining 2 year term from April 2017.

The NHS Board noted the update provided.

6.8 Records Management Plan Implementation Update

The NHS Board considered a paper "Records Management Plan Implementation Update", presented by Ms Elaine Vanhegan, Head of Performance and Governance.

Ms Vanhegan reported that following approval by the NHS Board in January 2016 the NHS Forth Valley Records Management Plan (RMP) and supporting evidence had been submitted to the Keeper of the Records of Scotland for assessment. Significant work took place to address the recommendations outlined in the Public Records Officer's interim report before re-submission. Confirmation had been received from the Keeper in September 2016 approving the RMP.

Each of the 14 elements of the plan were highlighted and classed as either green or amber. Those classed as amber meant the Keeper had requested to be kept informed of progress. A RMP Implementation Working Group (IWG) had been established and an implementation plan had been agreed for each element. Progress on these were provided including the Business Classification Scheme, Archiving/Transfer Arrangements and Retention Schedules/Destruction Arrangements.

The NHS Board noted the update provided and the ongoing work of the Records Management Plan Implementation Working Group.

7. CORE PERFORMANCE

7.1 Executive Performance Report

The NHS Board considered a paper “Executive Performance Report”, presented by Ms Elaine Vanhegan, Head of Performance and Governance.

Executive Summary

Ms Vanhegan provided an outline of the Executive Summary highlighting the following:

Maggie’s Forth Valley was officially opened on 15 March 2017 by Lord Jack McConnell. The Centre offered a unique programme of support to anyone with or affected by cancer and included drop-in sessions, nutritional workshops and relaxation classes. A NHS Board visit was scheduled to Maggie’s Forth Valley in April 2017.

The Healthcare Improvement Scotland (HIS) report on Care of Older People in Acute had now been published, following their unannounced inspection of Forth Valley Royal Hospital in November 2016. A high standard of care had been highlighted and inspectors noted that the majority of patients praised their care and that despite being busy, the wards appeared calm and organised. The report also commended the ageing and health integrated care ward for their work with patients with cognitive impairment. Work would continue to maintain the high standards, particularly in relation to documentation and changes had already been introduced regarding how initial assessments and personal care plans were completed.

Ms Vanhegan highlighted that around 120 NHS Forth Valley members of staff were invited to attend the Long Service Awards. Those who attended were presented with a specially designed certificate and pin badge to celebrate their 20, 30 or 40 years with the NHS.

Janett Sneddon, Senior Midwife and Clinical Co-ordinator had been shortlisted for a Thomson’s Members’ Champion Award at the Royal College of Midwives (RCM) annual awards. The NHS Forth Valley Royal Hospital Pharmacy Team had been shortlisted in the Hospital Pharmacy Team of the Year category. This was well deserved recognition following their work to deliver a highly complex change and improve medication safety for patients.

At the recent NHS Scotland Communication Awards 2017, the NHS Forth Valley Communications Team had won Best Healthcare Website, were finalists for Best Event due to the Staff Awards and received Best Publication for the Healthcare Strategy summary. Communication Assistant, Lindsay Hathaway had been a finalist in the Young Achiever category.

Senior Community Nurse, Joan Gracie had been elected to take part in a special professional development programme to become a Queen’s Nurse. On completion of the course the 20 chosen nurses from NHS Boards and other independent organisations across Scotland would be the first nurses to receive this title for almost 50 years.

Performance

Ms Vanhegan provided a summary of the core performance for NHS Forth Valley for the period to the end of February 2017 with some relevant updates into March 2017. Although focus continued on all aspects of performance there were some continuing challenges in respect of key access targets and pressure remained with the delayed discharge position.

The absence position remained stable with the overall January 2017 position at 5.63% against a Scotland position of 5.64%. This continued to be a key focus with work to meet the 4% target and be below the Scottish average.

In terms of emergency access, the February 2017 position was 92.9% Board wide; MIU 100% and ED 91.3% with 17 patients waiting longer than eight hours and no twelve hour breaches. Performance continued to be challenging over January and February 2017 and as a result the organisation had been required to provide daily monitoring 3 times over a 4 week period to the Scottish Government. This ceased once 90% compliance and over had been achieved for 10 days. There had been marked improvement throughout March 2017 with performance mainly above 95%.

At the end of February 2017 the number of patients waiting for an outpatient appointment that exceeded the 12 week waiting time standard was 3858, a decrease of 450 from the January 2017 position and focus continued on achieving a position of 3000 or less by end of March 2017.

The 18 week Referral to Treatment (RTT) position in January 2017 was 79.9%. The CAMH Services performance had continued to improve with the position for February 2017 at 98.9% against the 90% standard. The 18 week RTT position for Psychological Therapies remained challenging with a predicted fall to 36.5% as the longest waiting patients were treated and the waiting list came down. Significant focus continued to improve the position with action plans in place.

Against the 62 day cancer standard, the position for the quarter ending December 2017 was 89.5% with the monthly position to January 2017 at 87.3%. The 31 day standard for quarter ending December 2016 was 97.4% with the monthly position to January 2017 at 96.5%. Both January positions were above the Scottish average and further work was underway; including changes to the procedure in terms of vetting referrals, sourcing of additional lists or clinic where available and additional oncology capacity.

The position regarding delayed discharges continued to be challenging ahead of the year end target. Delays over 14 days at the February 2017 census, was 34 against a zero standard, an increase from 25 on the January census. The local authority breakdown was Clackmannanshire 1 delay, Falkirk 25, Stirling 6 and 2 delays for local authorities outwith Forth Valley. The total overall figure, including patients with Guardianships and Code 9 delays was 96 and this significantly impacted capacity across the system resulting in challenges with the 4 hour ED target and the requirement for Scottish Government monitoring as previously highlighted. The position has since improved, with around 72 patients now delayed in their discharge. The 50% target reduction in delayed discharges, as agreed with the Scottish Government, was closely monitored and the target of 47 was to be achieved by end of March 2017.

NHS Forth Valley had achieved 81% for eKSF against the 80% standard and the data for the period December 2015 to November 2016 highlighted a position of 84% against the national average position of 51%, one of only 2 Boards to achieve over the 80% standard.

The Stroke Care Bundle position had improved, with the January 2017 position of 82.2% and February due to be 89.8% against the 80% Scottish Stroke Care Standard.

The agreed full year target number of successful smoking quits at 12 weeks post quit, in the 40% most deprived SIMD areas was 319 for 2016/17. NHS Forth Valley were on track to achieve this

and there was a greater focus to engage with hard to reach groups and this included work within prisons.

The NHS Board noted the update provided and that further detail would be provided under item 7.3, Waiting Times Report.

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 28 February 2017. The revenue financial position for this period was an overspend of £0.195m, with an improvement of £0.201m in-month.

A share of budgets not yet distributed was factored into the reported financial position and included contingency funds, ring-fenced reserves and non-recurring financial flexibility. The year to date impact of area wide saving not yet distributed to budgets had also been factored in.

Directions had been received from both IJBs to deliver the range of in-scope services included within the initial budget. Updated directions regarding April to February adjustments were anticipated.

The updated estimate of the projected out-turn by Directorate was provided and while the position indicated a revenue surplus of £0.200m at year end, work continued to improve the Directorate positions.

The NHS Board noted the update provided and the balanced capital position to end of February 2017.

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, highlighting particular areas.

The number of outpatients with ongoing waits over 12 weeks had reduced to 3858 from 4308 in January 2017. Work was currently on course to deliver and ensure the total number waiting over 12 weeks was no more than 3000 at the end of March 2017.

The new Outpatient Did Not Attend (DNA) rate for February 2017 was 6.9% against the Scottish rate of 8.6%.

In the period October 2016 to December 2016 compliance with the Inpatient Treatment Time Guarantee (TTG) was 78.5% and 625 patients with waits over 12 weeks had been treated. At the end of February 2017 642 patients had an on-going wait beyond 12 weeks and there remained significant focus to improve this.

Drug and Alcohol services continued to achieve the 3 week waiting time standard with 98.6% for the quarter ending December 2016 and current local reports highlighted a consistently high level of performance.

Compliance with the Endoscopy Waiting Time Standard had shown significant improvement with only 4 patients waiting over 42 days for the service compared to 16 in January 2017.

The NHS Board discussed the TTG performance and the need to maintain the momentum and ensure adherence to the Access Policy and focus on patients with the longest waits.

The NHS Board noted the Waiting Times Report.

8. GOVERNANCE

8.1 Code of Conduct for Members of Forth Valley NHS Board

The NHS Board considered a paper “Code of Conduct for Members of Forth Valley NHS Board”, presented by Ms Elaine Vanhegan, Head of Performance and Governance.

Ms Vanhegan reported that the Code of Conduct for Members of Forth Valley NHS Board, which detailed the principles and rules of conduct for Members, had been reviewed in line with Scottish Government Guidance and highlighted that no additional guidance had been received since February 2014.

The NHS Board approved the reviewed Code of Conduct for Members of Forth Valley NHS Board.

8.2 Standing Orders (including Scheme of Delegation & Standing Financial Instructions)

The NHS Board considered a paper “Standing Orders (including Scheme of Delegation & Standing Financial Instructions)”, presented by Mrs Fiona Ramsay, Director of Finance.

Mrs Ramsay outlined the amendments to the Standing Orders, Standing Financial Instructions (SFIs) and Scheme of Delegation to reflect Health and Social Care Integration arrangements and other general updates. The updates had been considered by the Audit Committee on 24 March 2017 and the Clinical Governance Committee would review their Terms of Reference at their meeting on 31 March 2017 with any necessary amendments to be incorporated.

The NHS Board approved the updated Standing Orders including the Scheme of Delegation and Standing Financial Instructions, subject to the outcome of the Clinical Governance Committee review as noted.

8.3 Review of Committee Membership

The NHS Board considered a paper “Review of Committee Membership”, presented by Mrs Jane Grant, Chief Executive.

Mrs Grant outlined the key amendments to the NHS Forth Valley Board Committee membership.

Mr Jim King was due to step down from Forth Valley NHS Board at the end of March 2017 and would be replaced by Dr Michele McClung, who had been appointed to the NHS Board from 1 April 2017.

Mrs Julia Swan had been reappointed for a second term from 1 May 2017 until 30 April 2021.

Mr Andrew Murray was appointed as Medical Director in February 2017 and replaced Miss Tracey Gillies as Executive member to the NHS Board.

The 3 Local Authority members would officially step down from the NHS Board on 30 April 2017 and notification of the new members would be made following the local Government elections in May 2017.

The NHS Board approved the appointment of Mrs Swan as Vice Chair of the NHS Board from 1 April 2017 and the proposed Chairs for the Governance Committees.

8.4 Governance Committee Minute

8.4.1 Performance and Resources Committee – 28 February 2017

The NHS Board noted the minute of the Performance and Resources Committee meeting held on 28 February 2017.

8.4.2 Audit Committee – 20 January 2017

The NHS Board noted the minute of the Audit Committee meeting held on 20 January 2017.

8.5 Advisory Committee Minute

8.5.1 Area Clinical Forum – 19 January 2017

The NHS Board noted the minute of the Area Clinical Forum meeting held on 19 January 2017.

8.6 Integration Joint Board Minutes

8.6.1 Falkirk Integration Joint Board – 2 December 2016

The NHS Board noted the minute of the Falkirk Integration Joint Board meeting held on 2 December 2016.

8.6.2 Clackmannanshire and Stirling Integration Joint Board – 16 November 2016

The NHS Board noted the minute of the Clackmannanshire and Stirling Integration Joint Board meeting held on 16 November 2016.

8.7 Governance Committee Annual Reports

8.7.1 Annual Report of the Clinical Governance Committee 2016-17

The NHS Board noted the Annual Report of the Clinical Governance Committee 2016-17.

8.7.2 Annual Report of the Endowment Committee 2016-17

The NHS Board noted the Annual Report of the Endowment Committee 2016-17.

8.7.3 Annual Report of the Audit Committee 2016-17

The NHS Board noted the Annual Report of the Audit Committee 2016-17.

8.7.4 Annual Report of the Performance and Resources Committee 2016-17

The NHS Board noted the Annual Report of the Performance and Resources Committee 2016-17.

8.7.5 Annual Report of the Staff Governance Committee 2016-17

The NHS Board noted the Annual Report of the Staff Governance Committee 2016-17.

8.7.6 Annual Report of the Area Clinical Forum 2016-17

The NHS Board noted the Annual Report of the Area Clinical Forum 2016-17.

9. ANY OTHER COMPETENT BUSINESS

The NHS Board acknowledged the work and efforts of Mr King and the huge contributions and assistance he had made over the years.

The NHS Board acknowledged Mr Tom Steele, Director of Estates and Facilities who would be leaving at the end of April 2017. He had been a valuable member who had developed positive relationships with stakeholders.

The NHS Board acknowledged the enormous contribution made by Mrs Jane Grant, Chief Executive as she was due to leave at the end of March 2017. Her drive, vision and determination would be sorely missed. However, she would leave behind the clear values to ensure patients were treated with respect and dignity and experienced the best care possible.

There being no other competent business, the Chairman closed the meeting at 12pm.

FALKIRK INTEGRATION JOINT BOARD

Minute of Meeting of the Falkirk Integration Joint Board held in the Municipal Buildings, Falkirk on Thursday 30 March 2017 at 9.30am.

Voting Members:

Allyson Black (Chairperson)
 Jim Blackwood (substitute, items IJB85 to IJB89)
 John Ford (substitute)
 Linda Gow (items IJB90 to 97)
 James King (Vice-Chairperson)
 Rosie Murray (substitute)
 Julia Swan

Non-voting Members:

Margo Biggs, (substitute) Service User Representative
 Patricia Cassidy, Chief Officer
 Rita Ciccu-Moore, (substitute) Nursing Representative
 Jane Grant, Chief Executive, NHS Forth Valley
 Karen Herbert, Third Sector Interface
 Holly Hoskisson, (substitute) Carer Representative
 Fiona McAreavey, (substitute) GP Medical Representative
 Kathy McCarroll, Chief Social Work Officer
 Ewan Murray, Chief Finance Officer
 Lindsey Orr, (substitute) Staff Representative, NHS Forth Valley
 Mary Pitcaithly, Chief Executive, Falkirk Council
 Angela Price, Third Sector Representative

Officers:

Jack Frawley, Committee Services Officer, Falkirk Council
 Joe McElholm, Head of Social Work Adult Services, Falkirk Council
 Colin Moodie, Depute Chief Governance Officer, Falkirk Council
 Kathy O'Neill, Community Services Directorate – General Manager, NHS Forth Valley
 Fiona Ramsay, Director of Finance, NHS Forth Valley
 Suzanne Thomson, Programme Manager (Health and Social Care Integration)
 Elaine Vanhegan, Head of Performance and Governance, NHS Forth Valley

IJB85. Apologies

Apologies were received on behalf of Councillor Dennis Goldie, Alex Linkston, Sandra Burt, Dr Leslie Cruickshank, Morven Mack, Dr Andrew Murray, Martin Murray and Angela Wallace.

IJB86. Declarations of Interest

Angela Price declared a financial interest in IJB90 as an employee of an organisation subject to funding proposals and stated that she considered that this required her to recuse herself from consideration of the item.

IJB87. Minutes**Decision**

- (1) The minute of meeting of the Integration Joint Board held on 3 February 2017 was approved, and**
- (2) The minute of the meeting of the Integration Joint Board Audit Committee held on 27 February 2016 was noted.**

IJB88. Membership of the Integration Joint Board

The Integration Joint Board considered a report by the Chief Officer advising of changes of membership on the board and seeking confirmation of appointments. Suzanne Thomson provided an overview of the report.

Decision**The Integration Joint Board:-**

- (1) noted that Councillors Black, Goldie and Gow would cease to be members of the board on 30 April 2017;**
- (2) noted that Falkirk Council would appoint members to the board following the Local Government Elections on 4 May 2017 and appoint one as vice-chairperson of the board;**
- (3) noted that Jim King's appointment to the board would cease on 31 March 2017;**
- (4) noted that Helen Welsh had been selected as the substitute staff representative for Falkirk Council, and**
- (5) agreed to appoint the Interim Chief Executive, NHS Forth Valley to the board pending permanent recruitment to the post.**

IJB89. Chief Officer Report

The Integration Joint Board considered a report by the Chief Officer which provided an update on developments within the Health and Social Care Partnership. The report provided information on Chief Finance Officer recruitment, support services arrangements, the change programme, measuring performance under integration – Ministerial Strategic Group,

delayed discharge, service arrangements, Scottish Government correspondence and recent publications. Patricia Cassidy provided an overview of the report.

The board discussed the social work complaints handling procedure and sought further information on this area. Suzanne Thompson advised that the procedure for social work would move from a three stage, to a two stage process which would bring it in line with the practice in other areas of the public sector. In the longer term there would be a key performance indicator relating to complaints performance which the board would monitor.

Decision

The Integration Joint Board:-

- (1) noted that a report on support services requirements would be submitted to the next meeting;**
- (2) noted the response to the Scottish Government Ministerial Group as detailed in section 5 of the report;**
- (3) noted that work would be overseen by the leadership group and Chief Finance Officer to finalise the HSCP Local Delivery Plan for submission to the next meeting;**
- (4) agreed that the Chief Officer make the necessary arrangements to return the SPSO self-assessment and implement an IJB Complaints Handling Procedure as required;**
- (5) remitted the Chief Officer to approve the Equality Outcomes and Mainstreaming report for publication by 30 April 2017 and requested that an update was provided at the next meeting;**
- (6) agreed that the Clinical and Care Governance group review the Healthcare Improvement Scotland inspection report and provide an update on any identified actions to a future meeting, and**
- (7) noted the response to the Scottish Government's National Health and Social Care Planning discussion document.**

Councillor Blackwood left the meeting and Councillor Gow joined the meeting following the previous item.

At this point Holly Hoskisson declared a financial interest in IJB90 as an employee of an organisation subject to funding proposals and stated that she considered that this required her to recuse herself from consideration of the item.

In line with their declarations of interest Holly Hoskisson and Angela Price left the meeting prior to consideration of the following item.

IJB90. Integration Joint Board Financial Report

The Integration Joint Board considered a report by the Chief Finance Officer which provided the projected 2016/17 out-turn and anticipated impact on reserves. In addition it set out the Falkirk Integration Joint Board Revenue Budget for 2017/18. Ewan Murray provided an overview of the report.

The board discussed that they had not been provided with the report in line with the timescales set out in the Standing Orders. It was stated that in relation to payments to external organisations this had impacted on their representative's ability to discuss the potential impact on them. Members highlighted that there was a lack of detail on the savings listed in appendix 5 to the report.

Councillor Black moved that the Board agree the recommendations with the exception of the savings proposals from the Health Board and that these should be the subject of a more detailed report in June that provided more detailed information and offered alternative options.

Decision

The Integration Joint Board:-

- (1) noted the 2016/17 projected out-turn and estimated remaining amount of Integration Funding;**
- (2) noted the budget considerations as detailed in section 5 of the report and that the proposed payments from Falkirk Council and NHS Forth Valley for 2017/18 are compliant with the terms of the Scottish Budget;**
- (3) agreed the initial 2017/18 Partnership Budget as summarised in Table 4, with the exception of the Health Board savings proposals which would be the subject of a report to the next meeting providing further information and alternative savings proposals;**
- (4) approved Carers Information Strategy funding to be made available on the same basis as in 2016/17 subject to the conditions set out at section 7.5 of the report;**
- (5) approved the proposed payments to external bodies from Falkirk Council as detailed in section 8.2 of the report; and**
- (6) approved the issuing of directions to Falkirk Council and NHS Forth Valley as set out in section 11 of the report.**

Holly Hoskisson and Angela Price rejoined the meeting following consideration of the previous item.

IJB91. Partnership Funding

The Integration Joint Board considered a report by the Chief Officer providing information in relation to Partnership Funding, Integrated Care Fund and the Delayed Discharge Fund. The report provided information on funding recommendations for new proposals, and a process to bring current investment in Arms Length External Organisations in line with a strategic commissioning process. Suzanne Thomson provided an overview of the report.

The board discussed the proposal to allow the Leadership Group to direct up to £1.5million of Integrated Care Funding to enable effective and timeous allocation of resources to respond to need, effect action, increase pace of change and improvement within key priority areas aligned with the Strategic Plan. It was noted that the Leadership Group would identify priority areas for investment and remit appropriate officers to develop and submit funding proposals to be considered by the Leadership Group. The funding application and decision-making would be in line with the board's Partnership Funding process and governed by the financial regulations and Scheme of Delegation. Once it has been considered by the Leadership Group and approved by the Chief Officer, this will be presented to the Chair and Vice Chair of the board for agreement. The outcome of these decisions taken by the Leadership Group will be reported to the Integration Joint Board and Strategic Planning Group. Following discussion the board indicated that they were minded to set the maximum level of funding available for direction by the Leadership Group to £1million.

Decision

The Integration Joint Board:-

- (1) approved the allocations of Partnership Funding set out in appendix 1 to the report, and**
- (2) remitted the leadership group to progress work relating to the alignment of current investment to Arms Length External Organisations with a strategic commissioning process as set out in section 5 of the report, and**
- (3) agreed that the Leadership Group be delegated authority to direct £1million of Integrated Care Funding, subject to the provision that funding applications and decision-making would be in line with the Partnership Funding process and governed by the financial regulations and Scheme of Delegation. Further, decisions taken by the Leadership Group and approved by the Chief Officer, would be presented to the Chair and Vice Chair of the board for agreement. The outcome of these decisions will be reported to the Integration Joint Board and Strategic Planning Group.**

IJB92. Scheme of Delegation

The Integration Joint Board considered a report by the Chief Officer providing a scheme of delegation for approval. Ewan Murray provided an overview of the report.

Decision

The Integration Joint Board noted:-

- (1) approved the Scheme of Delegation, and**
- (2) noted that the Scheme of Delegation would require early review as partnership arrangements develop by 31 March 2018.**

IJB93. Annual Risk Management Report

The Integration Joint Board considered a report by the Chief Officer providing an annual risk management report for approval. Elaine Vanhegan provided an overview of the report.

Decision

The Integration Joint Board:-

- (1) noted the leadership group's risk priorities for 2017/18;**
- (2) agreed the revised Strategic Risk Register;**
- (3) agreed the Falkirk IJB Risk Management Strategy;**
- (4) agreed that a Risk Management Improvement Plan is developed by October 2017;**
- (5) noted that NHS Forth Valley's Internal Audit Team will undertake an audit of the effectiveness of the IJB's risk management arrangements in late 2017/18, and**
- (6) noted that NHS Forth Valley's Clinical Governance and Risk Management Strategy and risk management responsibilities have been updated.**

IJB94. Performance Report**Decision**

The Integration Joint Board agreed to continue consideration of the report to its next meeting.

Jane Grant left the meeting prior to consideration of the following item.

IJB95. IJB Audit Committee Report

The Integration Joint Board considered a report by the Chief Finance Officer which provided an update on the matters considered by the Audit Committee at its meeting of 27 February 2017. Ewan Murray provided an overview of the report.

Decision

The Integration Joint Board:-

- (1) noted that the governance action plan would be used as the basis for producing the IJB Annual Governance Statement for 2016/17;**
- (2) noted the Audit Committee has approved the annual audit plan for 2016/17;**
- (3) noted that the Financial Regulations had been reviewed and that a further review was required no later than March 2018;**
- (4) approved the Reserves Strategy and Policy with a review required no later than March 2018, and**
- (5) noted the Self Assessments in relation to the National Audit Scotland reports on Health and Social Care Integration.**

IJB96. Exclusion of the Public**Decision**

The Integration Joint Board 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 3 of Part 1 of Schedule 7A to the said Act.

IJB97. Meetings of the Social Work Complaints Review Committee

The Integration Joint Board considered a report by the Director of Corporate & Housing Services, Falkirk Council which provided information on meetings of the Council's Social Work Complaints Review Committee. Colin Moodie and Joe McElholm provided an overview of the report.

Decision

The Integration Joint Board noted the conclusions and actions recommended from the meetings of the Social Work Complaints Review Committee.

IJB98. Valedictory Remarks

The Integration Joint Board thanked Councillor Black and Mr King for their contribution to and leadership of the Board from its inception and wished them well in the future. The Integration Joint Board also expressed its thanks Councillors Goldie and Gow, Ewan Murray and Jane Grant for their hard work as members of the board.