

DRAFT**FALKIRK COUNCIL****MINUTE of MEETING of the FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 7 MARCH 2007 at 10.30 AM.**

PRESENT: Provost Johnston; Depute Provost Wilson; Councillors Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Fowler, D Goldie, G Goldie, Gow, Graham, Hamid, Rev Jenkinson, Kenna, A MacDonald, C MacDonald, McNally, Martin, Miller, Nicol, Patrick, Pollock, Reid, Spears, Speirs, Williamson and Wilson.

CONVENER: Provost Johnston

APOLOGIES: Councillors Buchanan and McCafferty.

ATTENDING: Chief Executive; Directors of Community Services, of Corporate and Commercial Services, of Development Services, of Education Services, of Finance Services and of Housing and Social Work Services; Acting Director of Law and Administration Services; Head of Education Resources; Planning & Environment Manager (A Rodger); Waste Manager (C Devine); Development Plan Co-ordinator (C Hemfrey; Assistant Planning Officer (K Brown) and Democratic Services Manager.

FC40. URGENT ITEM – PROPOSED NAME FOR NEW PRIMARY SCHOOL IN NORTH LARBERT

Provost Johnston advised that, in terms of Standing Order 9.1, he has **AGREED** to accept an urgent item relating to the naming of the new primary school in North Larbert having regard to the special circumstances, viz, the timescales involved in completing the associated public consultation process.

FC41. MINUTES AND INFORMATION BULLETIN

- (a) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 6 December 2006;
- (b) There was submitted (circulated) and **APPROVED** Minute of Special Meeting of Falkirk Council held on 6 December 2006;
- (c) There was submitted (circulated) and **APPROVED** Minute of Special Meeting of Falkirk Council held on 7 February 2007;
- (d) There was submitted (circulated) and **NOTED** Volume of Minutes of Meetings held since 21 November 2006; and

- (d) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 5 – 2006/07.

Councillors Fowler and Martin entered the meeting during consideration of the following item of business.

FC42. REFERRALS FROM COMMITTEES

(a) Formal Consultation – Proposed Closure of Torwood School

There was submitted (circulated) (a) report by the Director of Education dated 1 March 2007 providing information on the outcomes of the formal consultation on the proposed closure of Torwood School; (b) extract of Minute of Meeting of the Education and Leisure Committee held on 30 January 2007, and (c) report submitted to the meeting of Education and Leisure Committee on 30 January 2007 by the Director of Education Services.

AGREED:-

- (1) to close Torwood School following the transfer of staff and pupils to the new specialist facilities at Maddiston and North Larbert Primary Schools, and
- (2) to approve the delineation of catchment boundaries for the two new facilities as detailed in Appendix 3 to the report.

(b) Carrongrove, Denny – Finalised Planning Brief

There was submitted (circulated) (a) extract of Minute of Meeting of the Environment and Heritage Committee held on 20 February 2007, and (b) report dated 7 February 2007 by the Director of Development Services submitted to the Environment and Heritage Committee on 20 February 2007.

Councillor Spears, seconded by Councillor Bryson moved that the recommendations detailed in the Report be approved.

By way of an Amendment, Councillor Hamid, seconded by Councillor C MacDonald moved that (a) the 6.5 hectares industrial Carrongrove site be retained for industry/business; and (b) the same efforts be made to encourage and attract industry/business to locate on this site as being made in other Falkirk Council areas.

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call, there being 30 Members present, with Members voting as undernoted:-

For the Motion (17) – Provost Johnston; Depute Provost Wilson, Councillors Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Graham, Kenna, A MacDonald, McNally, Nicol, Patrick, Spears and Williamson.

For the Amendment (13) – Councillors Fowler, D Goldie, G Goldie, Gow, Hamid, Rev Jenkinson, C MacDonald, Martin, Miller, Pollock, Reid, Speirs and Wilson.

Accordingly, **AGREED** to approve the final version of the Carrongrove Planning Brief.

(c) Falkirk Council Local Plan – Finalised Draft (Deposit Version)

There was submitted (circulated) (a) report dated 28 February 2007 by the Director of Development Services summarising further changes to the Local Plan since it was considered by the Policy and Resources Committee on 13 February 2007; (b) Extract of Minute of Meeting of the Policy and Resources Committee held on 13 February 2007, and (c) report submitted to the Policy and Resources Committee at its meeting on 13 February 2007 by the Director of Development Services.

Councillor Alexander, seconded by Councillor Kenna moved that the recommendations detailed in the report submitted to the Policy and Resources Committee be approved, subject to the proposed revisions highlighted in paragraphs 2.2 and 3.2 of the further summary report.

By way of an Amendment, Councillor G Goldie, seconded by Councillor D Goldie moved that policy EDAL 12 be revised to include reference to small or large scale retail development.

Councillor Martin gave notice of further amendment.

In terms of Standing Order 21.4(i), a vote was taken by way of a roll call, there being 30 Members present, with Members voting as undernoted:-

For the Motion (16) – Provost Johnston, Depute Provost Wilson; Councillors Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Kenna, A MacDonald, McNally, Nicol, Patrick, Spears and Williamson.

For the Amendment (14) – Councillors Fowler, D Goldie, G Goldie, Gow, Graham, Hamid, Rev Jenkinson, C MacDonald, Martin, Miller, Pollock, Reid, Speirs and Wilson.

Accordingly, the Motion was carried and became the Substantive Motion.

By way of a further Amendment, Councillor Martin, seconded by Councillor C MacDonald moved that the site identified on page 200 of the Finalised Draft Local Plan (Deposit Version) for 2 houses be removed from the Plan.

On a division, there were 17 votes for the Substantive Motion and 13 for the Amendment.

Accordingly, **RESOLVED** in terms of the Substantive Motion.

(d) Forth Valley Area Waste Plan Update

There was submitted (circulated) (a) Extract of Minute of Meeting of the Environment and Heritage Committee held on 10 February 2007, and (b) joint report by the Directors of Corporate and Commercial Services and of Development Services submitted to the meeting of the Environment and Heritage Committee on 20 February 2007.

Councillor Spears, seconded by Councillor Bryson moved that the recommendations detailed in the Report be approved.

By way of an Amendment, Councillor Gow, Seconded by Councillor D Goldie moved that the recommendations in the report be amended, as follows:-

- 3(a) to authorise the Director of Development Services to introduce recycling collections for commercial customers on a phased basis commencing in 2008/09 with charitable organisation continuing to be offered a free service. Falkirk Council Officers to work with local charities with a view to helping them reduce and best recycle their waste.
- 3(b) to review the issue of small traders permits including a seminar on waste management for Members and report back to Falkirk Council thereafter.

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call, there being 30 Members present with Members voting as undernoted:-

For the Motion(17) – Provost Johnston; Depute Provost Wilson; Councillors Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Graham, Kenna, A MacDonald, McNally, Nicol, Patrick, Spears and Williamson.

For the Amendment (13) – Councillors Fowler, D Goldie, G Goldie, Gow, Hamid, Rev Jenkinson, C MacDonald, Martin, Miller, Pollock, Reid, Speirs and Wilson.

Accordingly, **RESOLVED** in terms of the Motion.

FC43. COMBINED SCOTTISH PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS – 3 MAY 2007

There was submitted report (circulated) dated 23 February 2007 by the Returning Officer advising of relevant key dates together with miscellaneous legislative and procedural information relating to the combined Scottish Parliamentary and Local Government Elections to be held on Thursday 3 May 2007.

AGREED to note the legislative changes, key dates and procedural information relating to the forthcoming combined Scottish Parliamentary and Local Government Elections as detailed within the body of the Report and as contained in the Appendix thereto.

FC44. STIRLINGSHIRE EDUCATIONAL TRUST

There was submitted report (circulated) dated 23 February 2007 by the Acting Director of Law and Administration Services seeking approval for a change to the Trust Scheme for the Stirlingshire Education Trust.

AGREED to approve the proposed changes to the Stirlingshire Educational Trust Scheme 1957 as set out in Appendix 1 to the Report.

FC45. ARRANGEMENTS FOR CARRYING OUT COUNCIL FUNCTIONS FROM 7 MARCH TO END DECEMBER 2007

There was submitted report (circulated) dated 16 February 2007 by the Acting Director of Law and Administration Services proposing measures which would allow the Council to continue to discharge its statutory duties for the period from the meeting of Council on 7 March 2007 to end December 2007.

AGREED:-

- (1) to delegate to the Chief Executive and each Service Director in full consultation with the Chief Executive and Acting Director of Law and Administration Services, and all other parties as the Service Director deems necessary, power to take all decisions at present delegated to the Council's various Committees provided:-
 - (i) that any such decision is required to secure the proper deliver of Council Services and to comply with the Council's statutory duties;
 - (ii) that any such decision does not involve expenditure of Council's monies outwith the approved Revenue Budget and Capital Programme;
 - (iii) that any such decisions do not involve in the increase in the permanent establishment of the particular Service, and
 - (iv) that any decision involves no dispute as to legality, propriety or the proper interpretation of Council Policy as affecting the decision.
- (2) to agree the provisional dates for meetings of the Policy and Resources Committee and the Regulatory Committee of Tuesday 12 June and Tuesday 19 June 2007 respectively and 27 June 2007 for a meeting of Falkirk Council;
- (3) to note the provisional timetable of meetings attached as Appendix 1 to the Report;
- (4) to note that the Licensing Board will meet on Wednesday 20 June 2007, and
- (5) to note that the Statutory Meeting of the Council will be held on or before 24 May 2007.

FC46. NOTICE OF MOTION

Councillor Alexander, seconded by Councillor D Goldie moved as follows:-

“Falkirk Council welcomes and supports the Falkirk Herald’s Cork It campaign.

Council also recognises that the problems created for the community, including to young people themselves, with the illegal sale of alcohol to young people can only be tackled with the co-operation of all agencies involved”.

With the consent of the mover and seconder of the Motion, it was **AGREED** to amend the Motion to include reference to the important role that parents also have in this matter.

FC47. PROPOSED NAME FOR NEW PRIMARY SCHOOL IN NORTH LARBERT

There was submitted report (circulated) dated 6 March 2007 by the Director of Education Services advising of the recent community consultations to ascertain a preferred name for the new primary school in North Larbert.

AGREED to name the new school in North Larbert as Kinnaird Primary School.

FC48. EXECUTION OF DEEDS

There was submitted report (circulated) dated 22 February 2007 by the Acting Director of Law and Administration Services advising of the deeds which had been signed and sealed on behalf of the Council since its last Meeting.

AGREED to note the signing and sealing by the Acting Director of Law and Administration Services of the deeds specified in the Appendix attached to the Report.

FC49. VALEDICTORY

Provost Johnston, other Members of the Council and the Chief Executive, on the occasion of the last scheduled meeting of Falkirk Council prior to the Local Government Elections in May 2007, extended their appreciation to both Members and Officers for their contribution to the work of the Council and commented on the retirement from public office of a number of Councillors.