

FALKIRK COUNCIL

MINUTE of MEETING of the HOUSING AND SOCIAL CARE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 30 AUGUST 2011 at 9.30 a.m.

PRESENT: Councillors Blackwood, Buchanan, Carleschi, Gow, Jackson, McLuckie, McNally, McNeill, Meiklejohn and Turner.

CONVENER: Councillor Blackwood.

APOLOGIES: Councillors C MacDonald and Patrick.

ATTENDING: Acting Director of Social Work Services; Heads of Community Care; of Policy, Technology & Improvement, and of Procurement & Resources; Acting Head of Children & Families and Criminal Justice; Accountancy Services Manager (B Heron); Service Managers (S Loudon and D McCart); Facilities Manager (Maintenance); Human Resources Manager; Corporate Policy Officer (External Funding); Legal Services Manager (C Moodie), and Committee Services Officer (A Fraser).

DECLARATIONS

OF INTEREST: Councillor Meiklejohn declared a non-financial interest in Item HSC16 – “Following the Public Pound” Monitoring Report 2009/10 & 2010/11 by virtue of a family member being a director of Independent Living Association Forth Valley, but did not consider that this required her to recuse herself from consideration of this item, having had regard to the objective test in the Code of Conduct.

Councillor Gow declared a non-financial interest in Item HSC20 – Citizens Advice Bureaux: Performance and Progress by virtue of her involvement as an adviser to Citizen Advice Bureau Falkirk and indicated that she would take no part in the discussion or decision of this item.

Prior to commencement of business, Councillor Blackwood welcomed Councillors Carleschi and Turner to their first meeting of the Housing and Social Care Committee.

HSC14. OPENING REMARKS

The Committee was saddened to hear of the recent passing of Morag Macaulay, Bureau Manager, CAB Falkirk and reflected on her dedication and contribution made to the voluntary sector over many years.

HSC15. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Housing and Social Care Committee held on 24 May 2011.

HSC16. “FOLLOWING THE PUBLIC POUND” MONITORING REPORT 2009/10 & 2010/11

There was submitted Report (circulated) dated 9 August 2011, by the Acting Director of Social Work Services (a) detailing financial and performance information in relation to 14 organisations during 2009/10 & 2010/11, which are subject to “Following the Public Pound” monitoring arrangements, and (b) attaching as Appendices to the Report, details of the services provided by the 14 organisations.

Discussion took place on the following:-

- clarification in relation to differences in funding levels to organisations
- concerns over the sustainability of some services, in particular to Falkirk and District Association for Mental Health (FDAMH)
- importance of the services provided by the organisations

Councillor Blackwood, seconded by Councillor McNeill moved the recommendations contained within the Report.

Councillor Meiklejohn, seconded by Councillor McNally moved the following amendment, in addition to the recommendations in the Report, namely:-

“a multi-agency working group be set up to further discuss the future funding and sustainability of Falkirk and District Association for Mental Health (FDAMH) and to report back to the Housing and Social Care Committee.”

On a division, 5 Members voted for the Motion and 5 Members for the Amendment.

There being an equality of votes and in terms of Standing Order 21.6, the Convener used his casting vote in favour of the Motion.

Accordingly, **NOTED** the report made in accordance with “Following the Public Pound” monitoring framework for the financial years 2009/10 and 2010/11, and confirming the satisfactory performance of these organisations.

AGREED to:-

- (1) acknowledge and recognise the work undertaken by these organisations, supporting and assisting local people, and
- (2) ask the Acting Director of Social Work Services to ensure that all grant funded activity continues to be reviewed in the next 12 months, where necessary in conjunction with other Council Services, to ensure financial and strategic fit from 2012 onwards.

HSC17. ANNUAL SOCIAL WORK COMPLAINTS REPORT 1 APRIL 2010 TO 31 MARCH 2011

There was submitted Report (circulated) dated 8 August 2011, by the Acting Director of Social Work Services (a) describing and analysing Social Work Services’ performance in handling complaints from 1 April 2010 to 31 March 2011, and (b) attaching as an Appendix to the Report, the number of complaints investigated by each service area.

Discussion took place on the stages, recording and aims of the complaints process.

NOTED the contents of the Report and the steps being taken by Social Work Services to respond appropriately to complaints and to promote continuous improvement.

HSC18. EQUALITY SCHEME PROGRESS REPORT 2010

There was submitted Report (circulated) dated 13 May 2011, by the Director of Corporate and Neighbourhood Services (a) advising of the requirement to report on progress of the actions contained within the Council's Equality Scheme on an annual basis; (b) detailing progress of these actions for the period to December 2010; (c) seeking approval for the report to be published as per legislative requirements, and (d) attaching as an Appendix to the Report, a copy of Falkirk Council's draft Equality Scheme Annual Report 2010.

NOTED the contents of the Progress Report.

AGREED to the publication of the Equality Scheme Annual Report 2010 on the Council's website.

HSC19. FOLLOWING THE PUBLIC POUND – MONITORING REPORT 2010/11

There was submitted Report (circulated) dated 11 August 2011, by the Director of Corporate and Neighbourhood Services (a) detailing financial and performance information in relation to 4 organisations during 2010/11, which are subject to "Following the Public Pound" monitoring arrangements, and (b) attaching as Appendices to the Report, details of the services provided by the 4 organisations.

Discussion took place on the valuable services provided by the organisations.

NOTED the report and appendices made in accordance with "Following the Public Pound" monitoring framework for the financial year 2010/11 and the satisfactory performance of the organisations.

HSC20. CITIZENS ADVICE BUREAUX: PERFORMANCE AND PROGRESS

There was submitted Report (circulated) dated 27 July 2011, by the Director of Corporate and Neighbourhood Services (a) providing an update on the performance and progress of the three Citizens Advice Bureaux (CABx) for the period 1 April 2010 to 31 March 2011, in line with requirements of Following the Public Pound (FPP); (b) highlighting initiatives that the CABx are taking forward in terms of service development and forward planning, and (c) outlining the funding for each of the CABx for 2011/2012.

Discussion took place on the following:-

- the development of a pilot scheme which involves an outreach service being provided on a "roadshow" basis to communities across the Council area
- ways in which the 3 CABx are evaluated and monitored in relation to meeting national standards

NOTED the progress of the Citizens Advice Bureaux and the valuable service they provide to those living in the Falkirk Council area and the critical contribution that they make in the current challenging economic climate.

AGREED that Officers present progress Reports to Members each year, in line with FPP requirements.

HSC21. NATIONAL HOUSING TRUST UPDATE

With reference to Minute of Meeting of the Housing and Social Care Committee held on 1 February 2011 (Paragraph HSC41 refers), there was submitted Report (circulated) dated 10 August 2011, by the Director of Corporate and Neighbourhood Services providing an update on progress to date on the National Housing Trust (NHT) procurement process.

Discussion took place on the following:-

- complexity of the procurement process and the need for a simplified process in future NHT initiatives
- the level of interest from potential developers

NOTED:-

- (1) the current position with regards the National Housing Trust procurement process, and
- (2) that further Reports will be submitted to both the Housing and Social Care Committee, and the Policy and Resources Committee in due course.

AGREED to authorise the Director of Corporate and Neighbourhood Services to sign a Participation Agreement on behalf of Falkirk Council, for a second procurement round of the NHT initiative, subject to the terms and conditions remaining substantially the same as Phase One.

HSC22. COUNCIL HOUSE BUILDING PROGRAMME

With reference to Minute of Meeting of the Housing and Social Care Committee held on 24 May 2011 (Paragraph HSC5 refers), there was submitted Report (circulated) dated 10 August 2011, by the Director of Corporate and Neighbourhood Services providing an update on progress in relation to various new build developments.

Discussion took place on the following:-

- the high standard of work on completed or nearing completion properties
- welcoming the range of different house types and sizes in new build developments
- financial implications if Scottish Government funding does not become available

NOTED the progress to date with the Council's new build housing programme.

AGREED that further Reports will be submitted to future meetings of the Housing and Social Care Committee.

HSC23. PROPOSALS FOR WORKS AT 143-201 KERSIEBANK AVENUE GRANGEMOUTH

There was submitted Report (circulated) dated 8 August 2011, by the Director of Corporate and Neighbourhood Services (a) detailing housing investment and improvement proposals in relation to two blocks of flats at 143-171 and 173-201 Kersiebank Avenue, Grangemouth, and (b) setting out considerations of investment and improvement proposals in light of SHQS condition survey results, ongoing maintenance and repair issues and various tenancy management issues within the area.

Discussion took place on the following:-

- benefits to the local community in remodelling and upgrading of the two blocks
- much needed larger accommodation being provided
- various options available in relation to the owner occupied unit
- eligibility criteria in relation to the Right to Buy scheme

AGREED to:-

- (1) remodel and upgrade the two blocks at 143-171 and 173-201 Kersiebank Avenue;
- (2) a full consultation on the proposed refurbishment being carried out with local members, residents and local community, other Council services and local agencies, and
- (3) future void properties within these two blocks not being relet until the remodelling work is complete.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 31 AUGUST 2011 at 1.00 pm.

PRESENT: Provost Reid; Councillors Alexander, Coleman, C Martin, Nicol and Waddell.

CONVENER: Councillor C Martin.

APOLOGY: Councillor C MacDonald.

ATTENDING: Chief Executive; Head of Human Resources and Customer First and Committee Services Officer (S Barton).

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 of the said Act.

AP8. APPOINTMENT OF DIRECTOR OF EDUCATION

There was submitted Report (circulated) by the Chief Executive (a) outlining the recruitment procedure in respect of the post of Director of Education and (b) enclosing application forms for the post with supporting papers.

Having heard from the Chief Executive and following consideration of all the applications submitted, **AGREED** that the following short list of applicants be interviewed by the Committee on Thursday 29th September 2011.

H J Hamilton
A I Sutherland
J D Wilson
D Wright

The Committee then considered a possible presentation topic for the interviews which was provided by the Chief Executive.

AGREED that the candidates be asked to prepare a presentation on the following topic:-

“What do you consider to be the key challenges and priorities for Education Services over the next 2/3 years?

What strategies would you adopt to manage these challenges whilst continuing to improve attainment and achievement?”

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the JOINT CONSULTATIVE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 31 AUGUST 2011 at 9.30 A.M.

PRESENT: Depute Provost Black; Councillors Alexander, Gow, Kenna, C R Martin, Meiklejohn and Waddell; H Schroder (Unite), I Campbell (EIS), G Allan (UNISON), M McIver (EIS), L Tanner (UNISON), M Cook (UNISON) and M Smith (EIS).

CONVENER: M McIver (EIS).

APOLOGIES: Councillors Goldie and Patrick; S McAughtrie (GMB) S Brown (UCATT).

ATTENDING: Acting Director of Social Work Services; Heads of Human Resources and of Economic Development; Project Leader (Pensions); Educational Resources Manager, Workforce Development Manager, Human Resources Manager and Democratic Services Manager.

**DECLARATIONS
OF INTEREST:**

JCC10. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Joint Consultative Committee held on 25 May 2011, subject to the inclusion of M Cook's apologies in the sederunt.

JCC11. EMPLOYEE TURNOVER

There was submitted Report (circulated) dated 3 August 2011 by the Director of Corporate and Neighbourhood Services advising of the employee turnover figures for the period 1 April 2010 to 31 June 2011 as set against the benchmark comparison figure for public sector organisations of 8.5%.

NOTED.

JCC12. SICKNESS ABSENCE

There was submitted Report (circulated) dated 3 August 2011 by the Director of Corporate and Neighbourhood Services (a) providing updated information on sickness and absence across all Services for the period 1 April 2010 to 31 March 2011 and (b) advising of the steps taken to manage absence.

NOTED.

JCC13. SERVICE BASED FORUMS

There was submitted Report (circulated) dated 3 August 2011 by the Director of Corporate and Neighbourhood Services enclosing minutes from the most recent meetings of the Service Based Forums for Social Work, Education, Neighbourhood, Development and Community Services.

NOTED.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 1 SEPTEMBER 2011 at 9.15 am.

PRESENT: Provost Reid; Councillors Alexander, Coleman, Mahoney and C Martin.

CONVENER: Councillor C Martin.

APOLOGIES: Councillors C MacDonald and Nicol.

ATTENDING: Director of Development Services; Head of Human Resources and Customer First; and Committee Services Officer (A Sobieraj).

AP9. 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 of the said Act.

AP10. MATCHING PROCESS: APPOINTMENT OF HEAD OF ECONOMIC DEVELOPMENT AND ENVIRONMENTAL SERVICES

There was submitted Report (circulated) dated 12 August 2011 by the Director of Development Services (a) outlining the recruitment procedure in respect of the post of Head of Economic Development and Environmental Services; and (b) enclosing application forms for the post with supporting papers.

The Committee interviewed two candidates for the post of Head of Economic Development and Environmental Services, namely:-

R Cartwright
D Duff

AGREED that the post of Head of Economic Development and Environmental Services be offered to D Duff at the appropriate JNC (Chief Officials) recommended salary and conditions of service.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 5 SEPTEMBER 2011 at 9.30 A.M.

PRESENT: Councillors Alexander, Buchanan, Lemetti, McLuckie, McNeill; Mahoney, Nicol, Thomson (for applications P/10/0646/PPP and P/11/0439/75M); and Turner.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillor Oliver.

ATTENDING: Development Manager; Senior Planning Officer (B Vivian) (for application P/10/0646/PPP); Planning Officer (K Brown) (for application P/11/0194/PPP); Planning Officer (D Paterson) (for application P/11/0311/FUL); Outdoor Access Officer (M Brown) P/10/0646/PPP); Roads Development Officer (C Russell) (for application P/10/0646/PPP); Roads Development Officer (R Mackenzie) (for application P/11/0194/PPP); Roads Development Officer (R Crawford) (for application P/11/0311/FUL); Solicitor (K Quin); and Committee Officer (A Sobieraj).

DECLARATIONS None
OF INTEREST:

P60. VISIT TO CENTRAL DEMOLITION, CHATTAN INDUSTRIAL ESTATE, BONNYSIDE, BONNYBRIDGE

This visit was postponed to another date at the request of the site.

P61. ERECTION OF DWELLINGHOUSE, STABLES AND EQUESTRIAN ARENA ON LAND TO THE EAST OF DENOVAN COTTAGE, DENNY FOR MR A THOMSON - P/10/0646/PPP

With reference to Minute of Meeting of the Planning Committee held on 24 August 2011 (Paragraph P52 refers), Committee gave further consideration to Report (circulated) dated 16 August 2011 by the Director of Development Services on an application for planning permission in principle for the erection of a dwellinghouse, stables and equestrian arena in association with an existing horse breeding and stabling operation on land to the east of Denovan Cottage and to the south of Denovan Road, north of Denny.

The Convener introduced the parties present.

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

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

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

Mr W J Buchanan, an objector, was heard in relation to the application.

The objections included the following issues:-

- That the development was contrary to the Structure Plan relating to development in the countryside;
- The extension of the settlement area and the further loss of agricultural land;
- The lack of requirement for the dwellinghouse;
- The need for clarification on whether trotting was to take place on the site;
- The detail of the equestrian centre i.e. show jumping, horse riding, stables or breeding;
- The proximity to a large equestrian facility nearby;
- The loss of countryside amenity and the guest house in the area;
- The existing and cumulative impact on the environment, flooding, visual intrusion, hardstanding and excess storage including a static caravan;
- The unsuitability of Denovan Road to support proposals including poor sightlines and the bend east of the site;
- A significant increase in traffic, road safety and associated accidents, congestion and dangerous junctions and site access and visibility;
- The obstruction of ambulances and other vehicles to the new hospital to and from the site;
- A public Right of Way through the site towards the River Carron and the importance of maintenance, improvement and upkeep including the gate, signage and public access;
- The rubble overspill in construction of a level base for the agricultural shed and the need for Right of Way access free from obstruction; and
- The large culvert to the rear of the land overshadowed by a large amount of rubble and contamination of the watercourse.

Questions were then asked by Members of the Committee.

Councillor Waddell, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 21 September 2011.

The Committee thereafter walked through the site and viewed the access path to the public Right of Way.

P62. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES WITH PROVISION FOR 20% AFFORDABLE HOUSING AT PARKHALL FARM, VELLORE ROAD, MADDISTON, FALKIRK FK2 0BN FOR CENTRAL SCOTLAND HOUSING - P/11/0194/PPP

With reference to Minute of Meeting of the Planning Committee held on 24 August 2011 (Paragraph P53 refers), Committee gave further consideration to Report (circulated) dated 16 August 2011 by the Director of Development Services on an application for planning permission in principle for the development of part of an existing field within the countryside to the east of Maddiston for residential purposes and comprising 35 units separated by overhead electricity lines and pylons and accessed via the eastern spur of the new roundabout recently granted planning permission (P/10/0249/MS). The application includes provision for 20% affordable housing and is located at Parkhall Farm, Vellore Road, Maddiston, Falkirk.

The Convener introduced the parties present.

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

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

The Convener thereafter read out emails from Mr Horsburgh, Mr and Mrs Taylor and Mr Irwin, objectors, in relation to the application.

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

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

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

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

Mr Datt, an objector, although not having officially objected, was heard in relation to the application.

The objections included the following issues:-

- The pressure on the existing schools infrastructure, school capacity and issues associated with children travelling by bus to schools outwith the area;
- The increase in traffic and road safety issues;
- The non compliance with Development Plan policies;
- The maintenance of the existing SUDS pond and issues relating to flooding;
- The issues relating to the creation of a through road and the roundabout;
- The safety concerns relating to pylons near housing and the hazards to children;
- The loss of a view;
- The loss of flora, fauna and green space;
- The overdevelopment of the area and the loss of the countryside; and
- The negative effect of affordable housing on surrounding property values.

Questions were then asked by Members of the Committee.

Councillor Hughes, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 21 September 2011.

P63. ERECTION OF DWELLINGHOUSE ON LAND TO THE NORTH OF 4 MERRYLEES COTTAGES, LINLITHGOW FOR MR AND MRS STODDART - P/11/0311/FUL

With reference to Minute of Meeting of the Planning Committee held on 24 August 2011 (Paragraph P55 refers), Committee gave further consideration to Report (circulated) dated 16 August 2011 by the Director of Development Services on an application for full planning permission for the erection of a dwellinghouse on land (formerly garden ground) to the north and rear of 4 Merrylees Cottages, Linlithgow.

The Convener introduced the parties present.

The Planning Officer (D Paterson) outlined the nature of the application.

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

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

Mr Archibald, on behalf of Blackness Area Community Council, an objector, was heard in relation to the application.

The objections included the following issues:-

- That the proposal is contrary to the Development Plan;
- The road safety, visibility and access issues to and from the road;
- The adequate space within the existing house for wheelchair access and the disabled facilities;
- The overdevelopment of the site and the intrusion into the countryside; and
- That approval would set a precedent for further development in the countryside.

Questions were then asked by Members of the Committee.

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

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 21 September 2011.

- P64. MODIFICATION OF AGREEMENT ON PLANNING PERMISSION F/96/0002 TO ALLOW THE DWELLINGHOUSE TO BE OCCUPIED BY A PERSON "MAINLY OR LASTLY EMPLOYED IN AGRICULTURE, FORESTRY OR LANDSCAPE INDUSTRIES LIKE A TREE NURSERY, IN THE LOCAL AREA, OR TO A DEPENDANT OF SUCH A PERSON RESIDING WITH HIM OR HER, OR A WIDOW OR WIDOWER OF SUCH A PERSON" AT ALMA COTTAGE, 7A MANNERSTON HOLDINGS, LINLITHGOW, EH49 7LY, FOR MARTIN AND ALISON WATT - P/11/0439/75M

With reference to Minute of Meeting of the Planning Committee held on 24 August 2011 (Paragraph P59 refers), Committee gave further consideration to Report (circulated) dated 16 August 2011 by the Director of Development Services on a request to modify an Agreement in relation to planning permission F/96/0002 made under the terms of Section 50 of the Town and Country Planning (Scotland) Act 1972 (now Section 75 of the Town and Country Planning (Scotland) Act 1997), as amended, and relating to restrictions on the occupancy of a dwellinghouse known as Alma Cottage at 7A Mannerston Holdings, Linlithgow.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

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

Councillor Ritchie, as local Member for the area, indicated that she had no comments or questions relating to the application.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 21 September 2011.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 6 SEPTEMBER 2011 at 9.30 a.m.

PRESENT: Provost Reid; Depute Provost Black; Councillors Alexander, Hughes, Kenna and C Martin.

CONVENER: Councillor C Martin.

APOLOGIES: Councillors Fry and Spears.

ATTENDING: Chief Executive; Directors of Development Services, and of Education; Chief Governance Officer; Acting Chief Finance Officer; Heads of Business Services and of Economic Development and Environmental Services, and Senior Committee Services Officer.

DECLARATIONS

OF INTEREST: None.

PR40. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Policy and Resources Committee held on 9 August 2011.

PR41. CONTRACTS

(a) CONTRACT FOR THE PROVISION OF A UNIVERSAL HOME INSULATION SCHEME 2011/12

With reference to the Minute of Meeting of the Policy and Resources Committee held on 16 November 2010 (Paragraph PR57(d)) where a contract for the provision of a Universal Home Insulation Scheme (UHS) was approved, there was submitted Report (circulated) dated 24 August 2011 by the Director of Corporate and Neighbourhood Services (a) advising that the 2010/11 scheme was successfully delivered; (b) informing that the Scottish Government is making £12.5m available for the scheme in the current financial year; (c) intimating that the Council has submitted a funding bid for £1.3m to allow energy efficiency works to be undertaken to approximately 14,500 properties; (d) explaining that in anticipation of the 2011/12 scheme, the Energy Savings Trust (EST) have been working with a number of local authorities to develop a collaborative approach to the procurement of the survey and installation works, and (e) seeking approval to participate in the Energy Savings Trust UHS contract for a fixed one year period, with the option to extend for a further year.

NOTED the 2011/12 UHS funding bid as outlined in the Report.

AGREED to participate in the Energy Savings Trust contract for the 2011/12 UHS Scheme.

(b) UPGRADING OF BURNBRAE CARE HOME (FAL-5900)

There was submitted Report (circulated) dated 2 September 2011 by the Director of Development Services (a) advising that tenders for the upgrading of Burnbrae Care Home, Falkirk were issued on 2 September 2011 with a return date of 3 October 2011, and (b) in view of the timescale, seeking authority for the Director of Development Services to award the contract to the lowest tenderer, provided it is within budget, and to report back to Committee at the earliest opportunity following the tender evaluation process.

AGREED:-

- (1) to authorise the Director of Development Services to award the contract for the upgrading of Burnbrae Home, Falkirk to the lowest tenderer provided it is within budget, and
- (2) that a report on the outcome of the procurement is delivered to the earliest appropriate meeting of the Policy and Resources Committee following the tender evaluation process.

PR42. PORTFOLIO MANAGEMENT PLAN UPDATE: DISPOSAL PROCESS

There was submitted Report (circulated) dated 2 September 2011 by the Director of Development Services providing an update on the rationale, approach and progress with the Portfolio Management Plan (PMP) disposal process.

Members consented to suspend Standing Orders so as to permit a full debate on the content of the Report.

The meeting adjourned at 10.40am to allow Members the opportunity to consider the terms of proposals for a future course of action and re-convened at 11.10am with all in attendance as per the sederunt.

Following the re-instatement of Standing Orders, **AGREED** to refer consideration of the matter to the next meeting of Falkirk Council on 5 October 2011, where a supplementary report would be submitted which:-

- (1) would cover the potential to amend the policy to offer flexibility to sell premises to sitting tenants where it is both possible and beneficial to the economic development and well-being of the area, and
- (2) examines the potential impact of making such a change.

PR43. *BETTER ASSETS, BETTER SERVICES***CORPORATE ASSET MANAGEMENT STRATEGY: PROPERTY ASSET MANAGEMENT PLAN 2011-14 & FORTH VALLEY ASSET FRAMEWORK**

There was submitted Report (circulated) dated 30 August 2011 by the Director of Development Services (a) seeking approval of an updated version of "Better Assets, Better Services", the Corporate Asset Management Strategy 2011-2014 and a new Property Asset Management Plan, and (b) presenting an update on the development of a Strategic Property Asset Management Framework, involving public sector partners across the Forth Valley Area.

NOTED the progress to date on the development of the Council's approach to asset management.

AGREED:-

- (1) to approve the Council's Corporate Asset Management Strategy and Property Asset Management Plan;
- (2) that the Council should contribute to the implementation of the Forth Valley Asset Framework and Partnership, and
- (3) to receive further update reports on the progress of the corporate Asset Management Strategy.

PR44. REFERRALS FROM ENVIRONMENT AND COMMUNITY SAFETY COMMITTEE – 16 AUGUST 2011

With reference to Minute of Meeting of the Environment and Community Safety Committee held on 16 August 2011 (Paragraphs ECS10, ECS12 and ECS16 refers), there was submitted joint Report (circulated) dated 26 August 2011 by the Chief Governance Officer and Director of Development Services enclosing Reports considered by the said Committee with the recommendations being referred to the Policy and Resources Committee, for approval, namely:-

- **Winter Service Planning**
- **Carbon Management Plan**
- **Update on Review of the Taxi/Private Hire Vehicle Licensing Arrangements**

In relation to the Report on the Update on Review of the Taxi/Private Hire Vehicle Licensing Arrangements, Councillor Martin, seconded by Depute Provost Black, moved the recommendations as contained within the covering Report to Policy and Resources Committee.

By way of an Amendment, Councillor Alexander, seconded by Councillor Kenna moved "That Falkirk Council meets the cost of the consultation and survey."

On a division, 3 Members voted for the Motion and 3 Members voted for the Amendment.

There being an equality of votes and in terms of Standing Order 21.6, the Convener used his casting vote in favour of the Motion.

Accordingly, **AGREED:-**

- (1) to approve the Roads Winter Service Plan;
- (2) to approve the terms of the revised Carbon Management Plan, and
- (3) that the consultation with Taxi Operators set out in the Report should be undertaken subject to the Council indicating that it will meet 50% of the cost of the survey.

NOTED that a report on the role and remit of the Taxi Forum would be submitted to the next meeting of the Environment and Community Safety Committee.

PR45. REFERRALS FROM EDUCATION COMMITTEE – 23 AUGUST 2011

With reference to Minute of Meeting of the Education Committee held on 23 August 2011 (Paragraphs E16 & E18 refers), there was submitted Report (circulated) dated 26 August 2011 by the Director of Education enclosing Reports considered by the said Committee with the recommendations being referred to the Policy and Resources Committee, for approval, namely:-

- **Consultation on a new name for the New Denominational Primary School at Antonshill**
- **Parental Involvement Strategy**

AGREED:-

- (i) that the new denominational primary school will be called "St Bernadette's Primary School"; and
- (ii) to approve the proposed Parental Involvement Strategy.

PR46. 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 grounds 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

PR47. PORTFOLIO MANAGEMENT PLAN: DISPOSAL OF PREMISES AT 1-5 DALDERSE AVENUE, FALKIRK & YARD AT 23 BUTE STREET, FALKIRK

There was submitted Report (circulated) dated 30 August 2011 by the Director of Development Services (a) outlining progress of the Portfolio Management Plan, and (b) seeking approval to dispose of properties at 1-5 Dalderse Avenue and the Yard at 23 Bute Street, Falkirk, as illustrated on the plan attached as an appendix to the Report.

AGREED:-

- (i) to approve the sale of 1, 2, & 3 Dalderse Avenue, Falkirk to R & R Properties (Falkirk) Ltd for the sum of £129,000 subject to conclusion of missives on satisfactory terms, and
- (ii) to continue consideration of the sale of 4 & 5 Dalderse Avenue, and the yard at 23 Bute Street, Falkirk to the meeting of Falkirk Council on 5 October 2011 when the Portfolio Management Plan is being considered.

PR48. GRANGE LANE TRADING ESTATE, GRANGEMOUTH

There was submitted Report (circulated) dated 31 August 2011 by the Director of Development Services seeking approval to enter into an irritancy protection agreement with Diageo at Grange Lane Trading Estate, Grangemouth.

AGREED that the Director of Development Services and the Chief Governance Officer conclude an irritancy protection agreement with Diageo.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 6 SEPTEMBER 2011 at 3.00 pm.

PRESENT: Provost Reid; Councillors Alexander, Coleman, C Martin and Nicol.

CONVENER: Councillor C Martin

APOLOGIES: Councillor C MacDonald

ATTENDING: Chief Governance Officer, Senior Human Resources Adviser (K Docherty) and Senior Committee Services Officer (Derek Kelly).

AP11. 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 grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the said Act.

AP12. APPOINTMENT OF DEPUTE CHIEF GOVERNANCE OFFICER

There was submitted Report (circulated) by the Chief Governance Officer (a) outlining the recruitment procedure in respect of the post of Depute Chief Governance Officer, and (b) enclosing application forms for the post with supporting papers.

AGREED that the Chief Governance Officer interview a long leet of 6 candidates and report back to the Committee with a recommended short leet of candidates to be interviewed by the Committee.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 7 SEPTEMBER 2011 at 9.30 A.M.

PRESENT: Provost Reid; Councillors Hughes, Jackson, Kenna, McLuckie, Nicol and Nimmo.

CONVENER: Councillor Nicol.

APOLOGIES: Councillors Thomson and Waddell.

ATTENDING: Chief Governance Officer; Consumer Protection Manager; Licensing Co-ordinator (B Douglas); Senior Solicitor (F Kobiela); and Committee Officer (A Sobieraj).

DECLARATION OF INTEREST: None

CL33. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 10 August 2011.

CL34. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN JULY 2011

There was submitted Report (circulated) dated 31 August 2011 by the Chief Governance Officer on applications granted under delegated powers between 1 and 31 July 2011 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002.

NOTED.

CL35. 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 grounds that they involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A of the said Act.

CL36. APPLICATIONS FOR THE RENEWAL OF A TAXI OPERATOR AND TAXI DRIVER LICENCE

The applicant, Mr W, entered the meeting.

There was submitted Report (circulated) dated 29 August 2011 by the Chief Governance Officer on applications for the renewal of taxi operator and taxi driver licences (a) advising on the background to the applications; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr W spoke in support of the applications. He submitted a letter of support from Stenhouse TOA and this was received by the Committee.

The Chief Governance Officer clarified procedures in relation to consideration of the applicant's spent convictions following which the Committee resolved that justice could be done without admitting said convictions as part of the process. The list of spent convictions was therefore not circulated to the Committee.

Questions were then asked by Members of the Committee.

AGREED to **RENEW** the licences for a period of one year, subject to the standard conditions.

CL37. APPLICATIONS FOR THE RENEWAL OF A TAXI DRIVER AND TAXI OPERATOR LICENCE

The applicant, Mr M, entered the meeting.

There was submitted Report (circulated) dated 29 August 2011 by the Chief Governance Officer on applications for the renewal of taxi driver and taxi operator licences (a) advising on the background to the applications; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr M spoke in support of the applications. He submitted a letter from Central Scotland Police detailing appreciation for recent charity work undertaken and this was received by the Committee.

Questions were then asked by Members of the Committee.

AGREED to **RENEW** the licences for a period of one year, with a warning letter detailing the standards expected of taxi drivers, and subject to the standard conditions.

CL38. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr McL, entered the meeting together with her colleague Mr S.

There was submitted Report (circulated) dated 29 August 2011 by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising on the background to the application; (b) setting out the procedural issue that required to be considered in terms of paragraph 8(5A) of Schedule 1 to the Civic Government (Scotland) Act 1982, and (c) detailing the consultations undertaken and the responses received.

Ms McL spoke in explanation of the late submission of her application.

Questions were then asked by Members of the Committee.

Being satisfied that good cause had been shown as required by paragraph 8 of the Civic Government (Scotland) Act 1982, Committee **AGREED** to **RENEW** the licence for a period of one year, subject to the standard conditions.

CL39. APPLICATION FOR THE RENEWAL OF A TAXI OPERATOR LICENCE

The applicant, Mr D, entered the meeting.

There was submitted Report (circulated) dated 29 August 2011 by the Chief Governance Officer on an application for the renewal of a taxi operator licence (a) advising on the background to the application; (b) setting out the procedural issue that required to be considered in terms of paragraph 8(5A) of Schedule 1 to the Civic Government (Scotland) Act 1982, and (c) detailing the consultations undertaken and the responses received.

Mr D spoke in support of the application.

Questions were then asked by Members of the Committee.

Being satisfied that good cause had been shown as required by paragraph 8 of the Civic Government (Scotland) Act 1982, Committee **AGREED** to **RENEW** the licence for a period of one year, subject to the standard conditions.

CL40. APPLICATIONS FOR THE RENEWAL OF A PRIVATE HIRE CAR OPERATOR AND PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr H, entered the meeting.

There was submitted Report (circulated) dated 29 August 2011 by the Chief Governance Officer on applications for the renewal of private hire car operator and private hire car driver licences (a) advising on the background to the applications; (b) detailing the consultations undertaken and the responses received, and (c) detailing the applicant's record.

Mr H spoke in support of the applications.

Questions were then asked by Members of the Committee.

AGREED to **RENEW** the licences for a period of one year, with a warning letter detailing the standards expected of private hire car drivers, including the strict adherence to speed limits, and subject to the standard conditions.

The Convener agreed a 10 minute recess prior to consideration of the following item of business. The meeting reconvened with all Members present as per the sederunt.

CL41. APPLICATION FOR THE GRANT OF A NEW HOUSE IN MULTIPLE OCCUPATION LICENCE

The applicant, Mr D, together with his representative, Mr T, entered the meeting.

Chief Inspector G Taylor, PC S Leishman and PC A Kane, Central Scotland Police and objectors Ms M, Mr S, Ms A, Mr W, Ms O, Ms B, Mr B, Ms P, Mr P, Ms G, Mr R, Mr McD, Ms McD and Mr J, all entered the meeting.

There was submitted Report (circulated) dated 29 August 2011 by the Chief Governance Officer on an application for a new house in multiple occupation licence (a) advising of the background to the application; (b) providing confirmation of the premises proposed to be licensed under the terms of the licence; (c) outlining the supporting documentation which was required to be submitted in support of the application; (d) detailing the consultations undertaken and responses received, and (e) attaching as an appendix the location plan.

The Consumer Protection Manager clarified the procedural issues in relation to Schedule 1 paragraph 6 of the Civic Government (Scotland) Act 1982. In summary, the previous application, refused by the Civic Licensing Committee on 13 January 2010 (Paragraph CL67 refers), related to housing for 22 tenants and the current application related to housing for 15 tenants.

The Committee **NOTED** that Schedule 1 paragraph 6 of the Act stated:-

‘Where a licensing authority had refused an application for the grant or renewal of a licence they shall not, within one year of their refusal, entertain a subsequent application from the same applicant for the grant of the same activity in the same area or, where the activity consists of or includes the use of premises or a vehicle or vessel, in respect of an activity consisting of or including the same use of the same premises, vehicle or vessel unless in their opinion there has been, since their refusal, a material change of circumstances’.

Members would therefore be required to consider:-

- (a) whether the current application was the same as the previous application refused on 13 January 2010; and
- (b) should the application be considered to be the same as the previous application, whether there had been a material change in circumstances to allow the application to be considered within the statutory period of 12 months from the date the application was lodged with the Licensing section.

The applicant's representative, Mr T, advised that he had no preliminary points to make in relation to the application. He contended, however, that the appropriate interpretation of the word 'same' within the legislation was 'identical.' Mr T indicated that the current application was not 'identical' to the previous application but was materially different due to there being a significant reduction in the activity and the footprint of the specific premises to be licensed.

Following advice from the Chief Governance Officer and considerable discussion, the Committee **AGREED** that a short adjournment take place to enable Committee to consider the submissions.

On reconvening, with all members present as per the sederunt, **AGREED** that the current application was not the same in all respects as the previous application and that it was not therefore caught by paragraph 6 of Schedule 1.

The applicant's representative, Mr T then advised that he had no preliminary points to make in relation to the competency of the objections.

Chief Inspector G Taylor then spoke in amplification of the Police objection, a copy of which had been circulated to the Committee.

Questions were then asked of Chief Inspector G Taylor by Members of the Committee and the applicant's representative.

The objectors, Mr W and Ms O, spoke in amplification of their objections. Copies of all objection letters were circulated to the Committee.

Questions were then asked of Chief Inspector G Taylor and other objectors present by Members of the Committee and the applicant's representative.

Provost Reid left the meeting at this point and took no further part in consideration of the item.

The Committee adjourned for lunch at 1.10 p.m. and reconvened at 1.40 p.m. and reconvened with all Members present as per the sederunt, with the exception of Councillor McLuckie and Provost Reid.

The objectors, Mr S, Ms P and Ms G, spoke in amplification of their objections.

Mr T, the applicant's representative, spoke in support of the application.

Mr D spoke in support of the application.

Questions were then asked of the applicant's representative and the applicant by Chief Inspector G Taylor, other objectors and Members of the Committee.

Chief Inspector G Taylor, other objectors and Mr T, the applicant's representative, provided a summing up in respect of their submissions.

Following discussion, the Committee **AGREED** that a further short adjournment take place to enable Committee to consider the submissions.

The applicant, Mr D, his representative, Mr T, Chief Inspector G Taylor, PC S Leishman and PC A Kane, and the objectors still present, left and were then recalled to the meeting.

AGREED to **REFUSE** the application in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3)(c) on the grounds that the premises were not suitable for the conduct of the activity having regard to:-

- (i) the location, character or condition of the premises;
- (ii) the nature and extent of the proposed activity;
- (iii) the kind of persons likely to be in the premises;
- (iv) the possibility of undue public nuisance; and
- (v) public order or public safety.

The applicant's representative requested a Statement of Reasons.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the APPOINTMENTS COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 8 SEPTEMBER 2011 at 9.30 AM.

PRESENT: Provost Reid and Councillors Alexander, Coleman, C Martin and Nicol.

CONVENER: Councillor C Martin.

APOLOGY: Councillor C MacDonald.

ATTENDING: Chief Executive; Human Resources Manager (T Gillespie) and Committee Services Officer (S Barton).

AP13. 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 grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the said Act.

AP14. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Appointments Committee held on 16 August 2011.

AP15. APPOINTMENT OF CHIEF FINANCE OFFICER

With reference to Minute of Meeting of the Appointments Committee held on 16 August 2011 (Paragraph AP3 refers), the Committee interviewed a short list of four candidates for the post of Chief Finance Officer namely:-

D S Alexander
I Black
J McLachlan
B Smail

AGREED that the post of Chief Finance Officer be offered to B Smail on the relevant Chief Officer salary and conditions of service.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on FRIDAY 9 SEPTEMBER 2011 at 2. 15 P.M.

PRESENT: Councillors Alexander, Buchanan, Carleschi, Lemetti, McLuckie, and Turner.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors Mahoney, Nicol and Thomson.

ATTENDING: Development Manager; Senior Planning Officer (J Milne) (for application P/11/0347/FUL); Roads Development Officer (R Mackenzie) (for application P/11/0112/FUL); Roads Development Officer (C Russell) (for application P/09/0347/FUL); Planning Officer (S McClure) and Assistant Planning Officer (K Thorley) (for application P/11/0112/FUL); Solicitor (K Quin); and Committee Officer (A Sobieraj).

DECLARATIONS None
OF INTEREST:

P65. SUBDIVISION OF GARDEN, ERECTION OF DWELLINGHOUSE AND EXTENSION TO EXISTING DWELLINGHOUSE AT WINDYKNOWE, CROMWELL ROAD WEST, FALKIRK, FK1 1SE FOR MR GREIG MAXWELL - P/11/0112/FUL

With reference to Minute of Meeting of the Planning Committee held on 24 August 2011 (Paragraph P57 refers), Committee gave further consideration to Report (circulated) dated 16 August 2011 by the Director of Development Services on an application for full planning permission to demolish an existing flat roof extension to a dwellinghouse, to construct a one and a half storey extension with a reduced footprint, to subdivide a large garden area to the side of the property and to erect a dwellinghouse thereon. The site is situated at Windyknowe, Cromwell Road West, Falkirk.

The Convener introduced the parties present.

The Planning Officer (S McClure) outlined the nature of the application.

The applicant was not present and had not submitted apologies for the meeting.

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

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

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

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

The objections included the following issues:-

- The loss of amenity of neighbouring properties;
- The close proximity of the proposed dwelling to 2 Cromwell Road and associated privacy issues;
- The overshadowing, overlooking and privacy of 3 Cromwell Road;
- The heavy construction lorries and construction's structural damage to 3 Cromwell Road;
- The increase in traffic in Cromwell Road due to the new dwelling;
- The effect on the surrounding poorly constructed dwellings, associated subsidence issues and poor quality of ground;
- The disruption and mess from construction at the site and access and safety of children;
- The effect on the value of neighbouring properties;
- That the property would be out of character with surrounding dwellings;
- The effect of the burn running under the property and on other surrounding properties;
- The safety issue from the proposed driveway location;
- The history in the area from a burst water main and the exacerbation from the new dwelling;
- The overdevelopment of the site, the inadequate garden ground and the property sitting forward of the street building line;
- The significant height of the property, particularly the roofspace;
- The concerns about the later use of the void area within the dwelling; and
- The loss of a view of the adjacent park and open space for neighbouring dwellings.

Questions were then asked by Members of the Committee.

Councillor Meiklejohn, as local Member for the area, was heard in relation to the application.

Provost Reid, as local Member for the area, was heard in relation to the application.

Members thereafter viewed the vehicular access of the proposed new dwelling.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 21 September 2011.

P66. EXTENSION TO DWELLINGHOUSE (2 STOREY TO REAR) AT 8 MCCAMBRIDGE PLACE, LARBERT FK5 4FY FOR MRS LESLEY HENDERSON - P/11/0322/FUL

With reference to Minute of Meeting of the Planning Committee held on 24 August 2011 (Paragraph P55 refers), Committee further gave consideration to Report (circulated) dated 16 August 2011 by the Director of Development Services on an application for full

planning permission for a two storey extension to the rear of a two storey detached dwellinghouse at 8 McCambridge Place, Larbert.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr Matear, the applicant's father, was heard in relation to the application.

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

Mr Baxter, the owner of the neighbouring property, indicated that he did not object to the application in principle, was heard in relation to his letter of representation.

Members thereafter moved to re-convene the meeting within the living room of Mr Baxter's home at his request, and with the consent of all parties, with the purpose of viewing the position of the proposed extension from that position and from the neighbouring property's garden.

The concerns within the letter of representation included the loss of amenity, specifically privacy from overlooking due to the habitable nature of the extension's sun room design in relation to the side windows and folding doors.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 21 September 2011.

P67. ERECTION OF DWELLINGHOUSE AT GLEN HOUSE, GLEN ROAD, TORWOOD, LARBERT FK5 4SN FOR MR ALAN MILLIKEN - P/11/0347/FUL

With reference to Minute of Meeting of the Planning Committee held on 24 August 2011 (Paragraph P58 refers), Committee gave further consideration to Report (circulated) dated 16 August 2011 by the Director of Development Services on an application for full planning permission for the erection of a single storey dwellinghouse and detached garage within the rear garden area of an existing detached dwellinghouse at Glen House, Glen Road, Torwood, Larbert and also to the rear of Torwood Tower and Torwood Cottage.

The Convener introduced the parties present.

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

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

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

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 21 September 2011.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the LEISURE, TOURISM AND COMMUNITY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 13 SEPTEMBER 2011 at 9.30 A.M.

PRESENT: Councillors Buchanan, Carleschi, Coleman, Lemetti, McLuckie, McNally, Mahoney, Meiklejohn, Nicol and Ritchie.

CONVENER: Councillor Mahoney.

APOLOGIES: Councillors C MacDonald and Nimmo.

ATTENDING: Directors of Development Services; Head of Policy and Technology and Improvement; Planning and Environment Manager; Accountancy Services Manager; Team Leader, Legal Services (D Blyth); and Committee Officer (A Sobieraj).

DECLARATIONS OF INTEREST: None

LTC13. OPENING REMARKS

Prior to the commencement of business, the Convener welcomed Councillor Ritchie as a new member of the Committee.

LTC14. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Leisure, Tourism and Community Committee held on 7 June 2011, subject to Councillor Lemetti's apologies being added.

LTC15. A NEW FRAMEWORK FOR LOCAL TV IN THE UK

There was submitted Report (circulated) dated 25 August 2011 by the Director of Corporate and Neighbourhood Services on a new framework for local television services in the UK.

Discussion took place on the following issues:-

- The opportunities for local news, heritage and cultural information and the promotion of local issues;
- The commercial viability, challenges and local public demand for services;
- The alternative and wide ranging news and information sources within the marketplace;

- The resourcing of local television services;
- The limited advertising revenue for television services as a whole; and
- The importance of quality programming.

AGREED:-

- (1) The Council's response to the consultation as detailed in Appendix 3 to the Report; and
- (2) That the Members' contributions detailed at the meeting be included within the Council's consultation response.

LTC16. CENTRAL SCOTLAND FOREST TRUST – FALKIRK AREA PROGRAMME 2010/2012

There was submitted Report (circulated) dated 5 September 2011 by the Director of Development Services on the progress of the Central Scotland Forest Trust Falkirk Area Programme for 2010 to 2012.

Discussion included the value of partnership working by a wide range of agencies.

NOTED:-

- (1) The progress of the Central Scotland Forest Trust Falkirk Area Programme 2010 to 2012;
- (2) The continuing commitment to the work of the Programme for 2010 to 2012; and
- (3) The Council's annual contribution to the partnership project from the current budgets.

AGREED the monitoring and reporting mechanisms in place.

LTC17. GRANGE CONSERVATION AREA MANAGEMENT PLAN

There was submitted Report (circulated) dated 5 September 2011 by the Director of Development Services on the Grange Conservation Area Management Plan.

Discussion included the opportunities and benefits of Conservation Area Status to other local townscapes and the value of survey work being undertaken to initiate opportunities for other areas.

AGREED the Conservation Area Management Plan for Grange Conservation Area as detailed in Appendix 1 to the Report.

LTC18. THE ANTONINE WALL – A LOCAL STRATEGY

There was submitted Report (circulated) dated 5 September 2011 by the Director of Development Services on a local strategy for the Antonine Wall including the management of the wall, the development of local projects and wide ranging promotional activity

Discussion took place on the following issues:-

- The balance required between the promotion and accessibility of the Antonine Wall and its protection for future generations;
- The need for a cohesive policy and vision for the Antonine Wall, the World Heritage Status and opportunities for funding and investment;
- The work of the Antonine Wall Co-ordinator and the associated corporate activity including signposting, car parking and development of cycling and pedestrian routes;
- The importance of working with partner agencies and promoting the heritage, tourism and economic wellbeing of the local area;
- The valuable work being undertaken in the promotion of the Antonine Wall within the Falkirk Council area; and
- The local activities including the work of the Museum and Ranger Services' and the maintenance of the Wall.

AGREED:-

- (1) That the Local Strategy Statement as detailed in the Appendix to the Report;
- (2) The establishment of a Stakeholder Group to prepare and implement a Local Action Plan; and
- (3) That a visit to the various Antonine Wall sites be organised for Members.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the INVESTMENT COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 15 SEPTEMBER 2011 at 9.30 A.M.

PRESENT: Depute Provost Black: Councillors Blackwood, Coleman, Kenna, McNeill and Patrick.

CONVENER: Councillor Patrick.

ATTENDING: Chief Finance Officer, Treasury Manager and Senior Committee Services Officer.

ALSO IN

ATTENDANCE: L Selman and L McAleer, Hymans Robertson.

I14. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Investment Committee held on 16 June 2011.

I15. FALKIRK COUNCIL PENSION FUND – UNAUDITED ANNUAL REPORT AND ACCOUNTS 2010/11

There was submitted Report (circulated) dated 6 September 2011 by the Chief Finance Officer (a) referring to the Scottish Government Guidance (LGF Circular No. 1 (2011) which introduces a requirement for a separate audit of the new statutory pension fund annual report and accounts with effect from financial year 2010/2011, and (b) attaching as appendix to the Report a copy of the Funds Unaudited Annual Report and Accounts for 2010/11.

NOTED the publication of the Unaudited Falkirk Council Pension Fund Annual Report and Accounts 2010/11.

I16. PENSION FUND – GENERAL GOVERNANCE MATTERS

There was submitted Report (circulated) dated 7 September 2011 by the Chief Finance Officer updating on matters associated with the Business of Falkirk Council Pension Fund.

The Report provided details on the following:-

- Public Sector Pension Reform
- Local Authority Pension Fund Forum
- Appointment of Absolute Return Manager
- Social Housing Update

NOTED the contents of the Report.

AGREED that Councillors Coleman and McNeill attend the LAPFF Conference in Bournemouth on 30 November – 2 December 2011.

I17. 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 grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A of the said Act.

I18. PENSION FUND – PERFORMANCE MEASUREMENT

There was submitted Report (circulated) dated 17 August 2011 by the Chief Finance Officer advising of the rates of return achieved by the Pension Fund Managers, as measured against pre-determined benchmarks.

NOTED the Fund Managers' performance for the period ending 30 June 2011.

I19. PRIVATE EQUITY AND CREDIT MARKETS UPDATE

There was submitted Report (circulated) dated 17 August 2011 by the Chief Finance Officer (a) advising that the Fund's strategic allocation to private equity is set at 5% of total fund assets and is managed by SL Capital Partners and Wilshire Associates, through their private equity programmes, (b) updating on the progress and key events arising from each Managers Investment Programme for the quarter ending 30 June 2011, and (c) detailing the progress of the Fund's investment in the M & G UK Companies Financing Fund.

NOTED the progress of the Private Equity and Credit Markets Programme as at 30 June 2011.

I20. FUND MANAGER REVIEWS

There was submitted Report (circulated) dated 25 August 2011 by the Chief Finance Officer enclosing booklets from the following:-

- Aberdeen Asset Management - Submit Investment Report and Valuation of Investments – period to 30/06/11
- Baillie Gifford - Submit Investment Report and Valuation of Investments – period to 30/06/11
- Legal & General Investment Management – Submit Investment Report and Valuation of Investments – period to 30/06/11

- Newton Investment Management - Submit Investment Report and Valuation of Investments – period to 30/06/11
- Schroder Investment Management - Submit Investment Report and Valuation of Investments – period to 30/06/11

NOTED the actions taken by the above named Fund Managers during the quarter ended 30 June 2011, consistent with their investment policies.

Councillor Coleman left the meeting at this point.

I21. INFRASTRUCTURE FUND INVESTMENT

With reference to the Minute of Meeting of the Investment Committee held on 17 February 2011 (Paragraph I34 refers), when the Chief Finance Officer in conjunction with the Fund's advisers was requested to implement a search for a global fund of funds infrastructure fund manager, there was submitted Report (circulated) dated 1 September 2011 by the Chief Finance Officer introducing the following 4 companies to be interviewed by Members.

Members interviewed representations from:

- Partners Group
- Pantheon
- Macquarie
- Credit Suisse

After consideration, **AGREED** to appoint Credit Suisse as Global Fund of Funds Infrastructure Manager.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the ECONOMIC STRATEGY AND DEVELOPMENT COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 20 SEPTEMBER 2011 at 9.30 a.m.

PRESENT: Councillors Carleschi, Coleman, Goldie, Lemetti, Jackson, McNeill, Mahoney, Nimmo, Oliver, Patrick, Turner and Waddell.

CONVENER: Councillor Mahoney.

ATTENDING: Chief Finance Officer; Director of Development Services; Head of Environmental and Regulatory Services (D Duff); Development Plan Co-ordinators (C Hemfrey and A Shaw), Legal Services Manager (I Henderson); Planning and Environment Manager; Manager (Strategic Projects); Principal Surveyor (Strategic Projects); Roads Development Officer; Senior Forward Planning Officer; Transport and Planning Co-ordinator, and Democratic Services Manager.

DECLARATIONS

OF INTEREST: None.

ESD21. In terms of Standing Order 15.2(i), Councillor Mahoney 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.

ESD22. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Economic Strategy and Development Committee held on 14 June 2011.

ESD22. FALKIRK LOCAL DEVELOPMENT PLAN - MAIN ISSUES REPORT

There was submitted Report (circulated) dated 13 September 2011 by the Director of Development Services (a) advising that the Council was preparing a Local Development Plan (LDP) for its area which will replace the existing Falkirk Council Structure Plan and Local Plan, (b) presenting the Local Development plan Main Issues Report, and (c) setting out the proposed consultation process, leading to a targeted adoption date of 2014.

Discussion focussed on:-

- the possibility of allowing thriving communities to merge into city/urban settlements by encouraging a growth in housebuilding
- the number of houses with extant planning permissions

- the degree of development recommended in the Main Issues Report
- issues around infrastructure support for development
- Site of Hillcrest (Ref:SHIE/B/02)
- the consultation process
- Town centres and retail
- Level of development in Grangemouth

Councillor Mahoney, seconded by Councillor Lemetti, moved:-

“that Committee agrees to recommend to the Council that the draft Falkirk Local Development Plan – Main Issues Report is approved for consultation purposes subject to the Main Issues Report being amended to include and reflect the following site specific changes and any consequential modifications that may thereby be required to be made:-

(a) **Lochlands, Larbert**

To include a site at Lochlands, Larbert (Ref:FAL/B/05) as a preferred site for economic development in the Main Issues Report, forming an extension to Lochlands Industrial Estate.

Detailed Changes to Main Issues Report

Main Issue 7: Employment Land

Preferred Option (paragraph 4.13)

- Amend paragraph to include an extension to Lochlands Industrial Estate within the preferred option.

Appendix 1

Falkirk Site Schedule and Map

- Change the status of site FAL/B/05 (Lochlands Industrial Estate 1) from ‘non-preferred site’ to ‘preferred site’ within the economic development section.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the addition of site FAL/B/05 as a preferred site.

Technical Reports

Make consequential changes to Site Assessment to reflect the addition of site FAL/B/05 as a preferred site.

(b) **Main Street, Polmont**

To remove a site at Main Street, Polmont (Ref:POL/A/02) as a committed site to be carried forward for housing, and to identify it instead for de-allocation in the Main Issues Report.

Detailed Changes to Main Issues Report

Appendix 1

Rural South Site Schedule and Map

- Change the status of site POL/A/02 Main Street, Polmont from 'committed site carried forward' to 'committed site proposed for de-allocation'.

Consequential Changes

Amend housing figures in Figures 3.4 and 6.1 to reflect the removal of site POL/A/02.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the removal of site POL/A/02.

(c) **Hillcrest, Shieldhill**

To include a site at Hillcrest, Shieldhill (Ref:SHIE/B/02) as a preferred site for housing in the Main Issues Report, forming a modest settlement expansion to the east of the village of Shieldhill.

Detailed Changes to Main Issues Report

Main Issue 2: Sustainable Housing Locations

Rural South – Preferred Option (paragraph 3.67)

- Amend paragraph to include modest settlement expansion to the east of Shieldhill as part of the preferred option.

Rural South – Alternatives (paragraphs 3.70)

- Amend second alternative to exclude modest settlement expansion to the east of Shieldhill.

Appendix 1

Rural South Site Schedule and Map

- Change the status of site SHIE/B/02 Hillcrest Farm, Shieldhill from 'non-preferred site' to 'preferred site', with a housing capacity of 30 units.

Consequential Changes

Amend housing figures in Figures 3.4 and 6.1 to reflect the addition of site SHIE/B/02.

Changes to Supporting Information

SEA Environmental Report

Make consequential changes to Environmental Report to reflect the addition of site SHIE/B/02 as a preferred site.

Technical Reports

Make consequential changes to Site Assessment to reflect the addition of site SHIE/B/02 as a preferred site."

By way of an Amendment, Councillor Oliver, seconded by Councillor Jackson, moved the terms of the Motion subject to the deletion of the adjustment set out as (c) Hillcrest, Shieldhill.

On a division 7 members voted for the Motion and 5 members voted for the Amendment.

Accordingly **AGREED** the terms of the Motion.

ESD23. TOWN CENTRE REGENERATION STRATEGY: UPDATE REPORT

There was submitted Report (circulated) dated 13 September 2011 by the Director of Development Services (a) providing an update of the current position of the Council's Town Centre Regeneration Strategy and (b) setting out the next steps proposed for each town centre.

Discussion focussed on:-

- the effects of the economic downturn
- footfall information
- the Bo'ness THI
- the contract with ING in relation to Bo'ness harbour
- future update on Bo'ness harbour
- signage in Stenhousemuir town centre
- correctional road repairs in Stenhousemuir town centre
- Grangemouth town centre procurement process
- EU procurement requirements
- Impact of supermarkets on town centres
- Walmart approval for leases in Stenhousemuir town centre
- the options for progressing Denny town centre regeneration
- press report on Town Centre regenerations
- topography of the Denny town centre site
- progress of the compulsory purchase order for Denny town centre
- position of local traders during Denny town centre regeneration
- Denny High School pupil's designs for town centre at Denny
- Falkirk BID
- the East end of Falkirk town centre
- consultation processes for town centre regeneration projects
- impact of online shopping on town centres

AGREED to:-

(1) refer the Report to Council and to recommend that Council:-

- (i) notes the progress on the delivery of the Town Centre Regeneration Strategy including the successful completion of Stenhousemuir town centre regeneration and progress in delivery of the Bo'ness THI;
- (ii) notes the action taken to market the opportunity for regeneration at Grangemouth town centre, contributing its assets to assist in delivery of this scheme;
- (iii) agrees to formally terminate the Development Agreement with ING at Bo'ness;
- (iv) agrees to receive a further report on the marketing of the Bo'ness Harbour and Foreshore regeneration scheme;

- (v) agrees to formally terminate the Development Agreement with Henry Boot and progress the regeneration project in Denny through a Council-led phased scheme as set out in Section 6 of the Report;
 - (vi) agrees to instruct officers to progress with a Stage 1 application to the HLF THI by 30th November for Falkirk town centre;
 - (vii) agrees to receive a further report on proposals for the regeneration of Falkirk town centre, and
- (2) write to Walmart Head Office expressing concern over the time that can be taken for Walmart to approve lettings of vacant premises in Stenhousemuir town centre.

ESD24. SUPPLEMENTARY PLANNING GUIDANCE: FRONTIERS OF THE ROMAN EMPIRE (ANTONINE WALL) WORLD HERITAGE SITE, CONSULTATIVE DRAFT: REVIEW OF CONSULTATION RESPONSES

With reference to the Minute of the Meeting held on 14 June 2011 (para ESD14 refers), there was submitted Report (circulated) dated 9 September 2011 by the Director of Development Services (a) advising that the consultation on the preparation of draft Supplementary Planning Guidance (SPG) for the Antonine Wall World Heritage Site had been extended from 6 to 8 weeks, (b) setting out the full list of responses and proposals, and (c) presenting a finalised draft SPG.

AGREED:-

- (1) the report, together with the amendments to the Supplementary Planning Guidance: Frontiers Of The Roman Empire (Antonine Wall) World Heritage Site as set out in Appendix A to the report; and
- (2) to refer the finalised Supplementary Planning Guidance: Frontiers Of The Roman Empire (Antonine Wall) World Heritage Site to Policy and Resources Committee with a recommendation to approve.

**ESD25. TAX INCREMENTAL FINANCE
POTENTIAL FALKIRK AREA PILOT PROJECT - UPDATE**

There was submitted Report (circulated) dated 12 September 2011 by the Director of Development Services (a) providing an update on the development of a pilot Tax Incremental Financing (TIF) initiative project in the Falkirk area, (b) summarising the key aspects of the Council's bid for pilot TIF status, and (c) setting out the next steps in the bid process.

Discussion focussed on:-

- the current status of the Falkirk Gateway project
- the likely working arrangements with West Lothian Council with regard to the Avon Gorge project, should the Council's bid be successful

- the support from partners and business in finalising the Council's bid

NOTED:-

- (1) the progress outlined in the report on the development of a TIF-related initiative in the Falkirk area; and
- (2) the position of the Falkirk Gateway, where the long stop date for Phase 1 land drawdown in the Development Agreement with Macdonald Estates has now expired.

AGREED:-

- (1) that should a successful outcome to the bid be achieved, the Council should proceed to prepare a full business case for submission to the Scottish Futures Trust;
- (2) that in order to support the development of the initiative, early work should be undertaken to identify potential sites for early disposal to attract investment and identify options for the progression of the Falkirk Gateway; and
- (3) to request that officers report back in due course, recommending the next steps.

WORKING GROUP MINUTES

29 - 30

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the BEST VALUE FORUM held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 2 SEPTEMBER 2011 at 10.00 a.m.

PRESENT: Councillor Alexander, Blackwood, Coleman, C Martin, C R Martin, Meiklejohn and Waddell.

CONVENER: Councillor C R Martin.

ATTENDING: Chief Executive; Directors of Corporate and Neighbourhood Services, Development Services, and of Education; Acting Chief Finance Officer and Senior Committee Services Officer.

DECLARATIONS

OF INTEREST: None.

BV17. MINUTES

There was submitted (circulated) and **NOTED:-**

- (a) Minute of Special Meeting of the Best Value Forum held on 31 May 2011 and
- (b) Minute of Meeting of the Best Value Forum held on 3 June 2011.

BV18. CORPORATE AND NEIGHBOURHOOD SERVICES PERFORMANCE REPORT: APRIL 2011 TO JUNE 2011

There was submitted Report (circulated) dated 22 August 2011 by the Director of Corporate and Neighbourhood Services setting out the performance of Corporate and Neighbourhood Services for the first 3 months of 2011/12, covering the period April 2011 until the end of June 2011.

Discussion took place on the following:-

- Refuse Collection – inconsistencies in "coloured" bins' collection
- Condition of void properties
- Property re-letting timescales
- Management structure within Housing Section

NOTED the performance of Corporate and Neighbourhood Services for the period April 2011 to June 2011.

BV19. DEVELOPMENT SERVICES – PERFORMANCE REPORT: APRIL 2011 TO JUNE 2011

There was submitted Report (circulated) dated 23 August 2011 by the Director of Development Services providing information on the quarterly performance of Development Services from April 2011 to June 2011.

Discussion took place on the following:-

- Municipal Waste – Recycling Figures
- Status of Consumer Protection Services
- Business Property Leasing

NOTED the performance of Development Services from April 2011 to June 2011

BV20. EDUCATION SERVICES – PERFORMANCE REPORT

There was submitted Report (circulated) dated 2 September 2011 by the Director of Education Services presenting an overview of Education Services performance against a range of core indicators over the period April 2011 to June 2011.

Discussion took place on the following:-

- School Vandalism figures
- Adult Literacy
- Supply Teachers – Costs
- School Meals Update

NOTED the performance of Education Services from April 2011 to June 2011.

BV21. REFUSE COLLECTION IMPROVEMENT PLAN & TENDER PROCESS

There was submitted Report (circulated) dated 29 August 2011 by the Director of Corporate and Neighbourhood Services presenting an update on the Improvement Plan and Tendering Process in respect of the Refuse Collection Service.

Discussion took place on the following:-

- Timescale for Tendering Process
- Improvement Team Feedback
- Performance of Collection Crews

NOTED the content of the Report.

AGREED that officers submit further update Reports.