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FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on FRIDAY 1 FEBRUARY 2013 at 11.00 A.M.

PRESENT: Councillors Buchanan, Mahoney, McLuckie, Meiklejohn and Turner.

CONVENER: Councillor Buchanan.

ATTENDING: Legal Services Manager (I Henderson); Development Management Co-ordinator (B Whittle), and Committee Services Officer (S Barton).

PRC16. APOLOGIES

No apologies were intimated.

PRC17. DECLARATIONS OF INTEREST

There were no declarations made.

PRC18. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Planning Review Committee held on 7 December 2012.

PRC19. OPENING REMARKS

The Convener welcomed everyone in attendance to this 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.

PRC20. APPLICATION FOR REVIEW – PLANNING APPLICATION P/12/0398/FUL, EXTENSION TO DWELLINGHOUSE (DORMERS TO FRONT AND REAR) AT 60 VALEVIEW, STENHOUSEMUIR (CONTINUATION)

There were submitted documents (circulated) in relation to the Application for Review submitted by Mr and Mrs S Henderson for the Extension to Dwellinghouse (Dormers to Front and Rear) at 60 Valeview, Stenhousemuir.

After discussion and having heard advice from Mr Henderson and Mr Whittle, the Committee **AGREED** that they had sufficient information (a) within the papers provided in relation to the application for Review, and (b) from the unaccompanied inspection of the site in question on 1 February 2013, and considered:-

- (1) Policies EQ1 and SC9 of the Falkirk Council Local Plan;
- (2) The Supplementary Planning Guidance Note on House Extensions and Alterations;
- (3) the consultation response from the Roads Development Unit;
- (4) the benefit of the site inspection, particularly in relation to identifying the types of property with dormer extensions;
- (5) the lack of similar developments in the surrounding area;
- (6) the rear dormer extension which was not considered to have the same issues as the front extension, and
- (7) the impact of the proposal on the character and appearance of the existing building or the vicinity of the site.

After discussion the Committee **AGREED** that the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** and that the preparation of the decision notice be delegated to the Chief Governance Officer.

The Committee also **AGREED** that they considered the rear dormer extension to be an acceptable development.

PRC21. APPLICATION FOR REVIEW – PLANNING APPLICATION P/12/0537/FUL, EXTENSION TO DWELLINGHOUSE TO FORM GARAGE WITH STORAGE LOFT, ORANGERY AND UTILITY ROOM, AT 8 SOUTH BROOMAGE AVENUE, LARBERT

There were submitted documents (circulated) in relation to the Application for Review submitted by Acre Architects on behalf of Mr and Mrs Romanis for the Extension to Dwellinghouse to form garage with storage loft, orangerie and utility room at 8 South Broomage Avenue, Larbert

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

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

- (1) that they did not have sufficient information to allow them to make a determination, therefore the matter be continued to a future meeting of the Committee on a date to be agreed;
- (2) to conduct an accompanied inspection of the site in question on a date to be agreed, and
- (3) that further information in the form of written submissions, be submitted by the Director of Development Services providing the following:-
 - (i) The square meterage of the proposed flat roof area of the utility room and the orangery, and
 - (ii) The overall percentage of building which would be extension in relation to the original building.
- (4) that the written submissions requested be provided within a period of 14 days from receipt of the request, and
- (5) that the written submissions requested be copied to the applicant in order that the applicant may make comments in reply.

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the HOUSING AND SOCIAL CARE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 5 FEBRUARY 2013 at 9.30 a.m.

PRESENT: Provost Reid; Councillors Alexander, Black, Buchanan, Chalmers, G Goldie, Hughes, Mahoney, Nimmo and Turner.

CONVENER: Councillor G Goldie.

ATTENDING: Director of Social Work Services; Heads of Housing and of Procurement & Resources; Accountancy Services Manager (B Heron); Customer Services Manager; Property and Asset Manager; Service Manager (D McCart); Team Leader (G Mitchell); Depute Chief Governance Officer and Committee Services Officer (A Fraser).

HSC34. APOLOGIES

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

HSC35. DECLARATIONS OF INTEREST

No declarations were made.

HSC36. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Housing and Social Care Committee held on 6 November 2012.

HSC37. HOUSING ASSET MANAGEMENT PLAN 2012-2017

There was submitted Report (circulated) dated 15 January 2013 by the Director of Corporate and Neighbourhood Services (a) providing Committee with feedback on the results of the consultation exercise on the draft Housing Asset Management Plan, and (b) seeking approval of the final Housing Asset Management Plan 2012-2017, attached as Appendix 1 to the Report.

Discussion took place in relation to various aspects of the draft housing asset management plan.

NOTED the:-

- (1) outcome of the consultation exercise, and
- (2) proposals for updating Committee as outlined in section 5 of the report.

AGREED:-

- (1) the Housing Asset Management Plan 2012-2017, and
- (2) that the findings are published on the Council's website and in the spring edition of the tenants' newsletter "In the Neighbourhood".

HSC38. INTEGRATION OF ADULT HEALTH AND SOCIAL CARE IN SCOTLAND UPDATE

With reference to Minute of Meeting of the Housing and Social Care Committee held on 28 August 2012 (Paragraph HSC14 refers), there was submitted Report (circulated) dated 16 January 2013, by the Director of Social Work Services (a) updating Members on how proposals relating to health and social care integration were being developed, and (b) summarising the actions which have been taken nationally and locally in relation to the development of proposals.

Discussion took place on the following:

- the challenge of ensuring that appropriate care provision is provided
- the complexities and impact of integrated budgets and resources
- the importance of ensuring that the appropriate representatives are appointed to Health and Social Care Partnership committees
- the anticipated work which will be required to ensure the finalised legislation is workable

NOTED the work which is ongoing at a national and local level in relation to the development of models of health and social care integration.

HSC39. COMMISSIONING OF CARE AT HOME SERVICES

There was submitted Report (circulated) dated 16 January 2013, by the Director of Social Work Services (a) advising that the Council's existing Framework Agreement for Care at Home was established in April 2009 and after the initial two year period of the contract, was extended to 31 March 2013; (b) outlining the process to establish a new Framework contract for Care at Home Services through the Public Social Partnership Model, and (c) recommending a price uplift for 2013/14.

Discussion took place on the following:

- the importance of continuity of care for service users
- the on-going review of the in-house homecare service
- the extent to which the price uplift would be sufficient to retain existing services

NOTED the intention to carry out a Public Social Partnership commissioning process for the commissioning of Care at Home services.

AGREED to refer to the Policy and Resources Committee to approve the award of up to 2% uplift to providers of Care at Home services for 2013-2014.

HSC40. DWP PERSONAL INDEPENDENCE PAYMENTS – IMPACT ON SOCIAL WORK NON RESIDENTIAL CHARGING

There was submitted Report (circulated) dated 15 January 2013, by the Director of Social Work Services setting out proposed updates to the charging policy for non-residential adult social care services, to take account of the impact of welfare reform and, in particular the incremental replacement of Disability Living Allowance with Personal Independence Payments.

Discussion took place on the following:

- the excellent work carried out by the Council's benefits section
- the importance of ensuring cross referencing between services
- the impact of the changes to housing benefit and council tax benefit which will come into effect in April 2013

AGREED to endorse the proposals set out in the report to amend the charging policy for non-residential social care services.

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the JOINT CONSULTATIVE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 6 FEBRUARY 2013 at 9.30 A.M.

PRESENT: Depute Provost Patrick; Councillors Alexander, Balfour, Mahoney, C R Martin, Meiklejohn and McDonald; H Schroder (T&G), G Allan (UNISON), M Cook (UNISON), L Turner (Unite), B Marshall (Unite) and D Straiton (GMB).

CONVENER: Councillor McDonald.

ATTENDING: Depute Chief Finance Officer; Heads of children and family and criminal justice, Economic Development and Environmental Services and of Human Resources and Customer First; Human Resources Manager; Organisational Development Manager; Senior Employee Resources Adviser and Democratic Services Manager.

JCC24. APOLOGIES

Apologies were intimated on behalf of Councillors Bird and G Goldie; B Marshall (Unite) and L Tanner (UNISON).

JCC25. DECLARATIONS OF INTEREST

None.

JCC26. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Joint Consultative Committee held on 7 November 2012.

JCC27. EMPLOYEE TURNOVER

There was submitted Report (circulated) dated 7 January 2013 by the Director of Corporate and Neighbourhood Services advising of the employee turnover figures for the period April to November 2012 as set against the benchmark comparison figure for public sector organisations of 5.2%.

NOTED.

JCC28. SICKNESS ABSENCE

There was submitted Report (circulated) dated 8 January 2013 by the Director of Corporate and Neighbourhood Services (a) providing updated information on sickness and absence across Services for the period April - November 2012; (b) advising of steps taken to manage absence, and (c) providing a summary of rehabilitation and redeployment activities across Services.

NOTED.

JCC29. SERVICE BASED FORUMS

There was submitted Report (circulated) dated 8 January 2013 by the Director of Corporate and Neighbourhood Services submitting minutes from the Service Based Forums for the period September to December 2012.

NOTED.

JCC30. SEVERANCE REPORT

There was submitted Report (circulated) dated 10 January 2013 by the Director of Corporate and Neighbourhood Services advising of numbers, costs and savings attached to early retrials for employees in 2010/11 and 2011/12.

NOTED.

JCC31. FAMILY LEAVE POLICY

There was submitted Report (circulated) dated 16 January 2013 by the Director of Corporate and Neighbourhood Services advising of further updates to the Family Leave Policy (All Employees except Teachers), relating to Surrogacy Leave have been reflected in the non-teachers Family Leave Policy.

AGREED to refer the SNCT updates to Family Leave Policy (All Employees except Teachers), to the Policy and Resources Committee for approval and immediate implementation.

JCC32. UPDATE TO DRUG & ALCOHOL POLICY

There was submitted Report (circulated) by the Director of Corporate and Neighbourhood Services advising of further good practice developments which impact on the Drug and Alcohol Policy and presenting a revised policy.

AGREED to refer the Drug and Alcohol Policy, to the Policy and Resources Committee for approval and immediate implementation.

JCC33. LEGIONNAIRE'S DISEASE AND NEEDLESTICK POLICIES REPORT

There was submitted Report (circulated) dated 7 January 2013 by the Director of Corporate and Neighbourhood Services advising of minor updates to each of the policies arising from restructuring within services.

AGREED to refer the Legionnaire's Disease and Needlestick Policies, to the Policy and Resources Committee for approval and immediate implementation.

JCC34. SMOKING POLICY

There was submitted Report (circulated) dated 7 January 2013 by the Director of Corporate and Neighbourhood Services (a) advising that the policy had been updated to comply with the requirements of Healthy Working Lives and including a reference to the change in legislation which makes the purchase of tobacco products by, or behalf of persons under 18 illegal and (b) presenting the revised policy.

AGREED to refer the Smoking Policy, to the Policy and Resources Committee for approval and immediate implementation.

JCC35. HEALTH, SAFETY & CARE POLICY

There was submitted Report (circulated) dated 7 January 2013 by the Director of Corporate and Neighbourhood Services advising Committee of updates to the Health, Safe and Care Policy to include changes/additional information regarding roles and responsibilities.

AGREED to refer the Health, Safe and Care Policy, to the Policy and Resources Committee for approval and immediate implementation.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 11 FEBRUARY 2013 commencing at 9.15 a.m.

PRESENT: Councillors Carleschi, Chalmers, McLuckie, Mahoney (for applications P/12/0534/LBC and P/12/0533/FUL), Paterson (for applications P/12/0566/FUL and P/12/0362/PPP) and Turner.

CONVENER: Councillor McLuckie.

ATTENDING: Development Management Co-ordinator (D Campbell) (for applications P/12/0566/FUL and P/12/0362/PPP); Development Management Co-ordinator (B Whittle) (for applications P/12/0534/LBC and P/12/0533/FUL), Senior Planning Officer (B Vivian) (for application P/12/0566/FUL); Planning Officer (S McClure) (for application P/12/0362/PPP); Planning Officer (J Seidel) (for applications P/12/0534/LBC and P/12/0533/FUL); Network Co-ordinator; Environmental Health Officer (S Henderson) (for application P/12/0566/FUL); Solicitor (K Quin); and Committee Officer (A Sobieraj).

P182. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Alexander, Black, Buchanan, Meiklejohn and Nicol.

P183. DECLARATIONS OF INTEREST

No declarations were made.

P184. ERECTION OF A SINGLE WIND TURBINE (225KW, 45.9 METRES IN HEIGHT TO TIP) WITH TEMPORARY ACCESS TRACK AND A SUBSTATION AT WEST KELT FARM, DENNY FK6 5NA FOR INTELLIGENT LAND INVESTMENTS LTD - P/12/0566/FUL

With reference to Minute of Meeting of the Planning Committee held on 30 January 2013 (Paragraph P171 refers), Committee gave further consideration to Report (circulated) dated 22 January 2013 by the Director of Development Services on an application for full planning permission for the erection of a single wind turbine (measuring 225 kilowatts and 45.9 metres in height) with a temporary access track and substation (27 metre blade diameter) at West Kelt Farm, Denny.

The Convener introduced the parties present.

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

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

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

Mr McClelland, a local resident, asked general questions in relation to the application.

Questions were then asked by Members of the Committee.

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

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

Members thereafter visited the other access to the site at Station Road.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 February 2013.

P185. DEVELOPMENT OF LAND FOR RESIDENTIAL USE AT SCOUT HALL, GARTCOWS ROAD, FALKIRK FOR FALKIRK DISTRICT SCOUT COUNCIL - P/12/0362/PPP

With reference to Minute of Meeting of the Planning Committee held on 30 January 2013 (Paragraph P173 refers), Committee gave further consideration to Report (circulated) dated 22 January 2013 by the Director of Development Services on an application for planning permission in principle for the development of land for residential use at the Scout Hall, Gartcows Road, Falkirk.

The Convener introduced the parties present.

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

The applicant's representative, Mr Wallace, was not in attendance. The applicant's representative's father, Mr Wallace, advised that he was attending on his son's behalf although he could not answer any questions on the application. He would however telephone his son should questions arise at the meeting.

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

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

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

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

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

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

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

The objections included the following issues:-

- That the privacy of neighbouring dwellings would be compromised;
- The overshadowing of existing neighbouring dwellings;
- The reduction in the value of neighbouring dwellings;
- The narrow access to the site thus not allowing cars to pass and causing noise pollution;
- That the current exit onto Gartcows Road was dangerous, with the danger being increased by extra traffic from new dwellings;
- That exacerbation in previous drainage and flooding problems to neighbouring dwellings;
- That trees would have to be felled against Council policies;
- That the application did not show the number of dwellings to be erected;
- The difficulty of collecting rubbish and other household goods from any dwellings at the site;
- The possibility of no natural light getting to any properties due to the surrounding land and trees;
- The responsibility for the area of land between the bottom of the lane and Gartcows Road being the responsibility of the properties at this location;
- The drains located under the access road to the Hall not being suitable for vehicles to access over thus causing damage;
- The difficulty of accessing the site for demolition of the Hall or erection of dwellings thus causing damage to adjacent walls;
- That construction vehicles and delivery vehicles had in the past damaged the parking area located before the lane to the Scout Hall and likely to recur;
- The lane being used as a public right of way by local people;
- That due to current market conditions properties may not sell or be abandoned; and
- That no dwellings should be more than two storeys in height, as this would overshadow neighbouring dwellings.

Questions were then asked by Members of the Committee.

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

Members thereafter visited the access to the site at Gartcows Road.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 February 2013.

P186. FORMATION OF VEHICULAR ACCESS AND DRIVEWAY AND REMOVAL OF WALL AT ROMAN HOUSE, 26 GRANGE TERRACE, BO'NESS EH51 9DS FOR MR V DUPLOYEN - P/12/0534/LBC

With reference to Minute of Meeting of the Planning Committee held on 30 January 2013 (Paragraph P176 refers), Committee gave further consideration to Report (circulated) dated 22 January 2013 by the Director of Development Services on an application for listed building consent for the formation of vehicular access/driveway at Roman House, a 'B' listed dwellinghouse and within the Grange Conservation area, at 26 Grange Terrace, Bo'ness.

The Convener introduced the parties present.

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

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

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

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

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

The objections included the following issues:-

- The resubmission of a previously refused application;
- The inappropriate nature of the proposal and the adverse effecting on the character and setting of Roman House;
- The proposal being contrary to the Development Plan;
- The proposed vehicular access being next to a tall tree belonging to the neighbouring property;
- That vehicles exiting and entering the site would stop pedestrians from walking on the adjoining pavement;
- That the garden was overgrown and this reduced visibility and access from the application site;
- That Roman House should only have one driveway;
- The loss of trees and that the site was covered by a Tree Preservation Order; and
- That an additional driveway would exacerbate existing traffic problems of Grange Terrace.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 February 2013.

P187. SUBDIVISION OF GARDEN GROUND, ERECTION OF DWELLINGHOUSE AND ASSOCIATED WORKS AND FORMATION OF VEHICULAR ACCESS AND DRIVEWAY TO EXISTING DWELLINGHOUSE AT ROMAN HOUSE, 26 GRANGE TERRACE, BO'NESS EH51 9DS FOR MR V DUPLOYEN - P/12/0533/FUL

With reference to Minute of Meeting of the Planning Committee held on 30 January 2013 (Paragraph P177 refers), Committee gave further consideration to Report (circulated) dated 22 January 2013 by the Director of Development Services on an application for full planning permission for the erection of a single storey dwellinghouse and the formation of a driveway within the garden ground of Roman House, a 'B' listed dwellinghouse and within the Grange Conservation area, at 26 Grange Terrace, Bo'ness.

The Convener introduced the parties present.

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

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

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

Councillor Ritchie read out an email at the request of Mr and Mrs Lardet, objectors, having submitted apologies for the meeting, in relation to the application.

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

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

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

The mother of Mrs Leonard, an objector, was heard in relation to the application.

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

The objections included the following issues:-

- The development was contrary to Local Plan policy regarding Conservation Areas and Listed Buildings including the Grange Terrace Conservation Area Appraisal Consultative Draft February 2011;
- The development would set a precedent for similar proposals;
- The adverse impact on the existing 'monkey puzzle' tree;
- The loss of trees in a Tree Preservation Order (TPO) area;
- The limited garden ground and outlook;
- The adverse impact on traffic travelling along Grange Terrace;
- The adverse impact on existing trees;
- The loss of amenity and privacy;
- The overdevelopment of the site;
- The need for clarification of the energy efficiency of the development;
- The visibility from neighbouring properties;

- The backland development nature and being out of character with the surrounding area;
- The design not reflecting the character of the area;
- The unsuitability of the area of garden ground and not being a useable space;
- The importance of no new build within a Conservation area; and
- That opportunities for public representation did not appear to be available.

Questions were then asked by Members of the Committee.

Councillor Ritchie, as local Member for the area, indicated that she had no questions in relation to the application.

Members thereafter visited the garden area of the neighbouring property at 24 Grange Terrace with the purpose of viewing the position of the proposed dwellinghouse from the neighbouring property's garden.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 February 2013.

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 12 FEBRUARY 2013 at 9.30 a.m.

PRESENT: Depute Provost Patrick; Councillors Balfour, MacDonald, C Martin, McLuckie, Meiklejohn, Murray and Ritchie.

CONVENER: Councillor C Martin.

ATTENDING: Chief Executive; Directors of Development Services and of Education Services; Chief Finance Officer; Chief Governance Officer; Heads of Human Resources and Customer First, of Planning and Transportation and of Resources and Procurement; Revenues Manager; Service Manager (D McCart); Strategic and Private Sector Manager; Transportation Planning Manager; Public Transport Officer; Transport Co-ordinator; Committee Services Officer (A Fraser) and Senior Committee Services Officer.

PR75. APOLOGIES

No apologies were made.

PR76. DECLARATIONS OF INTEREST

No declarations were made.

PR77. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Policy and Resources Committee held on 15 January 2013.

PR78. MEMBERSHIP OF FALKIRK LOCAL LICENSING FORUM

There was submitted Report (circulated) dated 15 January 2013 by the Chief Governance Officer (a) providing background information on the Falkirk Licensing Forum; (b) outlining the Council's duties in regard to establishing a Forum; (c) summarising the recruitment process, and (d) seeking to appoint Members to the Licensing Forum.

AGREED:-

- (1) the appointment of Members to the Falkirk Local Licensing Forum as detailed within the report, and
- (2) that the details of those persons not appointed are held on file as reserves and authority be given to the Chief Governance Office to appoint from this group should any vacancies arise.

PR79. BUYING BACK EX-LOCAL AUTHORITY HOUSING

With reference to the Minutes of the Meetings of both the Housing and Social Care Committee held on 28 August 2012 and Falkirk Council held on 26 September 2012 (Paragraph HSC10 and FC36 refers) there was submitted Report (circulated) dated 30 January 2013 by the Director of Corporate and Neighbourhood Services seeking approval to buy back ex local authority housing, following the conclusion of the recent consultation process.

AGREED to:-

- (1) commence with the repurchase of ex Right to Buy properties based on the principles set out in the report, and
- (2) refer a further report to the Housing and Social Care Committee which will outline the progress made towards achieving the targets outlined in the report.

PR80. SCOTTISH GOVERNMENT BUSINESS RATES CONSULTATION

There was submitted Report (circulated) dated 8 January 2013 by the Director of Development Services (a) referring to the Consultation paper published by the Scottish Government on business rates – “Supporting Business – Promoting Growth”; (b) summarising the content of the consultation paper, and (c) attaching as an appendix to the report, a copy of the responses to the questions in the consultation document.

NOTED the consultation exercise on business rates.

AGREED to approve the proposed responses to the consultation document.

PR81. SCOTTISH GOVERNMENT CONSULTATION PAPER – A CONSULTATION ON TAX MANAGEMENT

There was submitted Report (circulated) dated 30 January 2013 by the Chief Finance Officer (a) referring to the consultation paper published by the Scottish Government on tax management arrangements; (b) summarising the content of the consultation paper, and (c) attaching as an appendix to the Report, a copy of the responses to the questions in the consultation document.

NOTED the consultation paper.

AGREED to approve the proposed responses to the consultation document.

PR82. RESERVES STRATEGY UPDATE

With reference to the Minutes of Meetings of both the Policy and Resources Committee held on 4 September 2012 and Falkirk Council held on 26 September 2012 (Paragraphs PR32 and FC37 refers) there was submitted Report (circulated) dated 31 January 2013 by the Chief Finance Officer advising of the updated balances on each of the Council's Earmarked Reserves and the Repairs and Renewals Fund.

NOTED the latest position with Reserves.

AGREED to approve the spending plans as detailed in the report.

PR83. REVIEW OF LOCAL BUS SERVICES

With reference to the Minutes of Meetings of both the Policy and Resources Committee held on 9 October 2012 and Falkirk Council on 5 December 2012 (paragraphs PR43 and FC69 refers) there was submitted Report (circulated) dated 5 February 2013 by the Director of Development Services detailing the outcome of the root and branch review of non commercial bus service provision, and (b) attaching as appendices to the Report copies of the report prepared by consultants, TAS, together with an outline of some immediate recommendations.

AGREED:-

- (1) the Directors of Social Work Services and Development Services be authorised to investigate and implement further use of the Social Work vehicles during the off peak;
- (2) the Director of Development Services be authorised to negotiate terms and conditions and liaise with the community prior to implementing a Taxibus service for the Blackness area;
- (3) the Director of Development Services be authorised to investigate a possible transport service for the Braes, for Committee consideration;
- (4) to approve the undernoted temporary replacement bus service contracts, awarded from October/November 2012 (at a rate of £492,000 a year):
 - 27B (Falkirk-FVRH-Banknock) – contract cancelled because of low mileage
 - F15 (Falkirk-Carronshore-Alloa) – reduce the frequency to every two hours and re-route away from Carronshore (which has other services) and make the same alterations to the pre-existing contract for evening and Sunday services
 - Service 40 (Falkirk-California) – retain with minor adjustments
 - X19 (Falkirk-Bo'ness-Edinburgh) – operate every 2 hours but with off-peak journeys starting and terminating at Bo'ness
 - Service 17 (Falkirk-Limerigg) – retain until pilot unconventional service produced
 - F45 (Bo'ness-Linlithgow) – retain; and
 - 59/16 (Callendar-Stirling-Airth-Falkirk) – should be routed away from the Inches and Falkirk Community Hospital in order to reduce journey time.
- (5) with the exception of service 49 Blackness area (which should be retained temporarily until replaced by the proposed Taxibus service), the contract bus services listed in Appendix 2 Table 2 of the Report be retained (subject to the normal ongoing monitoring and periodic adjustment in line with the policy) on the provision that the financial arrangements are confirmed at the Special Meetings of the Policy and Resources Committee and Falkirk Council to be held on 13 February 2013, and

- (6) that the Order of Malta Dial-a-Journey Ltd be awarded a three year contract from 1 April 2013 for the accessible transport service at a cost of £201,000 in 2013/14 plus inflation in subsequent years.

PR84. CONTRACTS

- (a) Acceptance of tenders over £350,000 in value - Contract for recladding and associated works at Leishman & Marshall Towers, Seaton Place, Falkirk (FAL-7116)

With reference to the Minute of Meeting of the Policy and Resources Committee held on 9 October 2012 (Paragraph PR50(e) refers) there was submitted Report (circulated) dated 21 January 2013 by the Director of Development Services advising that following the receipt of 6 tenders by the due date 5 November 2011, opened in accordance with Standing Order 11 relating to Contracts, the lowest tender was submitted by Apollo Property Services Group Limited, Conquest House, Church Street, Waltham Abbey, Essex in the sum of £4,995,255.00.

NOTED that in terms of the decision agreed at the Meeting of the Policy and Resources Committee held on 9 October 2012, the Director of Development Services had accepted the tender submitted by Apollo Property Services Group Limited, Conquest House, Church Street, Waltham Abbey, Essex in the sum of £4,995,255.00 in respect of recladding and associated works at Marshall and Leishman Towers, Seaton Place, Falkirk.

- (b) Acceptance of tenders over £350,000 in value - Contract for gas heating replacement to Council Housing Properties in the Falkirk area (VAR-7077C PHASE 3)

With reference to the Minutes of Meeting of the Policy and Resources Committee held on 4 September 2012 and 15 January 2012, (Paragraphs PR34(b) and PR74(e) refers) when approval was given to accept tenders for gas heating replacement to Council housing properties in the Falkirk area as part of a framework agreement and to authorise the award of call off contracts, providing they were within the overall budget defined within the framework agreement, there was submitted Report (circulated) dated 12 December 2012 by the Director of Development Services advising that the third call-off tender, received by the due date of 18 January 2013 and opened in accordance with Standing Order 11 Relating to Contracts for the amount of £1,115,805.01, was awarded to McTear Contracts Limited, Wishaw, who were the first placed contractor on the approved framework agreement list.

NOTED that in terms of the decision agreed at the meeting of the Policy and Resources Committee held on 04 September 2012, the Director of Development Services had accepted the tender submitted by McTear Contracts Limited, Unit 12 Canyon Road, Netherton Industrial Estate, Wishaw ML2 0EG in the sum of £1,115,805.01 in respect of gas heating replacement to council housing properties in the Falkirk area, contract No VAR-7077C – Phase 3.

(c) **Contract for new build housing, Tinto Drive, Grangemouth (GRA-6960)**

There was submitted Report (circulated) dated 24 January 2013 by the Director of Development Services advising that tenders were issued for the new build of 56 homes at Tinto Drive, Grangemouth, with a return date of 11 March 2013.

AGREED:-

- (1) to authorise the Director of Development Services to award the contract for the new build housing at Tinto Drive, Grangemouth provided it is within budget, and
- (2) that the Director of Development Services report the outcome of the procurement to the earliest appropriate Meeting of the Policy and Resources Committee following the tender evaluation process.

(d) **Participation in Scotland Excel - Contract for the supply and distribution of Fleet Parts**

There was submitted Report (circulated) dated 28 January 2013 by the Director of Corporate and Neighbourhood Services (a) advising that as a member of Scotland Excel, Falkirk Council has access to a recently established supply of vehicle parts; (b) seeking approval to participate in this Scotland Excel Framework, following the expiry of the current contract with Fleet Factors on 31 March 2013, and (c) examining the potential implication for the transfer of staff from Fleet Factors to the Council at the conclusion of the current contract acknowledging that the potential transfer would relate to duties under the Transfer of Undertakings and Protection of Employment (TUPE) Regulation 2006, in respect of Fleet Factor stores staff who have been based at the fleet workshops since 2009.

AGREED:-

- (1) In accordance with Standing Order 6.2(iv) to approve Falkirk Council's participation in the Scotland Excel Framework for Vehicle Parts at an estimated value of £2,400,000 for the period 1st April 2013 through to its potential conclusion on 31st December 2016, and
- (2) that an in-house Fleet stores function be established and officers progress the work necessary to meet TUPE obligations arising as a consequence of that decision.

(e) **Participation in Scotland Excel - Contract for the supply and distribution of Hygiene and Paper Products**

There was submitted Report (circulated) dated 28 January 2013 by the Director of Corporate and Neighbourhood Services (a) advising that as a member of Scotland Excel, Falkirk Council has access to a national framework agreement for the supply and distribution of hygiene and paper products, and (b) seeking approval to participate in the Scotland Excel Framework following expiry of the current contract on 31 March 2013.

AGREED:-

- (1) In accordance with Standing Order 6.2(iv) to approve Falkirk Council's participation in the Scotland Excel Framework for the Supply and Distribution of Hygiene & Paper Products at an estimated value of £700,000 for the period 1st April 2013 through to its potential conclusion on 31st March 2015, and
- (2) to approve that Bunzl Cleaning & Hygiene Supplies Ltd be the preferred supplier from the Scotland Excel Framework, subject to them continuing to demonstrate best value during the term of the Framework.

PR85. REFERRAL FROM EDUCATION COMMITTEE – 29 JANUARY 2013

With reference to the Minute of Meeting of the Education Committee held on 29 January 2013 (Paragraph E36 refers) there was submitted Report (circulated) dated 29 January 2013 by the Director of Education Services enclosing the Report – Class Contract Time in P1/2, considered by the said Committee with the recommendation being referred to the Policy and Resources Committee for approval.

AGREED to endorse the proposal to deliver an entitlement to 25 hours class contact per week for all primary aged pupils.

PR86. REFERRAL FROM HOUSING AND SOCIAL CARE COMMITTEE – 5 FEBRUARY 2013

With reference to the Minute of Meeting of the Housing and Social Care Committee held on 5 February 2013 (Paragraph HSC39 refers) there was submitted Report (circulated) dated 6 February 2013 by the Director of Social Work Services enclosing the Report – Commissioning of Care at Home Services, considered by the said Committee with the recommendation being referred to the Policy and Resources Committee for approval.

AGREED to approve the award of up to 2% uplift to providers of Care at Home Services for 2013/14.

PR87. REFERRAL FROM JOINT CONSULTATIVE COMMITTEE – 6 FEBRUARY 2013

With reference to the Minute of Meeting of the Joint Consultative Committee held on 6 February 2013 (Paragraphs JCC 31, 32, 33, 34 and 35 refers). there was submitted Report (circulated) dated 6 February 2013 by the Director of Corporate and Neighbourhood Services enclosing Reports considered by the said Committee with the recommendations therefrom being referred to the Policy and Resources Committee, for approval, namely:-

- Family Leave Policy (all employees except Teachers)
- Drug and Alcohol Policy
- Legionnaire's Disease Policy
- Needlestick Policy
- Smoking Policy

- Health Safety and Care Policy

AGREED to approve the proposed amendments to the policies listed above.

PR88. 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 involve the likely disclosure of exempt information as defined in Paragraphs 8&9 of Part 1 of Schedule 7A to the said Act.

PR89. HOUSING SITES SURPLUS TO OPERATIONAL REQUIREMENTS

There was submitted Report (circulated) dated 31 January 2013 by the Director of Corporate and Neighbourhood Services seeking approval to (a) declare land held on the Council's Housing Revenue Account, surplus to operational requirements subject to obtaining any necessary approvals to sale of land on the Housing Revenue Account from the Scottish Ministers, and (b) demolish vacant garage lockups.

AGREED:-

- (1) to declare the sites adjacent to the undernoted addresses and shown on the plans attached to the report surplus to operational requirements:
 - 16 Fairways Place, Bonnybridge
 - 54 Gateside Avenue, Bonnybridge
 - 78 Dochart Place, Hallglen
 - 32 Hornbeam Crescent, Laurieston
 - 22 Fairways Place, Bonnybridge
 - 1 Norwood Avenue, Bonnybridge
 - 39 Dean Road, Bo'ness (the entire area hatched on the plan)
- (2) to authorise the Director of Development Services to organise the negotiated disposal of the sites referred to in the preceding paragraph with the exception of 32 Hornbeam Crescent, Laurieston which will be the subject of a lease, subject to any necessary consents for such disposals being obtained from the Scottish Ministers;
- (3) to declare surplus to operation requirements the two small areas of land at Glenburn Road, Hallglen lying adjacent to the former "Cottages" site shown on the plan attached to the report and, subject to obtaining any necessary Ministerial consent as aforesaid, to authorise the Director of Development Services to dispose of the site to Loretto Housing Association at nil value, and
- (4) to declare surplus the lockup garages at 8-13 (with the exception of numbers 8 and 9 and which are privately owned) Melrose Drive, Grangemouth and 14-22 Dryburgh Way, Grangemouth, allowing for their demolition and for the site to revert to open space, subject to the satisfactory conclusion of discussions with relevant owner occupiers.

PR90. IRRECOVERABLE DEBTS 2012/13

There was submitted Report (circulated) dated 31 January 2013 by the Chief Finance Officer presenting details of Council Tax, Rents, Housing Benefits Overpayments, Non Domestic Rates, Sundry Accounts and Payroll overpayments, which, for a variety of reasons, may not be recoverable, and, therefore require to be written out of the Accounts in the financial year 2012/13.

AGREED that:-

- (1) Council Tax debts in excess of £5,000 totalling £47,222.65 as detailed in Appendix A to the Report, be written out of the Accounts in 2012/13, subject to further recovery action being taken should the opportunity arise;
- (2) Housing Benefit Overpayments in excess of £5,000 totalling £42,676.50 as detailed in Appendix B to the Report, be written out of the Accounts in 2012/13, subject to further recovery action being taken should the opportunity arise;
- (3) Non-Domestic Rates debts in excess of £5,000 amounting to £948,458.27 as detailed in Appendix C to the Report, be written off, with an appropriate adjustment to the Rate Income Return for 2012/13, subject to amendments should further information on the debtors concerned become available, and
- (4) Sundry Account debts in excess of £5,000 totalling £59,290.26 (Inclusive of VAT) as detailed in Appendix D to the Report, be written out of the Accounts in 2012/13, subject to further recovery action being taken should the opportunity arise.

**PR91. REDDING PARK DEVELOPMENT COMPANY LTD
LAND AT REDDINGMUIRHEAD ROAD, REDDING, FALKIRK**

With reference to the Minute of Meeting of the Policy and Resources Committee held on 14 September 2004 (Paragraph PR99 refers) there was submitted Report (circulated) dated 11 January 2013 by the Director of Development Services (a) presenting background information on the sale of land at Reddingmuirhead Road, Redding, Falkirk and the arrangements with the Redding Park Development Company Ltd, and (b) detailing settlement proposals and possible implications.

AGREED to authorise the Director of Development Services and the Chief Governance Officer to conclude the settlement proposal as outlined in the Report.

DRAFT

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 13 FEBRUARY 2013 at 9.30 a.m.

PRESENT: Depute Provost Patrick; Councillors Balfour, MacDonald, McLuckie, C Martin, Meiklejohn, Murray and Ritchie.

CONVENER: Councillor C Martin.

ATTENDING: Chief Executive; Directors of Corporate and Neighbourhood Services, of Development Services, of Education Services, and of Social Work Services; Chief Finance Officer; Chief Governance Officer; Depute Chief Finance Officer; Depute Chief Governance Officer; Legal Services Manager (I Henderson), and Senior Committee Services Officer.

ALSO IN

ATTENDANCE: Chief Executive, Falkirk Community Trust.

PR92. APOLOGIES

No apologies were intimated.

PR93. DECLARATIONS OF INTEREST

No declarations were made.

PR94. BUDGET 2013/14

There was submitted joint Report (circulated) dated 1 February 2013 by the Chief Executive and the Chief Finance Officer referring to (a) the Revenue Budget 2013/14; (b) the three year General Capital Programme 2013/14 – 2015/16; (c) the Housing Revenue Account and Council House Rents 2013/14 – 2015/16; and (d) the Housing Investment Programme 2013/14 to 2015/16, inviting Committee to give consideration to the terms thereof and to make such recommendations thereon to Council as it considers appropriate. A copy of a report on the Falkirk Community Trust Business Plan, which would be considered by Council as part of the budget setting process, was also attached for Members' information.

AGREED to refer the budget reports to the Special Meeting of Falkirk Council to be held later in the day.

DRAFT

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 13 FEBRUARY 2013 at 10.00AM.

PRESENT: Provost Reid; Depute Provost Patrick; Councillors Alexander, Balfour, Black, Blackwood, Buchanan, Carleschi, Chalmers, Coleman, D Goldie, G Goldie, Gow, Hughes, Jackson, Macdonald, McCabe, McLuckie, McNally, Mahoney, C Martin, Dr C R Martin, Mahoney, Meiklejohn, Murray, Nicol, Nimmo, Oliver, Paterson, Ritchie and Turner.

CONVENER: Provost Reid.

ATTENDING: Chief Executive; Directors of Corporate and Neighbourhood Services, of Development Services, of Education Services, and of Social Work Services; Chief Finance Officer; Chief Governance Officer; Depute Chief Governance Officer; Depute Chief Finance Officer; Heads of Housing, of Planning and Transportation, of Policy Technology and Improvement and of Resources and Procurement; Accountancy Services Managers (D Cairney and B Heron); Transport Co-ordinator (G McGowan); Legal Services Manager (I Henderson) and Democratic Services Manager.

ALSO

ATTENDING: Chief Executive and Chairman, Falkirk Community Trust.

FC80. SEDERUNT

The sederunt was taken by way of a roll call. Apologies were submitted on behalf of Councillor Bird.

FC81. DECLARATIONS OF INTEREST

Provost Reid and Councillors D Goldie, Gow, Nicol and Paterson all declared a non financial interests in Item FC83 as Directors of Falkirk Community Trust, but did not consider that this required them to recuse themselves from consideration of the item, having had regard to the objective test in the Code of Conduct and the relevant specific exclusion contained in the Code.

No further declarations were made at this stage.

FC82. MINUTE

There was submitted (tabled) and **APPROVED** minute of Special Meeting of Policy and Resources Committee held on 13 February 2013.

FC83. FALKIRK COMMUNITY TRUST – BUSINESS PLAN

With reference to minute of Special Meeting of the Policy and Resources Committee held on 13 February 2013 (Paragraph PR94 refers) there was submitted joint report (circulated) dated 5 February 2013 by the Chief Executive and the Chief Finance Officer (a) advising that the funding agreement between the Council and Falkirk Community Trust (FCT) required that the Trust submit annually a business plan for the following year for approval by the Council; (b) presenting the 2013/14 Business Plan; (c) highlighting guiding principles against which individual charges will be set by the Trust, and (d) summarising the proposed capital programme for 2013/14.

Councillor D Goldie, seconded by Councillor Paterson, moved that Council agrees:-

- (1) the Falkirk Community Trust Business Plan for 2013/14;
- (2) the permanent closure of Birkhill Clay Mine;
- (3) a Service Payment of £12.023m to Falkirk Community Trust for 2013/14;
- (4) that Falkirk Community Trust retain a sum of £50,000 to support a funding bid to EventScotland for 2014, and
- (5) the capital expenditure proposals for 2013/14 as outlined in paragraph 4.1 of the Report.

By way of amendment, Councillor McNally, seconded by Councillor Jackson moved the following in substitution for para (2) of the motion:-

- (2) the proposed closure of Birkhill Clay mine is postponed until a full business case is presented to the next meeting of Council.

Councillor Meiklejohn gave notice of a further amendment.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 31 members present, with voting as undernoted:-

For the motion (17) – Provost Reid; Depute Provost Patrick; Councillors Black, Blackwood, Buchanan, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Murray, Nicol, Nimmo and Paterson.

For the amendment (14) – Councillors Alexander, Balfour, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Oliver, Ritchie, Spears and Turner.

The motion was therefore carried. Councillor Meiklejohn, seconded by Councillor Coleman, moved the following amendment in substitution for the motion.