

**FALKIRK COUNCIL**

**MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 18 JUNE 2013 at 9.30 a.m.**

**COUNCILLORS:**

Jim Blackwood  
Dennis Goldie  
Linda Gow  
Adrian Mahoney  
Craig Martin (Convener)  
Dr Craig R Martin  
Malcolm Nicol  
Alan Nimmo

**OFFICERS:**

Margaret Anderson, Director of Social Work Services  
Rhona Geisler, Director of Development Services  
Rose Mary Glackin, Chief Governance Officer  
Robin Millard, Building Design Manager  
Brian Pirie, Democratic Services Manager  
Mary Pitcaithly, Chief Executive  
Stuart Ritchie, Director of Corporate & Neighbourhood Services  
Bryan Smail, Chief Finance Officer

**EX14. APOLOGY**

Councillor Gerry Goldie.

**EX15. DECLARATIONS OF INTEREST**

No declarations were made.

**EX16. MINUTE**

**Decision**

**The minute of the meeting of the Executive held on 7 May 2013 was approved.**

## **EX17. RENT ARREARS DUE TO SIZE CRITERIA BENEFIT**

The Executive considered a report by the Director of Corporate and Neighbourhood Services and the Chief Finance Officer summarising the impact of the 'Bedroom Tax' (size criteria) on the Housing Revenue Account (HRA) since its introduction on 1 April 2013 and setting out proposals to manage consequential rent arrears.

Details were given of the likely housing benefit reduction on tenants. The key measurements of the impact were the decrease in housing benefit in the Falkirk area, the net increase in arrears and the gross increase in arrears as a consequence of the introduction of the bedroom tax. The projected increase in net and gross arrears was calculated to be £477k and £661k per annum. Allowing for the utilisation of discretionary housing payments (DHP) would reduce the impact to £330k and £517k – based on the current collection rate. Additional preventive measures in respect of recovery actions were detailed together with a proposal to increase the DHP fund to £205,047.

**The Executive agreed:-**

- (1) that for the financial year 2013/14 where tenants accrue rent arrears which are solely attributable to 'size criteria' and the council is satisfied that the tenants are doing all that can be reasonably expected in order to avoid falling into arrears, it will use all legitimate means to collect rent due, except eviction;**
- (2) that the current rent recovery procedure will apply where recovery of possession has commenced or the arrears are not due to size criteria;**
- (3) subject to (4) below, that only tenants with a clear rent account at 1 April 2013 should be considered for the no eviction procedure;**
- (4) that for those tenants with arrears at 1 April 2012, who are making a reasonable and sustainable repayment plan, but have been impacted by the size criteria and therefore cannot afford to pay the extra charge in addition to the existing arrangement, the original repayment plan could remain in place for 2013/14; and**
- (5) to increase the Discretionary Housing Payments budget to £205,047 being the maximum allowed.**

## **EX18. SCOTTISH GOVERNMENT CONSULTATION – DRAFT GUIDANCE ON THE OPERATION OF LOCAL AUTHORITY HOUSING REVENUE ACCOUNTS (HRAS) IN SCOTLAND**

The Executive considered a report by the Director of Corporate and Neighbourhood Services and Chief Finance Officer on a Scottish Government consultation on proposed guidance for local authority landlords on the operation of Housing Revenue Accounts (HRAs).

The Scottish Government proposed to issue guidance aimed at ensuring that expenditure once aimed at the traditional council housing areas provides maximum benefit to today's tenants and which supplements the statutory requirement for local authorities to account for costs associated with the Housing Revenue Account (HRA). For the expected outcomes to be achieved there would be a full review of current methodology of how income and expenditure is treated within the Council's HRA and consequently on the General Fund. An assessment of the likely impact of implementing the proposed guidance had been initiated.

A proposed response to the consultation was provided.

### **Decision**

**The proposed response to the Scottish Government consultation on Guidance on the Operation of Local Authority Housing Revenue Accounts (HRAs) in Scotland was approved.**

## **EX19. FORTH VALLEY INTEGRATED CARERS STRATEGY**

The Executive considered a report by the Director of Social Work Services on the Forth Valley Integrated Carers Strategy (FVICS).

A Forth Valley Integrated Carers Strategy had been developed by key stakeholders in the Forth Valley area which set out the overarching priorities for carers and which would be taken forward through local implementation plans in each council area.

### **Decision**

**The Executive agreed to:-**

- (1) approve the Forth Valley Integrated Carers Strategy; and**
- (2) instruct the Director of Social Work Services to develop an implementation plan to ensure that the Social Work Services Plan reflects commitments set out in the Carers Strategy.**

## **EX20. DRAFT SUPPLEMENTARY PLANNING GUIDANCE NOTE: DELIVERY OF THE DENNY EASTERN ACCESS ROAD**

The Executive considered a report by the Director of Development Services presenting a Supplementary Planning Guidance (SPG) Note setting out a framework for the delivery of the proposed Denny Eastern Access Road (DEAR).

The Falkirk Council Local Plan required that the route of the DEAR from Denny High School to Glasgow Road should be developer funded. The SPG used an established cumulative impact approach methodology to new development and also includes other options given the current economic climate. A consultation had been undertaken in regard to the proposed SPG. Details of proposed changes arising from consultation responses were highlighted and the revised SPG was presented for approval.

#### **Decision**

**The Supplementary Planning Guidance Note: Denny Eastern Access Road (DEAR) was approved.**

### **EX21. FALKIRK EMPLOYABILITY FRAMEWORK**

The Executive considered a report by the Director of Development Services presenting Falkirk Employability Framework.

The Falkirk Employability Framework had been developed by the local employability partnership (chaired by Falkirk Council) in response to rising unemployment rates in the Falkirk Council area and in amongst particular school leavers. The overarching outcome for the framework was to maximise the percentage of working age residents attaining and sustaining better paid secure employment.

#### **Decision**

**The Executive agreed:-**

- (1) to support the Falkirk Employability Framework, and**
- (2) that further monitoring of the pattern of support and its impact on service users is undertaken to take account of the consequence and impact of the welfare reform programme and the need to provide effective employability support for workless households.**

### **EX22. INSPIRING ACTIVE LIVES – A CULTURE AND SPORT STRATEGY FOR FALKIRK 2013-2023**

The Executive considered a report by the Chief Executive presenting a draft Culture and Sport Strategy for the Falkirk area for 2013-2023.

A draft Culture and Sport Strategy for Falkirk – Inspiring Active Lives – had been developed by the Falkirk Community Trust in its role as principal advisor to the Council. The Strategy set out a vision for culture and sport in the area together with the key themes and actions required to achieve the vision. Proposals were set out to refer the Strategy to a policy development panel, chaired by the Culture Leisure and Sport portfolio holder. Terms of reference for the Panel which would make its recommendation to the Executive were proposed. At the same time the Trust would carry out a consultation on the Strategy.

## **Decision**

**The Executive agreed:-**

- (1) to note the draft Culture and Sport Strategy – Inspiring Active Lives,**
- (2) to ask Falkirk Community Trust to consult on the Strategy, and**
- (3) to establish a policy development panel of 5 members (3 from the Administration and 2 from the opposition), to be chaired by Councillor Mahoney as the relevant portfolio holder to review the draft Strategy with a view to making recommendations to an Executive meeting on the final Strategy and its implementation; and**
- (4) that the terms of reference of the policy development panel would be to:- reflect on the draft strategy and propose changes, look at how the strategy will progress to implementation beyond the broad intent set within the strategy and then reflect on this in recommending the final strategy to the Executive.**

## **EX23. FINANCIAL POSITION 2012/13 –PROVISIONAL OUTTURN**

The Executive considered a report by the Chief Finance Officer presenting the provisional outturn on the financial position of the Council for 2012/2013.

Net General Fund expenditure was now forecast to be £4.7m lower than budgeted and would result in a balance at 1 April 2013 of £11.7m , which was above the threshold of the Council's Reserve Strategy but a positive position given expected future pressures on funding.

Proposals were set out to change the status of the Roads Trading Account to a recharge account and to allocate a further £1.5m to spend to save projects.

## **Decision**

**The Executive agreed to:-**

- (1) note the Council's year-end financial position for 2012/2013,**
- (2) approve transfers to the Repairs and Renewals Fund and earmarked Reserves as set out in Appendix 2 to the report,**
- (3) allocate a further £1.5m from the Revenue Balance to fund future spend to save projects, and**
- (4) discontinue the Roads Statutory Trading Account.**

## **EX24. ACTUARIAL VALUATION OF THE INSURANCE FUND AND UPDATE ON MUNICIPAL MUTUAL INSURANCE (MMI)**

The Executive considered a report by the Chief Finance Officer on the actuarial review of the Insurance Fund and highlighted the current position with regard to Municipal Mutual Insurance (MMI) liabilities.

The Council's Insurance fund was subject to a three yearly actuarial review to ensure that it was sufficient to meet the Council's Liabilities. The 2013 valuation found that the fund had a surplus of £0.8m and that the fund was broadly healthy. However the review had noted uncertainty over the final costs which would fall due to liabilities relating to Municipal Mutual Insurance (MMI).

MMI had been the predominant insurer of public sector bodies and had stopped underwriting operations in 1992. Arrangements to ensure that the MMI had sufficient resources to meet liabilities had been established at the time. However MMI had since fallen into administration, with implications for Falkirk Council Insurance Fund. It was proposed to transfer £0.55m from the General Fund together with £0.25m from the Housing Revenue Account (HRA) to the insurance fund.

### **Decision**

**The transfer of £0.55m from the General Fund and £0.25m from the Housing Revenue Account to the Insurance Fund was approved.**

## **EX25. FAIRER FALKIRK FUND – PROPOSALS FOR FUNDING**

The Executive considered a report by the Director of Corporate and Neighbourhood Services on an application by the Link Group for funding and on proposals to utilise £66,000 of the Fairer Falkirk Fund on measures to reduce the impact of welfare reform.

An application for funding had been received from the Link Group for £50,000 to fund a Welfare Rights Officer post. It was considered that such a position was similar to, and in addition to, services currently provided by the Council and the Citizens Advice Bureaux and as such it would not be appropriate to support the application.

Proposals were set out to utilise the Fairer Falkirk Fund on early intervention/prevention projects as follows (1) £30,000 to provide funding for a full-time money advisor as part of a project to establish a 'Money Line' branch in Falkirk; (2) £26,000 to establish an Administrative Support post to support the Council's, to be appointed, Project/Change Manager, and (3) £10,000 to commission a feasibility study for the subsidised introduction of an alternative to higher purchase firms along the lines of the 'smarter buys' store model.

### **Decision**

**The Executive agreed not to fund the proposal by the Link Group to establish a Welfare Rights Officer and to utilise £66,000 from the Fairer Falkirk Fund on the projects set out in the report.**

## **EX26. DECOMMISSIONING OF SACRO SUPPORTED ACCOMMODATION SERVICE**

The Executive considered a report by the Director of Social Work Services proposing the decommissioning of the Sacro tenancy service and its replacement with a local authority tenancy support service.

Sacro had for a number of years provided tenancy support services within Falkirk Council. Currently Sacro provide one member of staff (35 hours) within the Criminal Justice Social Work Service. The cost of the service had been £69,400, which equated to £38 per hour. This compared to a cost of £17.20 per hour for a 37 hour week provided in house. Proposals were set out to decommission the tenancy service provided by Sacro and to establish an in house service.

### **Decision**

**The Executive agreed to:-**

- (1) decommission the Sacro tenancy service;**
- (2) establish a tenancy service in-house; and**
- (3) follow TUPE guidelines in relation to the transfer of the Sacro post holder affected by the proposal.**

## **EX27. SITES SURPLUS TO OPERATIONAL REQUIREMENTS**

The Executive considered a report by the Director of Corporate and Neighbourhood Services seeking to declare land surplus to operational requirements and to arrange negotiated disposal of the land.

Nine applications to purchase sites held on the Housing Revenue Account, had been received. Of these four were recommended for approval. The Executive was now requested to declare these four sites surplus to operational requirements and to dispose of the sites.

An application had been received to purchase land held on the Corporate and Neighbourhood Services account and following review it was recommended to accept the application, declare the land surplus and dispose of the site.

## **Decision**

**The Executive agreed to:-**

- (1) the recommendations in relation to the 9 sites outlined in section 2.4 of the report in relation to land held on the Housing Revenue Account (HRA); and where the recommendation is to approve the application and subject to obtaining the necessary consents to dispose of assets held on the Housing Revenue Account from Scottish Ministers, authorises the Director of Development Services to organise the disposal of the sites, and**
- (2) declare the land at 2 Stevenson Avenue, Polmont held on Corporate and Neighbourhood Services account surplus to requirements and authorises the Director of Development Services to organise the disposal of the site.**

## **EX28. REVIEW OF TAXI FARE SCALES AND OTHER CHARGES**

The Executive considered a report by the Chief Governance officer on the review of taxi fare scales and other charges.

The Council was required to set its taxi fare scales and other charges every 18 months and was required to follow a statutory review process before setting its charges. Details of the consultation exercise which had been undertaken were presented together with proposals for fares and for the calendar meter calibration test.

## **Decision**

**The Executive agreed:-**

- (1) to propose an increase to the running mile charge of 3% with a proposed implementation date of 1 September 2013; and**
- (2) to delegate it to the Chief Governance Officer to confirm and implement the revised fares scale in the event that there are no written representations following press advertisement of the revised scale.**

## **EX29. TAX INCREMENTAL FINANCING (TIF) INITIATIVE**

The Executive considered a report by the Director of Development Services on the development of a business case for the proposed Tax Incremental Financing (TIF) initiative in Falkirk and on implementation of the project.

An outline business case for a TIF project in Falkirk had been submitted to the Scottish Government in 2011. A final business case had been developed in consultation with Ernst and Young and Rydens. The final Business Case was submitted to the Scottish Futures Trust (SFT) in March 2013 and the Scottish Government in April 2013. Approval had been confirmed, in-principle - subject to a number of amendments. Details were given of the policy, legal and financial implications of the project being approved and a timetable for the consequential infrastructure works had been established.

### **Decision**

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

- (1) to commit to the delivery of the Falkirk area TIF initiative on the basis of the adjusted proposals to the full business case outlined in the report,**
- (2) to authorise the Director of Development Services, in liaison with the Chief Governance Officer to enter into a formal legal agreement with the Scottish Government and SFT to deliver the TIF initiative,**
- (3) to note the actions taken as outlined in section 6 of this report for implementation of the initiative, and**
- (4) to note the expenditure of £70,000 incurred through Ernst & Young and Rydens in the production of the Full Business Case and supporting discussions/negotiations with SFT and Scottish Government as well as the requirement to utilise their specialist services over the first 3 years of the TIF project.**

### **EX30. ACCESS FOR DISABLED PEOPLE: DENNY TOWN CENTRE**

The Executive considered a report by the Director of Development Services presenting an options appraisal in regard to disabled access within Denny Town Centre.

Council had agreed in October 2011 to progress the regeneration of Denny Town Centre and had submitted this planning application in April 2012 in respect of the regeneration project. A detailed planning application had been approved by the Planning Committee in January 2013 subject to various conditions and members had asked for a review of the disabled access arrangements. A review had been undertaken by officers with 5 options identified. An assessment of each option was presented with a recommendation that option 5 – the present design as outlined in the approved planning application – be supported.

### **Decision**

**The Executive agreed to promote option 5 being the present design as outlined in the approved detailed planning application for Denny Town Centre.**

**EX31. (a) EXTENSIONS OF CONTRACT FOR THE SUPPLY OF ROCK SALT AND ASSOCIATED SERVICES (C/N:CCS/024/08) AND BUILDING MATERIALS (C/N: CNS/106/11)**

The Council had entered into a five year contract for the supply of salt and associated services materials in 2008 with Salt Union Ltd as part of a single source agreement in order to ensure continuity of supply and to maximise commercial advantage. The agreement included the option to extend annually for two years to 31 March 2014 and then to 31 March 2015. The estimated expenditure of £230,000 for 1 April 2013 to 31 March 2014 was held within the Roads Maintenance Budget.

The current 2 year framework agreement for the supply of building materials runs to 30 June 2013 and contained an option to extend the agreement for a further two years, to 30 June 2015. The estimated cost of the contract of £2,000,000 per annum would be met from the Building Maintenance materials budget and it was considered that continuation of the agreement represented best value for the Council.

**Decision**

**The Executive agreed:-**

- (1) to the extension of the Rock Salt and Associated Services contract through to 31 March 2014 at an estimated cost of £230,000, and
- (2) to the extension of the framework agreement for Building Materials through to 30 June 2015 at an estimated cost of £2,000,000 per annum.

**(b) SCOTLAND EXCEL CONTRACTS PARTICIPATION**

The Executive considered a report by the Director of Corporate and Neighbourhood Services proposing that council continues to participate in Scotland Excel Framework Agreements for the supply and delivery of frozen foods, the provision of educational materials and the provision of educational and office furniture.

The Policy and Resources Committee had on 31 May 2011 approved the Council's participation in the Scotland Excel framework for the supply and delivery of frozen food to 30 June 2013.

A new tendering exercise had been conducted by Scotland Excel with the recommendation that contract for sole supply to participating Councils be awarded to Brake Brothers Ltd from 1 July 2013 until 30 June 2016, at an estimate cost to the Council of £460,000 per annum.

The Council's contract for the provision of educational materials had been approved by the Policy and Resources Committee on 31 May 2011. This contract had ended and it was proposed that the Council enter into a new four year Scotland Excel Framework Agreement for the provision of educational materials from 1 July 2013 until 31 March 2017, at an approximate cost of £500,000 per annum.

The Council's contract for the provision of educational and office furniture had been approved by the Policy and Resources Committee on 31 May 2011. This contract had ended and it was proposed that the Council enter into new a three year Scotland Excel Framework Agreement for the provision of the provision of educational and office furniture from 1 March 2013 until 29 February 2016, at a cost of approximately £110,000 per annum.

### **Decision**

**The Executive agreed Falkirk Council's participation in the Scotland Excel Framework Agreements as recommended in the report.**

### **EX32. (a) ACCEPTANCE UNDER DELEGATED POWERS OF TENDER OVER £350,000 FOR THE PROVISION OF OCCUPATIONAL HEALTH AND ASSOCIATED SERVICES (CNS/069/13)**

The Executive considered a report by the Director of Corporate and Neighbourhood Services advising of a decision to accept a collaborative contract comprising Falkirk, Stirling and Clackmannanshire Councils for the provision of occupational health and associated services.

The Policy and Resources Committee had on 13 November 2012 granted delegated powers to the Director of Corporate and Neighbourhood Services to agree the contract for the provision of occupational health and associated services.

Following evaluation of tenders by a panel of officers from the 3 local authorities, the contract from Serco Occupational Health was identified as offering best value for lot 1 (provision of occupational health services) and the offer from Employee Counselling Service (ECS) was selected as offering best value for lot 2 (employee counselling service).

Based upon the officers' assessment, the Director of Corporate and Neighbourhood Services had concluded the award of contracts on 21 March 2013.

### **Decision**

**The decision by the Director of Corporate and Neighbourhood Services to accept the tenders by Serco Occupational Health, Birmingham and Employee Counselling Service, Glasgow with an estimated contract value of approximately £540,000 was noted.**

**(b) ACCEPTANCE OF TENDERS OVER £350,000 IN VALUE CONTRACT FOR NEW BUILD HOUSING AT TINTO DRIVE, GRANGEMOUTH (GRA-6960)**

The Executive considered a report by the Director of Development Services advising of her decision to accept a tender for new build housing at Tinto Drive, Grangemouth.

Policy and Resources Committee on 13 February 2013 had delegated authority to the Director to accept a tender for the provision of 44 flats and 12 new build houses at Tinto Drive, Grangemouth.

Six tenders had been issued with 5 received by the due date, with the lowest tender in the sum of £5,354,559.00 from O'Hare & McGovern Ltd., Carnbane House, Shepherd's Way, Newry, Co. Down.

Following the evaluation of each of the tenders, this tender was considered to demonstrate best value.

**Decision**

**The decision by the Director of Development Services to accept the tender submitted by O'Hare & McGovern Ltd., Carnbane House, Shepherd's Way, Newry, Co. Down in the sum of £5,354,559.00 was noted.**

**(c) ACCEPTANCE OF TENDERS £350,000 IN VALUE CONTRACT FOR NEW BUILD HOUSING AT WINDSOR ROAD, FALKIRK (FAL-6961)**

The Executive considered a report by the Director of Development Services advising of her decision to accept a tender for new build housing at Windsor Road, Falkirk.

The Policy and Resources Committee on 4 September 2012 had delegated authority to accept a tender for the provision of 16 flats and 8 new build houses at Windsor Road, Falkirk.

Six tenders had been issued with 6 received by the due date, with the lowest tender in the sum of £2,267,181.74 from J B Bennett (Contracts) Ltd., Banton, By Kilsyth.

Following the evaluation of each of the tenders, this tender was considered to demonstrate best value.

**Decision**

**The decision by the Director of Development Services to accept the tender submitted by J B Bennett (Contracts) Ltd., Banton, By Kilsyth in the sum of £2,267,181.74 was noted.**

### **EX33. EXCLUSION OF PUBLIC**

The Executive agreed, in terms of s50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in paragraphs 6,8,9, 12 and 14 of Part 1 of Schedule 7A of the said Act.

### **EX34. CLOSURE OF AVONDALE ADVANCED WASTE TREATMENT FACILITY**

The Executive considered a report by the Director of Development Services on proposals to close Avondale waste treatment facility.

Avondale Environmental Ltd had won a contract to dispose of and treat the Council's residential waste from 15 August 2008 until 14 August 2013 with the option for an extension of 2 years. Members had agreed in 2010, to extend the contract until 14 August 2015.

The Council had been advised by Avondale Advanced Waste Treatment Ltd that its Materials Recycling Facility in Polmont would close as at 31 May 2013, but that it would be willing to continue its waste disposal service at the Avondale landfill facility.

The report set out the options available to Council together with the risks associated with the various options.

#### **Decision**

**The Executive agreed:-**

- (1) to move material to landfill at Avondale, Polmont on an interim basis due to the Material Recycling Facility not being available on the basis of no additional financial cost to the Council.**
- (2) to note that the Council will seek to reserve its rights against Avondale Environmental Limited for the breach of contract.**
- (3) to note that the recycling rate will decrease should it not divert additional material from landfill.**
- (4) to authorise the Director of Development Services to monitor the situation and, in consultation with the Leader of the Council, to take such steps and enter such arrangements as she considers necessary to protect the Council's best interests, provided that such steps or arrangements do not extend in their effect beyond 14 August 2015.**

Councillor Goldie joined the meeting during consideration of the foregoing item of business.

### **EX35. SPEND-TO-SAVE PROPOSAL – INSTALLATION OF SECURITY ALARM AT MUNICIPAL BUILDINGS, FALKIRK**

The Executive considered a report by the Chief Governance Officer proposing the installation of an alarm system at the Municipal Buildings, Falkirk as part of the Council's spend to save initiative.

Details were given of the Council's current security arrangements at the Municipal Buildings together with two options involving the installation of security alarms, together with the financial implications it was proposed that either option could be funded from reserves as part of the spend to save projects.

#### **Decision**

The Executive agreed to the installation of the higher specification alarm system linked to the access swipe cards used by staff and Members (option 2 as set out in the report) and that it is funded from the Council's reserves as a spend to save project in the financial year 2013/14.

### **EX36. CENTRAL DEMOLITION LTD – LAND AT HIGH BONNYBRIDGE**

The Executive considered a report by the Director of Development Services proposing that land at High Bonnybridge be declared surplus to requirements for negotiated disposal.

#### **Decision**

The Executive agreed to declare the land shown on plan 1 surplus to requirements for negotiated disposal to Central Demolition as outlined in the report and on the basis that:-

- (1) Central Demolition shall design and construct the enhanced pitch and changing pavilion provision at Loch Park at their expense in return for their acquisition of the land shown on plan no.1,
- (2) the transaction is conducted on the basis of market valuation of the land less the Loch Park enhancement costs and any abnormal development costs incurred in relation to development of the land for industrial yard expansion, subject to open book verification,
- (3) Central Demolition shall be responsible for obtaining all necessary statutory consents required in relation to the proposed yard extension and for the works to Loch Park, and
- (4) Negotiation by the Director of Development Services and Chief Governance Officer of conditions of finalised land disposal and in respect of the enhanced pitch and changing pavilion provision in satisfactory.

## **EX37. WHITECROSS SIRR: MORSTON ASSETS LTD**

The Executive considered a report by the Director of Development Services advising on negotiations between Falkirk Council and Morston Assets Ltd (Morston) on developer contributions in regard to provision of a new primary school and on negotiations in regard to land value.

### **Decision**

**The Executive agreed to:**

- (1) declare both sites shown respectively on Plans A and B attached surplus to operational requirements. The site identified in Plan A to be the subject of a contract of excambion between the Council and Morston, in exchange for the site of the new school; subject to obtaining Ministerial consent in relation to the transfer of the HRA portions of the site.**
- (2) seek a contribution of £8.476m from Morston towards the provision of a new primary school.**
- (3) adopt the process set out in paragraphs 6(4) - 6(6) of the report to determine the sum to be sought in respect of the land shown on Plan B; and**
- (4) instruct officers to conclude negotiations with Morston on the above basis and to report back as necessary.**

**FALKIRK COUNCIL**

**Subject: COMMUNITY COUNCIL ELECTIONS**  
**Meeting: EXECUTIVE**  
**Date: 6 AUGUST 2013**  
**Author: CHIEF EXECUTIVE**

**1. INTRODUCTION**

1.1 The purpose of this report is to advise of the forthcoming Community Council Elections, to seek approval of a model code of conduct for Community Councillors and to propose a way forward for dealing with the review of the Scheme for Establishment of Community Councils and associated support as agreed by Council on 7 January 2013.

**2. COMMUNITY COUNCIL ELECTIONS 2013**

2.1 The Council's current Scheme for the Establishment of Community Councils makes provision for the quadrennial election of Community Councils. The last elections were held in September 2009 and consequently there is a requirement to undertake elections this year. A draft timetable is attached for members' information (Appendix 1).

2.2 The current Scheme provides for Community Councils which are made up of elected representatives of the community and representatives of local organisations who are appointed by the Community Council. The Scheme states that each Community Council will consist of no fewer than 9 and no more than 18 members and, of these, no fewer than 6 and no more than 12 should be elected.

2.3 There are currently 23 Community Councils in the Falkirk Council area, although 6 of them are not active. Appendix 2 shows the previously agreed composition of each Community Council split between elected members and those persons who are representative of local organisations and who are appointed by the community councils themselves in accordance with the provisions of the Scheme.

2.4 The forthcoming elections will deal only with the members elected to each Council. Once established, the councils will take forward the appointment of additional representatives.

2.5 A notice setting out the election arrangements and seeking nominations will be placed in the press in September 2013. In addition, a variety of media will be used to maximise public awareness and participation in the election process. This will include press features, poster distribution, the use of the Council's web site and, for the first time, use of Twitter.

### **3. REVIEW OF THE SCHEME OF ESTABLISHMENT OF COMMUNITY COUNCILS AND ASSOCIATED SUPPORT**

3.1 The Scheme of Establishment of Community Councils provides a framework governing the creation and operation of Community Councils in the area. Each Local Authority is required under the Local Government (Scotland) Act 1973 to set a Scheme for its area and the process for reviewing Schemes is prescribed within the Act. In January 2013, Falkirk Council agreed that officers should conduct a full review of the current Scheme of Establishment of Community Councils and also of the support (financial and other) currently given to Community Councils.

3.2 Given that Council has now adopted its new decision making process and that this allows member led reviews through Policy Development Panels and Scrutiny Panels it is proposed that the review of Community Councils could be taken forward by a Policy Development Panel. This would allow the Panel to consult with the newly established Community Councils on the Scheme and their needs in terms of support.

### **4. CODE OF CONDUCT FOR COMMUNITY COUNCILLORS**

4.1 At present there is no code of conduct which applies to Community Councillors. Following a review of Community Councils in 2009, the Scottish Government developed a model code of conduct largely based on the code of conduct for Elected Members which would apply to Community Councillors. It is recommended that the Executive endorses the code of conduct, attached as Appendix 3, and that each new Community Council be advised that it will be required to adopt the code. The Panel may wish to develop the code further as part of its review.

### **5. FINANCIAL IMPLICATIONS**

5.1 It is estimated that the cost of the Community Council elections 2013 will be in the region of £20,000. The costs can be met from the current budget provision.

**6. RECOMMENDATIONS**

The Executive is invited to:-

- 6.1 note the timetable and arrangements for the forthcoming Community Council Elections,
- 6.2 establish a Policy Development Panel for the purpose of reviewing the Scheme for Establishment of Community Councils and associated support,
- 6.3 appoint members to the Panel, and
- 6.4 endorse the code of conduct for Community Councillors for adoption by each Community Council.

.....  
Chief Executive

Date: 26 July 2013  
Contact Officer: Brian Pirie (Ext. 506110)

**APPENDICES**

- Appendix 1 – draft timetable for Community Council Elections
- Appendix 2 – composition of Community Councils 2013
- Appendix 3 – Code of Conduct for Community Councillors

**LIST OF BACKGROUND PAPERS**

NONE

# COMMUNITY COUNCIL ELECTION TIMETABLE - 2013

- ▲ Notice of Election – local press w/b **2 September 2013** (Falkirk Herald **Thursday 5 Sept**)
- ▲ Nominations to be submitted by **4 p.m.** on **Wednesday 2 October 2013**
- ▲ Withdrawal of nominations by **12 noon** on **Friday 4 October 2013**
- ▲ Notice of Poll – local press w/b **14 October 2013** (Falkirk Herald **Thursday 17 October**)
- ▲ Issue of Postal Ballot Papers – w/b **14 October 2013**
- ▲ Receipt of Ballot Papers – **Wednesday 30 October 2013**
- ▲ Postal ballot opening/Count – **31 October & 1 November 2013**
- ▲ Report to Executive confirming results – **19 November 2013**

**COMMUNITY COUNCIL**

**ELECTIONS 2013 for FALKIRK COUNCIL**

NAME	MEMBERSHIP	
	ELECTED MEMBERS	REPRESENTATIVES OF LOCAL ORGANISATIONS
Airth Parish	6	3
Avonbridge and Standburn	6	3
Banknock, Haggs and Longcroft	7	3
Blackness	6	3
Bo'ness	10	5
Bonnybridge	8	4
Brightons	6	3
Camelon, Bantaskine and Tamfourhill (not active)	9	4
Carron and Carronshore (excl Skinflats) (not active)	7	3
Denny and District	10	5
Falkirk Central (not active)	7	3
Falkirk South, covering Hallglen, Glen Village and Lochgreen	7	3
Grahamston, Middlefield and Westfield	8	4
Grangemouth (incl Skinflats) (not active)	12	6
Langlees, Bainsford and New Carron	8	4
Larbert, Stenhousemuir and Torwood	11	5
Lower Braes covering Laurieston, Westquarter and Redding	7	3
Maddiston	6	3
Polmont	7	3
Reddingmuirhead and Wallacestone	6	3
Shieldhill and California	7	3
Slamannan and Limerigg (not active)	6	3
Whitecross (not active)	6	3



# **CODE OF CONDUCT FOR COMMUNITY COUNCILLORS**

The Code of Conduct for Community Councillors is based largely on the Code of Conduct for local authority councillors and relevant public bodies as provided for in The Ethical Standards in Public Life etc (Scotland) Act 2000.

Community Councillors, as elected representatives of their communities, have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in this Code of Conduct. The Code of Conduct and its principles, shall apply to all Community Councillors and those representing the Community Council. These principles are as follows:

- Service to the Community (Public Service)
- Selflessness
- Integrity
- Objectivity
- Accountability and Stewardship
- Openness
- Honesty
- Leadership
- Respect

## **Service to the Community**

As a Community Councillor you have a duty to act in the interests of the local community, which you have been elected or nominated to represent. You also have a duty to act in accordance with the remit of the Councils Scheme for the Establishment of Community Councils, as set out by your local authority under the terms of the Local Government (Scotland) Act 1973.

You have a duty to establish and reflect, through the Community Council, the views of the community as a whole, on any issue, irrespective of personal opinion.

You should ensure that you are, within reason, accessible to your local community and local residents. Various mechanisms to allow the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should, where possible, be made available.

## **Selflessness**

You have a duty to take decisions solely in terms of the interest of the community that you represent. You must not use your position as a Community Councillor to gain financial, material, political or other personal benefit for yourself, family or friends.

## **Integrity**

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community. If you have any private and/or personal interest in a matter to be considered by the Community Council, you have a duty to declare this and if deemed necessary by other members, withdraw from discussions and the decision making process with regard to that matter.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement. The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted by the Secretary of the Community Council.

## **Objectivity**

In all your decisions and opinions as a Community Councillor, you must endeavour to represent the overall views of your community, taking account of information which is provided to you or is publicly available, assessing its merit and gathering information as appropriate, whilst laying aside personal opinions or preferences.

You may be appointed or nominated by your Community Council to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however you must ensure that you represent the interests of your community and Community Council and not the interests of a particular political party or other group.

## **Accountability and Stewardship**

You are accountable for the decisions and actions that you take on behalf of your community through the Community Council. You must ensure that the Community Council uses its resources prudently and in accordance with the law.

Community Councillors will individually and collectively ensure that the business of the Community Council is conducted according to the Council's Scheme for the Establishment of Community Councils and this Code of Conduct.

Community Councillors will individually and collectively ensure that annual accounts are produced showing the financial undertakings of the Community Council as set out in the Councils Scheme for the Establishment of Community Councils. They must also ensure that all resources are used efficiently, effectively and fairly and are used strictly for the purposes of Community Council business and for no other purpose.

Minutes of Meetings recording all actions and decisions made should be produced and circulated to all members of the Community Council as soon as possible after each meeting.

Any breach of the Council's Scheme for the Establishment of Community Councils as set out by your local authority under the terms of the Local Government (Scotland) Act 1973 may be reported to your local authority to determine what action, if necessary, should be taken.

### **Openness**

You have a duty to be open about your decisions, actions and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the Media, members of the public, or others not directly involved in your Community Council, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of the Community Council.

### **Honesty**

You have a duty to act honestly. You also have an obligation to work within the law at all times. You must declare any private interest relating to your Community Council duties and take steps to resolve any conflicts arising in a way that protects the interest of the community and the Community Council.

### **Leadership**

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of the Community Council and its members in representing the views and needs of the local area. You must also promote social inclusion and challenge discrimination in any form.

You should act to assist the Community Council, as far as possible, in the interest of the whole community that it serves. Where particular interest groups' concerns are in conflict with those of other groups or other areas you should help to ensure that the Community Council is aware of them.

### **Respect**

You must respect fellow members of your Community Council and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner at all times. This should extend to any person, regardless of their position, you have dealings with in your capacity as a Community Councillor.

Recognition should be given to the contribution of everyone participating in the work of the Community Council. You must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious or corrupt purposes.



	Key Initiatives & Workstreams		Stage
Joint Commissioning Plan Adults with Complex Needs Service Outcomes and Objectives	<b>Integrated, Multiagency Planning at Individual/Community Level</b>		
	Redesign Emergency Care Pathway (Forth Valley Wide Initiative)	M	Investigation
	Bo'Ness Locality Planning Project (Adults with Complex Needs)	H	Scoping
	Bo'Ness Community Empowerment Project	H	Project Delivery
	Implement Delayed Discharge Action Plan	H	Project Delivery
	Locality Development (GP Engagement)	M	Scoping
	Implementation of Anticipatory Care Planning	H	Project Delivery
	Mapping Tillicoultry Outcomes to Falkirk Communities		
	Linked Pathways ISD Project		
	<b>Strategy Development and Joint Commissioning of Services</b>		
Single Outcome Agreement; Key Performance Indicators	Re-Shaping Care for Older People Joint Commissioning Plan	H	Project Delivery
	Change Fund Project Management	H	Delivery
	Review Change Fund Projects	H	Delivery
	Review Institutional Provision across Health & Social Care (HubCo Bid)	M	Scoping
	Learning Disability Joint Commissioning	M	Project Delivery
	Local Mental Health Strategy/Commissioning Strategy (Forth Valley Wide)	M	Project
	<b>Joint Delivery of Services</b>		
	Review and Development of Community Dementia Team	M	Investigation
	Integrated Learning Disability Team	L	
	Review and Development of Integrated Mental Health Service	L	Project
Organisational Development Plan; Culture Change and Workforce Development	Review of Mental Health Commissioned Day Services	M	Project
	Development of Integrated Intermediate Care/Short Stay Services	M	
	Equipment Services Provision Review	H	Project
	<b>System Enablers</b>		
	Information Systems to Support Integrated Assessment and Data Driven Improvement		Project Delivery
	Maximising use of Telehealth/Telecare	M	
	Workforce Development & OD	M	
	Review of Asset Based Approaches	L	
	Review of Partnership Structures		
	<b>Working with Carers &amp; Communication</b>		
Implementation of Carers Strategy			

**FALKIRK COUNCIL****RESPONSE TO THE HEALTH AND SPORT COMMITTEE CALL FOR WRITTEN EVIDENCE ON THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND ) BILL.****Background**

Falkirk Council fully supports the aspirations of improving outcomes for people who use Health and Social Care Services in Scotland. People who depend on our services should have seamless care no matter who delivers, manages or pays for that care.

We welcomed the opportunity to comment on the Government's earlier consultation on Health and Social Care Integration and view the current Bill as the most significant piece of legislation to affect Social Work Services and the people who depend on them for decades. As such it is important that the provisions in this Bill are shaped to give confidence that improved outcomes will follow. There is a balance to be struck between detailed prescription and the creation of a general legal framework which facilitates local responses to local circumstances. The Bill undoubtedly strives to achieve that balance, however, we would not always agree with the areas where detailed prescription is applied.

**In relation to the specific questions posed by the Committee:****1. *Do you agree with the general principles of the Bill and its provisions?***

Falkirk Council agrees with the general principles of the Bill and its provisions. However we have some concerns about the powers which Ministers would be granted to intervene in the management of services if they perceive that services are not delivering well enough. This function was not part of the consultation and it is not clear the circumstances in which it would be used. It is also not clear how such powers fit with the role of inspection and regulatory bodies.

It is also of concern that the Bill provides Ministers with the power to extend the scope of integration authorities by regulation (Section 1(6)). This is a very far reaching power which could see the delegation of a much wider range of Local Authority without recourse to further legislation. This provision is not in keeping with the policy intention of the Bill and we would advocate it's removal from the Bill.

**2. To what extent do you believe that the approach being proposed in the Bill will achieve its stated policy objectives?**

Much of the detail of the Bill is being left to regulation and guidance. We will await those parts of the legislation before reaching conclusions on how the provisions can be implemented and before offering a view on the likely impact.

There are parts of the Bill that we still require further clarification, for example what proportion of the acute budget from the NHS will be put into the partnership arrangements. There is also some uncertainty around the details of the governance arrangements as outlined in the Bill.

**3. Please indicate which, if any, aspects of the Bill's policy objectives you would consider as key strengths**

The Bill's policy objective of improving the wellbeing of people who require adult health and social care services is one which we would consider to be a key strength.

**4. Please provide details of any areas in which you feel the Bill's provisions could be strengthened**

- The Bill leaves lots of detail to regulation which we are unable to comment on at this stage.
- The Bill makes no reference to the role of the Chief Social Work Officer in new partnership arrangements and no consideration is given to how, irrespective of structural considerations, the integrity of this role should be ensured. This is particularly important in view of the potential downside of the integration of adult services which could be the fragmentation of Children's services and Criminal Justice Services.
- The Bill does not address how the voice of service users can consistently be heard across health and social care services and how the move towards citizens directing their own support can be promoted not just in respect of social care services but also in respect of health provision.

**5. What are the efficiencies and benefits that you anticipate will arise for your organisation from the delivery of integration plans?**

It is difficult at this point in time to identify what efficiencies will be achievable and the financial memorandum associated with the Bill provides very limited evidence of how these could be achieved. The Council has responded separately to the Finance Committee's call for evidence in this regard.

/..

**6. *What effect do you anticipate integration plans will have on outcomes for those receiving services?***

Integration plans should have, at their heart, a shared commitment to improved outcomes, however, their success will be dependent on their being a commitment to a well planned and well managed change process. For this reason we would urge the committee to take into account the time that will be required to bring about this change while at the same time maintaining strong operational management of services to some of society's most vulnerable adults.

**PUBLIC BODIES (JOINT WORKING) (SCOTLAND) BILL**  
**FINANCIAL MEMORANDUM**  
**FINANCE COMMITTEE QUESTIONNAIRE**

**FINANCE COMMITTEE QUESTIONNAIRE**

This questionnaire is being sent to those organisations that have an interest in, or which may be affected by, the Public Bodies (Joint Working) (Scotland) Bill's Financial Memorandum (FM) (page 20 of the *Explanatory Notes*).

In addition to the questions below, please add any other comments you may have which would assist the Finance Committee's scrutiny of the FM.

Question Number	Suggest Response
<b>Consultation</b>	
<b>1&amp;2</b>	<p><b>Did you take part in either of the Scottish Government consultation exercises which preceded the Bill and, if so, did you comment on the financial assumptions made?</b></p> <p><b>Do you believe your comments on the financial assumptions have been accurately reflected in the FM?</b></p>
	Falkirk Council commented on the consultation, however, there was a lack of specific financial assumptions in the consultation and there was a lack of clarity about how the costs associated with implementing any new requirements would be funded. There are now more specific assumptions laid out in the FM but it is acknowledged that there is considerable uncertainty around the estimates.
<b>3</b>	<p><b>Did you have sufficient time to contribute to the consultation exercise?</b></p> <p>Yes</p>
<b>Costs</b>	
<b>4</b>	<p><b>If the Bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the FM? If not, please provide details?</b></p>
	Partly. In respect of Clinical Negligence and Other Risks Insurance, the FM notes that the costs of obtaining indemnity from the market might be prohibitive but makes no mention of the additional costs that might arise from the extension of the scheme.
	<p><b>Do you consider that the estimated costs and savings set out in the FM and projected over 15 years for each service are reasonable and accurate?</b></p>
<b>5</b>	<p>Most of the estimated costs and savings are based on information which is currently available however patterns and trends can be highly volatile and so we would urge consideration caution around these figures. In particular we would suggest that:-</p> <ul style="list-style-type: none"> <li>• The estimated costs of providing a linked patient/client level health and social care data set and information system in our view are seriously under estimated. Despite significant investment nationally and locally a solution to the challenge of providing a linked information system is still no in sight.</li> <li>• The potential efficiency savings of between £138m and £157m arising from combined effect of Anticipatory Care Plans, reducing delayed discharge and reducing variations lack sufficient detail to enable reliance to be placed on these figures.</li> </ul>

6	<p><b>If relevant, are you content that your organisation can meet the financial costs associated with the Bill which your organisation will incur? If not, how do you think these costs should be met?</b></p>
	<p>In view of the comments in relation to question 5, particularly those relating to anticipated efficiencies, Falkirk Council will have some concerns about how the costs associated with the Bill would be met.</p> <p>In respect of recurring costs, there is no specific mention of additional funds being made available. This could only be accommodated by re-directing or reprioritising existing resources. In the current climate of limited resources and increasing demand, it is important that any costs arising from implementing new requirements are met by the Scottish Government.</p>
7	<p><b>Does the FM accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?</b></p>
	<p>Paragraph 35 of the FM notes that there is considerable uncertainty around these estimates and that the eventual outcome and phasing will be dependent on local decisions taken by partners on resource allocation and utilisation through strategic plans. The extent to which anticipated efficiencies can be relied upon is also of concern. Under the circumstances, it would give partners greater comfort if there was an undertaking to review costs in the light of experience, with an undertaking that any increase would be fully funded by the Scottish Government. This is particularly true in the case of VAT where there is a presumption that a VAT cost neutral solution will be found but a potential additional costs of £32m per annum is anticipated if such a solution is not found.</p>
<p><b>Wider Issues</b></p>	
8&9	<p><b>Do you believe that the FM reasonably captures costs associated with the Bill? If not, which other costs might be incurred and by whom?</b></p> <p><b>Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?</b></p>
	<p>The costs identified by the FM are wide ranging but other costs may become apparent through experience. Also, paragraph 119, assumes that no staff will transfer under the body corporate model and there would therefore be no harmonisation costs. However, paragraph 117 notes that partners may nonetheless choose in time to transfer some staff between each other and the cost risk of harmonisation is contingent on future decisions to transfer staff. Paragraph 78 also confirms that should Scottish Ministers decide at a future point to extend the remit of the body Corporate to have employment and contracting powers, the VAT status of the body corporate is less clear and potentially £32m per annum could be at risk.</p>

	Key Initiatives & Workstreams		Stage
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	Equipment Services Provision Review	H	Project
	<b>System Enablers</b>		
	Information Systems to Support Integrated Assessment and Data Driven Improvement		Project Delivery
	Maximising use of Telehealth/Telecare	M	
	Workforce Development & OD	M	
	Review of Asset Based Approaches	L	
	Review of Partnership Structures		
	<b>Working with Carers &amp; Communication</b>		
Implementation of Carers Strategy			

FALKIRK COUNCIL

**Subject: FALKIRK TOWN CENTRE CONSERVATION AREA  
MANAGEMENT PLAN**  
**Meeting: EXECUTIVE**  
**Date: 6 AUGUST 2013**  
**Author: DIRECTOR OF DEVELOPMENT SERVICES**

**1. INTRODUCTION**

1.1 Members will be aware that the Falkirk Town Centre Conservation Area Appraisal, approved and adopted in 2010, set out the principles for the production of a Conservation Area Management Plan (CAMP) in accordance with national guidance. The preparation of a CAMP is also a condition of grant from the Heritage Lottery Fund for a Townscape Heritage Initiative (THI) scheme for Falkirk town centre. The purpose of this report is to present the Falkirk Town Centre CAMP for approval.

**2. BACKGROUND**

2.1 The Falkirk Town Centre CAMP, as shown in Appendix 1 of this report, has been produced to meet these objectives and was submitted, as a draft, to support the Council's recent Round 2 bid for THI status in the May 2013.

2.2 It sets out:

- ***a context*** within which the Falkirk Town Centre Conservation Area can thrive and prosper, achievable through partnership working between the various public and private stakeholders, property owners and local businesses; and
- ***best practice guidance*** in terms of design and maintenance of buildings, public realm and open spaces within the conservation area and also identifies opportunities for enhancement.

2.3 The guidance also applies to Council services and statutory undertakers when carrying out works and re-iterates national and local policy implications as well as Article 4 Direction changes recently approved by Scottish Ministers in February 2013.

2.4 The Falkirk Town Centre CAMP itself raises no new policy issues and follows extensive consultation on the Falkirk Town Centre Conservation Area Appraisal. There is therefore no requirement to undertake further consultation.

### **3. POLICY CONTEXT**

- 3.1 The Falkirk Town Centre CAMP provides a resume of, and further guidance on, a range of legislative and policy considerations as set out below.
- 3.2 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, provides the legislative framework surrounding listed buildings and conservation areas, setting regulatory measures covering development and statutory designations.
- 3.3 In addition, The Historic Environment Amendment Act 2011 introduced new measures and gave planning authorities new regulatory powers over development in the historic environment. Recent changes brought into force by the General Permitted Development Order 2011 have simplified planning controls by effectively removing householders' permitted development rights from conservation areas by statute. Falkirk Council has also secured changes to the Article 4 Direction powers covering Falkirk Town Centre Conservation Area recently approved by Scottish Ministers in February 2013.
- 3.4 In their consideration of applications for development affecting conservation areas, listed buildings and other elements of the historic environment, planning authorities are directed towards a policy framework which includes The Scottish Historic Environment Policy, 2011, the combined Scottish Planning Policy 2010 and Historic Scotland's Managing Change in the Historic Environment guidance note series.
- 3.5 The Planning Advice Note (PAN 71), Conservation Area Management states that:
- “When effectively managed, conservation areas can anchor thriving communities, sustain cultural heritage, generate wealth and prosperity and add to quality of life. To realise this potential, many of them need to continue to adapt and develop in response to the modern day needs and aspirations of living and working communities”.*
- 3.6 Falkirk Council's Development Plan and Local Development Plan Proposed Plan set out specific planning policies on enhancement and protection of the built heritage as well as general policies to guide development. A series of Supplementary Planning Guidance notes provide more detailed policy guidance on particular design topics. The Falkirk Town Centre CAMP provides detailed information on applicable local policies and guidance.

### **4. FALKIRK TOWN CENTRE CONSERVATION AREA MANAGEMENT PLAN**

- 4.1 Whereas the Falkirk Town Centre Conservation Area Appraisal provides information on the special historical, architectural, spatial and topographical features of the conservation area including analysis of building conditions and an assessment of the local and national significance of the conservation area, the Falkirk Town Centre CAMP, as appended, provides further detailed guidance to property owners, occupiers and their agents on the local and national planning policies and procedures to be followed when making alterations to land and premises in the conservation area.

4.2 The main subject areas of the Falkirk Town Centre CAMP include:

- definition of a conservation area and purpose,
- context and background to the Falkirk Town Centre Townscape Heritage Initiative (THI), the Conservation Area Regeneration Scheme (CARS), and designation of the conservation area,
- key features of the conservation area,
- legislation, national and local policy framework,
- conservation area management in practice including guidance on what will be considered in determining an application for development, enforcement powers and repairs notices, what works will need planning permission and what information needs to be provided by applicants,
- enhancement opportunities including grant aid, recommended general and specific improvements and need for maintenance strategies,
- energy efficiency and traditional buildings,
- contacts and sources of further guidance,
- general design guidance on repair and replacement of historic windows; and
- general design guidance on shop fronts.

## 5. IMPLEMENTATION

5.1 The Falkirk Town Centre CAMP will support the co-coordinated delivery of heritage led regeneration in the Falkirk Town Centre Conservation Area. It will also meet the aims and objectives of the proposed Falkirk Town Centre THI and CARS schemes throughout the life-span of this initiative (approximately 5 years from late 2013 – 2018).

5.2 Development Services Planning Officers and stakeholder organisations will provide support to members of the public and owner / occupiers including more detailed advice on the Falkirk Town Centre CAMP when required from a specialist Urban Design and Development Management viewpoint. Officers can also assist other colleagues operating within Falkirk town centre, most notably THI staff, as well as Falkirk Delivers personnel, and Business Improvement District (BID) partners.

5.3 Awareness raising and promotion of the Falkirk Town Centre CAMP will be facilitated through a number of measures including:

- publication and distribution of a full colour A5 brochure for all address properties in Falkirk Town Centre Conservation Area (circa 350 properties);
- download availability on Falkirk Council's website;
- copies will be available at Development Services, Falkirk Library, Falkirk One Stop Shop, Falkirk Delivers offices, and the future THI office location;

- inclusion in the Falkirk THI grant and information packs, to be drafted Autumn 2013, to ensure applicant and grant compliance with conservation standards raised in the Falkirk Town Centre CAMP;
- availability as part of Falkirk Delivers and BID information;
- provision of annual surgeries and drop in events for owner/ occupiers, shop-owners, awareness training for planning staff and/or elected members if required; and
- application of the Falkirk Town Centre CAMP in the day to day Development Management role of pre application and planning application and enforcement processes.

5.4 The Falkirk Town Centre CAMP will be reviewed on an on-going basis and, if required, adapted to meet its objectives for the protection and enhancement of a sustainable, thriving and distinctive conservation area.

## 6. IMPLICATIONS

6.1 **Policy:** The Falkirk Town Centre CAMP meets the objectives of the Council's Strategic Community Plan and Corporate Plan. It also contributes to the aims of the Development Plan, Built Heritage Strategy, Sustainable Development and Climate Change Strategy, as well as Urban Regeneration, Employment and Training, My Future's in Falkirk and Falkirk Delivers. It formed part of the documentation supporting the Falkirk Town Centre THI Round 2 bid submitted to the Heritage Lottery Fund in May 2013.

6.2 **Legal:** None.

6.3 **Financial:** None. Enhancement projects would require to be brought forward through the development of funding partnerships.

6.4 **Personnel:** The Falkirk Town Centre CAMP would form a material consideration as part of the Development Plan and Development Management process and assist planning officers in their duties.

## 7. RECOMMENDATION

**It is recommended that the Executive approves the Falkirk Town Centre Conservation Area Management Plan.**

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**Director of Development Services**

Date: 31 May 2013

Contact Officer: Ruth Smith, Planning Officer (Urban Design), Ext 4715.

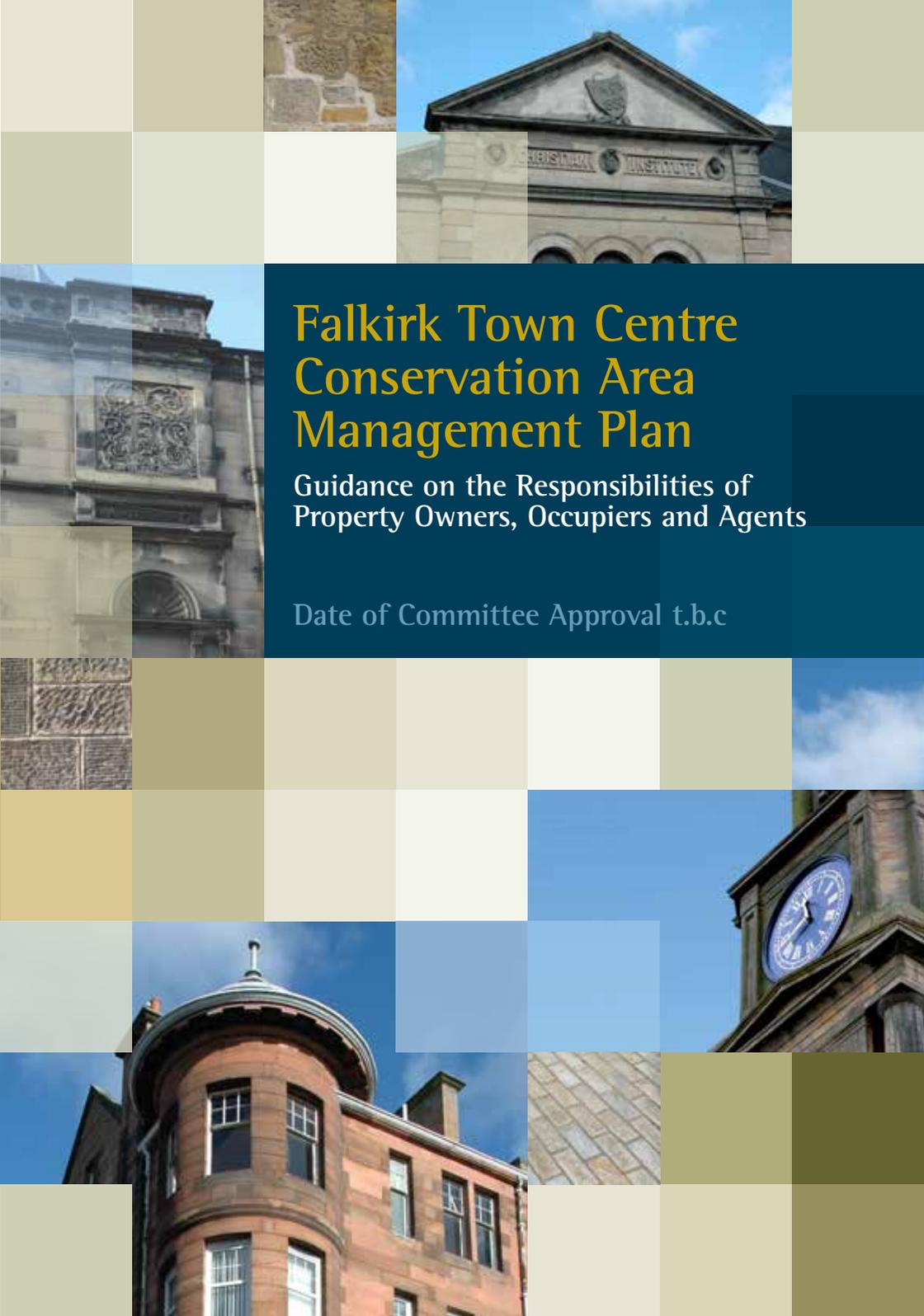
## **APPENDIX 1.**

### Falkirk Town Centre Conservation Area Management Plan

#### **BACKGROUND PAPERS**

1. Falkirk Local Development Plan Main Issues Report 2012 – Main Issue 13 (Cultural Heritage).
2. Falkirk Built Heritage Strategy, 2006.
3. Scottish Historic Environment Policy 2011
4. Managing Change in the Historic Environment – Historic Scotland's guidance note series
5. Planning Advice Note 71, Conservation Area Management

Anyone wishing to inspect the above background papers should contact Ruth Smith, Planning Officer (Urban Design) on 01324 504715



# Falkirk Town Centre Conservation Area Management Plan

Guidance on the Responsibilities of  
Property Owners, Occupiers and Agents

Date of Committee Approval t.b.c

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- 1.1 What is a conservation area?
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What are its Principal Aims?
  - 2.1.2 What are the THI Priorities?
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- 2.3 Why did Falkirk Town Centre become a conservation area?
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### 4. Conservation Area Management In Practice

- 4.1 What will be considered in determining a planning application for development?
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- 5.1 What will need planning permission?
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## 6. Enhancement Opportunities

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- 8.1 Preparing and submitting a planning application
- 8.2 General background information on conservation
- 8.3 Energy Efficiency
- 8.4 Information on Maintenance

## Appendix 1

Map of conservation area boundary showing listed buildings and THI area.

## Appendix 2

Listed Buildings – Categories and Addresses.

## Appendix 3

Historic Windows: Repair and Replacement

## Appendix 4

Shop Fronts

## Appendix 5

Glossary of terms: Shop Fronts and Windows



# Executive Summary

The town centre of Falkirk was first designated a conservation area in 1971 in recognition of its significant built heritage and distinctive townscape character, both of which have been shaped by history and commerce.

From iron age and Roman beginnings, the town developed into an agricultural settlement in medieval times. It was the site of significant historic battles in 1298 and 1746.

By the 18<sup>th</sup> and 19<sup>th</sup> centuries, Falkirk had developed into an important market town and manufacturing centre when many of the current landmark buildings were erected, resulting in a rich and eclectic mix of commercial, ecclesiastical and residential buildings of Neo - Classical, Gothic, Scots Baronial, Romanesque, Art Deco and post Modernist styles.

The current Falkirk Town Centre Conservation Area Appraisal was approved and adopted in 2010.

Whereas the Appraisal provides detailed information on the special historical, architectural, spatial and topographical features of the conservation area, this Management Plan provides detailed guidance to property owners, occupiers and their agents on the local and national planning policies and procedures to be followed when making alterations to land and premises within the conservation area.

Main points of the plan include :

- Definition of a conservation area and purpose of the management plan
- Context and background to the Falkirk Town Centre Townscape Heritage Initiative (THI), the Conservation Area Regeneration Scheme (CARS), and designation of the conservation area
- Key features of the conservation area
- Legislation and national and local policy framework including The Planning (Listed Buildings and Conservation Areas (Scotland) Act 1997, The General Permitted Development Order 2011, The Scottish Historic Environment Policy 2011, the Scottish Planning Policy 2010, Historic Scotland's Managing Change in the Historic Environment Guidance Note Series, Falkirk Council Structure Plan (2007), Falkirk Council Local Plan (2010) including key policies and supplementary planning guidance
- Conservation area management in practice including guidance on what will be considered in determining an application for development , enforcement powers and repairs notices, what works will need planning permission and what information needs to be provided by applicants
- Enhancement opportunities including grant aid, recommended general and specific improvements and need for maintenance strategies
- Energy efficiency and traditional buildings
- Contacts and sources of further guidance
- General design guidance on repair and replacement of historic windows
- General design guidance on shop fronts

# 1. Introduction

## 1.1 What is a conservation area?

Conservation areas were introduced by The Civic Amenities Act of 1967. The legislative framework for the designation of conservation areas is currently provided by The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Under the terms of the Act, conservation areas are defined as "an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance".

Planning Authorities are required by this Act to determine which parts of their area merit conservation area status. Falkirk town centre is currently one of 9 conservation areas in Falkirk which vary in character and scale from town centres and their residential suburbs to estate workers villages and a mining community.

## 1.2 What is the purpose of this management plan?

This Conservation Area Management Plan supports the aims and objectives of the current Falkirk Town Centre Conservation Area Appraisal which was approved and adopted in 2010. The Planning Advice Note, Conservation Area Management, PAN 71 states that:

"When effectively managed, conservation areas can anchor thriving communities, sustain cultural heritage, generate wealth and prosperity and add to quality of life. To realise this potential, many of them need to continue to adapt and develop in response to the modern day needs and aspirations of living and working communities".

Whereas the Appraisal provides information on the special historical, architectural, spatial and topographical features of the conservation area including analysis of building conditions and an assessment of the local and national significance of the conservation area, this Management Plan provides further detailed guidance to property owners, occupiers and their agents on the local and national planning policies and procedures to be followed when making alterations to land and premises in the conservation area.

The Management Plan sets out best practice in terms of design and maintenance of buildings and open space within the conservation area and identifies opportunities for enhancement. The guidance also applies to Council services and statutory undertakers when carrying out works.

This Management Plan sets out a context within which the Falkirk Town Centre Conservation Area can thrive and prosper, achievable through partnership working between the various public and private stakeholders, property owners and local businesses.

## 2. Background

### 2.1 The Falkirk Townscape Heritage Initiative (THI)

In May 2012 the Heritage Lottery Fund awarded Falkirk Council a Round 1 pass for a proposed Townscape Heritage Initiative (THI) for Falkirk Town Centre, which is part of the larger Falkirk Town Centre Conservation Area. Falkirk Council is working towards the submission of a Round 2 Bid in May 2013.

#### 2.1.1 What is a THI and what are its principal aims?

The THI programme is a national scheme through which The Heritage Lottery Fund (HLF) provides grants to help communities regenerate conservation areas displaying particular social and economic need.

It encourages partnerships to carry out repairs and other works to historic properties within the THI area and improve the quality of life for all those who live, work or visit there. HLF expects schemes to deliver the following outcomes:

- Preserve and enhance the character and appearance of the conservation area that is in need of regeneration;
- Repair and reinstate authentic details and traditional materials;
- Bring historic buildings back into appropriate, sustainable and economic use;
- Increase training opportunities in heritage skills and wider community participation.

#### 2.1.2 What are the Falkirk THI priorities?

Concerted improvements through the THI will have a real impact, contributing to the wider economic health of Falkirk town centre. The THI funds will also be used to raise the standard of building repairs and restoration and street surfaces. The particular priorities for the Falkirk THI are:

##### **Vacant upper floors:**

Within the conservation area, many of the small independent businesses in the secondary streets are economically fragile, yet they combine to provide an important part of Falkirk's very distinctive service and retail offer. Many businesses are located in the ground floors of buildings that have poorly used or vacant upper floors. More intense usage of upper floors, either for residential, commercial or retail purposes would make on-going maintenance of the buildings more viable and would animate the town centre further.

##### **Shop fronts:**

The appearance of many of the shops in the more peripheral locations is often poor and of a generic design using inappropriate materials, detracting from the quality of the overall environment. While many buildings are highly decorative at upper levels, the current ground floor elevations are often disappointing, creating a poor impression when viewed at street level. There is also pressing need to augment the understanding of Falkirk's rich commercial heritage and carry this through into the design of new or improved shop fronts.

##### **Windows:**

Replacement of traditional timber sash-and-case windows with uPVC has affected almost every street in the conservation area. In some cases the replacements disregard the original proportions and introduce a new pattern of panes.

##### **Public realm:**

Although High Street, Lint Riggs and the top of Kirk Wynd and Cow Wynd have been pedestrianised, vehicular traffic and parking continues to dominate on Vicar Street, Newmarket Street and Manor Street. Many of the narrow wynds and closes have poor finishes and inadequate lighting. There is potential for the balance of needs – pedestrians, parking, local access, loading – to be re-thought so as to promote greater use of public transport, short-term parking, walking and cycling. At the same time there is a need to improve the wynds and closes and create greater awareness of their historic origins.

Property owners will be able to take advantage of grants which could become available to tackle the priorities highlighted above. The THI grants should be available from late 2013.

The preparation of this Management Plan is a condition of THI grant and is intended to ensure a continuing focus on quality outcomes within the conservation area.

### 2.2 Conservation Area Regeneration Scheme (CARS)

In January 2013, Historic Scotland announced the award of major funding towards the economic growth of Falkirk town centre through a conservation area based regeneration and conservation initiative. This scheme will provide financial assistance, over a five year period to support THI grants to businesses, tenants and residential owners of properties within the THI area. The aims of the Scheme complement those of the THI and include :

- Targetting vacant properties back into sustainable economic use;
- Creating new or improved shop fronts that reflect the town's heritage and conservation area status;
- Restoration of original architectural detail and re – introduction of traditional materials and designs for windows, gutters, roofs and stone work;
- Public realm improvements;
- Training initiatives and support for independent retailers.



## 2.3 Why did Falkirk town centre become a conservation area?

In 1971, Falkirk was first designated a conservation area in recognition of its significant built heritage and distinctive townscape character, both of which have been shaped by history and commerce.

From Iron Age and Roman beginnings, the town developed into an agricultural settlement in medieval times. It was the site of significant historic battles in 1298 and 1746.

By the 18<sup>th</sup> and 19<sup>th</sup> centuries, Falkirk had developed into an important market town and manufacturing centre when many of the current landmark buildings in the town were erected. In the last fifty years, however, many local industries have closed and modern retail developments have had major impacts on the historic street pattern.

The planning protections afforded to Falkirk town centre by designation as a conservation area serve to enhance and preserve the special character and appearance of the historic architecture and surviving elements of the historic street pattern.

To this end, in 1971 the town centre was first designated a conservation area. Boundary amendments were subsequently approved in 1978 and 1979 and the current boundary was established in 2010.

## 2.3 What is special about Falkirk town centre in conservation terms?

A conservation area appraisal was carried out in Falkirk to support the THI Bid and to highlight the town centre's key features of historic and architectural interest. It is an historic town centre with key buildings and shop fronts strongly influenced by its past. In particular, the appraisal identified the following key features of the townscape :

- Distinctive topography; the Parish Kirk and Town Steeple occupy the top of a low ridge. The High Street spreads along the south side of the same ridge;
- Surviving remnants of the early street pattern with narrow plots, closes and wynds off a central spine;
- Legacy of fine buildings from the industrial and commercial boom of the late 19<sup>th</sup> and early 20<sup>th</sup> century;
- Varied streetscape interspersed by open space including historic churchyards and gardens;
- Decorative roof features including turrets, dormers, crow step gables and cast iron detailing ;
- Diversity of traditional building materials including a variety of natural sandstones with polished and textures finishes, brickwork to gables and rear elevations, Scottish slate and localised use of pantiles and tiles;
- Traditional timber sash and case windows predominate incorporating variations in glazing pattern, design and proportion;

- Several groups of traditional shop fronts survive, in some cases incorporating decorative glazing and tiling;
- Richness and variety of commercial, ecclesiastical and residential buildings, including neo classical, Gothic, Scots Baronial, Italianate, Renaissance, Romanesque, Art Deco and post Modernist ; the quality of the buildings is reflected in the number of buildings in the conservation area listed for their special architectural or historic interest.



# 3. Policy Context

## 3.1 Legislation and National Policy Context

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, provides the legislative framework surrounding listed buildings and conservation areas, setting regulatory measures covering development and statutory designations.

The Historic Environment Amendment Act of December 2011 introduced new measures and gave planning authorities new regulatory powers over development in the historic environment.

Recent changes brought into force by the General Permitted Development Order 2011 have simplified planning controls by effectively removing householders' permitted development rights from conservation areas by statute. Section 5 of this document provides further detailed information.

In their consideration of applications for development affecting conservation areas, listed buildings and other elements of the historic environment, Planning Authorities are directed towards a policy framework which includes The Scottish Historic Environment Policy, 2011, the combined Scottish Planning Policy 2010 and Historic Scotland's Managing Change in the Historic Environment guidance note series.

Produced in collaboration with Architecture and Place and Architecture and Design Scotland, Historic Scotland's recent Guide to New Design in Historic Settings provides a useful toolkit for raising the standard of new design in historic settings. It demonstrates how excellent examples of contemporary intervention can energise and enhance historic areas.

## 3.2 Local Policy: Falkirk Council Development Plan

The Council's Development Plan i.e. its Structure and Local Plan, sets out specific planning policies on enhancement and protection of the built heritage as well as general policies to guide development. A series of Supplementary Planning Guidance notes provides more detailed policy guidance on particular design topics.

## Falkirk Council Structure Plan (2007)

### Policy ENV.5 Built Environment and Heritage

Important Archaeological Sites, Scheduled Ancient Monuments, Listed Buildings,

Conservation Areas, sites included in the Inventory of Historic Gardens and Designed Landscapes and trees will be protected and enhanced. Local Plans will identify these

assets and incorporate policies appropriate to the significance of the area or individual

feature, including the following range of measures:

- 1 Measures to ensure that assets are maintained in a good state of repair;
- 2 Promotion of appropriate new uses for buildings;
- 3 Promoting sensitive interpretation of heritage assets;
- 4 Protection of the assets and their setting from inappropriate development;
- 5 Where development would damage, or result in the loss of the asset, that provision is made for adequate recording of the current status of the asset; and
- 6 Reviewing the boundaries of areas to ensure their continuing relevance.

### Policy ENV.6 Enhancement Action

Priority will be attached to the programme of enhancement measures identified in Schedule ENV.6 below. Local Plans and other programmes will include detailed proposals for the enhancement of such areas or features, including mechanisms for implementation.

### Schedule ENV.6 Programme of Enhancement Measures

Main Centres - Hard and soft landscaping, improvement of building fabric, and strict control over the quality of new development

## Falkirk Council Local Plan (2010)

### Policy EQ7 Area Enhancement Priorities

The Council will give priority to improving the following through environmental improvements and securing high quality development:

- (2) Town and Local Centres
- (7) Conservation Areas and Areas of Townscape Value



## Policy EQ12 Conservation Areas

The Council will protect the historic character and visual amenity of each Conservation Area.

Accordingly:

(1) The Council will prepare Character Appraisals of individual Conservation Areas and, on the basis of these, will review existing boundaries and Article 4 Directions, prepare detailed design guidance as appropriate, and draw up enhancement schemes as resources permit;

(2) New development in Conservation Areas, or affecting their setting, including extensions and alterations to existing buildings, will only be permitted where it makes a positive contribution to the character of the area, with particular reference to the historic pattern and density of development; its setting; the architectural style, massing and materials of buildings; landscape treatments; and boundary features;

(3) Demolition of buildings within Conservation Areas will not be permitted unless it is agreed that they fail to make any material contribution to the character and appearance of the area. Where demolition is proposed, the "tests" as set out in the SHEP should be observed.

(4) Replacement windows, doors, roofs, rainwater goods, boundary treatments and other features on unlisted buildings in Conservation Areas should preserve or enhance the character of the Conservation Area in terms of appearance, detailing and materials.

The Falkirk Settlement Statement notes that:

"Falkirk town centre is a key image-maker for the area as a whole. The pedestrianisation of the High Street and the retail core in the late 1980s and 1990s contributed much to the economic revival of the town centre at that time. Key future opportunities include:

- Refurbishment and selective re-ordering of the existing pedestrianised core;
- Public realm improvements to secondary areas. Opportunities exist to traffic calm and enhance the Kirk Wynd/bank Street/Manor Street and Cow Wynd/Mission lane areas; and
- Improvements to the corridor linking the traditional Town Centre to the Retail Park."

Opportunity EN.FAL01 specifically highlights the potential to enhance secondary streets around the core pedestrianised area.

General planning and design policies in the Local Plan, which are also relevant, are:

- Townscape design (EQ3)
- Landscape design (EQ4)
- Design and community safety (EQ5)
- Design and energy use (EQ6)
- Advertisements (EQ10)
- Shop fronts (EQ11)
- Listed buildings (EQ14)
- Re-use of buildings (EQ15)
- Sites of archaeological interest (EQ16)

The Supplementary Planning Guidance notes referred to cover the following more specific design topics in detail:

- Design statements.
- Shop fronts.
- House extension and alterations.
- Trees and development.
- Housing layout and design.

It should be noted that a new Local Development Plan, which will replace the current Structure and Local Plans, is currently in preparation, scheduled for adoption early 2015.

[http://www.falkirk.gov.uk/services/development/planning/planning\\_and\\_environment/falkirk\\_local\\_development\\_plan/development\\_plan\\_scheme.aspx](http://www.falkirk.gov.uk/services/development/planning/planning_and_environment/falkirk_local_development_plan/development_plan_scheme.aspx)

As part of the plan preparation, policy principles will be reviewed to reflect latest guidance and legislation. A review of current Supplementary Guidance is underway and will include; new Supplementary Guidance on Listed Buildings and Properties in Conservation Areas which will be delivered as part of the new Local Development Plan process.



# 4. Conservation Area Management in Practice

## 4.1 What will be considered in determining an application for development?

In order to enhance or preserve the historic character and appearance of the conservation area and its historic buildings, features and setting, the Council will seek to apply Local Plan Policies by having regard to:

Preserving and reinforcing the historic character. Seeking to ensure that repairs are carried out sensitively and that works to both listed and un-listed buildings, features and surroundings are considered in relation to the historic context and use appropriate materials and detailing.

Managing the impact of modern development. Applications will need to be informed by the completion of a Design Statement (as set out in the Council's approved Supplementary Planning Guidance "Design Statements"). This information will be requested as part of supporting information with a planning application.

Ensuring that any new development (or alteration) makes a positive contribution to the character and appearance of the conservation area. New development should demonstrate an understanding of its historic setting by respecting the key features of the area including the established pattern of building plots, streets and spaces, density and mix, scale, materials and detailing, landscape, views and landmark buildings. It should not detract from key historical features as highlighted in the relevant conservation area appraisal. New developments in conservation areas do not need to be designed to look "old" in order to create a harmonious relationship with their surroundings. High quality contemporary design interventions will be welcomed.

Encouraging a high quality shopping retail environment. In seeking to promote the viability and vitality of the town centre the Council will also seek to encourage high quality traditional shop fronts and security measures which respect and enhance local character.

## 4.2 Enforcement Powers and Repairs Notices

In the event of unauthorised works to properties in conservation areas or listed buildings, current legislation empowers the Council to take a series of action including the serving of Enforcement Notices, Stop, Temporary Stop and Fixed Penalty Notices. Where a listed building has been allowed to fall into serious neglect, a Listed Building Repairs Notice (with the possibility of a Compulsory Purchase Order) may be served on the property failing satisfactory action by the owner. Urgent works may also be carried out by the Council at short notice with costs being recharged to the owner. Scottish Ministers have powers to direct that the same powers should apply to unlisted buildings in the conservation area.



# 5. Advice on Procedures

## 5.1 What will need planning permission?

The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order brought in to force on 6<sup>th</sup> February 2012 has introduced changes to the regulations governing planning permission in Scotland. Under the terms of the Order, permitted development rights for householders, i.e. owners of dwellings or flatted developments have effectively been removed from conservation areas by statute. On this basis, planning applications will require a fee.

New Article 4 Directions, approved by Scottish Ministers, were brought into force on 22<sup>nd</sup> February 2013.

Conservation area designation means that planning permission from the Council will be required for most works including the following:

- Property extensions, enlargements, improvements or other alterations (including window, door or roof replacements).
- Works within the curtilage of a dwelling house.
- Sundry minor operations e.g. repainting, cladding, stone cleaning.
- Changes of use or temporary buildings or uses.
- Hard surfacing within the curtilage of a dwelling house.
- Changes to any part of a boundary wall, railings or other enclosure.
- Repairs to private streets and private ways or repairs to services.

- Demolition.
- Removal of or works to trees.
- Works which materially affect the character of building e.g. shop fronts: and,
- Advertisements.

A few works were excluded from the above Order including the erection of garden sheds / outbuildings of less than 4 metres squared and installation of raised decks to individual houses (not flats) of less than 4 square metres

In addition to the above, Article 4 designations bring additional planning control over development in the conservation area by local authorities and over works carried out by statutory undertakers including Gas, Drainage, Water, Electricity and General Service providers.

In addition, listed building consent will be required for works to buildings of special architectural or historic interest. Listed buildings are recorded on the attached Map of the conservation area in Appendix 1.

It should be noted that, where exact 'like for like' repairs or replacements e.g. for doors, windows etc. are proposed, there will be no need for planning permission. It should be noted, however, that this concession would only apply to cases where "like for like" replacements or repairs relate to original, traditional materials and features; it would not apply in cases where original materials and features have previously been removed or replaced by inappropriate designs and materials. For specific advice on repairs and replacement of historic windows, please refer to Appendix 3.

In all cases, it is strongly advised that the Council is consulted about any proposed works at the earliest possible stage.

## 5.2 What do I need to provide?

The Council will expect planning applications to be mindful of the planning policies set out in its Development Plan and accompanied by conservation Design Statements which should demonstrate:

- How the proposal reflects the purpose of this management plan.
- How the new development (or alteration) makes a positive contribution to the character and appearance of the conservation area: it should not detract from key historical features as highlighted in the relevant conservation area appraisal.
- How the proposal takes account of the special architectural and visual qualities of the conservation area.
- Understanding of the historic setting by respecting the key features of the area including the established pattern of building plots, streets and spaces, density and mix, scale, materials and detailing, landscape, views and landmark buildings.
- How the proposal secures the repair or retention of features of conservation value.
- How the proposal mitigates any loss of mature trees by enhancing areas of poorer townscape character.

For further guidance or clarification on any of the above, applicants are advised to contact the Council's Development Services in advance of preparing any development proposal in the conservation area (see contact details at Sec. 7). Application forms are also available with guidance on completion and electronic submission from the Council's website.



# 6. Enhancement Opportunities

## 6.1 Grant Aid from The Townscape Heritage Initiative (THI) and Conservation Area Regeneration Schemes (CARS)

The Falkirk town centre THI and CARS, described previously in Section 2.1 and 2.2 of this document, will provide grant aid towards costs for the following:

- property repairs that use traditional materials and methods;
- restoration of traditional features and detailing such as timber sash and case windows, cast iron rainwater goods, Scottish stone and slate;
- shop front improvements in accordance with planning guidance;
- public realm improvements.

## 6.2 General

Improvement works to enhance the conservation area or address the erosion of character may be possible to complement the legislative controls. The following opportunities would address issues raised by the conservation area appraisal:

- restoration and sustainable re-use of historic buildings currently in a dilapidated state through lack of occupation and neglect;
- Improvements to traditional shop fronts including reinstatement of original design and materials and the installation of appropriate signage ;
- Appropriate repairs to and reinstatement of original timber sash and case windows
- Restoration and repair of building facades and roofs using natural sandstone and slate as recommended by the Council's Building Stone and Slate Survey;
- Removal of inappropriate modern fittings including CCTV cameras, TV aerials, satellite dishes and services fittings;
- Prioritisation of pedestrians and cyclists to combat effects of the current road system and traffic engineering;
- Gap site development to restore townscape character and historic street pattern;
- Public realm enhancements and improvements including de-cluttering of the streetscape, introduction of quality street furniture and lighting;

- Preservation of historic wynds and closes;
- Protection of open / green space and trees;
- Encouragement of greater variety of commercial and business uses;
- Encouragement of owners to bring vacant upper floors into residential or business use;
- Encouragement of best practice in design and conservation work.

Development of the following gap sites would enhance the setting of the conservation area :

- Car parking areas at Melville Place and Garrison Place;
- Car park at 11 Cow Wynd.

Other opportunities identified for feasibility studies into improvements include the gable at 50 High Street and the site of the former Town Hall on Upper Newmarket Street.

In addition to site specific opportunities, the Council will increase monitoring, especially of statutory undertakers where public realm works require careful restoration. Regular inspections will help to identify unauthorised developments and reduce the need for enforcement actions.

## 6.3 Maintenance

The lack of regular maintenance and early action "stitch in time" repairs to traditional buildings has become a matter of national concern. Historic Scotland has recently published a report on A Scottish 'Monument Watch', The case for a Proactive

Maintenance Scheme for Traditional Buildings in Scotland. This report states that:

"...it is generally accepted that the physical condition of Scotland's buildings is a cause for concern. For example, the Scottish House Condition Survey 2010 found that almost 60% of all dwellings had disrepair to critical elements of their fabric, over half of which were in need of urgent attention. This figure rises to 76% for traditional dwellings which account for almost half a million homes in Scotland, over 90% in private tenure. Similarly, the Scottish Small Towns Report estimates that every town has instances of serious disrepair, with between 50 - 80% of the building stock requiring some form of maintenance."

The report identifies the urgent need for a national proactive buildings maintenance strategy to address critical factors including physical condition, public safety, climate change, energy efficiency, carbon emissions, sustainable practice, skilled workforce and education and awareness.

The Council and its partners will seek to implement many of these maintenance recommendations, where possible, including:

- Organising public awareness raising events on maintenance and best conservation practice throughout the life of the Townscape Heritage Initiative Scheme;
- Dissemination of clear and concise guidance; and
- Availability of specialist advice and grant assistance where eligible.

# 7. Energy Efficiency and Traditional Buildings

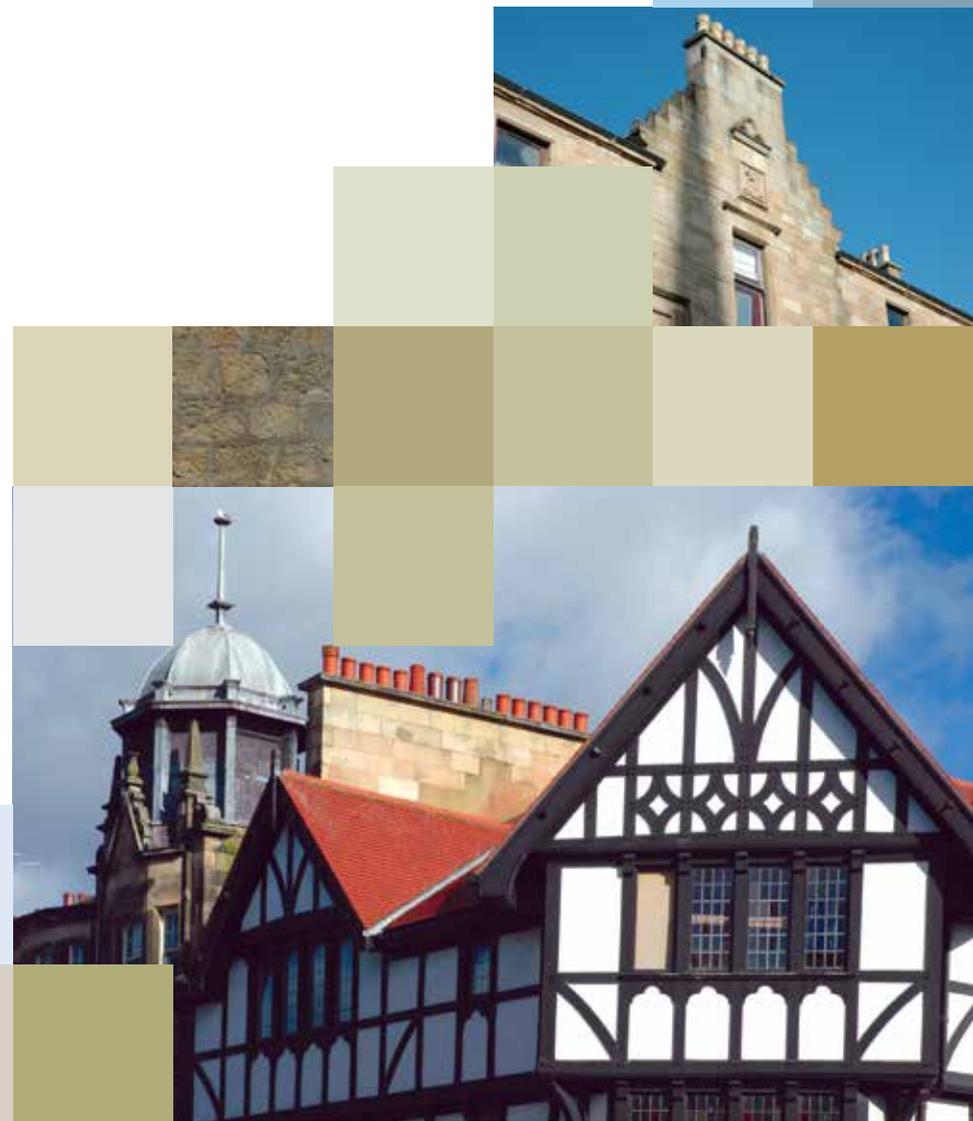
In recent years, Historic Scotland has undertaken extensive research into alternative means of improving the energy efficiency properties of traditional buildings, working in partnership with other agencies and academic institutions. Their findings confirm that traditional buildings have benefits in terms of environmental sustainability, including their longevity, thermal mass, locally-sourced materials and natural ventilation. This information is playing an increasing role in influencing maintenance and refurbishment projects and shaping policy.

It is commonly accepted that a large proportion of existing buildings will remain in use throughout the next 50 years. Additionally, the challenge of carbon reduction targets set by Scottish Ministers – 80% reduction in carbon emissions by 2050 – means that owners of traditional properties require education and guidance. In the case of listed buildings and properties in conservation areas, particular sensitivities are required to ensure that physical adaptations do not compromise special character and appearance.

The Council will address these requirements through awareness raising events and dissemination of appropriate material. The Council will also investigate the potential to work in partnership with Historic Scotland on climate change projects where funding and suitable buildings are available.

Forthcoming supplementary design guidance on Listed Buildings and Conservation areas will include a specific section on energy efficiency and climate change adaptations.

While this guide is under preparation, property owners can be directed to sources of information – see Section 8.3



# 8. Contacts and Sources of Further Guidance

## 8.1 For guidance on preparing and submitting a planning application contact:

**Falkirk Council**  
Development Services,  
Abbotsford House,  
David's Loan,  
Bainsford,  
Falkirk FK2 7YZ

Planning application advice:

Tel 01324 504950  
dc@falkirk.gov.uk

Conservation design advice:

Tel 01324 504715  
planenv@falkirk.gov.uk

## 8.2 For general background information:

### Scottish Government

[www.scotland.gov.uk/topics/planning](http://www.scotland.gov.uk/topics/planning)

General information on planning including Scottish Planning Policy and Planning Advice Notes 71, Conservation Area Management and PAN 52, Planning and Small Towns.

### Historic Scotland

[www.historic-scotland.gov.uk](http://www.historic-scotland.gov.uk)

General information and policies on key subjects relating to the historic environment including designation, sources of funding, climate change and world heritage.

## 8.3 For information on Energy Efficiency

### Historic Scotland

[www.historic-scotland.gov.uk/index/heritage/technicalconservation/conservation-research.htm](http://www.historic-scotland.gov.uk/index/heritage/technicalconservation/conservation-research.htm)

Assistance, publications and technical advice on a wide range of technical work on energy efficiency in traditional buildings.

### Changeworks

<http://www.changeworks.org.uk/householders/technical-guides-for-energy-improvements/475/>

Good practice guides to their Energy Heritage, Renewable Heritage and Tenements Projects provide residents and business owners of traditional and historic homes with the information they need to make them more energy efficient in an acceptable way.

## 8.4 For information on Maintenance

### Historic Scotland

[www.historic-scotland.gov.uk/publicationsresults.htm](http://www.historic-scotland.gov.uk/publicationsresults.htm)

Helpful guides are available free from Historic Scotland or for download include "Maintaining your home - A short guide for homeowners" and Sash and Case Windows - A short guide for homeowners. A series of INFORM guides are also available with detailed advice on conservation, repair and maintenance of a wide range of traditional building elements such as timber floors, all types of glass and glazing, iron gates and railings etc.

<http://conservation.historic-scotland.gov.uk/scotmonumentwatchfull.pdf>

A Scottish 'Monument Watch', The case for a proactive maintenance scheme for traditional buildings in Scotland. Final report, October 2012.



# Appendix 1: Falkirk Town Centre Conservation Area Management Plan



## Appendix 2: Listed Buildings in Falkirk Town Centre Conservation Area

### Category A

High Street, Old Parish Church including  
burial ground, boundary wall & railings

High Street, Falkirk Town Steeple

### Category B

Falkirk Parish Churchyard Gate

High Street, Old Parish Church, Churchyard

2 High Street & 1 Newmarket Street, Royal  
Bank Buildings

High Street, 1 - 9 Kirk Wynd, & 25, 27, 29  
Manor Street, Royal Bank

100, 100a High Street

102 & 104 High Street

106 - 112 High Street

High Street, Cross Well

124 - 128 High Street

138 - 140 and 140A High Street

142 - 146 High Street

148 - 154 High Street

113 - 117 High Street

129 - 131 High Street

147, 149 High Street & 2 Cow Wynd

Kings Court, East Side and North Side of  
Bean Row at Rear of 9 Cow Wynd, Offices

Lint Riggs, West Side (Even Nos.) 20 - 24  
High Street and Newmarket Street, Lint  
Riggs

Lint Riggs, East Side (Odd Nos.), 32 - 34  
High Street & Newmarket Bar, Lint Riggs

West Bridge Street, West Church

Hope Street and West Bridge Street, Sheriff  
Court House Buildings

Hope Street, Public Library

1 Hope Street, St Francis - Xavier RC  
Church,

Newmarket Street, Wellington Statue

25 - 29 Newmarket Street & 20 Vicar Street,  
Royal Bank Buildings

39 - 43 Vicar Street, Bank of Scotland

45 - 47 Vicar Street, Former Post Office  
(Front Block Only)

29 - 35 (Odd Nos) Vicar Street, Chambers

52 - 58 (Even Nos.) Vicar Street

Kerse Lane, Orchard Hotel

Cow Wynd, Tattie Kirk

### Category C

Newmarket Street, South African War  
Memorial

Newmarket Street, St. Andrews Church of  
Scotland, including halls

1 Bank Street and 19, 21 Kirk Wynd -  
Former Co - op Department Store

12 - 14 Newmarket Street, Social Work  
Department, (Former Municipal Buildings)

16, 18 Newmarket Street and 1, 3 Glebe  
Street, Christian Institute

24 - 38 Vicar Street, Corner of Newmarket  
Street and 2 - 12 Melville Street

9 - 11 Vicar Street

4 - 8 High Street, Royal Hotel

86, 88 High Street & Kirk Wynd

122 High Street

130 High Street

132 - 136A High Street

105 - 111 High Street (Wilson's Buildings)

119 - 121 High Street

123 - 127 High Street

137 - 139 High Street & 1 Cow Wynd,  
Falkirk and Counties T.S.B.

151 - 155 High Street

157 - 161 & 163 High Street

Princess Street and Park Street, Technical Institute

5 Booth Place

7 Booth Place

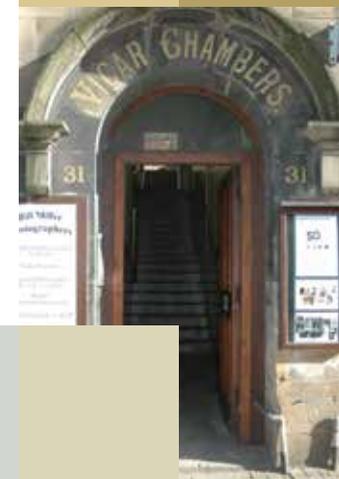
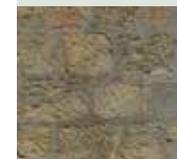
20 - 24 (Even Nos.) Newmarket Street

42 - 46 (Even Nos.) Newmarket Street

42 - 44 Vicar Street, 1 - 9 Melville Street (Odd Nos.)

46 - 50 (Even Nos.) Vicar Street

25 & 27 Vicar Street & 4 - 6 Princes Street



## Appendix 3: Historic Windows: Repair and Replacement

Historic windows make a significant contribution to the character and appearance of Falkirk Town Centre Conservation Area. The Falkirk Town Centre Conservation Area Appraisal (2010) identifies inappropriate window replacement and installation of unsuitable ancillary fittings including extract vents in the glazing as contributing factors to the erosion of character to the area.

Key features that contribute to the design and form of historic windows include style, proportions, pattern of glazing, historic and decorative glazing, dimensions of frames and astragals/glazing bars, materials, and method of opening. In Falkirk town centre, the predominant type of windows are timber framed sash and case windows. The quality of skill and materials employed in the manufacture of historic windows means that they are extremely durable, many having been in place for a century or more.

Historic windows can be readily repaired and refurbished to provide improved standards of comfort. Proprietary systems for draught proofing can be effectively and discretely installed to combat rattling windows and draughts, minimise dust and dirt ingress, improve sound and thermal efficiencies without excessive expenditure in comparison to removal and replacement of windows.

Recent research has demonstrated that bringing integral window shutters back into use and hanging heavy curtains can significantly reduce heat and energy bills – See Section 8.3.

Double glazing may be acceptable where it can be demonstrated that the sealed double glazing unit can be inserted into the historic window frames without prejudicing their appearance on the basis that there would be no loss of historic glass.

Secondary glazing may be an alternative where double glazing is not appropriate. This comprises an independent internal window in addition to the historic or replacement window. The meeting rails and frames of secondary windows should be as slim as possible to allow them to be undetectable behind existing rails.

Replacement of historic windows will only be acceptable where it can be demonstrated that they have deteriorated beyond practical repair. In such cases, the replacement windows must replicate the historic design exactly in terms of materials, proportions, profiles and dimensions of frames and glazing bars/astragals and method of opening. This would include details such as mouldings and horns. Any other original window features such as stained, leaded or etched glass and historic ironmongery should be salvaged and re-used.

Where historic windows have been replaced with windows of an inappropriate design or materials, grant aid will be available through the THI / CARS Scheme to owners to replace these windows with a design that replicates or matches a documented original pattern or is in keeping with the building or conservation area.

### The need for planning permission and/or listed building consent

Repairs to historic windows using the original materials to match the historic design do not require either Planning Permission or Listed Building Consent.

The installation of double glazing in historic or replica window frames of windows in listed buildings requires listed building consent.

The installation of double glazing in historic or replica window frames of windows in unlisted buildings in a conservation area requires planning permission only where there is a material change (\*see below) to the appearance of the window.

The installation of secondary glazing in listed buildings will require listed building consent.

The replacement of an historic window in a listed building will require Listed Building Consent. Replacement will generally only be supported where it can be demonstrated that the historic windows have deteriorated beyond practical repair. Planning permission would also be required where there is a material change (\*see below) to the appearance of the window.

The replacement of a historic window on an unlisted building within a conservation area requires planning permission only where there is a material change (\*see below) to the appearance of the window. The replacement window may incorporate sealed double glazing units.

Reinstatement of the original window design in a listed building will require both Listed Building Consent and Planning Permission; for un-listed property in conservation areas Planning Permission will be required.

The removal of historic decorative and stained glass in a listed building will require both Listed Building Consent and Planning Permission; for un-listed property in conservation areas Planning Permission will be required.

A material change is where there is an alteration to the design, material, size, method of opening, or proportions of the window including an increase in the size/thickness of the frames and removal of glazing bars [astragals] or horns. It also covers removal of historic glass, replacement of clear glazing with obscure glazing, and introduction of ventilation/louvers in the glazing.

Certificate of Lawfulness. An application can be made to the Council for a Certificate of Lawfulness where written confirmation is required that proposals do not constitute a 'material change' to the appearance of the window and that Planning Permission is not required.



## Appendix 4: Shop Fronts

Further advice on the repair of traditional windows can be found in the following Historic Scotland publications, available to download from the Historic Scotland website:

<http://www.historic-scotland.gov.uk/index/heritage/technicalconservation/conservationpublications.htm>

- **Inform Guide – Maintaining Sash and Case Windows**
- **Sash and Case Windows – A Short Guide for Homeowners**
- **Energy Efficiency**
- **Managing Change in the Historic Environment: Windows**

Technical papers by Historic Scotland on recent research into the energy performance of windows and different types of double glazing can also be downloaded.:

- **Tech Paper 1:**  
Thermal Performance of Traditional Windows – Rev.10
- **Tech Paper 9:**  
Slim-profile double glazing

Well designed shop fronts not only add to the attractiveness of conservation areas, but they support economic regeneration by creating a positive shopping experience which in turn brings added footfall and increased sales turnover.

The fundamental purpose of a shop front is to attract the attention of shoppers. The application of suitable signage and paint finishes, combined with attractive entrances and inviting window displays attract customers. Shopping areas can be positively enhanced if historic shop fronts are restored or reinstated. Well designed contemporary shop fronts also add to the historic streetscape in cases where a traditional design is not appropriate.

The Falkirk Town Centre Conservation Area Appraisal (2010) identifies an inconsistency in the quality and design of the existing shop fronts in the town centre. While groups of historic shop fronts have survived in some streets, there are many examples of replacement shop fronts which do not respect traditional character, proportions or materials. In some cases, original shop fronts are hidden by more recent alterations and additions. In many cases, the style of the replacement shop front is not related to the architectural style of the parent building.

Traditional shop fronts follow simple design principles by applying careful detailing and good quality materials to correct proportioning and positioning within the overall building.

Where historic shop fronts have been replaced with frontages of an inappropriate design or materials, grant aid will be available through the THI /CARS Scheme to owners to replace these with a design that replicates or matches a documented original pattern or is in keeping with the building or conservation area.

Further detailed design guidance on shop fronts is provided by Falkirk Council in the Supplementary Planning Guidance Note on Shop Fronts available in hard copy from Development Services or downloadable at [http://www.falkirk.gov.uk/services/development/planning/planning\\_and\\_environment/supplementary\\_planning\\_guidance/PDFs/shopfronts.pdf](http://www.falkirk.gov.uk/services/development/planning/planning_and_environment/supplementary_planning_guidance/PDFs/shopfronts.pdf)

Historic Scotland has produced a short guide on maintenance and repair of traditional shop fronts for shop owners entitled *Traditional Shopfronts: a Short Guide for Shop Owners*, downloadable at <http://www.historic-scotland.gov.uk/shopfronts.pdf>



## Appendix 5: Glossary of Terms

### Shopfronts

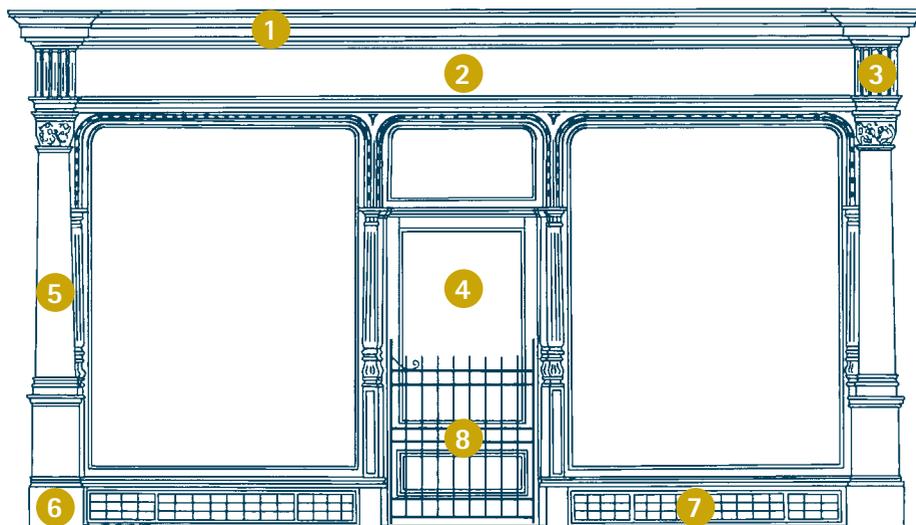


Illustration courtesy of Historic Scotland

#### 1. Cornice:

The top section of the fascia which is located between the shop and the building above. It can be richly decorated with mouldings or embellishments. Usually of timber or stone, it often incorporates a protective layer of lead for weather-proofing.

#### 2. Fascia:

A flat or angled horizontal board, that extends across the width of the whole shop. It carries the signage.

#### 3. Console Bracket:

A decorative feature which marks the end of the fascia. May be of classical design although other styles are often adopted.

#### 4. Doors:

Traditional shop doors are framed and panelled with fanlights above incorporating glazed lights. Glazed lights often incorporate decorative glass and can be fitted with hopper mechanisms to allow for inward opening for ventilation purposes.

#### 5. Columns and Pilasters:

Provide the visual framework for the frontage. Columns are often round or half rounded, plain and fluted. Pilasters are flat panels that project from the wall, with a shaft and base which projects slightly from the wall but is generally not structural in nature. May be decorated or plain, often with fluting or reeding and can be of timber, stone or cast iron.

#### 6. Plinth:

Base of a pilaster. May be timber or stone.

#### 7. Stallriser:

The area between the window sills of the shop front and ground level. Sometimes decorative, they can be constructed of timber, stone or other durable finishes. Glass blocks are often incorporated to permit natural light into a basement.

#### 8. Security:

Measures applied typically include decorative gates across the entrance lobby, removable shutters and grilles.

### Windows

The Component Parts of a Sash and Case Window

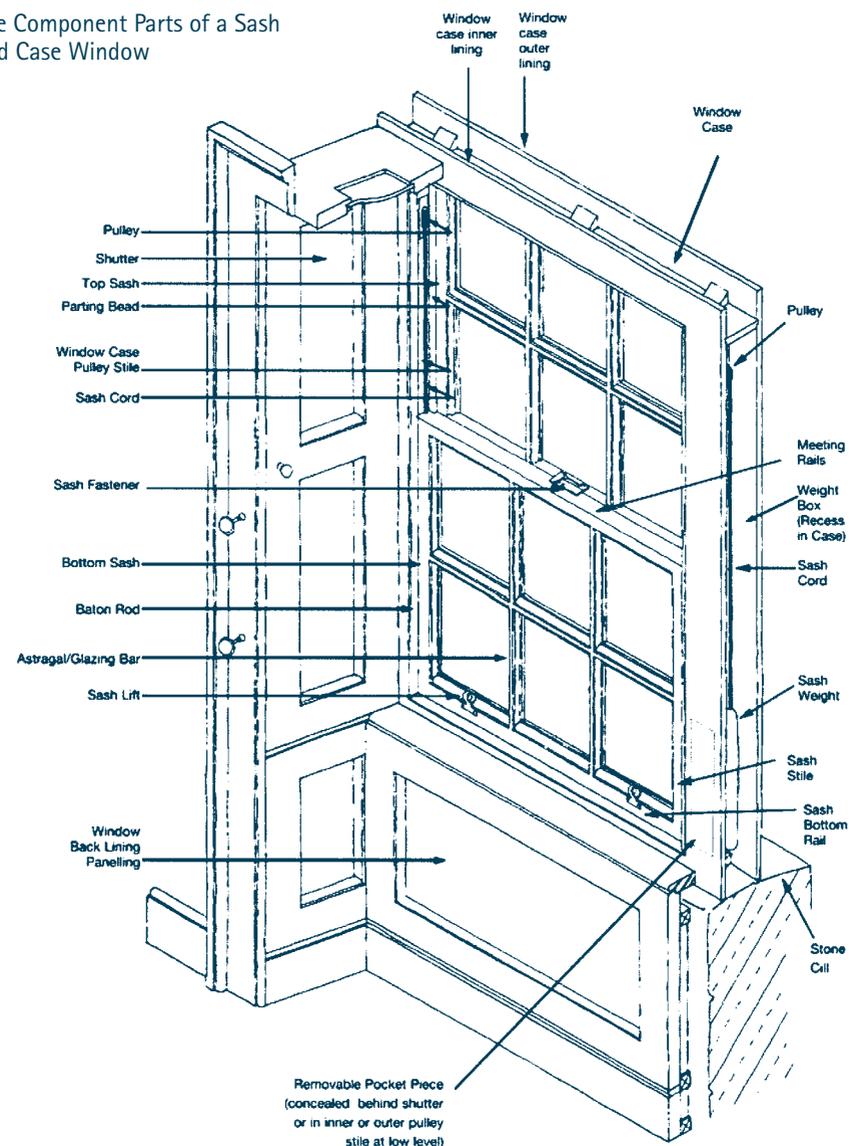


Illustration courtesy of Historic Scotland

## Historic Windows

This term, used by Historic Scotland, includes original windows and subsequent alterations/ replacements that contribute to the historic interest of a building as evidence of changing fashions and technology. For example following the significant reduction in window tax in 1845 technological advances led to the manufacture of large panes of glass. As a result, fewer subdivisions, and larger, heavier panes of glass became common. Windows glazed with single panes of plate glass in each sash became popular in many areas, while window designs with a single pane of plate glass in the lower sash and small panes in the upper sash also emerged. The term also includes newer well-detailed windows that have been based on the historic design.

## Astragal or Glazing Bar

An astragal is a glazing bar that divides a window into smaller panes of glass. In timber sash and case windows it is normally moulded and narrower than the main frame.

## Historic Glass

This is a broad term that includes a variety of decorative glass including stained, leaded, frosted

and etched glass. It also covers glass that is original to the building where this has special characteristics including curved glass.

## Horns

Horns are extensions of the lower part of side frames of the top sashes of late Victorian and Edwardian windows that were used to strengthen the lower joints of the top sashes following the introduction of large sheets of glass. Georgian and early Victorian windows did not have horns.

## Meeting Rail or Transom

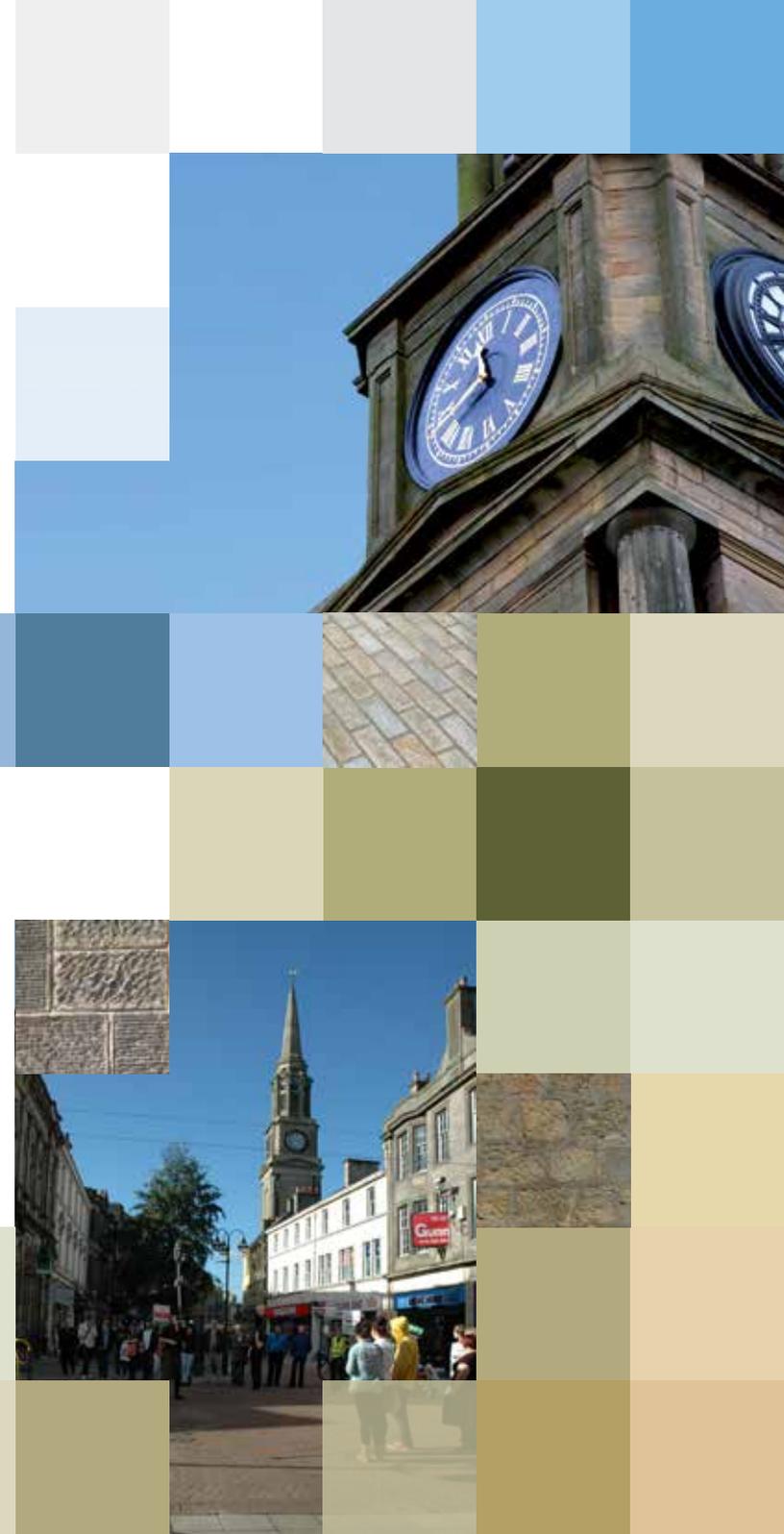
This is where the top and bottom sashes meet.

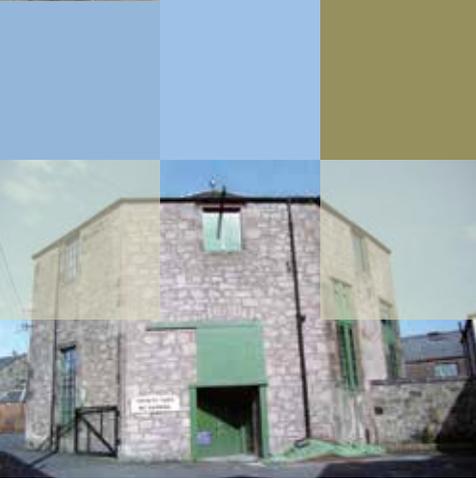
## Mullion

A vertical division between the lights of a window. This may be in stone or timber. The removal of mullions to increase the glazing area of a window is not appropriate in listed buildings or buildings in conservation areas and would be considered as a material change requiring listed building consent and or planning permission.

## Replica Window Frame

A new window frame that replicates the original design and uses the same material.





Falkirk Council

**FALKIRK COUNCIL**

**Subject: HOUSING ESTATE MANAGEMENT POLICY**  
**Meeting: EXECUTIVE**  
**Date: 6 AUGUST 2013**  
**Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

**1. INTRODUCTION**

- 1.1 The purpose of this report is to seek approval of the Housing Estate Management Policy, which has been revised following consultation during 2012-13. The report describes key elements of the policy and the changes made to it as a result of feedback.

**2. BACKGROUND**

- 2.1 Members may recall the report to Housing & Social Care Committee on 14 February 2012 containing the draft Housing Estate Management Policy, which was approved subject to further consultation. The policy describes what Council services are available to tenants and other residents to ensure their neighbourhood environments are pleasant and safe places in which to live. It also states the Council's commitment to working in partnership with residents and other organisations (e.g. Police, voluntary sector) to meet the policy aims. Issues such as garden maintenance, communal areas, neighbour nuisance, litter and graffiti are included in the policy.
- 2.2 The original draft policy was the result of extensive public consultation which aimed to develop a clear policy and service standards, so that the public would know what to expect from Council services. This consultation took place during 2011 and involved over 180 individuals. It included a focus group, a survey and briefing which were distributed to tenants, tenants' groups and home owners within mixed tenure estates. The resultant draft policy brought to Committee on 14 February 2012 reflected the views of the community and the work of officers across various Council services (e.g. housing, estates management, litter strategy, community safety, environmental health and cleansing).

**3. IMPLICATIONS OF THE SCOTTISH SOCIAL HOUSING CHARTER**

- 3.1 Since the original draft policy was brought to Committee, the Scottish Social Housing Charter has been introduced by the Scottish Government. The Charter contains 16 standards and outcomes to be achieved by Social Landlords, including the following outcome for the 'Neighbourhood and Community' section – *“tenants and other customers live in well-maintained neighbourhoods where they feel safe”* (Scottish Government, April 2012, p7).
- 3.2 The Scottish Housing Regulator (SHR) will measure the above outcome using the following information:
- The percentage of tenants satisfied with the management of the neighbourhood they live in
  - The percentage of anti-social behaviour cases reported in the last year which were resolved within locally agreed targets.

3.3 The revised Estates Management Policy now reflects the requirements of the Scottish Social Housing Charter. The revised policy will also be supported by the future introduction of Neighbourhood Charters across Falkirk Council areas, once the guidance has been fully developed.

#### 4. CHANGES TO THE DRAFT POLICY AS A RESULT OF FEEDBACK

4.1 The consultation on the draft policy took place during 2012-13 and comprised a further briefing and questionnaire, which were posted on the Council's website and made available in One Stop Shops for a six week period. Written requests for feedback were also issued to: individuals on the Housing Services' Consultation Register, 17 Registered Tenants' Organisations, partner organisations including Police Scotland, Council officers and equalities groups known to the Council. The matter was also discussed at the Tenants' & Residents' Forum.

4.2 Although only a limited number of responses were received, the comments put forward were extremely valuable and constructive in terms of influencing the content of the final policy. Key changes are summarised in Table 1 below:

**Table 1: Changes to draft policy due to feedback**

No.	Feedback / Proposed Change	Action / Policy Changes
1.	Clearer guidance on permission for pets in Council homes.	Text added to explain that all relevant circumstances will be considered in order to reach a reasonable decision
2.	Tenants will be reluctant to report pest infestations in case they face being charged.	Charges no longer apply - policy amended to reflect this.
3.	Does not say that housing officers should strive to bring all areas up to standard / how the policy will be monitored and enforced.	Estate inspection pro-forma added (Appendix 1 of Policy) to ensure regular environmental audits are recorded and monitored.
4.	Does not cover inconsiderate parking of cars and caravans and use of lock-ups as storage.	Text added regarding acceptable parking of cars and caravans and the rules regarding use of lock-ups.
5.	Police Scotland provided a written statement of their commitment to working in partnership to deliver the policy.	Policy amended to include statement from Police Scotland.
6.	Would like clarification on allocation of lock-ups and garage sites.	Text added following additional consultation on this issue.

7.	Would like more detail on Conflict Resolution Services in respect of neighbour disputes and anti-social behaviour.	Text added re Mediation Services and Falkirk Investigation Response and Support Team (FIRST).
8.	Easier to understand if you hear it explained in detail.	Draft Policy was discussed at Tenants' & Residents' Forum.
9.	Contents page with A-Z guidance would make it easier to read.	Contents page and A-Z index added.
10.	Generally happy with whole document but would like it debated at the consultation group.	The next Customer Led Inspection will focus on Estate Management. The Tenant Involvement Group are being supported by the service to progress this.

## 5. KEY ELEMENTS OF THE HOUSING ESTATE MANAGEMENT POLICY

5.1 The revised policy is contained in **Appendix 1**. Its aim is to:

*Ensure our estates and common areas are attractive, well maintained and safe places in which to live, where we work together to deliver Service Standards set in partnership with the Community.*

5.2 The policy makes it clear to customers the range of services already being provided by Falkirk Council. The policy objectives are to enable Council tenants and other residents to:

- Get involved in improving their neighbourhood;
- Have peaceful enjoyment of their homes; and
- Access a range of Council services to maintain high standards within their homes and neighbourhoods.

5.3 Once approved, any new housing developments that the Council build will also take account of the aims and objectives of the policy.

## 6. REGULAR GRADING OF ESTATES

6.1 The revised policy also benefits from an Estate Inspection Proforma which will be used both to form a comparative baseline for estates across Falkirk and for on-going monitoring of the condition of our estates. The Estate Inspection Proforma covers issues including paths, drying areas, roadways, lighting, grassed areas, parking areas, alleyways, boundary fencing, boundary walls, ditches, garage areas, trees, shrubs, flats internal communal areas, flats external areas and any other issues.

- 6.2 Regular estate inspections will be instigated using the Proforma and the outcomes will be recorded and monitored with clear times to action issues identified. The Proforma will allow for grading of estates, enabling the right resource allocation and thereby uplifting the overall standard of estates across the Falkirk Council area.
- 6.3 The Estate Management Proforma is designed for use during regular estate inspections by Neighbourhood Officers and is contained in Appendix 1 of the Housing Estate Management Policy. Its aim is to help ensure that neighbourhood environments in the Falkirk Council area are continually improving through joint working between officers, elected members and the community. Alongside these regular inspections, every year estate walkabouts will be carried out and outcomes of the estate inspections and progress made provided to attendees. In addition, a survey of the condition of all open spaces is also being carried out by the Estates Management Division.
- 6.4 Discussions are also taking place with colleagues in the Governance Division to identify ways in which the Council's ability to tackle the problem of overgrown and untidy gardens within the Council area can be maximised, such as strengthening the terms of the Tenancy Agreement for all new tenants and, in relation to privately owned property, considering the use of Amenity Notices in terms of S.179 of the Town and Country Planning (Scotland) Act 1997 in appropriate cases.

## **7. EQUALITIES & POVERTY IMPACT ASSESSMENTS**

- 7.1 The stakeholders affected by the policy are: Council tenants, other residents, and partner organisations involved in delivering services in local neighbourhoods.
- 7.2 No negative impacts of the policy were identified through the consultation.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 There are no financial implications arising from the policy as all services are already in existence and will be met from existing budgets. Staff resources for estate inspections will be met from existing resources. Resources for promotional materials in respect of close cleaning, estate audits and policy leaflets will be met from the existing Tenants and Residents Participation budget.

## **9. CONCLUSION**

- 9.1 Consultation is now complete on the Housing Estate Management Policy and a number of changes have been made reflecting feedback from participants. These changes will improve the policy for service users and ultimately enhance the quality and management of neighbourhood environments across the Council area.

**10. RECOMMENDATION**

**Members are requested to:**

- 10.1 Approve the Housing Estate Management Policy (Appendix 1),

.....  
**DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

Date: 3 June 2013  
Ref:  
Contact Name: Jennifer Litts, Head of Housing Management ext: 0789

**LIST OF BACKGROUND PAPERS**

1. Report to Housing & Social Care Committee, 14 February 2012, Housing Estate Management Policy

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 500789 and ask for Jennifer Litts.

**Falkirk Council**

**Housing Estate Management Policy**

**[Design Unit to format and add logo]**

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**June 2013**

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**Appendix 1 – Falkirk Council Estate Inspection Proforma**

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# 1. General Information

## 1.1 Background

Estate Management includes all of the services we deliver to make sure our neighbourhoods are well maintained and safe places in which to live, that Council tenants and other residents can take a pride in.

This policy deals mainly with the Council's (henceforth "our") estate management responsibilities as a landlord, but also includes some services available more widely. Unless otherwise stated, this policy applies to all Council housing developments and associated grounds owned by Falkirk Council, even where we are no longer the main housing provider.

## 1.2 Aim of the policy

The aim of the housing estate management policy is to:

*Ensure our estates and common areas are attractive, well maintained and safe places in which to live, where we work together to deliver Service Standards set in partnership with the community.*

## 1.3 Objectives of the policy

The objectives of this policy are to enable Council tenants and other residents to:

- get involved in improving their neighbourhood
- have peaceful enjoyment of their homes
- access a range of Council services to maintain high standards within their homes and neighbourhoods
- use the Estate Inspection Proforma to inspect and grade Council housing estates across Falkirk

Any new housing developments that the Council builds will take account of the aims and objectives of this policy. We recognise the importance of design, layout, signage, community consultation and initiatives such as 'Secured by Design', in creating high quality neighbourhoods.

## 1.4 References

The following documents may be read in conjunction with this policy:

- Our [Community Litter Plan](#), which describes what we are doing to stem the problem of litter in the area;
- Our [Neighbourhood Plans](#), which describe the local priorities set by local housing offices in consultation with the community and Councillors;

- Our [Community Engagement Strategy](#) and [Tenant Participation Strategy](#);
- Our [Single Outcome Agreement](#), which describes and reports progress in delivering the outcomes that Falkirk Council, the Community Planning Partnership and Scottish Government want to achieve in the area. This policy will help to deliver the outcome “*Our area is the place to be in the third millennium*”. It reflects the goals and values in our [Corporate Plan](#) , [Strategic Community Plan](#) , and other [Corporate Policies](#). The specific goals within our Corporate Plan that this policy will help to achieve are:
  - *Continuing to improve the health, safety and well being of our citizens and communities;*
  - *Enhancing and sustaining an environment in which people want to live work and visit.*

### **1.5 Legal framework**

We will ensure that the Estate Management Policy complies with current legislation, promotes good practice and ensures that all residents can access good information about their respective responsibilities.

All residents have rights under the Human Rights Act 1998. We will make every effort when implementing this policy to ensure these rights are not breached.

Falkirk Council and Council tenants, have obligations to abide by the conditions in the tenancy agreement, some of which are referred to in this policy.

### **1.6 Equal opportunities**

Falkirk Council believes that the diversity of its community is an essential part of its values. We will promote equal opportunities and avoid unlawful discrimination in line with our separate [Equal Opportunities Policy](#) .

### **1.7 Complaints**

We aim to provide high quality services to everyone in our community, but sometimes we might not reach the high standards you expect. We take complaints seriously, and by telling us when things go wrong you will be helping us to improve our services. We will handle any complaints about estate management in line with our Corporate Complaints process, details of which are available on our website and in the ‘Contact Us’ Section.

### **1.8 Monitoring and review**

Housing Services will report performance on an annual basis through Neighbourhood Plans and an Annual Return on the Social Housing Charter.

Other Council Services will report their performance in line with statutory requirements and the Single Outcome Agreement, and this information will be available on our website.

### **1.9 Enforcement**

Enforcement actions taken by the Council or its partners in respect of anti-social behaviour and adhering to tenancy conditions will be recorded and monitored in accordance with the relevant procedures.

### **1.10 Consultation**

The consultation about this policy and the service standards within it was wide ranging. It included workshops for staff, tenants and other residents at the Tenants' Conference and Forum; a special Estate Management Focus Group at the Forth Valley Sensory Centre; and a questionnaire, carried out in 2011. This questionnaire and briefing paper were displayed on our website, in local offices and also sent to tenants' groups for their input. 180 people took responded in total. After the consultative draft policy was circulated to equalities groups, tenants and partner organisations in 2012, further comments were received via a questionnaire, which have influenced the final version of the policy.

We will continue to encourage and support Council tenants and other service users to influence the Housing Estate Management policy and to scrutinise its delivery. See the Tenant Participation Strategy for more details of how tenants and other service users can get involved.

The **service standards** that we have set in consultation with the community are listed at the end of this document in Section 4.

## 2. Working together

**Our Single Outcome Agreement, Community Planning process, Community Safety Strategy, Litter Strategy and Neighbourhood Plans will determine the overall direction and outcomes of our approach to estate management.**

### **2.1 Commitment to Partnership**

Housing Services will work in partnership at a local level, with a range of Council services and external organisations. Partners include

- the Police Scotland
- Falkirk Council Social Work Services
- Falkirk Council Community Safety Team
- Falkirk Council FIRST and Mediation Service
- Falkirk Council Noise Team
- SACRO
- Falkirk Council Waste Management Service
- Falkirk Council Grounds Maintenance Service
- Falkirk Council Roads & Transportation Services

This list is not exhaustive, but serves to illustrate the range of services involved in contributing to the management of our estates.

When we refer to “we” in this policy, it includes a combination of these partners working together to deliver on the policy objectives.

### **2.2 Statement from Police Scotland**

Police Scotland will work closely with partner agencies, in particular Falkirk Council, to ensure the neighbourhoods of Falkirk are pleasant and safe for the residents. There is already close partnership working between Falkirk Council and Police Scotland in terms of tackling anti-social behaviour and a variety of other issues. This work will continue as part of the Estate Management Policy being introduced by Falkirk Council.

### **2.3 How Council tenants and other service users can get involved**

We will support the community to get involved in improving their neighbourhoods by:

- We will support Registered Tenants & Residents Organisations (RTO's) and other groups to influence services and access grants.
- We will support Community Litter Picks and the formation of Clean Zones. Community Support Packs and further information about establishing a Clean Zone can be obtained by contacting the Litter Strategy Team.

- We will consult over the disposal of any Council owned land within housing estates. This includes the transfer of ownership to an individual resident, a group of home owners, or to an RTO for the purpose of forming a Community Garden, for example;
- We will organise Estate Walkabouts, to involve the community in identifying and finding solutions to local environmental issues.
- We will carry out cyclical maintenance inspections of our housing properties and surrounding built environment, e.g. footpaths, common areas such as bin stores etc. on a 5 year cycle.
- This version of the policy also introduces an Estate Inspection Proforma (Appendix 1). This will be used to carry out monthly Estate Inspections by Neighbourhood Officers.
- We will publish annual Neighbourhood Plans on our website and in local housing offices, to report on the impact of Estate Inspections and Estate Walkabouts, our planned housing investments and our performance.
- It is important to distinguish between monthly Estate Inspections and annual Estate Walkabouts. The Estate Inspections will be used to address any day-to-day issues identified in estates by Neighbourhood Officers. The Estate Walkabouts will be a bigger joint event with residents, staff and Councillors. The walkabouts will capture views and aspirations for the estate which will in turn inform and guide the Council's neighbourhood improvement activity. At the walkabouts the Neighbourhood Officers will inform attendees on the various issues that have been dealt with in the estate over the past year.
- The Community Safety Team will carry out regular estate visits as part of their ongoing duties.
- We will engage with communities to tackle anti social behaviour by working in partnership with Registered Tenants' Organisations, Police and other stakeholders.

#### **2.4 Home owners, private tenants and other landlords**

We recognise that most of our housing estates are now mixed tenure. We will work in partnership with home owners, private landlords, private tenants and other social landlords. We will consult with tenants and all other relevant parties before making any significant changes to the local estate environment, including communal garden areas, property repairs or parking arrangements.

#### **2.4 Your responsibilities**

Council tenants' responsibilities in respect of their home and common parts are detailed in their Tenancy Agreement, Good Neighbour Agreement and Tenants' Handbook. The responsibilities of home owners are set out in their

title deeds and it is the responsibility of Private Landlords to inform their tenants of these conditions.

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### **3. Services we provide - Within your house or block**

Our services cover the following areas:

#### ***3.1 Abandoned houses and illegal occupation***

Where we suspect that a Council house has been abandoned or there are illegal occupants, we will take immediate action to investigate and where necessary, issue the appropriate notices or take legal action. Empty Council homes can be reported to the local housing office. Empty private properties can be reported at [www.reportemptyhomes.com](http://www.reportemptyhomes.com) or by contacting the Private Sector Housing Section, using the details in the 'Contact Us' section.

#### ***3.2 Abandoned vehicles***

We have a statutory duty to remove abandoned vehicles. Where an abandoned vehicle is identified we will investigate ownership and request that the owner, if traceable, remove it in the first instance and thereafter, we will take appropriate action to arrange for its uplift and disposal. Abandoned vehicles can be reported to the Environmental Protection Unit

#### ***3.3 Fencing***

The Council's primary responsibility with regards to landscaped spaces is for the maintenance of communal landscaped areas and boundaries. This includes the landscaped areas surrounding bungalows, sheltered schemes and communal flats. This does not include tenant's own borders for which they are solely responsible or gardens which form part of an individual's property; nor does it include boundary fences and hedges which are identified as being the legal responsibility of an adjoining owner.

#### ***3.4 Close Cleaning***

Council tenants and other residents are responsible for keeping clean and tidy the common parts including close, bin store and drying areas. We will inform new tenants about any rotas, checklists or chargeable services that apply to their block. If problems arise, we will meet with the residents to discuss the problems and potential solutions (e.g. a cleaning rota). Where private tenants fail to co-operate, Environmental Health services may be contacted for assistance where the standard constitutes a health hazard. If breaches of tenancy agreement or title deeds occur which result in the Council arranging for a close to be cleaned, we will recharge the costs to the individual (s) responsible, or, as the case may be, to all residents within the block.

We will inform new tenants if they will be required to participate in any existing cleaning arrangements when they take up their tenancy.

Any residents experiencing difficulty cleaning their close due to disability should contact their Neighbourhood Officer in the first instance.

### ***3.5 Community Safety Team***

The Community Safety Team, comprising of Community Safety Wardens and Community Safety Officers, is a key component of our Anti Social Behaviour Strategy. The team regularly patrols the area to ensure that people can live quietly and peacefully in their neighbourhoods without fear of crime, annoyance or abuse. Responsibilities include the issuing of fixed penalty notices and warnings for Dog Fouling, Litter and Fly-tipping. They also have responsibility for reducing antisocial behaviour including graffiti, vandalism and fear of crime. The team will report any instances of anti social or criminal behaviour and can act as professional witnesses. In addition they will develop close links with communities promoting the area as safe and attractive place to live, work, shop and visit. See the 'Contact Us' section for details of the Community Safety Team.

See also "*Neighbour Nuisance and Harassment*" and "Pets".

### ***3.6 Dogs – fouling, stray, lost, dangerous and out of control dogs***

Instances of dog fouling can be reported to the Community Safety Team, to take appropriate action under the Dog Fouling (Scotland) Act 2003, by the Community Safety Team. The team operate a "Zero Tolerance" policy and will issue fixed penalty notices for all offences witnessed by them.

Stray and lost dogs can be reported to the Council's Pest Control & Dog Wardens service.

Dangerous Dogs legislation is enforced by the Police. It covers incidents such as multiple actual or attempted bites; an animal being killed; or concerns that an attack requires urgent action to prevent any potential repeat. Incidents involving dangerous dogs can be reported to Central Scotland Police by calling 01786 456000.

The Control of Dogs Act 2010 is enforced by the Community Safety Team. We can use these powers to provide early intervention measures for dogs deemed to be 'out of control' before they become dangerous (e.g. where an attacked person was not pushed to the ground; the attack was on an animal that survived or where no attack has taken place). Enquiries can be made by contacting the Community Safety Team.

See also 'Pets'.

### ***3.7 Estate Inspections***

From this version of the policy, planned regular Estate Inspections will be carried out by Neighbourhood Officers using the Estate Inspection Proforma (Appendix 1). The outcomes of these inspections will be maintained in a central spreadsheet with clear timelines for resolving issues found.

### ***3.8 Estate Walkabouts***

Neighbourhood Officers will undertake Estate Walkabouts at least once every year, to involve the community in identifying and finding solutions to local environment issues. This will ensure that each street will be walked around and an Action Plan drawn up to deal with any issues that arise.

The Council will invite representatives from tenants' and residents' groups to attend the Walkabouts, and residents can also request one takes place. The Council will ensure that residents' comments and observations are respected.

The Council will ensure that respect of an individual's privacy is maintained when Estate Walkabouts are completed.

The Council will ensure that outcomes of Estate Walkabouts, including before and after photographs, are reported in Neighbourhood Plans.

### ***3.9 Empty properties***

We aim to minimise the duration and number of void properties to prevent detrimental effects on the quality of the surrounding environment.

See also '*abandonments and illegal occupation*'

### ***3.10 Garage sites***

See 'Lock-ups and garage sites'

### ***3.11 Garden areas***

Council tenants and other residents are responsible for keeping clean and tidy individual gardens and shared areas. If problems arise, we will meet with the residents to discuss the problems and potential solutions. Practical advice and assistance can be provided where appropriate. Environmental Health Services may be contacted for assistance where there is an accumulation of refuse which constitutes a statutory nuisance in that it could give rise to odour nuisance or provide attraction for vermin. If breaches of tenancy agreement occur which result in the Council arranging for a garden to be brought into a reasonable standard, we will recharge the costs to the tenant(s) concerned. If action is taken by Environmental Health Services to abate a statutory nuisance within owners' gardens, this may result in costs being recharged to the owner(s) concerned.

Any residents experiencing difficulty maintaining their garden due to disability should contact their Neighbourhood Officer in the first instance.

We encourage residents to take pride in their area through an annual garden competition which is open to all residents in the Council area.

See also “*Trees*”.

### ***3.12 Graffiti***

We offer a graffiti removal service to all residents and most commercial premises. Sectarian, racial, sexual or other offensive graffiti will be removed within 72 hours. Reports of graffiti can be made to Grounds Maintenance services or local housing offices.

### ***3.13 Landscape Maintenance***

We provide a comprehensive range of soft landscape or grounds maintenance activities on a pre-planned basis in Housing Service-owned land within and around the Council’s housing estates. This includes grass cutting, shrub and flowerbed maintenance, and weed control. Enquiries about grounds maintenance should be directed to the local housing office in the first instance

### ***3.14 Litter, fly tipping and sharps or syringes***

We have a statutory duty to maintain certain cleanliness standards on all public roads and footpaths that are adopted and maintained by the Council. In general, all such roads and footpaths are serviced on a regular basis.

We aim to deal with incidents of fly-tipping as quickly as possible. We will seek to identify those responsible to enable appropriate enforcement action to be taken (including court proceedings). We will contact land owners to secure their co-operation to quickly remedy fly-tipping on private land. Instances of fly-tipping and littering can be reported to the litter strategy team.

Incidences of discarded syringes can be dealt with through our 24 hour Sharps / Syringes Helpline. We aim to deal with any reports within 24 hours. See the Contact Us Section for details.

### ***3.15 Lock-up and garage site - management***

Council owned garage sites and lock up areas are subject to weed control measures on a programmed basis. Other maintenance responsibilities are detailed in the lease. Enquiries about lock ups and garage sites can be made by contacting the local housing office.

Lock ups and garage sites let by the Council for private cars or approved commercial vehicles should not be used for trade, business or storage purposes.

### ***Lock-up and garage site - allocations***

We will give priority to Council tenants when allocating Council lock-ups and garage sites, unless there are no tenants on the waiting list, in which case the lease will be offered to another applicant. The reason that Council tenants are given priority is that lock-ups and garage sites were originally built on housing land for Council tenants and they therefore continue to be subsidised by Council rents. Applications for lock-ups and garage sites can be made via local housing offices or One Stop Shops

### ***3.16 Neighbour nuisance, noise and Antisocial Behaviour***

#### ***3.16.1 General***

We investigate neighbour disputes and antisocial behaviour following the principles outlined in the Council's Community Safety (Antisocial Behaviour). Victims and alleged perpetrators of anti social behaviour are given the opportunity to put their side of the situation forward before any formal action is considered. Any action taken will be proportionate to the alleged offence and will involve sharing information and working in partnership with relevant services. Procedures include mediation, tenancy warnings, Acceptable Behaviour Agreements and referral to FIRST (Falkirk Investigation, Response and Support Team). Falkirk Council operates an Antisocial Behaviour Helpline which is available 24 hours a day, 7 days a week. See the 'Contact Us' section for details.

#### ***3.16.2 Mediation Services***

We provide a successful mediation service with specially trained mediators who are skilled in helping neighbours and other people in dispute to discuss and resolve differences. Mediators will not take sides or tell you how to sort it out but will help you and your neighbour to communicate in a safe and controlled environment to reach agreements that will work for you. See 'Mediation Service' in the 'Contact Us' section.

#### ***3.16.3 F.I.R.S.T***

Falkirk Investigation Response and Support Team (FIRST) responds to serious and persistent antisocial behaviour. The team will work alongside a range of services, including the Neighbourhood offices, support services and Police Scotland to seek a resolution to instances of antisocial behaviour. We are committed to protecting your right to peaceful enjoyment of your home and will use legal powers, if necessary, to do so.

#### ***3.16.4 Noise***

We can deal with noise nuisance from domestic sources using powers under the Antisocial Behaviour etc. (Scotland) Act 2004, and the Environmental Protection Act 1990 (Statutory Nuisance), regardless of the tenure of the property. The powers available to enforce permitted noise levels include Warning Notices, seizure of equipment, Abatement Notices and Fixed Penalty Notices. See the 'Contact Us' section for details.

See also “*Pets*” and “*Community Safety Team*”.

### ***3.17 Parking***

The parking of a vehicle, caravan, trailer, or other property belonging to the tenant or anyone living with them or anyone visiting them is not permitted on any land or road owned by the Housing Service unless:

- That land has been designated for parking or storage (this includes driveways and hard standing areas in the curtilage of the property); or
- That written permission has been given by the Council;
- It is an adopted public road; and
- That the vehicle does not cause a nuisance or annoyance to neighbours.

### ***3.18 Permissions for alterations or improvements***

Part 5.19 of Falkirk Council’s Scottish Secure Tenancy Agreement states that, “If you want to:

- Alter, improve or enlarge the house, fixtures or fitting;
- Add new bathrooms or fittings (for example kitchen or bathroom installations, laminated flooring, central heating, or other fixed heaters, double glazing, or put up any kind of aerial or satellite dish outside the house);
- Put up a garage, shed, or other structure; or
- Decorate the outside of the house.

You must get our permission in writing first. We will not refuse permission unreasonably. We may grant permission with conditions including conditions as to the standard of work.

Part 5.20: if you have made alterations and improvements with our permission, you may be entitled to compensation at the end of your tenancy under regulations governing these arrangements. We also have the power, even if you don’t qualify under these regulations, to make a discretionary payment.

Part 5.21: if you make any alterations or improvements without our permission, we are entitled to restore the house to its previous condition during, or at the end of your tenancy. If we do so, we are entitled to charge you for this work.

### ***3.19 Pest control and vermin***

A Council pest control service is available to all households in the Council area. Pest Control Services can be accessed using the details in the ‘Contact Us’ section.

Council tenants have a responsibility to report any infestations or to the Housing Service. No charges will be payable for this service.

### **3.20 Pets**

Housing Services aim to respond to all requests from Council tenants to keep pets within 28 days. It is the tenants' responsibility to request permission to keep a pet. We will not unreasonably refuse permission. When making a decision on whether to give or remove permission to keep a pet, we will take into account all relevant circumstances in order to reach a reasonable decision. This may include any relevant Scottish Government guidance on animal welfare.

Where we receive complaints about nuisance caused by pets, or where they have caused damage to Council homes, we will investigate them and take appropriate action. We will act to enforce tenancy conditions through court action, after offering relevant advice and assistance, if the tenant does not co-operate.

Where barking dogs are causing a noise nuisance we will write to the owner of the dog advising that a complaint has been made and giving them information on how to prevent excessive barking. It is also possible for this type of noise to be dealt with under the Antisocial Behaviour (Scotland) Act 2004. Complainants will also be sent details of how to apply to the District Court under the Civic Government (Scotland) Act 1982 for an Order to prevent the noise, should the barking continue. The Environmental Protection Unit can be contacted for more information.

See also: "*Dogs*"

### **3.21 Playparks**

All playparks on Council land are inspected and litter picked on a weekly basis. Regular Health & Safety inspections are also carried out. We carry out condition surveys of all play areas so that we can implement our Playground Improvement Programme on a priority basis. Enquiries about play parks can be made to our Grounds Maintenance service

### **3.22 Refuse disposal and recycling**

We will ensure that appropriate refuse collection facilities are available to all households and we will inform new Council tenants about the collection days and any specific arrangements for their property. All households are responsible for making sure their refuse and recyclable materials are disposed of safely, tidily and securely in the containers provided. Enquiries about refuse and recycling can be made by contacting the Waste Strategy team.

Private landlords will be held responsible for properly disposing of refuse and recyclable materials where their tenants fail to do so.

Our Special Uplift collection services' rules and charges are detailed on our website. Special Uplifts can be requested online, by telephone or by email (see the 'Contact Us' section).

### ***3.23 Street Lighting & Signage***

We recognise the importance of effective street lighting and signage to the quality of the neighbourhood environment. Street lighting faults can be reported during office hours and emergencies such as dangerous columns or exposed wiring can be reported out with hours. Callers should give the location, any identifying number on the apparatus and the nature of the fault. See the 'Contact Us' section for details.

### ***3.24 Trees***

Trees provide significant benefits to the character and quality of our neighbourhood environment. Responsibility for the maintenance of trees normally lies with the land owner, however Council tenants are responsible for any trees that they, or their family, plant within their gardens. Council tenants can contact their local office with any enquiries about trees in their area. A useful guide for all householders "[\*You and Your Trees: A Householders Guide to Protected Trees and Common Neighbourhood Tree Problems\*](#)" is available from the Planning & Environment team within Development Services. See the 'Contact Us' section for details.

### ***3.25 Neighbourhood Agreements***

Due to the Scottish Social Housing Charter and the need to introduce a Falkirk Standard, Neighbourhood Agreements will be included within the Falkirk Standard. Falkirk Standard will be brought for Committees approval in a separate paper once the baseline levels have been published by the regulator.

#### 4. Service Standards

We have agreed the following Estate Management Service Standards, in consultation with local tenants, Registered Tenants & Residents' Organisations (RTO's) and other residents:

Working in partnership, Falkirk Council will:

1. Invite Council tenants and other residents to at least one Estate Walkabout per year, in each neighbourhood containing Council housing
2. Publish the outcomes of Estate Walkabouts after they take place, in Neighbourhood Plans
3. Provide guidance if residents ask for help to arrange a community Litter Clean-Up as outlined in the Council's Community Litter Plan 2012-15.
4. Offer support and take appropriate action to make sure tenants maintain common parts and gardens
5. Respond to complaints of Antisocial Behaviour within 2 working days
6. Tell you how quickly we will deal with graffiti, fly-tipping, special uplifts and abandoned vehicles, and also tell you whether we are meeting these targets, on our website
7. Consult tenants, Registered Tenants and Residents Organisations and other interested people about any proposed changes to the management or design of common areas in their neighbourhood.
8. Publish information about how we have worked in partnership with other services and agencies to improve each area in our Neighbourhood Plans

**Policy review date:**

28 August 2014, or as required by legislation.

## Contact Us

### **Antisocial Behaviour Helpline**

Contact us 24 hours a day, 7 days a week, on FREEPHONE 0808 100 3161.

### **Bandeath Stray Dog Shelter**

Unit 70  
Bandeath Industrial Estate  
Throsk  
Stirling  
Telephone: 01786 812908

### **Community Safety Team**

#### **Estates Management**

Corporate & Neighbourhood Services  
Falkirk Council  
Earls Road  
Grangemouth  
FK3 8XD  
Telephone: 0808 100 3161  
Email: [contactcentre@falkirk.gov.uk](mailto:contactcentre@falkirk.gov.uk) .

### **Complaints**

Falkirk Council  
Municipal Buildings  
West Bridge Street  
Falkirk  
FK1 5RS  
Telephone: 01324 506400  
Email: [contactcentre@falkirk.gov.uk](mailto:contactcentre@falkirk.gov.uk),  
Alternatively you can visit any One Stop Shop or write to the service concerned.

### **Environmental Protection Unit**

Development Services  
Abbotsford House  
David's Loan  
Falkirk  
FK2 7YZ  
Telephone: 01324 504982 or 0808 100 3161  
Email: [envhealth@falkirk.gov.uk](mailto:envhealth@falkirk.gov.uk) .

### **F.I.R.S.T (Falkirk Investigation Response and Support Team)**

Corporate & Neighbourhood Services  
Falkirk Council  
The Forum,  
Callendar Business Park  
Falkirk  
FK1 1XR  
Telephone: 01324 593700  
Email: [mediation@falkirk.gov.uk](mailto:mediation@falkirk.gov.uk)

**Graffiti Removal**

Estates Management (address above)  
Telephone: 01324 503232  
Email: [contactcentre@falkirk.gov.uk](mailto:contactcentre@falkirk.gov.uk) .

**Grounds Maintenance**

Estates Management (address above)  
Telephone: 01324 504600  
Email: [grounds.maintenance@falkirk.gov.uk](mailto:grounds.maintenance@falkirk.gov.uk)

**Litter Strategy Team**

Estates Management (address above)  
Telephone: 01324 504433  
Email: [litterzone@falkirk.gov.uk](mailto:litterzone@falkirk.gov.uk);  
Or visit the 'litterzone' section on our website at [www.falkirk.gov.uk](http://www.falkirk.gov.uk)

**Mediation Service**

Corporate & Neighbourhood Services  
Falkirk Council  
The Forum,  
Callendar Business Park  
Falkirk  
FK1 1XR  
Telephone: 01324 593700  
Email: [mediation@falkirk.gov.uk](mailto:mediation@falkirk.gov.uk)

**Pest Control & Dog Warden Service**

Estates Management (address above)  
Telephone 01324 504981  
Email: [contactcentre@falkirk.gov.uk](mailto:contactcentre@falkirk.gov.uk) .

**Planning & Environment**

Development Services (address above)  
Telephone: 01324 504950  
Email: [planenv@falkirk.gov.uk](mailto:planenv@falkirk.gov.uk).

**Private Sector Housing Section**

Falkirk Council  
The Forum,  
Callendar Business Park  
Falkirk  
FK1 1XR  
Tel: 01324 590797  
Email: [privatesector.housing@falkirk.gov.uk](mailto:privatesector.housing@falkirk.gov.uk)  
Or visit: [www.falkirk.gov.uk/privatesectorhousing](http://www.falkirk.gov.uk/privatesectorhousing)

**Sharps / Syringes**

Telephone: 01324 504411  
Emergency out with normal working hours: 01324 503050

**Special Uplifts**

Estates Management (address above)

Telephone: 01324 504411

Email: [contactcentre@falkirk.gov.uk](mailto:contactcentre@falkirk.gov.uk) .

**Street Lighting & Signage**

Telephone: Clarence on freephone 0800 232323.

Out-with office hours emergency: 01324 503050

Street signage Telephone: 01324 504950

Email: [roads.ds@falkirk.gov.uk](mailto:roads.ds@falkirk.gov.uk).

**Waste Strategy - Refuse & Recycling**

Dalgrain Depot

McCafferty Way

Grangemouth

FK3 8EB

Telephone: 01324 504444

Email: [contactcentre@falkirk.gov.uk](mailto:contactcentre@falkirk.gov.uk)

**We have 7 Local One Stop Shops / Housing Offices****Bo'ness One Stop Shop**

24a East Pier Street

Bo'ness

EH51 9AB

Telephone: 01506 77 88 99

Email: [housing.boness@falkirk.gov.uk](mailto:housing.boness@falkirk.gov.uk)

**Camelon One Stop Shop**

256 Main Street

Camelon

FK1 4DY

Telephone: 01324 503640

Email: [housing.camelon@falkirk.gov.uk](mailto:housing.camelon@falkirk.gov.uk)

**Dawson One Stop Shop**

Dawson Centre

David's Loan

Falkirk

FK2 7RG

Telephone: 01324 501450

Email: [housing.dawson@falkirk.gov.uk](mailto:housing.dawson@falkirk.gov.uk)

**Denny One Stop Shop**

Carronbank House

Carronbank Crescent

Denny

FK6 6GA

Telephone: 01324 504050

Email: [housing.denny@falkirk.gov.uk](mailto:housing.denny@falkirk.gov.uk)

**Falkirk One Stop Shop**

Unit MSUI

Callendar Square

Falkirk  
FK1 1ZF  
Telephone: 01324 506868

Email: [housing.falkirk@falkirk.gov.uk](mailto:housing.falkirk@falkirk.gov.uk)

**Grangemouth One Stop Shop**

5 York Lane  
Grangemouth  
FK3 8BD  
Telephone: 01324 504550

Email: [housing.grangemouth@falkirk.gov.uk](mailto:housing.grangemouth@falkirk.gov.uk)

**Stenhousemuir One Stop Shop**

398 Main Street  
Stenhousemuir  
FK5 3JR  
Telephone: 01324 503340

Email: [housing.stenhousemuir@falkirk.gov.uk](mailto:housing.stenhousemuir@falkirk.gov.uk)

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**Appendix 1**

**Falkirk Council Estate Inspection Proforma**

<b>Location:</b>	<b>Date:</b>
<b>Officers Attending:</b>	<b>Signed:</b>
<b>Members Attending:</b>	<b>Signed:</b>
<b>Tenants / Other Residents Attending:</b>	<b>Signed:</b>

**Areas to Cover in Estate Inspection (Please Tick Each Area Once Checked)**

PATHS	DRYING AREAS	ROADWAYS	LIGHTING	GRASSED AREAS
PARKING AREAS	ALLEYWAYS	BOUNDARY FENCING	BOUNDARY WALLS	DITCHES
GARAGE AREAS	TREES/SHRUBS	FLATS INTERNAL AREAS	FLATS EXTERNAL AREAS	OTHER

**Number of Problems Per Area (Please Note Down the Total Number of Problems Per Area Use Table on Next Page to Note Individual Problems)**

PATHS	DRYING AREAS	ROADWAYS	LIGHTING	GRASSED AREAS
PARKING AREAS	ALLEYWAYS	BOUNDARY FENCING	BOUNDARY WALLS	DITCHES
GARAGE AREAS	TREES/SHRUBS	FLATS INTERNAL AREAS	FLATS EXTERNAL AREAS	OTHER

<b>Location</b>	<b>Problem</b>	<b>Action Required</b>	<b>Who is Responsible</b>	<b>Date Passed for Action</b>	<b>Date Action Taken By</b>	<b>Date Action Completed</b>	<b>Comments</b>

DRAFT

**FALKIRK COUNCIL**

**Subject: STRATEGIC HOUSING INVESTMENT PLAN & COUNCIL HOUSE  
NEW BUILD**  
**Meeting: EXECUTIVE**  
**Date: 6 August 2013**  
**Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

**1. INTRODUCTION**

- 1.1 This report provides an update in relation to progress with affordable housing projects as part of the Council's Strategic Housing Investment Plan (SHIP). In addition, the report provides details of project proposals to form a 2015-2018 Strategic Local Programme to be submitted to the Scottish Government.

**2. BACKGROUND**

- 2.1 The Local Housing Strategy (LHS), the Local Development Plan (LDP) and, specifically, the SHIP are the key statements of housing development priorities in the Local Authority area and guide the application of Government (and other) funding for new Council house building, as well as Registered Social Landlord (RSL) development for both rent and low cost home ownership. The Council has submitted a Strategic Housing Investment Plan (SHIP) to the Scottish Government annually since 2007.
- 2.2 The preparation of the SHIP is undertaken reflecting guidance from the Scottish Government, prioritising investment based on a range of factors including relative need, land availability and development constraints. The LHS and SHIP seek to ensure a twin track approach is in place at a local level to ensure the money available is spent to best effect.
- 2.3 The SHIP is developed through partnership working within Corporate and Neighbourhood Services, Development, Social Work and Finance Services. In addition, external partners particularly RSLs who sit on the local RSL Forum are also involved.
- 2.4 In May 2012 the Scottish Government issued the Resource Planning Assumptions (RPAs) for each local authority area. Falkirk Council's allocation for the Affordable Housing Supply Programme was confirmed as £9.194m for the period 2012/13-2014/15. This allocation included a significant carry forward of £6.465m for year 1 (2012/13), leaving £2.728m for new projects for both RSL and Council new build for years 2 and 3 (2013/14 and 2014/15).
- 2.5 The £9.194m budget for 2012-15 is well below the funding allocated to Falkirk compared with previous years funding e.g.: in the period 2008/11 the total programme spend equated to £20.521m, meaning the allocation for 2012-15 represents a 55% reduction in funding.

2.6 In addition to the issuing of the RPAs, the Scottish Government announced a requirement for local authorities to provide a Strategic Local Programme (SLP), listing projects prioritised in the SHIP which could form a three year development programme with a requirement for the programme to be completed by March 2015. Approved SLPs are required to be submitted annually to the Scottish Government

2.7 The 2012-15 SLP aims to utilise the allocation of Affordable Housing Supply Programme resources to best effect and at current subsidy levels supports the construction of around 86 units. The key projects of Falkirk Council's SLP are outlined as follows:

- Merchiston, Falkirk - Phase 2 (Falkirk Council) 27 units
- Auchincloch, Banknock (Link Group) 30 units
- Glenfair Nursery, Camelon (Falkirk Council) 10 units
- Denny Police Station (Falkirk Council) 9 units
- Tinto Drive, Grangemouth (Falkirk Council) 10 units  
(part funding of full site development of 56 units)

**TOTAL 86 units**

### 3. COUNCIL HOUSE NEW BUILD

3.1 Members will be aware of the Council's on-going programme of new-build. A total of 132 new properties have now been built. Work is also progressing in respect of 3 further sites at old Maddiston Primary school; old St Mungo's High school (Ph1) and Summerford, Falkirk. In total, a further 104 properties will be built on these sites.

3.2 As outlined in paragraph 2.7 above, the SLP identifies a further 4 Council new build projects. Whilst these projects will attract Scottish Government funding (£1.68m), the Council will require to meet the balance of costs of c£8.9m in respect of these projects. Funding is contained within the 3 year HRA capital programme for these projects and also the new build development on the full site of the old Grangemouth High school (Tinto Drive) i.e.: 56 units.

3.3 In summary, a total of 338 units will have been provided by the Council since the start of the new build programme. Of which, 132 have been completed and a further 206 are planned to be completed by 2015.

3.4 Members will be aware of the Housing Need and Demand Assessment which identified an annual shortfall in affordable housing of 233, which 100 should be met through new build affordable housing units over the next ten years. Therefore, notwithstanding the limitations on government financing, there is a clear need to consider the potential to continue to provide additional affordable housing to help meet the identified housing need going forward.

3.5 Two key considerations require to be made in continuing a new build programme i.e.: site availability/feasibility and affordability. In terms of site availability/feasibility, Members will be aware of the on-going site appraisal work previously reported to Committee. 9 potential sites were identified as potential further new build opportunities.

3.6 As agreed by Housing and Social Care Committee in August 2012, further work has been undertaken on the feasibility and affordability of these sites. In summary, the appraisal work has identified the following:

- Restricted government funding available
- Significant additional costs in terms of site acquisition and developer contributions required
- Development on the 9 sites would cost approximately £50m i.e.: an average unit cost of c£131,000
- Housing Charter necessitates that HRA funds are utilised in the best interests of all tenants. High development costs will require increased rent levels across all tenants
- Planning and school capacity issues to be addressed
- Topography and other physical site constraints

3.7 Taking the above factors into account, it is proposed that the sites are progressed as follows:

Potential Site	Approach	Comment
Seabegs, Road, Bonnybridge	Private	Development of site would be costly and is likely to cause future infrastructure problems. Capital receipt assumed in GS Capital Programme of £1m
Denny High School	Private/HRA	Site provides opportunity for large scale development of various marketing strategies of affordable mixed tenure housing. Site could be marketed for private residential use, with Council consideration on purchase of affordable housing provision element
Stenhousemuir Police Station	HRA	Highest demand sub area with greatest need for affordable housing. Prime town centre location close to amenities. Low build cost, with additional funding available via earmarked S75 consent. <i>Include in 2015-18 SLP</i>
Falkirk High School	Private	Highly desirable area making this a prime site for private development, with the potential to generate a capital receipt.

Torwood Primary School	Private	A range of constraints and development costs in relation to the site. Site suited for less densely built private development and thereby generate capital receipt.
California Road, Maddiston	Private/Alternative use	Further development in area would cause additional pressures with regard the capacity and provision of local education, community facilities and infrastructure.
Oxgang Road, Grangemouth	Alternative Use	Potential site for new school
Denny Town Centre Sites 1 & 2	HRA (site 1 only) Private (site 2)	Include site 1 in 2015-18 SLP, as part of the Denny Town Centre regeneration. This would assist in addressing the shortfall of affordable housing in the Denny/Bonnybridge sub area for a growing population with particular housing requirements. Site 2 to be marketed for private development to increase tenure diversification
The Rumlie, Slamannan	Private/Alternative use	Due to topography, site constraints and loss of current open space, development of this site would be financially prohibitive in an area with low demand.

- 3.8 It is proposed that those sites which are identified as not progressing as housing development are either marketed or identified for another use.
- 3.9 In recognising the difficulties and costs of development on Council owned sites, consideration has been given to the potential of purchasing new homes, as part of the affordable housing element of private home developments. In particular, consideration to this approach has been given as a means of assisting the marketing and pump priming of sites e.g.: the Denny High School site and various SIRR projects. Whilst, specific acquisition prices would require to be negotiated in respect of each development, an indicative cost in the region of £100,000 is considered a reasonable assumption. Acquisition would be subject to District Valuer assessment and would provide a more viable option, due to higher costs associated with development on Council sites, the planning and other development constraints on the sites and the opportunity to provide more mixed developments. Following more detailed appraisal work, a further report on this approach will be provided to Members for their consideration.
- 3.10 Consideration of acquiring privately owned land for Council house development has also been identified as another approach to meeting housing need. Currently no approval is in place for such an approach. Should Members be minded to consider this as an option, further consideration of factors such as acquisition costs; site selection criteria and planning and development risks would be required. The over-arching consideration would be one of whether such an approach would be best value to tenants. It is considered that

similar issues and costs would be applicable to private site acquisition, as those identified in paragraph 3.6 above.

#### 4. STRATEGIC LOCAL PROGRAMME 2015 - 2018

- 4.1 The Scottish Government advised the resource planning assumptions for 2015–2018 in March 2013. A total of £5.545m of funding was identified to support the supply of additional affordable housing, over the 3 year period 2015-18. A Strategic Local Programme (SLP) for 2015-18 now requires to be submitted to the Government aligned to the identified funding. Subsequently in July 2013 the Scottish Government advised that benchmark grants for new build social rented properties had been raised by £16,000 per unit for new build social rented units i.e.: to £46,000 per unit. The Scottish Government also advised at this time that an additional £0.691 million has been added to the resource planning assumption for years 2012-15.
- 4.2 In considering the SLP 2015-18, consideration has also been given to the utilisation of 2<sup>nd</sup> Homes Council Tax monies and also Affordable Housing Policy Contributions received by the Council. A total of £1.774m is available from these sources to further support funding of new affordable homes. It is proposed to utilise these monies to potentially support the acquisition of new homes, as outlined in para 3.9 above and where necessary top-up funding on RSL developments to ensure the delivery of specific projects.
- 4.3 Following consideration of the project proposals advised by RSL's and also by the Council and subsequent evaluation against criteria outlined in the SHIP, the following projects have been identified for inclusion in the SLP. The projects detailed below are based on preliminary design options. Further detailed design work and appropriate local consultation on design options will however be required before finalisation.

##### Strategic Housing Investment Plan 2013/14 to 2017/18

Year	PROJECT	UNIT NO'S	FUNDING
1 and 2	Merchiston Avenue, Falkirk - Falkirk Council	27	£810,000
1 and 2	Auchincloch Banknock	30	£1,615,409
1 and 2	Glenfair Nursery	10	£300,000
1 and 2	Denny Police Station	9	£270,000
1 and 2	Tinto Drive, Grangemouth	56	£1,165,591
1 and 2	Canal Walk, Bonnybridge	28	£795,000
1 and 2	Bellsdyke Phase 3	28	£1,056,000
Total 1 and 2		188	£6,012,000
3	Stenhousemuir Police Station (Falkirk Council)	15	£450,000
3	Carrick Place (WESLO)	20	£1,160,000
3	Denny Town Centre – Site 1 (Falkirk Council)	18	£828,000
3	Seaview Place, Bo,ness (Falkirk Council)	3	£90,000
Total 3		56	£2,528,000
4 and 5	Westquarter (Hanover)	14	£812,000
4 and 5	Bellsdyke Phase 4 (Link)	32	£1,240,000

4 and 5	Falkirk Road, (former Bonnybridge hospital) Bonnybridge (Link)	24	£1,056,000
4 and 5	Buy backs	3	£85,000
Total 4 and 5		73	£3,193,000
<b>Overall</b>	<b>TOTAL</b>	<b>317</b>	<b>£11,733,000</b>

4.4 Reference will also be made in the SLP for buy-back funding, as a potential slippage project. This approach will enable additional buy-back acquisitions to be funded, should there be slippage with SLP projects or where potential additional Scottish Government funding announcements are not sufficient to deliver full projects. In addition, other projects have also been identified as potential slippage projects within the SLP, these are:

- *Glenburn Road Hallglen, Loretto*
- *Williamson Street Falkirk*

## 5. CONCLUSIONS

5.1 Provision of additional affordable homes continues to be a priority, in light of the continued demand for affordable housing. Additional affordable homes are provided via a number of routes including:

- Direct provision by the Council and RSL's
- National Housing Trust (NHT) initiative
- Buy-back of former Local Authority homes

5.2 Notwithstanding the financial constraints associated with provision of additional homes, the following summarises the position in terms of the SLP 5 year period 2013-2018:

- 104 Council new build homes in progress (para 3.1)
- 317 Council & RSL new build homes 2013-18 (para 4.3)
- 27 homes provided through NHT development
- 100 buybacks by end of 2014/15 (based on 2 year approved programme)

5.3 A total of approximately 548 additional homes are therefore planned to be delivered by 2017/18.

5.4 In addition, there are also sites which may come forward before 2017/18 through the Affordable Housing Policy, of these 3 already have planning applications recommended for approval by the Council subject to reaching a legal agreement.

**6. RECOMMENDATIONS**

It is recommended that the following is considered:

- 6.1 Agree the approach proposed to future development of Council new build outlined in paragraph 3.7
- 6.2 Agree the SLP detailed in paragraph 4.3

.....  
**DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

**FALKIRK COUNCIL**

**Subject: BEREAVEMENT SERVICES POLICIES & SERVICE STANDARDS  
(INCLUDING CEMETERIES CAPACITY)**  
**To: EXECUTIVE COMMITTEE**  
**Date: 29 July 2013**  
**Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

**1. BACKGROUND**

- 1.1 Council considered a report relating to the remaining capacity of its 9 operational cemeteries on 26 June 2013. The report alerted council to the depletion of available burial space in council cemeteries and the need to develop extensions to current cemeteries and/or new cemeteries.
- 1.2 Council approved the policy of temporarily ceasing the advanced purchase of burial lairs, at all sites where demand causes the cemetery to have less than 10 years remaining capacity (at the prevailing rate of advanced lair purchases).
- 1.3 Council also recognised the limited remaining capacity of currently active cemeteries and the intent to search for, secure and develop suitable sites, which may take up to 10 years depending upon location and circumstances.
- 1.4 Whilst Council agreed to adopt the new policy of temporary cessation of advanced lair purchases, it did so in the recognition of the need to refer the longer term approach to the provision of cemetery space to the Executive. The Council decision then was to ask the Executive to set up a Policy Development Panel, to develop this issue and other policies covering the council's cemeteries and crematoria.
- 1.5 It is expected that the Policy Development Panel would develop and scrutinise draft policies, which will be proposed in order to address a number of issues relating to cemeteries. These would include needed projects to acquire and develop land to provide additional burial space, cemetery rules (e.g. headstone size and other practices), and other policy requirements deemed necessary by the Policy Development Panel. In addition there are a range of issues affecting the council's future crematoria provision and the need to review associated policies.

**2. RECOMMENDATION**

- 2.1 It is recommended that the Executive approve the setting up of a Policy Development Panel to develop policies covering the council's cemeteries and crematoria.
- 2.2 Members are asked to consider the size and composition of the Policy Development Panel.

.....  
**DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

Date: 8 July 2013

Ref: AAP0713

Contact Name: John Paterson, Head of Operational Services

**LIST OF BACKGROUND REPORTS**

Council Report 26 June 2013, Subject Cemeteries Capacity.

**FALKIRK COUNCIL**

**Subject :** SPEND TO SAVE PROPOSALS  
**Meeting :** EXECUTIVE  
**Date:** 6 August 2013  
**Author :** CHIEF FINANCE OFFICER

**1. INTRODUCTION**

1.1 This report lists various Spend to Save projects proposed by Services and Falkirk Community Trust for consideration by Members.

**2. BACKGROUND**

2.1 Members will recall that at the meeting of Falkirk Council on 5 December 2012, it was agreed that a sum of £2m be transferred from general fund reserves to fund spend to save initiatives. At the Executive meeting on 18 June 2013, it was agreed to set aside a further sum of £1.5m for the same purpose.

2.2 In my Reserves Strategy Updates to Council on 5 December 2012 and to Policy and Resources Committee on 12 February 2013, it was noted that there was the prospect of using a large part of the Economic Development Reserve to fund lease buy outs (e.g. at Central Park). The balance on this Reserve at 31 March 2013 is £2.151m.

**3. PROJECTS APPROVED TO DATE**

3.1 Several schemes have already been approved by Members as noted below:

<u>Scheme</u>	<u>Funding £'000</u>	<u>Annual Budget Saving £'000</u>	<u>Payback Period</u>	<u>Approved by</u>
Refreshing the Teaching Profession I	300	300	1	Council 13/02/13
Municipal Buildings Alarm	160	42	4	Council 13/02/13 Executive 18/06/13
9 Central Park Lease Buy Out *	1,500	461	3.25	Council 06/03/2013
5 Central Park – Lease Buy Out *	300	80	3.75	P&R 13/11/12
	2,260	883		

\* Members should note that lease buyout payments have now been made.

3.2 Taking the transfers to the fund totalling £3.5m and deducting from that sum, the cost of what has been approved to date (£2.26m), this would leave a sum of £1.24m available for use prior to any usage of the Economic Development Fund.

3.3 Given that £1.8m of cost has been incurred on lease buyouts and that this Reserve was established to cover the risk on these lease deals, it is recommended that a sum of £0.800m is used from the Economic Development Reserve to assist in financing this cost. If so agreed, this would provide an amount available to fund future projects at £2.040m.

**4. PROPOSED SCHEMES**

4.1 The following schemes have been costed and proposed by Services and are summarised below.

<u>Funding Requested</u> <u>£'000</u>	<u>Annual Saving</u> <u>£'000</u>	<u>Payback Period</u>
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4.2 Falkirk Community Trust – Health & Fitness Facility

The Trust is requesting a sum of £1m to allow it to develop a health and fitness suite located in either a vacant retail unit in Stenhousemuir or at Falkirk Community Stadium (preferred option). The proposal demonstrates the Trust's commitment to delivering quality services to the community, supporting and improving their general health and well being, whilst generating additional income to meet their longer term objective of protecting community services, a key benefit anticipated by the establishment of the Trust.

An initial business case identifying a gap in the market has been produced by the Trust with assistance from three commercial companies. It is attached as an appendix to this report but is exempt from publication on the basis that it contains information relating to the financial and business affairs of an arms length company. Development Services (who were not initially approached due to time constraints) think the costs may be a bit 'light' however the Trust do not wish to commission further works until a decision in principle is made by the Council on funding.

Estimated surpluses are around £350,000 per annum after the first year. Further dialogue will need to be entered with the Trust to determine the appropriate manner in which the surpluses will be dealt with between the Council and the Trust. This could include looking at a combination of reduced service payments and earmarking surpluses for much needed reinvestment in the assets utilised by the Trust.

1,000	350	3
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The Trust is keen to pursue this development and is considering alternative financing arrangements if the request for funding is not accepted by the Council.

	<u>Funding Requested</u> £'000	<u>Annual Saving</u> £'000	<u>Payback Period</u>
4.3 <u>Central Park – Lease Buyout</u> The company wishes to buy the property at Central Park which requires the Council to buy out the existing head lease. The cost of the buy-out is £0.690m, saving the Council the annual rental of £0.230m, giving a 3 year payback.  A separate report is included on today's agenda which gives further details of this proposal and the decision on this proposal will fall to be taken when that report is considered.	690	230	3
4.4 <u>Refreshing the Teaching Profession II</u> Following the successful implementation of Phase I as approved by Council as part of the 2013/14 Revenue Budget which resulted in 36 offers of severance being made, a proposal has now been made to make offers under Phase II to a further 20 staff. Although the level of these savings from the 20 staff will be lower than that achieved under Phase I they nonetheless will deliver a good return on the initial investment of £0.125m	125	125	1
4.5 <u>Street Lighting</u> The largest saving in the lighting energy budget can be achieved by reducing the wattage in our highest rated lamps from 250 watts to 150 watts on main traffic routes. The lighting levels will still comply with BS 5489 albeit at a lower level. With regards to road safety and potential insurance claims against the Council, this proposal is compliant with BS5489 in relation to the required lighting levels for the classification of road.  The cost of converting/replacing the lanterns is £225k achieving savings of £0.097m.	225	97	3
<b>Total costs and savings</b>	<b>2,040</b>	<b>802</b>	
4.6 If all these schemes were approved by Members, the full amount of the Spend to Save Reserve would be utilised as follows:			
<u>Funds</u>	<b>£'000</b>		
Spend to Save Reserve	3,500		
Transfer from Economic Development Reserve	800		
	<u>4,300</u>		
<u>Projects</u>			
Previously approved	2,260		
Proposed in this paper	2,040		
	<u>4,300</u>		
Balance	<u>-</u>		

## **5. CONCLUSION**

5.1 The schemes listed in Section 4 above are all worthy of consideration having a payback period of 4 years or under. If approved they will make a significant budget savings contribution for future years. Were Members to accept all the proposals in section 4, officers would bring forward proposals to replenish the Reserve once a further round of Spend to Save projects were identified.

## **6. RECOMMENDATION**

**Members are invited to:-**

- (i) consider the proposed Spend to Save schemes listed at Section 4 and in particular:-**
  - a) Determine if the Trust proposal (4.2) should be approved in principle**
  - b) Note that the Lease buyout (4.3) will be determined later in this agenda**
  - c) Determine whether the Refreshing the Profession (4.4) and Street Lighting (4.5) projects should be approved.**
- (ii) note that should Members approve the Trust proposal in principle, further engagement will be necessary to determine the location, confirmation of estimated costs and the treatment of the projected surplus.**

**Chief Finance Officer**

**Date : 9 July 2013**

### **LIST OF BACKGROUND PAPERS**

Appendix to this Report Not for publication by virtue of Paragraph 9 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.

**FALKIRK COUNCIL**

**Subject: GPS NATIONAL FRAMEWORK AGREEMENT FOR THE PROVISION OF LIQUID FUEL: OJEU 127585-2013**  
**Meeting: EXECUTIVE**  
**Date: 6 August 2013**  
**Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

**1. BACKGROUND**

- 1.1 A Framework Agreement for the Supply of Liquid Fuel is being established by Government Procurement Services (GPS). This Framework Agreement would provide the Council with access to suppliers for the bulk delivery of diesel and fuel oil by tankers to various Council depots which have fuel stores.
- 1.2 To maximise the opportunity to obtain the most competitive prices possible, GPS will use the Framework Agreement to establish call off contracts through a process of mini-competitions. These further competitions will be undertaken during August 2013 and shall be organised in lots to aggregate demand to maximise market interest. Should the Council participate, its requirement for liquid fuel would be included in a lot covering Central Scotland. In addition the mini-competition process will be by electronic auction and designed to deliver the best possible price and levels of service to the public sector.
- 1.3 Electronic auctions streamline the tendering process and, following the mini competition, participating public bodies will have two days to accept offers and establish call off contracts.
- 1.4 As the process requires offers to be accepted within a short timeframe the purpose of this report is to seek delegated powers for the Director of Corporate and Neighbourhood Services to enter into the GPS framework agreement and award call-off contracts to the best value providers on conclusion of the GPS mini-competition process.

**2. FRAMEWORK AGREEMENT FOR THE PROVISION OF LIQUID FUEL**

- 2.1 The current National Framework Agreement for the Supply of Liquid Fuel to the public sector will expire 30<sup>th</sup> September 2013. As noted above GPS will have a new framework and call off arrangement in place to cover the period 1<sup>st</sup> October 2013 to 30<sup>th</sup> September 2015.
- 2.2 Falkirk Council's current suppliers of liquid fuel are Scottish Fuels and Harvest Energy. These suppliers provide bulk deliveries of diesel and fuel oil to various depots which have fuel stores. The Council's requirement for petrol and some diesel is procured from a number of local garage forecourts and these local arrangements will not be affected by the GPS Framework Agreement.

- 2.3 Fuel storage sites support the efficient and effective fueling of the Council's fleet of vehicles and plant. In addition these fuel sites provide secure access to large volumes of stored fuel which is invaluable should there be any interruption to fuel supplies.
- 2.4 The cost to Falkirk Council for the bulk delivery of liquid fuel is estimated at approximately £2,000,000 per annum. Therefore the total estimated value of the call off contract over the 2 year period, 1<sup>st</sup> October 2013 to 30<sup>th</sup> September 2015, is approximately £4,000,000.
- 2.5 In order to meet the required timescales for the GPS mini-competitions it is recommended that the contracts for the supply of liquid fuel to Falkirk Council are accepted by the Director of Corporate and Neighbourhood Services under delegated powers. The outcome of the mini-competitions process would be reported in the next Information Bulletin.

### **3. RECOMMENDATION**

**It is recommended that Members:**

- 3.1 **Grant to the Director of Corporate and Neighbourhood Services, delegated powers to (i) enter into the GPS framework agreement and (ii) award call-off contracts under that agreement for the provision of liquid Fuels to Falkirk Council at a cost of approximately £4,000,000 for the period 1<sup>st</sup> October 2013 to 30<sup>th</sup> September 2015; and**
- 3.2 **Note that the outcome of the call-off process will be reported in the next Information Bulletin.**

.....  
**DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

Date: 17<sup>th</sup> July 2013  
Contact Name: Lesley Anderson Ext: 0836

FALKIRK COUNCIL

**Subject: ACCEPTANCE OF TENDERS OVER £350,000 IN VALUE  
CONTRACT FOR GAS HEATING REPLACEMENT TO COUNCIL  
HOUSING PROPERTIES IN THE FALKIRK AREA (VAR-7077E PHASE 5)**  
**Meeting: EXECUTIVE**  
**Date: 6 AUGUST 2013**  
**Author: DIRECTOR OF DEVELOPMENT SERVICES**

**1. INTRODUCTION**

- 1.1 Members will recall the decision of the Policy and Resource Committee meeting on 04 September 2012 to approve acceptance of the tenders for gas heating replacement to council housing properties in the Falkirk area (VAR-7077) as part of a framework agreement to Falkirk Council and to authorise the award of the call-off contracts, providing they were within the overall budget defined within the framework agreement.
- 1.2 The third call-off tender was issued to McTear Contracts Limited, Wishaw. They were the first placed contractor on the approved framework agreement list.

**2. TENDERS RECEIVED**

- 2.1 The tender was received by the due date of 27 March 2013 and opened at 2.15pm on 22 May 2013 in accordance with Standing Order 11 relating to contracts.
- 2.2 The tendered price was £1,111,825.37.
- 2.3 The tender price is in line with the framework agreement, section C – pricing document and can be contained within the block expenditure figure for energy efficiency, identified in the Housing Investment 3 Year Programme 2012/2015.
- 2.4 Following the evaluation of this tender, it is considered to demonstrate best value.

**3. ACTION TAKEN**

**Members note that in terms of the decision of the Policy & Resource Committee on 04 September 2012, I have accepted the tender submitted by McTear Contracts Limited, Unit 12 Canyon Road, Netherton Industrial Estate, Wishaw ML2 0EG in the sum of £1,111,825.37 in respect of gas heating replacement to Council housing properties in the Falkirk area, contract No VAR-7077E – Phase 5.**

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**Director of Development Services**  
**27 May 2013**  
Contact Officer: Robin Millard

## **LIST OF BACKGROUND PAPERS**

1. \*Tender documents
2. \*Tender Report
3. List of Addresses

\*Item not for publication on the grounds that it involves the disclosure of exempt information as defined in paragraph 8 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

## LIST OF ADDRESSES

25	Cadzow Crescent	Boness
33	Cadzow Crescent	Boness
49	Cadzow Crescent	Boness
41	Clydesdale St	Boness
62	Clydesdale St	Boness
4	Dean Rd	Boness
6	Dean Rd	Boness
8	Dean Rd	Boness
16	Dean Rd	Boness
51c	Dean Rd	Boness
51d	Dean Rd	Boness
6	Drum Rd	Boness
17	Drumacre Rd	Boness
22	Drumacre Rd	Boness
23	Drumacre Rd	Boness
24	Drumacre Rd	Boness
25	Drumacre Rd	Boness
31	Drumacre Rd	Boness
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55	Drumacre Rd	Boness
57	Drumacre Rd	Boness
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19	Brown St	Camelon
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38	Brown St	Camelon
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41	Brown St	Camelon
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43	Brown St	Camelon
44	Brown St	Camelon
45	Brown St	Camelon
3	Carmuir's Avenue	Camelon
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229	Carmuir Avenue	Camelon
234	Carmuir Avenue	Camelon
239	Carmuir Avenue	Camelon
1	Carmuir Drive	Camelon
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3	Carmuir Drive	Camelon
5	Carmuir Drive	Camelon
16	Carmuir Drive	Camelon
22	Carmuir Drive	Camelon
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42	Carmuir Drive	Camelon
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54	Carmuir Drive	Camelon
62	Carmuir Drive	Camelon
68	Carmuir Drive	Camelon
70	Carmuir Drive	Camelon
74	Carmuir Drive	Camelon
2	Carmuir St	Camelon
12	Carmuir St	Camelon
14	Carmuir St	Camelon
28	Carmuir St	Camelon
30	Carmuir St	Camelon
13	Carnegie Drive	Camelon
35	Carnegie Drive	Camelon
1	Davaar Place	Camelon
3	Davaar Place	Camelon
13	Davaar Place	Camelon
2	Fairlie Drive	Camelon
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56	Fairlie Drive	Camelon
58	Fairlie Drive	Camelon
2	Fairlie Gardens	Camelon
4	Fairlie Gardens	Camelon
5	Fairlie Gardens	Camelon
7	Fairlie Gardens	Camelon
5	Fairlie St	Camelon
7	Fairlie St	Camelon
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34	Fairlie St	Camelon
42	Fairlie St	Camelon
44	Fairlie St	Camelon
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81	Fairlie St	Camelon
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84	Fairlie St	Camelon
86	Fairlie St	Camelon
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113	Fairlie St	Camelon
123	Fairlie St	Camelon
137	Fairlie St	Camelon
139	Fairlie St	Camelon
143	Fairlie St	Camelon
147	Fairlie St	Camelon
51	Gilchrist Drive	Camelon
110	Glasgow Rd	Camelon
116	Glasgow Rd	Camelon
120	Glasgow Rd	Camelon
130	Glasgow Rd	Camelon
132	Glasgow Rd	Camelon
134	Glasgow Rd	Camelon
142	Glasgow Rd	Camelon
146	Glasgow Rd	Camelon
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166	Glasgow Rd	Camelon
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214	Glasgow Rd	Camelon
218	Glasgow Rd	Camelon
220	Glasgow Rd	Camelon
224	Glasgow Rd	Camelon
226	Glasgow Rd	Camelon
228	Glasgow Rd	Camelon
230	Glasgow Rd	Camelon
232	Glasgow Rd	Camelon
238	Glasgow Rd	Camelon
240	Glasgow Rd	Camelon
246	Glasgow Rd	Camelon
250	Glasgow Rd	Camelon
254	Glasgow Rd	Camelon
258	Glasgow Rd	Camelon
270	Glasgow Rd	Camelon
272	Glasgow Rd	Camelon
278	Glasgow Rd	Camelon
282	Glasgow Rd	Camelon
284	Glasgow Rd	Camelon
288	Glasgow Rd	Camelon
290	Glasgow Rd	Camelon
304	Glasgow Rd	Camelon
306	Glasgow Rd	Camelon
310	Glasgow Rd	Camelon
8	Glenfuir St	Camelon
12	Glenfuir St	Camelon
13	Glenfuir St	Camelon
23	Glenfuir St	Camelon
9	Irving Court	Camelon
3	Kilbrennan Drive	Camelon
10	Kilbrennan Drive	Camelon
23	Kilbrennan Drive	Camelon
33	Kilbrennan Drive	Camelon
35	Kilbrennan Drive	Camelon
36	Kilbrennan Drive	Camelon
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72	Kilbrennan Drive	Camelon
73	Kilbrennan Drive	Camelon
76	Kilbrennan Drive	Camelon
77	Kilbrennan Drive	Camelon
79	Kilbrennan Drive	Camelon
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99	Kilbrennan Drive	Camelon
102	Kilbrennan Drive	Camelon
103	Kilbrennan Drive	Camelon
109	Kilbrennan Drive	Camelon
111	Kilbrennan Drive	Camelon
113	Kilbrennan Drive	Camelon
115	Kilbrennan Drive	Camelon
70	Maggie Wood's Loan	Camelon
74	Maggie Wood's Loan	Camelon
10	Mansionhouse Rd	Camelon
15	Mansionhouse Rd	Camelon
16	Mansionhouse Rd	Camelon
29	Mansionhouse Rd	Camelon
32	Mansionhouse Rd	Camelon
34	Mansionhouse Rd	Camelon
38	Mansionhouse Rd	Camelon
50	Mansionhouse Rd	Camelon
53	Mansionhouse Rd	Camelon
60	Mansionhouse Rd	Camelon
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73	Mansionhouse Rd	Camelon

76	Mansionhouse Rd	Camelon
81	Mansionhouse Rd	Camelon
91	Mansionhouse Rd	Camelon
22	Ross Crescent	Camelon
23	Ross Crescent	Camelon
1	St.giles Square	Camelon
7	St.giles Square	Camelon
10	St.giles Way	Camelon
15	St.giles Way	Camelon
19	St.giles Way	Camelon
22	St.giles Way	Camelon
2	Stark Avenue	Camelon
5	Stark Avenue	Camelon
6	Stark Avenue	Camelon
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27	Stark Avenue	Camelon
28	Stark Avenue	Camelon
29	Stark Avenue	Camelon
30	Stark Avenue	Camelon
38	Stark Avenue	Camelon
41	Stark Avenue	Camelon
51	Stark Avenue	Camelon
66	Stark Avenue	Camelon
70	Stark Avenue	Camelon
72	Union Rd	Camelon
74	Union Rd	Camelon
78	Union Rd	Camelon
113	Union Rd	Camelon
115	Union Rd	Camelon
117	Union Rd	Camelon
119	Union Rd	Camelon
125	Union Rd	Camelon
129	Union Rd	Camelon
131	Union Rd	Camelon
133	Union Rd	Camelon
137	Union Rd	Camelon
139	Union Rd	Camelon
149	Union Rd	Camelon
153	Union Rd	Camelon
155	Union Rd	Camelon
157	Union Rd	Camelon
159	Union Rd	Camelon

1	Wall Gardens	Camelon
2	Wall Gardens	Camelon
4	Wall Gardens	Camelon
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16	Wall Gardens	Camelon
12	Wall St	Camelon
13	Wall St	Camelon
18	Wall St	Camelon
32	Wall St	Camelon
35	Wall St	Camelon
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147	Wall St	Camelon
149	Wall St	Camelon
151	Wall St	Camelon
8	Watling Drive	Camelon
11	Watling Drive	Camelon
13	Watling Drive	Camelon
26	Watling Drive	Camelon
13	Watling St	Camelon
16	Watling St	Camelon
23	Watling St	Camelon
31	Watling St	Camelon
1	Wilson Gardens	Camelon
3	Wilson Gardens	Camelon
4	Wilson Gardens	Camelon
5	Wilson Gardens	Camelon
6	Wilson Gardens	Camelon
8	Wilson Gardens	Camelon
9	Wilson Gardens	Camelon
10	Wilson Gardens	Camelon
11	Wilson Gardens	Camelon
14	Wilson Gardens	Camelon
1	Wilson Rd	Camelon
3	Wilson Rd	Camelon
4	Wilson Rd	Camelon
5	Wilson Rd	Camelon
6	Wilson Rd	Camelon
7	Wilson Rd	Camelon
8	Wilson Rd	Camelon
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12	Wilson Rd	Camelon
13	Wilson Rd	Camelon
14	Wilson Rd	Camelon
16	Wilson Rd	Camelon
18	Wilson Rd	Camelon
22	Wilson Rd	Camelon
24	Wilson Rd	Camelon
26	Wilson Rd	Camelon
28	Wilson Rd	Camelon
30	Wilson Rd	Camelon
42	Wilson Rd	Camelon
44	Wilson Rd	Camelon

46	Wilson Rd	Camelon
50	Wilson Rd	Camelon
52	Wilson Rd	Camelon

Total number of dwellings: 507No

FALKIRK COUNCIL

**Subject: CONTRACT FOR UPGRADING WORKS TO 90 RESIDENTIAL PROPERTIES, VARIOUS LOCATIONS, SLAMANNAN (FAL-7275)**  
**Meeting: EXECUTIVE**  
**Date: 06 AUGUST 2013**  
**Author: DIRECTOR OF DEVELOPMENT SERVICES**

**1. INTRODUCTION**

1.1 Tenders were issued for upgrading works to 90 residential properties in Slamannan on 2 July 2013 with a return date of 25 July 2013. The budget for this project is £1,500,000. The proposed works include energy efficient electrical central heating (where not already installed), external wall insulation and roofing works.

**2. TENDERS RECEIVED**

2.1 The evaluation process and tender acceptance recommendation of the contract will require to be undertaken following the return of the tender on 25 July 2013.

2.2 The programmed completion date for the contract of 28 March 2014 calls for the contractor to start on site at the earliest possible opportunity to maximise the available time for construction works.

2.3 In order to meet the required timescales it is therefore recommended that the Director of Development Services is authorised to award the contract outwith the committee cycle, provided it is within budget. The details of the award will be reported to Members at the earliest appropriate meeting of this Committee following the tender award.

**3. RECOMMENDATION**

Members are asked to:

3.1 Authorise the Director of Development Services to award the contract for the upgrading works to 90 properties, various locations, Slamannan provided it is within budget.

3.2 Request that the Director of Development Services report the outcome of the procurement process to the earliest appropriate meeting of the Executive Committee following the tender evaluation process.

.....  
**Director of Development Services**  
**01/07/2013**

Contact Officer: Robin Millard, Ext. 4868

**LIST OF BACKGROUND PAPERS**

1. List of Addresses

## LIST OF ADDRESSES

1	Balquhatstone Cres	Slamannan
3	Balquhatstone Cres	Slamannan
5	Balquhatstone Cres	Slamannan
7	Balquhatstone Cres	Slamannan
13	Balquhatstone Cres	Slamannan
15	Balquhatstone Cres	Slamannan
17	Balquhatstone Cres	Slamannan
19	Balquhatstone Cres	Slamannan
23	Balquhatstone Cres	Slamannan
31	Balquhatstone Cres	Slamannan
33	Balquhatstone Cres	Slamannan
37	Balquhatstone Cres	Slamannan
39	Balquhatstone Cres	Slamannan
41	Balquhatstone Cres	Slamannan
43	Balquhatstone Cres	Slamannan
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14	Balquhatstone Cres	Slamannan
16	Balquhatstone Cres	Slamannan
18	Balquhatstone Cres	Slamannan
24	Balquhatstone Cres	Slamannan
26	Balquhatstone Cres	Slamannan
289	Balquhatstone Cres	Slamannan
32	Balquhatstone Cres	Slamannan
34	Balquhatstone Cres	Slamannan
38	Balquhatstone Cres	Slamannan
48	Balquhatstone Cres	Slamannan
50	Balquhatstone Cres	Slamannan
52	Balquhatstone Cres	Slamannan
54	Balquhatstone Cres	Slamannan
56	Balquhatstone Cres	Slamannan
58	Balquhatstone Cres	Slamannan
60	Balquhatstone Cres	Slamannan
62	Balquhatstone Cres	Slamannan
66	Balquhatstone Cres	Slamannan
68	Balquhatstone Cres	Slamannan
70	Balquhatstone Cres	Slamannan
3	Castlehill Avenue	Slamannan
1	Southfield Drive	Slamannan
3	Southfield Drive	Slamannan
7	Southfield Drive	Slamannan
9	Southfield Drive	Slamannan
11	Southfield Drive	Slamannan

13	Southfield Drive	Slamannan
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35	Southfield Drive	Slamannan
37	Southfield Drive	Slamannan
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30	Southfield Drive	Slamannan
32	Southfield Drive	Slamannan
38	Southfield Drive	Slamannan
40	Southfield Drive	Slamannan
42	Southfield Drive	Slamannan
44	Southfield Drive	Slamannan
46	Southfield Drive	Slamannan
48	Southfield Drive	Slamannan
52	Southfield Drive	Slamannan
6	The Rumlie	Slamannan
8	The Rumlie	Slamannan
12	The Rumlie	Slamannan
14	The Rumlie	Slamannan
16	The Rumlie	Slamannan
18	The Rumlie	Slamannan
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22	The Rumlie	Slamannan
24	The Rumlie	Slamannan
36	The Rumlie	Slamannan
38	The Rumlie	Slamannan
40	The Rumlie	Slamannan

FALKIRK COUNCIL

**Subject: CONTRACT FOR M9 JUNCTION 6 TO EARLSGATE INTERCHANGE  
SIGNALISATION (IA0151)**  
**Meeting: EXECUTIVE COMMITTEE**  
**Date: 06 AUGUST 2013**  
**Author: DIRECTOR OF DEVELOPMENT SERVICES**

**1. INTRODUCTION**

1.1 Tenders were issued for the M9 Junction 6 to Earlsgate Interchange Signalisation on 12 July 2013 with a return date of 9 August 2013.

**2. TENDERS RECEIVED**

2.1 The evaluation process and tender acceptance recommendation of the contract will require to be undertaken following the return of the tender on 9 August 2013.

2.2 The programmed completion date for the contract is 31 March 2014 and calls for the contractor to start on site at the earliest possible opportunity to maximise the available time for construction works.

2.3 In order to meet the required timescales it is therefore recommended that the Director of Development Services is authorised to award the contract outwith the committee cycle, provided it is within budget. The details of the award will be reported to Members at the earliest appropriate meeting of this Committee following the tender award.

2.4 These works form part of the Council's proposed TIF project and any contract award would be contingent on the project going ahead.

**3. RECOMMENDATION**

**Members are asked to:**

3.1 **Authorise the Director of Development Services to award the contract for M9 Junction 6 to Earlsgate Interchange Signalisation, provided it is within budget.**

3.2 **Request that the Director of Development Services report the outcome of the procurement process to the earliest appropriate meeting of the Executive Committee following the tender evaluation process.**

.....  
**Director of Development Services**  
**28 June 2013**

Contact Officer: : Robert McMaster, Ext. 4953

**LIST OF BACKGROUND PAPERS**

None