

**DRAFT**

**FALKIRK COUNCIL**

**MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 14 MAY 2014 at 9.30 A.M.**

**COUNCILLORS:**

David Alexander	Linda Gow	Rosie Murray
David Balfour	Gordon Hughes	Malcolm Nicol
Stephen Bird	Steven Jackson	Alan Nimmo
Allyson Black	Charles MacDonald	Martin Oliver
Jim Blackwood	Brian McCabe	Baillie Joan Paterson
Baillie William Buchanan	John McLuckie	Depute Provost John
Steven Carleschi	John McNally	Patrick
Colin Chalmers	Adrian Mahoney	Provost Pat Reid
Thomas Coleman	Craig Martin	Ann Ritchie
Dennis Goldie	Dr Craig R Martin	Sandy Turner
Gerry Goldie	Cecil Meiklejohn	

**OFFICERS:**

Margaret Anderson, Director of Social Work Services  
 John Angell, Head of Planning and Transportation  
 Fiona Campbell, Head of Policy, Technology and Improvement  
 Nigel Fletcher, Joint Acting Director of Education Services  
 Rhona Geisler, Director of Development Services  
 Rose Mary Glackin, Chief Governance Officer  
 Gary Greenhorn, Joint Acting Director of Education Services  
 Colin Moodie, Depute Chief Governance Officer  
 Brian Pirie, Democratic Services Manager  
 Mary Pitcaithly, Chief Executive  
 Stuart Ritchie, Director of Corporate and Neighbourhood Services  
 Bryan Smail, Chief Finance Officer

**ALSO**

**ATTENDING:**

Joe Andrews, Group Manager, Scottish Fire and Rescue Service  
 Gary Laing, Local Senior Officer, Scottish Fire and Rescue Service

**FC1. SEDERUNT**

The sederunt was taken by way of a roll call. An apology was intimated on behalf of Councillor Spears.

**FC2. DECLARATIONS OF INTEREST**

No declarations were made at this point in the meeting.

Councillor McCabe left the meeting during this item.

### **FC3. PROVOST'S REMARKS**

The Provost stated that the meeting was being recorded. This was in accordance with Council's decision of 11 December 2013 (item FC67) to consider options for the audio recording of its meetings and the subsequent decision of Group Leaders to engage an external provider to make a recording for evaluation purposes.

Provost Reid commented on the recent launch of the Kelpies and thanked the officers, partners, communities and elected members who had contributed to the project from inception to final launch. He said that the Kelpies were a globally recognised landmark and were an achievement of which the area should be proud.

### **FC4. MINUTES AND INFORMATION BULLETIN**

#### **(a) Meeting of Falkirk Council held on 12 March 2014.**

##### **Decision**

**The minute of the meeting held on 12 March 2014 was agreed as a correct record.**

#### **(b) Volume of Minutes – Volume 5 2013/2014.**

##### **Decision**

**The Volume of Minutes – Volume 5 2013/14 was noted.**

#### **(c) Information Bulletin – Volume 5 2013/2014.**

##### **Decision**

**The Information Bulletin – Volume 5 2013/2014 was noted.**

### **FC5. QUESTIONS**

In terms of Standing Order 32.1, written questions may be submitted to the Leader of the Council and/or the portfolio holders on any matters relating to business transacted at any meeting of the Executive or Education Executive since the last volume of minutes was published.

No questions had been submitted.

## **FC6. TREASURY MANAGEMENT STRATEGY 2014/15**

Council considered a report by the Chief Finance Officer presenting, as part of the Treasury Management Code of Practice requirements, an annual report on the Treasury Management function of the Council. The report had been previously considered by the Executive on 18 March 2014 (ref EX139) and had been referred to Council for consideration.

### **Decision**

#### **Council agreed:-**

- (1) the Borrowing Strategy for 2014/15 as set out in section 5 of the report;**
- (2) the Investment Strategy for 2014/15 and the list of “Permitted Investments” as set out in section 6 of the report; and**
- (3) the Treasury Indicators as set out in section 7 of the report.**

## **FC7. HEALTH AND SOCIAL CARE INTEGRATION**

Council considered a report by the Chief Executive on the integration of health and social care services recommending that the Executive adopt a Body Corporate governance model for the integrated service.

The Public Bodies (Joint Working) (Scotland) Act 2014 came into effect on 1 April 2014. The Act set out a requirement for Local Authorities and Health Boards to establish local partnerships to deliver local outcomes more effectively. The Act removed Community Health Partnerships from statute and set out the basis to create an integration authority for each Council area which will be the joint and equal responsibility of Health Boards and Local Authorities.

Four key principles underpin the reform:-

- To allow nationally agreed outcomes to apply across adult health and social care provision;
- Health Boards and local authorities will be jointly and equally accountable for the delivery of those outcomes;
- Integrated resources (budgets and employees) will apply across the spectrum of adult health and social care provision; and
- To encourage strong clinical and professional leadership, and the engagement of the third and independent sectors, in the commissioning of adult health and social care services.

The report summarised the key drivers for reform, and the work undertaken to prepare for the transition to an integrated delivery model. Guidance from the Scottish Government set out the two integration models available:-

- Lead Agency: either the Health Board or the Local Authority takes full strategic and operational accountability for all functions within the scope of integration; or
- Body Corporate: delegation by Health Board or Local Authority of all functions within the scope of integration, to a new entity governed by a Joint Board accountable for overseeing the provision of functions.

The report provided an appraisal of both options and recommended the Body Corporate model for the Falkirk Council area. NHS Forth Valley had recently indicated a preference, in principle, for this delivery model.

The integration process and timetable leading to full integration by 1 April 2015 were set out. The governance would be undertaken by an Integration Joint Board which would appoint a Chief Officer and, potentially, a Senior Finance Officer.

In this model, staff and services will not necessarily transfer to the body, but would be accountable to, and be managed by, the Body Corporate. The Scottish Government had allocated funding to each Health Board to support the transition. The funding available to the Falkirk Council area was estimated to be £170,000, and was yet to be allocated. It was proposed that, in anticipation of the funding being allocated, a project manager is appointed to support the transition.

The integration of health and social care services will impact not only on the delivery of adult health and social care services, but on the Council as a whole, in particular the remaining social work services and the role of the Chief Social Work Officer.

Councillor Gow, seconded by Councillor Murray, moved that Council agrees:-

- (1) to note the provisions and requirements of the Public Bodies (Joint Working) (Scotland) Bill;
- (2) that any model and partnership arrangements requires to be based on the Falkirk Council area;
- (3) to note the scope of services to be included in the integrated arrangements;
- (4) in principle that Officers work with the Health Board to develop a Scheme of Integration based on the Body Corporate model;
- (5) to note the work plan, timescales and work streams which will require to be established and the proposals for the transitional integration funding and oversight of the transition;
- (6) that posts required to take forward integration are filled as a matter of urgency;
- (7) to note the need to develop a Strategic Delivery Plan and engagement arrangements;

- (8) that a draft Scheme of Integration is presented to Council for approval in October 2014, and
- (9) that a report on the impact of these changes on the remaining Council services is presented in early course.

Councillor Meiklejohn, seconded by Councillor Jackson, moved the terms of the motion with the following in substitution for paragraphs (5) and (6):-

- (i) in principle that officers work with the Health Board to develop a Scheme of Integration based on the Body Corporate model and provide a progress report to elected members at every full Council;
- (ii) that officers carry out the necessary work to establish a shadow Integration Board as a matter of urgency in order that membership can be appointed at the June meeting of full Council at the latest and a draft work plan prepared for the Board;
- (iii) that a letter of apology along with a request for an urgent meeting to be sent to the Minister in order to discuss Falkirk Transition Plan and the funding; and
- (iv) to note the work plan timescales and work streams which will require to be established and the proposals for the transitional integrated funding which will be further clarified to members following the outcome of discussions with the Minister. Oversight of the transition will be passed to the Shadow Board once it has been constituted.

Council then adjourned at 11.00 am to allow officers to investigate a statement, made by Councillor Meiklejohn in moving her amendment, that the Minister for Public Health, Michael Matheson MSP, had advised that no bid had been received from the Council.

Council reconvened at 11.55 am with all members present as per the sederunt, with the exception of Councillor McCabe, who had earlier left the meeting, and Councillor Chalmers who joined the meeting at a later point in the debate.

The Director of Social Work Services advised that she had received an assurance from a senior civil servant at the Scottish Government that the Falkirk partnership bid had been received and that funding would be allocated to it.

Councillor Meiklejohn, with the consent of the Provost, and Councillor Jackson, as her seconder, adjusted the terms of her amendment by deleting paragraph (iii).

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 30 members present with voting as undernoted:-

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

For the amendment (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McNally, Meiklejohn, Oliver, Ritchie and Turner.

## **Decision**

**Council agreed the motion.**

### **FC8. REGULATION OF DISPLAY OF MATERIAL IN RELATION TO SCOTLAND'S REFERENDUM 2014**

Council considered a report by the Director of Development Services advising that the current guidelines in relation to the display of election posters and other election material on Council property do not make specific reference to referenda, and requesting that Council adopt a position in regard to the display of referenda material on its property.

## **Decision**

**Council agreed:-**

- (1) that materials associated with the referendum on Scottish Independence, and for future referenda, are to be treated in the same way as election material; and**
- (2) to instruct officers to revise the guidelines accordingly.**

Councillor Alexander declared a non-financial interest in item FC9 as the Fire Brigades Union had contributed to his election fund in 2008 and 2012, but did not consider that this required him to recuse himself from consideration of the item, having had regard to the objective test in the Code of Conduct.

### **FC9. SCOTTISH FIRE AND RESCUE SERVICE LOCAL PLAN 2014-2017**

Council considered a report by the Chief Executive presenting the draft Local Fire and Rescue Plan for the Falkirk Council area for 2014-2017 for approval.

The Police and Fire Reform (Scotland) Act 2012 requires that the Scottish Fire and Rescue Service prepares, for approval, a Local Fire and Rescue Plan for each Local Authority area.

The plan sets out the national framework within which local plans sit, together with the key objectives for the Falkirk Council area. Details were given of the consultation exercise which informed the development of the draft plan together with an evaluation of the responses.

## **Decision**

**Council agreed:-**

- (1) to note the feedback on key issues outlined at appendix 2 of the report, following the consultation exercise on the draft plan; and**

- (2) the Local Fire and Rescue Plan for the Falkirk Council area, as set out in appendix 1 of the report.

#### **FC10. ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

Council considered a report by the Chief Governance Officer presenting the Standards Commission's findings following a hearing to consider a complaint against Councillor Spears.

Council was required, in terms of Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, to consider the findings of the Standards Commission following a hearing. The Act requires that findings are considered within 3 months of receipt.

In recognition of Councillor Spears' absence from the meeting, Councillor C Martin, seconded by Councillor D Goldie, moved that Council:-

- (1) continues consideration of the findings to another meeting, to allow Councillor Spears to be present, for the following reasons:-
  - (i) in the interest of natural justice;
  - (ii) to permit Councillor Spears to answer any questions from members; and
  - (iii) to provide an opportunity for Councillor Spears to give a response to the chamber; and
- (2) that an extension be sought from the Standards Commission to the requirement to consider the findings within 3 months of receipt, which failing a special meeting is called.

#### **Decision**

**Council agreed the motion.**

#### **FC11. APPOINTMENT TO COMMITTEE**

Council considered a report by the Chief Governance Officer advising that Councillor Black had resigned from the Audit Committee and inviting Council to appoint a successor.

#### **Decision**

**Council appointed Councillor Murray to the Audit Committee.**

## **FC12. EXECUTION OF DEEDS**

Council considered a report by the Chief Governance Officer detailing those deeds that had been signed by her since the last meeting.

### **Decision**

**Council noted the report.**

## **FC13. MOTIONS**

**(a) Denny Eastern Access Road (DEAR) INF14**

**(b) Audit Scotland**

**(c) Employee Conditions**

With no proposers for motions (a) – (c) as set out on the agenda, they were in terms of Standing Order 29.9, considered as dropped.

**(d) Community Charter**

Notice of the following motion had been intimated by Councillor Carleschi:-

“Council commends the Community Charter drawn up by local residents to establish the Cultural Heritage of Larbert, Stenhousemuir and Torwood and to declare their rights and responsibilities for its improvement and protection.

Council acknowledges this Charter is the first of its kind in the UK and offers a great opportunity for our citizens to shape the community in which they live. The aims of the charter clearly reflect the key themes of the Council’s corporate plan.

16 out of 32 Falkirk Councillors have already signed the Charter representing the majority of the political groups on the Council. As signatories to the Community Charter, those councillors support its broad aims, most particularly, the right of local communities to express their views on matters affecting their environment.

All councillors recognise that we will need to take decisions on individual planning applications. All councillors are aware that each application needs to be judged on its own merits and determined in accordance with planning legislation. No councillor need consider themselves bound by any statement in the Charter which may suggest otherwise and, in particular, by the positions expressed in the Charter on coal bed methane extraction or the precautionary principle.



Council therefore agrees to endorse the community charter.”

With the consent of the Provost, Councillor Carleschi, seconded by Councillor Bird, moved the terms of the motion with paragraphs (1), (4) and (5) substituted with the following:-

**Paragraph (1);**

“Council notes the Community Charter drawn up by local residents to establish the Cultural Heritage of Larbert, Stenhousemuir and Torwood and to declare their rights and responsibilities for its improvement and protection.”

**Paragraph (4);**

“All Councillors recognise that we will need to take decisions on individual planning applications and other regulatory matters. All councillors are aware that each application needs to be judged on its own merits and determined in accordance with planning or the relevant legislation. No councillor need consider themselves bound by any statement in the Charter which may suggest otherwise and, in particular, by the positions expressed in the Charter on coal bed methane extraction or the precautionary principle.”

**Paragraph (5);**

“Council congratulates the local community for their work in producing the Charter, endorses the principle that communities should have the right to express their view on matters which affect their environment and invites the remaining members of the Council to sign the Charter.”

Council then adjourned at 3.45 pm to allow members of the Administration to consider the terms of the adjusted motion and reconvened at 3.55 pm with members present as per the sederunt, with the exception of Councillor McCabe, who had earlier left the meeting.

By way of an amendment, Councillor C Martin, seconded by Councillor Nimmo, moved the following in substitution for the motion:-

“Council notes the Community Charter drawn up by local residents to establish the cultural heritage of the Larbert, Stenhousemuir and Torwood area and to declare their rights and responsibilities for its improvement and protection.

Council acknowledges the importance of communities taking an interest and involvement in their environment and recognises the benefits that active citizenship brings.

Council is aware that individual members have signed up to the Community Charter and expects that, in doing so, they will have reflected on how that may impact on their particular decision making roles as councillors, having regard to the Code of Conduct, particularly when dealing with planning or other regulatory matters.

While acknowledging the entitlement of individual councillors to be advocates for and within their communities, Council recognises the statutory role it holds as a planning and regulatory authority and the requirement to perform that role in accordance with law and properly adopted policy. The motion acknowledges that some statements in the charter may impact on that role. As this could impact on the integrity of the decision making process or the involvement of individual members in it, Council agrees:-

- (1) that it would not be appropriate to invite or encourage members to sign the Charter, and
- (2) that the continued involvement of communities in development of the Council's formal planning policy is valued and should be encouraged."

In terms of Standing Order 22.4(i), a vote was taken by roll call, there being 30 members present with voting as undernoted:-

For the motion (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McNally, Meiklejohn, Oliver, Ritchie and Turner.

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

## **Decision**

**Council agreed the amendment.**

### **(e) Provision of 3G Pitches**

Notice of the following motion had been intimated by Councillor McNally:

"It has been noted that there has been an allocation contained within Falkirk Council's budget for the provision of a 3G pitch since 2007. This has been carried forward year on year as the project has not been progressed. The project was initially to be taken forward by Falkirk Council Leisure and Community Services. This was prior to the creation of Falkirk Community Trust to which the responsibility then passed to, for development and delivery.

Council notes that to date there has been very little progress made on this project and no timetable for delivery has been brought forward. This is despite assurances from the Chief Executive that an update report would be forthcoming either towards the end of 2013 or to a meeting of full Council early in 2014.

Council therefore acknowledges that as a result of this significantly protracted process there are communities who have been disadvantaged and now instructs officers to bring forward a detailed report to the June 2014 meeting of full Council which demonstrates a method of progressing the project with a timeline for delivery."

The Provost stated that the motion referred to matters within the remit of the Executive and, having consulted with the Leader of the Council and the Leader of the Opposition in accordance with Standing Order 31.1, he was not of the opinion that special circumstances existed requiring an exception to be made to that general rule. Consequently the motion would stand referred to the Executive.

Councillor C Martin gave an assurance that he would endeavour to ensure that a report on the provision of 3G pitches was submitted to a special meeting of the Executive, to be held before the recess.

### **Decision**

**The motion was referred to the Executive.**



**FALKIRK COUNCIL**

**Subject: POLICE SCOTLAND LOCAL PLAN 2014-2017**  
**Meeting: FALKIRK COUNCIL**  
**Date: 25 JUNE 2014**  
**Author: CHIEF EXECUTIVE**

**1. INTRODUCTION**

1.1 This report will:

- Present the final draft of the local police plan, submitted by the Divisional Commander, covering the period 2014-2017
- Outline some of the key points raised by Members at the recent briefing on the local plan; and
- Remind Members of the scrutiny arrangements we have in place to hold the Police Scotland to account, for the delivery and performance on the local plan.

1.2 Police Scotland became operational on 1 April 2013, under the terms of the Police and Fire Reform (Scotland) Act 2012. The national priorities set out for Police Scotland are included within the Strategic Police Plan and the Chief Constable's own plan. The priorities include:

- Making communities safer and reduce crime by demonstrating pioneering approaches to partnership at a national and a local level;
- Strengthening Scotland's reputation as a successful and safe country by demonstrating excellence in effectively planning for and responding to major national events and threats;
- Providing an efficient, effective service and deliver the benefits of reform; and
- Making communities stronger by increasing public confidence and reducing fear of crime, making the Police Service of Scotland an exemplar of visible and responsive policing.

1.3 The police locally have a duty to prepare and submit a local policing for consideration by Members. This policing plan has been submitted by the divisional commander for the Forth Valley Division of Police Scotland is Chief Superintendent David Flynn. He is assisted by the local commander for the Falkirk Council area being Temporary Chief Inspector Mandy Paterson.

**2. THE LOCAL POLICE PLAN 2014 - 2017**

2.1 The local police plan has been developed within a common national framework. A copy of the final draft plan is attached at Appendix 1. Information has been sourced from the refreshment of the Community Safety Strategic Assessment to help develop the final draft. The proposed priorities are therefore as follows:

- Protecting people and places;
- Dealing with anti social behaviour;
- Violent crime;
- Disrupting organised crime;
- Crime of dishonesty; and
- Making roads safer.

2.2 The local police plan takes account of our local outcomes and priorities, set out within our Strategic Community Plan and Single Outcome Agreement (SOA). It also takes account of national priorities determined by Scottish Ministers, the Scottish Police Authority and the Chief Constable. Section 4 of the plan provides more detail on the process and sources which were utilised in the determination of local priorities. Local priorities have also been informed by the views of local people, Elected Members and partner organisations which work alongside the police. Appendix A, integral to the plan, outlines the community consultation undertaken and how feedback from this has been reflected in the final draft. The plan makes specific mention of the contributions Police Scotland will make to each of our six thematic outcomes, set out in our SOA. Appendix B within the plan sets out the key partners which make a contribution to local Police Scotland priorities.

2.3 Elected Members provided feedback to the police at a recent briefing on the local plan. Details of some of the key points raised and how these have been reflected in the local police plan follow:

- Stronger emphasis on the contribution partners make to local policing priorities;
- Better clarity on local engagement processes which support the plan, including engagement with Elected Members;
- How we manage the impact of the outcomes arising from the review of the traffic wardens service;
- Improving the linkage of activity to SOA outcomes;
- How consultation on national review outcomes can be improved;
- Priority being given to emergency planning; and
- The commitment to local neighbourhood policing.

2.4 Each of the proposed priorities, sets out sub priorities in terms of which specific issues, people and places, will be focused on as well as what Police Scotland:

- Aims to do;
- Means by this. This provides clarification on any technical aspects of the relevant section of the plan;
- Can be measured on in terms of performance, and what success will look like; and
- Will do in terms of specific action.

### **3. SCRUTINISING POLICE SCOTLAND**

3.1 The local police plan sets out:

- Priorities and objectives for Police Scotland for the carrying out of its functions within a local authority area and on delivery of local priorities;
- The reason for selection priorities and objectives and how they will be delivered;
- Outcomes against which priorities and objectives can be measured, as well as how these will contribute to relevant local outcomes; and
- Any other relevant matters.

3.2 The divisional commander submits a performance report to the Council's Scrutiny Committee every quarter, which sets out the following:

- Performance and progress on the local plan; and
- Any additional information requested by the Committee.

### **4. CONCLUSIONS**

4.1 This report sets out the medium term priorities and outcomes for the Police Scotland for the next three years and how they relate to our local outcomes. The Service will continue to be monitored through the Council's Scrutiny Committee on a regular basis. Police Scotland continues to be a key partner of the Council and we recognise the contribution it can make to achieve our 20 year vision.

### **5. RECOMMENDATIONS**

**It is recommended that the Council:**

- 5.1 **Notes the feedback on key issues arising from the recent briefing for Elected Members, summarised at 2.3; and**
- 5.2 **Considers whether to approve the local police plan for the Falkirk Council area, as attached at Appendix 1;**

.....  
**CHIEF EXECUTIVE**

Date: 22 April 2014

Ref: ABD0514AW – Police Local Plan 2014-17

Contact Name: Andrew Wilson

#### **LIST OF BACKGROUND PAPERS**

1. None

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506046 and ask for Andrew Wilson.





# POLICE SCOTLAND

## FALKIRK LOCAL POLICING PLAN 2014-2017

DRAFT

## **Contents**

- 1. Introduction and purpose of plan**
  - 2. Foreword**
  - 3. Priorities and Objectives**
    - **Protecting People and Places**
    - **Dealing with Antisocial Behaviour**
    - **Violent Crime**
    - **Disrupting Organised Crime**
    - **Crimes of Dishonesty**
    - **Making Roads Safer**
  - 4. How we identified our priorities**
  - 5. Local Policing arrangements**
  - 6. National Outcomes**
  - 7. Performance and Accountability**
  - 8. Local Scrutiny and Engagement**
  - 9. Equalities**
  - 10 Contact Us**
- Appendix A – Community Consultation and Priorities**
- Appendix B – Partnership Working**

## **1. Introduction and purpose of plan**

This plan sets out the local policing priorities and objectives for Falkirk for 2014-2017 and is a statutory requirement of the Police and Fire Reform (Scotland) Act 2012.

The process of producing the plan takes account of the Scottish Government's overarching vision for public services, the Strategic Police Priorities set by Scottish Ministers, the Scottish Police Authority's Strategic Police Plan and the Chief Constable of Scotland's Annual Police Plan. (1)

The recognition of such influences is appropriate as local policing is now delivered within a national framework which allows local concerns to be addressed alongside a commitment to contribute to national demands.

The focus of the plan however is on responding to the needs and expectations of the communities in Falkirk as identified in the local priorities. The plan will set out these priorities along with the outcomes we are trying to achieve and the approaches which we will take in doing so.

The Falkirk Council area is situated right at the centre of Scotland. It has a growing population which, according to the preliminary results of the 2011 Census, is now 156,000, making it the 11th largest council in Scotland. Population projections for Falkirk show an increasing number of residents of pensionable age.

Falkirk is one of the best connected locations in Scotland, equidistant between Glasgow and Edinburgh and at the heart of the motorway network. The area is important for the Scottish economy with Scotland's busiest port situated at Grangemouth along with the nearby extensive refinery and petro-chemical industries.

The area has diverse communities, many of which demonstrate a high measure of affluence, whilst others suffer from significant levels of deprivation. The local Community Planning Partnership has a keen focus on tackling the most significant inequalities which exist in the Falkirk council area.

This local authority plan will therefore be supported by nine local community plans based on the Multi-Member Wards in Falkirk. These plans will reflect community level priorities and respond directly to local needs and demands.

The Local Policing Plan presents the issues which emerged across the communities in the Falkirk Council area, although the level of priority placed on each might have differed according to the circumstances in individual wards.

Although this is a three year plan, there will be ongoing reviews to ensure that the priorities remain valid and that emerging ones are recognised.

(1) Full versions of these documents can be found at:

Strategic Police Priorities – [www.scotland.gov.uk/Topics/Justice/public-safety/Police/StrategicPolicePriorities](http://www.scotland.gov.uk/Topics/Justice/public-safety/Police/StrategicPolicePriorities)  
SPA Strategic Police Plan – [www.spa.police.uk/assets/128635/strategic-police-plan-web](http://www.spa.police.uk/assets/128635/strategic-police-plan-web)  
Annual Police Plan – [www.scotland.police.uk](http://www.scotland.police.uk)

## **2. Foreword by:**

### **Chief Constable Sir Stephen House QPM**

The first year of Police Scotland has seen significant change in many aspects of the organisation, however the delivery of locally-focused operational policing remains the bedrock of this service. I remain strongly committed to the principle that community-based policing, which responds to local need and demand, is crucial to delivering services that keep people safe and maintain public confidence.

One of the ways in which we can visibly demonstrate this commitment to local policing is by listening to communities and asking them to help shape our priorities. We have consulted widely across the council area with local people and other organisations to help identify our priorities. By combining the information we received through this consultation process with analysis of crime and other performance data we have established the priorities and objectives that are set out in this plan.

In developing this plan the Local Policing Team, led by the Local Commander, has worked closely with public, private and third sector organisations as well as directly with communities, because we recognise that partnership working is critical to making our communities safer. Importantly, this approach has also ensured that our planning process is aligned to the broader vision set out in the Community Plan and supports the Single Outcome Agreement. This plan is therefore a commitment to working across agencies to deliver better outcomes for communities as well as setting out how policing will be delivered in this area.

I am pleased to say that we have achieved much in the first year of Police Scotland to tackle crime and prevent harm - reducing the number of people who have been the victims of violence and the number killed and injured on our roads as well as addressing other crucial priorities for communities. This plan sets out an agenda to build on that success by tackling the issues that will improve the safety and well being of communities across this local authority area.

### **Vic Emery, O.B.E Chair of the Scottish Police Authority**

I passionately believe that the establishment of Police Scotland and the SPA has created significant opportunities to strengthen the effectiveness of policing. We want you the public to have a real say on local priorities and for policing to listen to that public voice. This plan is where that comes together. It sets out what your local priorities are – identified from what local people are saying is most important to them, and underpinned by local evidence and intelligence gathered by policing in this area.

We want you to be able to question, and judge, how well the police are performing against those priorities. So we will expect your local commander to report publicly and regularly on how they are achieving the priorities set in this plan, so you and your community can assess for yourselves how policing is working for you.

We want residents to be able to see how money invested in policing is being used and what results it brings, and to understand better how national and local policing decisions are made and why.

Scotland is a country with reducing levels of crime, and a strong bond of trust between the Police service and the Scottish public. Local partnerships, a focus on prevention and collaboration, and genuine accountability at both local and national level underpin that bond.

Working together to turn this plan into results, as professionals and members of the public, is about making this part of Scotland a place of greater safety – and a greater place to live.

**Councillor Pat Reid**

On behalf of the Council, I welcome the local Policing Plan for Falkirk for 2014/17.

**Chief Superintendent David Flynn, Local Police Commander**

Local policing continues to be the focus of Police Scotland, and I am delighted to present the Local Policing Plan for Falkirk. The priorities in this plan have been developed in consultation with local people and partner agencies, taking account of analysis of crimes and incidents and national policing priorities.

Sound partnerships, shared information and strong collaboration form the foundations of effective local policing. This can be seen in our local outcomes and priorities which rely on joint working across partner organisations and geographic boundaries for their successful delivery.

By delivering effective local policing which meets the needs and expectations of local communities to a consistently high standard we will continue to maintain public confidence and satisfaction. We will target those who cause the most harm within our communities, and will protect those who are most vulnerable. We will take every opportunity to reduce and prevent crime and disorder, and ensure that officers are in the right place at the right time and doing the right things.

The priorities and objectives outlined in this plan provide a clear focus for local policing, but retain enough flexibility to change to meet any new issues which might emerge over the life of the plan. I am confident that the plan demonstrates our commitment to meet the needs and expectations of the communities we serve in Falkirk.

### **3. Priorities and Objectives**

#### **Developing the Policing Priorities**

This part of the plan details policing priorities, our objectives and their outcomes and the approaches we have in delivering policing in Falkirk. Some of these approaches such as intelligence-led community policing are so important that they form threads of activity that run through what we do. They can be regarded as organisational priorities.

A later part of the plan shows how we intend to use our resources and work with partners. The principle of working with others is key to delivering this plan and all aims and actions which we set out should be regarded as routinely involving partners wherever possible. A list of some of the organisations and agencies with which Police Scotland works is contained in an appendix to the plan.

We are committed to keeping people and communities safe and protected from harm. We will do so in places where they live, work and visit and will police in a way that means engaging with and working with the communities. This approach is in line with the fundamental policing principles detailed in the legislation that established Police Scotland.

The priorities set out here are based on what people in Falkirk tell us are their main concerns. They reflect the wider policing priorities of reducing harm in communities, making them safer and reducing the fear of crime. They are the result of listening to the concerns of local communities identified through consultation and of analysing information about crimes and incidents which is held by the police and our partners.

This lets us tackle the problems which trouble people in Falkirk, and also the type of harmful behaviour or activities which the public may not be so aware of. That behaviour or those activities often target people who are vulnerable for a number of reasons or who are harmed by people in positions of trust.

The improved wellbeing of individuals and communities is the focus of the Falkirk Single Outcome Agreement (SOA). The views of the public gathered by the community planning partners help to inform its aims and planned outcomes. We are partners to the agreement and this plan directly or indirectly supports all of those planned outcomes. All of the local priorities can be aligned to one or more of the community planning priorities and their outcomes. The outcomes are shown below along with a summary of the elements of each to which police will contribute:

**Prosperous businesses will underpin the success of our local economy, providing sustainable and quality employment.**

The main contribution which policing can make to this outcome is through a reduction in crime and the fear of crime in the area, making it a more attractive place to do business and to attract investment.

### **Children will be supported in early years so that they become young people who are confident and successful**

There are specialist police units dedicated to the protection of children and all officers will submit reports when they identify children who may be vulnerable. This helps to achieve the intended outcomes that:

- Children will be supported in early years so that they grow up in a safe environment where they are protected, loved and enabled to enjoy their lives, and so that our most vulnerable children are supported and protected.

### **Our area will be a safer place to live**

This is the part of the Single Outcome Agreement to which policing makes the most direct contribution. The policing priorities in the plan will combine to seek to ensure that:

- Our area will be a safer place to live and citizens will be protected; vulnerable children and adults will be protected; citizens will be encouraged to take responsibility for their own health and wellbeing; communities will be safer; and crime and fear of crime will be reduced.

### **We will be healthier and live longer**

Police are partners in a number of groups which address issues around substance misuse and its impact. Regulation of the supply of alcohol and enforcement activity against drugs suppliers are used alongside signposting of support services to reduce the potential for harm. This should help achieve an outcome whereby:

- People are healthier and live longer because of reduced levels of alcohol, drugs and substance misuse

### **Older people will be able to be independent and have choice and control on services within supportive communities**

The policing priority of “protecting people” relates in particular to those persons with some vulnerability. Age is often regarded as a category of vulnerability and policing priorities and approaches look to increase older people’s sense of safety and security. These actions should help to bring about a situation whereby:

- Older people will be able to be independent feel safer, more confident and integrated within their communities;

### **Our area will be a fairer and more equal place to live**

One of the values applied by Police Scotland is to show respect for all people and their beliefs, values, cultures and individual needs. This is reflected in one of our stated equality outcomes - that everyone in Scotland is able to contact the police when they require our assistance, and this experience is positive.

This approach extends across all types of disadvantage, and is shown, for example, in the commitment that:

- We meet our Corporate Parenting responsibilities so that our most vulnerable children have the encouragement and support to reach their full potential

The approaches which we take to support the Single Outcome Agreement include looking to:

- tackle the misuse of alcohol and its effects;
- achieve high levels of community confidence and satisfaction;
- engage regularly and closely with all parts of our communities;
- recognise the diversity of those communities and their needs and expectations;
- acknowledge inequalities that exist and contribute to their reduction;
- identify and protect people with particular vulnerabilities; and
- continue to improve how we do things.

When people in Falkirk took part in consultation, they identified in a survey carried out by community officers some local problems which they were aware of. However, in a separate on-line survey, people also pointed to issues which they felt the police should treat as priorities even where this was not seen as a particularly big local problem.

An example of this was assault and violent crime which was only considered a local problem by a small proportion of people, but which was identified by others in the community as a high priority for police action. A similar response was received in respect of domestic abuse and theft by housebreaking. This perhaps reflects the desire of the communities for action to prevent crime before it becomes a problem.

Local priorities are based on the feedback from both types of survey and on other consultation undertaken, and on professional police judgement of what issues are likely to affect the wellbeing of people, communities and places in Falkirk.

## **Protecting People and Places**

### **People**

While there is a consistent element in what we do of keeping all people safe, this priority focuses on those individuals who are vulnerable to harm because of their particular circumstances. That harm may take the form of physical, sexual or emotional abuse and neglect, and vulnerability may occur because of age, capacity or relationship with the offender.

#### **Child protection**

It includes protection for children, both in preventing them from becoming victims and in taking steps through early and effective intervention to stop them from becoming offenders. There is a dedicated police child protection unit which is co-located in police



premises alongside partners from Social Work, Education and the National Health Service. This arrangement allows early joint discussion about prioritising work and delivering early and effective interventions

### **Vulnerable adults**

The priority of protecting people also extends to vulnerable adults in the community. The main responsibility for this lies with the Adult Safety and Protection Unit, but all staff have a role to play in identifying such vulnerability through the submission of Vulnerable Person Reports. There is a system for transmitting such reports for discussion and action, and vulnerable adults will feature in the monthly Multi Agency Tasking And Coordinating (MATAC) meetings. Work will also include referrals or signposting to other support agencies, both statutory, such as the Scottish Fire and Rescue Service, Social Work Services, and third sector, such as Age Scotland and Women's Aid.

### **Hate crime**

Hate crime can be defined as offences against those who may be targeted as victims because of some personal characteristic such as race, gender or disability. Action against this offence will be supported nationally with the introduction of the Third Party Reporting portal within the Police Scotland website. This facility allows victims to report information to the police via another organisation or agency, such as an approved advocacy service or professional representative body, where victims may feel unable to report incidents of hate crime directly to the Police, for whatever reason. A list of participating organisations in the Forth Valley is available via the portal on the Police Scotland website. Training for Third Party Reporting accreditation will remain ongoing in the Falkirk area throughout the term of this local policing plan.

Coordination of partner activity is delivered under the Multi Agency Hate Response Strategy (MAHRS).

### **Domestic abuse**

Domestic abuse has been recognised as a serious public protection issue in Falkirk and receives special focus because of this. A dedicated Domestic Abuse Investigation Unit ensures the most problematic offenders and victims get appropriate levels of intervention from trained staff. Moreover, any incident of domestic abuse has comprehensive and thorough investigation by the officers attending, with a focus on the safety and wellbeing of the victim. This will often involve directing victims to partner agencies which can offer a range of support and assistance, both in the short and long term. Partnership work supports the high risk victims of domestic abuse through the Multi Agency Risk Assessment Conference (MARAC) process, with the local offenders similarly discussed at the Multi Agency Tasking and Coordinating (MATAC) meetings.

### **Major incidents and events**

In addition to the risk to vulnerable individuals, personal and community safety can be affected by threats such as severe weather or other major incidents or by the consequences of events such as processions, rallies and other public events.

Although not currently seen as a significant issue by communities, we are aware of the harm that can arise in any of these situations and consider that planning and preparing for eventualities should be a priority in any policing plan. When we have to respond to a threat, we have the benefit of being able to call upon resources from across the whole of Police Scotland.

Planning and preparing for emergencies is of particular importance in the Falkirk council area because of the concentration of refinery and petro-chemical businesses in Grangemouth. A multi-agency group with representatives from the emergency services, local authorities, voluntary sector and industry has long-established plans which are regularly exercised and reviewed. The group is known as the Major Incident Control Committee (MICC).

Police Scotland will take the coordination lead in the response phase of any incident and, as a single national organisation, can call upon a wide range of resources with varying types of expertise. It is, however, the contributions of all partner agencies and organisations and the skills and experience they bring that deliver a coordinated and effective response. Good communications is also an essential part of dealing with any incident. Providing relevant information to the right people at the appropriate time assists the management of the incident and keeps the public well informed.

### **Terrorism**

The same considerations and availability of resources apply to the threat from terrorist activities. We work with partners, communities and businesses to implement the government's strategy to tackle terrorism which is known as CONTEST. This helps to reduce the risk from terrorism and allows people to go about their business in the area freely and with confidence.

A training agenda for workshops under the Prevent sub-group of CONTEST is currently either in the process of being delivered or designed for partners, including the Scottish Fire and Rescue Service, Falkirk Council Corporate and Neighbourhood Services and Education.

### **Partnership working**

Some of the key partner agencies working together with the police to protect people are Falkirk Council services such as social work, education and corporate and neighbourhood, Forth Valley National Health Service, Scottish Fire and Rescue Service, and voluntary sector groups such as Age Scotland and Women's Aid.

### **What we aim to do:**

- Identify vulnerable people to reduce the likelihood of them coming to harm;
- Stop children and young people becoming victims of crime or offenders and support the "Whole Systems Approach" to youth justice.
- Highlight the increased danger of becoming a victim through the excessive use of alcohol and other substances;
- Work with Criminal Justice Social Work and Health partners to carry out intervention work with offenders whose substance misuse issues is linked to their offending.
- Tell vulnerable people about different ways to improve personal safety
- Refer vulnerable people to the Scottish Fire and Rescue Service to ensure they receive a home fire safety check
- Make it easier for victims to report an incident
- Tackle the increasing use of the internet and other social media to target victims

- Detect offenders early to help prevent further harm
- Target and manage repeat offenders to stop them re-offending
- Continue to develop early intervention actions through the local MATAC process
- Provide immediate support to victims and signpost further support
- Plan and prepare with partners for identifiable major risks and threats.
- Implement the CONTEST strategy

**What this should mean:**

- Vulnerable people less likely to become victims
- Young offenders diverted from further involvement in crime
- Quicker identification of victims and potential victims and better support
- Less likelihood of offenders committing further crime
- Avoidance or reduction of harm to the community and environment
- Planned joint approach to reduce the risks from terrorist activity

**How performance and success will be measured:**

- Levels of associated crimes and incidents
- Detection rates for associated crimes and offences
- Diversion rates for young people
- Deployment of resources to support victims
- Strength of partnership arrangements and initiatives
- Frequency of planning meetings and exercises
- Access to Police Scotland resources

**Actions to support this priority:**

- Prioritised investigation of crimes against vulnerable persons
- Risk assessments to identify victims and repeat and high tariff offenders.
- Early identification and support of vulnerable persons
- Processes to support child protection principles in respect of victims and offenders.
- Support plan for vulnerable adults
- Use partner agencies and community advisors to identify the incidence and victims of hate crime
- Regular participation in planning process and exercises
- Using resources from across Police Scotland to respond to major events or incidents
- Allocate responsibility and accountability for delivery against priorities to an officer of superintendent rank

## **Places**

### **Environment**

The appearance and condition of the surroundings in which people live can have an impact on their quality of life and sense of wellbeing. This was seen in the priority that residents of Falkirk placed on issues such as litter, fly tipping, graffiti and other

vandalism. The last mentioned is one of the single largest categories of crime committed in Falkirk, although it has been falling steadily over the past few years.

Police Scotland work closely with Falkirk Council Environmental Services and the Community Safety Partnership to deploy resources according to information and intelligence about offending, for example each Sub Area Command has identified "priority locations" which are targeted by local officers to reduce offending in these areas.

It is important that the police contribute to protecting the environment, although this will be a shared responsibility with council services and partners such as the Scottish Environment Protection Agency.

**What we aim to do:**

- Detect offenders who, in the main, come from the area where the crime is committed
- Work with partners to develop prevention strategies for offences
- Identify if locations where there are repeat offences need improvements to reduce opportunity of offending
- Deploy resources according to information and intelligence about offending.

**What this should mean:**

- Reduced levels of offending and harm to the environment
- Preventive measures designed to reduce the problem
- Improved quality of life for communities

**How performance and success will be measured:**

- Levels of associated crimes and incidents
- Detection rates for associated crimes and incidents
- Community opinion on impact on quality of life

**Actions to support this priority:**

- Increased staffing for the Community Investigation Unit
- Increased patrol and response capacity at peak times of offending
- Regular analysis of offending patterns to best direct the police response
- Continue to develop early intervention actions through the local MATAC process
- Allocate responsibility and accountability for delivery against priorities to an officer of superintendent rank

## **Dealing with Anti Social Behaviour**

Anti Social Behaviour can have an adverse effect on the quality of life of people who experience it on a regular basis. It can also cause undue levels of fear in communities because of the perception of general disorder associated with it.

Much of the antisocial behaviour is linked to private rather than public space disorder and call analysis shows us addresses of note to target along with partners including the Local Authority Housing Offices, Registered Social Landlords, Falkirk Council Private Sector Team, Conflict Resolution Service, Environmental Services, Safeguarding Communities - Reducing Offending (SACRO).

By working in partnership with such a wide range of services we are able to take actions against antisocial offenders, including warnings against tenancies, warnings and fixed penalty tickets (Environmental Services), Acceptable Behaviour Agreements, Restorative Acceptable Behaviour Contracts (SACRO), Antisocial Behaviour Orders (ASBO) as well as our own Police legislative powers.

This is a priority strand of work under the Falkirk Community Safety Partnership where monthly updates and emerging threats are tactically discussed and addressed, They are also being monitored and actioned on an operational level by a multi-agency sub-group and Community Policing teams on a daily basis to ensure early and effective measures are put in place to tackle antisocial behaviour.

### **Alcohol**

We know that the consumption of alcohol is often a contributory factor in such behaviour, as it is in other types of offences. This is confirmed by responses to our surveys in Falkirk where people identified rowdy, drunken behaviour as one of the main causes of local concern, along with disturbances caused by young people.

General rowdiness associated with the effects of alcohol can be seen in noise and disorder in the streets and loud parties. Analysis of problem locations and persistent offenders allows us to target such disorder. This has led to a steady decrease in the number of calls from the public about anti-social behaviour which we receive. It does however remain an important local policing issue given the priority placed upon it by communities in Falkirk.

Misuse of alcohol and other substances can be a causation factor in antisocial behaviour and to this end we participate in the Forth Valley Alcohol and Drugs Partnership, identifying emerging threats and opportunities for intervention within our communities.

### **Young people**

While communities will always tolerate a certain amount of noise and disturbance associated with young people gathering together, people become concerned where such behaviour becomes excessive on a regular basis.

Young people at risk of harm are identified routinely through Vulnerable Person Reports. The weekly tasking and coordinating meeting allows early identification of offending patterns of individuals.

School Based Officers can play an important role in establishing relationships with young people and providing guidance and support which seeks to educate young people about the impact of antisocial behaviour and their own social responsibilities. This role is being examined at a national level with a view to promoting a consistency of approach. Guidance will be produced which will acknowledge the contribution which such officers make in the school environment and assess how local discussion and negotiation can be used to provide a service across all of the secondary schools in a local authority area.

Police took the lead in a Forth Valley wide alcohol awareness initiative which placed particular emphasis on the potential effects of alcohol misuse on young people.

**What we aim to do:**

- Reduce the fear of crime associated with anti social behaviour and disorder
- Improve people's perception of personal safety in their community
- Target known problem locations and repeat offenders
- Enforcement activities where necessary
- Ensure licensed premises are supplying alcohol in a responsible manner
- Highlight to young people how their behaviour can impact on others
- Consider what resources partners can bring to the problem

**What this should mean:**

- Continuing reduction in the incidence of Anti Social Behaviour
- Improved quality of life for communities
- Reduced fear of crime
- Increased sense of feeling safe in local neighbourhood
- Well regulated licensed premises.

**How performance and success will be measured:**

- Number of calls received about Anti Social Behaviour
- Number of incidents of disorder
- Level and type of policing activity for local licensed premises

**Actions to support this priority:**

- Analysis of crimes and incidents to target resources
- Focused activity by community teams to prevent incidents
- Involvement of partners to develop preventive measures
- Consultation to measure community confidence and satisfaction
- Close working relationships with licensed trade to promote the licensing objectives
- Continue to develop early intervention actions through the local MATAC process
- Allocate responsibility and accountability for delivery against priorities to an officer of superintendent rank

## **Violent crime**

In the Falkirk Council area, all categories counted under violent crime show reductions, including minor assaults. This is reflected in the fact that violence was not indicated as a major problem in any of the wards in Falkirk by respondents to the Community Survey carried out by community officers.

Nevertheless, violence was also shown by respondents to the separate on-line survey as a priority for action by the police and is therefore included in the plan.

### **Tackling violence against women**

Violence against women is recognised as a significant problem across all communities and receives particular focus from police and partners. This focus will be maintained through the joint work of dedicated police units and key partner agencies. Police rely heavily upon the skills and experience brought by diverse agencies to the arrangements for protecting and supporting victims. As well as the MATAC and MARAC processes referred to, the Falkirk Domestic Abuse Forum is another partnership we take part in, and this approach is another priority strand of the Falkirk Community Safety Partnership.

### **Alcohol**

We know that alcohol is a major contributory factor in the commission of assaults both in public places and in homes. Again we look to proper regulation of licensed premises as a means of reducing the likelihood of offences and have not encountered any major problems in respect of such premises in the Falkirk area.

This may be down to our approach which favours early identification and resolution of issues through effective interventions. Police Scotland provided comment on the Falkirk Licensing Policy as and when required as a contribution to the wider aspects of the sale and supply of alcohol.

Regular visits are carried out at licensed premises across the area command with particular focus within the busy town centre. This is complemented by regular Pubwatch meetings that ensure that relevant partners in the scheme are aware of local violent offenders who are excluded from licensed premises. Such awareness allows police and partners to better monitor the presence and activities of such offenders in our town centres.

We also monitor night time crowds by means of officers in visible, pre-determined locations so that we can identify potential incidents and take action to stop any violence from developing.

### **What we aim to do:**

- Work with partners to tackle violence against women
- Work with partners to tackle violence in houses
- Target known problem locations and repeat offenders
- Ensure licensed premises are supplying alcohol in a responsible manner
- Prevent the misuse of alcohol

- Ensure sufficient resources are available to police the night time economy

**What this should mean:**

- Reduction in crimes of violence
- Safer night time economy
- More attractive and safer environment for residents and visitors
- Reduction in number of people suffering injuries as a result of violence

**How performance and success will be measured:**

- Levels of associated crimes and incidents
- Detection rates for associated crimes and incidents
- Level and type of activity in respect of licensed premises
- Community opinion on impact on quality of life

**Actions to support this priority**

- Analysis of crimes and incidents to target resources to locations and offenders
- Increased patrol and response capacity at peak times for offending
- Work with partners to develop intervention strategies for violence in houses
- Work with partners to develop intervention strategies in regard to violence against women
- Close working relationships with licensed trade to promote the licensing objectives
- Continue to develop early intervention actions through the local MATAC process
- Allocate responsibility and accountability for delivery against priorities to an officer of superintendent rank

## **Disrupting Organised Crime**

The activities of organised crime groups cause harm to communities across Scotland including in Falkirk. Although these activities can include money laundering, fraud and human trafficking, it is the supply of drugs which has the greatest impact in this area. People tell us that misuse of drugs in communities remains a primary concern for them and identify action against crime groups as a priority for police.

### **Supply of drugs**

Communities in Falkirk have supported police action by providing information about who is dealing drugs in their area, and community teams often play the lead role in mounting operations against those individuals.

### **Preventing access to business**

Local authorities and other partners have a role in preventing criminals from using legitimate contracts and businesses to launder criminal proceeds.



**What we aim to do:**

- Continue to target local drug dealers
- Work with colleagues and partners to disrupt organised crime locally and nationally and to arrest those involved in it.
- Training of partner agency staff to recognise high levels of unexplained wealth
- Deprive criminals of cash and assets obtained from crime
- Prevent access of crime groups to legitimate businesses
- Help those misusing drugs to recover

**What this should mean:**

- Reductions in the supply of drugs locally
- Safer communities experiencing less harm
- Support for vulnerable people affected by drugs misuse
- Reduced capacity for crime groups to conduct criminal business

**How performance and success will be measured:**

- Levels of associated crimes and incidents
- Detection rates for associated crimes and incidents
- Number of arrests of crime group members
- Community opinion on impact on quality of life
- Impact on criminal funds
- Level of activity in signposting drug users to support organisations

**Actions to support this priority**

- Analysis of intelligence to target offenders
- Joint operations with partners to apply differing sanctions to criminals
- National and regional resources used to support operations
- Seizure of criminals' cash and assets
- Use intelligence to prevent criminals obtaining public contracts
- Scrutinize all licensing applications to identify any links to crime groups
- Disrupt the use of the road network by crime groups
- Coordinate activity through a Crime Reduction Delivery Group

**Crimes of Dishonesty**

This type of crime includes frauds, thefts and housebreakings and is likely to affect all communities to some extent. There has been a steady fall in the overall numbers of such crimes which may explain why it was not identified as a significant problem in most communities in the community consultation questionnaire. In contrast, some types of dishonesty were highlighted as a priority for police action in the separate on-line survey. This is understandable given the very personal impact of such crimes.

In 2014 a dedicated Community Investigations Unit will be established in Falkirk comprising a sergeant and six constables. Its main remit will be the investigation of crimes of dishonesty.

### **Housebreaking**

Theft by housebreaking was a particular concern. There is a financial loss to housebreaking but also a sense of intrusion which can create a disproportionate effect on the feeling of safety in communities. National and regional resources from Police Scotland have been deployed to combat travelling criminals particularly through the use of Automatic Number Plate Recognition and focused motor bike patrols. This led to the identification of one organised crime group whose activities were curtailed and the submission of valuable intelligence to support further prevention initiatives.

### **Road checks**

Vehicles are often used in the commission of crimes of dishonesty and strategic road checks are a means of preventing and detecting crime. We have and will continue to seek the support of Operational Support Unit (OSU) at areas identified as vulnerable to crimes of dishonesty.

### **What we aim to do:**

- Use analysis of intelligence to target prolific housebreakers
- Help people to reduce the risk of becoming victims of crimes of dishonesty
- Make it more difficult for travelling criminals to commit crime
- Make it more difficult for criminals to dispose of property
- Encourage people to report suspicious activity in their neighbourhood

### **What this should mean:**

- Reductions in crimes of dishonesty
- Safer communities
- Protection for more vulnerable people, particularly the elderly
- Greater disruption of criminal activity

### **How performance and success will be measured:**

- Levels of crimes of dishonesty
- Detection rates
- Level of preventive activity

### **Actions to support this priority**

- Provide warnings about known scams and localised spates of crime.
- Disrupt the use of the road network by criminals
- Increased staffing in Community Investigation Unit
- Targeted and focused operations
- Allocate responsibility and accountability for delivery against priorities to an officer of superintendent rank

## **Making Roads Safer**

Almost everyone in Falkirk makes use of its roads network to some extent. It is therefore no surprise that people saw traffic-related issues both as a local problem and as a priority for police action. These issues ranged from dangerous driving and speeding to anti-social driving and parking problems.

Speeding was identified as a significant problem across most communities in Falkirk and remains a focus for activity, with the number of people charged with the offence increasing compared with both the previous year and the five year average.

Parking also featured strongly as a problem in the community survey, and we will continue to take appropriate action, particularly where it is dangerous or obstructive and in response to specific concerns from communities.

Traffic warden provision was not consistent across Scotland and the service has been withdrawn from those policing divisions where it was still in effect. Transitional arrangements are being discussed to allow consideration of decriminalisation of parking offences which would allow the local authority to take on the function of parking control.

In the meantime, enforcement of parking offences remains among the duties of police constables along with the other demands which they face in dealing with the many other crimes and offences which come to their attention. The range of the situations with which the police deal means that there will always be issues of prioritisation and resourcing.

We will, however, always listen to concerns about parking brought to our attention by communities, local authorities and other partners or identified by officers. These will be considered as part of the local tasking process, which also involves partner agencies, and addressed by specific targeted activity where appropriate.

### **Reducing casualties**

A reduction in the number of people killed and injured on our roads is a policing priority both nationally and in Falkirk. We try to achieve this along with our partners through a mixed approach of education, encouragement, engineering and enforcement.

There has been a steady drop in the number of casualties over the past ten years. We use regular analysis of collision data to identify problem locations and vulnerable road users and take action based on the findings. So, for example, if the A803 shows as a road at particular risk this will lead to increased targeted patrols and speed monitoring.

School Based Officers take on a responsibility for road safety matters in their schools, whilst community officers visit primary school children to promote road safety awareness

A good example of partners promoting road safety is the “Safe Drive, Stay Alive” initiative aimed at young people in the 16-17 years age group at local schools. The Fire and Rescue Service, Police and Education promote this hard-hitting message about the dangers of inappropriate driving and the potentially life-changing outcomes. It includes messages from families who have lost a son or daughter in a road collision and from young drivers still suffering the physical consequences of car crashes.

### **Causal factors**

Collisions can occur for a number of reasons, with excessive speed for current circumstances and forms of distraction being the most common causes. Our focus then is on speeding and other offences such as misuse of mobile phones.

### **Travelling criminals**

Criminals use the roads network to travel to and through areas to commit crime. This creates an adverse impact on the safety of communities in those areas, and another aspect of making our roads safer is to disrupt that kind of activity. We use intelligence and road patrols and checks to do this. The same techniques can be applied to deter activities linked to the threat of terrorism.

### **What we aim to do:**

- Influence and promote responsible road user behaviour
- Reduce the number of persons injured on our roads
- Warn people about the dangers of irresponsible use of vehicles
- Promote engineering improvements to make roads safer
- Ensure vehicles travelling in Falkirk are roadworthy
- Reduce Anti-Social use of our roads
- Enhance reassurance by patrolling our roads
- Reduce the commission of road traffic offences
- Positively impact on the use of the road by criminals
- Support anti-terrorism strategies

### **What this should mean:**

- Safer road travel in Falkirk for everyone
- Fewer road collisions and casualties
- Reduction in nuisance and disturbance from anti social use of vehicles
- Long term reduction in road traffic offences
- Less criminal activity in Falkirk
- Reduction in risk from potential terrorist activities.

### **How performance and success will be measured:**

- Road collision and injury statistics
- Level of selected road traffic offences
- Level of targeted road policing operations

### **Actions to support this priority**

- Listen to local communities about road safety concerns
- Identify problem locations using road collision data and analysis
- Take appropriate action in relation to concerns about speeding and those parking issues which remain a police responsibility.
- Target repeat offenders particularly disqualified drivers and drink drivers

- Carry out regular high profile road policing operations
- Work with partners to provide engineering solutions for safer roads
- Use Automatic Number Plate Recognition to identify offences and offenders
- Work with partners to educate road users about road safety
- Use road checks and visible patrols to reduce risks and increase safety on roads and disrupt criminal activity
- Allocate responsibility and accountability for delivery against priorities to an officer of superintendent rank

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#### **4. How we identified our priorities**

We have identified the priorities and objectives detailed within this plan from analysis of a number of sources both locally and nationally as well as through consultation with partners, communities and members of the public. Much of this consultation was carried out in preparing the initial, interim local policing plan and more recent consultation has provided the opportunity for stakeholders to refresh their views on priorities and identify any new issues.

The Scottish Policing Assessment sets out the priorities for Police Scotland to the year 2015. It is a key document for the police in the continuous process of meeting future policing challenges and ensuring that the service the police provide to the communities of Scotland is of a high standard.

The Assessment draws on information and intelligence provided from across all policing functions and other law enforcement agencies as well as information from key partner agencies including the Scottish Government, Local Authorities and the public. It is through this assessment that risk in relation to crime and disorder is prioritised.

At the more local level, the Forth Valley Divisional Strategic Assessment provides an overview of the nature of crime and emerging trends within the area and informs local priorities and objectives. It draws on a range of information including previous crime statistics and an environmental assessment of emerging threats. The Assessment shows that all three local authority areas have generally similar crime and community profiles, but that the weight of concern about specific issues may differ between different communities. That feature will be reflected in the content of the Multi Member Ward Plans.

This plan has also been prepared within the context of the work of the Falkirk Community Planning Partnership and of the Single Outcome Agreement for 2013-2015, which includes local policing priorities for Falkirk which support the Agreement. These are influenced by information and viewpoints from partner agencies and organisations.

Underlying this plan are the key principles of community planning namely; prevention and early intervention; integration of public services around the whole systems approach; and transparency, accountability and innovation in our approaches to policing.

Falkirk's Single Outcome Agreement 2013-2015 sets out the partners' vision for securing long term outcomes for our communities. The SOA outcomes to which this police plan contributes have been identified in an earlier section.

The Falkirk Community Planning Partnership recently reviewed and refined its strategic assessment and this process contributed to the production of the SOA and its outcomes. The evidence came from community opinion and partner judgements about risks to the community.

The Falkirk Community Safety Partnership regularly refreshes its community assessments and this helps to identify key areas of community safety risk. This process reviews the existing Community Safety priorities and considers any new or emerging

threats. It has helped to identify the priorities within this plan all of which link to the local Community Safety Partnership approach and are influenced by partner contributions.

At a local level we carry out consultation with communities on local issues on an ongoing basis through our Police and Communities Together (PACT) approach which identifies month by month what local issues are impacting in each area. The information from this consultation has helped inform the priorities together with more formal consultation carried out jointly with partners through citizen surveys.

These local views have been supplemented by the results from the Police Scotland Public Consultation Survey which gathered the views of people in the nine wards of Falkirk local authority area about what they saw as big local problems. The weight which they applied to issues on which their views were sought helped to define the priorities for policing in the area.

An online survey was also run which was advertised on the Council website and on its internal systems to encourage staff to provide their views. Police officers and staff in Forth Valley Division were also given the opportunity to complete the survey. It covered similar issues to the public consultation survey, but focused on asking people about their priorities for police action in order to complement the questions in the Public Consultation Survey.

Consultation was also undertaken through community organisations along with representatives from the voluntary sector. Community Councils are at the heart of local engagement and their contribution is most welcome. We also sought the views of local and national elected members who represent the Falkirk area and who are able to provide current and local information about community concerns.

We recognise that effective and fair policing is about reflecting the needs and expectations of individuals and local communities. Survey results show that different communities have differing expectations and contrasting experiences of the service provided by the police. Our aim is to ensure that we listen to communities and that our service to all is fair and consistent, keeping those who are most vulnerable safe and enhancing their quality of life.

## **5. Local Policing Arrangements**

Our focus is on keeping people safe. We aim to deliver policing that is visible, accessible and responsive to what people want and need in communities across the area.

Falkirk is one of three local authorities, along with Stirling and Clackmannanshire, which receives local policing services from the Forth Valley Division of Police Scotland. These services encompass functions such as response and community policing in the area commands, and roads policing and local crime investigation across the division. There are specialist units for the protection of vulnerable individuals and for the investigation of rape and domestic abuse. They are supplemented and complemented by other regional and national services which provide support in a number of ways. These include:

### **Regional**

**Specialist Crime Division:** Major Investigation Teams, Forensic Gateways, E – Crime, Financial Investigations, Serious and Organised Crime Units, Counter Terrorism Units, Offender Management, Border Policing Command, Technical Support Unit and Interventions.

**Operational Support:** Event and Emergency Planning, VIP Planning, Armed Policing Training, Road Policing Management & Policy, Armed Policing, Dogs, Trunk Roads Policing Group and Operational Support Units.

**Custody:** Regional Custody Teams.

**Contact, Command and Control:** Area Control Rooms and Service Centres

### **National**

**Specialist Crime Division:** National Intelligence Bureau, Homicide Governance and Review, Prison Intelligence Unit, Human Trafficking Unit, National Rape Investigation, National Rape Review, Fugitive Unit and Scottish Protected Persons Unit, International Unit, HOLMES, Safer Communities Citizen Focus, Preventions and Interventions, and Strategic Partnerships.

**Operational Support:** Scottish Police Information and Coordination Centre, Intelligence, Specialist Operations Training, Air Support, Dive/Marine Unit, Football Co-ordination Unit, Mounted Unit, Mountain Rescue, Motorcycle Unit.

**Custody:** Area Command and Support.

**Contact, Command and Control:** Incident Management and Service Overview.

There are also various departments at regional and national level supplying support services such as finance, human resources, estates, information technology, corporate services and media and communications.



The Local Police Commander in Forth Valley Division is Chief Superintendent David Flynn who has ultimate responsibility for the policing of three Area Commands that correspond to the three local authority areas that include Falkirk.

The Area Commander for Falkirk is T/Chief Inspector Mandy Paterson who is based at Falkirk Police Office and is supported by four Community Inspectors.

The majority of calls from the public for attendance by police are dealt with by officers from Response Policing. There are 5 groups of such officers working a shift pattern which provides policing cover for communities across Falkirk on a 24 hour a day basis. There is supervisory cover for each group provided by officers of inspector and sergeant rank.

There are also Community Policing Teams based across the nine electoral wards in Falkirk to tackle local problems and issues, with Community Sergeants co-ordinating their work. These officers focus on engaging with people in the communities to gain an understanding of local concerns and then to develop local plans to address them. These plans are known as Multi Member Ward Plans and deal with policing priorities specific to each ward and neighbourhood. They also inform the content of this local policing plan as many issues are common to the wards.

Community Officers will not only deal with priorities in the ward plan but will also look to resolve any other issues which arise in their communities, and will attend the less urgent calls for service where immediate or quick attendance is not a requirement. They will often seek assistance from partner agencies to provide the most suitable solution to community problems. Community officers working together will create a shared team approach to ward commitments and will provide a consistent and structured approach to issues that affect that area. While the initial point of contact may continue to be an officer who has become known in a local community, other members of the team will pick up work relating to that community in that officer's absence.

Similarly, while that officer will continue to attend community meetings in line with their availability, there will also be a shared ownership of meeting commitments to ensure personal police representation as often as possible. A standard report covering local issues will also be submitted to every community council meeting to ensure that such updates are available as a minimum level of service when officers are unavailable.

The Multi Member Ward Plans and details of Community Officers can be found at [www.scotland.police.uk](http://www.scotland.police.uk) by clicking on the heading of "Your Community" then selecting Forth Valley Division which then displays the three area commands. Selecting the appropriate area reveals the link to each local ward.

There are local crime investigation teams which operate across the division and generally deal with more serious crime or a series of crimes where some link is apparent. In addition there are Community Investigation Units which focus more on crimes which impact on community safety and wellbeing.

The Divisional Road Policing Unit operates across the Forth Valley and provides routine and targeted patrol and operations within Falkirk council area.

As highlighted above, communities in Falkirk now have access to a wide range of specialist functions within Police Scotland which are there to ensure that an equitable and flexible policing service can be provided across Scotland. Indeed some of these units such as major crime inquiry and public order teams are located in police offices in Forth Valley.

The foundation of the policing approach in Falkirk is local policing with its focus on the safety of people and communities. We deploy the resources available to us help achieve those outcomes. A new deployment model is being introduced in the early part of 2014 which is intended to support the implementation of the Local Policing Plan. The model has been designed by senior managers in Forth Valley Division to meet the specific challenges of delivering policing services in this area. Officers and staff who deliver those services were involved in the consultation about how resources could be best used.

Although levels of performance have been high, one of our approaches is to continually improve how we do things. Such improvements are intended to ensure that our services meet the needs and expectations of communities, and also to provide staff with a good work/life balance. The first element helps us to meet our responsibilities in contributing to the objectives of the Falkirk Single Outcome Agreement; whilst the second helps create a workplace where people feel valued and are encouraged to maximise their potential, to ensure the most efficient and effective service is delivered.

The main features of the deployment model are:

- to increase the number of community officers from just over a quarter to almost a half of the total number of response and community officers.
- to match resources more closely to call and service demand profiles
- to introduce a shift pattern for community officers with enough flexibility to undertake community responsibilities and to help meet calls for assistance from the public
- to supplement staffing levels in the Community Investigation Units and other specialist units to reduce the investigative burden on front line officers
- to maintain the high levels of performance and public satisfaction
- to have the right people in the right place at the right time doing the right things

Effective local policing is based upon sound partnerships, shared information and strong collaboration. The same is true of effective community planning and there are many different parties who can contribute to these – communities, local authorities and partner agencies and organizations. Whether from the public, private or voluntary sector partnership working is the key to achieving local outcomes for local communities.

It was mentioned earlier in the plan that we have some approaches to policing which run through most of what we do and how we do it. These are intended to reflect the community planning outcomes to which we contribute and this connection is shown below:

SOA OUTCOME	OUR POLICING APPROACH
Our area will be a safer place to live	<p>Tackle the misuse of alcohol and its effects on the safety of communities;</p> <p>Achieve high levels of community confidence and satisfaction;</p> <p>Identify and protect people with particular vulnerabilities</p>
Children will be supported in early years so that they become young people who are confident and successful	Identify and protect people with particular vulnerabilities
We will be healthier and live longer	Tackle the misuse of alcohol and its effects on the safety of communities;
Older people will be able to be independent and have choice and control on services within supportive communities	Recognise the diversity of communities and their needs and expectations
Our area will be a fairer and more equal place to live.	<p>Recognise the diversity of communities and their needs and expectations</p> <p>Acknowledge inequalities that exist and contribute to their reduction in delivering our policing service</p> <p>Improve how we do things by reviewing our contribution to communities and community planning and implementing improvements when necessary.</p>
Prosperous businesses will underpin the success of our local economy, providing sustainable and quality employment.	Reduce crime and fear of crime to make the area a more attractive place to do business and to attract investment.

## 6. National Outcomes

The table below illustrates how local policing priorities contribute to the Single Outcome Agreement for Falkirk, and how both of these elements of community planning link to the Scottish Government's National Outcomes.

SINGLE OUTCOME AGREEMENT (SOA)		LOCAL PRIORITIES (LP)
(A) Our area will be a safer place to live		Protecting People and Places; (1) Dealing with Antisocial Behaviour ; (2) Tackling Violence; (3) Disrupting organised crime; (4) Crimes of Dishonesty; (5) Making Roads Safer; (6)
(B) Children will be supported in early years so that they become young people who are confident and successful		Protecting People and Places; (1)
(C) We will be healthier and live longer		Protecting People and Places; (1) Disrupting organised crime; (4)
(D) Our area will be a fairer and more equal place to live.		Protecting People and Places; (1) Dealing with Anti Social Behaviour (2)
LINKS TO NATIONAL OUTCOMES		
SOA		LP
(B)	Our young people are successful learners, confident individuals, effective contributors and responsible citizens	(1);
(A); (B); (C)	We have improved the life chances for children, young people and families at risk	(1); (4).
(A)	We live our lives safe from crime, disorder and danger	(1); (2); (3); (4); (5); (6).
(A); (D)	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others	(1); (2); (3); (4); (5); (6).
(A)	We value and enjoy our built and natural environment and protect it and enhance it for future generations	(1); (2).

## **7. Performance and Accountability**

The priorities in the plan are supported by a local performance framework which attaches performance indicators to each priority. Current performance is compared against short and long term trends if applicable and against any standards we are trying to achieve. The framework also allows reporting on progress against any actions which we are undertaking in order to achieve the planned outcomes of each priority.

This approach will help Falkirk Council and local police managers to measure progress and monitor activities, and to discuss key areas where resources should be focused. It should also encourage a greater understanding by members of the nature and level of police resourcing, and the need for considered and effective management of those resources to respond both to community needs and expectations and to wider policing issues.

The framework has been in use since 1 April 2013 which means that members of the Scrutiny Committee, which is the local scrutiny board for Falkirk Council, receive police reports in a format to which they are accustomed. We will, however, review the performance framework as part of the introduction of the new local policing plan.

Prior to the first meeting of the Scrutiny Committee following publication of the plan, we will present a document to members for their consideration which will identify the specific indicators which we have linked to each of the priorities in the plan.

The minutes of scrutiny board meetings, including the performance document, are published on Falkirk Council's website.

The concerns and priorities at an even more local level are described in plans for individual Multi Member Wards. A summary of problems and priority actions in each ward is shown at Appendix A.

These ward plans also contain descriptions of the activities which are planned to address the issues over a six-month period from their publication in April each year. At the end of that period an additional document will be published with information about how we have performed over those six months, along with details of activities planned for the next six months. This process will be repeated and this cycle of plan, do, report and plan again should give communities a clear view of what we have been doing, how well we have been doing it and what we intend to do next. The plans are available on the Community Policing section of the Police Scotland website at [www.scotland.gov.uk](http://www.scotland.gov.uk)

The information available on the performance framework and from police management systems also helps local officers and managers to provide updates to representative bodies such as community councils and tenants associations. Requests for additional information to that supplied routinely will always receive a response.

Local media regularly carry articles about policing activity and successes, and attend meetings of the local scrutiny boards. This allows the information from performance reports to be shared within the public.

More extensive use of social media to direct people to information about policing performance will be an area targeted for improvement over the life of this plan.

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## **8. Local Scrutiny and Engagement**

In Falkirk, the council body which scrutinises police performance is the Scrutiny Committee. In relation to policing services, the role of the committee is to monitor the performance of the Police Service of Scotland against agreed outcomes, standards and targets as they relate to Falkirk.

The scope of the remit covers the contribution of policing to the achievement of the Single Outcome Agreement for Falkirk which confirms the close connection already identified between policing priorities and national and local outcome agreements.

The Committee does not confine its challenge to the information supplied to it but also seeks additional reports from local commanders in line with its scrutiny role.

Out with the formal scrutiny structure, local managers encourage elected members to contact them personally about local policing issues and service delivery. This approach is complemented by attendance of local officers at Community Council meetings and other local community forums to provide information and to answer questions.

Policing in Forth Valley has long had a strong community focus with engagement being done through the model of Police and Community Together (PACT). These principles will be carried forward into this policing plan with the aim of making engagement a continuous process. This will allow us to keep local priorities under review and to see what is and is not working in addressing them.

Councillors will have a particular interest in local ward priorities and actions and progress against these will be reported on a six-monthly cycle. At the same time, the review will identify planned actions against local priorities over the next six months. By these means, local managers will be able to report regularly to elected members who will be able to hold them to account for progress in resolving community concerns.

There is also a place for formal consultation which will be developed as reviews of the local policing plan and multi member ward plans are undertaken.

During the first year of operation of the new Police Service of Scotland, consultation was undertaken on a number of issues relating to changes in the delivery of services. The circumstances of reform meant that review of some functions was undertaken at considerable pace. This resulted in some key partners expressing the view that they did not have sufficient opportunity to fully engage with the consultation process. Police Scotland has taken account of feedback received from key partners such as local authorities that identified their expectations about consultation. Future reviews will be managed more in line with those expectations so as to benefit fully from the contributions from councils and elected members.

Social media offers an expanding means of community engagement and has been used both as a method of circulating community information and of seeking people's views.

Groups of people sharing characteristics such as common faith or nationality or sexual orientation have strong representation through the community advisers operating in

Forth Valley. These individuals not only provide a voice for the needs of different communities and groups but also act as in an advisory capacity in respect of the potential impact of policing plans, initiatives, operations and responses.

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## **9. Equalities**

The public sector equality duty under the Equality Act 2010 covers the following protected characteristics: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation (marriage and civil partnerships in relation to discrimination only).

We have a strong commitment to the duty to eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act; to advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and to foster good relations between people who share a protected characteristic and those who do not.

Survey results show that different communities have differing expectations and contrasting experiences of the service provided by the police. In addressing this, we will adopt an ethical approach based upon the core values of Integrity, Fairness and Respect and a commitment to human rights. The same principles will be applied in the decisions we make in delivering a policing service in Falkirk.

Police Scotland's equality and diversity outcomes have been developed in consultation with equality organisations and staff associations with representation from and across all protected groups to identify priority areas of business. As they are evidenced based, they will allow us to focus on specific areas for improvement and identify where we want to be as a service provider and employer.

- People better recognise Hate Crimes and incidents and feel confident reporting them.
- Individuals within and across protected groups feel safe and secure in their local community.
- Victims of gender-based violence are safer and are confident that the police are responsive to their needs.
- People from and across protected groups are meaningfully engaged by us, and their views contribute to service improvements.
- Everyone in Scotland is able to contact the police when they require our assistance, and this experience is positive.
- We have a workforce that is reflective of our communities, to increase trust and confidence in the police.
- We have a workplace where people feel valued and are encouraged to maximise their potential, to ensure the most efficient and effective service is delivered.

We value the diversity of our communities and will continue to improve our processes and functions to ensure that we fully support, and do not impact adversely on, minority groups and individuals.

We will strengthen community engagement and develop enhanced links with 'hard to reach' and vulnerable communities through means such as our independent community advisers who advise on the effect of our policies and service delivery on minority groups in the community

## **10. Local Contact Details**

**Contact details** – Falkirk Police Station, West Bridge Street, Falkirk FK1 5AP

**Telephone number** - Single Non Emergency Number 101

**E-mail** - For all non-emergency issues or enquiries relating to Police business, you can contact us via: [ForthValley@scotland.pnn.police.uk](mailto:ForthValley@scotland.pnn.police.uk)

This group email address is provided for you to discuss non-urgent local policing issues. It should not be used to report a crime or incident.

For information about your local Community Policing Team and other services that Police Scotland provides, please refer to the Force website at: [www.scotland.police.uk](http://www.scotland.police.uk)

### **We are here to help**

We will continue to keep in touch with you to keep you updated on the ongoing work being carried out to tackle the issues that are affecting life for you in Stirling.

- If you have any concerns or issues you wish to discuss, contact your local Community Policing Team.
- Dial 999 for an emergency that requires urgent police attention.
- For non-emergency contact, call 101, the Single Non Emergency Number
- If you have information about crime in your area and wish to provide it anonymously, call CRIMESTOPPERS on 0800 555 111

Service users who are deaf or have a hearing impairment can contact Police Scotland via TextRelay in an emergency on 18000 or non emergency on 18001 101.

## APPENDIX A - COMMUNITY CONSULTATION AND PRIORITIES

The **community consultation survey** carried out by community officers captured responses from 755 people across Falkirk, with between 80 and 95 persons being questioned in the 9 different wards. This was proportionate in terms of comparative population to the other two local authorities in Forth Valley Division.

The **top five problems** identified for Falkirk as a whole were youths causing annoyance; drugs; speeding; littering/fly tipping and antisocial behaviour (ASB). These can be related directly to priorities contained in the local policing plan – dealing with antisocial behaviour, disrupting organised crime, making roads safer, protecting people and places.

A separate **web survey** was also available to record people's **priorities for police action as opposed to identification of local problems**. There was not as large a response to this questionnaire, with a total of 171 individuals submitting responses.

Some of the issues identified as problems in the **community survey** were also identified in the **web survey** for priority actions (ASB, vandalism, drugs, housebreaking). Others which had not featured as significant problems in the community survey were however given high priority in the web survey as issues on which police should focus – violence/assaults, dangerous driving, serious organised crime; domestic abuse; bogus callers. All of these priority actions are also reflected in the policing plan priorities.

The table below shows how issues identified as problems or priority actions at ward level map to the priorities in the policing plan.

Ward Problem	Ward Priority Action	Policing Plan Priority
Speeding		Making Roads Safer
Parking		Making Roads Safer
Antisocial driving		Making Roads Safer
	Dangerous driving	Making Roads Safer
Youths causing annoyance		Dealing with ASB
Antisocial behaviour (ASB)	ASB	Dealing with ASB
Littering/fly tipping		Protecting People & Places
Vandalism	Vandalism	Protecting People & Places
	Domestic abuse	Protecting People & Places
	Violence/assaults	Violent Crime
Drugs supply/misuse	Drugs supply/misuse	Serious Organised Crime
	Serious organised crime	Serious Organised Crime
Housebreaking	Housebreaking	Crimes of Dishonesty
Theft		Crimes of Dishonesty
Theft of and from vehicles		Crimes of Dishonesty
	Bogus callers	Crimes of Dishonesty

By ward, the top five problems and priority actions were:

**Boness & Blackness:**

Problems – Speeding; drugs; litter/fly tipping; youths causing annoyance; ASB

Actions – drugs; violence; housebreaking; ASB; dangerous driving

**Bonnybridge and Larbert:**

Problems – youths causing annoyance; speeding; litter/fly tipping; parking; ASB

Actions – ASB; violence; housebreaking; vandalism; drugs

**Carse, Kinnaird & Tryst:**

Problems – youths causing annoyance; drugs; ASB; vandalism; litter/fly tipping

Actions – violence; ASB; housebreaking; drugs; dangerous driving

**Denny & Banknock:**

Problems – speeding; antisocial driving; drugs; youths causing annoyance; litter/fly tipping

Actions – drugs; ASB; housebreaking; violence; dangerous driving;

**Falkirk North:**

Problems – drugs; speeding; litter/fly tipping; youths causing annoyance; ASB

Actions – violence; drugs; ASB; housebreaking; dangerous driving

**Falkirk South:**

Problems – drugs; parking; youths causing annoyance; speeding; litter/fly tipping

Actions – violence; housebreaking; drugs; bogus callers; serious organised crime

**Grangemouth:**

Problems – youths causing annoyance; ASB; drugs; theft; housebreaking

Actions – ASB; violence; drugs; domestic abuse; dangerous driving;

**Lower Braes:**

Problems – litter/fly tipping; antisocial driving; speeding; youths causing annoyance; parking

Actions – housebreaking; drugs; violence; ASB; bogus callers

**Upper Braes:**

Problems – speeding; youths causing annoyance; litter/fly tipping; parking; antisocial driving

Actions – ASB; violence; drugs; housebreaking; dangerous driving

These results helped shape the priorities in the plan along with the outcome of other consultation through community groups and representatives and partner organisations and with elected members. Analysis of crime and incident data was also used as evidence as was the local knowledge and experience of police managers and staff.

## **APPENDIX B – PARTNERSHIP WORKING**

### **LOCAL POLICING PLANS – PARTNERSHIP WORKING**

Police Scotland works with many other organizations and agencies to deliver the outcomes from priorities in the Falkirk Local Policing Plan.

#### **All Priorities**

- Falkirk Tactical Tasking & Coordinating Group (TT&CG)
- Falkirk Community Safety Partnership

#### **Protecting People**

- Forth Valley Multi Agency Assessment Screening Hub (FV MAASH) and Forth Valley Public Protection Service (FV PPS)
- Forth Valley Inter Agency Young Runaways
- Central (Forth Valley) E-Safety Partnership
- Internet Safety Action Group
- Forth Valley Whole System Approach (WSA) Management Group
- Forth Valley 'Getting It Right For Every Child' Group (FV GIRFEC Group)
- Multi Agency Public Protection Arrangements Strategic Oversight Group (MAPPA SOG)
- Forth Valley Criminal Justice Service Domestic Abuse Strategy Group (FVCJS DA)
- Appropriate Adult Steering Group (AA Steering Group)
- Forth Valley Adult Support and Protection Group (FV ASP Group)
- Forth Valley Alcohol and Drugs Partnership (FVADP)
- Falkirk Child and Public Protection Groups
- Major Incident Control Committee (MICC)
- Early and Effective Intervention Groups – members - Police/ Education/ Social Work / Safeguarding Communities Reducing Offending (SACRO) / Community Learning & Development / Young Carers .
- Safebase – night-time economy safe shelter - Police / Ambulance / Falkirk Town centre management / Licensed premises / Street pastors / British Red Cross / Signpost / Falkirk Council
- Falkirk & District Community Safety Panel
- Age Scotland
- Women's Aid.
- Scottish Fire and Rescue Service
- Multi Agency Hate Response Strategy (MAHRS).

- Forth Valley National Health Service
- Falkirk Domestic Abuse Forum
- Street Pastors
- Barnardos

### **Protecting Places**

- Night Noise Team
- Scottish Fire and Rescue Service
- Falkirk Council Corporate and Neighbourhood Services
- Falkirk Council Environmental Services

### **Dealing with Antisocial Behaviour**

- Falkirk Investigation Response and Support Team (FIRST)
- Registered Social Landlords
- Conflict Resolution Services

### **Violent Crime**

- Multi Agency Tasking and Coordinating Group (MATAC)
- Multi Agency Risk Assessment Conference (MARAC)

### **Disrupting Organised Crime**

- Scottish Business Resilience Centre
- Local authority SOC officer
- Registered Social Landlords

### **Crimes of Dishonesty**

- Scottish Business Resilience Centre
- Retailers Against Crime Scotland

### **Making Roads Safer**

- Road Safety Partnership
- Falkirk & District Community Safety Panel
- Central Scotland Safety Camera Partnership
- Falkirk Community Trust
- Local Authorities' Roads Engineering Departments
- Transport Scotland (trunk roads)
- Driver & Vehicle Standards Agency - DVSA (formerly VOSA).
- Scottish Fire and Rescue Service

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**FALKIRK COUNCIL**

**Subject: TREASURY MANAGEMENT ANNUAL REVIEW 2013/14**  
**Meeting: FALKIRK COUNCIL**  
**Date: 25 June 2014**  
**Author: CHIEF FINANCE OFFICER**

**1. INTRODUCTION**

- 1.1 The Council is required by regulations issued under the Local Government Scotland Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2013/14. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 1.2 During 2013/14 the reporting requirements were that the full Council should receive the following reports:
- an annual treasury strategy in advance of the year (Council 06/03/2013)
  - a mid-year treasury update report (Council 11/12/2013)
  - an annual review following the end of the year describing the activity compared to the strategy (this report)
- 1.3 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is therefore important, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policy and strategy previously approved by members.

**2. ECONOMIC AND INTEREST RATE REVIEW**

- 2.1 The Treasury Management Strategy 2013/14, approved by Council in March 2013, noted that the outlook for the global economy remained uncertain with the UK economy struggling to recover both in terms of generating growth and controlling inflation. However, over the last nine months, we have had a continuing run of strong economic news which has consolidated confidence that the UK economy is recovering. GDP has grown at a rate of 3.1% over the last year and inflation has fallen throughout 2013/14 and is now at 1.8% which is below the Government's target level of 2%. Unemployment has also fallen to a level of 6.8%.
- 2.2 The Monetary Policy Committee has maintained the level of quantitative easing at £375bn despite recent evidence that the UK economic recovery is strengthening. The original expectation was that the bank base rate would start to rise from March 2015, however, this is now not expected to happen until December 2015.

- 2.3 In terms of the sovereign debt crisis within the Eurozone, Ireland and Portugal made good progress and were able to exit from their bail out programmes. However Greece did not fare so well and continues to remain vulnerable. Although the Eurozone finally escaped from seven quarters of recession in quarter 2 of 2013, growth has remained weak.
- 2.4 The investment environment remains challenging with low investment returns and continuing heightened levels of counterparty risk.

### 3. BORROWING STRATEGY 2013/14 – OUTCOME

- 3.1 The Council's longer term borrowing requirement for the year is set out below:

	<b>2013/14 Original Estimate £m</b>	<b>2013/14 Actual £m</b>
Capital Programme (net of receipts and including TIF)	52.1	43.3
Service Payments	(20.1)	(19.6)
Longer Term Loans maturing in year	10.0	10.0
Total Longer Term Borrowing Requirement	42.0	33.7

- 3.2 The reduction in borrowing was factored into the budget approved by Members in February 2014. This reduction relates to slippage in the General Capital Programme and additional capital receipts/use of reserves in the Housing Programme. The expenditure and related borrowing will now fall into the current financial year.
- 3.3 The Strategy noted that whilst short term rates were likely to be more favourable, all borrowing periods would be considered. Consequently borrowing undertaken during 2013/14 combined both short term and long term depending on the interest rates prevailing at the time monies were required.
- 3.4 Borrowing undertaken during 2013/14 is as detailed below:

	<b><u>Short Term</u> £'m</b>	<b><u>Long Term</u> £'m</b>	<b><u>Total</u> £'m</b>
Borrowing at 01/04/13	22.0	147.6	169.6
Maturing in Year	(22.0)	(10.0)	(32.0)
Borrowing in Year	22.0	39.0	61.0
Borrowing at 31/03/14	22.0	176.6	198.6

- 3.5 As noted in the 2013/14 Interim Review Strategy, the Council has been in an under-borrowed position for some time i.e. cash balances have been used to fund capital expenditure in place of borrowing. This has been beneficial as the loans fund interest rate has remained lower as a result. However, due to the potential for increased interest rates we will be translating some of this under borrowing into long term loans on a gradual and managed basis. Due to timing differences, only £29m of the longer term borrowing requirement was undertaken by 31 March 2014, with a further £10m PWLB borrowing being undertaken in April 2014. Part of this additional £10m long term borrowing will go towards reducing the underborrowing position of the Council. This additional borrowing remains within the prudential indicator limits approved by Members.
- 3.6 The Strategy noted that the Council has £26m of Market Loans which could be repaid during the year should any of the lenders invoke a rate change. However, these rate changes were not made and the Market Loans remain on existing terms.

3.7 There was no debt rescheduling activity during the year.

#### **4. INVESTMENT STRATEGY**

- 4.1 Members are reminded that the primary objectives of the Council's investment strategy remain first and foremost to ensure timeous and full repayment of principal and interest, then securing adequate liquidity of funds invested and finally optimising investment returns consistent with those counterparty risks.
- 4.2 Consistent with the requirement of the investment regulations and as part of the Strategy Report, Council approved a list of "Permitted Investments" setting out the types of investments to be used and monetary/time limits applied to each type of investment. During the early part of the year, the Council briefly breached the limit of £8m with the Clydesdale Bank. This was due to difficulties in the selection of investment counterparties as noted in section 2.4 of this report. However, the credit rating downgrade of the Clydesdale Bank during 2013/14 required the Council to review its £8m limit and as such the level of investments in the Clydesdale Bank was restricted during the remainder of the year. Thereafter, the Council deposited monies with institutions who do meet our approved counterparty selection criteria.
- 4.3 Aside from the downgrading of the Clydesdale Bank, there was no other change to the counterparty selection criteria nor the list of eligible counterparties as advised in the Strategy Report to Council in March 2013. However, in the light of the position outlined at 4.2, the Council set up four Money Market Funds as allowed under the approved counterparty list. This facility has provided the Council with an alternative counterparty for investments.
- 4.4 The Council held £18.4m of investments as at 31 March 2014, £9.4m of which was available on instant access in three UK Banks and £9.0m in Money Market Funds.

## **5. TREASURY MANAGEMENT PRUDENTIAL INDICATORS**

- 5.1 Financing of the Capital Programme is a key driver of Treasury Management activities which in turn is managed by a series of treasury management prudential indicators. The purpose of the indicators is to contain the activity of the treasury function within specified limits, thereby managing risk and reducing the impact of an adverse movement in interest rates.
- 5.2 The three treasury indicators are set out at Appendix 1 and show comparison with the Council's actual exposure as at 31 March 2014. This confirms that the Council's treasury operations were operating well within the set parameters during financial year 2013/14.

## **6. MEMBER TRAINING**

- 6.1 The Investment Regulations provide for increased scrutiny by Members of treasury management issues and to this end a training session tailored towards the needs and responsibilities of Members took place on 28 April 2014.

## **7. CONCLUSION**

- 7.1 Treasury objectives consistent with the Strategy have been met in terms of both borrowing and investment. The legacy of the financial crisis means that market conditions remain challenging.

## **8. RECOMMENDATION**

- 8.1 Council notes the contents of the Annual Review 2013/14.

**Chief Finance Officer**

**Date: 3 June 2014**

**Contact Officer: Amanda Templeman/Carole McGhee**

### **LIST OF BACKGROUND PAPERS**

NIL

**TREASURY MANAGEMENT PRUDENTIAL INDICATORS**

**1. INTEREST RATE EXPOSURE**

These limits set the maximum for fixed and variable interest rates based on the debt position net of investments and seeks to control the level of debt exposed to short term movements in interest rates.

	2013/14	
	UPPER LIMIT	POSITION (31/03/14)
Fixed Interest Rates	100%	99%
Variable Interest Rates	40%	1%

**2. MATURITY STRUCTURE ON FIXED INTEREST RATE BORROWING 2013/14**

These gross limits are set to control the Council's level of exposure to loans expiring in any one period.

	Lower %	Upper %	Position (31/03/14) %
Under 12 months	0	25	6
12 months – 2 years	0	25	10
2 years – 5 years	0	50	0
5 years – 10 years	0	75	10
10 years – 20 years	0	75	25
20 years – 30 years	0	75	21
30 years – 40 years	0	75	19
40 years – 50 years	0	75	9
			100%

**3. PRINCIPAL SUM INVESTED > 364 DAYS**

The Council does not place investments for periods longer than 364 days.



**FALKIRK COUNCIL**

**Subject:** ANNUAL ACCOUNTS 2013/14  
**Meeting:** FALKIRK COUNCIL  
**Date:** 25 June 2014  
**Author:** CHIEF FINANCE OFFICER

**1. INTRODUCTION**

- 1.1 In terms of the Local Government (Scotland) Act 1973 and the Local Authority Accounts (Scotland) Regulations 1985, the Council is required to submit the Unaudited Annual Accounts of the Council for the financial year ended 31 March 2014 to the Controller of Audit by the statutory deadline of 30 June 2014.

**2. 2013/14 ACCOUNTS**

Officers have been working on preparing the Unaudited Accounts for the past few months and the closure of accounts process is proceeding in accordance with the project plan to allow them to be lodged with the Controller of Audit by the due date of 30 June. The Unaudited Accounts will be posted on the Council's website from 2 July 2014. It is anticipated that the statutory three week public inspection period will commence on 21 July following public notice. The audit stage will commence formally at the beginning of July and is due to be completed by the end of September. Copies of the draft accounts are available from the Chief Finance Officer from 30 June.

**3. RECOMMENDATION**

That Members approve the submission of the Unaudited Annual Accounts to the Controller of Audit by the statutory deadline of 30 June 2014.

**Chief Finance Officer**

**Date:** 2 June 2014

**Contact Officer:** Amanda Templeman

**LIST OF BACKGROUND PAPERS**

1. 2013/14 Unaudited Annual Report and Accounts.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506371 and ask for Amanda Templeman.





**FALKIRK COUNCIL**

**Subject: FALKIRK COMMUNITY TRUST – DIRECTOR APPOINTMENTS**  
**Meeting: FALKIRK COUNCIL**  
**Date: 25 JUNE 2014**  
**Author: CHIEF EXECUTIVE**

**1.0 INTRODUCTION**

- 1.1 This report relates to the Council's appointment of two Directors to the Board of Falkirk Community Trust ("the Trust").

**2.0 BACKGROUND**

- 2.1 In terms of the Articles of Association of the Trust, the Council has the right to appoint five Directors to the Board of the Trust. A Director on the Board of the Trust is required, under the Articles, to retire at the end of a two year period. It is available for a Director so retiring to be reappointed for a further two year period provided that no Director can be appointed for more than three such two year terms.
- 2.2 The current Council appointed Directors are Provost Reid, Baillie Paterson and Councillors Nicol, Gow and D Goldie. The two year periods of appointment of Councillor Goldie and Baillie Paterson are shortly due to come to an end having both been appointed in June 2012. Provost Reid and Councillor Nicol were reappointed as Directors in June 2013 and Councillor Gow in October 2013 meaning that they all have a year or more of their appointments to run.

**3.0 APPOINTMENT OF DIRECTORS**

- 3.1 In light of the two year periods of the Directorships of Councillor Goldie and Baillie Paterson approaching their end dates, it is recommended that Council take a decision to appoint two elected members to the Board of the Trust.
- 3.2 It is available to the Council to reappoint Councillor Goldie and Baillie Paterson for further two year periods. It is equally available for the Council to appoint other elected members in place of them.

#### **4.0 RECOMMENDATION**

##### **4.1 It is recommended that Council agrees:-**

- (a) two elected members to be Council appointed Directors on the Board of the Trust in respect of the positions currently held by Baillie Paterson and Councillor D Goldie; and**
- (b) that the Chief Executive be authorised to provide written notice to the Trust of the decision taken in terms of recommendation 4.1(a).**

.....  
**CHIEF EXECUTIVE**

**3 June 2014**

Contact Officer: Iain Henderson, Legal Services Manager (Telephone: 01324 506103)

#### **LIST OF BACKGROUND PAPERS**

Articles of Association of Falkirk Community Trust Limited

**FALKIRK COUNCIL**

**Subject: ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**  
**Meeting: FALKIRK COUNCIL**  
**Date: 25 JUNE 2014**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. INTRODUCTION**

- 1.1 Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 requires a Council in receipt of findings from the Standards Commission following a hearing, to consider those findings at a meeting of Council. It is not available to delegate this function to an officer or to a committee and the findings must be considered within three months of receipt or within such longer period as the Commission may determine. These provisions are repeated in Rule 10.9 of the Commission's Hearings rules which also require the outcome of any consideration to be reported back to the Commission.

**2. HEARING AND FINDINGS**

- 2.1 The Standards Commission met in Falkirk on 17 and 18 February 2014 for a hearing to consider a complaint against Councillor Robert Spears. The findings were issued on 4 March and were submitted to the meeting of Council on 14 May 2014 for consideration. Councillors Spears was not in attendance at that meeting and Council agreed to continue the item to a future meeting to enable Cllr Spears to attend.
- 2.2 A request to the Standards Commission to extend the period for consideration of the hearing findings was granted, with the Commission noting that the matter would be considered again by Council at this meeting.
- 2.3 A copy of the Commission's findings is attached to this report.

**3. RECOMMENDATION**

- 3.1 It is recommended that Council considers the findings of the Standards Commission as required by Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act 2000.

.....  
Chief Governance Officer

**LIST OF BACKGROUND PAPERS**

Nil

**Decision of the Hearing Panel of the Standards Commission  
for Scotland following the Hearing held at the Best Western  
Park Hotel, Falkirk on 17 and 18 February 2014.**

**Panel Members:** Mr Ian Gordon OBE, QPM, Chair  
Mr Matt Smith OBE  
Mrs Julie Ward

This Hearing arose in respect of a Report by Mr D. Stuart Allan, Commissioner for Ethical Standards in Public Life in Scotland (the Commissioner), further to complaint No. LA/Fa/1392 ("the Complaint"), concerning an alleged contravention of the Councillors' Code of Conduct ("the Code") by Councillor Robert Spears of Falkirk Council ("the Respondent").

Mr Ranald Macpherson attended the Hearing as the representative of the Commissioner and presented his case and was accompanied by Mr Ian McLeod, Investigating Officer. The Respondent attended the Hearing and was represented by Councillor Brian McCabe.

At the opening of the Hearing Councillor Spears indicated concern that he had had insufficient time to engage legal representation. The Chair drew Councillor Spear's attention to correspondence from the Standards Commission, as on 19 December 2013, when he had been advised of his entitlement to representation of his choice. Councillor Spears then asked if it would be in order for him to be represented by one of his witnesses, Councillor McCabe. The Chair, having invited comment from the Commissioner's representative agreed to this form of representation and as a consequence provided an opportunity for Councillor McCabe to give opening evidence, as a witness, before assuming his representational role. To further facilitate this process, the Chair offered Councillors Spears a brief adjournment.

### **The Complaint**

The Complainant was Councillor Dennis Goldie. The complaint alleged that the Respondent, while an elected member of Falkirk Council, had contravened the Code and, in particular, the provisions relating to conduct at meetings.

The Commissioner investigated the complaint and concluded that the Respondent had, on a balance of probability, given Provost Reid a straight arm salute and did say the words "Sieg Heil" at a public meeting of Falkirk Council. Therefore the Respondent was found to have breached Paragraph 3.2 within the Councillors' Code of Conduct.

The relevant provisions are:

### **Councillors' Code of Conduct**

### **Section 3: General Conduct: Conduct at Meetings**

3.2 *You must respect the chair, your colleagues, Council employees and any members of the public present during meetings of the Council, its committees or sub-committees or of any public bodies where you have been appointed by, and represent the Council. You must comply with rulings from the chair in the conduct of the business of these meetings.*

#### **Joint Statement of Facts**

The Commissioner and the Respondent failed to agree a Joint Statement of Facts.

#### **Evidence presented at the Hearing**

1. The Respondent was present at a meeting of the Falkirk Council held on 6 March 2013 and took part in a vote by those present on a motion to suspend Council Standing Orders. The vote was taken by a show of hands from Councillors that was counted by the Clerk to the Council.
2. The motion was controversial and the Chamber was noisy; the term 'dictatorship' had been used. The Respondent voted for the motion; those supporting the motion voted first whilst those against the motion voted second. Mr Macpherson stated that after the vote was completed, the Respondent raised his arm in a straight-arm salute and said the words "Sieg Heil", which appeared to be directed at the Provost who was seated opposite the Respondent in the Council Chamber.
3. Councillor McCabe, for the Respondent, stated that the Respondent gave no straight-arm salute. The only time he had raised his arm was whilst voting for the motion. Councillor McCabe said the Respondent had made a comment: "We'll be Sieg Heiling in here next", directed at Councillor McCabe but he had not in fact heard it. The Respondent stated that he said those words during the vote. Councillor McCabe was seated next to the Respondent during the meeting.
4. Four witnesses, including the Provost (who was chairing the meeting) and the Democratic Services Manager of the Council, both of whom were sitting opposite the Respondent, stated they saw the Respondent make the straight-arm salute and heard him say the words, "Sieg Heil". These witnesses further state that the raising of the arm and words spoken were after the vote had been taken.
5. The Democratic Services Manager made a handwritten note of the meeting in which, after the vote had been concluded, he had written that the Respondent had said "Sieg Heil". When he was preparing the notes for typing he added (arm raised). He did this because that is what he had seen the Respondent do after the vote.

6. Two witnesses for the Respondent (including Councillor McCabe) said they had become aware of a commotion in the Chamber but had not seen the Respondent raise his arm or speak the words. One of those witnesses thought the commotion may have been after the vote. Two other witnesses were not aware of anything untoward in the Chamber and had not seen the Respondent raise his arm or speak the words. These four witnesses could not therefore clarify if the event did or did not take place.
7. The Respondent, in evidence, said that he only raised his arm to vote on the motion— as did the other councillors; he did not make a straight arm salute and he did not say “Seig Heil”. He did make a flippant comment to Councillor McCabe, who was sitting next to him, comprising: “We’ll be Sieg Heiling in here next”. He regrets making that comment. No other witnesses heard that comment.
8. There was no clarity by the witnesses as to whom the salute was directed but it was clear that it was made towards the Bench, where the Provost was seated. Those persons, who had witnessed the action and heard the words, gave evidence that they considered it was offensive. The Provost said he was angered by the Respondent’s actions and said so at the time.
9. Evidence was given that the Respondent made a statement in the Chamber, to the Provost in relation to the event. Not all witnesses saw or heard this and those who did thought it was not an apology, as such, by the Respondent. Evidence was also given that the Respondent saw the Provost immediately after the event, in the Provost’s private Chamber, and apologised for making the remark.

### **The Decision**

The Hearing Panel considered all of the evidence, the submissions given in writing and orally at the Hearing and found as follows:

1. The Councillors’ Code of Conduct applied to the Respondent.
2. The Respondent had breached Paragraph 3.2 of the Councillors’ Code of Conduct when he was disrespectful in the Council Chamber of Falkirk Council on the 6 March 2013.

The reasons for the Hearing Panel decision are based on the balance of probabilities arising from the evidence heard:

1. During the meeting on 6 March 2013, in relation to an agenda item under discussion, a vote was taken to allow for the suspension of Standing Orders; those supporting the motion, which included Councillor Spears, voted first. Those opposing the suspension of the Standards Orders voted second. The result of the votes was announced. This had been a contentious issue during which there had been exchanges across the Chamber including an allegation of dictatorship. At this point, following the vote, it is alleged that

Councillor Spears raised his arm in a straight-arm salute and said the words "Sieg Heil".

The Hearing Panel carefully considered the evidence of four witnesses who had observed and heard this event and when it occurred, giving particular credence to that of the Provost and the Democratic Services Manager. The Hearing Panel heard evidence from other witnesses who said that they had not observed this event.

The Respondent admitted that he had said a form of words that included the phrase "Sieg Heil". There was no evidence given of the other form of words used by Councillor Spears.

The Hearing Panel determined, on the balance of probabilities, that this event - action and words, had taken place.

2. There is evidence from the Provost that he had objected to what had been done and said by the Respondent and, as a consequence, he had received a form of apology from the Respondent, which was later repeated by him in the Provost's Chamber. The Hearing Panel considers the event was directed at the Provost.
3. There is clear evidence from the witnesses who had seen and heard this event that the Respondent was disrespectful of the Provost; the Hearing Panel considered it was unreasonable and disrespectful for Councillor Spears to conduct himself in this way.

### **Sanction**

The Hearing Panel decided to censure Councillor Spears.

This sanction is made under the terms of the Ethical Standards in Public Life etc. (Scotland) Act 2000 section 19(1)(b)(ii).

The reasons are:

1. The Hearing Panel accepted the action was a moment of indiscretion on the part of Councillor Spears.
2. The Hearing Panel also accepted that he showed regret and made an immediate apology to the Provost and repeated that apology at a later time.
3. The Hearing Panel carefully considered all of the evidence, the circumstances and the mitigation. Councillor Spears has made a significant contribution in public life in Scotland and elsewhere. The Panel saw no merit in suspending Councillor Spears even for a limited time.
4. The Hearing Panel considered that censure will allow Councillor Spears to reflect on his future conduct in the Chamber.

## Appeal

The attention of the Respondent is drawn to Section 22 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 which details the Right of Appeal in respect of this Decision.

Date: 3 March 2014



Ian A Gordon OBE, QPM  
Chair of the Hearing Panel



**FALKIRK COUNCIL**

**Subject: EXECUTION OF DEEDS**  
**Meeting: FALKIRK COUNCIL**  
**Date: 25 June 2014**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. INTRODUCTION**

- 1.1 The Deeds shown in the Appendix to this Report have been signed and sealed on behalf of the Council by the Chief Governance Officer.

**2. RECOMMENDATION**

- 2.1 That Council notes the signing and sealing by the Chief Governance Officer of the Deeds listed in the Appendix.

.....

Chief Governance Officer

Date: 4 June 2014

Contact Officer: Brian Pirie (Tel: 01324 506110)

**LIST OF BACKGROUND PAPERS**

Nil



**COMPULSORY PURCHASE ORDER by**

Falkirk Council

Land south of Main Street, Shieldhill

**DATA PROCESSING AGREEMENT between****FALKIRK COUNCIL, STIRLING COUNCIL ,  
CLACKMANNANSHIRE COUNCIL & COMMON  
SERVICES AGENCY**

Integrated Health &amp; Social Care Services

**DEED of SERVITUDE by FALKIRK COUNCIL in favour of**

Scotland Gas Networks plc

Grahamsdyke Terrace, Bo'ness

**DISCHARGE by FALKIRK COUNCIL in favour of**

W A McCourt

24 Thornbridge Gardens, Falkirk

**DISPOSITION by FALKIRK COUNCIL in favour of**

AW Miller

LP Stirling and BWM Cochrane

J Milne, I Milne &amp; T Milne

JP Neil

J A Sharp

R W Scobbie and M L Scobbie

T Fotheringham

R Easton &amp; C Easton

I F McDougall &amp; C McDougall

D Cameron

L Mungall and C Mungall

Ground at 79 Dochart Place, Falkirk

52 Ure Crescent, Bonnybridge, FK4 1NB

353 Main Street, Stenhousemuir, FK5 4BL

23 Farm Street, Falkirk

Ground at Dundas Street, Grangemouth

36 Newlands Road, Grangemouth

42 Bothkennar Road, Carronshore

11 Skaithmuir Crescent, Carronshore

30 Salmon Inn Road, Falkirk

49 Moriston Court, Grangemouth

Lochside Cottages, Woodburn Avenue, Redding

**MINUTE of AGREEMENT among FALKIRK COUNCIL and**

Taylor Wimpey Scottish Limited Partnership and National

House Building Council

Overton Farm, Site 8 Phase A

Taylor Wimpey Scottish Limited Partnership and National

House Building Council

Overton Farm, Site 8 Phase B

**MINUTE of AGREEMENT between FALKIRK COUNCIL and**

Dunmore Village Association

The Dalgrain Farming Partnership

Dunmore Sensory Community Garden

Towncroft, Bothkennar

**MINUTE of VARIATION between FALKIRK COUNCIL and**

Penman Estates Limited

A Anderson and J M Anderson

24 Abbotsinch Road, Grangemouth

Unit 9 Westmains Industrial Estate,  
Grangemouth**NOTICE OF PAYMENT OF IMPROVEMENT GRANT**

M Stuart

J Craig

A Campbell

F Burrowes

2 Avontoun Crescent, Whitecross

35 Oswald Avenue, Grangemouth

18 Torlea Place, Larbert

6 Argyll Path, Denny

E McNee  
 D Easton  
 E Calder  
 F Robertson  
 A Sibbald  
 E MacDonald  
 A Kennedy  
 A Soper  
 K Murray  
 J Muirhead  
 G E Short  
 M Slater  
 K A Griffiths  
 W Thomson  
 D Conner  
 L Hunter  
 J Bell  
 E Rintoul  
 A Scobbie  
 D Wright  
 G Batchelor  
 H Strathie  
 M Stirling  
 F Scott  
 D Alexander  
 S & S Kiloh  
 G Hannah  
 M Kerr  
 J Carr  
 J Wood  
 G Cairns  
 E Mackay  
 M McTaggart  
 M Cowan  
 R Miller  
 M McFarlane  
 J Bee  
 E Moir  
 L Dyke  
 H McKinnon  
 A Baird  
 M Cruse  
 I Dougall  
 M Hamill  
 W Lawless  
 J Sneddon  
 W Wright  
 M McCartney

36 Montgomery Street, Falkirk  
 15 Greencraig Avenue, Shieldhill  
 1 Mount Annan Main Street, Standburn  
 30 Elizabeth Avenue, Grangemouth  
 Greenacres Cottage, Lochgreen Road, Falkirk  
 8 Quarrollhall Crescent, Carronshore  
 76 Wotherspoon Drive, Bo'ness  
 45 Margaret Avenue, Haggs  
 1 Laxdale Drive, Denny  
 60 Drumacre Road, Bo'ness  
 111 Eastburn Tower, Eastburn Drive, Falkirk  
 124 Eastburn Tower, Falkirk  
 Flat 1 Kenmore House, Brightons, Falkirk  
 Amberley, Cromwell Road East, Falkirk  
 29 Gunn Road, Grangemouth  
 1 Victoria Road, Larbert  
 11 Annan Court, Hallglen, Falkirk  
 4 Dunure Street, Bonnybridge  
 27 Jessfield Place, Bo'ness  
 71 Stevenson Avenue, Polmont  
 2 Lismore Court, Hallglen  
 25 Glen Crescent, Glen Village, Falkirk  
 2 Beaully Court, Grangemouth  
 16 Burnfield Place, Falkirk  
 28 Millburn Street, Falkirk  
 11 Reilly Gardens, Bonnybridge  
 66 Fendoch Road, Grangemouth  
 69 Muirepark Court, Bo'ness  
 43 Carronbank Crescent, Denny  
 54 Moriston Court, Grangemouth  
 11 Waverley Terrace  
 3A Hawley Road, Falkirk  
 26 Elphinstone Crescent, Airth  
 9 Shiel Gardens, Falkirk  
 Garncrew Lodge, Castlecary, Bonnybridge  
 16 Marchlands Avenue, Bo'ness  
 9 Kincardine Road, Carronshore  
 Rowanvue, 41 Kilsyth Road, Haggs  
 6 Poplar Street, Grangemouth  
 62 Main Street, Shieldhill  
 9 Broompark Gardens, Denny  
 28 Braes View, Denny  
 21 Nevis Place, Hallglen  
 66 Main Street, Carronshore  
 6 Smallburn Place, Grangemouth  
 44 Castlehill, Bo'ness  
 31 Barrie Road, Stenhousemuir  
 10 T'ree Crescent, Polmont





**FALKIRK COUNCIL**

**Subject: DELEGATION OF POWERS TO DETERMINE URGENT  
ISSUES DURING THE SUMMER RECESS**  
**Meeting: FALKIRK COUNCIL**  
**Date: 25 June 2014**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. INTRODUCTION**

- 1.1 In order that urgent items of business, normally determined by Council or Committee, might be dealt with during the summer recess, it is proposed that Chief Officers be given delegated powers to determine such items, in consultation with the Leader of the Council and/or the relevant portfolio holder or, as appropriate, the relevant Committee Convener and/or Depute Convener. Where it is proposed that matters are to be so considered, the Chief Officer will require to submit these items to the Chief Governance Officer in the first instance. This is, however, a general principle of delegation and is subject to a number of important exceptions.
- 1.2 These exceptions are:-
- (a) no Officer shall be entitled to take decisions involving Council expenditure outwith the approved Revenue Budget and Capital Programme;
  - (b) no Officer shall take decisions involving an increase in the permanent establishment of his/her Service; and
  - (c) no delegated decision shall be taken where there is a dispute as to the legality, propriety or the proper interpretation of Council policy arising from the matter to be decided.
- 1.3 A special meeting of the appropriate Committee would be convened if it was necessary to take a decision urgently in respect of any matter falling within one of the exceptions.
- 1.4 In taking decisions under the auspices of this authority, Directors would be required to consult as widely as necessary and, in any event, with the Chief Executive and the Chief Governance Officer.

## 2. RECOMMENDATION

2.1 It is recommended that Chief Officers be given delegated powers, in consultation with the Leader of the Council and/or the relevant portfolio holder or, as appropriate, the relevant Committee Convener and/or Depute Convener, to determine urgent items of business during the summer recess (from 25 June 2014 to 19 August 2014) and to report the decisions thereon to the first meeting of the Executive thereafter, provided that any such decision:-

- (a) is required to secure the proper delivery of Council Services and to comply with the Council's statutory duties;
- (b) does not involve expenditure of Council monies outwith the approved Revenue Budget and Capital Programme;
- (c) does not involve an increase in the permanent establishment of the particular Service, and
- (d) involves no dispute as to legality, propriety or the proper interpretation of Council policy as affecting the decision.

.....  
Chief Governance Officer

Date: 6 June 2014

Contact Officer: Brian Pirie, Tel: 506110

### LIST OF BACKGROUND PAPERS

None