

FALKIRK COUNCIL

MINUTE of MEETING of the EXECUTIVE held within the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 18 MARCH 2014 at 9.30 a.m.

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

OFFICERS: Karen Algie, Head of Human Resources and Customer First
John Angell, Head of Planning and Transportation
Robin Baird, Waste Strategy Co-ordinator
Fiona Campbell, Head of Policy, Technology and Improvement
Kevin Collins, Transport Planning Co-ordinator
Christopher Cox, Public Transport Officer
David Crighton, Estates Manager
Rhona Geisler, Director of Development Services
Tracy Gillespie, Human Resources Manager
Rose Mary Glackin, Chief Governance Officer
Elizabeth Hood, Neighbourhood and Access to Housing Manager
David McGhee, Head of Resources and Procurement
John Paterson, Head of Operational Services
Brian Pirie, Democratic Services Manager
Mary Pitcaithly, Chief Executive
Bryan Smail, Chief Finance Officer

ALSO ATTENDING: Baillie William Buchanan (Item EX131)
Maureen Campbell, Chief Executive, Falkirk Community Trust.
Jane Clark, Business Development Manager, Falkirk Community Trust

EX127. APOLOGIES

Apologies were received from Councillor D Goldie and Councillor Spears.

EX128. URGENT BUSINESS

The Convener stated that, in accordance with Standing Order 9.1, he had determined that an additional item of business should be added to the agenda, namely a report by the Director of Development Services on the award of a contract for the design and construction of a play park in the Helix Park. The Convener was of the opinion that the item should be considered as a matter of urgency given that full funding for the project had now been confirmed and there was a the need for the facility to be open in time for the Helix launch in April.

EX129. DECLARATIONS OF INTEREST

Councillor Nicol declared a non-financial interest in item EX144 as a Director of Falkirk Community Trust, but did not consider that this required him to recuse himself from consideration of the item, having regard to the relevant specific exclusion contained in the Code of Conduct.

EX130. MINUTE

Decision

The minute of the meeting of the Executive held on 25 February 2014 was approved.

EX131. BONNYBRIDGE SOCIAL CLUB

The following motion, by Baillie Buchanan, had been referred to the Executive by Council on 11 December 2013. The Executive had, on 14 January 2014, continued consideration of the motion because Baillie Buchanan had been unable to attend the meeting due to illness. On 25 February 2014, the Executive again continued consideration of the motion because Baillie Buchanan had been unable to attend the meeting. The Executive had also at that meeting requested a report on the implications of the motion. A Report by the Director of Development Services was accordingly included as item 5 on the agenda. The motion and the report were considered together. The motion was:-

“Bonnybridge Social Club like many other clubs eg. social, golf, bowling are all feeling the effects of not only the downturn in the economy, but also the changes in peoples social lives. Clubs are closing all the time and those that are not are struggling from week to week just to keep the doors open. Bonnybridge Social Club is no different and it’s only through the sacrifices and hard work and endeavour of a few that it remains open for business. This club is an integral part of the community and is utilised by the whole community in a variety of ways, its closure would have a devastating effect on the community. They require the long term stability of clearing their debt and then starting afresh with the financial burden of debt off their shoulders. They firmly believe that they can continue to be viable. Those who have worked tirelessly deserve this opportunity, as do the community to safeguard the clubs future. So how can this Council support this club and show that they fully understand? The following motion simply spells it out.

Motion

Bonnybridge Social Club owns the building, the ground the club sits on is owned by the Council, they have been advised that the bank could give them the loan to remove their debt but only if they owned the ground. You therefore see the predicament, so I would move the following:-

1. The Council requests a valuation of the ground from the District Valuer.
2. The Council then transfers the ground to the Social Club with the following conditions:-

- (a) that a payback agreement is entered into between the Club and the Council; and
- (b) that should the transfer go through and if the Club in future closes without the Council being fully paid then the ground would then go back into the ownership of the Council.”

In terms of Standing Order 31.2, Baillie Buchanan was heard on the motion before it was considered.

Decision

The Executive agreed to seek the following information from Bonnybridge Social Club:

- (a) a business plan including the last 3 years' certified accounts, and
- (b) details of the proposed loan including the amount, the proposed lender and confirmation from the lender that a loan will be provided on the basis of the proposal set out in the motion.

NOTED that Council officers were willing to work with the Social Club on the details of the proposal in order to bring a further report to the Executive for discussion.

EX132. REFERRALS FROM JOINT CONSULTATIVE COMMITTEE – 18 FEBRUARY 2014

The Joint Consultative Committee had referred the revised Capability and Driving at Work Policies to the Executive for approval.

The Executive considered a report by the Director of Corporate and Neighbourhood Services summarising the key revisions to the policies and presenting both for approval.

Decision

The Executive approved the following policies for immediate implementation:-

- (1) Capability at Work Policy; and**
- (2) Driving at Work Policy.**

At this point, Councillor Nicol declared a non-financial interest in the following item as a Director of Falkirk Community Trust but did not consider that this required him to recuse himself from consideration of the item, having regard to the relevant specific exclusion contained in the Code of Conduct.

EX133. POLICY DEVELOPMENT PANEL – CULTURE AND SPORT STRATEGY

The Executive considered a report by the Director of Corporate and Neighbourhood Services setting out the key findings and recommendations of the policy development panel established to review of the Culture and Sport Strategy.

The terms of reference for the panel were to reflect on the draft strategy and propose changes, to look at how the strategy would progress to implementation beyond the broad intent set within it and to make recommendations on a final strategy to the Executive.

Meetings of the panel were held between September 2013 and January 2014. All members of the Council together with key stakeholders were invited to contribute to the review.

The report provided an overview of the evidence submitted to the panel by Falkirk Community Trust and other key stakeholders, detailed outcomes from the panel meetings, summarised the panel's findings and presented a revised strategy, having made only relatively minor changes. The panel recognised that the Trust's delivery plans would set out in detail actions to implement the aims of the strategy and recommended that a protocol be established to enable members to participate meaningfully in the development of the plans.

Councillor Mahoney presented the findings of the panel.

Decision

Having noted the views and evidence provided to the Policy and Development Panel by Falkirk Community Trust and other stakeholders, the Executive agreed:-

- (1) the proposed protocol set out in the report to allow delivery plans supporting the strategy to be considered promptly by Members and to provide the Trust with the feedback it requires;**
- (2) to take steps to ensure that the Council optimises the opportunities provided by the HELIX to contribute to the attainment of the strategy and its supporting delivery plans;**
- (3) to advise the Trust, Falkirk Council and other partners to optimise opportunities and resources for collaborative and partnership working;**
- (4) to ensure that effective links are made between the strategy and delivery plans and the Council's Single Outcome Agreement and Strategic Community Plan and that the contribution made to these is clear**
- (5) to request officers in Corporate and Neighbourhood Services, Development Services and the Trust to progress the development of a Strategic Masterplan for our parks and to refresh the Parks Development Plan, as appropriate, by the end of 2014, and**
- (6) to approve the final draft of the Culture and Sport Strategy attached at Appendix 3 to the report.**

Councillor Gow joined the meeting during consideration of the foregoing item.

EX134. POLICY DEVELOPMENT PANEL – BEREAVEMENT SERVICES

The Executive considered a report by the Director of Corporate and Neighbourhood Services setting out the key findings and recommendations of the policy development panel review of bereavement services.

The terms of reference for the panel were to consider the Council's long term approach to the provision of cemetery space and other policies covering the Council's cemeteries and crematoria and to ensure that the Council's bereavement services were fit for purpose, met customer needs and had appropriate standards for the short, medium and longer term.

The report outlined the work of the panel and the input from stakeholders and included a summary of recommendations for consideration by the Executive.

Councillor Dr Martin presented the findings of the panel.

The Executive discussed the panel's recommendations and the work of the panel was commended. However, the following observations were made:-

- the views of bereaved persons with regard to the proposals were important and there should accordingly be public consultation on the panel's findings.
- there had to be flexibility within any policies and rules to recognise the views of bereaved persons.
- it was not practical to set a consistent maximum number of interments per grave across all cemeteries as the number would depend on variables including ground conditions.
- the Council's policies in regard to bereavement services had been in place for a number of years and it was likely that, in some cases, practice had developed which did not reflect the original policy. A review of all policies was therefore required.
- the proposal to ensure consistency in the material used for headstones was considered to be too rigid and it was suggested that the choice of material should be left to personal preference.
- while the health and safety risk of falling headstones was acknowledged, it was suggested that a limit in the size of headstones would not necessarily address those concerns, and that appropriate maintenance of all gravestones would have greater benefit.
- the length of services and the opening hours of the crematorium should be reviewed.

Councillor C Martin, seconded by Councillor Nicol, moved that the Executive:-

- (1) notes the recommendations of the policy development panel set out in appendix 1 to the report and agrees to consult on them with the residents of Falkirk and relevant counselling groups; and

- (2) requests a report on the outcome of the consultation exercise and on the issues raised with regard to the maintenance of headstones.

Decision.

The Executive agreed the motion.

EX135. PROTECTION OF VULNERABLE GROUPS SCHEME

The Executive considered a report by the Director of Corporate and Neighbourhood Services on the operation of the Protection of Vulnerable Groups (PVG) Scheme.

The PVG scheme was introduced by the Scottish Government in January 2011. It affects any employee working in regulated work, whether commencing or changing employment within the Council, and requires them to be PVG registered. The Policy and Resources Committee considered a report on the Scheme and how it would be applied within the Council at a meeting on 8 February 2011 (Ref PR74). Since then, a number of related issues had arisen and the purpose of the report was to address those issues, in particular: payment arrangements, repeat checking of existing employees and disclosure checks.

Councillor C Martin, seconded by Councillor Nicol, moved:-

- (1) that all employees (including teachers, modern apprentices and casual workers) would be responsible for payment of any fees (including scheme record updates and any additional costs that may be incurred following the disclosure of conviction information) relating to PVG scheme membership or Disclosure checks;
- (2) that the period for repayment for modern apprentices, casual workers and those on the minimum wage be extended to up to 2 years and that the same flexibility is applied to requests from other members of staff who may have difficulty making payment over 6 months;
- (3) to implement repeat checking for all PVG scheme members and those subject to Disclosure checks on a 5 yearly basis; and
- (4) that the Disclosure policy should be amended accordingly.

Decision

The Executive agreed the motion.

EX136. LOCAL HOUSING STRATEGY 2011-16 - 2013 UPDATE

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting an update on the Local Housing Strategy 2011-2016.

Council had agreed its Local Housing Strategy (LHS) for 2011-2016 in 2011. Since its introduction a number of changes at a national level had taken place which had impacted on the LHS, namely: the introduction of welfare reform, the requirements for the Strategic Housing Investment Plan and the Strategic Local Programme, and further

development with regard to the integration of Health and Social Care. The report set out progress made towards achieving the 6 outcomes in the LHS.

Additionally, the report highlighted changes to the Strategic Local Programme following up on a review of Resource Planning Assumptions by the Scottish Government and provided an update on projects to be taken forward as part of the Strategic Housing Investment Programme/Strategic Local Programme, both of which form part of the overall LHS.

An update was also provided on the Joint Strategic Commissioning Plan for older people which includes, as an appendix to the plan, a housing contribution statement. The statement forms part of the LHS and is relevant to one of the 6 outcomes.

Decision

The Executive:-

- (1) noted progress to date in delivering the Local Housing Strategy Objectives;**
- (2) agreed the revised Strategic Local Programme outlined in section 4.2 of the report; and**
- (3) noted the approach undertaken in relation to progressing older peoples' housing issues detailed in section 5 of the report and that a Local Housing Strategy for Housing for Older People would be submitted to a future meeting of the Executive.**

EX137. LOCAL HOUSING STRATEGY UPDATE 2013: HOMELESSNESS & ALLOCATION OUTCOMES

The Executive considered a report by the Director of Corporate and Neighbourhood Services providing an update on Homelessness and Allocation outcomes during 2013.

The Local Housing Strategy (LHS) is the Council's sole strategy on housing, homelessness and support. An update on the LHS had been considered as part of the preceding item. This report set out the annual homeless statement for 2012/13 and a summary of the key housing allocations outcomes for 2013.

Decision

The Executive noted:-

- (1) progress in delivering the Local Housing Strategy objectives incorporated within the Annual Homeless Statement and the Allocations Outcomes Report 2013, and**
- (2) that a review of the Allocations Policy would be undertaken during 2014 and a further update would be submitted to a future meeting of the Executive.**

EX138. TECHNOLOGY STRATEGY

The Executive considered a report by the Director of Corporate and Neighbourhood Services presenting the Technology Strategy for approval.

The Technology Strategy had been developed in consultation with key stakeholders. The strategy set out the national and strategic context within which the Council operates, identified key priorities, set out a tactical response and included a summary of the services currently provided by the ICT Division.

Decision

The Executive agreed:-

- (1) the Technology Strategy set out in the report; and**
- (2) that an update report be provided later in the year with regard to progress on the Technology Strategy and its component parts.**

NOTED the way forward as set out in the report with regard to the proof of concept for the Council's mobile and remote working solution in order to comply with PSN accreditation in line with the decision of the Executive on 19 November 2013 (Ref EX91).

EX139. TREASURY MANAGEMENT STRATEGY 2014-15

The Executive considered a report by the Chief Finance Officer presenting the annual strategy report for consideration prior to referral to Council.

In terms of the CIPFA Code of Practice for Treasury Management, Council is required to agree an annual treasury management strategy. The recommended strategy for 2014/2015 was presented. The strategy set out:-

- the economic and interest rate outlook
- debt outstanding at 1 April 2014
- the long term borrowing requirement 2014/2015
- borrowing and investment strategies
- treasury indicators and management advisers
- requirements for member and officer training

Decision

The Executive agreed to recommend to Council that it:-

- (1) adopts the Borrowing Strategy for 2014/15 set out in section 5 of the report;**
- (2) adopts the Investment Strategy for 2014/15 and approves the list of "Permitted Investments" set out in section 6 of the report;**
- (3) approves the Treasury Indicators set out in section 7 of the report, and**

- (4) instructs the Chief Finance Officer to arrange training for Members as outlined in section 9 of the report.

EX140. LOCAL TRANSPORT STRATEGY AND ROAD TRAFFIC REDUCTION PLAN

The Executive considered a report by the Director of Development Services presenting the Local Transport Strategy 2014 for approval.

Council had prepared its current Local Transport Strategy (LTS) in 2005 for the period 2008 – 2009. The LTS sets out the Council's transport policy and incorporates the Road Traffic Reduction Plan (RTRP).

A review of the LTS had been carried out to coincide with the development of the Council's Local Development Plan with initial consultations commencing in 2011. A public consultation had been undertaken in 2013, with traffic calming, bus services, potholes/state of the Council's roads and town centre parking emerging as the key issues. The revised Local Transport Strategy for 2014 was presented for approval.

Decision

The Executive approved the Local Transport Strategy 2014 including the Road Traffic Reduction Plan.

EX141. LEADERSHIP DEVELOPMENT

The Executive considered a report by the Director of Corporate and Neighbourhood Services proposing a review of the current process in place for Chief Executive and Chief Officer leadership development and assessment. The report also proposed a review of the CPD framework for members.

Councillor C Martin, seconded by Councillor Mahoney, moved that:-

- (1) a review of the current arrangements for the assessment of the Chief Executive and Chief Officers be undertaken and a report brought back to the Executive with recommendations on a process which can be implemented;
- (2) the work being undertaken to develop a leadership programme for the Chief Executive and Chief Officers which will support this process and address other identified needs be noted;
- (3) a review of the current CPD framework for elected members be undertaken in consultation with members and that a report be brought back to Council with any recommendations in this regard, and
- (4) options for a leadership programme for elected members be explored and a report be brought back to Council with any recommendations in this regard.

Decision

The Executive agreed the motion.

EX142. SUSTRANS COMMUNITY LINKS FUNDING APPLICATIONS

The Executive considered a report by the Director of Development Services (a) advising of bids made to the SUSTRANS cycling charity, (b) seeking authority to continue the bid process and to seek match funding for any approved bids and (c) seeking approval for the acquisition of land where required to deliver the projects.

The Council had been invited to bid for funding for community links projects by the SUSTRANS cycling charity. The deadline for bids for the funding, which was split into two categories (projects under £1m and projects over £1m) was 14 February 2014. Following consultation with the portfolio holder for the Environment, 9 bids had been made.

In the event that any bid is successful, match funding will be required. In most instances, that will include Council funding which has been reserved within the relevant capital and revenue budgets. It may also include applications to external funding bodies.

A table detailing each bid, highlighting the total cost, the contribution sought from SUSTRANS and potential sources of match funding, was presented.

Decision

The Executive:-

- (1) approved the bids to the SUSTRANS Community Links funding stream set out in the report and, following notification of successful applications, authorised officers to seek match funding from appropriate sources;**
- (2) agreed that, if any of the bids to SUSTRANS are unsuccessful, officers be authorised to continue with these projects, as approved resources allow, including seeking match funding;**
- (3) agreed, subject to the Chief Finance Officer being satisfied that funds for acquisition are available, to authorise the Director of Development Services and the Chief Governance Officer to enter into negotiations and thereafter conclude a bargain for the acquisition of land or rights of access necessary for the projects listed in the report (irrespective of success in the current round of bidding), with each of the transactions being at a purchase price considered satisfactory to the Director of Development Services; and**
- (4) agreed, in principle, to the promotion of Compulsory Purchase Orders under the Roads (Scotland) Act 1984 or the Land Reform (Scotland) Act 2003, as appropriate, subject to a further report to the Executive on the outcome of negotiations.**

EX143. MEMBER ATTENDANCE AT CONFERENCE – REQUEST FOR APPROVAL

The Executive considered a report by the Chief Governance Officer advising of a request by Baillie Buchanan to attend a conference on Fracking: The Debate on Hydraulic Fracturing for Gas to be held in the Mermaid Conference Centre in London on 19 May 2014 at a cost of £395 + VAT. The Council would also meet travel, accommodation and subsistence costs.

Additionally, the Chief Governance Officer advised that a request to attend the conference had also been made by Councillor McNally subsequent to publication of the report.

Councillor C Martin, seconded by Councillor Nicol, moved that the Executive:-

- (1) approves the attendance of Baillie Buchanan and Councillor McNally at the Fracking: The Debate on Hydraulic Fracturing for Gas conference in London on 19 May 2014 at a cost of £395 + VAT; and
- (2) agrees that members provide verbal or written feedback to Council on any conference they attend.

Decision

The Executive agreed the motion

Councillor Gow left the meeting following consideration of this item.

EX144. THE HELIX : HELIX PARK PLAY AREA

The Executive considered a report by the Director of Development Services requesting (a) an exemption from the requirement for competition in accordance with Contract Standing Order 5.6; and (b) that a tender from Timberplay Scotland Ltd in respect of the Helix play park in the amount of £376,975 be accepted.

The report set out the background to a decision to seek a tender from a single source for the design and construction of a timber play area within the Helix park.

Decision

The Executive agreed to:-

- (1) grant an exemption under Contract Standing Order 5.6 to the requirement for competition; and
- (2) accept the tender submitted by Timberplay Scotland Ltd in the sum of £376,975 in respect of the Helix park play area.

EX145. EXCLUSION OF PUBLIC

The Executive agreed, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting for the following items of business on the ground that they would involve the likely disclosure of exempt information as defined in paragraphs 6, 8, 9 and 12 of Part 1 of Schedule 7A to the said Act.

EX146. CLOSURE OF AVONDALE ADVANCED WASTE TREATMENT FACILITY – PRACTICAL AND FINANCIAL CONSEQUENCES

The Executive considered a report by the Director of Development Services providing an update on the position with regard to the Avondale waste treatment facility and recommending a variation in the current contract price for the cost of landfill.

The Council's original contract for the disposal and treatment of residual waste, with Avondale Environmental Ltd, had been extended to 14 August 2015. In June 2013, the Executive had been advised of the closure of Avondale's processing plant with the effect that the company would only be able to landfill waste at the site. The Executive had agreed to landfill material with Avondale until 31 March 2014 and to consider its options. More recently, Avondale had advised the Council that the processing facility would not reopen to treat residual waste during the remaining term of the contract. Consideration, therefore, required to be given to the Council's options. Details were given of the financial and legal implications of the available options.

Decision

The Executive agreed:-

- (1) to continue to landfill at Avondale, Polmont for the remainder of the contract at a reduced landfill cost of £91.25 per tonne;**
- (2) in exchange for the negotiated financial arrangement outlined in the report, to the Council waiving its rights against Avondale Environmental Limited in respect of any financial loss arising from the withdrawal of the waste treatment facility; and**
- (3) to note that the recycling rate for the authority will decrease should it not divert additional material from landfill.**

EX147. IRRECOVERABLE DEBTS 2013/14

The Executive considered a report by the Chief Finance Officer recommending that irrecoverable debts in regard to council tax, housing benefit overpayments, non domestic rates, sundry accounts and payroll overpayments are written out of the 2013/14 accounts.

In terms of Financial Regulations, debts not exceeding £5000 can be written out of the accounts by the Chief Finance Officer. For debts exceeding £5000, Executive approval is required to write them off.

Details were given of debts exceeding £5000 in regard to council tax, housing benefit overpayments, non domestic rates, sundry accounts and payroll overpayments and approval was sought to write off these debts.

Decision

The Executive agreed that:-

- (1) Council Tax debts in excess of £5,000 totalling £24,610.20 as detailed in Appendix A to the report be written out of the Accounts in 2013/14, subject to further recovery action being taken should the opportunity arise;**
- (2) Housing Benefit Overpayments in excess of £5,000 totalling £71,840.92 as detailed in Appendix B to the report be written out of the Accounts in 2013/14, subject to further recovery action being taken should the opportunity arise;**
- (3) Non-Domestic Rates debts in excess of £5,000 amounting to £437,704.27 as detailed in Appendix C to the report be written off, with an appropriate adjustment to the Rate Income Return for 2013/14, subject to amendments should further information on the debtors concerned become available, and**
- (4) Sundry Account debts in excess of £5,000 totalling £106,281.31 (inclusive of VAT) as detailed in Appendix D to the report be written out of the Accounts in 2013/14, subject to further recovery action being taken should the opportunity arise.**

FALKIRK COUNCIL

Subject: PROCUREMENT STRATEGY UPDATE
Meeting: EXECUTIVE
Date: 29 April 2014
Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

1. INTRODUCTION

1.1 This report provides an update on progress with delivering the outcomes set out in the Council’s Corporate Procurement Strategy 2011-14. The report also provides a new Procurement Strategy for the coming three year period i.e.: 2014–2017 for Member consideration.

2. BACKGROUND

2.1 The Council’s Procurement Strategy was approved in June 2011 and covers the 3 year period to 2014. The Strategy sets out a procurement vision that reflects both corporate and service policies and priorities.

Procurement Vision

“To secure Best Value through professional, planned and sustainable procurement, which best meets the needs of our communities and supports the delivery of the Council’s Corporate Plan Goals”

2.2 Good procurement practice is therefore at the centre of ensuring the Council delivers the Services our communities need and supports the delivery of our Corporate Plan objectives.

2.3 In addition to the delivering the Procurement Vision, the Strategy also supports the Council’s drive to improve its procurement activities and aim to achieve “Improved” PCA status, during the life of the current Strategy.

2.4 To support the Procurement Vision, three core procurement themes have been identified, with six key areas of improvement and development (Six “S”s).

PROCUREMENT THEME	STRATEGIC OUTCOMES
Maintaining the highest standards of corporate governance through developing and implementing best practice procurement Structures and Systems .	Procurement activity conducted to the highest possible standard with no duplication. 100% of procurable spend is covered by a professional procurement process
Embedding Sustainable procurement into all our activities and improving access to our contract, particularly for local businesses and SMEs	Council contracts are accessible and SME and third sector are increasingly doing business with the Council. Procurement contributes fully to the Council’s sustainability and carbon reduction plans.

Maximising procurement Skills to support the delivery of quality front line services and collaborating with others to deliver Savings	Collaborative opportunities will be maximised and deliver tangible and long lasting savings and benefits through procurement. There is Council wide awareness of how procurement contributes to efficiencies and improved services.
---	--

3. PROCUREMENT STRATEGY 2011-14 UPDATE

3.1 Over the past three years the Council’s procurement activity has been successful in delivering a range of outcomes and improvements across the 3 core themes. In delivering these outcomes, the Strategy has made a direct contribution to delivering on the Council’s values, as set out in the Council’s Corporate Plan.

3.2 In particular, the Procurement Strategy has provided the impetus and direction to deliver:

- Year on year improvement assessed via the Procurement Capability Assessment process. The Council has progressed from an assessed score of 24 (Non-Conformance) in 2009 to 60 (Improved) in 2013
- c£3m of savings, with a further c£1m programmed as part of the 2014/15 budget
- Support to Local Companies to access and compete for other Public Sector work, with Falkirk based companies securing c£150m pa of other local authority work
- Growth in collaborative procurement, with over £45m of goods and services sourced through collaborative contracting arrangements in 2013/14 i.e.: National and Scotland Excel contracts

3.3 The table below summarises other areas of progress across the 3 themes, aligned to the Council’s values.

THEME	PROGRESS
Maintaining the highest standards of corporate governance through developing and implementing best practice procurement Structures and Systems . Core Value: Public Service <ul style="list-style-type: none"> • Fairness • Listening & responding • Being open, accessible and accountable 	<ul style="list-style-type: none"> • “Procurement Team of the Year” Award at the Scottish GO (Govt Opportunities) 2013 Awards Ceremony • Permanent procurement team structure now in place, supported by the establishment of cross service commodity teams, reporting to the Council’s Procurement Board • Revised Contract Standing Orders implemented, supported by service wide training. • One of only 5 Local Authorities with over 90% of expenditure covered by Commodity Strategies. • Roll-out of e-procurement technology across the Council • Full adoption of Public Contract Scotland technologies, including c£2.8m procured via Quick Quotes over the last year and piloting the use of PCS tender

<p>Embedding Sustainable procurement into all our activities and improving access to our contract, particularly for local businesses and SMEs</p> <p>Core Value: <i>Partnership</i></p> <ul style="list-style-type: none"> • Effective communication • Sharing decision-making • Encouraging partnership 	<ul style="list-style-type: none"> • Sustainable Procurement Action Plan and Guide in place, including guidance on Supporting the Local Economy Through Procurement • Recognised best practice sustainable procurement work by Zero Waste Scotland and Sustainable Scotland Network • Achieved silver status, as part of the WWF “What Wood You Choose Campaign” and signed up to a Gold pledge • Over 200 Falkirk Council residents have benefited from work based training and employment opportunities, through our adoption of community benefits clauses across all our areas of spend and not just major construction projects • Influencing and working with partners to maximise locally available training and job opportunities. • Updated “How to do Business” guide for suppliers, supported by regular attendance at business forums and meet the buyer events • Fully committed to the national supplier development programme and closely work with Business Gateway • Establishing small lots to create opportunities for SMEs and local businesses who would be unable to take on larger contracts e.g.: meat; fish and fresh fruit and veg. • Fully adopted the principles of the Supplier Charter, including quicker payments and standard PQQ’s • Nationally recognised for excellence in developing Public Social Partnerships with voluntary organisations and third sector (IRISS)
<p>Maximising procurement Skills to support the delivery of quality front line services and collaborating with others to deliver Savings</p> <p>Core Value: <i>Performance</i></p> <ul style="list-style-type: none"> • Providing quality • Achieving value for money • Promoting innovation • Seeking continuous improvement 	<ul style="list-style-type: none"> • Training delivered to over 200 officers • Procurement Guides and supporting information in place for buyers, including new Contract Management procedures • Maximising the use of collaborative contracts, with over £45m of goods and services sourced through collaborative contracting arrangements in 2013/14

4. PROCUREMENT STRATEGY 2014 – 2017

4.1 In developing the Procurement Strategy for the next 3 years, it is recognised that there are a number of significant challenges to be faced, including:

- Deliver on-going and significant levels of procurement related savings to support the Council meet the current and forthcoming financial pressures.
- Support and grow local businesses through the current economic difficulties, through helping them access Council and other public sector contracts.
- Provide and maximise employment and training opportunities for Falkirk Council residents, to support growth in our local economy.
- Continued PCA improvement towards “Superior” performance status and a greater focus on early and incisive market research; embedding contract and supplier management across the Council; increasing the automation of procurement processes and improving procurement management information.

4.2 Additionally, the Procurement Strategy for 2014 – 2017 is seeking to deliver improvement within a changing and uncertain legislative and regulatory framework, including the new Scottish Procurement Reform Bill; revised Public Procurement Directives and an increasingly robust assessment framework.

4.3 The Procurement Reform (Scotland) Bill was introduced to the Scottish Parliament in October 2013. The Bill is a significant element of the continuing Public Procurement Reform Programme and will establish a national legislative framework for sustainable public procurement. Whilst the Bill is proposing a wide range of significant changes to public sector procurement, it is considered that the Council is well positioned to meet the Bill requirements once approved. Outlined below is the Council’s current position, compared to some of the main themes/proposals contained within the Bill as currently drafted.

REFORM BILL PROVISION	COUNCIL POSITION
<p>Regulated contracts (>£50,000 for Goods and Services & >£2,000,000 for works) to be included within the scope of the Bill. This will include a sustainable procurement duty for all regulated contracts to:</p> <ul style="list-style-type: none"> • improve the economic, social, and environmental wellbeing of the authority’s area; • facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process. 	<p>The council already uses a threshold of £50,000 to identify lower value contracts, for Goods, Works and Services.</p> <p>These lower value contracts are subject to a full contracting process and the Council is therefore well placed to meet any duties or obligations (including the Sustainable procurement duty) introduced for Regulated Contracts.</p>
<p>All regulated contracts must be published on the Public Contracts Scotland website</p>	<p>Falkirk Council currently publishes all contract notices above £50,000 on Public Contracts Scotland.</p>

The authority is to publish procurement strategies and annual reports.	The Council has had a procurement strategy in place since 2008 and reports through the Procurement Board on progress against strategy objectives.
Community benefit requirements must apply to all contracts at or above £4m	Community Benefit requirements are included in all relevant Falkirk Council contracts for goods, works & services above £50,000.
Prohibiting contracting authorities charging for participating in the procurement process and for procurement documentation	Falkirk Council does not charge suppliers for participating in the procurement process or for procurement documentation
Debrief information must be provided to both successful bidders (if requested) and unsuccessful bidders, and to those excluded from bidding, providing the opportunity to request additional information in a defined timescale.	Detailed information is included in the unsuccessful letter and a further debrief is offered to both successful and unsuccessful bidders for all contracts above £50,000.

4.4 Given the Council's current procurement direction and scope of activities and not withstanding the future challenges, the current Procurement Vision as set out in paragraph 2.1 is still considered to be valid and robust. As such, it is proposed that the Vision and the 3 supporting Themes remain unchanged in the new Strategy.

4.5 Although much of the current Procurement Strategy structure for 2014/17 has been retained from the current Strategy, there is an increased focus on Sustainability and Supporting SME's, particularly local businesses. This also reflects the focus and emphasis of the Procurement Reform Bill. In particular, the Strategy aims to deliver the following benefits:

- Social and local economic benefits from our procurement are maximised;
- Environmental impacts are minimised and environmental benefits maximised from our procurement activity
- Falkirk Council has a vibrant and sustainable supply chain
- Sustainable procurement is embedded across Council activities

4.6 The Strategy will be supported by a number of key activities and a more detailed Annual Procurement Improvement Plans will also be developed and progress monitored through the Council's Procurement Board. The activities detailed in the Appendix to the Strategy, develop and build upon existing work-streams and include:

- Ensuring contract management procedures are embedded across all contracting activities
- Embedding the principles of the Sustainable Procurement Guide across Services, including focus on Local Economic considerations.

- Automating the procurement processes to ensure full compliance with Contract Standing Orders and Financial Regulations
- Working with local SMEs and the third sector to access and compete for Public Sector work
- Increasing the scope and coverage of community benefits and sustainability clauses to lower value contracts
- Working with suppliers and providers to share and adopt best practice e.g.: payment of living wage
- Enhancing procurement capability across the Council through training and guidance
- Realising tangible savings as part of the Councils financial strategy

5. RECOMMENDATIONS

Members are invited to:

- 5.1 Note the outcomes from the 2011-2014 Procurement Strategy set out in Section 3 and**
- 5.2 Approve the 2014-2017 Corporate Procurement Strategy attached in Appendix 1.**

DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date 31 March 2014

Ref:

Contact Officers: David McGhee, Head of Resources & Procurement, extn 0788
William McQuillan, Procurement and Performance Manager, extn 0810

BACKGROUND PAPERS

1. Procurement Strategy 2011 - 2014

Any person wishing to inspect the background papers listed above should contact the officers listed above.



FALKIRK COUNCIL

CORPORATE

PROCUREMENT STRATEGY

2014 – 2017

CONTENTS

1. PROCUREMENT VISION

2. INTRODUCTION

3. CONTEXT

4. REVIEW OF PREVIOUS STRATEGY

5. GOVERNANCE ARRANGEMENTS FOR PROCUREMENT

6. PROCUREMENT - The Six “S”s

7. RISK MANAGEMENT

8. CONCLUSION

APPENDIX:

1. Key Actions in support of each procurement theme

1. PROCUREMENT VISION

The Council is committed to enhancing its procurement capabilities to respond to a national agenda, which is demanding accelerated year on year improvement in procurement performance.

The 2013 national Procurement Capability Assessment (PCA) placed Falkirk Council (the Council) firmly in “Improved” status. Over the period of the 2014-2017 Procurement Strategy (the Strategy) the Council will continue to drive improvement in its procurement activities and aim to attain “Superior” PCA status.

To ensure the Strategy is a success and “Superior” status is secured, the Council is committed to increasing the scope and influence of its Central Purchasing Unit (CPU). This commitment will continue to deliver new ways of working and establish stronger partnerships between the CPU and all service departments.

Communication of the Strategy and gaining the full support of all services will be crucial to ensuring that the Council can improve its procurement activities. The Strategy, therefore, sets out a procurement vision that reflects both corporate and service policies and priorities.

Procurement Vision

“To secure Best Value through professional, planned and sustainable procurement, which best meets the needs of our communities and supports the delivery of the Council’s Corporate Plan goals”

2. INTRODUCTION

Procurement is the whole process of acquisition from third parties and covers goods, services and works. The aim of the Strategy is to ensure that the Council uses procurement strategically to deliver its Vision, support strategic priorities and sustain the delivery of high quality front line services.

To achieve this, the Strategy sets out a number of key procurement themes. These themes are structured to help ensure effective procurement across the whole organisation, so we can confidently deliver the Council’s vision and strategic priorities.

The Strategy combines detailed proposals for reform with a flexible planning framework, within which further developments in procurement can evolve. This will enable the Council to respond to the changing public sector procurement environment and encourage continuous improvement and innovation.

By communicating the Council’s vision for procurement the Strategy will provide a framework within which all procurement activity by the Council can be managed. The Strategy will be made available to all key stakeholders, including Council staff and suppliers/providers in the private and voluntary sectors.

3. CONTEXT

Over the period of the Strategy the Council will be faced with very difficult decisions over reducing budgets, whilst at the same time rising to the challenge of protecting front line services. Using procurement strategically and accelerating procurement reform is essential if the Council is to achieve significant savings, whilst improving service outcomes.

In the context of the reform of public finances and wider economic conditions, our local economy is also facing a range of challenges. It is therefore essential that over the period of the Strategy, the Council through its procurement activity promotes and sustains local economic activity.

Within this context the Strategy shall:

- Provide a strategic and operational framework to ensure the Council achieves continuous improvement across all its procurement activity;
- Ensure procurement activities are aligned to the Council's corporate priorities and provides efficiencies to help the Council deliver front line services;
- Enhance compliance and achieve superior procurement performance; and
- Further extend collaboration with partners and suppliers and;

We will know the Strategy is working if we demonstrate that procurement is contributing to:

- Improved contracts resulting in improved services
- Cashable savings that help protect front line services.
- Increased opportunities for SMEs and particularly Local Companies to bid for contracts.
- Standardisation of procedures to reduce legal challenges and to assist businesses tender for contracts.
- Increased efficiency in the ordering of goods and payments to suppliers.
- Increased collaborative working between procurement and the voluntary and third sectors.

4. REVIEW OF PREVIOUS STRATEGY

The Council's 2011-2014 Corporate Procurement Strategy was focused on three core themes and aimed to improve purchasing practice across all activities of the Council and achieve savings through procurement. Over the period of the Strategy, the Council improved its procurement capabilities, as measured by the centre of expertise for local government procurement, from an assessment rating of 30 in 2010 to a rating of 60 in 2013. This places the Council firmly in "Improved" status as measured by the national procurement capability assessment process.

Over the past three years the Council's procurement activity has been successful in delivering a range of outcomes and improvements across the three core themes. In delivering these outcomes, the Strategy has made a direct contribution to delivering on the Council's values, as set out in the Council's Corporate Plan. The table below summarises progress across the three themes, aligned to the Council's values.

THEME	PROGRESS
<p>Maintaining the highest standards of corporate governance through developing and implementing best practice procurement Structures and Systems.</p> <p>Core Value: Public Service</p> <ul style="list-style-type: none"> • Fairness • Listening & responding • Being open, accessible and accountable 	<ul style="list-style-type: none"> • "Procurement Team of the Year" Award at the Scottish GO (Govt Opportunities) 2013 Awards Ceremony • Year on year improvement assessed via the Procurement Capability Assessment process and attained "Improved" status. • Permanent procurement team structure now in place, supported by the establishment of cross service commodity teams, reporting to the Council's Procurement Board • Revised Contract Standing Orders implemented, supported by service wide training. • One of only 5 Local Authorities with over 90% of expenditure covered by Commodity Strategies. • Roll-out of e-procurement technology across the Council • Full adoption of Public Contract Scotland technologies, including c£2.8m procured via Quick Quotes and piloting the use of PCS tender
<p>Embedding Sustainable procurement into all our activities and improving access to our contract, particularly for local businesses and SMEs</p> <p>Core Value: Partnership</p>	<ul style="list-style-type: none"> • Sustainable Procurement Action Plan and Guide in place, including guidance on Supporting the Local Economy Through Procurement • Recognised best practice sustainable procurement work by Zero Waste Scotland and

<ul style="list-style-type: none"> • Effective communication • Sharing decision-making • Encouraging partnership 	<p>Sustainable Scotland Network</p> <ul style="list-style-type: none"> • Achieved silver status, as part of the WWF “What Wood You Choose Campaign” and signed up to a Gold pledge • Over 200 Falkirk Council residents have benefited from work based training and employment opportunities, through our adoption of community benefits clauses across all our areas of spend and not just major construction projects • Influencing and working with partners to maximise locally available training and job opportunities. • Supported Local Companies access and compete for other Public Sector work, with Falkirk based companies securing c£150m pa of public sector work • Updated “How to do Business” guide for suppliers, supported by regular attendance at business forums and meet the buyer events • Fully committed to the national supplier development programme and closely work with Business Gateway • Establishing small lots to create opportunities for SMEs and local businesses who would be unable to take on larger contracts e.g.: meat; fish and fresh fruit and veg. • Fully adopted the principles of the Supplier Charter, including quicker payments and standard PQQ’s • Nationally recognised for excellence in developing Public Social Partnerships with voluntary organisations and third sector (IRISS)
<p>Maximising procurement Skills to support the delivery of quality front line services and collaborating with others to deliver Savings</p> <p>Core Value: Performance</p> <ul style="list-style-type: none"> • Providing quality • Achieving value for 	<ul style="list-style-type: none"> • Training delivered to over 200 officers • Procurement Guides and supporting information in place for buyers, including new Contract Management procedures • Savings in excess of £3m delivered, with a further c£1m programmed as part of the 2014/15 budget

<p>money</p> <ul style="list-style-type: none"> • Promoting innovation • Seeking continuous improvement 	<ul style="list-style-type: none"> • Maximising the use of collaborative contracts, with over £45m of goods and services sourced through collaborative contracting arrangements in 2013/14
---	---

5. GOVERNANCE ARRANGEMENTS FOR PROCUREMENT

Procurement of goods, services and works are regulated by the Council's Contract Standing Orders and Financial Regulations. The Council's structure for procurement is led by a Procurement Board which is chaired by the Director of Corporate and Neighbourhood Services and is focused on 8 separate commodity groups (see Table below)

These commodity categories have the core objectives of:

- Improving Value for Money by:
 - Achieving the most advantageous pricing for goods and services purchased & improving the quality of those goods and services
 - Reducing the cost of purchasing and the time it takes
 - Improving the management of contracts and
 - Ensuring that procurement expertise is applied to Service needs
- Developing efficient procurement procedures appropriate to the commodity
- Creating effective partnerships with service providers
- Delivering wide ranging and measureable benefits for the local economy
- Expanding internal and external collaboration on contracts

PROCUREMENT STRUCTURE

PROCUREMENT BOARD

COMMODITY GROUPS

WASTE SERVICES

- Processing and Disposal of Domestic Waste
- Waste Collection Services (primarily carried out by In-House operation)
- Waste Collection Containers
- Disposal of Commercial Waste Arising from Council Operations

Est. Annual Value
£5m

TRANSPORT & FLEET

- Education & Social Work Transport
- Purchase of Vehicles & Plant
- Hire of Vehicles & Plant
- Vehicle Maintenance and Supplies
- Vehicle Fuel

Est. Annual Value
£12m

EQUIPMENT & MATERIALS

- Catering Provisions
- Cleaning Materials & Equipment
- Occupational Therapy Equipment
- Stationery & Office Supplies
- Educational Materials
- Library Books
- PPE
- Postal & Mail Service

Est. Annual Value
£5m

CONSTRUCTION & MAINTENANCE

- Maintenance & Improvements to Council Houses
- New Builds of Council Housing
- Property Maintenance & Improvements to Operational Properties
- Roads & Infrastructure Maintenance & Improvements

Est. Annual Value
£55m

CARE

- Care & Support and Community Care
- Day Care
- Children's Services
- Other Support Services
- Residential Care
- Housing and Homelessness Support

Est. Annual Value
£60m

TELECOMMS & IT

- Fixed and Mobile Telephony Services
- Network Cabling
- System Software Licensing and Maintenance
- IT Hardware, including PC's, Servers, Audio Visual Equipment
- Multi-Functional Printing Devices
- IT Consumables

Est. Annual Value
£4m

PROFESSIONAL SERVICES

- Secondary Schools and Associated FM Services
- Pension Fund/ Insurances / Financial / Legal & Other Professional Services
- Agency & Temporary Staff
- CCTV Monitoring Services
- Occupational Health Services
- Employee Benefits Scheme

Est. Annual Value
£37m

UTILITIES

- Supply of Energy (Gas & Electricity) to Council Operational Properties
- Supply of Energy (Gas & Electricity) to Council Houses (Voids & Temporary Accommodation)

Est. Annual Value
£6m

6. PROCUREMENT - The SIX “S”s

The Strategy sets the vision for procurement over the next three years. To support the Vision three core procurement themes have been identified to ensure the Council:

- Achieves the highest standards of corporate governance
- Embeds sustainable procurement in all our activities
- Maximises procurement skills and savings

PROCUREMENT THEME	STRATEGIC OUTCOMES	RELATED DOCUMENTS
Maintaining the highest standards of corporate governance through developing and implementing best practice procurement Structures and Systems .	Procurement activity conducted to the highest possible standard with no duplication. 100% of procurable spend is covered by a professional procurement process.	<ul style="list-style-type: none"> • Contract Standing Orders • Financial Regulations • Code of conduct for Officers • Corporate Procurement Procedures • Commodity Strategies
Embedding Sustainable procurement into all our activities and improving access to our contracts, particularly for local businesses and SMEs	Council contracts are accessible and local businesses, SMEs and the third sector are increasingly doing business with the Council. Procurement contributes fully to the Council’s sustainability and carbon reduction plans.	<ul style="list-style-type: none"> • Sustainable procurement guide and supporting toolkits • Sustainable Development & Climate Change Strategy • Sustainable Development & Climate Change Action Plan • Carbon Management Plan • My Future’s In Falkirk
Maximising procurement Skills to support the delivery of quality front line services and collaborating with others to deliver Savings .	Collaborative opportunities will be maximised and deliver tangible and long lasting savings and benefits through procurement. There is Council wide awareness of how procurement contributes to efficiencies and improved services	<ul style="list-style-type: none"> • Service Plans • Workforce Strategy and Plans • Council Budget Updates • Single Outcome Agreement • Employee Training Bulletins

Achieving accelerated improvements in procurement capability, particularly as measured by the PCA, demands that improvement is balanced and that all areas of procurement performance are assessed and developed.

The Strategy has therefore identified two strategic outcomes for each of the three themes. Six strategic outcomes (Six S's), with each being of equal importance, will ensure that improvement activity and procurement successes cover the whole process of procurement.

For each of the Six S's we have set out the key activities we are seeking to undertake and achieve in the next three years. These are set out in Appendix One.

To achieve these aspirations we will set detailed and challenging annual procurement improvement plans (PIPs). These PIPs will focus on the year ahead, which will ensure that we have the flexibility to react to changes in our environment and will also mean that we are able to respond to opportunities, which are identified in the annual round of PCAs.

7. RISK MANAGEMENT

Risk management covers the planning, monitoring and controlling of actions that will address identified threats and potential problems, so as to improve the likelihood of the Strategy achieving its stated objectives. There is also a need to look at controlling the operational risks that can impact on each individual contract.

Strategic Risks are defined as risks that need to be considered over the term of the Strategy (i.e. 2014 –2017) and they include:

- Failure to deliver the Council's corporate priorities (e.g. a failure to integrate sustainability considerations into procurement decisions and failure to maximise the contribution that the Council's procurement activity makes to the wellbeing of the local economy.)
- The effects of changes in demographic, social or economic trends impacting on the Council's ability to deliver services (e.g. failure to procure sufficient care provision for an ageing population and procurement not supporting services respond to budget constraints.)
- The Council's capacity to deal with the pace of technological change and our ability to use technology to its full potential (e.g. a failure to fully meet the e-procurement agenda and not having the data to allow for efficient supplier management across all Council spend.)
- Not ensuring that all our operations continue to be competitive and deliver value and quality (e.g. the failure to address a failing service through improvement, market testing or outsourcing.)
- A failure to meet the current or changing needs and expectations of those that use Council contracts or those that compete for Council business (e.g. the demand from users for easier access to contract information and ensuring that the burdens placed upon bidders are proportionate.)

To control all strategic risks a detailed risk register will be compiled and agreed by the Procurement Board. The Procurement Board will formally review the register at least twice a year.

Operational risks are more often linked to individual contracting situations and include:

- Weaknesses in specific contract terms leading to contract failure.
- Failure to apply appropriate financial appraisal techniques, prior to contract award, leading to supplier failure.
- Breaching legislation through failing to advertise a contract under the European Procurement Directives or through applying non compliant award processes.
- Technological failures, relating to a reliance on a single e-procurement system, disrupting the procurement of critical goods and services.
- The risk that a contract does not minimise its environmental impact in areas such as pollution, noise, energy efficiency and the use of unsustainable sources of wood for building and furniture.
- The risk that insurmountable failures or future lack of ability to satisfy contracts with key suppliers could jeopardise delivery of service.

These operational risks will be controlled through individual risk registers being established, for each contract, in compliance with the Procurement Journey templates and best practice examples. Furthermore, the CPU will support the Council's Corporate Risk Management Plan by establishing a register of Business Continuity Plans where overall spend with key suppliers is shown to be or is forecasted to be greater than £2mp.a.

8. CONCLUSION

The success of the Strategy will be determined by the support it receives and how effective we are at mitigating risk. Consequently, the Strategy will be widely communicated and the Procurement Board will regularly monitor progress against targets.

In addition, a risk register as noted in section 7 will be agreed and its effectiveness monitored by the Procurement Board.

By ensuring that our annual Procurement Improvement Plans support the Six Ss, we will deliver better contracts and this will result in improved and more cost effective services. The Strategy will improve contract and supplier management and through the adoption of best practice will help to protect the Council from risk.

The Strategy sets the basis for the Council to achieve "Superior" procurement performance by the end of 2017. Achieving this status will help us demonstrate compliance with all relevant legislation and provide evidence that we are obtaining maximum benefit from all our procurement activities.

Appendix One:

PROCUREMENT THEME	STRATEGIC OUTCOMES	Key Activities
<p>Maintaining the highest standards of corporate governance through developing and implementing best practice procurement Structures and Systems.</p>	<p>Procurement activity conducted to the highest possible standard with no duplication.</p> <p>100% of procurable spend is covered by professional procurement process.</p>	<ul style="list-style-type: none"> • Investigate all procurement spend to ensure full compliance with Contract Standing Orders • Develop and deploy more efficient ordering and invoice processing techniques • Embed corporate procurement procedures across all spend areas to meet Council requirements and procurement regulations • Ensure the corporate contract management procedure is applied to all Council contacts. • To use the PCS-T for all appropriate Council tenders by April 2015.

PROCUREMENT THEME	STRATEGIC OUTCOMES	Key Activities
<p>Embedding Sustainable procurement into all our activities and improving access to our contracts, particularly for local businesses and SMEs</p>	<p>Council contracts are accessible and SMEs and the third sector are increasingly doing business with us.</p> <p>Procurement contributes fully to the Council's sustainability and carbon reduction plans.</p>	<ul style="list-style-type: none"> • Promote tender opportunities to support SME's, voluntary organisations and the third sector (particularly those in the Falkirk Council area) to reduce barriers to doing business with the public sector. • Embed the principles and practices of the Sustainable Procurement Guide across the Council, including focus on developing the Local Economy • Develop a local construction forum and Social Care partnership forum to share ideas, issues and best practice. • Be an active member of the Supplier Development Programme and deliver training to local SMEs • Ensure community benefits and sustainability are considered in all contacts with a value greater than £50,000 • Promote the payment of the living wage • Ensure a fair representation of local companies is invited for low value quotes and monitor the success rate of this approach

PROCUREMENT THEME	STRATEGIC OUTCOMES	Key Activities
<p>Maximising procurement Skills to support the delivery of quality front line services and collaborating with others to deliver Savings.</p>	<p>We maximise collaboration and deliver tangible and long lasting savings and benefits through procurement.</p> <p>There is Council wide awareness of how procurement contributes to efficiencies and improved services</p>	<ul style="list-style-type: none"> • Implement effective Contract Management processes to ensure that savings and benefits are realised • Increase use of collaborative contracts • Implement a Council wide procurement training strategy • Develop the Council's intranet as a single source for all procurement information for the Council. • Identify c£2m of cashable savings from contracts over the period of the Strategy

DRAFT

FALKIRK COUNCIL

Subject: RATES APPEALS
Meeting: EXECUTIVE
Date: 29 APRIL 2014
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 Section 238 of the Local Government (Scotland) Act 1947 (“the 1947 Act”) requires that a Rating Authority must hear appeals from ratepayers who have lodged an appeal on the grounds that they consider they have been improperly charged.
- 1.2 The Council, as the Rating Authority, has not, until recently, received an appeal of this nature for a considerable number of years. Accordingly, it has not been required to convene a meeting to consider an appeal. Under the Council’s Scheme of Delegation, an appeal of this kind falls to be dealt with by the Executive. Members will be aware that appeals on valuation matters, which are more common, are dealt with by a separate and independent Valuation Appeal Committee.
- 1.3 The Chief Finance Officer has recently received a request for a section 238 appeal from a ratepayer (“the current appeal”). A meeting of the Executive requires to be held to consider the current appeal.

2. PROCEDURE FOR APPEALS

- 2.1 The 1947 Act allows the Rating Authority to make procedures in relation to lodging and hearing appeals as long as they are not inconsistent with the provisions of the Act. The purpose of this report is to seek agreement from the Executive on the procedures to be followed in relation to the current appeal and future appeals.
- 2.2 A recommended procedure for conduct of an appeal is detailed at Appendix 1. This sets out a procedure for the period in advance of an appeal hearing taking place as well as a procedure that the Executive would follow for the appeal hearing.

3. THE CURRENT APPEAL

- 3.1 It is proposed that a date for a special meeting of the Executive be set to consider the current appeal. The specific timescales mentioned at paragraphs 1.1 and 1.2 of Appendix 1 shall be deemed to have been complied with in relation to the current appeal. The submissions to be provided by the appellant and the Chief Finance Officer in terms of paragraph 1.4 of Appendix 1 will be requested.

4. RECOMMENDATION

4.1 It is recommended that members agree:-

- 4.1.1 to adopt the procedures detailed at Appendix 1 for rates appeals where the ratepayer considers they are being improperly charged;**
- 4.1.2 to delegate to the Chief Governance Officer the setting of a date for an appeal hearing to be held by the Executive to consider the current appeal; and**
- 4.1.3 that the timescales detailed in paragraphs 1.1 and 1.2 of Appendix 1 shall not be applied in the case of the current appeal.**

.....
Chief Governance Officer

Date: 4 April 2014

Contact Officer: Iain Henderson ext 6103

LIST OF BACKGROUND PAPERS

Nil

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506103 and ask for Iain Henderson

FALKIRK COUNCIL

PROCEDURE IN RELATION TO NON-DOMESTIC RATES APPEALS

1. PROCEDURE PRIOR TO APPEAL HEARING

- 1.1. Any request for an appeal requires to be made in writing by or on behalf of the ratepayer to the Chief Finance Officer within **28** calendar days of the demand note being sent to the ratepayer (“the appellant”).
- 1.2. An appeal hearing should normally be held by the Executive within **40** working days of receipt by the Chief Finance Officer of the written request for appeal or, in the event of the Executive being unable to convene within that period, as soon as possible after the expiry of that period. The Executive may postpone an appeal hearing date if it is unsuitable to either party.
- 1.3. Parties must be given not less than **20** working days notice of the appeal hearing date unless the appellant and the Chief Finance Officer have otherwise agreed.
- 1.4. Not less than **12** working days before the date fixed for the appeal hearing:-
 - (i) The Chief Finance Officer must send to the Chief Governance Officer as clerk to the Executive (“the clerk”) a copy of his decision to which the appeal refers and such other information or written submission as he considers to be relevant to that decision.
 - (ii) The appellant should send their written representations to the clerk with copies of any documents, reports and information relevant to their appeal or to which their appeal specifically refers.
- 1.5. The clerk must ensure that the Executive and all parties receive copies of all such material at least **5** clear days prior to the date fixed for the appeal hearing.

2. PROCEDURE AT APPEAL HEARING

- 2.1. An appeal hearing must afford the appellant an opportunity of appearing and making oral representations. The appellant shall have the right:-
- (i) to appear or to be represented at the appeal hearing by another person;
 - (iii) to lodge written representations; and
 - (iv) to allow the presentation of their case to rest on written representations.
- 2.2. Where the Executive proceeds by way of written representations only, it may seek further information from the parties prior to issuing its decision in accordance with the provisions of paragraph 2.6.
- 2.3. The Chief Finance Officer may be represented at the appeal hearing by another party such as a Council solicitor.
- 2.4. The following order of business should be adhered to unless, for good reason, the Executive determines otherwise:-
- (i) Case for or on behalf of the Chief Finance Officer
 - (ii) Questioning by or on behalf of the appellant
 - (iii) Case for or on behalf of the appellant
 - (iv) Questioning by or on behalf of the Chief Finance Officer
 - (v) Summing up by or on behalf of the Chief Finance Officer
 - (vi) Summing up by or on behalf of the appellant
- 2.5. Members of the Executive may ask questions at appropriate points as determined by the Chair.

- 2.6. Where the Executive considers that it does not have sufficient information to enable it to determine the appeal, it may request that further information be provided by means of written submissions by the appellant and the Chief Finance Officer. The Executive shall give written notice to that effect to both parties setting out which further representations or information is requested. The parties shall have 14 days from receipt of the notice to send comments to the clerk in reply to the notice. The provisions detailed at paragraph 2.9 in relation to adjourning the appeal hearing will apply where further information is sought by way of written submissions.
- 2.7. All parties attending the appeal hearing should normally be present throughout the proceedings subject to the discretion of the Chair where cause has been shown.
- 2.8. The clerk may be called upon to give advice on procedures or points of law during the course of the appeal hearing.
- 2.9. The Executive may from time to time adjourn the appeal hearing and will give such notice of the date, time and place of the adjourned appeal hearing to the parties entitled to appear at the appeal hearing as may appear to it to be reasonable in the circumstances.
- 2.10. The Executive may proceed with an appeal hearing in the absence of any person entitled to appear at the appeal hearing.
- 2.11. Where the Chair considers that any questioning at the appeal hearing or any address would lead to undue repetition or elaboration such questioning or address may be disallowed.

3. DETERMINATION BY THE EXECUTIVE

- 3.1. Where the Executive considers that it has sufficient information to enable it to determine the appeal, it may determine the appeal without further procedure. The Executive must give notice of its decision to the appellant.

FALKIRK COUNCIL

SUBJECT: IMPLEMENTATION OF SELF DIRECTED SUPPORT IN SOCIAL CARE
MEETING: EXECUTIVE COMMITTEE
DATE: 29 APRIL 2014
AUTHOR: DIRECTOR OF SOCIAL WORK SERVICES

1 INTRODUCTION

The purpose of this report is to:

- 1.1 Provide Members with an update on the implementation of Self Directed Support (SDS) in Social Care, both on a local and national level and;
- 1.2 Seek Member approval to take forward the option afforded under Self Directed Support legislation applicable from 1st April 2014, to fund care packages Net of any service user contribution

2.0 BACKGROUND

- 2.1 Members may recall previous reports on the implementation of the Scottish Government's strategy for the delivery of Self Directed Support and the Social Care Self Directed Support Scotland Act which passed into legislation in 2013 and commences from 1st April 2014. The purpose of the Act is to put people who require care and support in the centre of decision making about how they receive their care. The Act allows for four options for meeting care requirements:
 - i) Direct Payment – money paid to service user for them to arrange their own support
 - ii) Directing the available support – deciding how the individual budget will be used but allowing the Council or another appropriate organisation to make the necessary payments
 - iii) Local Authority arranging support on behalf of the service user
 - iv) Any combination of the above
- 2.2 We have been working for some time on adopting the principles of Self Directed Support with a number of innovative solutions such as a scheme using vouchers which allows people with care needs around Mental Health to call on support on a much more flexible basis. This has proven very successful and has in some cases prevented the need for more acute care services and even admission to Hospital.
- 2.3 Since October 2013 an implementation team has been established with a focus on enabling the changes to our processes across the whole service to allow the provision of Self Directed Support to be embedded into practice. This will also lead to the

requirement in some instances to change policy which will therefore clearly require the approval of Members.

3 PREPARATION FOR IMPLEMENTATION

- 3.1 Prior to establishing the SDS team to support the implementation of the Act the lead officer (Project Development Manager) led a programme of awareness raising for our staff, external care provider partners and most importantly for people who use services and their carers and families. This has been, and will remain, an important part of the work of the SDS team – to provide guidance and training for all stakeholders.
- 3.2 The PDM has established robust project management processes to ensure that all aspects of implementation are well planned and governed. The SDS team report on a quarterly basis to the Project Board (Senior Managers and Service Managers)
- 3.3 Advice has been sought from Internal Audit and their feedback reflects a good level of confidence that all risks in relation to implementing SDS are being well managed, though it also acknowledges the level of work still required as we move forward.
- 3.4 As the Act begins to be implemented it is likely that policy issues will emerge which will require to be referred to members for consideration. An initial issue which has been identified is how service users contributions should be treated and section 4 sets out a proposal for net payments to service users.
- 3.5 While we have been able to prepare for many aspects of implementing SDS, the final statutory guidance from the Scottish Government was only issued in March 2014. This has meant that there were some aspects of implementation which we remained unsure of and have only had limited time to consider and respond to.

4 STATUTORY GUIDANCE AND SERVICE USER CONTRIBUTIONS

- 4.1 One aspect of the act which had remained unclear until the final guidance was issued relates to paying individuals Net of any service user contribution. What is now clarified is that each Local Authority has the power to decide whether to pay Gross or Net for services.
- 4.2 At present any person in receipt of a Direct Payment (Option 1 under the new Act) receives their full budget towards care costs and then an invoice is raised to that person for any contribution they have been assessed as requiring to pay. This therefore means additional time is required from the service user/their families and Council staff in order to administer both the outgoing and incoming payments.
- 4.3 If payments are made to people receiving Direct Payments Net of any contributions they are assessed as being required to make, then people using services will simply receive an appropriate payment from Falkirk Council with which they will be required to pay for their assessed and agreed care package. Any outstanding balance will be required to be paid directly from the individual to the organisation providing the care.

4.4 Where an individual has chosen to direct the spending of their individual budget (option 2) or where the Council arranges the care (option 3) then providers will continue to be paid Gross with a charge levied by the Council to the individual for their contribution.

5 NEXT STEPS

5.1 Social Work Services will be implementing this far reaching new legislation, effective from 1 April 2014 with the 4 options available to all people who are assessed as requiring ongoing care and support.

6 RECOMMENDATIONS

Members of the Executive Committee are asked to;

6.1 note the progress made nationally and locally in moving towards self direction of care and support services;

6.2 approve the Net payment of care costs where a Direct Payment (Option 1) is chosen by a service user to provide for their care.

.....
DIRECTOR OF SOCIAL WORK SERVICES

Date: 15 April 2014

Contact Officer: Des McCart Ext: 0345

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

Subject: DEVELOPMENT PLAN SCHEME 2014
Meeting: EXECUTIVE
Date: 29TH APRIL 2014
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 Under the Planning, etc (Scotland) Act 2006, planning authorities have to prepare a Development Plan Scheme at least annually. The purpose of the Development Plan Scheme is to set out the authority's programme for preparing and reviewing their development plans, and to explain how the authority will go about consulting people and agencies during the preparation of the plan.
- 1.2 Falkirk Council's first Development Plan Scheme was approved by the Council in 2009. It confirmed the Council's intention to progress with the replacement of the two tier arrangement of Structure and Local Plans by a single Local Development Plan (LDP), as required by the Act. Subsequent annual updates have been prepared, setting out timescales for, and charting the progress of, the LDP. This report presents the 2014 update of the Development Plan Scheme for consideration by Members.

2. DEVELOPMENT PLAN SCHEME

- 2.1 A copy of the proposed Development Plan Scheme 2014 is attached as Appendix 1. In summary it:
- Explains the current development plan framework covering the area;
 - Explains the key stages in preparing the new local development plan;
 - Outlines the progress already made in the process of preparing the LDP;
 - Sets out an updated timetable for the remaining stages of the LDP;
 - Confirms the Council's intention with regard to the preparation of supplementary guidance; and
 - Explains how the Council has involved, and will continue to involve people and agencies at each stage of preparing the LDP (participation statement).
- 2.2 Section 3 of the Development Plan Scheme explains the various stages in the LDP process. The Main Issues Report (MIR) stage, which is the main focus of public engagement, was completed early in 2012. This informed the preparation of the Proposed Plan, which was published in April 2013, with a six week period for representations. The Proposed Plan was submitted to Scottish Ministers for examination in February 2014, on schedule, and reporters have now been appointed by the Directorate of Planning & Environmental Appeals (DPEA) to consider the unresolved representations. Following the examination, and consideration of the examination report, the Council must modify the Proposed Plan to take account of the reporters' recommendations, and must submit it again to Scottish Ministers within 3 months of the receipt of the examination report. Once Scottish Ministers have given final approval, the plan may be adopted by the Council.

- 2.3 Section 4 outlines the projected timetable for the remaining stages of the LDP. The main consideration is the length of the time which the examination will take, which is largely outwith the control of the Council. The DPEA has a target of completing all LDP examinations within nine months. In the programme within the 2013 Development Plan Scheme, the Council allowed for a period of seven months, giving a plan adoption date of February 2015. Whilst the latter may still be achievable, it would be prudent to use the DPEA nine month period for the purposes of the current programme. This would give an estimated adoption date of March 2015.

Examination	February 2014 – November 2014
Submission of Proposed Plan as modified to Scottish Ministers	February 2014
Adoption	March 2015

- 2.4 Section 5 outlines the list of statutory supplementary guidance which is being prepared in conjunction with the LDP. The Council will consult on most of the 16 items of supplementary guidance during 2014, with a view to it being adopted simultaneously with the LDP.
- 2.5 Section 6 is the participation statement, which sets out the Council's intentions for consultation and public involvement in the LDP process. Most of the consultation associated with the LDP has now been completed, and the remaining stages involve mainly keeping those who have submitted representations, and other stakeholders, informed of the progress and outcome of the examination and adoption processes.

3. IMPLICATIONS

- 3.1 Legal: The requirement to prepare a Development Plan Scheme is part of the Planning, etc (Scotland) Act 2006 and its secondary legislation and is binding on the Council in carrying out its development planning functions.
- 3.2 Financial: None
- 3.3 Personnel: None.
- 3.4 Policy: On adoption, the Falkirk Local Development Plan will replace the Falkirk Council Structure Plan and the Falkirk Council Local Plan as the Development Plan policy framework for the Falkirk Council area.

4. RECOMMENDATION

4.1 That the Executive approves the attached Development Plan Scheme 2014.

.....

Director of Development Services

Date: 11th April 2014

Contact officer: Alistair Shaw, Development Plan Co-ordinator, ext 4739

LIST OF BACKGROUND PAPERS

None

Falkirk Council

Development Plan Scheme

April 2014

(5th Revision)



FALKIRK COUNCIL DEVELOPMENT PLAN SCHEME

1. INTRODUCTION

1.1 What is a development plan?

Development plans are prepared by local authorities to guide the use and development of land within their areas. They contain policies and proposals which indicate where development should or should not take place, and provide guidance on topics such as housing, business and industry, shopping, transport and infrastructure, recreation and community facilities and built and natural heritage.

1.2 The development planning system in Scotland

The Planning etc (Scotland) Act 2006 brought in a new planning system in Scotland, with revised arrangements for the preparation of development plans. Structure plans and local plans are being replaced by

- strategic development plans; and
- local development plans

However, only the city regions of Scotland will have a two tier system with both types of plans. Elsewhere, there will only be local development plans.

Falkirk Council is preparing a single local development plan which will replace the current framework of structure and local plans. This should help to simplify development planning in the area.

1.3 What is a development plan scheme?

Planning authorities are required to prepare a development plan scheme. This must set out the authority's programme for preparing and reviewing development plans, including when it will publish each stage of the plan. It must also explain how the authority will go about consulting people and agencies during the preparation of the plan, including when, how and with whom it will consult at each key stage (the participation statement). Development plan schemes will be updated each year.

Falkirk Council's first development plan scheme was published in May 2009, with subsequent annual revisions. This 5th revision:

- Explains the current development plan framework covering the area;
- Explains the key stages in preparing the new local development plan;

- Outlines the progress already made in the process of preparing the local development plan;
- Sets out an updated timetable for the remaining stages of the local development plan;
- Confirms the Council’s intentions for the preparation of supplementary guidance; and
- Explains how the Council has involved, and will continue to involve, people and agencies at each stage of preparing the local development plan (participation statement).

The development plan scheme will be subject to further annual updates as the local development plan process advances.

2. THE EXISTING DEVELOPMENT PLAN IN THE FALKIRK COUNCIL AREA

2.1 Falkirk Council Structure Plan

The Falkirk Council Structure Plan was approved by Scottish Ministers in January 2007. It is based on a strategy of ‘sustainable growth in all our communities’, and sets out a vision of how the area will develop in broad terms until 2020. It:

- highlights the intended scale and distribution of housing growth in the area between 2001 and 2020;
- identifies four special initiatives for residential led regeneration (SIRRs)
- identifies nine strategic development opportunities for major economic development;
- sets out a network of protected areas, including a system of green belts separating the main settlements;
- sets out the hierarchy of shopping centres in the Council area which will be promoted and protected;
- highlights the priorities for environmental enhancement in the area; and
- sets out broad areas where developers will be expected to contribute to physical and social infrastructure.

2.2 Local Plan

Currently, the Local Plan covering the Council area is the Falkirk Council Local Plan which was adopted in December 2010. It contains detailed policies and proposals which implement the provisions of the Structure Plan at a site-specific level.

2.3 Supplementary Guidance

In addition to the structure and local plans, the Council has produced a range of supplementary planning guidance which provides more detailed guidance on certain topics or sites. These are listed below.

<u>Design</u> Housing Extensions & Alterations Housing Layout & Design Design Statements Shopfronts	<u>Natural/Built Heritage</u> You and Your Trees Trees and Development Biodiversity & Development Frontiers of the Roman Empire (Antonine Wall) World Heritage Site
---	--

<u>Transport/Infrastructure</u> Waste & Development Flooding & Sustainable Urban Drainage Systems Travel Plans Spatial Framework for Wind Energy Developments Delivery of Denny Eastern Access Road	<u>Developer Contributions</u> Education & New Housing Development Affordable Housing
<u>Site-Specific Guidance</u> Rosebank Distillery Planning Brief Bellsdyke Planning Brief Overton Farm Development Brief Former RSNH Site Development Framework Community Schools Planning Brief Carrongrove Mill Planning Brief Banknock & Haggs SIRR Development Framework	<u>Village Housing Allocations</u> Standburn

Supplementary guidance has been given enhanced status within the new development planning system. Section 4 indicates the Council's future intentions for statutory supplementary guidance.

2.4 Monitoring

The Council produces an annual Development Plan Monitoring Report which assesses progress on the implementation of both the Falkirk Council Structure Plan and the Falkirk Council Local Plan against a range of indicators contained within these documents. The most recent Monitoring Report was produced in Summer 2013.

3. THE NEW LOCAL DEVELOPMENT PLAN (LDP)

3.1 Scope and Plan Period

The new Falkirk Local Development Plan (LDP) will replace the existing Structure Plan and Local Plans which cover the Falkirk Council area and will bring the whole development plan into one document.

The new LDP will have a lifespan of 10 years for its detailed policies and land use allocations and, in its broad strategy, it will look ahead up to 20 years from its adoption date. The first new LDP will encompass the period up to 2034. However, while looking ahead up to 20 years, the Plan will be replaced every 5 years in a rolling programme.

3.2 Content

The principal contents of the LDP are:

- **Vision** - a statement of the future we aspire to in 2034.
- **Spatial Strategy** - the scale and location of new housing and economic development, the strategic infrastructure needed to support such growth, and the shape of the green network we hope to develop over the plan period.
- **Settlement Statements** - the implications of the spatial strategy for each settlement area, including a description of how it is expected to change over the plan period and the key proposals affecting it.
- **Supporting Policies** - the detailed policies which we will use to guide and assess development proposals on a day-to-day basis.
- **Appendices** – these include a site schedule which provides detail on each of the proposals included in the plan, guidance on strategic growth areas, a list of supplementary guidance, a monitoring framework and an index of all policies.

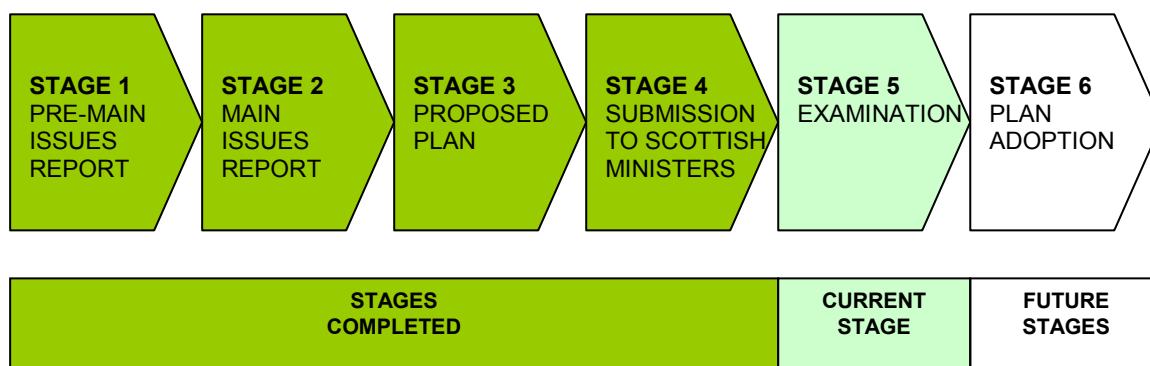
Other components of the LDP will be a Proposals Map, and a Schedule of Land owned by the Council which would be affected by proposals or policies.

A number of other supporting documents are being prepared to accompany the plan. These include:

- various Technical Reports, including the Monitoring Statement required by legislation
- Environment Report
- Habitats Regulation Appraisal Record
- Action Programme.

3.3 Plan Preparation Process

Preparing the new LDP involves six main stages. As can be seen from the diagram, substantial progress has already been made.



The stages are explained in more detail below.

Stage 1 Pre-Main Issues Report

This stage of early consultation, to inform the Main Issues Report, was completed in 2010/2011 and included:

- a series of themed workshops for key stakeholders were held in May and June 2010;
- a training event for Community Councils was held in June 2010;
- A sites and issues consultation, including an invitation to developers and landowners to submit ‘expressions of interest’ for sites, was carried out from July to September 2010;
- the Council engaged with key agencies, Scottish Ministers and adjoining planning authorities through meetings and the themed workshops; and
- youth engagement has been undertaken in the form of a presentation and discussion with the area’s Pupil Council, and a planning exercise with pupils at Wallacestone Primary School led by Planning Aid for Scotland under their IMBY (‘in my backyard’) programme.

Stage 2 Main Issues Report (MIR)

The Council published the Main Issues Report in November 2011. It:

- set out a preferred vision for the period 2014-2034 for the Falkirk area, including alternatives;
- identified 14 development and land use issues facing the area under the themes of thriving communities, a growing economy and a sustainable place;
- set out preferred options for tackling these issues, and alternatives;
- identified preferred new sites for development, as well as sites proposed to be carried forward from the existing Local Plan, and non-preferred sites; and
- brought together the key spatial elements of the preferred options to define a preferred spatial strategy

As part of the Strategic Environmental Assessment process, an Environmental Report was published alongside the Main Issues Report. It highlighted the environmental effects of the preferred policies and proposals, and of the alternatives, and outlined potential mitigation to reduce significant negative environmental effects. A number of Technical Reports were also published as the evidence base for the Main Issues Report.

The Main Issues Report provided the focus for public engagement on the LDP. The Council carried out consultation on the Main Issues Report for a 12 week period between 18th November 2011 and 10th February 2012, and used a range of approaches to involve people and organisations, as outlined generally within the participation statement (Section 5). Details of the consultation are contained within the ‘Report of Consultation on the Main Issues Report’ which is available on the Council’s web site.

Stage 3 Proposed Plan

The Council published the Proposed Plan in April 2013. Its preparation was informed by a review of the representations made at the Main Issues Report stage, and by further consultation with the key agencies. At this stage the Council firmed up its views on where development proposals should go and which policies should be contained in the plan.

A further six week representation period was undertaken in line with the participation statement (section 5). A new procedure introduced by the Planning Act at this stage was the notification of owners and neighbours of land which the plan proposes for development. This notification was additional to the standard opportunity for developers, the public, environmental agencies and community groups to make representations.

Stage 4 Submission to Scottish Ministers

The Council submitted the Proposed Plan to Scottish Ministers in February 2014, having decided not to make any modifications in response to representations. The submitted plan was accompanied by:

- A Proposed Action Programme which will set out how the Council, in partnership with developers and key agencies, proposes to implement the LDP.
- A Report of Conformity with the Participation Statement, which shows how the Council has complied with its commitments to consultation during the various stages of plan preparation;
- A Habitats Regulations Appraisal Record setting out how the Council has determined that there is not likely to be a significant effect on European nature conservation sites.

Stage 5 Examination

In February 2014, Reporters were appointed by Scottish Ministers to conduct the Examination of the Proposed Plan. The Examination process is focused on the unresolved issues identified by the Council which have arisen out of the representations. The Reporter will rely on the original written submissions of representees, and will request additional written material from parties or hold a hearing only where necessary. After the Examination the Reporter will prepare an Examination Report for consideration by the Council.

Stage 6 Adoption of LDP

Reporters' recommendations are now largely binding on Councils and any modifications proposed by the Reporter will be incorporated into the plan by the Council unless they are considered to contravene a limited range of circumstances. The plan as modified will then be advertised and submitted to Scottish Ministers within 3 months of receipt of the Examination Report along with the final Environmental Report. The Council will be able to adopt the Plan 28 days after submission to Scottish Ministers unless otherwise directed.

4. TIMETABLE

4.1 Timetable for Remaining Stages of LDP

The timetable for the remaining stages of the LDP process is dependent on the length of the Examination, which is outwith the control of the Council. The Directorate for Planning & Environmental Appeals has a general nine month target period for concluding Examinations, and this has been used in the timetable. The key dates are shown below.

Plan Stage/Process	Date
Submission of Proposed Plan to Scottish Ministers	February 2014
Examination of Proposed Plan	February 2014 – November 2014
Submission of Proposed Plan as modified to Scottish Ministers	February 2015
Adoption of Plan	March 2015

5. FUTURE SUPPLEMENTARY GUIDANCE

5.1 Scope

The Planning etc (Scotland) Act 2006 sets out provisions for supplementary guidance to be part of the development plan and have statutory status. Such guidance has to have an explicit link to the LDP and its preparation must follow certain procedures. The Council intends to prepare the supplementary guidance as indicated below. In some instances, this will be through the conversion and updating of current non-statutory guidance. In others, it will involve the preparation of new guidance.

5.2 Timetable

The Council is intending to consult on this supplementary guidance during 2014 with a view to having the majority approved simultaneously with the LDP in March 2015. The programmed dates for consultation are indicated below.

Ref.	Title	Consultation Date
SG01	Development in the Countryside	March 2014
SG02	Housing Layout and Design	Sept 2014
SG03	House Extensions and Alterations	May 2014
SG04	Shopfronts	May 2014
SG05	Biodiversity and Development	March 2014
SG06	Trees and Development	March 2014
SG07	Frontiers of the Roman Empire (Antonine Wall) World Heritage Site	TBC
SG08	Local Nature Conservation and Geodiversity Sites	TBC
SG09	Landscape Character and Assessment	May 2014
SG10	Education and New Housing Development	May 2014
SG11	Healthcare and New Housing Development	Sept 2014
SG12	Affordable Housing	May 2014
SG13	Open Space and New Development	March 2014
SG14	Spatial Framework for Wind Energy Development	Sept 2014
SG15	Low and Zero Carbon Development	Sept 2014
SG16	Design Guidance for Listed Buildings and Non-Listed Buildings in Conservation Areas	Sept 2014

6. GETTING PEOPLE INVOLVED IN THE LOCAL DEVELOPMENT PLAN

6.1 The need to be inclusive

The success of the local development plan depends on getting a wide range of stakeholders involved in the process. Many different people and organisations have an interest in the future development of the area, and the plan will have an impact on everyone who lives and works here. It is important that they are given the opportunity to provide an input to plan preparation, and to express their views on the draft policies and proposals.

In the past, consultation exercises have not always been successful at getting people to participate in plan preparation. People are not sufficiently aware of development plans and their importance, and they may find it difficult to understand the process. Opportunities for involvement may have been too limited, and this may have made it difficult for particular groups to play a part. Sometimes people feel that their views will not be taken into account.

In preparing the Local Development Plan, the Council has endeavoured to improve the way people are involved in plan making. In doing so the Council has been guided by its Principles for Community Involvement and by Planning Advice Note (PAN81) on Community Engagement – Planning for People, which highlights good practice.

6.2 General principles

The principles Falkirk Council has tried to follow in involving people in the Local Development Plan are as follows:

1. **PURPOSE** : in each situation where we engage with the local community, we will be clear about whether we are informing, consulting or engaging.
2. **INVOLVEMENT** : we will identify who might be interested in any consultation or engagement and encourage them to be involved. We will also try to overcome any barriers they may face so that no group or individual is excluded.
3. **METHODS** : we will use the right methods of engagement in each situation and ensure that timescales are long enough for people to participate effectively.
4. **INFORMATION** : we will share all the information necessary for people to participate and we will use clear, accessible language.
5. **WORKING TOGETHER** : we will treat all participants with respect and we will expect all participants to treat us and others with respect. We may require people and organisations that represent their communities to show us how they have collected the views of their community.
6. **FEEDBACK** : we will always explain how people will receive feedback before they participate. We will always try to show how people's views have influenced the outcome.
7. **IMPROVEMENT** : we will monitor and evaluate our approaches to community involvement so that we can improve over time.

The Council will provide a clear point of contact for raising questions and concerns if it is thought we have not stuck to the principles during a particular consultation. We will do what we can to address concerns if the consultation is still live, and we will try to identify lessons for future work.

6.3 Who we will involve?

The Council has been engaging with various groups of people and agencies in the preparation of development plans for many years, and has built up a list of organisations and individuals who have an interest in the process. We have developed and updated this information to provide a comprehensive database of stakeholders as a basis for consultation on the Local Development Plan.

The main groups which are being involved include:

Public sector

- Scottish Government (including executive agencies of the Government such as Historic Scotland and Transport Scotland)
- Key agencies (bodies specified by Scottish Ministers who have to co-operate with the Council in preparing the development plan, i.e. SNH, SEPA, Scottish Water, Scottish Enterprise, SEStran, NHS Forth Valley)
- Neighbouring local authorities (i.e. Clackmannanshire Council, Fife Council, North Lanarkshire Council, Stirling Council, West Lothian Council)
- Other public sector organisations (e.g. Scottish Canals, Sportscotland, Forestry Commission)

Private sector

- Landowners
- Developers and housebuilders
- Key local companies and businesses
- Housing associations
- Transport companies (e.g. Network Rail, First Bus, First ScotRail)
- Telecommunication companies
- Energy and utility companies
- Mineral operators

Other organisations

- Environmental and amenity organisations (e.g. Central Scotland Forest Trust, RSPB, Scottish Wildlife Trust, Civic Trust)
- Transport organisations (e.g. Sustrans)
- Business organisations (e.g. Falkirk for Business, Chamber of Commerce, Falkirk and District Town Centre Management)

Community Organisations & Representatives

- Community Councils
- Local Councillors
- Local MPs and MSPs
- Residents associations and groups
- Local amenity and interest groups
- Churches and faith groups

Individuals

6.4 What will we do to get people involved?

There is a wide range of means of getting people involved in the plan making process. These have expanded greatly in recent years through the use of the internet, which offers new opportunities for communication with the wider public. However, there is a limit to the resources which the Council has available. It is important that consultation is targeted appropriately, so that the right people are involved at the right time, and generally that consultation is ‘front loaded’ at a point when they can influence the outcomes of the plan.

In broad terms, the following steps have, or will be undertaken at each stage of the plan. As noted previously, the pre-MIR, MIR and Proposed Plan stages are now complete.

Stage	Methods
Pre-Main Issues Report (pre-MIR)	<ul style="list-style-type: none"> • Publicise Development Plan Scheme by placing it on-line and in libraries and other deposit locations and distributing copies to all on consultation database • Update and develop stakeholder database • Consult on the scope and issues to be covered in plan • Consult on the scope of Strategic Environmental Assessment • Invite developers and landowners to submit development proposals for consideration • Hold topic focus groups with key stakeholders • Organise training for community councils and others on engagement in Main Issues Report stage • Carry out specific youth engagement exercise • Issue Development Plan Newsletter and review Council web site to update all stakeholders on progress
Main Issues Report (MIR)	<ul style="list-style-type: none"> • Advert, press release and letter to all stakeholders • Make documents and response forms available online, in libraries and other deposit locations • Minimum 12 week period for engagement • Hold area-based exhibitions and workshops across Council area • Hold workshops with community councils and other community groups where requested • Issue Development Plan Newsletter to provide concise summary of Main Issues Report
Proposed Plan	<ul style="list-style-type: none"> • Organise training for community organisations on participation in the Proposed Plan and examination stages • Advert, press release and letter to all stakeholders, including those who commented on Main Issues Report stage • Make documents and objection forms available online, in libraries and other deposit locations • Publicise summary of all comments on the Main Issues Report

	<ul style="list-style-type: none"> • Notify neighbours and owner/occupiers of proposed sites • Formal period of at least six weeks for representations • Issue Development Plan Newsletter to provide concise summary of proposed plan
Examination	<ul style="list-style-type: none"> • Advert • Notification to all parties with unresolved representations • Make examination documents available at Development Services, with key information on the Council's web site
Stage	Methods
Adoption	<ul style="list-style-type: none"> • Advert, press release and letter to all stakeholders including those who participated at Main Issues Report, Proposed Plan and examination stages • Make documents available online, in libraries and other deposit locations

7. LET US KNOW WHAT YOU THINK

The Council would welcome comments on this Development Plan Scheme, to help inform how we go about preparing the Local Development Plan and how we involve people in it.

The contact details for sending comments or finding out more about the Local Development Plan are as follows:

Planning & Environment Unit, Development Services, Falkirk Council, Abbotsford House, Davids Loan, Falkirk FK2 7YZ

Telephone: 01342 504720 (Colin Hemfrey)
01324 504739 (Alistair Shaw)

E-mail: ldp@falkirk.gov.uk

FALKIRK COUNCIL

**Subject: FALKIRK TAX INCREMENTAL FINANCING INITIATIVE
UPDATE REPORT**
Meeting: EXECUTIVE
Date: 29 APRIL 2014
Author: DIRECTOR OF DEVELOPMENT SERVICES

1.0 INTRODUCTION

- 1.1 This report provides an update on the Falkirk Tax Incremental Financing (TIF) initiative including the next phases of work planned for delivery of the project.

2.0 BACKGROUND

- 2.1 The Falkirk TIF initiative is a key priority of the Council and is designed to increase development activity taking place in the Falkirk area through the creation of enabling infrastructure. Following Executive approval on 18th June, 2013, the Council entered into a formal agreement with Scottish Government in July 2013 and following that initiated the first contract to upgrade Junction 6 on the M9 at Earlsgate.
- 2.2 The first TIF contract was awarded to Wills Bros Ltd on 17 September 2013 at a cost of £2.1m. Work is presently on programme and is expected to be completed successfully in early May.
- 2.3 To assist development of the next phases, the Executive agreed to proceed with the preparation of an Infrastructure and Development Plan and to develop a marketing strategy for the TIF.

3.0 TIF EXECUTIVE

- 3.1 A TIF Executive, involving Scottish Government, Scottish Futures Trust and the Council meets regularly to oversee delivery of the project. The TIF Executive is putting in place procedures for agreement on the next phases of the project including arrangements for:
- a 'Gateway' review process for agreement on delivery of the major joint funded projects in the TIF Agreement - Grangemouth Flood Prevention Scheme and the A801 Avon Gorge
 - financial monitoring of the project
 - agreement on the inclusion of additional development sites or plant & machinery investments taking place on TIF development sites
 - a review and evaluation in year 5 including any requirement for the adjustment of the displacement factor

Glenbervie Development Site

- 3.2 In relation to the inclusion of additional sites, the Glenbervie site (site plan attached – Appendix 1) is identified in the TIF Agreement as a potential addition, subject to preparation of a viable business case. The site has been available for a number of years for commercial use with limited interest. It is approximately 50 acres in size and geographically offers an excellent location for manufacturing and distribution operators however successful delivery is restricted by the cost of site enabling works of £3.2m.
- 3.3 The TIF Executive has considered the potential addition of the Glenbervie development site to the TIF initiative. An initial proposal for the inclusion of the site has been prepared and further work on this is to be undertaken for the TIF Executive's approval. This proposal would involve the commitment of c£3.2m of infrastructure works by the Council via the TIF, to help prepare the site for development. This would be funded through the attraction of additional non-domestic rates from the delivery of the site.
- 3.4 The Glenbervie site is owned by Scottish Enterprise and therefore an agreement for delivery of this scheme would require to be entered into between Scottish Enterprise and the Council to enable the infrastructure works to be funded. It is proposed that this be developed in further detail and, following the agreement of TIF partners, reported back to the Council's Executive for agreement. Approval to this proposal will also be required from Scottish Government Ministers.

4.0 Infrastructure & Development Plan

- 4.1 To assist in implementing the TIF initiative, the Council, in partnership with Scottish Enterprise, appointed Ironside Farrar to develop an integrated strategy which appraises market conditions for delivery of the TIF, identifies the works required on each of the infrastructure and development sites and addresses the opportunities and challenges in progressing each development site.
- 4.2 This exercise has recently been completed and the result identifies the actions needed to progress the TIF initiative and help achieve the challenging targets it has set. It acknowledges that the TIF initiative must be flexible and responsive to opportunities presented by the market and proposes that the commitment of funding focusses on those actions likely to provide most benefit in stimulating development and attracting non-domestic rates income.
- 4.3 The proposed actions for the Council to progress include:
- a) *Early action on key sites*- to stimulate market interest and that early action is taken by the Council to initiate development at Abbotsford Business Park, where provision of advance industrial units by the Council will assist in stimulating development (a separate report has been issued to the Executive on this proposal). The Infrastructure & Development Plan also suggests completion of site enabling works at Abbotsford Business Park at a cost of £250,000.
 - b) *Release of development sites*- The release of sites is key to securing development. Recent success has been gained at a site in Southbridge Street, Grangemouth and marketing of sites owned by the Council at Abbotsford and Wholeflats continues. The Infrastructure and Development Plan suggests a need to stimulate development and attract a commercial/leisure interest at the Falkirk Community Stadium site.

The Council's recent agreement in principle on the transfer of assets from Falkirk Community Stadium Ltd. enables it to consider marketing of sites adjacent to the Stadium which will transfer to the Council should this transfer be completed.

- c) *Preparation of a master plan-* for the Falkirk Gateway and Community Stadium sites. Development of these sites was adversely affected by the substantial costs in providing up-front infrastructure and the impact of the economic downturn on the area's property market. The Infrastructure & Development Plan suggests that opportunities exist to consider the prospects for these sites in more depth, taking advantage of improving market conditions and the TIF's financial support. It suggests that, with the agreement of the site's landowners, a master plan be prepared for development of these sites. The exercise is anticipated to cost c.£50,000, and it is proposed that this be joint-funded by the Council and its partner(s) in the project.
- d) *Measures to promote and market the TIF initiative.* Materials have been produced to assist with this and it is also proposed that an initiative be undertaken to replace the signage on existing TIF sites (formerly branded for 'My Futures in Falkirk'). A new set of branding for these sites has been prepared and it is proposed that this be implemented at an anticipated cost of £20,000.
- e) *A revised schedule of enabling and infrastructure works-* this has been prepared covering the 11 year programme period. A copy of the TIF Implementation review schedule, comparing the Infrastructure works schedule in the original business case against that proposed is attached as Appendix 2. While there are no changes to the original approved package of works, the principal amendments to this involve:
 - i) completion of additional parking provision at the Stadium site via £600,000 of TIF site enabling funds to meet the needs of increased development activity at the site.
 - ii) accelerate the infrastructure works at Westfield roundabout given increase in development potential arising from the opening of the Helix.
 - iii) accelerate the Icehouse Brae works to enable expansion of business in that vicinity.
 - iv) accelerate Junction 5 works to support development relating to Ineos and Forth Ports
 - v) completion of additional site-enabling works for Abbotsford Business Park at a cost of £250,000

The above actions will be funded by the TIF and progressed by the Council in liaison with development partners.

5.0 IMPLICATIONS

5.1 Policy

The TIF initiative is a major priority of the Council and is being pursued to assist delivery of the Strategic Community Plan and the *My Future's in Falkirk* initiative

5.2 *Legal*

The delivery of the TIF has been developed in liaison with the Council's legal services and external legal advisers

5.3 *Financial*

Delivery of the TIF initiative is being met from the dedicated funds established for delivery of the initiative and reported regularly as part of the Council's capital investment programme. The master planning work required for the Falkirk Gateway and Stadium sites and for the provision of signage to market the sites can be funded from existing Development Services budgets.

6.0 CONCLUSION

6.1 The TIF project is a major initiative for the Council and is being pursued to assist in the economic transformation of the area. The Infrastructure and Development Plan has given important pointers to further works necessary to progress the programme and assist in delivery of the development projects which are important to the TIF's success. It is proposed that further reports be provided to the Executive on the delivery of the initiative including the results of the proposed addition of the Glenbervie site, the formation of a joint agreement on this development and the outcome of marketing of the commercial leisure development site adjacent to Falkirk Stadium.

7.0 RECOMMENDATIONS

7.1 It is recommended that the Executive agrees to:

- a) note the update of progress on the Falkirk TIF initiative and the outcome of the Infrastructure and Development Plan
- b) to develop proposals for the addition of the Glenbervie site to the TIF initiative, including the formation of an agreement with Scottish Enterprise for investment in the site
- c) proceed with the preparation of masterplans for the Falkirk Gateway and Stadium sites at a cost of £50,000 including proposals for early release of development sites
- d) proceed with revised marketing and signage of the TIF sites at a cost of £20,000
- e) the revised Implementation Schedule for TIF projects as outlined in Appendix 1, including completion of site-enabling works at Falkirk Stadium (£600,000) and Abbotsford Business Park (£250,000).

.....
Director of Development Services

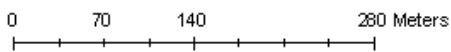
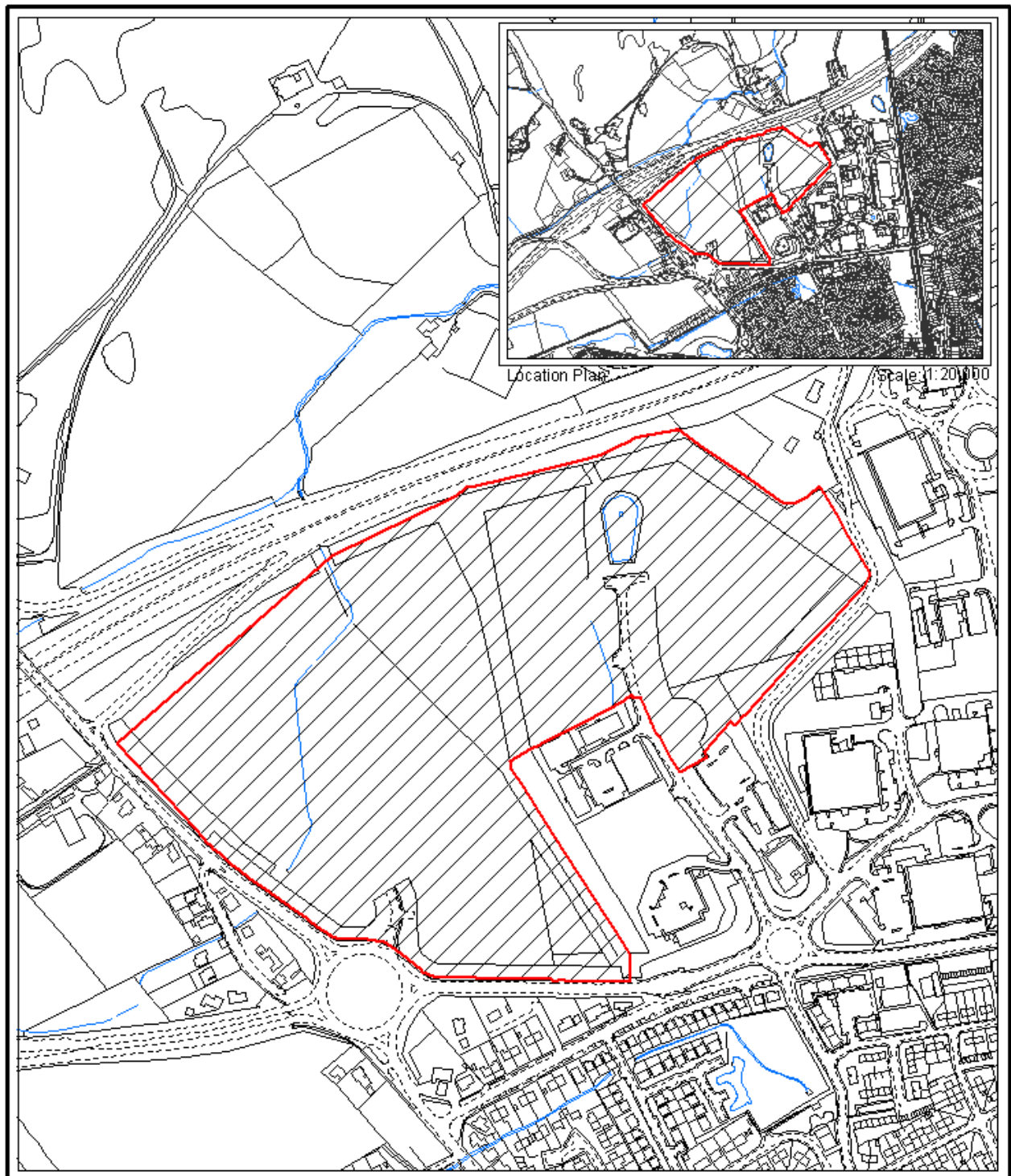
Date 11 April, 2014


Contact Officers: Colin Frame/Douglas Duff. Ext: 0972/0905.

LIST OF BACKGROUND PAPERS

1. Falkirk TIF Files.

Anyone wishing to inspect the background papers listed above should telephone 01324 590972 and ask for Colin Frame, Douglas Duff.



 20.584 ha (50.865 ac)



Falkirk Council

Development Services
 Abbotsford House, Davids Loan, Bainsford, Falkirk, FK2 7YZ
 Telephone: 01324 504950 Fax: 01324 504709

Scale: 1:5,000

Date: 8.4.2014



Subject

Falkirk TIF: Glenbervie Site

Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2014. All rights reserved. Ordnance Survey Licence number 100023384

TIF Implementation Review Schedule

Year	TIF Business Case		Revised Implementation Schedule	
	Name	Cost	Name	Cost
1 (13/14)	J6	£2.2m	Junction 6	£1m
	Total	£2.2m	Total	£1m
2 (14/15)	Laurieston Link Rd	£0.5m	Junction 6	£1.2m
	Enabling Wks	£0.8m	Enabling Works (Stadium)	£0.6m
	Northern Distributor Road	£0.3m	Enabling Wks (Abbotsford)	£0.25m
			Westfield (R/about & Spurs)	£0.3m
	Total	£1.6m	Total	£2.35m
3 (15/16)	Northern Distributor Rd	£5.0m	Icehouse Brae	£0.9m
	Enabling Wks	£0.75	Westfield (R/about & Spurs)	£5.5m
			Enabling Works	£1m
	Total	£5.75m	Total	£7.4m
4 (16/17)	Grangemouth Rd/A904	£0.2m	Westfield (Earlsgate R/about)	£4.8m
	Northern Distributor Road	£0.1m	Icehouse Brae	£1.6m
	FPS	£2.5m	Junction 5 (Phase 1)	£1.5m
	Enabling Wks	£4.2m		
	J5	£0.1m		
	Total	£7.1m	Total	£7.9m
5 (17/18)	A904 Grangemouth Rd	£2m	FPS	£2m
	J5	£2.5m	Junction 5 (Phase 1)	£1.5m
	FPS	£2.5m	Junction 5 (Phase 2)	£1.5m
	Enabling Wks	£1.7m	Enabling Wks	£2m
	Total	£8.7m	Total	£7m
6 (18/19)	A904 Grangemouth Rd	£2m	FPS	£2m
	J5	£2.5m	Enabling Wks	£4m
	FPS	£2.5m	Junction 5 (Phase 2)	£0.7m
	Enabling Wks	£1.9m	Westfield/A904	£2m
	Total	£8.9m	Total	£8.7m

Year	Name	Cost	Name	Cost
7 (19/20)	Westfield Roundabout	£2.5m	FPS	£2m
	FPS	£2.5m	Westfield/A904	£4.2m
	Total	£5m	Total	£6.2m
8 (20/21)	Westfield Roundabout	£4.3m	FPS	£2m
	Avon Gorge	£6.7m	A801 Avon Gorge	£2.2m
	Total	£11m	Enabling Wks	£5m
9 (21/22)	Icehouse Brae	£2.5m	Total	£9.2m
	Enabling Wks	£2.5m	FPS	£2m
	Total	£5m	A801 Avon Gorge	£3m
10 (22/23)	Enabling Wks	£1.25m	Total	£5m
11 (23/24)	Enabling Wks	£1.3m	A801 Avon Gorge	£1.5m
TOTAL		£57.8m	Enabling Wks	£1.55m
			TOTAL	£57.8m

FALKIRK COUNCIL

Subject: PORTFOLIO MANAGEMENT PLAN UPDATE REPORT
Meeting: EXECUTIVE COMMITTEE
Date: 29th APRIL 2014
Author: DIRECTOR OF DEVELOPMENT SERVICES

1.0 INTRODUCTION

- 1.1 The purpose of this report is to provide Members with an update on the progress of the Portfolio Management Plan (PMP). The report recommends approval of an updated list of disposals and an alteration to the re-investment plan to include a new development of modern industrial units at Abbotsford Business Park.

2.0 BACKGROUND

- 2.1 The Portfolio Management Plan seeks to sustain and enhance a viable property portfolio for economic development through a phased disposal of existing assets to the investment market, and re-investment of the proceeds in developing new business property. The Council's property portfolio plays a major role in the business property available in the Falkirk area. It accommodates 497 businesses and at present the portfolio is 95% let.
- 2.2 The reinvestment is undertaken through a phased programme of development which will provide modern offices, industrial and commercial units in various locations across the Council area. The new rental income generated from these new developments is intended to replace income lost through the phased disposal of the Council's landlord's interest in selected packages or lots of assets from the portfolio thereby making the PMP revenue neutral.

3.0 PMP DISPOSAL PROGRAMME

- 3.1 For the year 2013/14 thirteen lots were marketed for disposal. Out of these, ten lots received acceptable offers and seven have been sold. Two offers failed to complete and the other is with the Council's Governance Service to complete the disposal. The total receipts from the seven completed sales are £998,786. The properties that did not receive any offers will require to be re-marketed at an appropriate time. The property market is showing strong signs of recovering with increased levels in occupier demand. Investors are still showing some caution but are showing interest in PMP properties which is a helpful sign for Falkirk's property market.
- 3.2 The disposal programme has proven successful in generating capital receipts and has levered in £300,000 private investment from local investors and landlords in properties that required substantial refurbishment and upgrading. Examples of this are shown in Appendix 1 attached and include:

- ***Shops at 1-5 Dalderse Avenue, Falkirk.*** These properties are on a prominent location just off Grahams Road. The new owner has refurbished the vacant units and has attracted three new tenants to the refurbished shops.
 - ***19/21 Cow Wynd/2 Bean Row.*** This town centre property was in poor condition. It has been extensively refurbished to provide two ground floor shop units which are now let as well as two flatted dwellings above.
- 3.3 For 2014/15 a total of sixteen lots are programmed for disposal including five lots that are being re-marketed. (Appendix 2). New properties have also been added to the list of properties for disposal as follows:
- ***10 – 14 Union Road, Grangemouth.*** This property was previously occupied by the Employment and Training Unit but is now surplus to requirements. The property is being marketed as a retail outlet and/or office but is not attracting interest due to its poor location. It is felt that the property may be suited to an alternative use but this would need considerable investment which would only be possible if made available to purchase.
 - ***4 & 6 Chapel Lane, Falkirk.*** These properties were previously let to Corporate & Neighbourhood Services but are now surplus to requirements. The properties are proving difficult to let and do not fit well into the Council's business property portfolio. It is considered that they will be more attractive to investors if available to purchase.

4.0 PMP RE-INVESTMENT PROGRAMME

- 4.1 The Council's PMP reinvestment programme has successfully developed a two storey office pavilion at 1 Spitfire Way, Wholeflats extending to 8800 sq ft and seven industrial units at Central Park Avenue, Central Park, Larbert that extend to 9000 sq ft. At present seven companies occupy these premises generating a rental income of £72,650 per annum which will increase to £94,400 in 2015 and employ 25 people
- 4.2 A £1m contribution from the PMP has been provided to help deliver the regeneration of Denny Town Centre; £800,000 has been used, with the remaining £200,000 due to be spent in 2014/15.
- 4.3 With the successful marketing recently of the South Bridge Street site in Grangemouth, this site will need to be removed from the re-investment plan (appendix 3). The proposed replacement for the development is Plot 5 at Abbotsford Business Park which is suggested as the next site to be redeveloped.
- 4.4 Following the investment made by the Council and Scottish Enterprise into Abbotsford Business Park we have been unable to secure a first occupier. This site has suffered as a consequence of the economic downturn. It is felt that the development proposed would help to establish market confidence in the site and helps kickstart development related to the Falkirk TIF.

- 4.5 The proposal is to build a terrace of 4 modern industrial units between 250 – 300sqm each. Costs are estimated to be up to £1.3m. The need for this provision has been reinforced recently in market assessments which have been conducted for the Falkirk TIF initiative.
- 4.6 In terms of funding this project it is proposed that this be secured from unapplied ERDF receipts secured for Abbotsford Business Park of £504k and funds from the PMP account which has a balance of £1.219m. In terms of future rental income it is anticipated that this development would generate circa £65,000 per annum. On occupation, it would also generate a rates income of circa £25,000 per annum (via the Falkirk TIF)

5.0 IMPLICATIONS FOR THE COUNCIL

Policy Implications

- 5.1 The Council's property portfolio plays an important part in maintaining premises available for business to locate and grow in the Falkirk area. The PMP is a key element of the My Future's in Falkirk economic strategy for the Falkirk area; of the Falkirk TIF; and is also consistent with the Strategic Community Plan and Single Outcome Agreement.

Legal Implications

- 5.2 The programme of PMP disposals is undertaken in compliance with the Council's procedure for the disposal of assets.

Financial Implications

- 5.3 The Council's property portfolio provided an income of £4.38m in 2013/14 to the Council. The programme of disposals and reinvestments has been designed to help maintain this income while modernising the Council's stock. There is currently £1,219m of receipts and a further £504,000 ERDF available for reinvestment.

6.0 CONCLUSION

The Council's PMP is proving successful in modernising the portfolio of business properties in the Falkirk area. It is enabling investors to refurbish existing buildings to create modern, fit for purpose business space for small local businesses to locate, grow and create jobs. The Council's re-investment programme has also enabled the construction and letting of the business space which is assisting business growth in the area and will help in the delivery of the Falkirk TIF initiative. The continued success of the PMP programme depends on the success of the disposal and reinvestment programme. By progressing the updated programme proposed in this paper, the Council will be in a position to attract further investment and assist business growth.

6.0 RECOMMENDATIONS

6.1 It is recommended that the Executive:

- a) notes the performance of the portfolio management plan and the contribution it is making to the local economy**
- b) agrees to progress the updated proposals for the PMP disposal and reinvestment plans as set out in this report and detailed in Appendices 2 & 3**
- c) agrees to propose the scheme for delivery of 4 industrial units at Abbotsford Industrial Park**

.....
Director of Development Services

11th April 2014

Contact Officer: John Smith x 0979

LIST OF BACKGROUND PAPERS

- 1. Portfolio Management
- 2. Plan Files

Anyone wishing to inspect the background papers listed above should telephone 01324 504973 and ask for John Smith.

Appendix 1: Portfolio Management Plan 2014 Projects Delivered Update



1-5 Dalderse Avenue, Falkirk

The above properties occupy a prominent location on Dalderse Avenue just off Grahams Road, a main arterial route into Falkirk town centre. They were sold in two lots under the PMP in 2012. At the time of the sale three of the units were vacant. The new owner has invested £50,000 in the property and has now been able to attract four new tenants; Dyson Doctor; Emporium Vapour; Creative Kitchens and Central Funeral Services. Together these businesses employ 9 people. The Council's former tenant, Quality Masonry Services is still trading from these premises.



19/21 Cow Wynd and 2 Bean Row, Falkirk

The above property is a substantial two and a half storey building located at the top of the Cow Wynd in the heart of Falkirk town centre. It was sold in September 2009 under the PMP and was in a poor condition at the time of sale, again it would not have been cost effective for the Council to undertake the works required. The new owner has invested heavily in the property and has refurbished it to form two ground floor retail units and four flatted dwellings. The refurbishment is now complete and has been let to hairdressers So Stylish and a gift shop, The Lovely Shop, employing 7 people

Portfolio Management Plan Disposal Monitoring

Lot No.	Address	Type	Status	Comments
1	19/21 Cow Wynd 2 Bean Row	Shop/offices	Sold	Sold for £150,000
2	Site at Winchester Ave	Land	Sold	Sold for £178,700
3	Site, Callendar Business Park	Land	Off market	No offers received at closing date, will re-market when office demand improves
4	Site, Wood St	Land	Sold	Sold for £75,000
5	Land, Bute Street	Land	Sold	With Legal Services
6	1-3 Dalderse Ave	Industrial	Sold	With Legal Services
7	4-5 Dalderse Ave	Industrial	Sold	With Legal Services
8	103 Grahams Rd	Shop	Sold	No offers received, off market
9	103.5 Grahams Rd	Shop	To be remarketed 2014	Offer received, sale fell through
10	168-178 Grahams Rd	Shop	Sold	Sold for £138,000
11	180-182 Grahams Rd	Shop	Sold	Sold for £99,999
12	1-7 Bryson St	Industrial	Programmed for market 2016/17	Checking titles, leases etc
13	1 Meeks Rd	Shop	Programmed for market 2016/17	Checking titles, leases etc
14	20 Cow Wynd	Shop	To be remarketed 2014	No offers received at closing date
15	26 Newmarket St	Shop	To be remarketed 2014	
16	28 Newmarket St	Shop	To be remarketed 2014	
17	30 Newmarket St	Offices	To be remarketed 2014	
18	Garage, Bean Row	Industrial	Sold	Sold for £30,000
19	4 Kerse Lane	Shop	Sold	Sold for £60,250
20	St Crispins Pace	Land	Programmed for market 2016/17	Checking titles, leases etc
21	4 Weir Street	Restaurant	Programmed for market 2015/16	Checking titles, leases etc

Lot No.	Address	Type	Status	Comments
22	2 Chapel Lane	Store	Programmed for market 2014/15	Checking titles, leases etc
23	46 Vicar Street	Shop	Sold	Sold for £45,300
24	50 Vicar Street	Shop	To be remarketed 2014/15	No offers received
25	54 Vicar Street	Shop	To be remarketed 2014/15	No offers received
26	16 Melville Street	Shop	Programmed for market 2014/15	Checking titles, leases etc
27	18 Melville Street	Shop	To be remarketed 2014/15	No offers received
28	20 Melville Street	Shop	Sold	Sold for £58,100
29	Store, Melville Lane, Falkirk	Store	Sold	Sold for £25,000
33	1-6 Foundry Road Bonnybridge	Industrial	Programmed for market 2014/15	Checking titles, leases, etc
35	109 High Street, Falkirk	Shop	To be remarketed 2014/15	No offers received
78	10 Dundas St, Grangemouth	Retail	Programmed for market 2016/17	Checking titles, leases etc
53	14 Dundas St, Grangemouth	Industrial	Programmed for market 2014/15	Checking titles, leases etc
56	12 Dundas St, Grangemouth	Industrial	Sold	Sold for £17,011
79	18 Dundas St, Grangemouth	Industrial	Sold	Sold for £45,575
57	20 Dundas St, Grangemouth	Industrial	Programmed for market 2016/17	Checking titles, leases etc
58	22 Dundas St, Grangemouth	Industrial	Programmed for market 2014/15	Checking titles, leases etc
59	24 Dundas St, Grangemouth	Industrial	Sold	Sold for £10,100
80	Pilkington Site, Central Park	Development Site	On 3 year option to Alexander Dennis	Await ADL decision
81	1 Central Boulevard Larbert	Industrial	Sold	Sold for £1.025m, net receipt to PMP £748,000
82	10-14 Union Road Grangemouth	Shop/Office	Programmed for market 2014/15	Checking titles, leases, etc
83	4-6 Chapel Lane Falkirk	Office/residential	Programmed for market 2014/15	Checking titles, leases, etc

PORTFOLIO MANAGEMENT PLAN – REINVESTMENT PROGRAMME

Abbotsford Business Park
Industrial Units
Winchester Avenue Industrial Estate, Denny
Phase 1 - Industrial Units
Phase 2 – Industrial Units
Wholeflats Road, Grangemouth
Phase 2 – Office
Phase 3 – Office
Central Park, Larbert
Phase 3a – Offices
Phase 3b – Offices
Bog Road Industrial Estate
Phase 1 – Industrial Units
Phase 2 – Industrial Units
Murnin Road, Bonnybridge
Phase 1 – Industrial Units

Timescales for delivery are dependent on availability of resources arising from receipts and Committee approval.

FALKIRK COUNCIL

**Subject: DENNY TOWN CENTRE REGENERATION
UPDATE REPORT**
Meeting: EXECUTIVE
Date: 29 APRIL 2014
Author: DIRECTOR OF DEVELOPMENT SERVICES

1.0 INTRODUCTION

1.1 This report advises the Executive of the progress of the Council’s regeneration activities in Denny town centre. The report suggests the next steps proposed and gives recommendations for approval.

2.0 BACKGROUND

2.1 The Executive approved a report on town centre regeneration on 14 January 2014 providing an update on various town centre projects and confirming actions proposed in each centre. The report confirmed the detail of the Council-led first phase project being taken forward in Denny and it was agreed to declare the Phase 2 site surplus to requirements and commence marketing to attract developer/operator interest.

2.2 Following Executive committee approval, SGM Property Consultants have been appointed to act for the Council in the marketing of the Phase 2 site. Work is also underway to deliver the first phase of the project, involving redevelopment of the site to provide new retail units, a library, town square and carpark.

3.0 TARGET DEVELOPMENT PROGRAMME TIMESCALE

3.1 The Council has progressed the demolition of sections of the existing Church Walk blocks and later this year plans to initiate the first phase of the new town centre. Inevitably the development timescales are fluid as they are subject to third party agreements. In addition further issues can arise during the development process which can cause delays e.g. utility related issues. The proposed timescale below is a target timescale which can be subject to change but is intended as a guide for the project.

Date	Description
STAGE 1	
May 2014	Completion of temporary retail village. Commence relocation of Block B retailers and Library staff to Portacabins Commence utility disconnections for Block B in preparation for demolition

STAGE 2	
July 2014	Initiate physical demolition of balance of Block A & Block B
Nov 2014	Construction phase commences for Phase 1
August 2016	Anticipated completion of Phase 1/relocate retailers
STAGE 3	
June 2017	Completion of Phase 1 work including demolition of octagonal building and completion of town square.

4.0 SITE ASSEMBLY PROCESS

- 4.1 Progress is being made through conclusion of legal agreements with Lloyds Pharmacy, Boots and Café Anton. Lloyds TSB are also interested in a new unit and discussions on their requirements are continuing. Interest from other parties has been expressed and will progress once agreements are concluded with the existing occupiers. The remaining Phase 1 units will be marketed later this year to attract additional retailer interest.
- 4.2 The Council's first phase development includes 10 retail units and provision for a new library. In marketing the first phase to attract additional retailers, it is important that pre-let anchor tenants are secured. It is therefore necessary to retain and accommodate as many existing quality tenants as possible. This will be achieved through provision of temporary accommodation during the development period and establishing heads of term agreements with retailers for new units within the Phase 1 development.
- 4.3 The Council is in the process of agreeing terms with the following tenants:-

Café Anton (7 Church Walk)

Intend moving into a portacabin provided by the Council, located on Duke Street, during May 2014 and, once complete, moving into a new unit in the first phase development.

Lloyds Pharmacy (9 Church Walk)

Intend moving into a portacabin provided by Lloyds, located on Duke Street, during May 2014 and, once complete, moving into a new unit in the first phase development.

Boots (41 Church Walk)

Intend moving into a portacabin provided by the Council, located on Stirling Street (site next to Carronbank House), during July 2014 and, once complete, moving into a new unit in the first phase development.

Lloyds TSB (37A Church Walk)

Intend continuing to occupy existing premises during the development period and, once completed, move into a new unit in the first phase development.

Solicitors are finalising legal agreements with Café Anton, Lloyds Pharmacy and Boots leading up to their relocation to temporary accommodation. Positive discussions are ongoing with Lloyds TSB's agent. A temporary unit is being provided for the library and details for the provision of the new library unit in phase 1 are being finalized.

4.4 Once secured, the relocations to temporary units will take place and the demolition works can commence. Procurement of a contractor for delivery of the Phase 1 development commenced with publication of the project via the OJEU process initiated on 7 April 2014.

5.0 WAR MEMORIAL

5.1 Falkirk Council has made provision for the temporary re-siting of the existing town centre memorial during the regeneration project's demolition and construction phase to the cemetery at Broompark Community Centre adjacent to the existing town centre.

5.2 Designs for the Broompark War Memorial Garden are finalised with amendments made to address consultation feedback including:

- Widened access area to allow 4 abreast parade
- Disabled access via south car park
- Standing room for 450 people
- Wreath hoops on memorial to keep wreaths off ground
- Dog bins/seating included

5.3 A contractor is to be appointed mid June, with the 12 week project planned to be completed between July – Sept 2014. Rededication of the memorial will be undertaken in advance of November 2014. Local clergy and the Community Council will be kept up to date.

5.4 Securing external funding from sources such as the national War Memorials Trust has been constrained due to the temporary nature of the war memorial proposal. An application has been made to Falkirk Environment Trust for 50% of the £95,437.00 project. Should this funding not be secured, the Council will require to fund the relocation project in full.

6.0 IMPLICATIONS

Policy Implications

6.1 Town centre regeneration is a key priority of the Strategic Community Plan, My Future's in Falkirk and related policies.

Legal Implications

6.2 Delivery of the regeneration project is being progressed with the support of the Council's Legal Services and, where necessary, external legal advisors.

Financial Implications

6.3 The Council has committed to fund this project through its General Service capital programme, involving disposal of existing assets and redirection of resources from the Portfolio Management Plan as approved by Council in October 2011.

- 6.4 Recent tendering of the temporary retail village resulted in the appointment of Wernick Hire Company at a cost of £380,000. This is £30,000 above the anticipated cost of works being undertaken.
- 6.5 In relation to Boots relocation, discussions had been proceeding on the basis that they would provide their own temporary unit. However they have recently requested an additional temporary portacabin from the Council to accommodate their business for the development period. The cost is budgeted at £120,000, with detailed costs subject to a tender process. It is proposed that the Council agrees to fund this as compensation for the early surrender of Boots existing lease and as an incentive to retain a quality tenant within the new development.
- 6.6 Rental levels set for both Café Anton and Boots (the two occupiers utilizing portacabins provided by the Council) reflect the impact of the development phase of the centre during this period and an expected reduction in turnover. Rent has been agreed at £5/sqft per annum which matches their current rental charge.
- 6.7 Should funding not be secured from Falkirk Environmental Trust for the War Memorial the full project costs will require to be met from the regeneration project budget.
- 6.8 The approved capital programme for the Denny town centre regeneration project allocated £7.628m for delivery of the project. Estimates of the cost of delivery will not be finalised until completion of the tendering exercise later this year. Accordingly it is suggested that the additional cost of works proposed in this report for:
- the temporary retail village (£30,000)
 - relocation of Boots (£120,000), and
 - relocation of the War Memorial (£95,437)

be met from the current budget established for the project and that should additional budget required as a consequence of tendering, this will be the subject of a further report to the Council.

Planning Implications

- 6.9 Town centre regeneration is a key tool in the delivery of the Council's Local Development Plan commitment to enhance the role of town centres and regenerate district centres.

7.0 CONCLUSION

- 7.1 Denny town centre regeneration is an important Council priority. To assure its success it is critical for commercial reasons and through loyalty to existing occupants, to retain as many existing local retailers as possible through the provision of a temporary retail village and establishing agreements for occupation of the new units.
- 7.2 The Council has appointed SGM Property Consultant and they have confirmed that with 'anchor' tenants such as Boots, Lloyds Pharmacy and TSB Bank, we will be able to attract additional retailer interest. Once legal agreements are concluded with the existing tenants SGM will be instructed to market Phase 1 to fill the vacant units.

7.3 The temporary relocation of the War Memorial is an essential part of the regeneration process and has been progressed through consultation with the Denny community. It is therefore important to proceed with the commitment of funding to this project while continuing to seek external funds from the Falkirk Environment Trust.

9.0 RECOMMENDATIONS

9.1 It is recommended that the Executive agrees to:-

- (i) note the above progress report on the delivery of the Denny town centre regeneration project**
- (ii) provide the temporary accommodation for Boots at a cost of £120,000 and an additional £30,000 for the temporary retail village.**
- (iii) progress the temporary relocation of the War Memorial at a maximum cost to the Council of £95,437.**

.....
Director of Development Services

Date 8 April, 2014

Contact Officers: Colin Frame/Douglas Duff. Ext: 0972/0905.

LIST OF BACKGROUND PAPERS

1. Denny Town Centre Regeneration Files.

Anyone wishing to inspect the background papers listed above should telephone 01324 590972 and ask for Colin Frame, Douglas Duff.

FALKIRK COUNCIL

**Subject: PLANNING & BUILDING STANDARDS CASE WORK
MANAGEMENT SYSTEM - NOTIFICATION OF AWARD OF
CONTRACT**

Meeting: EXECUTIVE

Date: 29 April 2014

Author: HEAD OF PLANNING & TRANSPORTATION

1. INTRODUCTION

- 1.1 This report is required by paragraph 5.8 of the Council's contract standing orders for noting.
- 1.2 Uniform is the casework management system used within Development Management (DM), Building Standards (BS) and Planning & Environment (P&E) to manage applications and the local development plan process. It is also used to hold the Falkirk Council corporate address gazetteer (CAG). It is supplied by Idox and has been used by the Council since 2003, originally under a 7 year contract. Since then, from October 2010, the Council has entered into periodic maintenance and support contracts for the Uniform system with Idox. The current contract is due to end on 31 March 2014.
- 1.3 As part of the Scottish Government ePlanning project, which went live in 2009, an online information system and an electronic records and document management system (OPIS) were supplied to Falkirk Council. These products are integrated with the Uniform application.
- 1.4 In May 2013, Falkirk Council entered into a new contract for up to five years for the support and maintenance of the OPIS products referred to in section 1.2 which were supplied by the ePlanning project.
- 1.5 An online information and application submission system used by Building Standards is also integrate with the Uniform application.

2. BACKGROUND

- 2.1 In 2012 a project team was formed, including representatives of Central Procurement and ICT, to investigate the options available to Falkirk Council for continued provision of products to support the work of DM, BS and P&E. In July 2012 the team decided that, due to the levels of integration and the saving to the Council of entering into a support and maintenance agreement for the Uniform system, to negotiate a new contract with the current provider (Idox) as this provides best value to the Council at this time, rather than to purchase a new system. A conservative estimate to purchase a new system, based upon a capital cost 10 years ago of £65,400; staff time to develop a specification and procure a replacement which included a repository for the CAG; implementation including data transfer; integration with other existing systems; and training, is c£350,000. In addition maintenance, as described in section 2.2, would also be required.

- 2.2 A binding quote, with a fixed 2% annual increase, for the supply and maintenance of Uniform for up to seven years (5+1+1) was provided by Idox as follows: £17,134.63 for year one rising to £18,546.97 in year five, £18,917.91 for year six and £19,296.27 for year seven. A total of £89,168.87 for the fixed five years and rising to £127,383.05 if both one year extensions taken up to the total available of seven years. The contract is due to commence on 1 April 2014.
- 2.3 In accordance with paragraph 5.8 of contract standing orders exemption to contract was received on 5 March 2014 and in accordance with para 6.2(ii) of contract standing orders, approval for the award of contract was granted on 14 March 2014. The contract was duly awarded.
- 2.4 Provision has been made within the maintenance budget to cover this cost.

3 RECOMMENDATION

- 3.1 It is the recommended that this is noted by the Executive.

.....
Director of Development Services

14th April, 2014

Contact Officer: Janet McAuley

LIST OF BACKGROUND PAPERS

Nil