

DRAFT**FALKIRK COUNCIL****MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 6 DECEMBER 2006 at 10.30 AM.**

PRESENT: Provost Johnston; Depute Provost R Wilson; Councillors Alexander, Anderson, Bryson, Buchanan, Coleman, H Constable, J Constable, Eaglesham, Fowler, D Goldie, G Goldie, Gow, Hamid, Rev. Jenkinson, Kenna, A MacDonald, C MacDonald, McCafferty, McNally, Martin, Miller, Patrick, Pollock, Reid, Spears, Speirs, Williamson and J Wilson.

CONVENER: Provost Johnston

APOLOGIES: Councillors Graham and Nicol

ATTENDING: Chief Executive; Directors of Community Services, of Corporate and Commercial Services, of Development Services, of Education Services and of Finance Services; Acting Director of Law and Administration Services; Development Plan Co-ordinator (C Hemfrey); Project Director (B Smail); Service Manager, Community Care (M Reddie) and Democratic Services Manager.

FC27. MINUTES AND INFORMATION BULLETIN

- (a) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 4 October 2006
- (b) There was submitted (circulated) and **APPROVED** Minute of Special Meeting of Falkirk Council held on 30 October 2006.
- (c) There was submitted (circulated) and **NOTED** Volume of Minutes of Meetings held since 13 September 2006.
- (d) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 4 – 2006/07.

FC28. CARRONGROVE PLANNING BRIEF – DRAFT FOR CONSULTATION

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors J Constable, Spears and Williamson.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Environment and Heritage Committee held on 21 November 2006, and (b) Report dated 14 November 2006 by the Director of Development Services submitted to the Environment and Heritage Committee meeting held on 21 November 2006.

Councillor Wilson, seconded by Councillor Miller moved that the Planning Brief be not developed thereby retaining the area of ground for industrial use.

By way of an amendment, Councillor Spears, seconded by Councillor A MacDonald, moved that:-

- (a) Council approve consultation on the Draft Planning Brief with the local community, potential developers of the site, site owners and other agencies with a potential interest, and
- (b) where no major issues are raised through consultation, the finalised Brief be referred to the Policy and Resources Committee in January 2007 with a recommendation to approve, otherwise the matter will be referred back to the Environment and Heritage Committee.

In terms of Standing Order 21.4 (i) a vote was taken by way of a roll call, there being 30 Members present, with Members voting as undernoted:-

For the Motion (14) – Councillors Buchanan, Fowler, D Goldie, G Goldie, Gow, Hamid, Rev. Jenkinson, C MacDonald, Martin, Miller, Pollock, Reid, Speirs and Wilson.

For the Amendment (16) – Provost Johnston; Depute Provost R Wilson; Councillors Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Kenna, A MacDonald, McCafferty, McNally, Patrick, Spears and Williamson.

Accordingly, **RESOLVED** in terms of the Amendment.

FC29. DEVELOPMENT OF PARKS STRATEGY

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors J Constable, Spears and Williamson.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Environment and Heritage Committee held on 21 November 2006, and (b) Report dated 8 November 2006 by the Director of Community Services submitted to the Environment and Heritage Committee meeting held on 21 November 2006.

Councillor Gow, seconded by Councillor Rev. Jenkinson, moved that:-

- (1) Council approves the development of a Parks Strategy to cover the key areas of management, maintenance and development. A working group established to carry out this task should include appropriate community interest and expert advisers as required;
- (2) in view of the long delay since 2001 in implementing the parks element of the current Culture and Leisure Strategy and the fact that the Council will possibly not have Committee meetings between March and June next year, the working group should report by the end of February 2007, directly to full Council, if necessary, and

- (3) in the case of Dollar Park, the Council should not deal with the future of Arnotdale as a separate matter from the Parks Strategy.

By way of an amendment Councillor Spears, seconded by Councillor Williamson, moved that Council approves the development of a Parks Strategy to cover the key areas of management, maintenance and development and that a draft Strategy be presented to a future meeting of Committee for consideration.

In terms of Standing Order 21.4 (i) a vote was taken by way of a roll call, there being 30 Members present, with Members voting as undernoted:-

For the Motion (14) – Councillors Buchanan, Fowler, D Goldie, G Goldie, Gow, Hamid, Rev. Jenkinson, C MacDonald, Martin, Miller, Pollock, Reid, Speirs and Wilson.

For the Amendment (16) – Provost Johnston; Depute Provost R Wilson; Councillors Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Kenna, A MacDonald, McCafferty, McNally, Patrick, Spears and Williamson.

Accordingly, **RESOLVED** in terms of the Amendment.

FC30. POLLING ARRANGEMENTS – COMBINED SCOTTISH PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS – 3 MAY 2007

There was submitted Report (circulated) dated 22 November 2006 by the Returning Officer (a) providing information on the current position in relation to planning for the combined Scottish Parliamentary and Local Government Elections to be held on 3 May 2007; (b) advising of relevant legislative changes and key dates; (c) providing associated miscellaneous procedural information, and (d) seeking approval, in principle, of the draft polling scheme for use at the forthcoming elections.

AGREED:-

- (1) to approve, in principle, the draft polling scheme of parliamentary polling districts and polling places, as detailed in the Appendix attached to the report;
- (2) to authorise acceptance of the User Agreement with DRS Data Services Limited in relation to the e counting system should it be determined that the Local Authority is the appropriate contracting party, and
- (3) to note (i) the legislative changes and procedural information relating to the forthcoming combined Scottish Parliamentary and Local Government Elections, as detailed within the body of the Report, and (ii) that supplementary information will be issued to Members and reported to Council, as appropriate, when made available.

Councillors Fowler, D Goldie, Miller and Speirs left the meeting during consideration of the foregoing item of business.

In terms of Standing Order 31.1, it was **AGREED** to continue the meeting beyond the 3 hour limit with a view to completing the business, following a short adjournment for lunch. The meeting adjourned at 1.30 pm and reconvened at 2.00 pm with all Members present as per the sederunt with the exception of Councillors Fowler, Hamid, Miller, Pollock, Speirs and Wilson.

FC31. COMMUNITY SCHOOLS 2008 - PROJECT UPDATE

With reference to Minute of Meeting of Falkirk Council held on 4 October 2006 (Paragraph FC 22 refers), there was submitted Report (circulated) dated 23 November 2006 by the Community Schools 2008 Project Director in relation to the matter of Underwriting and the inclusion of a Rainwater Harvesting system within each of the schools.

AGREED:-

- (1) to authorise the Project Director and the Chief Executive, as Chair of the Project Steering Board, in consultation, as appropriate, with the Conveners of the Education and Leisure and Policy and Resources Committees, to enter into the necessary and appropriate Underwriting arrangements, and
- (2) to progress the proposal for Rainwater Harvesting systems within each of the schools at an additional annual cost.

FC32. CORNTON VALE OVER 21s PRISON VISITING COMMITTEE

There was submitted Report (circulated) dated 21 November 2006 by the Acting Director of Law and Administration Services advising of a resignation from Cornton Vale Over 21s Prison Visiting Committee and seeking authority to proceed with arrangements to fill the vacancy.

AGREED:-

- (1) to note the vacancy on Cornton Vale Over 21s Prison Visiting Committee, and
- (2) to proceed with a recruitment process to draw up a panel of lay people for appointment to the Committee.

FC33. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 20 November 2006 by the Acting Director of Law and Administration Services advising of the deeds which had been signed and sealed on behalf of the Council since its last meeting.

AGREED to note the signing and sealing by the Acting Director of Law and Administration Services of the deeds specified in the Appendix attached to the Report.

DRAFT**FALKIRK COUNCIL**

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 6 DECEMBER 2006 immediately following conclusion of the scheduled meeting of Falkirk Council.

PRESENT: Provost Johnston; Depute Provost R Wilson; Councillors Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, D Goldie, G Goldie, Gow, Hamid, Rev. Jenkinson, Kenna, A MacDonald, C MacDonald, McCafferty, McNally, Martin, Patrick, Reid, Spears and Williamson.

CONVENER: Provost Johnston

APOLOGIES: Councillors Graham, Hamid and Nicol

ATTENDING: Chief Executive: Directors of Community Services, of Corporate and Commercial Services, of Development Services, of Education Services and of Finance Services; Acting Director of Law and Administration Services; Project Director (B Smail); Service Manager and Democratic Services Manager.

FC34. PROVISION OF BURIAL GROUND AT CARRIDEN BRAE, BO'NESS

There was submitted Report (circulated) 29 November 2006 by the Acting Director of Law and Administration Services advising that the Council is empowered in terms of Section 169 (1) of the Local Government (Scotland) Act 1973 to carry out the function of burial authority under the Burial Grounds (Scotland) Act 1855 and advising that Community Services wish to provide a new burial ground at Carriden Brae, Bo'ness.

AGREED to provide the area of land shown on the plan attached to the Report as a burial ground for the purpose of carrying out burials in terms of Section 9 of the Burial Ground (Scotland) Act 1855.

FC35. EXTENSION OF BURIAL GROUND AT GRANDSABLE CEMETERY

There was submitted Report (circulated) 29 November 2006 by the Acting Director of Law and Administration Services advising that the Council is empowered in terms of Section 169 (1) of the Local Government (Scotland) Act 1973 to carry out the function of burial authority under the Burial Grounds (Scotland) Act 1855 and proposing an extension to the existing public burial ground at Grandsable Cemetery.

AGREED to provide the area of land shown on the plan attached to the Report as a burial grounds for the purpose of carrying out burials in terms of Section 9 of the Burial Grounds (Scotland) Act 1855.

DRAFT**FALKIRK COUNCIL**

MINUTE of SPECIAL MEETING of the FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 7 FEBRUARY 2007 at 10.30 a.m.

PRESENT: Provost Johnston; Depute Provost R Wilson; Councillors Alexander, Anderson, Bryson, Buchanan, Coleman, H Constable, J Constable, Eaglesham, Fowler, D Goldie, G Goldie, Gow, Graham, Hamid, Rev. Jenkinson, Kenna, A MacDonald, C MacDonald, McCafferty, McNally, Martin, Miller, Nicol, Patrick, Reid, Spears, Speirs, Williamson and J Wilson.

CONVENER: Councillor Alexander.

APOLOGY: Councillor Pollock

ATTENDING: Chief Executive; Directors of Community Services, of Corporate and Commercial Services, of Education Services, of Finance Services, and of Housing and Social Work Services; Acting Director of Law and Administration Services; Heads of Accountancy Services, of Housing Management, of Planning and Transportation Services and of Strategic Support, Accounting Services Managers (D Cairney, J Flannigan and B Heron), and Democratic Services Manager.

Prior to commencement of the formal business of the meeting, the Provost and Members expressed condolences to Councillor Pollock who was attending the funeral service for her sister.

FC36. MINUTE

There was submitted (tabled) and **NOTED** Minute of Special Meeting of the Policy and Resources Committee held on 7 February 2007.

FC37. REVENUE BUDGET 2007/08 TO 2009/10

With reference to Minute of Special Meeting of Policy and Resources Committee held on 7 February 2007 (Paragraph PR 104 refers), there was submitted joint Report (circulated) dated 26 January 2007 by the Chief Executive and Director of Finance (a) providing details of the Local Government Finance Settlement for the financial year 2007/08, and (b) detailing draft Service Revenue Budgets for 2007/08, proposed Council Tax levels for 2007/08 and summarising Falkirk Council's position in relation to Band D Council Tax levels throughout Scotland.

Councillor Alexander, seconded by Councillor Kenna moved acceptance of the recommendations detailed in the Report.

By way of an amendment, Councillor Gow, seconded by Councillor C Macdonald moved that (a) Council use £1 million from reserves to be invested in the roads and footpaths programme; (b) all charges at Meeks Road Car Park and Kemper Avenue Car Park be a flat rate of £1.00 per day, and (c) the charges for special uplifts be removed forthwith.

The Provost agreed to a short adjournment at 10.55 am to allow the terms of the amendment to be considered. The meeting reconvened at 11.10 am with all Members present as per the sederunt.

Councillor Buchanan gave notice of a further amendment.

Councillor G Goldie gave notice of second further amendment.

In terms of standing Order 21.4(i), a vote was taken by way of a roll call, there being 30 Members present with Members voting as undernoted.

For the Motion (17) – Provost Johnston; Depute Provost Wilson; Councillor Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Graham, Kenna, A MacDonald, McCafferty, McNally, Patrick, Spears and Williamson.

For the Amendment (12) – Councillors Buchanan, Fowler, D Goldie, G Goldie, Gow, Hamid, Rev. Jenkinson, C MacDonald, Martin, Miller, Reid and Speirs.

Abstentions (1) – Councillor Wilson

Accordingly, the Motion was carried and became the substantive Motion.

Councillor Buchanan's further amendment was not seconded.

By way of further amendment, Councillor G Goldie, seconded by Councillor Speirs, moved that the proposed additional expenditure on roads and footpaths should be spread equally across all wards and that consideration be given to allocating further significant finance in future budgets ring fenced to bring roads and footpaths up to a an acceptable standard.

Councillor Nicol entered the meeting during discussion on the foregoing amendment.

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

For the substantive Motion (18) – Provost Johnston; Depute Provost Wilson; Councillor Alexander, Anderson, Bryson, Coleman, H Constable, J Constable, Eaglesham, Graham, Kenna, A MacDonald, McCafferty, McNally, Nicol, Patrick, Spears and Williamson.

For the Amendment (12) – Councillors Buchanan, Fowler, D Goldie, G Goldie, Gow, Hamid, Rev. Jenkinson, C MacDonald, Martin, Miller, Reid and Speirs.

Abstentions (1) – Councillor Wilson

Accordingly, **RESOLVED** that:-

- (1) Council accepts the Draft 2007/08 Budget as detailed in the Report;
- (2) estimated Expenditure for the financial year 2007/08 be set at £298.9m, before specific Grants of £21.9m, leaving net expenditure of £277.0m;
- (3) Council levies the following Council Tax for the year 2007/08:
 - (a) A Council Tax to be paid in respect of a chargeable dwelling in Band D of £1,070, an increase of £25 per annum (2.4%);
 - (b) A Council Tax to be paid in respect of a chargeable dwelling in each of the other valuation bands in accordance with Section 74 (1) of the Local Government Act 1992 (as set out in Appendix 3 of the Report)
- (4) Chief Officers be instructed to deliver services within the Revenue Budget allocated to each Service.

FC38. GENERAL SERVICES CAPITAL PROGRAMME 2007/08 TO 2009/10

With reference to Minute of Special Meeting of the Policy and Resources Committee held on 7 February 2007 (Paragraph PR105 refers), there was submitted Report (circulated) dated 22 January 2007 by the Director of Finance setting out the Council's proposed capital investment plans for the next 3 financial years on all areas of service delivery, with the exception of Council Housing, which was reported separately to this meeting of Council.

Councillor Alexander, seconded by Councillor Kenna moved acceptance of the recommendations detailed in the Report.

By way of an amendment, Councillor Buchanan, (having been given consent to the Provost to withdraw parts of his original motion, in terms of Standing Order 19.7) seconded by Councillor Gow moved that car parking at Bonnybridge Primary School and St Joseph's Primary School be increased utilising adjoining Council owned land at an estimated cost of £70,000 each with costs to be met from the proposed sale of the Seabegs Road depot.

Councillors D Goldie, Rev. Jenkinson and Wilson left the meeting during consideration of the foregoing item of business.

On a division, 18 members voted for the Motion and 8 Members for the Amendment.

Accordingly, **AGREED** to approve the General Services Capital programme for 2007/08 to 2009/10, and the Prudential Indicators, as appended to the Report.

In terms of Standing Order 31.1, it was **AGREED** to continue the meeting beyond the three hour limit with a view to completing the business, following a short adjournment for lunch. The meeting adjourned at 1.20 pm and reconvened at 1.50 pm, with all Members present as per the sederunt with the exception of Councillors Fowler, Rev. Jenkinson, Martin, Miller, Speirs and Wilson.

FC39. HOUSING REVENUE ACCOUNT AND COUNCIL HOUSE RENTS 2007/08 TO 2009/10

With reference to Minute of Special Meeting of the Policy and Resources Committee held on 7 February 2007 (Paragraph PR106 refers), there was submitted joint Report (circulated) dated 26 January 2007 by the Directors of Finance and of Housing and Social Work Services (a) presenting a draft Housing Revenue Account for the financial year 2007/08; (b) making recommendations on the level of council house and garage rents for 2007/08, and (c) showing indicative rent levels for the years 2008/09 and 2009/10.

AGREED:-

- (1) that an average house rent increase of £59.76 per annum be applied from 1 April, 2007 (equivalent to £1.15 per week or £2.49 per fortnightly rent charge period). The new average fortnightly charge, based on the 24 fortnightly periods with no rent being charged during the fortnightly periods commencing 25 June 2007 and 24 December 2007 would therefore be £101.68;
- (2) that no tenant face an increase of more than £85.92 per annum (equivalent to £1.65 per week or £3.58 per fortnightly rent period);
- (3) to utilise £1.3m from the Housing Revenue Account reserves;
- (4) that lock-up garage rentals be increased by an average of 10 pence per week with effect from 1 April 2007;
- (5) that garage site rentals be increased by £1 to £39 per annum with effect from 1 April 2007;
- (6) that Castings Hostel rentals be increased to a charge of £120.92 per room per week;
- (7) that homeless property rentals be increased to an average of £140.18 per week; and
- (8) that the indicative Budgets and Rent Increases for 2008/09 and 2009/10 as outlined in the Report be noted, as representing the best information available at this time.

Councillor Martin, Speirs and Wilson entered the meeting during consideration of the foregoing item of business.

FC40. HOUSING INVESTMENT PROGRAMME 2007/08 TO 2009/10

With reference to Minute of Special Meeting of the Policy and Resources Committee held on 7 February 2007 (Paragraph PR107 refers), there was submitted Report (circulated) dated 26 January 2007 by the Director of Housing and Social Work Services outlining expenditure proposals for the 2007/08 to 2009/10 HRA Investment Programme.

AGREED to approve the expenditure proposals outlined in the report as the HRA Investment Programme for 2007/08 to 2009/10.

FALKIRK COUNCIL

**Subject: REPORT BACK ON FORMAL CONSULTATION -
PROPOSED CLOSURE OF TORWOOD SCHOOL**
Meeting: FALKIRK COUNCIL
Date: 7 March 2007
Author: DIRECTOR OF EDUCATION

1. INTRODUCTION

- 1.1 At the last meeting of Education and Leisure Committee on 30 January 2007, approval was given to go out to a period of formal consultation on the closure of Torwood School.
- 1.2 Members may recall that a report was previously brought to Education and Leisure Committee on 11 November 2003 detailing two formal consultations that focused on the proposed inclusion of additional support needs facilities in the new North Larbert and Maddiston Primary Schools. There was overwhelming support for both facilities.
- 1.3 It was made clear at the time that Torwood School would be replaced by new facilities and that its closure would be subject to a further consultation.
- 1.4 The new North Larbert and Maddiston Primary Schools are planned to open in August 2007, followed by the additional support needs facilities in October 2007. It is proposed that the pupils and staff are transferred from Torwood School once these facilities are open and operational.
- 1.5 The purpose of this report is to feed back to committee the results of the consultation exercise and to propose an appropriate way forward.

2. CONSULTATION PROCESS

- 2.1 Following on from the Education and Leisure Committee's decision of 30 January 2007, a formal public consultation on the proposal to close Torwood School and define separate catchment areas for the new North Larbert and Maddiston facilities was carried out. The period of consultation was from 31 January to 28 February 2007.
- 2.2 To initiate the consultation process and in accordance with regulations, a notice was placed in the Falkirk Herald and the consultation paper (see Appendix 1) was made available in public libraries, one stop shops and on the council website. A press release was also issued immediately following the committee decision. In addition, the Torwood and Maddiston school boards were directly consulted on the proposal, as well as all parents at both schools.

- 2.3 The process followed through this consultation exercise has been governed by the Education (Publication and Consultation etc) (Scotland) Regulations 1981. These regulations oblige us to consult with all parents that would be affected by a school closure and rezoning, and with the school boards, with a further responsibility to ensure that there is a notice in the local paper regarding the proposals.
- 2.4 A public meeting was also held at Torwood School on 12 February 2007 to discuss the proposal and a formal record of the meeting is attached as Appendix 2.

3. RESPONSE TO THE CONSULTATION

- 3.1 There were no written responses to this consultation.
- 3.2 Several issues were raised at the public meeting, and these are detailed in Appendix 2, but none were pertaining directly to the matters out to consultation.

4. CONCLUSION

- 4.1 As no written responses were received to this consultation, there are no objections to this proposal.

5. PROPOSED WAY FORWARD

- 5.1 It is proposed that plans are made to proceed with the closure of Torwood School following transfer of staff and pupils to the new specialist facilities at North Larbert and Maddiston Primary Schools.
- 5.2 It is also proposed that the catchment boundaries are set as outlined in the Appendix 3. These boundaries represent a 50:50 split in the current school age populations, are broadly based on secondary cluster, and balance likely travel times and planned future community growth.

6. RECOMMENDATIONS

- 6.1 That committee agrees to close Torwood School following the transfer of staff and pupils to the new specialist facilities at Maddiston and North Larbert Primary Schools.
- 6.2 That committee agrees to the delineation of catchment boundaries for the two new facilities as shown in Appendix 3.

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Director of Education

Date:

Contact Officer: Richard Teed, ext 6621

LIST OF BACKGROUND PAPERS

NIL



Falkirk Council
Education Services

**PROPOSAL FOR CLOSURE OF TORWOOD SCHOOL AND
TRANSFER OF PUPILS AND STAFF TO NEW NORTH LARBERT
AND MADDISTON PRIMARY SCHOOLS**

A Consultative Document



BACKGROUND

In October 2003, parents of Torwood School were amongst those consulted on a proposal to include new, purpose built Additional Support Needs facilities within two new primary schools, one to replace Maddiston Primary, and one to serve new housing developments in North Larbert.

It was made clear at the time that it was intended that the two new facilities would replace Torwood School, which would ultimately close. However, it was also made clear that the proposal to close Torwood School would be subject to a later consultation.

There was overwhelming support for inclusion of the two new facilities within these new build schools, from parents at Torwood, Maddiston and Stenhousemuir Primary Schools.

Plans are well advanced, and both new schools are currently under construction. The schools are both planned to open for Primary 1 to 7 pupils in August 2007, whilst the specialist facilities are both expected to be ready to open by October 2007.

PROPOSAL

It is proposed that all staff and pupils currently at Torwood School are transferred to either the new Maddiston and North Larbert schools once both replacement facilities are complete and ready to open. The detailed arrangements and allocation of staff will be carried out in full consultation with all members of staff at Torwood School. The new facilities are expected to be ready for October 2007, so the transfer would be planned on this basis.

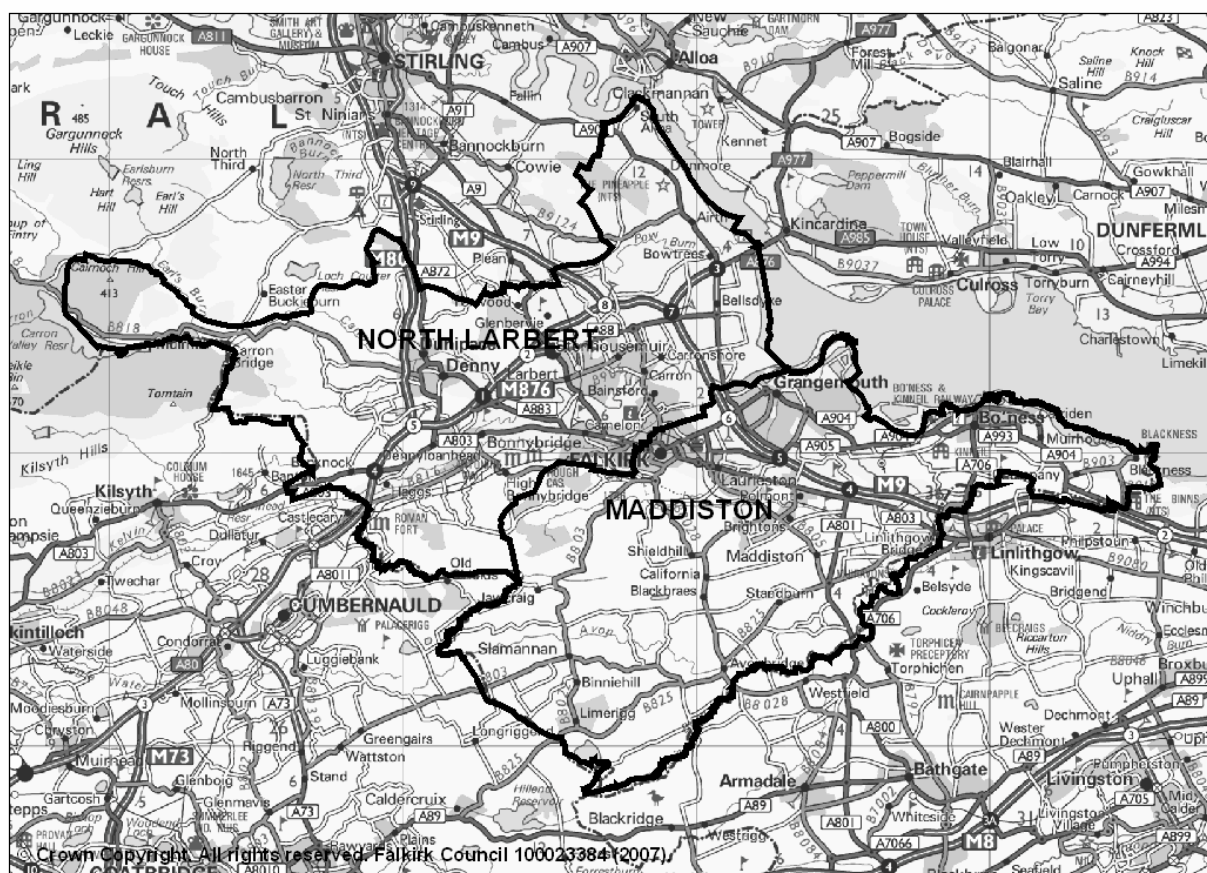
Both primary schools will have a headteacher with overall responsibility for each new specialist facility, but the day to day operation of the facilities will be the specific responsibility of a deputy headteacher who will be appointed at each school. Existing staff:pupil ratios will be maintained.

Once all staff and pupils have transferred to the new schools it is proposed that Torwood School is closed. It is currently the Council's intention to sell the land to raise funds to offset the cost of building the two replacement facilities.

The two facilities that will replace Torwood School are of equal size and it is proposed that each facility will serve 50% of the Falkirk population. The catchment areas proposed are shown in the maps overleaf. They each serve almost exactly 50% of the current school-age population, optimise travel times and are broadly aligned with current primary and secondary school catchments.

Although current pupils are not evenly spread between the two proposed school catchments, the distribution is expected to balance out over time. Because of the low pupil numbers, however, there is often likely to be an imbalance, and where this occurs, as is currently the case, it is proposed that places will be offered based on proximity or particular need to ensure that neither facility is over- or under-occupied.

Proposed Catchment Areas for New Additional Support Needs Facilities



CONSULTATION

We hope you agree that the opening of two new purpose-built facilities is a positive move with regard to improved environment and facilities, increased capacity, more opportunity for pupils to access mainstream primary classes, and reduced travelling time to school for many pupils. However, we realise that it will be a significant change for all those affected and urge you to raise any concerns that you may have, ask us any questions you may have and respond to the proposals outlined in this document.

As part of the consultation process, you are invited to attend a public meeting on Monday 12 February at 7.00 pm in Torwood School.

Written responses to this document will be accepted from individuals, organisations or interested parties **at any time up to Wednesday 28 February 2007** and should be addressed to:

The Director of Education
Falkirk Council Education Services
McLaren House
Marchmont Avenue
Polmont FK2 0NZ

Or sent by e-mail to: consultations.educ@falkirk.gov.uk

If you have any questions that you would like to discuss with us directly please contact Richard Teed (01324 506621) or Jennifer Anderson (01324 506608).

**PROPOSAL FOR CLOSURE OF TORWOOD SCHOOL
AND TRANSFER OF PUPILS AND STAFF TO NEW NORTH LARBERT
AND MADDISTON PRIMARY SCHOOLS**

**Minute of Public Consultation Meeting
Held in Torwood School On Monday 12 February 2007 AT 7.00 pm**

Consultation Panel:

Tom Coleman, Convenor of Education & Leisure Committee
Gary Greenhorn, Head of Educational Resources
Richard Teed, Senior Forward Planning Officer
Trevor Baxter, Additional Support for Learning Manager
Ellen Hamilton, Curriculum Support Officer (ASL)
Dorothy Hill, Headteacher, Torwood School
Eddie MacLennan, Headteacher, Maddiston PS, seconded as Quality Improvement Officer

In Attendance:

Mike McGowan, Project Architect for North Larbert Primary School
Jennifer Anderson, Forward Planning Officer

Parents/members of local community - approximately 20.

Councillor Coleman welcomed everyone to the meeting and introduced the panel. He explained that Gary Greenhorn would provide background information on the consultation through a presentation and Richard Teed would provide information on the revised catchment areas. The floor would then be opened for questions.

Gary Greenhorn asked if everyone had a copy of the 'Frequently asked Question and Answer' sheet and encouraged questions from the floor. He advised of the requirement to take a formal record of the meeting.

Background information was provided on the proposed closure of Torwood School and the planned opening of the new facilities, the timescales on the transfer of pupils and the proposed catchment areas. The consultation meeting provided an opportunity to report on the new provision at both North Larbert and Maddiston Primary Schools which are currently under construction. Slides were shown on the current stage of construction of both schools.

Further background information was given on the 2003 formal consultation and the legislative requirement to consult on the proposed closure of Torwood School. The resultant outcome from the 2003 consultation was unanimous support for inclusion of specialist ASN facilities in North Larbert and Maddiston Primary Schools. It was clarified that we have a one month period of consultation during which written responses to the proposed closure are invited either by e-mail or by letter on or before 28 February 2007. At the end of the consultation period a report incorporating all responses will be submitted to Falkirk Council by 7 March 2007 for consideration at the full Council Committee.

Details were provided on the proposed timescale on the opening of the Additional Support Needs facilities in both North Larbert and Maddiston Primary Schools in October 2007 at which time it is proposed that staff and pupils are transferred and Torwood School is closed.

He advised that there will be 4 classrooms in each new school whereas there are only 5 classrooms in Torwood School. The current roll at Torwood is 21 and there will be up to 24 places in each unit which represents increased capacity in addition to the benefits of the new purpose-built facilities. It is likely that most pupils will have reduced travel and travel time and will benefit from more integration within the school. Each of the Additional Support Needs facilities will have a depute headteacher.

Richard Teed talked about the analysis undertaken to determine the catchment split for both schools and advised they are broadly based on current secondary school clusters to create a 50:50 split in the current school age population. He explained that travel times and future community growth were also taken into consideration.

Mike McGowan advised that information and plans on the new North Larbert and Maddiston Primary Schools were also available to look at after the meeting.

Gary Greenhorn opened the meeting to questions from the floor:

Question: Will the teachers who work with specific pupils remain with those pupils should they go to different schools? It was stressed that children need familiarity.

Answer: (Dorothy Hill) When class changes occur in the next school session there is no guarantee that a teacher moves with the pupil. It is unlikely therefore that this will happen. We will have more teachers so we don't know at this stage but it is unlikely they will all match. (Ellen Hamilton) Every effort will be made to ensure that there is at least one familiar person working with the pupils.

Statement: A member of the audience stated they felt one familiar face is not acceptable pointing out that of the 4 teachers in Torwood School one teacher could go to Larbert and 3 to Maddiston.

Answer: (Ellen Hamilton) It is more likely that there will be more than one familiar face but we could look at recruiting earlier and have this in place. This is to be looked at.

Question: Will the current staff:pupil ratio remain the same?

Answer: (Trevor Baxter) The school capacity will increase but the staff ratio will stay the same.

Question: Is there any difference between the 2 schools?

Answer: (Mike McGowan) The design of both schools is different but the room sizes, room types (eg sensory rooms etc) will be the same although they will look different.

Question: Will they have the same play area as the other pupils in the school?

Answer: (Mike McGowan) They will have separate play areas but if appropriate they will have the opportunity to play together. They will have a secure area to play safely.

- Question:** Will trips which children currently go on remain the same?
- Answer:** (Dorothy Hill) The trips will be the same. There are currently 2 Sunshine Variety Club coaches, one of which is old. We have put in an application for a further coach as it is known the school is being split and this is being looked at. Money is being raised towards the new coach and although we have to contribute £12,000 we already have this. In addition, Interserve are currently supporting Torwood School. They have a promotion that if they go for a full month without an accident or incidents they donate £400. The current fund from Interserve is currently sitting at approximately £2,000.
- Question:** Will both schools have separate dining facilities and café?
- Answer:** (Mike McGowan) Yes.
- Question:** Will there be anything that is integrated between the schools and the ASN facilities, for example school shows?
- Answer:** (Dorothy Hill) This would be dependent on the children and if it is not detrimental to them. However this is the advantage of being on the same campus making it much easier to get children back into the unit if they are opposed to working in an integrated environment. Having a separate campus at the moment makes this more difficult and does not permit the opportunity to share.
- Question:** What is happening to the Torwood School building?
- Answer:** (Gary Greenhorn) This will be up to Falkirk Council.
- Question:** Is the council aware that the land on which the school is built was bequeathed to children of Torwood which is a particularly difficult place to bring up small children because of safety? We would like the community to remain as it is.
- Answer:** (Gary Greenhorn) Before the council looks at future plans it will look at all the local implications and any legality in terms of a bequest will require to be complied with.
- Statement:** Another member of the audience advised that as a group they use the school facilities and have done so for many years. It was suggested that it could be used for community purposes. There are also no sporting facilities in Torwood and there is anxiety, particularly as there is an older age group living locally, that the site will be developed for housing.
- Response:** (Gary Greenhorn) There are no plans at this time on what to do with the building but the community will have an opportunity to put forward their opinion through consultation at a later date. Councillor Coleman made reference to the new Denny High School and facilities, sports fields, etc being retained at the old school.

- Question:** Why was a new school not built back in 2003 on the Torwood site.
- Answer:** (Councillor Coleman) It was recognised that the Torwood School was old and needed attention but because there were plans for two new schools there was an opportunity for children to go to schools closer to home.
- Statement:** A parent advised that children actually enjoy the journey.
- Statement:** Concern was expressed that we are taking a good resource where all the expertise is and moving it from one site to two bases.
- Response:** Ellen Hamilton referred to the previous consultation when the parents were in favour of it.
- Statement:** The previous consultation voted for other children to be involved in mainstream education as a lot of parents were spending time going back to other schools. We have mainstream schools in Bo'ness. We are taking a good facility and breaking it up. It would have made more sense to invest money in Torwood as a building.
- Question:** Will there be a hydrotherapy pool in the schools?
- Answer:** (Gary Greenhorn) There will be no hydrotherapy pool but there will be new state of the art facilities and we are committed to that provision.
- Statement:** Concern was expressed that it will be frightening for children with disability attending a mainstream school as other children can be cruel and can bully.
- Another parent was of the opinion that all children are scared and he felt that it would be better for his child to be integrated into mainstream education and that children should get the opportunity to do so.
- The point was made that parents chose to send their children to Torwood School as there are specialist facilities.
- Response:** (Trevor Baxter) It is not proposed to put children into mainstream schools with opportunities to have contact with mainstream school children without proper management. Everyone will learn from the experience as mainstream children get to know about children who have specialist needs.
- Question:** Is there is an inventory of Torwood equipment and will computers, smart boards and other equipment be shared? What are the plans to provide all of this in both facilities?
- Answer:** (Gary Greenhorn) We will look at putting in new equipment and there will be no loss of access to any equipment.
- Question:** If when the schools are built and where smart boards were donated can a parent dictate that a smart board will go to a certain school?
- Answer:** (Gary Greenhorn) Yes, if donations were specifically made then retention of equipment will be appropriate. The school will always welcome fund raising.

Question: As facilities and access to the hydro pool at Carrongrange School are currently shared how will this be managed where access is allocated in time slots and we may have additional pupils and two groups instead of one?

Answer: (Gary Greenhorn) We will ensure there is no loss of access to these facilities by managing their shared use effectively.

Question: Will the first part of the new session start as normal?

Answer: (Gary Greenhorn) The session will start as normal. We plan to move the pupils and staff over in October 2007.

Question: On moving to Maddiston will the minibus be shared with the school if it belongs to Torwood School?

Answer: (Dorothy Hill) The future use of the school bus will be no different as to how it is currently managed at Ladeside in using and sharing facilities and buses.

Kath Hamill, headteacher at Ladeside discussed the fears of parents on the opening of the Ladeside facility for autistic children and further commented on the positive opportunity which was offered to the children.

Question: Will there be an opportunity to visit the schools before opening?

Answer: (Gary Greenhorn) Once the schools are open we will invite parents and pupils along for a visit.

Question: If we decide that Larbert would be better for our children what does the process involve in requesting them to attend North Larbert School and would there be any obstacles in the way?

Answer: (Richard Teed) A placing request can be submitted as for any child and it will be considered following the normal procedure. Placing requests are granted where we have no grounds for refusal.

(Councillor Coleman) Placing requests for the new facilities could be granted as there is sufficient space to accommodate them.

Question: What is the timescale for placing requests?

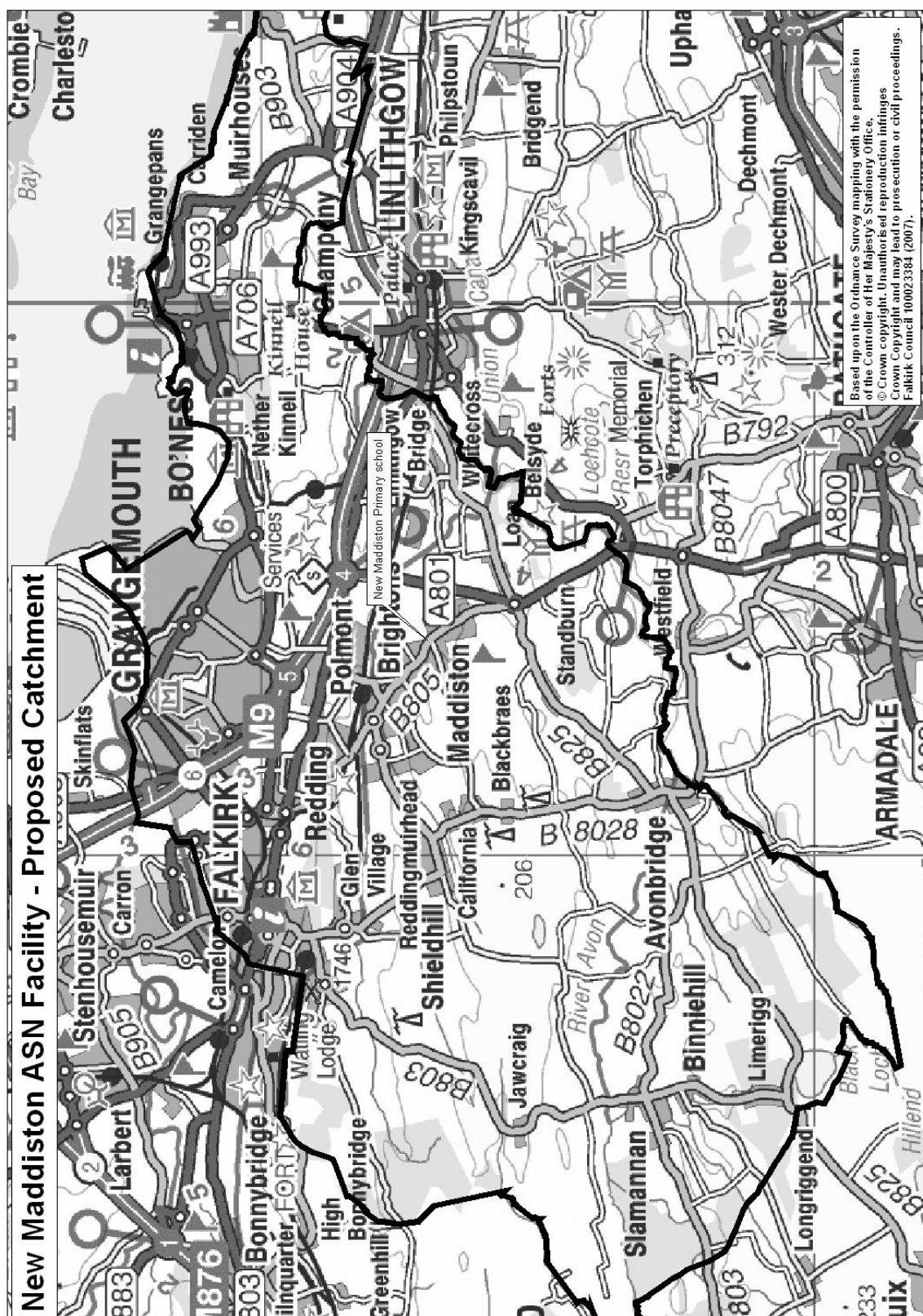
Answer: Richard Teed outlined the placing request timescales. Councillor Coleman emphasised there is no problem in dealing with placing requests for Torwood children and asked if parents would advise other parents to put forward any questions they have.

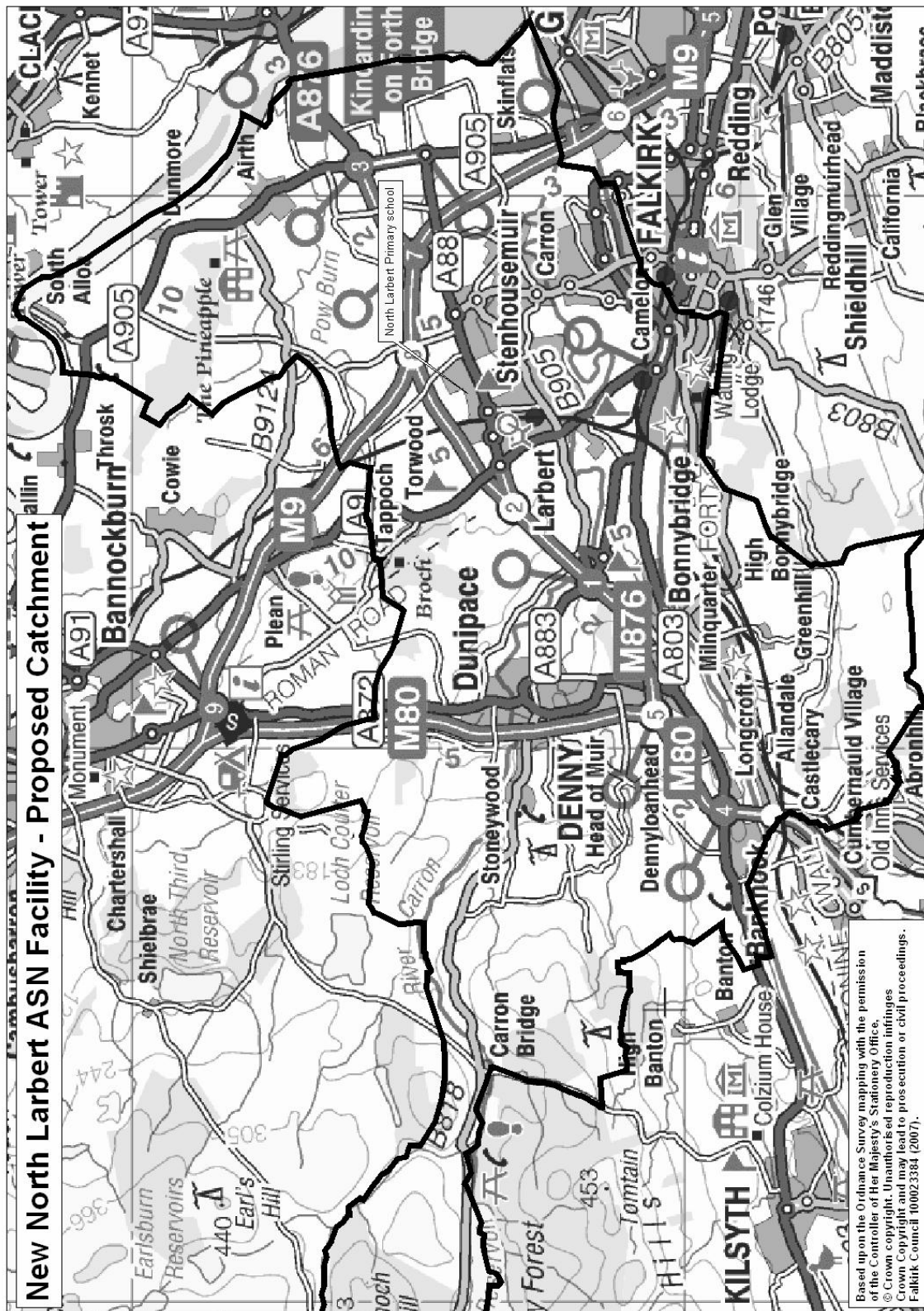
Question: Could we could advise the Prince's Carers Trust about the proposals?

Answer: (Gary Greenhorn) This request is noted.

Gary Greenhorn reminded the audience to email or write in to us with any questions by 28 February 2007.

Gary Greenhorn encouraged parents to take time to look at the plans of both new schools and information on the catchments. The meeting was then closed.





FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the EDUCATION AND LEISURE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 30 JANUARY 2007 at 10.30 AM.

EL64. FORMAL CONSULTATION - PROPOSED CLOSURE OF TORWOOD SCHOOL

There was submitted Report (circulated) by the Director of Education Services providing details and the rationale behind the proposed public consultation exercise regarding the proposed closure of Torwood School.

AGREED:-

- (i) that appropriate consultation, as required by legislation, takes place in respect of the proposal to close Torwood School and the process and timescales for transfer of all staff and pupils to the replacement facilities at North Larbert and Maddiston Primary Schools; and
- (ii) that a further Report on the outcome of this consultation, including appropriate recommendations, be brought to the next full Council meeting on 7 March 2007.

FALKIRK COUNCIL

Subject: FORMAL CONSULTATION - PROPOSED CLOSURE OF TORWOOD SCHOOL
Meeting: EDUCATION AND LEISURE COMMITTEE
Date: 30 January 2007
Author: DIRECTOR OF EDUCATION

1. INTRODUCTION

- 1.1 Members will recall that on 11 November 2003 a report was brought to Education and Leisure Committee detailing two public consultations that focused on the proposed inclusion of Additional Support Needs facilities in the new North Larbert and Maddiston Primary Schools to provide a better geographical split for this specialist provision in the Falkirk area.
- 1.2 During the consultation process it was made clear that these facilities would provide replacement facilities for the existing pupils at Torwood School, and that once the pupils were moved to these new schools, Torwood School would close.
- 1.3 In both consultations there was overwhelming support for inclusion of the additional support needs facility in both schools.
- 1.4 It was made clear at the time, that a further consultation would be required at a later date regarding the closure of Torwood School.
- 1.5 The new North Larbert and Maddiston Primary Schools are planned to open in August 2007, with the two specialist facilities being opened shortly thereafter. The transfer of staff and pupils currently at Torwood can only take place once these facilities are open and operational.

2. PROPOSED WAY FORWARD

- 2.1 It is proposed that arrangements are made to transfer all staff and pupils to the new facilities at North Larbert and Maddiston Primary Schools once they become available, and that Torwood School would close thereafter.
- 2.2 It is expected that the two new facilities will be operational around October 2007.
- 2.3 It is proposed that places are allocated at either facility by catchment area, thus each unit will serve approximately 50% of the council area/population.

3. PUBLIC CONSULTATION

- 3.1 The scope of the consultation required for the closure and relocation of a school is defined in the Education (Publication and Consultation etc) (Scotland) Regulations 1981.

- 3.2 We are obliged to consult all parents of children at the schools affected, and parents of any children that we are aware will be in attendance at the school within two years of the proposed closure/transfer. We must also consult the relevant school boards. Law and Administration Services have confirmed that we are required to consult with the parents and school boards of Torwood School and Maddiston Primary School, but not North Larbert Primary School as the school does not currently exist.
- 3.3 It is also proposed that we consult with all staff at Torwood School on these proposals.
- 3.4 In accordance with the regulations, it is proposed that we undertake a 28 day consultation, starting on 1 February 2007, and that this takes the form of a consultation document issued to all parents, staff and the school board, and that this is made available on the council website and at all libraries and one stop shops. It is also proposed that a public meeting takes place and a notice is placed in the Falkirk Herald. A copy of the proposed consultation document is attached as Appendix 1.

4. PURPOSE OF CONSULTATION

- 4.1 Although the closure of Torwood School is the trigger for this formal consultation process, it was discussed in the 2003 consultation for both new schools, and endorsed by the overwhelming agreement of those consulted that the two new facilities would replace the current Torwood School. However, it was made clear at the time that the closure of Torwood School would be the subject of a future consultation.
- 4.2 As the closure was proposed to take place about five years after this earlier consultation, most of the current statutory consultees will not have been involved first time around.
- 4.3 It is proposed that we consult with parents and staff on the following:
- The proposed closure of Torwood School.
 - The proposed catchment areas for the North Larbert and Maddiston specialist facilities (see attached proposed consultation document (Appendix 1)).
 - The draft schedule for closure of Torwood School and the transfer of all pupils and staff to the new facilities once they are operational.
- 4.4 This consultation will provide the service with the ideal opportunity to communicate to all relevant parties the positive impact that the two new purpose-built facilities will have, namely:
- improved facilities and environment
 - a net increase in capacity over the current Torwood School
 - more opportunity for pupils to access mainstream primary classes
 - more facilities than it has been possible to provide at Torwood
 - reduced travelling time for pupils as the schools will be closer to home for most children.

5. RECOMMENDATION

5.1 Education and Leisure Committee is asked to approve the following recommendations:

- (i) that appropriate consultation, as required by legislation, takes place in respect of the proposal to close Torwood School and the process and timescales for transfer of all staff and pupils to the replacement facilities at North Larbert and Maddiston Primary schools;**
- (ii) that a further report on the outcome of this consultation, including appropriate recommendations, be brought to the next full council meeting on 7 March 2007.**

.....
Director of Education

Date:

Contact Officer: Richard Teed, ext 6621

LIST OF BACKGROUND PAPERS

NIL

DRAFT



Falkirk Council
Education Services

**PROPOSAL FOR CLOSURE OF TORWOOD SCHOOL AND
TRANSFER OF PUPILS AND STAFF TO NEW NORTH LARBERT
AND MADDISTON PRIMARY SCHOOLS**

A Consultative Document



BACKGROUND

In October 2003, parents of Torwood School were amongst those consulted on a proposal to include new, purpose built Additional Support Needs facilities within two new primary schools, one to replace Maddiston Primary, and one to serve new housing developments in North Larbert.

It was made clear at the time that it was intended that the two new facilities would replace Torwood School, which would ultimately close. However, it was also made clear that the proposal to close Torwood School would be subject to a later consultation.

There was overwhelming support for inclusion of the two new facilities within these new build schools, from parents at Torwood, Maddiston and Stenhousemuir Primary Schools.

Plans are well advanced, and both new schools are currently under construction. The schools are both planned to open for Primary 1 to 7 pupils in August 2007, whilst the specialist facilities are both expected to be ready to open by October 2007.

PROPOSAL

It is proposed that all staff and pupils currently at Torwood School are transferred to either the new Maddiston and North Larbert schools once both replacement facilities are complete and ready to open. The detailed arrangements and allocation of staff will be carried out in full consultation with all members of staff at Torwood School. The new facilities are expected to be ready for October 2007, so the transfer would be planned on this basis.

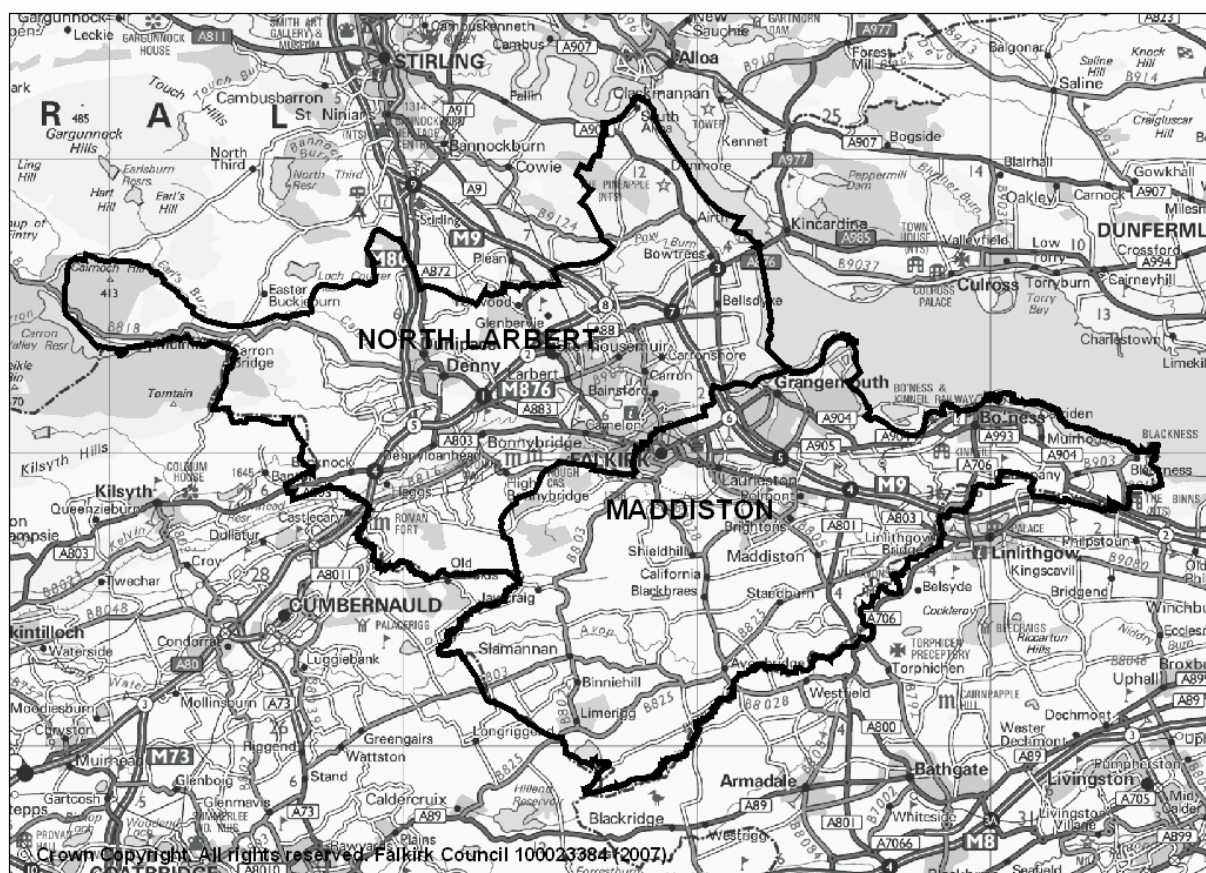
Both primary schools will have a headteacher with overall responsibility for each new specialist facility, but the day to day operation of the facilities will be the specific responsibility of a deputy headteacher who will be appointed at each school. Existing staff:pupil ratios will be maintained.

Once all staff and pupils have transferred to the new schools it is proposed that Torwood School is closed. It is currently the Council's intention to sell the land to raise funds to offset the cost of building the two replacement facilities.

The two facilities that will replace Torwood School are of equal size and it is proposed that each facility will serve 50% of the Falkirk population. The catchment areas proposed are shown in the maps overleaf. They each serve almost exactly 50% of the current school-age population, optimise travel times and are broadly aligned with current primary and secondary school catchments.

Although current pupils are not evenly spread between the two proposed school catchments, the distribution is expected to balance out over time. Because of the low pupil numbers, however, there is often likely to be an imbalance, and where this occurs, as is currently the case, it is proposed that places will be offered based on proximity or particular need to ensure that neither facility is over- or under-occupied.

Proposed Catchment Areas for New Additional Support Needs Facilities



CONSULTATION

We hope you agree that the opening of two new purpose-built facilities is a positive move with regard to improved environment and facilities, increased capacity, more opportunity for pupils to access mainstream primary classes, and reduced travelling time to school for many pupils. However, we realise that it will be a significant change for all those affected and urge you to raise any concerns that you may have, ask us any questions you may have and respond to the proposals outlined in this document.

As part of the consultation process, you are invited to attend a public meeting on Monday 12 February at 7.00 pm in Torwood School.

Written responses to this document will be accepted from individuals, organisations or interested parties **at any time up to Wednesday 28 February 2007** and should be addressed to:

The Director of Education
Falkirk Council Education Services
McLaren House
Marchmont Avenue
Polmont FK2 0NZ

Or sent by e-mail to: director.educ@falkirk.gov.uk

If you have any questions that you would like to discuss with us directly please contact Richard Teed (01324 506621) or Jennifer Anderson (01324 506608).

EXTRACT OF MINUTE of MEETING of the ENVIRONMENT AND HERITAGE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 20 FEBRUARY 2007 at 10.30 am.

EH38. CARRONGROVE, DENNY – FINALISED PLANNING BRIEF

There was submitted Report (circulated) dated 7 February 2007 by the Director of Development Services which informed Members of the responses received by the Council during the consultation stage of the planning brief for the former Carrongrove Paper Mill site at Denny.

Discussion took place on:-

- Consultation process
- Responses from consultation
- Type of use best suited to site

Councillor Spears, seconded by Councillor Bryson, moved that the final version of the Carrongrove Planning Brief be agreed and referred to Falkirk Council for approval.

By way of an amendment, Councillor J Wilson, seconded by Councillor C MacDonald, moved that (a) the 6.5 hectares industrial Carrongrove Site be retained for industry/business; and (b) the same efforts be made to encourage and attract industry/business to locate on this site as is being made in other Falkirk Council areas.

In terms of Standing Order 21.4(i), a vote was taken by way of a roll call, there being 11 members present, with Members voting as undernoted:

For the Motion (7) – Councillors Anderson, Bryson, J Constable, A MacDonald, Nicol, Spears and Williamson.

For the Amendment (4) – Councillors Rev. Jenkinson, C MacDonald, Miller and J Wilson.

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

FALKIRK COUNCIL

Subject: CARRONGROVE, DENNY - FINALISED PLANNING BRIEF
Meeting: ENVIRONMENT AND HERITAGE COMMITTEE
Date: 20th February 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 At its meeting of 6th December 2006, Falkirk Council approved consultation on the Draft Planning Brief for the redevelopment of the former Carrongrove Paper Mill site at Denny. In addition to the recommendation to consult, the committee report also recommended that the Finalised Brief would be referred back to the Environment and Heritage Committee in the event that major issues were raised through consultation.
- 1.2 A total of three internal and seven external comments were received. Although six of the seven external comments received were generally supportive of the brief, an objection was received from Denny and District Community Council. As a consequence, the matter is now referred back to this Committee.
- 1.3 A copy of the Finalised Brief is attached, adjusted to take account of comments where considered relevant.

2. CONSULTATION

- 2.1 The consultation process involved a number of different elements and took place from 13th December 2006 until 12th January 2007. An advertisement placed in the Falkirk Herald advised that the Draft Brief could be viewed in Denny Public Library, at Abbotsford House, and on the Council's website.
- 2.2 An exhibition featuring the indicative layout, other plans and text summarising the main provisions of the brief was mounted in Denny Public Library where it was available from 19th December until 12th January. The exhibition boards were located in a window at street level facing outwards allowing maximum opportunity for passers by to view the contents.
- 2.3 Notices were placed in the local Council office in Denny and in a local shop.
- 2.4 In addition, copies of the brief were sent to 33 bodies including local councillors, Denny and District Community Council, various consultation authorities and other organisations with a potential interest.

3. CONSULTATION REPONSES

3.1 A total of three internal and seven external comments were received. As a result of the internal consultation, references to education and affordable housing have been amended to reflect current circumstances.

3.2 The seven external comments are summarised below with a proposed response.

(i) **British Research Establishment (BRE)**

Appreciate that the brief is trying to achieve very high standards with regard to sustainability. Comment that its aim of achieving an Ecohomes “Excellent Standard” is highly commendable and should help Falkirk Council to achieve best practice in sustainability.

(ii) **Strathcarron Hospice**

In principle offer no objection to the brief although have some concerns in respect of roads and transportation.

Proposed Response

These concerns will be pursued at planning application stage. In the meantime, they have been forwarded to the relevant Council services.

(iii) **Inveresk Group**

Broadly supportive of aims and objectives of the brief.

Range of housetypes required – assessment of market demand for high density flatted development at this location required.

Land for business/industrial use to be provided according to demand and viability at time of detailed planning application – land for designation should refer to ‘employment use’ rather than ‘industrial. Important that Brief remains flexible to reflect identified demand at time of the detailed planning application and development phases beyond.

Proposed re-allocation of the site in the Deposit Version of the Falkirk Council Local Plan should cover the entire site up to the existing settlement boundary in the west.

Retention of significant areas of existing planting may be difficult as tree survey has revealed 458 trees in poor condition.

Allocation of 5 hectares of housing land should be recognised as an approximate figure and 120 dwellings as potential and not maximum capacity.

Request that designation of 1.5 hectares of land for ‘industrial/business use’ should be reclassified as ‘Employment Land’.

Various minor comments relating to other elements of the Brief.

Comment that range of additional facilities requested by the Council will be based on the development capacity of the site

Proposed Response

The brief is flexible enough to allow for a variety of development options depending upon the outcome of further site investigations and development appraisals, but sufficiently robust to ensure that the Council's objectives for this significant and important site are achieved. No change proposed.

(iv) Scottish Environment Protection Agency (SEPA)

Comment that the brief addresses a number of SEPA's concerns but requests additional references to strengthen SEPA's interests relating to waste management and recycling, the hydro scheme, flood risk, surface water drainage, foul drainage, contamination and construction works associated with the development.

Proposed Response

Brief amended where relevant.

(v) Historic Scotland

Welcome the re-use of the Category B listed Carrongrove House and support the brief's proposals to ensure that surrounding development will not be detrimental to its character and setting. Concerned that the house might become enclosed by high density housing.

Proposed Response

The Brief makes no reference to Carrongrove House being enclosed by high density housing and stresses need to respect its setting. No change recommended.

(vi) Mr Iain Ogilvie

Request that proposed cycleway will join with existing infrastructure at the westernmost side of the site at Fankerton to take cyclists off current stretch of B818 outside Strathcarron Hospice.

Proposed Response

Feasibility to be investigated at planning application stage.

(vii) **Denny and District Community Council**

Oppose the brief on the grounds that the Development Plan allocates the site for industrial use, that it refers to no further housing in this area and the proposed re-classification of the site has been undertaken without proper consultation. Concerns expressed about loss of employment land and that the Council is selling out the long term interest of the community of Denny to realise a short term financial advantage.

Proposed Response

The proposed retention of the site for industrial use in the Falkirk Council Finalised Local Plan pre-dates the subsequent closure of the paper mill. Since then the site has been marketed extensively throughout Scotland and the UK by property consultants, Ryden. In contrast to the considerable interest in the site for residential development, very few enquiries were received for industrial use. Ryden concluded that this was due to remoteness of the site from the M80, infrastructure and markets; the need to pass through Denny to gain access; the increasingly residential nature of the surrounding area; the age and condition of the buildings on site; and, low demand generally for the re-use of historic manufacturing sites.

The Development Plan makes no reference to restricting further housing in the Denny area.

The site is considered to be unsuitable for the needs of modern industry which would be more suitably located at Winchester Avenue. The Finalised Local Plan makes provision for an additional 11.3 hectares of employment land at Winchester Avenue, which together with 1.5 hectares at Carrongrove should ensure an adequate local supply.

The redevelopment of Carrongrove offers no financial advantage to the Council as it does not own the site.

The brief and the change in the Local Plan at Carrongrove represent a response to changing circumstances. The proposed mixed use development will bring considerable benefits to the Denny Community and will avoid the possibility of a large, former heavy industrial site becoming derelict.

4. IMPLICATIONS

4.1 Legal The approved Planning Brief will form supplementary planning guidance which will be a material consideration in the determination of planning applications and applications for listed building consent in respect of the site.

4.2 Financial None

4.3 Personnel None

- 4.4 Policy The site is allocated as a business and industrial area with the potential for redevelopment in the Finalised Draft Falkirk Council Local Plan (February 2007).

5. CONCLUSION

- 5.1 The consultation exercise has demonstrated a level of support for the redevelopment of the Carrongrove site. Notwithstanding the views of the Denny and District Community Council, it is considered that the brief offers the opportunity for a high quality mixed use development incorporating employment land and enhanced recreational use with the potential to be of significant benefit to the community of Denny. Importantly, the brief avoids the possibility of the site remaining disused over a prolonged period of time.

6. RECOMMENDATION

Members agree the attached final version of the Carrongrove Planning Brief and refer it to Falkirk Council for approval.

.....
for Director of Development Services
7 February 2007

Contact Officer: Joyce Hartley (Planning Officer), ext 4719

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan Finalised Draft (February 2007)

PLANNING BRIEF

FORMER CARRONGROVE PAPER MILL, DENNY

1. Purpose of Brief

- 1.1 The purpose of this Planning Brief is to set out for the benefit of the community, landowner and developers, the Council's requirements and expectations for the future development of the site.
- 1.2 The Council is keen to enter into early consultation with the local community and to encourage effective community engagement in the preparation of the final Brief. A consultation exercise will be undertaken to ascertain the views of interested parties including local residents, potential developers, the site -owners and other agencies with an interest including Scottish Natural Heritage, Historic Scotland, Scottish Water and the Scottish Environment Protection Agency.

2. Status of Brief

- 2.1 The Brief identifies key land use, design, environmental and infrastructural considerations as well as additional community benefits that are likely to be required as a result of the development of the site. The Brief is not intended to be overly prescriptive, as it is recognised that future consultation and further detailed site investigation may result in a variety of potential scenarios. It nevertheless provides a clear set of planning principles and design guidelines to which applicants for planning permission must adhere.
- 2.2 Falkirk Council is committed to creating high quality environments by raising design standards across all forms of development.
- 2.3 The Brief, will have the status of Supplementary Planning Guidance and will be used as the basis for the proposed change to the Deposit version of the Falkirk Council Finalised Local Plan. It will also form a material consideration to be taken into account in the determination of planning applications for the site.

3. Background

- 3.1 The history of paper manufacture in Denny and along the River Carron goes back some 200 years, and at least 150 years at Carrongrove, where there were initially two mills dating back to at least 1840.
- 3.2 Following a gradual contraction of the paper making industry throughout the UK and Scotland, the Carrongrove Mill finally closed at the end of 2005.
- 3.3 Over 95% of the former employees have been re-employed within Central Scotland. This has been achieved in partnership between Inveresk plc and Falkirk Council

4. Site Location

- 4.1 The site of the former paper mill, which extends to approximately 15.37 hectares (38 acres) in total, is located on the western outskirts of Denny on the B818, Fintry Road to the west of the M80. (Location Plan 1) It is bounded to the south west by housing and Strathcarron Hospice, to the east and south east by housing and vacant land and elsewhere to the north and south by countryside. The B818 lies to the south of the site and the River Carron flows from west to east along the northern boundary.

5. Site Description

- 5.1 The site comprises former mill buildings, various ancillary features and the former manager's house (now a category B listed building). This is presently used as office accommodation. The site in its entirety is surrounded by dense, mature woodland which serves to screen it from the adjacent road to the south and other surrounding development and countryside.
- 5.2 The site is extensive and occupies a number of different levels, particularly across the area available for development. These fall away gradually from south to north. Along the northern boundary, the land drops sharply down to the River Carron which flows through a deep gorge at this point. A weir and waterfall are located towards the north western end of the site.

6. Listed Building

- 6.1 Carrongrove House, sited at the heart of the mill complex and built as the manager's house by Andrew Heiton Junior, (1860-62) is listed Category B (4 May 2006). Historic Scotland notes that it is a well designed villa, particularly distinguished by its fine carved stonework and ornamental detailing externally, and the joinery work of the interior. Although the building's conversion to office use in the latter part of the 20th century has impacted on the interior, there are still many original features and the conversion work is predominantly reversible. The house was originally set in a landscaped garden with a lodge and pond.

7. Development Vision and Objectives

- 7.1 The site of the former Paper Mill at Carrongrove represents an opportunity to provide a high quality, imaginative and sustainable mixed-use development on a significant brownfield site.
- 7.2 The Council envisages that the majority of the developable area will comprise predominantly high quality, low density upper market housing with a smaller area reserved for higher density units and land retained for business/industrial use, all in a heavily landscaped setting. There will be an emphasis on sustainable development and energy conservation, including the use of micro-renewable technologies.

- 7.3 The developer will be required to provide on site affordable housing. *In terms of its recently revised Special Needs and Affordable Housing Policy there will be a requirement in the Denny area for new housing sites of 100 units and over to provide 15% of the total number of units as affordable or special needs housing.*
- 7.4 The landscaped setting of the site and its proximity to the adjacent countryside and woodland represent extensive opportunities for informal recreation which can be developed for the enjoyment of residents and the wider community.
- 7.5 Finally, the site offers the potential for the development of a number of special features including a small hydro scheme, a fish ladder and the retention of a feature of the former mill complex as a link with the site and this area's rich industrial heritage.

8. Policy Context

- 8.1 The adopted Denny & District Local Plan (June 1996) includes most of the site within the Urban Limit and notes in Policy ED8 (Carrongrove Mill, Fankerton) that the western part of the Mill is surplus to requirements and offers potential for industrial/business development.
- 8.2 The Falkirk Council Local Plan Finalised Draft (March 2005) allocates the majority of the site as Policy EP2 (2)) – Business and Industry Retention. It is likely that the forthcoming Deposit Version of the Local Plan will re-allocate that part of the site occupying the footprint of the existing buildings as Policy EP3 – Business & Industrial Areas with Potential for Redevelopment. The Planning Brief is intended to provide the basis for the proposed change to the status of the site in the forthcoming Deposit version of the Local Plan.
- 8.3 Other Finalised Draft Local Plan policies which are applicable to the redevelopment of the site are listed in Appendix A. This also lists the relevant Scottish Planning Policies (SPPs) and Planning Advice Notes (PANs) which should be considered.

9. Land Use and Extent of Development

- 9.1 The Council envisages a mixed use development comprising predominantly housing with a smaller area of land for business/industrial use set in a heavily landscaped, woodland setting with areas set aside and retained for informal recreation. (Indicative Layout Plan 2)
- 9.2 In order to retain as much of the existing woodland as possible and to maximize opportunities for recreational use, the Council will require the overall developable area to be confined to the footprint of the existing buildings and area of hardstanding to the west. This means that development should extend no further west than a line equating to broadly the village limit defined in the Falkirk Council Local Plan Finalised Draft, March 2005. To the east, development should not encroach into the woodland which separates the development site from the recent housing development by JB Bennett.

- 9.3 It is estimated that the total land available for development occupying the footprint of the existing industrial buildings is in the order of 6.5 hectares. In terms of breakdown of land use and possible housing densities and indicative housing numbers, the following is envisaged:

| | |
|---|----------|
| Business/industrial | - 1.5 ha |
| Housing land | - 5.0 ha |
| Higher density, possibly in the vicinity of Carrongrove House | - 1 ha |
| Lower density | - 4 ha |

- 9.4 At potential densities of some 40 dwellings per hectare for high density and 20 dwellings per hectare for lower density, it is envisaged that the total potential of the site for housing may be in the order of 120 dwellings.

- 9.5 It will be for the developer to articulate the Council's aspirations in the form of a masterplan which will be expected to accompany any planning application. The masterplan will set out how the site is to be developed and how the development will achieve the Council's vision for the site, describing how it will be implemented, and setting out the phasing and timing of the various elements of the development.

10. Sustainable Transport

- 10.1 Due to the proposed scale of the development, a Transport Assessment and Travel Plan will be required in accordance with the latest guidance from the Scottish Executive. The Travel Plan will require relevant targets to be agreed with the Council, together with timescales and a suitable monitoring programme. Enhancements to existing bus services may be required if agreed targets are not being met.

Pedestrian/Cycle Access

- 10.2 There should be a clear strategy for pedestrian and cycle movement into and within the site, which should generally have priority over vehicular movement. This should be based upon recognition of the surrounding path network and desire lines, the provision of attractive and clearly defined pedestrian gateways and safe, direct pedestrian/cycle paths, and the minimisation of pedestrian/vehicular conflict.
- 10.3 The upgrading of off-site linkages along the old railway path to the new Denny High School will be required as part of the Safer Routes to Schools programme. *The developer will be expected to ensure that a safe walking route to Denny is ensured from all proposed new housing on the site.* Specification should again accord with the Council's 'Design Guidelines and Construction Standards for Roads in the Falkirk Council Area'.
- 10.4 Within the site, provision is required for a 3m-wide surfaced and street-lit path alongside the Carron. This should be suitable for all users including cyclists and should link to the existing path network to the west of the site and link to safe crossings to Kirkland Drive or the railway path to the east of the site.

Appropriate boundary treatment will be required along the length of this path under “safe by design” principles.

- 10.5 A link should be provided between the development and the path network to the north of the River Carron through the provision of a bridge suitable for all non-motorised traffic. The location of the bridge would be determined by a further engineer’s feasibility study, cost and site constraints.
- 10.6 In addition to relevant national planning policy and guidance, Falkirk Council’s Outdoor Access Strategy, which was approved by the Council in January 2006, is a material consideration in the redevelopment of this site. In particular Policies 36 and 37 are applicable:
- Policy 36: The Council will continue to safeguard, extend and promote local path networks, strategic routes and core paths through the development planning process.
- Policy 37: Falkirk Council will seek to have developers include access links within and from new housing and other developments under ‘Secured by Design’ principles via planning conditions or agreements wherever appropriate.
- 10.7 Additional requirements, relating to The Land Reform (Scotland) Act 2003 include:
- The paths on site will fall within the terms of this Act. Cyclists, riders, wheelchair users, pushchairs as well as pedestrians will be within their rights to use these paths;
 - Design details of these paths need to take account of this with a preferred minimum width of 3 metres;
 - The paths should provide barrier-free access to ensure paths are accessible to walkers, cyclists, horse riders, wheelchairs and buggies. Paths should be compliant with the Disability Discrimination Act 2005;
 - Any signage should refer to ‘paths’ and avoid use of words such as ‘pedestrian’ and ‘footpath’.

Vehicular Access and Parking

- 10.8 Two accesses will be required, one to serve the housing development and the other as a separate access to the business/industrial site.
- 10.9 Access for housing will be located west of the existing access at the eastern end of the site. The existing junction arrangement would not be acceptable when assessed against current standards and the access to the recently approved residential development south of the B818. The relocated junction should be designed to meet the requirements of the ‘Design Manual for Roads and Bridges’ and the ‘Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.’

- 10.10 This access road will continue as the main spine road for the site, along the northern boundary. A separate access to the west will serve the proposed business/industrial area. This access should also comply with the Council's design standards.
- 10.11 The developer will require to liaise with the Council over the provision of some additional pairs of bus stops (with shelters in the eastbound direction) and possible lay-bys. Improvements to crossing facilities will also be required to enhance bus stop accessibility and to improve pedestrian safety. The location of the crossing facilities should tie into the footpath network along the old dismantled railway towards Denny.
- 10.12 The development should aim to reduce the impact of internal roads, parking and turning areas and the road layout should be designed for all users with priority given to pedestrians and cyclists over the private car.
- 10.13 All roads, paths and car parking areas intended for adoption by the Council should conform to the Council's standards.
- 10.14 Similarly, off road parking, provided within property curtilages, requires to meet the Council's design standards i.e.
- 1 space for a dwelling with two, or fewer, bedrooms.
 - 2 spaces for dwellings with three or more bedrooms.
 - Visitor parking will be provided at a rate of 1 space per 4 dwellings.
- It should be noted that proposed off-road parking provision, within property curtilages, excludes garages.
- 10.15 The existing footway adjacent to the B818 will have to be upgraded along the entire length of the site's southern boundary, due to the path's present unsuitability for use by school children. The footway, which should be a minimum of 2 metres wide, should be constructed as a 'remote footpath' with a grass verge providing a separation for pedestrians from vehicles using the B818. Improvements to crossing facilities will also be required at the western edge of the site to improve pedestrian safety.
- 10.16 A Safety Audit for any proposed road infrastructure improvements will be required.

11. Sustainable Design

Urban Design

- 11.1 The Council will require a high quality, sustainable development which fits in well with the landscaped setting of the site and its surroundings.

- 11.2 The developer will require to adhere to the Council's policies on Environmental Quality and sustainable design principles as set out in Chapter 3 of the Falkirk Council Local Plan Finalised Draft, the Council's (draft) Supplementary Planning Guidance Note on 'Housing Layout and Design' and in design-related SPPs and PANs.
- 11.3 In addition, the development will be required to exhibit the following general qualities:
- Distinctive character – a development that has a distinctive character with buildings of architectural quality which respects the existing landscape and topography of the site and where the constraints and opportunities of the site dictate housing form. The Council is seeking to achieve harmonious streetscapes with variety and interest. Streets and open spaces should have buildings fronting them. This will be particularly important for any part of the development visible from Fintry Road.
 - Ease of access and movement – a scheme which has good pedestrian links into the site, which integrates with the existing path network and which offers ease of movement within the site and its various elements;
 - Pedestrian/cyclist friendly – a development where the building layout takes priority over roads and car parking. Roads and parking facilities should be designed to improve the usability and feel of the development, but not to dominate it;
 - Safe and pleasant – a development layout which creates a secure environment where opportunities for crime are minimised, but without compromise to design quality and residential amenity, and where public spaces are well looked after. Developers are referred to PAN 77 "Designing Safer Places" and in particular the need for houses to overlook paths and public spaces and to maximise opportunities for natural surveillance. Active house frontages will be required wherever possible, with windows overlooking all public areas. Pedestrian routes within the site should have an open aspect, be surfaced, lit and constructed to a standard suitable for adoption by the Council.
- 11.4 More specifically, the subdivision of the site should strictly follow existing constraints and amenities relating to:
- The eastern woodland as defined by the access road;
 - The western woodland extending along some two-thirds of the main road frontage which will enable screening of a significant proportion of the development;
 - The river edge where the main spine road and footpath/cycleway should be laid side by side with small cul de sacs off, especially at the western end and where housing fronts the spine road;

- Interface with the main Fintry Road, main spine road and housing – building frontages, views from housing and planted buffers to be established at outset;
- The business/industrial area should be determined by the foregoing and be positioned where it is partly concealed by the perimeter woodland.

Sustainable Waste Management

- 11.5 The developer will be required to incorporate construction and design features that maximise the use of recycled or reused materials and maximise waste reduction and material separation at source.
- 11.6 The developer will also be required to make appropriate and well designed provision for waste storage, recycling and collection and composting facilities in the development in accordance with the guidance provided in the Council's Supplementary Development Advice Note "Managing Waste in Housing and Commercial Developments".

Built Heritage

(i) Carrongrove House

- 11.7 It is anticipated that the Category B listed Carrongrove House, will be converted from its present use as office accommodation to residential use in the form of flats. The presence of this important building will be a key element in the layout and design of the surrounding development, and early consultation with Historic Scotland will be required.
- 11.8 The setting of the building will be an important consideration and surrounding development shall not be detrimental to the character, architecture or setting of the building. The building should be part of a housing site large enough to enclose it, requiring a bespoke design that respects its setting and especially to protect it from the business and industrial area.
- 11.9 An analysis of the setting of the building should include a review of the context of the building, its physical characteristics and surroundings, a survey of materials, condition of the fabric, the relationship of the building to proposed surrounding development and the building's potential for conversion.

Industrial Heritage

- 11.10 Closure of the Carrongrove Mill represents the end of a lengthy history of paper making in the Carron Glen and Denny area and a last link with the area's rich industrial past.
- 11.11 The developer will be required to retain an element of the former mill complex, to be incorporated into the open space and footpath systems associated with the site, possibly as a feature of public art and as a permanent monument to the site's industrial heritage.

- 11.12 The developer will be required to enter into early discussion with the Council's Archaeologist with a view to ascertaining which features of the former mill complex may be capable of retention.

12. Informal Recreation and Play Space

- 12.1 The developer will be required to upgrade the existing paths and fencing throughout the site.
- 12.2 Trail and interpretative signage should be provided at appropriate points along the riverside walkway. The interpretative signage should portray historical, industrial, woodland and wildlife information. Seating, dogbins and litter bins should also be placed at appropriate locations.
- 12.3 Where considered appropriate, limited and sensitive woodland clearing should be undertaken to open up vistas and views, particularly of the weir and other riverside views.
- 12.4 There should be no active open space development within any of the dedicated woodland areas in order to retain the character and tranquillity of the area and to minimise anti-social behaviour.
- 12.5 The developer shall provide one toddler/junior equipped play area within the heart of the residential area to be no closer than 300 metres to the west or eastern woodland areas. The provisional value of this facility will be in the order of £60-£70,000.

13. Land for Industrial/Business Use

- 13.1 The Council requires that a proportion of the site be retained for business or industrial use in order to compensate for the loss of similar land and to provide greater opportunity and choice for businesses seeking to locate within the Denny area.
- 13.2 The developer will be required to incorporate an area of approximately 1.5 hectares for business or industrial use into the overall development layout and to provide for a range of accommodation in consultation with the Council.
- 13.3 Possible environmental demonstration projects, or business opportunities associated with the tourism and recreation industry, should be explored. The emphasis will be on Class 4/5 and other uses compatible with the adjacent residential area.
- 13.4 The land for business or industrial use shall be made available for occupation at the same time as the residential development.

14. Woodland

- 14.1 There are substantial and varied areas of woodland both within and surrounding the site.
- 14.2 The site is bounded to the north by a Site of Special Scientific Interest (SSSI) - described below) and a further area of ancient and semi-natural woodland to the east of the SSSI. (Plan 3 SSSI and Ancient and Semi Natural Woodland).
- 14.3 The site is bounded by and separated from the JB Bennett site to the east by an area of semi-natural broadleaf woodland. This, together with the woodland to the north, forms an important wildlife corridor.
- 14.4 Within the site itself, there are a number of mature trees which are located predominantly around the southern site boundary. The woodland at the eastern end of the site and on the steep slopes on the south side of the river is recorded as being of ancient or semi-natural origin. Substantial areas of woodland on the steeper slopes adjacent to The Cottage, and towards the west end of the site, also come into this category. Although the range and size of tree species present at the time of survey indicate these woodland areas have been cleared in the past, and subsequently allowed to regenerate naturally, an important element of such woodland is the soil, and the seed bank it contains. This is a valuable habitat worthy of retention.
- 14.5 It is important that as much as possible of the semi-natural broadleaf woodland is retained and protected during development of the site and thereafter. Long term management and maintenance of the woodland will be required and should aim towards eliminating undesirable tree species such as sycamore, and encouraging development of oak woodland similar to that in the Carron Glen reserve. Trees that screen the site from surrounding land are particularly important in this respect. These reduce the visual impact of the site and preserve an element of the existing wildlife corridor. Along the access road from the entrance gate to the mill offices there are a number of mature ornamental trees such as lime and sequoia. These have a significant impact in visual terms and should be retained.
- 14.6 The boundary treatment of paths should have regard to the need to retain wildlife corridors throughout the site and should be wide enough to facilitate establishment of suitable habitat for this. Such corridors should also link the areas of woodland at the eastern and western ends of the site.

Carron Glen SSSI

- 14.7 The western portion of the northern site boundary is bounded by the Carron Glen SSSI which comprises woodland, including ancient, semi-natural broadleaf and grassland. The steep, often rocky slopes of Carron Glen support the largest tract of ancient/long established deciduous woodland in the Falkirk Council area. In addition to areas of unimproved lowland grasslands, parts of the Glen also support a species-rich mosaic of wild flowers.

- 14.8 The developer will be required to liaise with SNH to assess the potential effects of any development on the SSSI. Where necessary, mitigation measures will require to be incorporated into the development.

15. Energy Conservation and Renewable Energy Potential

- 15.1 Considerations about energy in general, and energy efficiency and reduction in particular, are becoming an increasingly integral, ‘mainstream’ part of the planning process. As concerns about climate change continue to grow, the UK government and Scottish Executive have confirmed their commitment to reduce carbon emissions and have set targets for generating a certain proportion of electricity from renewable sources.
- 15.2 At a local level, the Council is committed to implementing the principles of sustainable development and to ensuring that sustainable design principles are integrated into the design process at the earliest stage.
- 15.3 The potential for energy efficiency measures in new developments is considerable. At a wider site level, the Council will expect the developer to demonstrate that layout, orientation, built form and landscape create a sheltered microclimate where solar gain is maximised and exposure to rain and wind chill is minimised.
- 15.4 Most micro-renewable technologies have the potential to be integrated into new developments at the design stage. In line with recent and emerging national policy, the Council will expect the developer to consider fully options for micro renewable technologies as part of a range of energy efficiency measures to be included in the development.
- 15.5 In terms of the energy performance of buildings, the developer will be encouraged to have regard to the Building Research Establishment’s Environmental Assessment Method (BREEAM) and their EcoHomes assessment method that rates the environmental qualities of new and renovated dwellings. In terms of ratings, the Council will expect the development to demonstrate an ‘excellent’ BREEAM rating.

16. Hydro–electric Scheme

- 16.1 The Council considers this site to have the potential for on-site renewable energy generation associated with its proximity to the River Carron. The developer will be required to investigate the feasibility of installing a small - scale hydro-electric scheme and to make provision for its implementation. The Council envisages that such a scheme will incorporate the existing weir and that it could be designed to include the fish ladder, discussed in section 17 below.

- 16.2 The feasibility study should address issues such as the potential for a stand alone system, as opposed to one which is connected to the National grid - (the latter may be determined by the proximity of the scheme to a connection point); the availability of a back up power system; potential noise impact; potential visual impact; potential impact on the ecology of the river; and, the need for water impoundment. In terms of access and recreation, the study should also consider the role of the hydro-electric facility and fish ladder as a possible local visitor attraction and as part of wider access and recreation provision within the site.
- 16.3 The developer should bear in mind that the *hydro-electric scheme including any works undertaken on the weir or riverbank will require the consent of SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR). A CAR license will be required.*
- 16.4 Depending upon the outcome of the feasibility study and the potential generating capacity of the hydro-electric scheme, the Council is keen to engage the local community in the project, and to ensure that where possible, the community can share in the benefits of such a scheme.
- 16.5 It is becoming increasingly commonplace for local communities to become involved in renewable energy projects. This can take a variety of forms including direct investment in the ownership of a scheme or through the setting up of a trust fund.
- 16.6 In association with the Council, the developer will be expected to investigate the opportunities that may exist to involve the local community and to assess any likely benefits that could be forthcoming from the hydro-electric scheme. Arrangements for future management and maintenance of the facility will also require to be put in place.
- 16.7 High environmental standards in water conservation, recycling and waste minimisation will also be required.

17. Ecology/Biodiversity

- 17.1 The redevelopment of this site represents an opportunity to deliver a number of ecological benefits for future residents and occupants of the site, as well as the wider community.
- 17.2 The Council has a duty under the Nature Conservation (Scotland) Act 2004 to protect and conserve biodiversity and the Falkirk Council Local Biodiversity Action Plan (LBAP) identifies habitats and species of significance. It is likely that the river and adjacent woodland supports a wide range of LBAP species.
- 17.3 The developer will be required to assess the biodiversity status of the site including its potential as a habitat for wildlife by way of an independent site survey undertaken by appropriately qualified persons. Due to the neighbouring SSSI, SNH will require to be consulted at an early stage.

- 17.4 Both the woodland and the riverine habitat form an important wildlife corridor in the area due to the neighbouring SSSI and Wildlife Sites in proximity to the site.
- 17.5 As a matter of course, where a site involves a man-made or natural watercourse, these must be surveyed for the presence of otters, bats, reptiles and amphibians, particularly great crested newts. Other surveys may be required for badgers, invertebrates and birdlife.
- 17.6 The developer will be required to submit proposed remedial measures to offset any adverse impacts of development.

18. Fish Ladder

- 18.1 At the upstream end of the site, there is a large weir on the River Carron which was once used to provide water to the paper mill. In the past, this weir has been identified as a major man-made barrier to the movement of migratory fish in the river.
- 18.2 The opportunity exists, as part of the redevelopment of the site, to ease this barrier by constructing a fish ladder. It is anticipated that the fish ladder will be located adjacent to the hydro-electric scheme, and that once constructed, it will potentially enable over 6.5 kilometres of main river and tributaries to be spawning ground for salmon and sea trout.
- 18.3 The developer will require, in association with the Council, to carry out a feasibility study into the potential of providing this feature as part of the development. Such a study should include an investigation of possible sources of funding, as well as arrangements for future management and maintenance.
- 18.4 *Details of the fish ladder should be included as part of the hydro-electric scheme CAR application.*

19. Management of Watercourses and Flood Prevention

- 19.1 Falkirk Council has no record of flooding on this site. This may, however, be a reflection of the site's private ownership and industrial use, where incidents have not been reported, or recorded. Water has been observed flowing over the retaining wall to the west of the existing mill building. This could be associated with a sewer at this locus.
- 19.2 Proximity to the River Carron and a watercourse that flows past the adjacent hospice and sinks within the development site are issues that require investigation.
- 19.3 As this site may be vulnerable to flooding, the developer will be required to submit a Drainage Impact Assessment and a full Flood Risk Assessment complying with Annex B of SEPA Policy No 41 "A SEPA-Planning Protocol".
- 19.4 The riparian environment is a particularly important feature of this site. The redevelopment of the site represents a potential pollution risk to the River Carron and consequently SEPA should be consulted on development proposals.

- 19.5 The Drainage Impact Assessment must address waste and surface water issues, and where applicable, ground water. The Council and other regulators will be seeking an innovative strategy for sustainable drainage that meets, and ideally, surpasses current guidelines and regulations. Developers are referred to the SEPA publication “Drainage Assessment – A Guide for Scotland” and “Drainage Impact Assessment – Guidance for Developers and Regulators” (DP300 3/02). Early consultation with the Council is recommended.
- 19.6 Allowable run off from the development would be 10% of M5-60 - i.e. 4 per litres per second per hectare.
- 19.7 The design of the system should include 1 in 2, 5, 10, 25 and 100 year storm return periods, each with a full range of storm durations. (A check for the 1 in 200 year storm return period will also be required).

20. Surface Water Run-Off

- 20.1 The use of Sustainable Urban Drainage Systems (*SUDS*) will be required to treat surface water run-off from the site. Developers must comply with best management practice, as contained in the CIRIA publication “Sustainable Urban Drainage Systems – Design Manual for Scotland and Northern Ireland” (C521) in submitting proposals for surface water run-off from their development. *SUDS Advice Note Brownfield Sites* (SEPA, June 2003) may also be relevant. *The SUDS features should be designed to maximise biodiversity and must also comply with the CAR regulations.*
- 20.2 *For a development of this size, SEPA would recommend a combination of both source and regional SUDS control and the incorporation of a wetland or retention pond as part of the scheme. In this respect, reference is made to SEPA’s publication ‘Ponds, Pools and Lochans’ and to SEPA in general for all other matters relating to SUDS measures including temporary SUDS.*

21. Contamination

- 21.1 There is a possibility that ground contamination may be present on the site, and other adjacent land in the ownership or prior ownership of the landowner. (This applies in particular to land to the north east of the site, as shown on the attached plan).
- 21.2 The developer shall undertake a site investigation to establish if contamination (as defined by Part IIA of the Environmental Protection Act 1990) is present on the site.
- 21.3 Where contamination is identified, development shall not begin until a scheme has been submitted to and approved in writing by the Planning Authority.

- 21.4 The scheme shall contain details of proposals to deal with contamination to include:
- a. The nature, extent and type(s) of contamination within the site.
 - b. Measures to treat/remove contamination to ensure the site is fit for the proposed end uses.
 - c. Measures to deal with contamination during construction works.
 - d. Condition of the site on completion of decontamination measures.
 - e. Details of monitoring programme following site redemption.
- 21.5 In order for an adequate chemical contamination assessment to be undertaken, under current guidance and regulations, a desk study (Phase I) should be completed. The desk study should assess ground conditions at the site, and include information such as the current and historical usage of the site and surrounding area, geology, hydro geological and hydrological conditions underlying the site. Any potential source-pathway-receptors should be identified. Should any significant chemical contamination risks be identified, then an intrusive (Phase II) site investigation will be required.

22. Construction Works Associated with the Development

- 22.1 *The development should have due regard to SEPA's pollution prevention guidelines and to its encouragement to re-use and recycle construction materials or waste as appropriate.*

23. Education

- 23.1 The site falls within the catchment area for Denny Primary School, St Patrick's RC Primary School, Denny High School and St Modan's RC High School (Stirling). There are presently no known school capacity issues.
- 23.2 The proposal will, however, coincide with high levels of housebuilding in the area which are expected to require investment in schools infrastructure. *A contribution towards educational provision will therefore be required.*

24. Developer Contributions

- 24.1 The Council is firmly committed to ensuring that developers contribute appropriately to the physical, environmental and community infrastructure which is required to serve new development and make it sustainable.
- 24.2 In addition to those elements and features already identified in this Brief, any development proposal for the site will be assessed against the provisions of Schedule COM.5 of the Falkirk Council Structure Plan approved June 2002. This lists examples of developer contributions, the type of provision and the circumstances in which provision may be required.

25. Services and Ground Conditions

- 25.1 Water, electricity and gas supplies are understood to be available. There may also be other plant in and around the site. Further consultation with service providers will be required before drawing up development proposals.

APPENDIX A – RELEVANT LOCAL PLAN POLICIES FALKIRK COUNCIL LOCAL PLAN FINALISED DRAFT

The Falkirk Council Local Plan Finalised Draft (March 2005) allocates the majority of the site as Policy EP2 (2)) – Business and Industry Retention. It is likely that the forthcoming Deposit Version of the Local Plan will re-allocate that part of the site occupying the footprint of the existing buildings under Policy EP3 – Business & Industrial Areas with Potential for Redevelopment.

Other Local Plan policies which are applicable to the redevelopment of the site are:

| | |
|--------------|---|
| Policy EQ1 | Sustainable Design principles |
| Policy EQ2 | Implementation of Sustainable Design principles |
| Policy EQ3 | Townscape Design |
| Policy EQ4 | Landscape Design |
| Policy EQ5 | Design and Community Safety |
| Policy EQ6 | Design and Energy Use |
| Policy EQ8 | Vacant, Derelict and Contaminated Land |
| Policy EQ9 | Public Art |
| Policy EQ14 | Listed Buildings |
| Policy EQ15 | Re-Use of Buildings |
| Policy EQ21 | Falkirk Greenspace |
| Policy EQ24 | Ecological Sites and features |
| Policy EQ25 | Biodiversity |
| Policy EQ26 | Trees, Woodland and Hedgerows |
| Policy EQ27 | Watercourses |
| Policy EQ29 | Countryside Access |
| Policy SC6 | Housing Density & Amenity |
| Policy SC11 | Developer Contributions to Community Infrastructure |
| Policy SC12 | Urban Open Space |
| Policy SC13 | Open Space and Play Provision in New Residential Development |
| Policy EP4 | Business and Industrial Development within the Urban and Village Limits |
| Policy ST1 | Core Path Network |
| Policy ST2 | Pedestrian Travel and Cycling |
| Policy ST3 | Bus Travel and New Development |
| Policy ST5 | Managing Travel to School |
| Policy ST11 | Sustainable Urban Drainage |
| Policy ST12 | Flooding |
| Policy ST12A | Sewerage Infrastructure |
| Policy ST19 | Waste Reduction in New Development |
| Policy ST20 | Renewable Energy Development |

The following national policies and guidance are particularly applicable to the redevelopment of this site:

| | |
|----------------|--|
| SPP 1 | The Planning System |
| SPP 2 | Economic Development |
| SPP 3 | Planning for Housing |
| SPP 7 | Planning and Flooding |
| NPPG 11 | Sport, Physical Recreation and Open Space |
| NPPG 14 | Natural Heritage |
| NPPG 17 | Planning for Transport |
| | |
| PAN 33 | Development of Contaminated Land |
| PAN 38 | Housing Land |
| PAN 45 (Annex) | Planning for Micro Renewables |
| PAN 51 | Planning and Environmental Protection |
| PAN 56 | Planning and Noise |
| PAN 60 | Planning for Natural Heritage |
| PAN 61 | Planning and Sustainable Urban Drainage Systems |
| PAN 65 | Planning and Open Space |
| PAN 67 | Housing Quality |
| PAN 68 | Design Statements |
| PAN 69 | Planning and Building Standards Advice on Flooding |
| PAN 76 | New Residential Streets |
| PAN 77 | Designing Safer Places |
| PAN 78 | Inclusive Design |

FALKIRK COUNCIL

**Subject: FALKIRK COUNCIL LOCAL PLAN –
FINALISED DRAFT (DEPOSIT VERSION)**
Meeting: FALKIRK COUNCIL
Date: 7 MARCH 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1.0 INTRODUCTION

- 1.1 The attached report on the Falkirk Council Local Plan (Finalised Draft – Deposit Version) was presented to the Policy & Resources Committee on 13 February 2007 and following consideration, it was agreed that it be referred on to the full Council for approval.

2.0 GILSTON, POLMONT

- 2.1 Members should note that the major economic development opportunity identified for Gilston, Polmont (Opportunity ED.POL1, page 186) makes reference to, and reflects, the existence of an extant outline planning permission for the site. This includes a residential component of up to 150 houses, which is not included in the terms of the approved Falkirk Council Structure Plan.
- 2.2 Since the report to Policy and Resources Committee was drafted, it has been confirmed that this permission has now lapsed. It is considered that the reference to this consent should be removed, and that the uses referred to under ED.POL1 should be amended to ‘office/industry/distribution with ancillary leisure and tourism’, as permitted by the Structure Plan, with the removal of reference to the residential use.

3.0 CARRONGROVE, DENNY

- 3.1 A planning brief has been prepared for the Carrongrove Mill site at Denny to guide future development following closure of the paper mill in 2005. The brief was considered under an earlier item on the agenda of this Council meeting.
- 3.2 Within the Local Plan, the Carrongrove site is allocated for business and industry retention under Policy EP2, and highlighted as Opportunity ED.DEN6 for industrial and business development. However, the planning brief promotes mixed use development on the site. Accordingly, if the Council has approved the brief, then consequential changes are required to the Local Plan. The EP2 policy designation should be removed and Opportunity ED.DEN6 amended to allow for mixed use development, with reference to development having to meet the terms of the approved brief.

4.0 RECOMMENDATION

- 4.1 The Council endorses the recommendations as outlined in the attached report and as approved by the Policy & Resources Committee, subject to the amendment highlighted in paragraphs 2.2 and 3.2 above.

.....
Director of Development Services
28 February 2007

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 13 FEBRUARY 2007 at 10.30 am.

PR109. FALKIRK COUNCIL LOCAL PLAN – FINALISED DRAFT (DEPOSIT VERSION)

There was submitted Report (circulated) dated 6 February 2007 by the Director of Development Services (a) enclosing as an appendix, the Finalised Draft (Deposit Version) of the Falkirk Council Local Plan, and (b) summarising the key changes which had been made to the previous finalised draft version of March 2005.

AGREED to recommend to Falkirk Council that the revised version of the Falkirk Council Local Plan Finalised Draft, as contained in the Appendix to the Report, be approved and placed on deposit for objections, in accordance with statutory procedures.

FALKIRK COUNCIL

**Subject: FALKIRK COUNCIL LOCAL PLAN -
FINALISED DRAFT (DEPOSIT VERSION)**
Meeting: POLICY & RESOURCES COMMITTEE
Date: 13 FEBRUARY 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 Members will be aware that the Council is in the process of preparing the Falkirk Council Local Plan, which consolidates the previous framework of eight Local Plans into a single document. On 2 March 2005, the Council approved a finalised draft of the Falkirk Council Local Plan, together with the finalised version of the Falkirk Council Structure Plan 1st Alteration. The two documents represent an integrated development plan package to take forward the land use planning of the Council area over the coming years.
- 1.2 Following approval by the Council, the finalised draft Local Plan was placed on hold pending the approval of the Structure Plan Alteration by Scottish Ministers. This process has taken much longer than anticipated due to a number of factors. Most notably, in October 2005, a European Court of Justice ruling confirmed the requirement for appropriate assessment of development plans in the terms of Article 6 of the Habitats Directive. This held up progress on approval of the Alteration whilst the Scottish Executive considered the legal implications of the ruling. In May 2006, the Scottish Executive then requested that the Council undertake such an appropriate assessment, and also asked for the submission of information in relation to the impact of the Alteration on the trunk road network, and in relation to health and safety issues at Middlefield/Westfield. This caused further delay whilst the Council assembled this further evidence.
- 1.3 However, Scottish Ministers have now issued their decision on the Structure Plan Alteration, approving it with modifications. This now allows the Local Plan, which is required to conform to the Structure Plan, to proceed to the next stage. This will involve placing the Local Plan on deposit for objections, and the consideration of those objections, if necessary, at a Local Plan Inquiry.
- 1.4 Some 22 months have elapsed since the approval of the finalised draft Local Plan by the Council, and it is therefore necessary to update the document to reflect changes in circumstances over that period. This does not represent a comprehensive review of the content of the Plan, but only such selective revisions as are deemed necessary to maintain its robustness and integrity.

- 1.5 This report brings forward an updated ‘deposit version’ of the Falkirk Council Local Plan for consideration by Committee (attached as Appendix 1). It reiterates the broad content of the Local Plan, identifies the key changes which have been made to the previous finalised draft version of March 2005, and seeks approval to place the updated document on deposit for objections.

2. CONTENT OF THE LOCAL PLAN

- 2.1 The Local Plan provides a comprehensive land use planning framework for the Council area, which implements the provisions of the Falkirk Council Structure Plan and its strategy of ‘Sustainable Growth in all our Communities’ in a detailed, site-specific manner. The document comprises the following:
- Introduction and strategy;
 - Area wide policies, divided into four themed chapters of Environmental Quality, Sustaining Communities, Economic Prosperity and Sustainable Transport & Infrastructure; and
 - Settlement and village statements, detailing the policies, proposals and opportunities within each community.
- 2.2 The Local Plan emphasises that growth in the area needs to be environmentally sustainable, and includes a keynote policy on sustainable design principles, which is backed up by a comprehensive suite of detailed environmental policies to protect the key assets and resources of the area.
- 2.3 In terms of housing growth, the Local Plan identifies those residential sites through which the base housing requirements set out in the Structure Plan will be met. Most housing growth up the Local Plan horizon of 2012 will be met by existing commitments (sites which have planning permission). Indeed in a number of settlements, there are sufficient commitments to meet requirements well beyond 2012. In other settlements, additional long term development opportunities (post 2012) are identified. The Local Plan also identifies the boundaries and criteria applicable to the Structure Plan’s Strategic Initiatives for Residential Led Regeneration (SIRRs) at Bo’ness Foreshore, Manuel Works/Whitecross, Banknock and Slamannan.
- 2.4 The Local Plan highlights in broad terms the infrastructure required to support this growth, and policies to ensure that developers contribute appropriately to its provision. Key projects such as the proposed new schools and new acute hospital are identified.
- 2.5 On economic development, the Local Plan identifies a network of employment sites including, most importantly, the site-specific identification of the eight Strategic Development Opportunities in the Structure Plan. Town, District and Local Centres are identified and supported in relation to their specific roles.

- 2.6 The Local Plan identifies a wide range of transport proposals and opportunities. These include opportunities to support public transport, cycling and walking, long standing improvements to the trunk and strategic road network, and local road improvements to facilitate development or safety improvements.

3. KEY CHANGES TO THE FINALISED DRAFT

- 3.1 Updating of the finalised draft of the Local Plan is necessary in view of various changes which have occurred since the document was originally approved in March 2005. This includes updating of the status of proposals and opportunities, inclusion of any new committed proposals or opportunities, and revisions to reflect changes to the policy context in which the Plan operates (e.g. new Scottish Planning Policies, modifications made by the Scottish Ministers to the Structure Plan Alteration, and any new Council strategies and policies).
- 3.2 In addition, as noted in paragraph 1.2 above, a recent ruling by the European Court of Justice has confirmed that development plans must be subject to an 'appropriate assessment' of their impact on Natura 2000 sites, in the terms of Article 6 of the Habitats Directive. An appropriate assessment of the finalised draft Local Plan has been carried out, and this has required some changes to the Plan. In particular, the assessment has significant implications for housing allocations as part of the Slamannan SIRR.
- 3.3 The most significant changes to the Local Plan are highlighted below.

Built and Natural Heritage Policies

- 3.4 Substantial changes have been made to Policies EQ24 (Listed Buildings), EQ16 (Sites of Archaeological Interest) and EQ24 (Ecological Sites and Features) to bring them into line with recommended model policy wordings issued by the Scottish Executive in January 2006. These do not change the overall thrust of the policies, but are likely to make them more robust and bring the wording in line with best practice.

Antonine Wall World Heritage Site

- 3.5 Members will be aware of the proposal to nominate the Antonine Wall as a World Heritage Site (WHS). In order to ensure that the WHS is given enhanced protection through the planning system, Historic Scotland and the five local authorities along the line of the Wall have prepared a new common planning policy covering the Wall. As part of the nomination process, Historic Scotland has defined the boundaries of the WHS, together with associated buffer zones required to protect its setting. The policy is now inserted into the Local Plan to replace the previous Policy EQ17 on the Antonine Wall, and the WHS boundaries and buffer zones are shown on the Proposals Map.

Opencast Coal Area of Search

- 3.6 The Local Plan identifies a broad area of search for opencast coal, based on the Structure Plan Plan Key Diagram. The extent of this area has been amended to remove a discrepancy with the Structure Plan and to better reflect known environmental constraints in the area of the Slammanan Plateau.

Housing Land Figures

- 3.7 The calculations of housing land requirements in each of the settlement areas, which are summarised in Table 4.1 of the Local Plan, have been comprehensively updated to a 2005 base date, with updated completion and housing land supply figures. However, this has not materially changed the situation with regard to requirements in any of the settlements, and no additional housing land allocations are required to comply with the altered Structure Plan.

Special Needs and Affordable Housing Policy

- 3.8 Housing and Social Work Services have recently carried out an updated Housing Needs Assessment, in response to rising house prices in the area and concerns that housing affordability is becoming an issue in the area. The study has shown that whilst there is an adequate supply of affordable housing in the area as a whole, there are localised shortfalls in the Polmont, Larbert/Stenhousemuir and Rural North areas. In addition, Housing & Social Work Services have highlighted increasing difficulties being experienced by housing associations in securing land for the delivery of affordable and special needs housing.
- 3.9 In the light of these factors, and taking into account guidance in Planning Advice Note 74 on Affordable Housing, Policy SC4 has been amended to require a proportion of affordable units in housing developments over a certain size. A two tier approach is taken whereby a quota of 15% is required in developments over 100 units across the Council as a whole, with 25% required in developments over 60 units in the pressured areas identified by the Housing Needs Assessment.

Open Space in New Developments

- 3.10 Policy SC13, which sets out requirements for the provision of open space in new residential developments, has been amended in the light of the recently issued draft SPP11 on Physical Activity and Open Space. The draft SPP includes the new National Minimum Open Space Standards for New Development, and these have been incorporated into Policy SC13. Reference is also made to the proposed new Supplementary Planning Guidance Note on Open Space in New Development, which is currently being prepared.

Kinglass Farm, Bo'ness

- 3.11 Housing Site H.BNS9 (previously H.BNS8 in the finalised draft of March 2005) is a long standing residential development opportunity at Kinglass Farm on the southern edge of Bo'ness. This was previously granted planning permission in the early 1990s as part of the wider Kinglass Farm development on the basis of it being reserved for special needs housing. It was included in the Bo'ness Local Plan as a site for special needs housing, but when the site was evaluated for inclusion in the Falkirk Council Local Plan, it was considered that since there had been no apparent interest in the site from housing associations, the site could be allocated for mainstream private market housing. However, recent representations from Housing & Social Work Services have indicated that there has been housing association interest in the site, and there is a need to retain it for affordable/special needs housing purposes. Accordingly, the reservation for affordable/special needs housing has been reinstated.

Green Belt East of Falkirk Stadium

- 3.12 In their modifications to the Structure Plan Alteration, Scottish Ministers have amended the text of the Structure Plan to indicate that land 'in the vicinity of the stadium will be excluded from the Green Belt'. In terms of the detailed expression of this within the Local Plan, it is considered that not only the stadium site, but also the land to the east of it, up to Laurieston Road, should be removed from the Green Belt. However, this land remains outwith the Urban Limit and covered by an Opportunity EN.FAL6 for development of the Ecopark as part of the Helix project.

Trunk Road Impacts

- 3.13 In order to address concerns expressed by Transport Scotland, the modifications to the Structure Plan Alteration require the Local Plan to take account of the impacts of proposed development on the trunk road network, with particular reference to Junction 6 of the M9, and motorway junctions affected by the SRRs at Banknock and Whitecross. This includes modelling of the cumulative impacts of development over the period of the Plan, identifying mitigation measures, and ensuring that appropriate developer contributions are secured.
- 3.14 Substantial traffic modelling work has already been undertaken by the Council in support of the Structure Plan Alteration, and mitigation measures have been outlined which will deal with impacts, at least for the Local Plan period. New text has been inserted in the Local Plan to reflect this issue, junction mitigation measures have been highlighted, and the need for developer contributions has been emphasised. Further work will be undertaken as the Local Plan proceeds to refine and develop solutions, and the detailed delivery of improvements will be addressed when developments get to the planning application stage.

River Carron Navigational Improvements

- 3.15 Enhancing access to the eastern end of the Forth & Clyde Canal is a priority for both the Council and British Waterways. Following a feasibility study, the best means of securing the necessary navigational improvements to the River Carron is being further explored as part of the Helix project. This major new infrastructural project has been included as Opportunity TR.GRA7 in the Local Plan.

Allandale Station/Park & Ride

- 3.16 As was reported to this Committee at its meeting on 16 January 2007, a feasibility study into the development of rail halt and park and ride facility at Allandale has now concluded that such a proposal is not favoured in cost benefit terms and will not be pursued by Transport Scotland. Accordingly reference to this potential scheme has been removed from the Local Plan.

Slamannan SIRR

- 3.17 The Structure Plan envisages significant residential growth in Slamannan through the proposed Strategic Initiative for Residential Led Regeneration (SIRR). In the finalised draft of March 2005, four main sites were proposed to meet this requirement – two large sites at Hillend Farm, to the north west of the village, and two smaller sites at Blinkbonnie Terrace and the Rumlie, to the south west.
- 3.18 In 2006, Scottish Natural Heritage designated an area of the Slamannan Plateau as a potential Special Protection Area (pSPA), owing to its role in supporting the nationally important population of taiga bean geese. The sites for housing expansion at Slamannan were identified by SNH as having a potentially adverse effect on the bean geese and therefore had to be subject to an ‘appropriate assessment’ of these impacts under the terms of the EU Habitat Directive 1992. The assessment has concluded that the housing allocations at Hillend Farm may adversely impact on the integrity of the pSPA due to their proximity to fields which have been used by the bean geese. The assessment has also indicated that other sites to the south of the town would mitigate any adverse impact due to the increased distance from the bean geese fields.
- 3.19 In the light of the Slamannan Plateau pSPA and the outcome of the appropriate assessment, it is considered that the larger Hillend Farm sites should not be taken forward at this stage. Only the small residual area which is already in the adopted Local Plan should be retained. However, the Council may wish to reconsider its position on these sites at a later stage, given
- a) its support for the sites in the Finalised Draft Local Plan of March 2005 and
 - b) that the pSPA remains to be confirmed.

- 3.20 Consideration has been given to other sites and an expanded housing growth area to the south of the town, which extends the Blinkbonnie Road site to the west and south east, has been selected as the best option, together with a smaller area to the west, on Avonbridge Road. This should still be capable of yielding a substantial degree of growth in the village (at least 300 units), whilst integrating successfully with the existing settlement and safeguarding the natural heritage of the surrounding countryside.

4. SUPPORTING DOCUMENTS

- 4.1 There are various supporting documents which are required to accompany the Local Plan when it is placed on deposit. The Publicity and Consultation Report summarises the consultation process on the Local Plan which was held in 2003/2004, the representations received, and the Council's response to those representations. This document was approved along with the original finalised draft in March 2005. It has been updated to reflect the changes to the Local Plan itself, and is attached as Appendix 2.
- 4.2 The Environmental Report which was prepared as part of the process of Strategic Environmental Assessment of the Local Plan has also been updated to reflect the changes to the Local Plan. The non-technical summary of the Environmental Report is attached as Appendix 3.
- 4.3 As noted previously an appropriate assessment of the effects of the Local Plan on Natura 2000 sites has also been prepared.

5. NEXT STEPS

- 5.1 Following approval by the Council, the Local Plan will be placed on formal deposit for objections for a period of at least six weeks. This is likely to happen in April 2006. Once all objections have been collated, a report will be placed before Committee summarising the representations and the Council's initial response to them. Negotiations will take place with objectors to try to resolve objections where possible, and this may result in 'pre inquiry modifications' to the Local Plan being agreed by the Council. However, a Local Plan Inquiry will be required to consider unresolved objections, overseen by an independent Reporter, prior to the final modifications being made and the Local Plan being adopted.

6. IMPLICATIONS

- 6.1 Policy. The Local Plan is the main mechanism for implementing the Falkirk Council Structure Plan and its detailed land use policies and allocations will impact on other corporate policy areas. The final plan will therefore be a significant policy document affecting the whole of the Council area.

- 6.2 Legal. The Local Plan is being undertaken in accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, and the Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983.
- 6.3 Financial. None.
- 6.4 Personnel. None.

7. RECOMMENDATION

- 7.1 That Committee recommends to Falkirk Council that the revised version of the Falkirk Council Local Plan Finalised Draft, as contained in Appendix 1, be approved and placed on deposit for objections, in accordance with statutory procedures.

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Director of Development Services
6 February 2007

Contact Officer: Alistair Shaw (Development Plan Co-ordinator), ext 4739

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan, June 2002
2. Falkirk Council Structure Plan, First Alteration, December 2006.
3. Falkirk Council Local Plan, Finalised Draft, March 2005.
4. Falkirk Council Local Plan, Strategic Environmental Assessment, January 2007.
5. Appropriate Assessment of the Falkirk Council Structure Plan Alteration and Local Plan Final Draft, November 2006.

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the ENVIRONMENT AND HERITAGE COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 20 FEBRUARY 2007 at 10.30 am.

EH37. FORTH VALLEY AREA WASTE PLAN UPDATE

There was submitted joint Report (circulated) dated 8 February 2007 by the Directors of Corporate and Commercial Services and of Development Services which informed Members of the current state of progress in implementation of the Forth Valley Area Waste Plan and also detailed the actions necessary to stay within annual landfill allowances as determined by the Scottish Executive.

In terms of Standing Order 14.2 and paragraphs 5.14 and 5.15 of the Councillors' Code of Conduct, Councillor A MacDonald declared a non-financial interest in this item of business on the basis of his membership of Friends of the Earth (Scotland) and further declared that in terms of Paragraph 5.18 of the said Code of Conduct, he had concluded that no member of the public acting reasonably would consider that he might be influenced by his respective interest in his role as a Councillor. Therefore, Councillor A MacDonald participated in the discussion and decision.

Discussion took place on:-

- Possibility of an incinerator being sited in the area
- Methods for encouraging residents outside the Council area to use facilities provided by their own authorities
- System for managing use of recycling facilities by commercial users.

Councillor Spears, seconded by Councillor Bryson, moved that Committee:-

- (1) note the success in achieving the Council's recycling/composting targets in 2006/07 and the actions necessary to achieve future targets;
- (2) note the potential that the Council could be awarded funding to undertake a food waste collection trial from households; and
- (3) refer the following recommendations to the next Falkirk Council meeting on 7 March 2007:-
 - (a) authorise the Director of Corporate & Commercial Services to introduce recycling collections for Commercial Customers on a phased basis commencing in 2008/09 with charitable organisations being offered a free service equivalent to a household collection;
 - (b) authorise the Director of Corporate & Commercial Services to introduce tighter controls on the issue of small traders permits and require pre-arranged access to recycling centres for commercial customers;

- (c) authorise the Director of Corporate & Commercial Services to introduce controls to ensure that only Falkirk Council residents can use the Council's recycling centres;
- (d) authorise the Director of Development Services to progress the procurement exercise for residual waste treatment facilities to the tendering stage in order to identify possible alternatives to large scale incineration.

By way of an amendment, Councillor Miller, seconded by Councillor Rev. Jenkinson, moved that no recommendations be made by this Committee and that there be a Seminar on this matter for all Members prior to consideration by full Council.

On a division, the Motion defeated the Amendment by 7 votes to 4.

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

FALKIRK COUNCIL

Subject: FORTH VALLEY AREA WASTE PLAN UPDATE
Meeting: ENVIRONMENT AND HERITAGE COMMITTEE
Date: 20 February 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES AND DIRECTOR OF CORPORATE & COMMERCIAL SERVICES

1. INTRODUCTION

- 1.1 The purpose of this paper is to inform Members of the current status of progress in implementation of the Forth Valley Area Waste Plan (FVAWP) and to detail the actions necessary to meet the required landfill diversion targets set out in the Plan and Scottish Executive guidance.

2. PERFORMANCE AGAINST TARGETS

- 2.1 Members will recall, from previous reports to this committee, that there are obligations upon the Council to meet National Waste Plan and Area Waste Plan targets in addition to the requirement to stay within annual landfill allowances, which are determined by the Scottish Executive.
- 2.2 The Council is forecasting a recycling and composting rate of around 34%-36% for the year 2006/07. If this is achieved then the Council will have already exceeded the Scottish Executive's National Waste Plan target of a 30 % recycling and composting rate for Municipal Solid Waste (MSW) to be achieved by 2008.
- 2.3 The Council also has a 36 % recycling/composting target for 2006 contained within the Area Waste Plan. In the report to this committee of 13th June 2006 it was highlighted that this higher target would be challenging to achieve. This target applies to the Forth Valley Councils as a whole and is calculated by the Scottish Environment Protection Agency (SEPA). On current projections the Forth Valley Councils as a whole look set to meet this target. However, in order to exceed this level of recycling and composting on a consistent basis a considerable increase over current levels of diversion tonnage is necessary. This must be achieved through a variety of means, including the continued use of the 3-bin collection system and recycling centres. However, the introduction of separate recycling collections for the Council's commercial waste customers is now imperative.
- 2.4 The Council is also on track to meet its Landfill Allowance Scheme (LAS) target for the 2006/07 year. The next LAS target is for 2007/2008 (being a maximum of 52,806 tonnes of biodegradable material landfilled). Again significant progress must be made to reduce residual waste to landfill in order for the Council to continue to meet these targets with an appropriate safety margin to ensure penalties are avoided. The sliding scale of LAS allowances requires us to continue to make improvements year on year to ensure the Council remains compliant.

- 2.5 In summary, the Council with the support of residents, has performed well in 2006/07, but will need to continue to improve its performance year on year to meet future targets.

3. STRATEGIC OUTLINE CASE

- 3.1 Members, at the meeting of the Environment and Heritage Committee on 22 November 2005 authorised the Directors of Development Services and Corporate and Commercial Services to finalise the submission of the Joint Forth Valley Strategic Outline Case to the Scottish Executive. The final submission was made on 21 February 2006. This sought funding for three key elements to ensure future compliance with LAS targets:
- Enhanced kerbside recycling and waste prevention services, plus improved recycling centre infrastructure, to ensure that the maximum amount of recycling and composting can take place prior to landfill.
 - Two in-vessel composting plants to enable the three Councils to collect household food waste for composting.
 - A residual waste treatment process, assumed to be Mechanical Biological Treatment (MBT), to extract any further low grade recyclable/compostable material from residual waste prior to landfill.
- 3.2 Feedback from the Scottish Executive and SEPA is that the submission meets the Best Practical Environmental Option (BPEO) criteria contained within the Forth Valley Area Waste Plan (FVAWP). Following a presentation to the Executive's advisory panel in August 2006, the Executive have authorised their consultants to work with all three Councils to agree a funding package for the first element of the SOC submission (the first bullet point above). It is hoped that this process of working with the Executive's consultants to agree a funding package will be completed by April 2007, however the Executive have declined to set a formal timescale at this stage.
- 3.3 The Executive have delayed a decision upon the funding of in-vessel composting systems until they complete a number of food waste trials across Scotland. The Council has been shortlisted as one of seven Councils that may be funded to progress with such a trial. This is explained in more detail in section 7 of this report.
- 3.4 The residual waste treatment element of the SOC, which is essential if the Forth Valley Council's are to meet their 2010 and 2013 landfill diversion targets, has not been formally responded to by the Executive. However, subsequent dialogue with the Executive has indicated that they consider that a joint approach with Fife, Perth & Kinross and the Forth Valley Councils would provide economies of scale when procuring residual waste treatment facilities through a Public Private Partnership (PPP) mechanism.
- 3.5 Discussions are on going with the Executive to clarify the mechanism whereby this joint arrangement could be progressed and to address certain key concerns of the three Forth Valley Councils. These concerns are related to: the period of time required to procure and construct the proposed joint facility which may prevent the Councils from meeting their LAS targets, the environmental implications of the proposed residual waste treatment technology, and the location of the joint facility and the impact of additional

transportation on our environment and infrastructure (i.e. either bringing waste into, or taking it from, the area).

- 3.6 Members should note that at the time of this report there has been no assurance from the Executive that Council's will be protected from potential default penalty payments when they fail to meet their LAS targets as a result of the decision by the Executive not to fund SOC proposals. Members should also note that, as a result of the preferences of the Executive and the investment market, the suggested PPP mechanism will favour the option of one large incinerator facility receiving residual waste from all five councils. There is a genuine concern that the use of incineration on this scale will inhibit future increases in recycling and reuse.
- 3.7 A formal response from the Executive on the conditions of any future funding of residual waste treatment is dependent upon ministerial approval and so this may not be forthcoming until after the Parliamentary and Council elections in May 2007. However, a five council PPP energy from waste solution is not in line with the residual waste solution proposed within the SOC. To ensure that alternative options to large scale incineration are investigated Members are requested to approve the issuing of tenders for a 10 year Forth Valley residual waste treatment contract with two 5 year extension options. This procurement exercise will establish the cost and environmental benefits of the local solution proposed by the Forth Valley Councils. A Pre Qualification Questionnaire exercise for a Forth Valley residual waste treatment solution has already identified considerable interest and a subsequent tendering exercise would enable proposals from the private sector to be received and evaluated.
- 3.8 It is anticipated that, following member approval, tenders will be issued in May with responses likely to be received by August. Until the tender process is complete it is not possible to say whether the future annual cost of a Forth Valley residual waste treatment contract will exceed predicted landfill costs and therefore require additional resources from the council or Executive. The landfill budget for the council in 2006/07 is £3.565 million and so the costs for residual waste treatment over a 20 year period, based upon this budget, could exceed £70 million for the Council and £140 million for Forth Valley as a whole.

4 KERBSIDE COLLECTION SYSTEMS

- 4.1 The change to the blue bin collection frequency from four-weekly to fortnightly, coupled with a separate four-weekly brown bin collection arrangement, has proven very successful to date. The amount of dry recyclates now collected through the blue bin system contributes c 10 % to our annual recycling achievement.
- 4.2 The introduction of a 2-bin system (a blue bin and green bin) to properties with limited storage space or garden area has allowed c 2,000 additional properties to contribute to our recycling target as a result of this change. A further 3,500 will be added over the next 12 months.
- 4.3 The move to a separate brown bin collection has increased the costs of collection by around £200k per annum. A revised Strategic Waste Fund bid submission has been submitted to the Executive to cover these additional costs and to increase the service to a

full 12 month collection on a four weekly basis. A decision on this is expected by the end of March 2007.

- 4.4 Around 60,000 properties now receive a separate dry recycle collection service. The quality of material presented for recycling is good, with a low level of contamination. This achievement indicates a very high level of support for recycling within our community.

5 COMMERCIAL WASTE COLLECTION

- 5.1 Commercial waste received by the Council at its recycling centres, or through its commercial waste collection services, is included within the Council's Landfill Allowance Scheme and recycling targets. In order to reduce the landfilling of commercial waste, the SOC submission to the Executive proposed the extension of separate waste collection arrangements to the collection of commercial waste.
- 5.2 There are currently c 1100 trade premises receiving a commercial waste collection from the Council. Around 200 of these are Council properties such as offices and schools, which receive a recycling collection.
- 5.3 It is now necessary to extend the recycling service to all our commercial customers, with the collection of similar blue bin recyclates i.e. paper, card, cans, and plastic bottles. Specific bespoke arrangements will be required for business premises that have limited storage space.
- 5.4 As per the Controlled Waste Regulations 1992, the charge made for commercial waste collections by local authorities must ensure full cost recovery. The cost of separate collection arrangements for recycling will result in a significant increase in the charges the Council must make. Although this may result in a number of traders switching to private sector service providers, there is no alternative if the Council's targets are to be achieved. The Executive's Strategic Waste Fund does not provide funding for commercial collections and so any changes to the systems will require to be funded through these charges.
- 5.5 Approximately 125 of these premises are operated by charitable organisations and it is essential that similar controls and charges are also put in place for these organisations to increase recycling and achieve our targets. At present charitable organisations may request any level of service from the Council for free. Aside from the cost to the Council and the impact on LAS targets this practice does not encourage charities to take action to reduce their waste.
- 5.6 It is therefore proposed that should charities require a level of service in excess of a standard household collection (i.e. a weekly collection of a 240litre recycle and residual waste bin) that these additional services should be charged for at commercial rates. If charities use the equivalent of a household collection then this would be provided on a free basis. To ensure that charitable organisations are given adequate assistance in reducing their waste, two council waste minimisation advisors will be available to offer advice and assistance to them.
- 5.7 Given the individual nature of business premises a significant amount of preparatory work will be required to introduce the service. With this in mind it is proposed that the

service is introduced on a phased basis with Council properties being used as a trial during 2007/08 prior to the introduction of the full service to all customers in 2008/09. Members are therefore requested to support the introduction of a recycling service for commercial and charitable customers, which will be introduced on a phased basis commencing in 2008/09, with preparatory work being undertaken in 2007/08.

6 RECYCLING CENTRES

- 6.1 Two recycling centres are available for the use of the public free of charge, and for small traders on a fee paying permit basis. These facilities, one at Kinneil Kerse, Boness and one at Roughmute, Bonnybridge, have been upgraded to provide the best opportunity to recycle and divert materials from landfill and both sites are extensively used by both the public and commercial users. Trained waste management staff in combination with purpose built waste segregation facilities are deployed at both sites. Although staff shortages have prevented the Roughmute site from fully opening at this time.
- 6.2 The small trader fee permit for using the centres has been in operation for many years and the charge is reviewed annually. The permit was originally designed for businesses that operated from home or did not have suitable premises to organise their own regular waste collection service from. However, there is a concern, as highlighted in previous report to this committee, that some larger businesses may be using the permit system as a method of disposing of large amounts of waste at the Council's expense, rather than paying for an appropriate collection from their premises or by paying the market rate at a licensed disposal facility.
- 6.3 A survey of businesses using the permit was undertaken in November with the aim of assessing the operation of the current system. This found that over a 4 day period 250 commercial vehicles used the recycling centres. However, only 18 of these had a small traders permit with the balance claiming the waste was domestic in nature and not commercial.
- 6.4 This survey builds on an earlier householder survey that indicated that both Council sites were being utilised by a small percentage of non Falkirk residents. However, as other neighbouring Councils in North Lanarkshire and West Lothian have recently moved to restrict opening hours and access to their recycling centres it is believed that this inappropriate use will increase. These factors have confirmed that changes to the controls for small trader permits and householder use are required to ensure the Council's recycling centres continue to offer Best Value.
- 6.5 It is therefore proposed that only the private cars and trailers of Falkirk Council residents will be permitted to dispose of material free of charge at recycling centres. All vans, trucks or open back vehicles will be required to pre book for disposal and small traders permits will be required for all such users. The small traders permit charges require by law to be set at a level to ensure full cost recovery, based on the maximum carrying weight for the proposed vehicle. The most convenient and effective method of confirming residency will be explored at both sites. This may require, for example, the observation of a recent Council Tax statement or other suitable form of identification.
- 6.6 The Council's own Services also use the Recycling Centres without restrictions at present. This means the cost of providing these services does not reflect the actual costs of waste

disposal, and does not encourage services to introduce the necessary waste minimisation procedures. It is therefore proposed to introduce a standard charge per vehicle on a similar basis to the small trader fee for all services for 2007/08. These charges will help improve the quality of the services provided at the Centres and ensure that all the Council's services take appropriate responsibility for their own waste.

- 6.7 It is proposed that these changes will be introduced when the Roughmure site is fully operational. Member approval is sought for these improved controls on commercial and residential users of the Council's Recycling Centres as proposed in paragraphs 6.5 to 6.6. The changes will be reviewed after a period of six months to assess their effectiveness.

7 FOOD WASTE COLLECTION AND TREATMENT TRIAL

- 7.1 The Scottish Executive is proposing to fund a number of Council's to operate food waste collection trials for a period of year. The aim of this is to test the different types of collection and their efficacy.
- 7.2 This type of collection is proposed in the Forth valley SOC and in order to take advantage of any trials a bid has been submitted to take part in the trial. Out of 20 Councils which submitted a bid a shortlist of seven Councils, including Falkirk, have gone through to the second stage. A further more detailed bid has been submitted and the Executive plan to offer the trials to the three or four of these shortlisted seven. The outcome of this process is expected to be known by the end of February 2007.
- 7.3 If successful the Council will receive funding in excess of £300k to run a food waste collection to 10,000 households. The collection will consist of providing householders with a 7 litre kitchen caddy to collect food waste. This is lined with biodegradable starch bags. Once full, householders place the bag into their brown bin. The collection for the brown bin for the householders concerned will increase to fortnightly as a result.

8 IMPLICATIONS

Financial

- 8.1 The costs of any food waste trial would be fully met by an award from the Scottish Executive. The additional costs of the separate brown bin collection will require to be met from existing SWF monies and waste management budgets if the Executive do not approve the revised bid to support this service.
- 8.2 The introduction of commercial waste recycling will be funded by increases in commercial charges, agreed annually as part of the Council's fees and charges.
- 8.3 The cost of financial and technical expertise resources required to develop a detailed business case for residual waste treatment is anticipated to be met in the main by the Executive, with the balance being covered by the Council's Waste Strategy budget. The Council's Waste Strategy budget, along with funding from Clackmannanshire and Stirling Councils, will meet the cost of any Forth Valley procurement exercise.

- 8.4 The procurement of residual waste treatment facilities is expected to replace future long term landfill contracts. However, until a tendering exercise has been completed, and a response from the Executive has been received on this element of the SOC submission, it is not possible to confirm whether additional financial resources will be required over and above existing landfill budgets.

Legal

- 8.5 The introduction of improved controls over the receipt of commercial waste and users of the Council's recycling centres are essential in order to ensure the Council's legally binding obligations under the Landfill Allowance Scheme are met.

Policy

- 8.6 The introduction of commercial waste recycling and food waste trials is in line with the objectives of the Forth Valley Area Waste Plan and the Strategic Outline Case submitted to the Scottish Executive. This work also supports the Wise Use of Resources, a priority within the Sustainable Falkirk strategy.
- 8.7 The improved controls upon users of the recycling centres is in line with national policy on the "polluter pays principle" and the Duty of Care for Waste.

Personnel

- 8.8 The introduction of commercial waste recycling will require extra staff resources to implement the new service and to manage it. Initially in 2007/08 this will require at least one FTE paid for by the charges to commercial customers.
- 8.9 The introduction of a food waste trial will require additional short term waste management staff to operate the new service.

10 RECOMMENDATIONS

It is recommended that Members:

- 10.1 note the success in achieving the Council's recycling/composting targets in 2006/07 and the actions necessary to achieve future targets;
- 10.2 note the potential that the Council could be awarded funding to undertake a food waste collection trial from households.

That the Committee refer the following recommendations to the next Falkirk Council meeting on 7th March:

- 10.3 authorise the Director of Corporate & Commercial Services to introduce recycling collections for Commercial Customers on a phased basis commencing in 2008/09 with charitable organisations being offered a free service equivalent to a household collection;

- 10.4 authorise the Director of Corporate & Commercial Services to introduce tighter controls on the issue of small traders permits and require pre arranged access to recycling centres for commercial customers;
- 10.5 authorise the Director of Corporate & Commercial Services to introduce controls to ensure that only Falkirk Council residents can use the council's recycling centres;
- 10.6 authorise the Director of Development Services to progress the procurement exercise for residual waste treatment facilities to the tendering stage in order to identify possible alternatives to large scale incineration.

.....
for Director of Development Services
8 February 2007

.....
Director of Corporate & Commercial Services
8 February 2007

Ref: DSWS1-4

Contact Name: Peter Woodland, Ext: 3007/Callum Blackburn, Ext 4767

LIST OF BACKGROUND PAPERS

- 1 Forth Valley Area Waste Plan 2003
- 2 Environment and Heritage Committee Report 13th June 2006

AGENDA ITEM

FALKIRK COUNCIL

Subject: COMBINED SCOTTISH PARLIAMENTARY AND LOCAL
GOVERNMENT ELECTIONS – 3 MAY 2007
Meeting: FALKIRK COUNCIL
Date: 7 MARCH 2007
Author: RETURNING OFFICER

1. INTRODUCTION

- 1.1 As Members are aware, combined Scottish Parliamentary and Local Government Elections will be held on Thursday 3 May 2007. Preparations are currently underway and a number of issues are highlighted here, for Members' information.
- 1.2 The purpose of this Report is to draw Members' attention to relevant key dates, together with miscellaneous legislative and procedural information.

2. LEGISLATIVE CHANGES

- 2.1 Members were notified of the key legislative changes in the Report to Council on 6 December 2006, focusing particularly on the Electoral Administration Act 2006 (EAA) and the Local Electoral Administration and Registration Services (Scotland) Act 2006 (LEARS). Since that time, the following have also come into force:-
 - Scottish Parliament (Elections etc) Order 2007
 - Scottish Local Government Elections Order 2007
 - Representation of the People Regulations
- 2.2 These enable the relevant provisions of the new legislation to be applied for the purposes of undertaking the combined elections in May, although it should be noted that a number of provisions of the EAA, such as the introduction of personal identifiers and the requirement for electors to sign for ballot papers at polling stations, will not be implemented at this stage.

3. KEY DATES

- 3.1 Members are advised of the key dates in the 2007 Elections timetable as detailed within the Appendix hereto. A number of dates are yet to be confirmed, including those for the issue and openings of postal ballot papers. This information will be issued to Members in due course.
- 3.2 Members are asked to note that information sessions will be held for prospective candidates and agents on Tuesday 13 March at 6.00 pm, in advance of the nomination period commencing, and again on Tuesday 27 March, which is during the nomination period, at 2.00 pm and 6.00 pm. These sessions will provide an opportunity for those

considering standing for election and those who have submitted nomination papers to be updated in terms of legislative changes, count arrangements etc, as well as to raise queries in relation to the process. The sessions will be led by me as Returning Officer and will be held in the Committee Suite, Municipal Buildings. Expressions of interest in attending either session are invited to be submitted to the Election Office, which will be operational in Room G19, Municipal Buildings, from Monday 5 March 2007.

4. MISCELLANEOUS PROCEDURAL INFORMATION

- 4.1 **The register** of 1 February, which reflects the new ward boundaries, has now been made available by the Electoral Registration Officer. The version of the register for use on 3 May will incorporate all changes up to and including 9 March. This will be available within nomination packs for prospective candidates and will be supplemented after 18 April with additions/deletions reflecting the period from 9 March until 18 April, which is the latest date for new registrations, in terms of the EAA. The register will not, however, be available to prospective candidates in advance of the nomination period.
- 4.2 As has been the case since the combined elections in 2003, there are two versions of the register – a full and an edited version. The edited version does not contain the names and addresses of those persons who have requested that they be excluded. This version of the register is available for use without restriction. There are, however, restrictions on the use of the full register, in which all names/addresses of those registered to vote are contained, which is now only available for inspection under supervision and cannot be copied other than by handwritten notes, nor can the information contained within it be used other than for the purpose for which the copy is supplied.
- 4.3 **Postal votes** – there are several changes in relation to absent voting, particularly the ability for a voter to apply for a replacement for a lost or spoilt ballot paper up until 5.00 pm on polling day. In addition, applications for proxy votes on the grounds of a medical emergency can be submitted up until 5.00 pm on polling day.
- 4.4 As before, Scottish Parliamentary postal votes must be returned to a polling station within the relevant constituency, ie Falkirk East or Falkirk West, although local government postal votes can be returned to any polling station within the Council area and are not restricted to those within the Ward to which they relate. It should be noted, however, that an absent voter returning postal ballot papers relating to both Scottish Parliamentary and local government elections to a polling station will have only one envelope containing all papers and must, therefore, ensure that they are returned to a station within the appropriate Scottish Parliamentary constituency.
- 4.5 All electors will receive a poll card in advance of the elections, whether they intend voting in person or have made an absent voter application. There are now four styles of poll card, namely:-
- For an elector voting in person
 - For an elector voting by post
 - For a proxy voter
 - For a postal proxy voter

- 4.6 The poll card will provide details of the elector's polling place and the hours of poll and, where appropriate, the date on which the elector can expect to receive his/her postal ballot papers, the elector details for a proxy voter, or a combination of both for a postal proxy voter.
- 4.7 As the return of postal votes to polling stations during the hours of poll will have an impact on the Count, it is proposed that postal votes will be uplifted from polling stations at an agreed time during polling day, thereby reducing the numbers to be brought to the count centre at the close of poll.
- 4.8 As in 2003, **timetables** are aligned for the combined elections. The dates for submission of nomination papers are detailed in the timetable appended hereto and apply to candidates for both Scottish Parliamentary and local government elections. The last date for the withdrawal of nominations in local government elections is now the last day for receipt of nominations ie by 4.00 p.m. on 11 April 2003. This is consistent with legislation pertaining to Scottish Parliamentary elections.
- 4.9 There will be three **ballot papers** on two **ballot sheets** for the combined elections on 3 May. The local government ballot paper will be white, while the Scottish Parliamentary paper, which will contain both the Regional list and the Constituency contests, will be violet and brown, with the instructions to voters on a white background. Tendered ballot papers will continue to be printed on pink paper.
- 4.10 Each **polling station** will be staffed by 1 presiding officer and 1 polling clerk. In addition, Information Officers will be appointed to most polling places to assist electors in understanding and following the voting processes. Training sessions for all polling staff will be held during the week preceding the elections and attendance by all polling staff at such training will be compulsory.
- 4.11 Both the Scottish Parliamentary and local government counts will be held in Grangemouth Sports Complex. As Members will be aware, the count will be undertaken electronically and will, as is past practice, commence at the close of poll. At present, the decision on the count format remains to be taken, the options being:-
- The Scottish Parliamentary and local government counts completed in one session
 - Both sets of papers scanned following the close of poll, with the Scottish Parliamentary count completed overnight and the local government count taking place on Friday 4 May

There are a number of logistical factors which will impact on this decision but I expect to conclude my deliberations on it shortly. Members will be advised of the decision taken in due course.

- 4.12 With a few exceptions for meetings already arranged, the Council Chambers will be unavailable from Monday 19 March to Friday 11 May to enable preparatory work, including the storing, construction and labelling of ballot boxes, sorting of stationery etc, to be undertaken. It is anticipated that the Committee Rooms will also be required in the weeks prior to the elections.

5. STATUTORY MEETING OF THE NEW COUNCIL

- 5.1 The statutory meeting of the new Council will be held within 21 days from the date of the Election, on a date to be agreed.

6. RECOMMENDATION

- 6.1 That Council notes the legislative changes, key dates and procedural information relating to the forthcoming combined Scottish Parliamentary and Local Government Elections, as detailed within the body of the Report and as contained in the Appendix hereto.

Returning Officer

Date: 23 February 2007

Contact Officer: Dale Robb, ext 6111

LIST OF BACKGROUND PAPERS

1. Report to Council on 6 December 2006.

Any persons wishing to view the background papers detailed above can contact Dale Robb on telephone number 01324 506111.

SCOTTISH PARLIAMENT – FALKIRK EAST AND FALKIRK WEST CONSTITUENCIES

FALKIRK COUNCIL

ELECTIONS 3 MAY 2007

TIMETABLE FOR CANDIDATES AND AGENTS

| TIME | PROCEEDING & VENUE |
|---|---|
| Tuesday 13 March at 6.00 pm | Initial briefing of prospective candidates and agents Committee Suite, Municipal Buildings, Falkirk |
| Tuesday 27 March 2007 at 2.00 pm and 6.00 pm | Second briefing of candidates and agents (during nomination period) Committee Suite, Municipal Buildings, Falkirk |
| Between Thursday 22 March and Monday 2 April 2007 (Actual date of publication 22 March 2007) | Publication of Notice of Election |
| Friday 23 March and Wednesday 11 April 2007 inclusive, between the hours of 10.00 am and 4.00 pm | Delivery of nomination papers Papers to be delivered to the Election Office, Room G19, Municipal Buildings |
| Not later than 4.00 pm on Wednesday 11 April 2007 | Deadline for delivery of nomination papers |
| Monday 2 April 2007 (the minimum period is 21 working days before the election) | Dissolution of Scottish Parliament |
| Not later than 4.00 pm on Wednesday 11 April 2007 | Delivery of certificate (issued by or on behalf of the nominating officer of a registered political party) authorising use of a registered party name |
| Not later than 4.00 pm on Wednesday 11 April 2007 | Request by candidate for an emblem to be printed on the ballot paper |
| Not later than 4.00 pm on Wednesday 11 April 2007 | Delivery of notices of withdrawals of candidature |
| Not later than 4.00 pm on Wednesday 11 April 2007 | Deadline for notice of appointment of election agents |

| TIME | PROCEEDING & VENUE |
|--|--|
| Not later than 12 noon on Wednesday 11 April 2007 (or 5.00 p.m. for nominations lodged on Wednesday 11 April) | The making of objections to nomination papers (<u>except</u> due to disqualification under Representation of the People Act 1981) (Scottish Parliamentary Elections only) |
| 4.00 pm on Wednesday 11 April 2007 (if no objections made) and not later than 4.00 pm on Thursday 12 April 2007 (if objections made) | Publish statement as to persons and parties nominated/notice of poll/notice of situation of polling stations |
| Not later than Thursday 12 April 2007 at 4.00 p.m. | The making of objections to nomination papers due to disqualification under Representation of the People Act 1981) (Scottish Parliamentary Elections only) |
| Not later than 5.00 pm on Wednesday 18 April 2007 | Last day to submit a registration application form to be included on the register of electors to be used at these elections |
| Not later than 5.00 pm on Wednesday 18 April 2007 | Deadline for requests for a new postal vote or to change or cancel an existing postal vote or proxy appointment |
| Not earlier than 5.00 pm on Wednesday 18 April 2007 Dates of issue to be confirmed | First time from which postal votes can be dispatched |
| Week commencing 23 April 2007 (dates tbc) | Daily openings of postal votes Committee Suite, Municipal Buildings, Falkirk |
| Not later than 5.00 pm on Wednesday 25 April 2007 | Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies |
| Thursday 26 April 2007 | Last day for notice of appointment of counting agents and polling agents |
| Monday 30 April 2007 | First day to issue ballot papers in response to requests to replace lost postal ballot papers |
| Tuesday 1 May 2007, 10.30 am Grangemouth Sports Complex | DRS refresher training for ALL Count staff (and possibly for candidates – tbc) |

| TIME | PROCEEDING & VENUE |
|--|--|
| Tuesday 1 May 2007 | Deadline for the appointment of sub-agents |
| Thursday 3 May 2007, 7.00 am – 10.00 pm | Polling Day |
| Not later than 5.00 pm on Thursday 3 May 2007 | Deadline for the issue of replacements for spoilt or lost postal ballot papers |
| Not later than 5.00 pm on Thursday 3 May 2007 | Deadline for new applications to vote by proxy on the grounds of a medical emergency |
| Not later than 5.00 pm on Thursday 3 May 2007 | Last day to make alterations to the register to correct a clerical error or to implement a court (registration appeal) decision |
| Thursday 3 May 2007 at 10.00 pm (at the Count) | Final opening of postal votes Grangemouth Sports Complex |
| Thursday 3 May 2007 at 10.00 pm | Scottish Parliamentary Count |
| To be confirmed | Local Government Count |
| Friday 8 June 2007 | Last date for return of election expenses and associated declarations |
| 8 June 2009 | Last date for inspection of returns of expenses and declarations – thereafter to be destroyed or returned by RO to candidate or agent if either requires |

In computing any period of time for the purposes of the timetable, the following days are disregarded (dies non): Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, Easter Monday, bank holidays and any day appointed for public thanksgiving or mourning in Scotland. Maundy Thursday is no longer a dies non for Local Government elections.

20 February 2007

**Mary Pitcaithly
Constituency Returning Officer (SP)
Returning Officer (Falkirk Council)**

FALKIRK COUNCIL

Subject: STIRLINGSHIRE EDUCATIONAL TRUST
Meeting: FALKIRK COUNCIL
Date: 7 MARCH 2007
Author: ACTING DIRECTOR OF LAW & ADMINISTRATION

1. INTRODUCTION

- 1.1 This report seeks the approval of Council for a change to the Trust Scheme for the Stirlingshire Educational Trust. The Council has been invited to give its approval to the proposed change by the Stirlingshire Educational Trust in advance of an application to be made by them to the Court of Session.

2. BACKGROUND

- 2.1 Stirlingshire Educational Trust (SET) is established under the Stirlingshire Educational Trust Scheme 1957. SET is an amalgamation of the educational endowments specified in the Scheme. In terms of the Scheme, these amalgamated endowments are to be applied for specified purposes, including the award of scholarships, bursaries and grants to qualifying candidates, all in accordance with the provisions of the Scheme.
- 2.2 SET is managed by a governing body appointed in accordance with the provisions of the Scheme. This Council, along with Stirling and East Dunbartonshire Councils, is an appointing body.
- 2.3 The circumstances giving rise to the proposed change to the Trust Scheme derive from SET's relationship with another trust, the Patrons of Cowane's Hospital (Cowane's). Cowane's is a charitable trust established in 1637 by the bequest of John Cowane, a merchant in Stirling. Cowane's is managed by the Patrons of the Hospital who are the 22 councillors of Stirling Council, together with the Minister of the Church of the Holy Rude in Stirling. The trust schemes for both Cowane's and the SET require that one half of the free income of Cowane's is paid to the SET.
- 2.4 There has been a dispute over a number of years between SET and Cowane's, together with Stirling Council, concerning land transactions between Cowane's and the predecessors of Stirling Council. As a resolution of this dispute, SET and Cowane's have agreed to separate the two bodies, *i.e.* Cowane's and SET, on the basis that a capital payment is made by Cowane's to SET in discharge of all future obligations.
- 2.5 To give effect to this agreement, it is necessary that amendments are made to both the trust schemes for Cowane's and SET. The solicitors acting for Cowane's and for SET propose that the first stage in this process would be an application to the Court of Session to amend the SET Scheme. The proposed amendment is attached as appendix 1. The effect of the amendment is to delete the section of the Trust Scheme relating to the obligation of Cowane's to pay one half of its free income to SET. A copy of the 1957 Trust Scheme is attached as appendix 2.

3. DISCUSSION

- 3.1 The approach made to the Council has come from the two trusts through the solicitors acting for Cowane's, with the agreement of SET. Those with primary responsibility for satisfying themselves as to the propriety and utility of the proposed amendment are the trustees of SET themselves. They have done so. The interest of the Council in the matter is more limited. It can be anticipated that the application to the Court of Session will require to be intimated on the Council as one of the appointing bodies to the SET. It is thought that the approach is made in advance of the application to the Court of Session in order to minimise procedure and expense in that application. In all the circumstances, it is considered reasonable that the Council should give approval to the proposed amendment to the SET scheme for its limited interest as an appointing body thereto. Members may wish to note that a similar approach has been made to Stirling Council which approved the proposed amendment at its meeting on 8 February 2007.

4. RECOMMENDATION

- 4.1 **The Council is asked to approve, for its interest as an appointing body to the governing body of Stirlingshire Educational Trust, the changes to the Stirlingshire Education Trust Scheme 1957 set out in Appendix 1 to this report.**

.....
Acting Director of Law & Adminsitration

Date: 23 February 2007

Contact Officer: Colin Moodie, ext 6097

LIST OF BACKGROUND PAPERS

1. Proposed Scheme for the administration of the funds of Cowane's Hospital

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506073 and ask for Colin Moodie

FALKIRK COUNCIL

**Subject: ARRANGEMENTS FOR CARRYING OUT COUNCIL
FUNCTIONS FROM 7 MARCH TO END DECEMBER 2007**
Meeting: FALKIRK COUNCIL
Date: 7 MARCH 2007
**Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION
SERVICES**

1. INTRODUCTION

- 1.1 Final ordinary meetings of the Council's various Committees have been taking place since January. No further ordinary meetings are proposed before 3 May 2007, being the date of the forthcoming elections.
- 1.2 This report proposes measures that, if approved, would allow the Council to continue to discharge its statutory duties for the period from the meeting of Council on 7 March 2007.

2. CONSIDERATIONS

- 2.1 Although there are no further scheduled meetings of the Council's Committees during the remaining term of this Council, and, as yet, in the first term of the new Council (Paragraph 4 below refers), decisions will still require to be made to enable the Council to deliver its services to the public and to comply with the duties imposed on it.

3. PERIOD UP TO STATUTORY MEETING OF THE COUNCIL

- 3.1 It is proposed, as a general principle, to delegate the decisions devolved currently to the Council and its Committees to the Chief Executive and relevant Service Director in a way similar to that which occurs during the summer recess. This is, however, a general principle of delegation and is subject to a number of important exceptions.
- 3.2 These exceptions are:-
 - (1) No Officer shall be entitled to take decisions involving Council expenditure out-with the approved Revenue Budget and Capital Programme;
 - (2) No Officer shall take decisions involving an increase in the permanent establishment of his/her Service; and

- (3) No delegated decision shall be taken where there is a dispute as to the legality, propriety or the proper interpretation of Council policy arising from the matter to be decided.
- 3.3 In relation to all of the above exceptions, a Special Meeting of the appropriate Committee would be convened.
- 3.4 In the circumstances described in paragraphs 3.1 and 3.2 above, each Director would be required to consult as widely as necessary and in any event with the Chief Executive and Acting Director of Law and Administration Services.

4. TIMETABLE OF MEETINGS FROM 3 MAY 2007

- 4.1 The statutory meeting of the Council must be held within 21 days from 3 May 2007, being the date of the elections. Thereafter, it is proposed that a further ordinary meeting of the Council take place on Wednesday, 27 June 2007. At this meeting Members will be asked to consider the delegation of powers to Officers to cover the summer recess period.
- 4.2 It is also proposed that meetings of the Policy and Resources Committee and of the Regulatory Committee be held in the period between the statutory meeting of the Council and the first ordinary meeting of the new Council proposed for 27 June 2007. Proposed dates for these meetings are Tuesday 12 June and Tuesday 19 June 2007, respectively. A meeting of the Licensing Board is scheduled to be held on Wednesday 20 June 2007.
- 4.3 In addition, during the above period Chief Officers would brief all Members on issues which will require the attention of the new Council.
- 4.4 The provisional timetable of meetings for after the summer recess, covering the period August to December 2007 is attached as Appendix 1. The proposed timetable is based on the Council's established eight-week committee cycle and will be subject to final approval by the new Council.

5. CONCLUSION

- 5.1 By adopting the recommendations set out in paragraph 6 below, the Council will secure an orderly and smooth transition to the new Council following the May elections and allow business to continue thereafter.

6. RECOMMENDATIONS

6.1 It is recommended that Council:-

- (a) delegates to the Chief Executive and each Service Director in full consultation with the Chief Executive and Acting Director of Law and Administration Services, and all other parties as the Service Director deems

necessary, power to take all decisions at present delegated to the Council's various Committees, provided: -

- (i) that any such decision is required to secure the proper delivery of Council Services and to comply with the Council's statutory duties;
 - (ii) that any such decision does not involve expenditure of Council monies out-with the approved Revenue Budget and Capital Programme;
 - (iii) that any such decision does not involve an increase in the permanent establishment of the particular Service; and
 - (iv) that any such decision involves no dispute as to legality, propriety or the proper interpretation of Council policy as affecting the decision.
-
- (b) agrees that provisional meetings of the Policy and Resources Committee and Regulatory Committee be held on Tuesday 12 June and Tuesday 19 June 2007 respectively and that the Council meets on 27 June 2007;
 - (c) notes the provisional timetable of meetings attached as Appendix 1 to the Report;
 - (d) notes that the Licensing Board will meet on Wednesday 20 June 2007, and
 - (e) notes that the statutory meeting of the Council will be held on/before 24 May 2007.

.....
Acting Director of Law and Administration Services

Date: 16 February 2007

Contact Officer: Iain Tough

LIST OF BACKGROUND PAPERS

Nil

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506110 and ask for Iain Tough.

ASSIGNATION of LEASE by:-

| | |
|--|---|
| A Muir in favour of M F Lee R Martin with consent of Falkirk Council in favour of J Ryan | 3 Islands Crescent, Hallglen Shop, 36 Charlotte Dundas Court, Grangemouth |
|--|---|

ASSIGNATION by SUSAN McLEAN in favour of:-

| | |
|--|-----------------------------|
| Advance Complementary Medicine Services Limited | 88 Main Street, Carronshore |
|--|-----------------------------|

ASSIGNATION by HEATON VALES LIMITED in favour of:-

| | |
|----------------------------|---|
| Bowmere Properties Limited | Unit 13, Westmains Industrial Estate EH/SS Grangemouth |
|----------------------------|---|

DEED OF SERVITUDE by FALKIRK COUNCIL in favour of:-

| | |
|----------------------------|---|
| David Wilson Homes Limited | 0.172 ha northeast of Bridgeness Road, Bo'ness |
| Dr Frances Jennifer Shaw | 4 Duchess Anne Cottages, Bo'ness |

DISCHARGE by FALKIRK COUNCIL in favour of:-

| | |
|---|--|
| The Executor of the Late Margaret Nelson Corbett | 41 Alloa Road, Carron, Falkirk |
| Margaret Sneddon | 19 California Terrace, California |
| J C Davie | 24 Ferguson Drive, Denny |
| Alexander Cunningham Thomson and Elizabeth Thomson | Moir Villa, 400 Main Street, Stenhousemuir |
| The Executors of the Late Mary Jane Docherty | 66 Stewart Avenue, Bo'ness |
| Joan McLaren | 43 Seabegs Road, Bonnybridge |
| Mr and Mrs K Meldrum | 141 Cumbrae Drive, Falkirk |
| Edward William Bygrave | 15 Brooke Street, Grangemouth |
| Mathiesons Bakeries Limited | 2 Central Park, Larbert |
| J Waugh | 30 Carronview, Stenhousemuir |
| D J McCrandles and G M McCrandles | 21 Wall Street, Camelon, Falkirk |
| L Paterson | 203 Carronshore Road, Carron, Falkirk |
| P C Tattersall and A G Tattersall | 3 Skaithmuir Avenue, Carronshore |

DISPOSITION by FALKIRK COUNCIL in favour of:-

| | |
|-----------------------------|--|
| W A Brown and K Brown | 28 Southfield Drive, Slamannan |
| J N Twaddle | 15 Begg Avenue, Falkirk |
| S M Ingram | 27 Buchanan Gardens, Polmont |
| J Grant and G Grant | 8 Redding Road, Westquarter, Falkirk |
| A J McPhee and R McPhee | 34 Hillary Road, Stenhousemuir |
| A G Fowler and H Fowler | 30 Braes View, Denny |
| J B Bennett (Contracts) Ltd | 0.162 ha of land with former library on south east side of Bridge Street, Bonnybridge |
| A G M Lowe | 165 Church Street, Stenhousemuir |
| N A Main | 25 Braemar Drive, Falkirk |

W A Fish
 B McLaughlin
 R P Reid and A A Reid
 J Young and L A Young
 J Findlay and E Findlay
 V E Sneddon and S Bruce
 S G McAlpine and A McAlpine
 E Whyte and C G Lacki
 A Vass
 S Marcinkiewicz
 C Wilson and A Wilson
 T H Myles
 A M Kidd
 M B Campbell
 J E G Graham
 D Watmore
 J L McKnight or Stevenson
 M A Graham and E J McEleney
 S McLaren and G McLaren
 Thistle Investments Limited and Palace
 Investments Limited acting as general partners
 of Propinvest Callendar Limited Partnership
 Thistle Investments Limited and Palace
 Investments Limited
 J R G Imrie and K J G Imrie

J Gardiner
 P Lawlor and K Lawlor
 A D Rooney and J Rooney
 A G Branley and C I Branley
 F G G Wright
 G W Fairley
 M A Menzies
 A B I Hamilton
 M A Birkett
 J L W Dougall and M S Dougall
 T W S Dyer and H K S Dyer
 T Murray and M C C Murray
 B Gillespie
 A Johnston
 M Graham and E A Graham
 J MacFarlane and A MacFarlane
 C K Aitken and P Conway
 M W C Georges
 T Miller
 C Mullin and J Mullin
 M McGuffie
 J Brown and J Brown
 E J Grassom
 M K Kallus and C Kallus
 J O'Brien and R A O'Brien
 J Honeyman and C Honeyman
 K Dunlop and R A Freck
 M M McGaughay
 M McGuire and P McGuire
 J M Haston
 S D Mrozs
 K D Paterson and G J A Paterson
 J Crooks and T Richardson
 H G Martin and F Martin

10 Glenbervie Avenue, Larbert
 59 Ferguson Drive, Denny
 19 Glenview Avenue, Banknock
 22 Woodburn Crescent, Bonnybridge
 16 Birnie Well Road, Slamannan
 89 Portal Road, Grangemouth
 34 Balcastle Road, Slamannan
 38 Keir Hardie Avenue, Laurieston
 1 Westminster Place, Stenhousemuir
 30 Roughlands Drive, Carronshore
 8 Kinnaird Avenue, Carronshore
 3 College Crescent, Falkirk
 16 Howies Place, Tamfourhill Road, Falkirk
 21 Cross Street, Falkirk
 42 Balmoral Place, Stenhousemuir
 32 Beaully Court, Grangemouth
 29 Rashiehill Road, Slamannan
 53 Garry Place, Falkirk
 16 St Giles Way, Falkirk
 Callendar Square, Falkirk Main Building,
 Falkirk

 Callendar Square, Falkirk Car Park & Bridge<
 Falkirk
 44 Balquhatstone Crescent, Slamannan,
 Falkirk
 52 Brodie Street, Falkirk
 18 Balcastle Road, Slamannan
 5 Muirepark Court, Bo'ness
 16 Bonnywood Avenue, Bonnybridge
 30 Thornbridge Road, Falkirk
 4 Central Drive, Stenhousemuir
 48 Wilson Avenue, Denny
 18 Grange Avenue, Falkirk
 1 Lime Street, Grangemouth
 15 Livingstone Crescent, Falkirk
 12 Lime Street, Grangemouth
 98 Carmuir Avenue, Falkirk
 13 Braes View, Denny
 8 Barleyhill, Bonnybridge
 13 Hillary Road, Stenhousemuir
 29 Avon Street, Dunipace
 10 Alexander Avenue, Grangemouth
 43 Letham Terrace, Letham
 15 Woodburn Road, Falkirk
 36 Roughlands Crescent, Carronshore
 25 Castleview Terrace, Haggs
 1 Peathill Road, Bonnybridge
 49 Chisholm Place, Grangemouth
 265 Grahamsdyke Street, Laurieston
 46 Avontoun Crescent, Whitecross
 21 Elizabeth Avenue, Larbert
 53 Barnego Road, Dunipace
 230 Kersiebank Avenue, Grangemouth
 45 Wilson Avenue, Denny
 14 Moy Court, Grangemouth
 41 Burnside Place, Carron
 186 Dean Road, Bo'ness
 13 Elphinstone Crescent, Airth
 13 Drumacre Road, Bo'ness

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|-------------------------------------|--|
| M F M Hunter | 1 Fairfield Avenue, Bonnybridge |
| A Ali and S Ali | 2 Cobblebrae Crescent, Bainsford, Falkirk |
| S A Buist and S Buist | 83 Quarrolhall Crescent, Carronshore |
| M Breen | 22 Park Crescent, Westquarter, Falkirk |
| H F Keyes | 38 Bo'mains Road, Bo'ness |
| K T Martin and T M Martin | 44 Gateside Avenue, Bonnybridge |
| M Ferrie and I Ferrie | 7 Linmill Road, Avonbridge |
| E V Johnston and A Johnston | 36 South Marshall Street, Grangemouth |
| K T Doherty | 58 Auchincloch Drive, Banknock |
| C Honeyman | 7 The Thrums, Laurieston |
| S McArthur | 1 Maple Place, Dunipace |
| C K Fyfe | 102 Calder Place, Falkirk |
| F I Bain | 25 Kenilworth Street, Grangemouth |
| I Dougall | 78 Kilbrennan Drive, Falkirk |
| R F Cunningham | 17 Angus Road, Bo'ness |
| C E R Baxter or Montagne | 8 Little Denny Road, Denny |
| A S Baird and J G B Baird | 24 Hallglen Terrace, Glen Village |
| J McKnight and E McKnight | 51 Glenview Avenue, Banknock |
| M B P Murray | 12 Deanfield Road, Bo'ness |
| J S Milner and M J Milner | 220 Lomond Drive, Falkirk |
| E Kirkham | 26 Livingstone Drive, Bo'ness |
| A M Baird and M T Baird | 15 Kennard Street, Falkirk |
| C Hilditch | 52 Waverley Crescent, Grangemouth |
| M Baillie | 35 Marshall Tower, Falkirk |
| A Seydak | 56 Seaforth Road, Langlees, Falkirk |
| C Gourlay and K Gourlay | 3 Bankhill Court, Grangemouth |
| I Konkol | 54 Craigbank Road, Avonbridge |
| H Wilson and J Rollo | 113 Carmuir Avenue, Falkirk |
| G Melville | 60 sq m adjacent to 59/61 Grahamsdyke Street, Laurieston |
| D Sharp | 9 Gauze Place, Bo'ness |
| D Seton | 32 Balfour Crescent, Larbert |
| JCC Meikle | 58 Avontoun Crescent, Whitecross |
| P Ferguson and J Ferguson | 119 Alloa Road, Stenhousemuir |
| M Vass | 30 Bankier Terrace, Banknock |
| J A Miller | Ground at 174 Stirling Street, Dunipace |
| D McBride and J Oakes | 20 Zetland Drive, Laurieston, Falkirk |
| P A Thomson | 13 Dochart Place, Falkirk |
| I Muirhead and I Muirhead | 15 Marmion Street, Falkirk |
| P B Wotherspoon and M M Wotherspoon | 44 Montgomery Street, Falkirk |
| L Wilson | 34 Craigbank Road, Avonbridge |
| W D D Bell | 8 Abbotsford Drive, Grangemouth |
| J Mills | 37 Jackson Avenue, Grangemouth |
| J Peel | 48 Woodburn Road, Falkirk |
| G L McKenzie | 29 Windsor Crescent, Maddiston |
| E C Ryan | 38 Nursery Road, Falkirk |
| J N Roberts and H Roberts | 25 Dundarroch Street, Larbert |
| A Henderson and J Henderson | 71 Braes View, Denny |
| D M Johnston | 34 Findhorn Place, Falkirk |
| N A Muir | 12 Central Avenue, Grangemouth |
| E Boyle and M A Boyle | 74 Woodburn Crescent, Bonnybridge |
| P Bain | 40 George Street, Grangemouth |
| J Gallagher and R McNamee | 73 Montgomery Street, Falkirk |
| L F Brown | 7 Machrie Court, Falkirk |
| N A Smith | 16 Anderson Crescent, Shieldhill |
| J B Taylor | 32 Hawthorn Street, Grangemouth |

A Walker
L M Lindsay and J H Lindsay
B Erskine
J R Meikle and M W Meikle
A R Barber
M Docherty and C A Finlay
A B Burns and H Burns
L Rodger
W B C Hamilton and L Hamilton
S M Gray and S C Gray
H B Sellars and M Sellars

133 Fairlie Street, Falkirk
131 Lomond Drive, Falkirk
15 Main Street, Redding
56 Drumpark Avenue, Bo'ness
1 Alloa Road, Carron
8 Kelly Drive, Denny
54 Gateside Avenue, Bonnybridge
176 Carmuir Avenue, Falkirk
97 South Green Drive, Airth
19 Dryburgh Avenue, Denny
37 Ure Crescent, Bonnybridge

GRANT PAYMENT AGREEMENT between FALKIRK COUNCIL and

N Henderson and M Henderson

3 Grahamshill Terrace, Fankerton, Denny

GRANT OF SERVITUDE by

The West Lothian Golf Club with consents
thereinmentioned in favour of Scotland Gas
Networks plc

Subjects on the east side of Linlithgow Road,
Bo'ness

IRRITANCY PROTECTION AGREEMENT between FALKIRK COUNCIL and

Speedy Hire (Scotland) Limited

16 Abbotsinch Road, Grangemouth

LEASE between FALKIRK COUNCIL and:-

Firstform (147) Limited
John McArthur
Christie Timber Services Limited

A Miller Electrical Limited
Falkirk Out of School Care Network
Four Eyes (Edinburgh) Limited
Ineos Manufacturing Scotland Limited
Forth Cutting Services Limited

Janet Milligan, t/a Talking Heads
Alloa Kitchen Studio Limited

A Gaynor-Kirk
Morrisons Bookmakers Limited
William McArthur

340 Main Street, Camelon, Falkirk
Store & Office at Redding Road, Falkirk
1.769 acres or thereby at Victoria Sawmills,
Bo'ness
0.074 acres at 6 Dundas Street, Grangemouth
Offices No 3, 350 Main Street, Camelon
55 Charlotte Dundas Court, Grangemouth
2 Inchyra Road, Grangemouth
2a Old Redding Road, Laurieston Industrial
Estate, Laurieston
119 Dower House, Bo'ness
2 Castle Place, Bankside Industrial Estate,
Falkirk
47 Glebe Street, Falkirk
113 Dower House, Bo'ness
0.05 acres at Redding Road, Redding

LICENCE FOR WORKS between

Walker Holdings (Scotland) Limited and
Falkirk Council

Use of access plot at recreation ground
Hillview Road, Larbert

MEMORANDUM OF AGREED RENT between

Menzies Distribution Limited and Falkirk Council

28 Winchester Avenue, Denny

MINUTE of AGREEMENT among:-

(First) Falkirk Council, (Second) Ross Craig and Colin Peat t/a Broomside Property Developments (Third) Royal Bank of Scotland plc

Bonnyside Road, Bonnybridge

(First) Falkirk Council, (Second) David Wilson Homes Ltd (Third) National House Building Council

Foundry Loan, Larbert

(First) Falkirk Council, (Second) Keir Homes Limited (Third) National House Building Council

Redding Road, Reddingmuirhead

(First) Falkirk Council, (Second) Walker Group (Scotland) Limited (Third) National House Building Council

Cauldhame Farm, Falkirk

MINUTE of AGREEMENT between FALKIRK COUNCIL and:-

W Gorman
Faber Maunsell Limited
T-Mobile UK Limited
D Duncan, W Easton, R Stoddart & A Kemp
Trustees of Grahamston Bowling Club
Faber Maunsell Limited
Anderson Stathern, Solicitors

Consultancy Services
Assessment of Bo'ness Harbour Project
Mast at Grangemouth Sports Complex
0.22 ha of ground adjacent to Middlemass Court & Grahams Road, Falkirk
Natura 2000 sites
Bo'ness Town Centre and Harbour
Regeneration Project
6 & 8 York Arcade, Grangemouth
0.09 acres at Car Park, MacFarlane Crescent, Falkirk
0.014 hectares of land at Foundry Loan, Larbert

S Barr, trading as The Tone Zone
J & J Warehouse Limited

Orange Personal Communications Services Ltd

MINUTE of RENUNCIATION between FALKIRK COUNCIL and:-

Street Lighting Supplies Limited
Lanan Ecosse Limited

11 & 12 Castle Court, Bankside, Falkirk
6 Castle Road, Falkirk

MINUTE of RENUNCIATION by

B A McLuckie in favour of Falkirk Council with consent of MacDonald Estates Ltd
Camec (Scotland) Ltd in favour of Falkirk Council

103 King Street, Stenhousemuir

107 North Street, Bo'ness

MINUTE of TERMINATION of LEASE between FALKIRK COUNCIL and:-

Orange Personal Communications Services Limited

1/3 Kerse Road, Grangemouth

MINUTE of VARIATION between FALKIRK COUNCIL and:-

D Hamilton
Eastern Properties (Scotland) Limited

Glenrigg Farm, California
First Floor, 84 Grahams Road, Falkirk

ROADS ORDERS

The Falkirk Council (Dock Road, Grangemouth) (Prohibition of Right Turn) Order 2006
The Falkirk Council (Dock Road, Grangemouth) (Prohibition of Left Turn) Order 2006
Howgate Roundabout, Falkirk (Temporary Prohibition of Traffic) Order 2006
The Falkirk Council (Stopping-up of Footpath) (Richmond Drive/Wallace Brae Drive, Reddingmuirhead, Falkirk) Order 2006
The Falkirk Council (On-Street Parking Space for Disabled Persons) (No. 389) Order 2006
The Falkirk Council (On-Street Parking Space for Disabled Persons) (No. 392) Order 2006
The Falkirk Council (On-Street Parking Space for Disabled Persons) (No. 393) Order 2006
The Falkirk Council (On-Street Parking Space for Disabled Persons) (No. 394) Order 2006
The Falkirk Council (On-Street Parking Space for Disabled Person) (No. 375) Order 2006
The Falkirk Council (Stopping-up of Footpath) (Richmond Drive/Wallace Brae Drive, Reddingmuirhead, Falkirk) Order 2006
Falkirk Council, Bankside, Falkirk, Temporary Prohibition of Traffic
The Falkirk Council, A9, Northern Distributor Road, Falkirk (Temporary Prohibition of Traffic) Order 2007
The Falkirk Council, C3 Falkirk and South Alloa Road (Moss Road) (Temporary Prohibition of Traffic) Order 2007
The Falkirk Council, (Part-Time 20 MPH Speed Limit) (Various Schools, Falkirk) Order 2006
The Falkirk Council (Wallacestone Bridge, Wallacestone Brae (Temporary Prohibition of Traffic) Order 2007
The Falkirk Council (on Street Parking Space for Disabled Persons) (No. 397) Order 2006)

FALKIRK COUNCIL

Subject: EXECUTION OF DEEDS
Meeting: FALKIRK COUNCIL
Date: 7 MARCH 2007
Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION SERVICES

1. INTRODUCTION

- 1.1 The Deeds shown in the Appendix to this Report have been signed and sealed on behalf of the Council by the Acting Director of Law and Administration Services.

2. RECOMMENDATION

- 2.1 That Council notes the signing and sealing by the Acting Director of Law and Administration Services of the Deeds listed in the Appendix.

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Acting Director of Law and Administration Services

Date: 22 February 2007

Contact Officer: Iain Tough (Tel: 01324 506110)

LIST OF BACKGROUND PAPERS

NIL