

ITEM 1(a)
DRAFT

MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 24 JUNE 2009 at 10.00 AM.

PRESENT: Provost Reid; Depute Provost Black; Councillors Alexander, Blackwood, Buchanan, Carleschi, Coleman, H Constable, J Constable, Fry, Goldie, Gow, Hughes, Jackson, Kenna, Lemetti, A MacDonald, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNally, McNeill, Meiklejohn, Nicol, Nimmo, Oliver, Patrick, Spears, Thomson and Waddell.

CONVENER: Provost Reid.

ATTENDING: Chief Executive; Directors of Community Services, of Development Services, of Education Services and of Finance Services; Acting Directors of Law and Administration Services and of Social Work Services; Heads of Economic Development, of Human Resources and of Community Care; Facilities Manager (Maintenance); Human Resource Manager; Acting Transport Planning Manager; Transport Planning Officer (K Short); Planning Officer (D Thallon) and Committee Officer (H Oliver).

DECLARATIONS OF INTEREST:

Depute Provost Black declared a non-financial interest in minute item FC19 – Order of Malta – Dial-a-Journey Ltd (a) as a family member utilises the service provided by Dial-a-Bus Ltd and (b) that she is the Council's representative on the Order of Malta Dial-a-Journey Board, and took no part in the discussion or decision.

Councillor Gow declared a financial interest in minute item FC33 – Single Status, Equal Pay and Craft Pay and Conditions Update on the basis of a family member's employment as a craft worker and that she would take no part in the discussion or decision.

FC14. PROVOST'S REMARKS

Prior to commencement of the formal business of the meeting, Provost Reid offered condolences to the family of Mr David Webster, former Falkirk Council employee, who had recently passed away.

He also spoke in relation to the following:-

- Congratulations were given to Carrongrange School on receiving the award of "Most Enterprising Special School" at the 2009 Scottish Education Awards
- Highlighted the 150 year anniversary of the passing of the Falkirk Police Act 1859 which brought about extended powers to the Falkirk Burgh Council

FC15. MINUTES AND INFORMATION BULLETIN

- (a) There was submitted (circulated) and **APPROVED** Minute of Special Meeting of Falkirk Council held on 23 April 2009;
- (b) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 29 April 2009; subject to the following amendment under Declarations of Interests:-

“Councillor Nicol declared a non-financial interest in item 10 as a family member was the owner of a local business and took no part in the discussion and decision.”
- (c) There was submitted (circulated) and **NOTED** Volume of Minutes – Volume 2 2009/2010, and
- (d) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 2 2009/2010.

FC16. QUESTIONS**Question 1 by Councillor A MacDonald****Economic Recession**

Given the current economic recession, and an earlier pledge by the Labour/Tory Administration to reduce the payment time by Falkirk Council for outstanding invoices, what progress has been made in reducing the payment to 10 days.

Response by Provost Reid

In response to the current economic recession, Services are now seeking to pay suppliers invoices within 20 days as opposed to the previous target of 30 days. The statutory performance indicator remains at 30 days.

In the first two months of the current financial year, some 92.3% of invoices have been paid within 30 days. This is an improvement from the 88.0% level achieved in the previous year. 45% of all invoices have been paid within 10 days and a further 21% paid between 11 and 20 days.

Services have been asked to deal with the invoice registration and certification processes as priority tasks in order that the Council pays its suppliers promptly.

FC17. ASSESSMENT OF TRAFFIC CALMING SCHEMES

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors J Constable, C Meiklejohn and G Thomson.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Environment and Community Safety Committee held on 12 May 2009, and (b) Report by the Director of Development Services submitted to the said meeting.

Councillor C MacDonald, seconded by the Councillor CR Martin moved the recommendation contained within the Report.

By way of an amendment, Councillor Coleman, seconded by Councillor C Meiklejohn moved the following:-

“to implement the decision taken at Committee Meeting on 17 March 2009 to implement Option 2 which was the removal of the speed bumps within this financial year 2009/10”.

In terms of Standing Order 21.4(i) a vote was taken by way of a roll call, there being 32 members present with Members voting, as undernoted:-

For the Motion (18) – Provost Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (14) – Councillors Alexander, Carleschi, Coleman, H Constable, J Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

Accordingly, **AGREED** that removal of the speed cushions at Larbert Road, Bonnybridge be deferred for future consideration along with other road safety schemes, as referred to in paragraph 7.2 of the Report.

FC18. REVIEW OF COMMUNITY CARE LOCALITY AND INTEGRATED TEAMS

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

There was submitted (circulated) (a) Extract of Minute of Meeting of the Housing and Social Care Committee held on 26 May 2009, and (b) Report by the Director of Social Work Services submitted to the said meeting.

Council heard from the Acting Director of Social Work Services to the effect that the Social Work Inspection Agency had advised the Council informally that the Model B option would be the stronger option to take forward.

There then following a 10 minute recess to allow consideration of that information. The meeting reconvened at 11.40am with all Members present, as per the sederunt.

AGREED that:-

- (1) Model B be worked up in more detail;
- (2) Aspects of Model B be piloted, and
- (3) The Acting Director of Social Work Services provide an update Report to the Housing and Social Care Committee once the detail of the model and the outcome of the pilot are available.

NOTED that regular updates on the pilot would be given to the Housing and Social Care Committee and that Member involvement on any working group would also be considered.

In accordance with her declaration of interest in the following item of business, Depute Provost Black left the meeting and took no part in the discussion or decision.

FC19. ORDER OF MALTA DIAL-A- JOURNEY LTD

In terms of Council's Scheme of Delegation, this item had been called into Council by Councillors Gow and Fry.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 2 June 2009; (b) Report by the Director of Development Services submitted to the said meeting, and (c) Report by the said Director submitted to the Housing and Social Care Committee on 26 May 2009.

Councillor Alexander, seconded by Councillor Kenna moved as follows:-

“That the Order of Malta Dial-A-Journey Ltd be offered a further 12 months extension to the current one year service level agreement until 30 September 2010 at current funding levels (plus an inflation element to be determined by the Director of Finance) and that during that time reports be brought back to Housing and Social Care Committee.”

By way of an amendment, Councillor Gow, seconded by Councillor Fry moved the recommendations contained within the Report.

On a division, 14 Members voted for Motion and 17 voted for the Amendment.

Accordingly, **AGREED** that:-

- (1) the Order of Malta Dial-A-Journey Ltd be offered a further six months extension to the current one year service level agreement until 31 March 2010 at current funding levels (plus an inflation element to be determined by the Director of Finance);

- (2) there is continued monitoring of the impact of the revised booking arrangements and reduced fares structure, and
- (3) the current SLA with Dial-A-Journey Ltd is extended for the provision of a shopmobility service until 31 March 2011.

Depute Provost Black re-entered the meeting following conclusion of the foregoing item of business.

FC20. REFERRAL FROM POLICY AND RESOURCES COMMITTEE – 2 JUNE 2009 - AWARD OF A CONTRACT WITH A VALUE OF OVER £350,000 – PROVISION OF SCHOOL TRANSPORT

There was submitted (circulated) (a) Extract of Minute of Policy and Resources Committee held on 2 June 2009; (b) Report by the Director of Development Services submitted to the said Meeting, and (c) Report by the Director of Education Services.

AGREED to approve the award of the contract for school transport to First Scotland East Ltd at £120,840 per annum, with a cumulative value of £483,360 over the four year contract period (plus an annual inflation element linked to the Retail Price Index as per conditions of contract).

FC21. REFERRAL FROM ECONOMIC STRATEGY AND DEVELOPMENT COMMITTEE – 16 JUNE 2009 - CONSULTATIVE DRAFT DEVELOPMENT FRAMEWORK FOR THE BANKNOCK AND HAGGS SPECIAL INITIATIVE FOR RESIDENTIAL LED REGENERATION (SIRR)

There was submitted (circulated) (a) Extract of Minute of Meeting of the Economic Strategy and Development Committee of held on 16 June 2009; (b) Report by the Director of Development Services submitted to the said Meeting, and (c) Report by the said Director to Council.

Councillor C Martin, seconded by Councillor Lemetti moved the recommendations as contained within the Report to the Economic Strategy and Development Committee.

By way of an amendment, Councillor Oliver, seconded by Councillor McNally moved the recommendations contained within the Report, with the following additions:-

- “(1) Council recognises the current work undertaken to draw up a vision for Banknock and Haggs under the SIRR programme. Council further agrees that in order to enhance this vision it should be more pro-active and agree to look at partners being under the one roof in the new village centre

- (2) Council recognises that contributions to the DEAR will be detrimental to the Banknock and Haggs SIRR. Council therefore agrees that any planning gain will go to the benefit of the local Banknock and Haggs community”

In terms of Standing 31.1, Provost Reid, seconded Councillor Gow moved that the meeting continue beyond the 3 hour limit. The meeting then adjourned at 1.00pm for lunch and reconvened at 1.45pm with all Members present, as per the sederunt.

Having heard advice from officers, the Provost determined that the second part of the amendment was not competent as it sought to pre-judge the use of planning gain outwith the context of a planning application. Consequently, only the first part of the amendment was voted upon.

On a division, 18 Members voted for the Motion and 14 voted for the Amendment.

Accordingly, **AGREED** to approve the Development Framework for the Banknock and Haggs SIRR as Supplementary Planning Guidance.

FC22. IMPLEMENTATION OF THE PLANNING ETC (SCOTLAND) ACT 2006 – LOCAL REVIEW BODIES AND SCHEMES OF DELEGATION

There was submitted Report (circulated) dated 16 June 2009 by the Director of Development Services (a) detailing the provisions contained in the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008; (b) advising of the implications for the Council's processing and determining of planning applications as a result of the new legislation, and (c) seeking approval for amendments to the existing Scheme of Delegation and Standing Orders, as attached as appendices to the Report.

NOTED the implications for the Council's processing and determining of planning applications arising from the Town and Country Planning (Schemes of Delegation and Local Review Procedures) (Scotland) Regulations 2008, as detailed in the Report.

AGREED:-

- (1) to the terms of the proposed amendments to the existing Scheme of Delegation set out in Appendix 2 of the Report and for submission of this Scheme to Scottish Ministers by their deadline of 30 June 2009, for their consideration in relation to the delegation of powers for the determination of applications for local developments;
- (2) to adopt the revised Scheme once approved by the Scottish Ministers;
- (3) to the proposed amendments to the existing Standing Orders set out in Appendix 3 of the Report in order to establish a Planning Review Committee to implement the Council's new local review body function, and

- (4) that approval of the administrative procedures for the Council's Local Review Body process be delegated to the Planning Committee.

FC23. JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN AND YOUNG PEOPLE IN THE FALKIRK COUNCIL AREA

There was submitted Report (circulated) dated 24 June 2009 by the Acting Director of Social Work Services (a) advising that HM Inspectorate of Education (HMIe) had undertaken a Joint Inspection of Services to Protect Children and Young People in the Falkirk area in December 2008 and January 2009; (b) enclosing, as an appendix to the Report, copy of the HMIe Report; (c) highlighting a number of key strengths and also recommendations for areas of improvement, and (d) advising, that in response to the Report, chief officers will develop an action plan.

NOTED the findings of HMIe in relation to their joint Inspection of Services to protect children and young people in the Falkirk Council area.

AGREED that the Acting Director of Social Work Services submit the Action Plan to a future meeting of the Housing and Social Care Committee.

Councillors H and J Constable left the meeting during consideration of the following item of business.

FC24. DELIVERING SERVICES TO CHILDREN AND FAMILIES

There was submitted joint Report (circulated) dated 15 June 2009 by the Directors of Education Services and of Community Services and the Acting Director of Social Work Services (a) outlining the work carried out by the Children's Commission to develop approaches to delivering services to children and families in the Falkirk Council area; (b) proposing recommendations to improve existing systems taking into account the interests of stakeholders, and (c) attaching as appendices to the Report, a list of partners and case studies indicating how the proposed arrangements might work for individual children and young people.

There then following a 10 minute recess. The meeting reconvened at 3.25pm with all Members present, as per the sederunt with the exception of Councillors H and J Constable.

NOTED the proposals to provide a change management function in collaboration with the voluntary sector.

AGREED:-

- (1) to the development of a new approach to delivering services to children and families, and

- (2) that reports will be presented to the Education Committee and to the Housing and Social Care Committee to establish the new structure and posts.

FC25. COUNCIL SERVICE STRUCTURE

With reference to Minute of Meeting of Falkirk Council held on 4 March 2009 (Paragraph FC110 refers), there was submitted Report (circulated) by the Chief Executive providing an update on progress made in relation to the review of Service structures.

Councillor Gow, seconded by Councillor Martin moved the recommendations contained within the report.

By way of an amendment, Councillor Alexander, seconded by Councillor Coleman moved the recommendations as detailed in the Report, with recommendation (b) replaced by the following:-

- “(b) Council requests a further report on the Service structures from the Chief Executive by 10 September 2009 at a Special Meeting of Falkirk Council.”

On a division, 15 Members voted for the Motion and 15 Members voted for the amendment.

There being an inequality of votes, and in terms of Standing Order 21.6, the Provost used his casting vote in favour of the Motion.

Accordingly, **NOTED**

- (1) The feedback received from the consultation exercise on the review of Service structures;
- (2) The further work required in considering the various comments and alternative options contained within the feedback;
- (3) The further work required in reviewing the potential employee implications of any changes which are subsequently proposed to Council, and
- (4) The intention to write to employees to remind them of their options in respect of early and flexible retirement.

AGREED that a further report on the Service Structures by the Chief Executive be submitted to Council, as soon as possible once the outstanding work has been completed.

FC26. FIRST PERIODIC REVIEW OF CONSTITUENCIES FOR THE SCOTTISH PARLIAMENT

There was submitted Report (circulated) dated 8 June 2009 by the Chief Executive (a) referring to the Provisional Proposals by the Boundary Commission for Scotland for the Scottish Parliament Constituency Boundaries for the Falkirk Council area; (b) detailing the Council's response to the proposals, and (c) advising of the Boundary Commission's Revised Proposals for constituencies of the Scottish Parliament and their initial groupings of constituencies into regions.

NOTED the publication of the Boundary Commission's Revised Proposals for constituencies for the Scottish Parliament and their initial groupings of constituencies into regions as set out in the report and detailed on the maps available at the location listed in paragraph 4.1 of the Report and on the Commission's website.

AGREED:-

- (1) to welcome the Commission's acceptance of the Council's amendments to the Provisional Proposals for the Falkirk East and Falkirk West constituencies and the suggested name changes; support the Commission's revised proposals for the two constituencies in the Falkirk Council area and authorise officers to respond to the Commission accordingly;
- (2) to welcome the Commission's proposals for the Region in so far as they do not result in the Falkirk Council area begin split between two regions and authorise officers to respond to the Commission accordingly;
- (3) that no further representations in relation to the proposed East Central Scotland Region require to be submitted to the Boundary Commission, and
- (4) that further reports will be presented to Council in future as the Review progresses.

FC27. ANNUAL ACCOUNTS 2008/09

There was submitted Report (circulated) dated 15 June 2009 by the Director of Finance Services advising of the requirement to submit the Council's Annual Unaudited Accounts for the financial year ended 31 March 2009 to the Controller of Audit, as required in terms of the Local Government (Scotland) Act 1973 and the Local Authority Accounts (Scotland) Regulations 1985.

NOTED the requirement to formally submit the Council's Unaudited Annual Accounts to the Controller of Audit by 30 June 2009.

FC28. APPOINTMENT TO EXTERNAL ORGANISATIONS

There was submitted Report (circulated) dated 9 June 2009 by the Acting Director of Law and Administration Services seeking nominations to the East of Scotland European Consortium (ESEC), the Helix Trust, Order of Malta Dial-a-Journey and Shopmobility Ltd, the Scottish Council's Committee on Radioactive Substances (previously known as 'The Scottish Liaison Group on Radioactive Waste Management) and the South East of Scotland Transport Partnership (SESTran).

East of Scotland European Consortium (ESEC)

AGREED to appoint Councillor Buchanan to the East of Scotland European Consortium (ESEC).

The Helix Trust

AGREED to appoint Depute Provost Black and Councillor McNeill as substitute Members to the Helix Trust.

Order of Malta Dial-a-Journey and Shopmobility Ltd

AGREED to appointment Councillor Blackwood to the Order of Malta Dial-a-Journey and Shopmobility Ltd.

Scottish Council's Committee on Radioactive Substances *(previously known as The Scottish Liaison Group on Radioactive Waste Management)*

AGREED to appoint Depute Provost Black to the Scottish Council's Committee on Radioactive Substances.

The South East of Scotland Transport Partnership (SESTran)

AGREED to appoint Councillor Buchanan as representative and Councillor Nimmo as substitute Member to the South East of Scotland Transport Partnership (SESTran).

FC29. DELEGATION OF POWERS TO DETERMINE URGENT ISSUES DURING THE SUMMER RECESS

There was submitted Report (circulated) dated 27 May 2009 by the Acting Director of Law and Administration Services proposing that Chief Officers of the Council be given delegated powers to determine urgent items of business which would normally be determined by Council or its Committees for the period of the summer recess.

AGREED to delegate power to Chief Officials, in consultation with the Convener and Depute Convener of the appropriate Committee, to determine urgent items of business during the summer recess (from 25 June 2009 to 10

August 2009) and to report the decisions thereon to the first meeting of the Policy and Resources Committee thereafter, provided that:-

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

FC30. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 8 June 2009 by the Acting Director of Law and Administration Services advising of the deeds which have been signed and sealed on behalf of the Council since its last meeting.

NOTED the signing and sealing by the Acting Director of Law and Administration Services of the deeds, as detailed in the appendix to the Report.

FC31. NOTICE OF MOTION

Councillor Goldie, seconded by Councillor A McNeill moved that:-

MAPPA Guidelines for the Register of Sex Offenders

“This Council resolves to write to the Cabinet Secretary for Justice asking him to review the current MAPPA guidelines for the management of Sex Offenders in the Community. This Council believes that the public interest would be better served if there was greater disclosure of information to the communities into which offenders are to be placed”.

By way of an amendment, Councillor Alexander, seconded by Councillor Meiklejohn moved the following:-

“Council notes with concern that, once again, the Convener of Housing and Social Work Services is at odds with both his officers and all partners concerned with the management of offenders within the community.

Council therefore agrees to instigate meaningful partnership talks between local and national politicians, staff employed within Criminal Justice Services, Children and Families, Central Scotland Police and any other partner in the management of this issue with a remit to report back to council the outcomes.

Council also believes that Falkirk Council should set an example in terms of openness and transparency in matters of concern to the people.”

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 Reid and Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

For the Amendment (12) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

Abstention (1) – Councillor CR Martin

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

On a Motion moved by the Provost and seconded by Councillor Buchanan, **AGREED** to extend the duration of the meeting to 6pm to conclude the business on the agenda.

There then followed a short adjournment with the meeting re-convening at 5.10pm, all Members being present as per the sederunt with the exception of Councillors H Constable, J Constable and CR Martin.

FC32. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A (4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 9, 11 & 12 of Part 1 of Schedule 7A of the said Act.

In accordance with her declaration of interest in the following item of business, Councillor Gow left the meeting and took no part in the discussion or decision.

FC33. SINGLE STATUS, EQUAL PAY AND CRAFT PAY AND CONDITIONS UPDATE

There was submitted joint Report (circulated) dated 17 June 2009 by the Directors of Corporate and Neighbourhood Services, of Development Services and of Finance Services providing an update on progress made in relation to (a) reaching a collective agreement with regards to the implementation of Single Status; (b) on-going negotiations with employee representatives, to progress out-of-court settlements for outstanding equal pay claims, and (c) the consultation process with Trade Unions and employees at a local level in respect of pay and conditions for Craft workers.

AGREED to:-

- (1) Note the end of the buy out arrangements for single status and agree to leave the door open for trade unions to raise the issue of weekend enhancements, but in light of pressing potential equal pay liabilities, intimate that such discussion would not be anticipated until the financial year 2010/2011;
- (2) Maintain protection but take action to reduce the Council's potential equal pay liability pertaining to the additional year of protection over and above the three years provided in the Red Book; instruct officers to effect this action by entering into negotiations with trade unions to reach a collaborative agreement to reduce the current pay protection period of four years by up to a year; and in the event that a collective agreement cannot be reached, authorise the Chief Executive to reduce the potential equal pay liability by removing the fourth year's protection while identifying such other options as might avoid or reduce the possibility of dismissal and re-engagement or mitigate the consequences;
- (3) *[This paragraph is exempt from publication on the ground that it would involve the disclosure of exempt information as defined in Paragraphs 11 and 12 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.]*
- (4) Authorise officers to continue consultations (including instituting and concluding the formal collective consultation process where appropriate) with the unions on the basis of the proposal previously agreed and to achieve implementation by no later than 28 February 2010, subject to confirmation of/concession on the following aspects of the proposal which have arisen from the consultation process and subsequent work:-
 - (a) Allow fixed price working to continue to operate within Building Maintenance and instruct Officers to continue to monitor and review the practical arrangements/scheme to ensure there continues to be objective justification that would form the basis of a genuine material factor defence. This should be done in conjunction with legal and reward specialist advice;
 - (b) Amend the proposal by allowing pay awards to be linked to the national craft bargaining unit; and instruct officers to monitor the operation of this arrangement and report back with any future issue of inequality which arises, with the knowledge that Council will require to take the appropriate action to resolve any equality issues immediately to reduce the risk of further equal pay claims being raised, and
 - (c) Amend the proposal by offering employees the right to challenge their grading under the job evaluation process through the grievance process rather than through a separate grading appeals process.

Councillor Gow re-entered the meeting following conclusion of the foregoing item of business.

FC34. FALKIRK GATEWAY

There was submitted Report (circulated) dated 12 June 2009 by the Director of Community Services (a) referring to the decision of Council on 29 April 2009 to establish the Falkirk Gateway Members/Officer Working Group which was remitted to consider options available to the Council and identifying the optimum means of progressing Falkirk Gateway; (b) attaching as an appendix, Report of Proceedings of the Falkirk Gateway Member/Officer Working Group, and (c) submitting the conclusions and supporting recommendations from the Working Group.

Councillor C Martin, seconded by Councillor Lemetti moved the recommendations contained within the Report.

Councillor MacDonald, seconded by Councillor Spears moved that the following addendum be added to the Motion:-

“to continue to monitor emerging economic opportunities and the resulting impact on job creation and regeneration within the Council area.”

Councillor C Martin, with the consent of Councillor Lemetti, as seconder, agreed to amend the terms of the Motion to incorporate the addendum.

Accordingly, **AGREED:-**

- (1) to continue to monitor emerging economic opportunities and the resulting impact on job creation and regeneration within the Council area;
- (2) To continue to monitor the requirement for the Council to provide support on best value terms for installation of Phase I site infrastructure requirements if necessary to attract inward investment and transfer of jobs to the Council's area, and
- (3) To agree to offer to Macdonald Estates and Callendar Estate an extension to the existing development agreement longstop dates for the Falkirk Gateway for a period of two years initially, effective from 24 June 2009.

At the commencement of the foregoing item of business, Councillor Nicol re-iterated his previous declaration of a non-financial interest having regard to the ownership of a local business by a family member. He accordingly withdrew from the meeting and took no part in the discussion or decision.

CHARGING ORDER by FALKIRK COUNCIL

J H Park
R Gardner

62 Linlithgow Road, Bo'ness
6 Newlands Road, Grangemouth

DISCHARGE of INHIBITION by FALKIRK COUNCIL in favour of

R Simpson and Clair McGuire

20 Old Mill Way, Stoneywood, Denny

DISPOSITION by FALKIRK COUNCIL in favour of

H Welsh
C Russell and L Russell
JE MacDonald
J Kennedy, E Kennedy and A M Kennedy
Ellen McNab
J D Galbraith and J S Galbraith
J Stott
Y McLellan
A Crawford and M J Crawford
R R Harley and Y Harley
M G Risk
A Baillie and D Baillie
S Gilmour
R Gray
P M Cafferty and E L McCafferty
C Watson and A H Watson
C Callaghan or McCulloch and S J McCulloch
R A T Campbell and M Campbell
A Kirkwood and C S R Kirkwood
D W Brown and Mrs M Brown
R Burt
M Downs and S P Smellie
A Miller Electrical Limited

121 Portal Road, Grangemouth
28 Mamre Drive, California
15 Candie Crescent, Grangemouth
10 Hurworth Street, Falkirk
30 Dollar Avenue, Falkirk
9 Graham Terrace, Airth
21 Haining Terrace, Whitecross
29 Blinkbony Road, Falkirk
1 Moy Court, Grangemouth
1 Garry Place, Falkirk
5 Irving Court, Falkirk
48 Dundarroch Street, Larbert
24 Baker Street Bo'ness
14 Garry Place, Falkirk
10 Park Avenue, Stenhousemuir
40 Lamond View, Stenhousemuir
20 Princes Street, California
31 Chestnut Crescent, Dunipace
28 Marchlands Avenue, Bo'ness
22 Academy Road, Bo'ness
130 Central Avenue, Grangemouth
126 Bridgeness Road, Bo'ness
16 Dundas Street, Grangemouth

LEASE between FALKIRK COUNCIL and

Alexis Brown
Klinger Limited
Busy Bees Play Group
Caledonian Freight Forwarders Limited

115 La Porte Precinct, Grangemouth
Unit 21, West Mains Industrial Estate, Grangemouth
Sacred Heart Primary School, Grangemouth
2B West Mains Industrial Estate, Grangemouth

MINUTE of AGREEMENT between FALKIRK COUNCIL and

William Mitchell McIntyre & Patricia McIntyre t/a
East End Glazing

Ground at East Bridge Street, Falkirk

MINUTE of AGREEMENT among FALKIRK COUNCIL and

The Scottish Community Foundation and Asda
Stores Limited

Asda Distribution Centre

MINUTE OF LEASE

SP Distribution Limited

Ground at St Mungo's High School, Merchiston Avenue,
Falkirk

MINUTE OF VARIATION between FALKIRK COUNCIL and

Strathclyde Cleaning Company
R Fish
Picture Smart Limited

5 Castle Place, Bankside Industrial Estate, Falkirk
1 Islands Crescent, Hallglen, Falkirk
6 Castle Drive, Bankside Industrial Estate, Falkirk

PARTNERSHIP AGREEMENT between FALKIRK COUNCIL and

British Waterways Board

The Helix Project

RENUNCIATION by

SP Distribution Limited in favour of Falkirk Council

Ground at St Mungo's High School

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 14 SEPTEMBER 2009 at 9.30 am.

PRESENT: Provost Reid; Depute Provost Black; Councillors Alexander, Blackwood, Buchanan, Coleman, J Constable, Goldie, Jackson, Kenna, Lemetti, A MacDonald, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNally, McNeill, Meiklejohn, Nicol, Nimmo, Oliver, Patrick, Spears, Thomson and Waddell.

CONVENER: Provost Reid

APOLOGIES: Councillors Carleschi, H Constable, Fry, Gow and Hughes.

ATTENDING: Chief Executive; Director of Development Services; Acting Director of Law and Administration; Acting Head of Planning and Transportation; Development Manager, Planning and Transportation and Democratic Services Manager.

DECLARATIONS
OF INTERESTS: None.

FC35. IMPLEMENTATION OF THE PLANNING ETC (SCOTLAND) ACT 2006 – PRE-DETERMINATION HEARINGS

With reference to Minute of Meeting of Falkirk Council held on 24 June 2009 (Paragraph FC22 refers), there was submitted Report (circulated) dated 8 September 2009 by the Director of Development Services (a) advising of the requirements of the Planning (etc) Scotland Act 2006 in respect of pre-determination hearings (b) detailing proposed procedures for managing pre-determination hearings, and (c) detailing consequential amendments to Standing Orders, should the proposed procedures be adopted.

AGREED:-

- (1) to delegate to the Planning Committee the holding of pre-determination hearings with the Committee being expanded to include all members of the Council for such purposes;
- (2) to amend the Council's Standing Orders as set out in Appendix 1 to the Report; and
- (3) the pre-determination hearing procedures as set out in Appendix 2 to the Report.

NOTED the expectation that a minimum of twenty one days' notice would normally be provided for pre-determination hearings.

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

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 11 AUGUST 2009 at 10.30 a.m.

PR36. FINANCIAL POSITION 2009/10

There was submitted Report (circulated) dated 27 July 2009 by the Director of Finance presenting the latest update on the Council's financial position for 2009/10 and forecasting a budget overspend of £2.860m as at 31 March 2010.

Councillor Alexander, seconded by Councillor Kenna, moved the recommendations in the report augmented by the following:-

“Committee notes with concern the continued failure of the Administration to properly manage the budget of Social Services in a manner that allows the Council to balance its commitments to each of our Services.

Committee therefore agrees to call a minimum of one additional meeting of the Policy and Resources Committee in each of the cycles of meetings between now and the budget meeting in February.

The only item on the agenda will be the financial management and organisation of the Social Work Department.

The purpose of these additional meetings is to properly hold officers and Members to account for the continued budget overspend within Social Services and seek solutions to this continued problem.

Committee will review all aspects of management and have the power to call both officers and Members before it before reporting back to full Council.”

By way of an Amendment, Councillor Gow, seconded by Councillor Fry, moved the recommendations contained in the Report.

On a division, four Members voted for the Motion and four voted for the Amendment.

There being an equality of votes and in terms of Standing Order 21.6 the Convener used her casting vote in favour of the Amendment.

Accordingly, **AGREED** to:-

- (1) note the first projection of the amount of expenditure which is likely to be incurred in 2009/10; and
- (2) instruct Directors to take appropriate action to bring spending into line with the approved budget.

FALKIRK COUNCIL

Subject : FINANCIAL POSITION 2009/10
Meeting : POLICY & RESOURCES COMMITTEE
Date: 11 August 2009
Author : DIRECTOR OF FINANCE

1. INTRODUCTION

- 1.1 This report presents the first update on the financial position of the Council for 2009/10 and reflects my assessment of the situation after the first quarter of the year.

2. GENERAL FUND

- 2.1 Appendix 1 sets out both General Fund net expenditure by Service and how it is financed. Movements between budget and projected outturn are expressed in monetary and percentage terms.

- 2.2 The most significant deviations from budget are described below:-

Education (+£0.482m; 0.3%)

Increased spending on residential schools represents the majority of the excess over budget.

Social Work Services (+£3.251m; 4.1%)

The pressure areas behind the 2008/09 overspend of Residential Care for Children, Community Care Purchasing and Adult 24 Hour Care are continuing and are some £4.3m above budget. While there is some beneficial impact arising from additional income and savings in staff costs, the overall projected overspend is still £3.25m. The Service is fully aware of the critical need to take all reasonable steps to reduce the projected overspend.

General Fund Housing Services (+£0.360m; 10.4%)

Higher than anticipated expenditure on bed and breakfast accommodation is again the main reason for the projected overspend although the measures previously agreed by Housing and Social Work Services Committee are having a positive effect in accommodating the homeless.

Development Services (+£0.150m; 0.6%)

The excess over budget is wholly attributable to expenditure associated with the Local Plan Inquiry for which budgetary provision was originally made in 2008/09.

Miscellaneous Services (+£0.188m; 2.3%)

Income from interest on internal balances is now expected to be below budget due to the continuation of very low interest rates.

Central Support Services (+£0.200m; 0.9%)

Although overall spending on support service functions is expected to be 0.4% below budget, a higher proportion of these costs are expected to be recharged to the General Fund.

Capital Financing Costs (-£1.395m; 30.4%)

I am forecasting a significant reduction of almost £1.4m due to the combined impact of very low interest rates and a lower debt level at the start of the year.

Council Tax (+£0.250m; 0.4%)

While attaining high collection levels during the recession will be challenging, I anticipate that overall income from Council Tax will be around £0.25m higher than assumed in setting the budget.

3. TRADING ACCOUNTS

The Council's two Statutory Trading Accounts of Building Maintenance and Roads are expected to generate additional surpluses of £0.160m, due largely to additional income within Building Maintenance.

4. HOUSING REVENUE ACCOUNT

Net expenditure is forecast to be £0.229m higher than planned, as a result of cost increases in repairs and void properties, mitigated to an extent by savings from staff vacancies.

5. CONCLUSION

Net General Fund expenditure at this early stage in the financial year is estimated to be £2.860m more than assumed in setting the Budget in February of this year. The projected overspend in Social Work services of £3.251m is, by far, the most significant factor. The Council began the year with reserves of £5.648m and this is projected to fall to £2.788m by March 2010. Consequently, all Directors should be instructed to take appropriate action to bring spending more into line with approved budgets. Members will be aware of the protracted issue of equal pay claims and the potential financial liability which could be around £6m. Any additional liability over and above the existing provision of £5m or from the ongoing Single Status appeals process will further reduce the Council's reserves.

Spending on services to council tenants within the HRA is estimated to be £0.229m above budget.

6. RECOMMENDATIONS

Members are invited to:-

- (i) note this first projection of the amount of expenditure which is likely to be incurred in 2009/10 and,
- (ii) instruct Directors to take appropriate action to bring spending into line with the approved budget.

Director of Finance

Date : 27 July 2009

LIST OF BACKGROUND PAPERS

1. Financial Monitoring Statements 2009/10

Any person wishing to inspect the above background papers should telephone Falkirk (01324) and 506300 ask for Mr Jannetta.

FALKIRK COUNCIL

GENERAL FUND

PROJECTED REVENUE OUTTURN STATEMENT 2008/09 AS AT 30/06/2009

| | Budget | Projected | Fav (-ve) Adv (+ve) | |
|--|----------------|------------------|----------------------------|--------------|
| | £'000 | Outturn | Variance | |
| | £'000 | £'000 | £'000 | % |
| Education Services | 152,480 | 152,962 | 482 | 0.3 |
| Social Work Services | 79,301 | 82,552 | 3,251 | 4.1 |
| General Fund Housing Services | 3,458 | 3,818 | 360 | 10.4 |
| Development Services | 25,868 | 26,018 | 150 | 0.6 |
| Community Services | 22,125 | 22,078 | (47) | (0.2) |
| Corporate & Neighbourhood Services | 11,272 | 11,203 | (69) | (0.6) |
| Miscellaneous Services | 8,110 | 8,298 | 188 | 2.3 |
| Central Support Services | 22,970 | 23,170 | 200 | 0.9 |
| Less: Central Support Recharges | (22,970) | (22,970) | - | - |
| Commercial Services Trading Activities | (948) | (958) | (10) | (1.1) |
| Sub - Total | 301,666 | 306,171 | 4,505 | 1.5 |
| Police | 14,331 | 14,331 | - | - |
| Fire | 9,414 | 9,414 | - | - |
| Valuation | 1,334 | 1,334 | - | - |
| Adj. for Capital Financing Costs / Capital Charges | 4,591 | 3,196 | (1,395) | (30.4) |
| Adj. for Pensions FRS 17 | (503) | (503) | - | - |
| NET EXPENDITURE | 330,833 | 333,943 | 3,110 | 0.9 |
| Financed By : | | | | |
| Revenue Support Grant | 209,361 | 209,361 | - | - |
| Non-Domestic Rates | 62,322 | 62,322 | - | - |
| Council Tax | 59,150 | 59,400 | (250) | (0.4) |
| NET INCOME | 330,833 | 331,083 | (250) | (0.1) |
| SURPLUS/(DEFICIT) | - | (2,860) | 2,860 | 999.0 |
| Add : General Fund Surplus as at 1 April 2009 | | 5,648 | | |
| Projected General Fund Balance as at 31 March 2010 | | 2,788 | | |

| |
|---|
| FALKIRK COUNCIL |
| HOUSING REVENUE ACCOUNT |
| PROJECTED REVENUE OUTTURN STATEMENT 2008/09 AS AT 30/06/2009 |

| | <u>Budget</u> | <u>Projected</u> | <u>Fav (-ve) Adv (+ve)</u> | |
|---|----------------|------------------|----------------------------|------------|
| | <u>£'000</u> | <u>Outturn</u> | <u>Variance</u> | |
| | <u>£'000</u> | <u>£'000</u> | <u>£'000</u> | <u>%</u> |
| Employee Expenses | 6,857 | 6,717 | (140) | (2.0) |
| Property Expenses | 21,256 | 21,456 | 200 | 0.9 |
| Transport Expenses | 81 | 81 | - | - |
| Supplies and Services | 3,514 | 3,514 | - | - |
| Third Party Payments | 588 | 588 | - | - |
| Support Services | 4,209 | 4,209 | - | - |
| Capital Charges | 11,976 | 11,976 | - | - |
| GROSS EXPENDITURE | <u>48,481</u> | <u>48,541</u> | <u>60</u> | <u>0.1</u> |
| INCOME | <u>47,071</u> | <u>46,902</u> | <u>169</u> | <u>0.4</u> |
| SURPLUS/(DEFICIT) | <u>(1,410)</u> | <u>(1,639)</u> | <u>229</u> | |
| Add: Surplus brought forward as at 1 April 2009 | | 6,543 | | |
| Projected Surplus as at 31 March 2010 | | 4,904 | | |

AGENDA ITEM 3 (i)

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 11 AUGUST 2009 at 10.30 a.m.

PR41. PARKS DEVELOPMENT PLAN - CAPITAL SPEND 2009/2010

There was submitted a report (circulated) dated 6 August 2009 by the Director of Community Services detailing proposals for parks development for the financial year 2009/2010 and advising that a total of £400,000 was available for proposed works in 2009/2010.

Councillor Gow, seconded by Councillor Fry, moved the recommendations in the Report.

By way of an Amendment Councillor Alexander, seconded by Councillor Kenna, moved the following as an addition to the Motion:-

“Committee does not agree to spend £15,000 on consultants’ for Callendar Park and calls on the Director of Community Services to invest the funds on upgrading existing parks”.

On a division, four Members voted for the Motion and four voted for the Amendment.

There being an equality of votes and in terms of Standing Order 21.6 the Convener used her casting vote in favour of the motion.

Accordingly, **AGREED** to approve the Parks Development Plan capital proposals for 2009/2010 as set out in paragraph 6.1 of the Report.

NOTED the work on engaging communities to take the Parks Development Plan forward.

FALKIRK COUNCIL

Subject: PARKS DEVELOPMENT PLAN – CAPITAL SPEND 2009-10
Meeting: POLICY & RESOURCES COMMITTEE
Date: 11TH AUGUST 2009
Author: DIRECTOR OF COMMUNITY SERVICES

1.0 INTRODUCTION

- 1.1 This report provides Members with proposals for parks development for the financial year 2009 - 2010.
- 1.2 Members will recall that the Parks Development Plan was agreed on 16th September 2008. The Plan identified and prioritised proposals for Falkirk Council's future capital investment in parks, play areas and associated playing pitches.
- 1.3 The Plan also identified the first tranche of these capital works in 2008 - 2009 which was subsequently ratified at the Policy & Resources Committee on 21st October 2008.

2.0 PARKS DEVELOPMENT

- 2.1 Recent consultation, as part of the draft Falkirk Open Spaces Strategy, indicated that people care about parks and the area's environment. This confirmed the earlier feedback from the Young People's Survey and also the consultation findings of the Council Tax survey. It was evident from these reports that young people in particular seek safe places to meet, play and take part in recreation activities.
- 2.2 Play areas and sports pitches provide much of the main formal recreation in the parks. However the benefits of an attractive environment, spaces for meeting and gathering, jogging and walking as well as wildlife habitats all contribute greatly to the formal park 'experience' all of which was taken into account when producing the Parks Development Plan and identifying shortfalls in these areas.

3.0 WORKS TO DATE (CAPITAL SPEND 2008-2009)

- 3.1 In a move to meet the needs identified in the Parks Development Plan, local play areas in Camelon, Fankerton, Limerigg and the Broomage were refurbished and this work has been well received by the local users.
- 3.2 Most of these play areas were categorised in the lowest 2 grades of the Parks Development Plan. The proposals for 2009-2010 will target only category 1 play areas, which are the poorest. To assist delivery of the programme, a "supply

only” procurement process was undertaken with the installation, normally carried out by sub-contractors from outwith the area, being carried out by Falkirk Council’s Roads Section who had capacity to carry out this work. It is proposed to utilise this method for future installations where feasible.

- 3.2 The major redevelopment of the Duncan Stewart Core Park play area was also completed as part of these play area developments and this has been well received by the local community.
- 3.3 In addition to this, £75,000 was also allocated from the Culture and Leisure Strategy Programme for pitch improvements and as part of this, major “off pitch” drainage works were carried out at California and Slamannan to support future proposals for “on pitch” improvements.
- 3.4 A major 30 metre extension to the Herbertshire Playing Fields (number 3 pitch was seriously reduced in length with the new school boundaries) was also completed and will be brought back into play in the forthcoming season.

4.0 ONGOING WORK

- 4.1 In line with the Parks Development Plan, officers have embarked on a number of new initiatives. Two new “friends of” groups have been either set up or are in the process of being inaugurated. These groups will help guide future development proposals at Callendar Park and Dollar Park.
- 4.2 These groups form part of the essential consultation works required for the bid to obtain the highly prized Green Flag Award for Callendar Park. In addition to this focused consultation and community involvement process there is also a considerable amount of specialised auditing work required.
- 4.3 It is proposed to carry out a species and tree audit of both Callendar Park and Dollar Park. This work is essential to enable the required future long term management plans for each park. Regular development meetings have also been arranged with Corporate and Neighbourhood Services to develop an integrated partnership approach to these development plans. In the case of Callendar Park this will assist in reaching the standard for the Green Flag award.

5.0 PROPOSED WORKS

- 5.1 The budget available for 2009 – 2010 is £300,000, plus £100,000 accelerated capital spend giving a total of £400,000.
- 5.2 Play Provision

Work has been ongoing in core parks to upgrade play facilities. The new facilities are well used by communities and provide a more diverse and dynamic range of play equipment. The final core park to benefit from the programme of upgrading is Dollar Park. It is proposed that £75,000 be allocated for this purpose.

5.3 The following play areas previously identified in the Parks Development Plan as assets which fall into Category 1 (i.e. the poorest conditions) have been targeted for this financial years Capital Spend:

- Westfield £25,000
- Letham £30,000
- Maddiston £30,000

5.4 Pitch Improvements

5.4.1 *Gairdoch Park* – Considerable work by the local community group to attract support both financial and in-kind has resulted in the once flooded lower plateau of the park being in-filled and a wetland habitat created. Work is now required to improved access, drainage and formal planting to these new areas The proposed allocation is £50,000.

5.4.2 *Blinkbonny Park* - It is proposed to undertake a major project at the Blinkbonny Park to fully reinstate the Senior and Junior football pitches which have been unplayable due to serious flooding in the winter months. These works will run alongside an external funding bid by the community to improve public access and undertake further reinstatement works. The proposed allocation is £50,000.

5.4.3 *Drainage Works* - It is proposed to carry out main drainage works to improve the following playing fields at a cost of approximately £75,000.

- Airth
- Avonbridge
- California Road
- Letham
- Stenhousemuir Sports Centre

5.5 In addition to this traditional drainage treatment it is also proposed to Verti Drain – 10 Category C pitches. These playing fields have been identified as exhibiting surface flooding problems over the last few seasons. It is hoped that this verti drain technique will improve the surface drainage and reduce the number of cancellations due to flooding at a cost of £50,000.

5.6 Green Flag Award Preparation

5.6.1 As previously mentioned, it is also proposed to commission specialist surveys for Callendar Park and Dollar Park to assist in meeting the requirements for a Green Flag Award. A budget of £15,000 has been allocated for this purpose.

6.0 IMPLICATIONS

6.1 Financial

All of the above costs can be contained within the agreed allocation of capital resources from the Council's General Capital Programme, including accelerated spend of £100,000. Total budget £400,000.

| Projects | £'000 2009/10 | |
|------------------------------------|------------------|-----------------|
| Play Parks - Refurbishments | | |
| Dollar | 75 | |
| Westfield | 25 | |
| Letham | 30 | |
| Maddiston | 30 | |
| Sub Total | | 160 |
| Pitches – Major Drainage | | |
| Airth | 15 | |
| Avonbridge | 15 | |
| California Road | 15 | |
| Letham | 15 | |
| Stenhousemuir Sports Centre | 15 | |
| Verti Drain Pitches (Various) | 50 | |
| Blinkbonny Park | 50 | |
| Gairdoch Park | 50 | |
| Sub Total | | 225 |
| Surveys | 15 | |
| Sub Total | | 15 |
| Total | | £400,000 |

6.2 Legal and Personnel

There are no implications.

7.0 CONCLUSION

7.1 The 2009 - 2010 proposed capital works programme follows the agreed Parks Development Plan and responds to the Council's commitment to improve the quality and value of parks across the area.

7.2 It sets out a balanced approach that prioritises improvements in poor performing local parks, improves consistency of quality across core parks and plans for future development of the tourism and visitor potential of strategic and area parks.

7.3 The Plan recognises the concerns of local communities and prioritises improvements targeting local parks, play areas, litter and dog fouling as well as establishing mechanisms for increasing community involvement in parks development. This will include establishing 2 new "Friends of" groups and

continuing to support local groups to make external funding bids to further bolster the existing Council's capital funding package.

8.0 RECOMMENDATIONS

8.1 It is recommended that the Committee:

- i Approve the Parks Development Plan capital proposals 2009–2010 as set out in Para 6.1 above; and**
- ii Notes the work on engaging communities to take Parks Development Plan forward.**

.....
Director of Community Services

6th August 2009.

Contact Officer: John Banks. Ext: 0923.

LIST OF BACKGROUND PAPERS

1. Parks Development Plan.

Anyone wishing to inspect the background papers listed above should telephone 01324 5909223 and ask for John Banks.

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 11 AUGUST 2009 at 10.30 a.m.

PR50. MCTAGGART AVENUE, DENNY

With reference to the Minute of the Meeting of the Policy and Resources Committee held on 5 April 2005 (para PR12 refers) there was submitted a Report (circulated) dated 24 July 2009 by the Director of Corporate and Neighbourhood Services (a) providing an update on the proposed development by Horizon Housing Association of ten new social rented housing units at McTaggart Avenue, Denny; (b) advising that a project shortfall of £150,000 had been identified by Horizon following a financial appraisal of the project; and (c) proposing that the Council makes a funding contribution of £150,000 towards the project to ensure its approval by the Scottish Government's Housing and Regeneration directorate.

Councillor Gow, seconded by Councillor Fry, moved the recommendations in the Report.

By way of Amendment, Councillor Alexander, seconded by Councillor Kenna, moved that

“Committee does not support this particular partnership with Horizon Housing Association. Instead Committee agrees to:-

- (1) purchase the site from Horizon Housing Association for the original purchase price of £150,000;
- (2) engage with the surrounding community to agree a suitable end use for the site; and
- (3) report back to Committee on the outcome of the consultation.”

On a division, four Members voted for the Motion and four voted for the Amendment.

There being an equality of votes and in terms of Standing Order 21.6 the Convener used her casting vote in favour of the Motion.

Accordingly, **AGREED** to contribute £150,000 towards the overall project costs in order to ensure the development of ten new social rented houses by Horizon Housing Association.

FALKIRK COUNCIL

Subject: MCTAGGART AVENUE, DENNY
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 11 August 2009
Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 The purpose of this report is to seek Committee's approval to making a financial contribution towards a partnership development project with Horizon Housing Association (Horizon) to ensure the overall viability of the proposed development of 10 new social rented housing units at McTaggart Avenue, Denny.

2. BACKGROUND

- 2.1 On 5th April 2005 Policy and Resources Committee agreed that the site held on Housing Revenue Account at McTaggart Avenue, Denny, be declared surplus to operational requirements and referred to the Director of Community Services to arrange disposal to Horizon Housing Association on the basis of market value to ensure the Council obtained Best Value.
- 2.2 The subsequent development of this site has taken a considerable time to bring forward due to difficulties in obtaining statutory consents. The original planning application for 12 social rented units was considered by the Regulatory Committee on 31 January 2007, when it was decided to defer the decision until a site visit took place. Following a site visit, the Regulatory Committee refused planning consent at its meeting on 28 February 2007.
- 2.3 Horizon lodged a planning appeal to the Scottish Government against the Council's decision. The appeal was dealt with by written submission and the Reporter's decision was made on 29th January 2008. The decision was to dismiss the appeal and refuse planning permission on the grounds that (a) privacy of neighbouring householders would be compromised and (b) the development would exacerbate existing parking problems in the area. However, the Reporter suggested that the plans would be more acceptable if the proposed number of units was reduced from 12 to 10 and the land freed up as a result was utilised for parking.
- 2.4 Horizon subsequently revised their proposals and a planning application for 10 units that took account of the Reporter's concerns was submitted in August 2008 and approved by Regulatory Committee in December 2008. This approval is conditional upon the Association increasing car parking provision due to pressures on existing parking space and ensuring that boundary treatments accord with Falkirk Council's Open Space Policy.
- 2.5 After obtaining planning permission, the land at McTaggart Avenue, Denny was sold by the Council to Horizon on 27th February 2009 for the sum of £150,000 this price being

determined by the District Valuer. The receipt from this land sale has been placed by the Council in a joint deposit receipt account until confirmation is obtained that the development at McTaggart Avenue can definitely proceed.

3. CURRENT POSITION

- 3.1 Following acquisition of the land, Horizon followed a two stage competitive tendering process and Marshall Construction were selected as their Partnering Contractor. A financial appraisal has been undertaken by Horizon and the Scottish Government's Housing & Regeneration Directorate to try to progress this project within the Scottish Government's financial benchmark guidance. The financial appraisal concluded there is a project shortfall of £150,000 based on a total project cost of £1,305,689 and a total income of only £1,155,689 available through grant funding and private finance.
- 3.2 As a result of the strategic importance of the project, the Scottish Government's Housing & Regeneration Directorate are willing, despite the project being above their benchmark target figure, to approve the project if the Council is willing to make a funding contribution of £150,000 to meet the project shortfall. Given that Horizon has already acquired the site from the Council at the price of £150,000, the Council is now being asked to contribute an equivalent amount to the overall development costs in order to facilitate the building of 10 new homes for rent in the Denny area.
- 3.3 In considering this issue Members will wish to note that there is precedent for the Council contributing towards development costs by disposing of land to RSLs at reduced market value or nil value to ensure projects meet benchmark figures set by the Scottish Government.
- 3.4 If the Council is not prepared to contribute £150,000 to the overall funding for the proposed development the project becomes financially unviable and will not progress to completion. In this case, Horizon has requested that the Council buy back the land which was sold to them on 27th February 2009 at the original land value of £150,000, albeit there is no specific provision within the missive to buy back the land if the development does not proceed. The net effect of this would be that whilst the Council would again own the land (and could decide to build its own houses on it) there would be a loss of public subsidy to this area from the Affordable Housing Investment Programme (AHIP) of around £785,000, plus the private finance that Horizon would be contributing to the scheme of around £370,000.
- 3.5 In normal circumstances the Council would be entitled to 50% nomination rights to the new properties. In the event that the Council is willing to contribute the land value to the overall development costs, Horizon would be willing to give the Council 100% nomination rights to the general needs housing in this project, i.e. to 8 of the 10 units. Horizon would retain the right to select tenants for the two wheelchair accessible houses but would liaise with appropriate Council staff to find the most suitable applicants.

4. FINANCIAL IMPLICATIONS

- 4.1 As noted in paragraph 2.5, Horizon Housing Association acquired the land from the Council on 27th February 2009 for £150,000 with the receipt being placed by the Council in a joint deposit receipt account until confirmation is obtained that the development at McTaggart Avenue can definitely proceed. This remains the position and as such the funds do not form part of the resource assumptions for the current 3 year HRA capital programme. On this basis the payment of a sum of this amount would not impact on the progress of any existing or proposed projects.

5. CONCLUSION

- 5.1 As Members will be aware, the provision of new affordable housing is a key strategic objective of the Council and this project, which was included in the 2008 Strategic Housing Investment Plan (SHIP) approved by Council on 11 November 2008, contributes to the targets set by the Scottish Government in its 2008-10 AHIP.
- 5.2 The project at McTaggart Avenue, Denny is an agreed strategic priority for both Horizon Housing Association and Falkirk Council. The key benefits of this project are:
- £1.155m of external investment in new social rented housing in the Falkirk Council area,
 - The opportunity to meet local housing needs, including those of people who need wheelchair accessible housing,
 - An area of vacant land being brought back into productive use,
 - Improvements to the existing environment, including additional car parking facilities for local people.

6. RECOMMENDATION

Policy & Resources Committee is requested to:

- 6.1 **Agree to contribute £150,000 towards the overall project costs in order to ensure the development of ten new social rented houses by Horizon Housing Association.**

.....
DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 24 July 2009

Ref: AAE0809 McTaggart

Contact Name: Susan Loudon, ext 0792
Paul McLay, ext 0850

LIST OF BACKGROUND PAPERS

1. Report to Policy and Resources Committee 5th April 2005

FALKIRK COUNCIL

**SUBJECT: REFERRAL FROM ENVIRONMENT AND COMMUNITY
SAFETY COMMITTEE**
MEETING: POLICY AND RESOURCES COMMITTEE
DATE: 8th September 2009
**AUTHOR: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD
SERVICES**

1. INTRODUCTION

- 1.1 The following reports were submitted to the Environment and Community Safety Committee at its meeting on 18 August 2009. The purpose of this report is to refer recommendations made by the Environment and Community Safety Committee to Policy and Resources Committee for approval.

2. Kinneil Kerse & Roughmute Waste Facilities

- 2.1 Committee considered the report by the Director of Corporate and Neighbourhood Services on a review of the current operating practices at both Kinneil and Roughmute Waste Facilities.

- 2.2 Committee was invited to:-

- (1) agree to revised opening hours outlined in section 4.3 of the Report.
- (2) note the site usage criteria previously approved at Committee in February 2007.
- (3) agree to the proposed site usage and controls outlined in section 4.13 of the Report.
- (4) refer to Policy and Resources Committee for approval the change in establishment arising from revised working patterns and revised Small Traders Permit prices.
- (5) note that a further Report could be presented to Members in relation to Reuse at the Centres.

- 2.3 Councillor MacDonald, seconded by Councillor CR Martin moved the recommendations contained within the Report.

Discussion took place on the following:-

- The potential detrimental effect that the proposed requirement of pre-notification could have to small businesses
- That the requirement of pre-notification could exacerbate the problem of flytipping within the area
- The procedures currently in place to tackle the problem of flytipping
- The timescale for implementation of the revised operating practices
- The impact on staff of the new working arrangements

- 2.4 Following a short adjournment, Councillor MacDonald, with the consent of Councillor CR Martin, as seconder, altered the text of the Motion to the extent of adding after “agreed the proposed site usage and controls as outlined in section 4.13 of the Report” the following:-

“with the exception of the requirement for pre-notification”

- 2.5 Committee then agreed to:-

- (1) note the site usage criteria previously approved at the Environment and Heritage Committee on 20 February 2007.
- (2) approve the revised opening hours as outlined in section 4.3 of the Report;
- (3) approve the proposed site usage and controls as outlined in section 4.13 of the Report, with the exception of the requirement for pre-notification
- (4) refer the change in establishment arising from revised working patterns and revised Small Traders Permit prices to Policy and Resources Committee, for approval, and
- (5) note that further reports be submitted to a future meeting in relation to Reuse at the Centres.

- 2.6 **In accordance with paragraph 2.5(4) above, Policy and Resources Committee is therefore invited to approve the change in establishment arising from revised working patterns and revised Small Traders Permit prices.**

3. Review of Community Warden & Environmental Enforcement Services

- 3.1 Committee considered the Report by the Director of Corporate and Neighbourhood Services detailing an organisational structure for the proposed Community Safety Team.

- 3.2 Committee was invited to:-

- (1) note the proposed integrated organisational structure, combining the Community Warden service and Environmental Enforcement Team.
- (2) refer the proposed organisational structure to Policy and Resources Committee for approval.

- 3.3 Councillor MacDonald, seconded by Councillor CR Martin moved the recommendations contained within the Report.

- 3.4 By way of an amendment, Councillor Meiklejohn, seconded by Councillor Thomson moved the following in substitution for the recommendations:-

“There are a number of concerns with regard to the proposed structure by staff as they believe it would be detrimental to their roles within the community. Officers are therefore requested to look at alternative structures that separates the enforcement and community warden roles and reports back to the (next Environment and Community Safety) Committee.”

3.5 On a division, 6 Members voted for the Motion and 4 voted for the Amendment.

3.6 Accordingly, Committee AGREED to:-

(1) the proposed integrated organisational structure combining the Community Warden Service and Environmental Enforcement Team.

(2) refer the proposed organisational structure, as detailed in paragraph 4.2 of the Report to the Policy and Resources Committee, for approval.

3.7 In accordance with paragraph 3.6(2) above, the Policy and Resources Committee is invited to approve the proposed organisational structure of the Community Safety Team as detailed in paragraph 4.2 of the Report by the Director of Corporate and Neighbourhood Services.

4. RECOMMENDATION

Committee is invited to:-

4.1 approve the change in establishment arising from revised working patterns and revised Small Traders Permit prices.

4.2 approve the proposed organisational structure of the Community Safety Team as detailed in paragraph 4.2 of the Report by Director of Corporate and Neighbourhood Services.

.....
DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 1 September 2009

Ref: AAE0909

FALKIRK COUNCIL

Subject: REVIEW OF COMMUNITY WARDEN & ENVIRONMENTAL ENFORCEMENT SERVICES
Meeting: ENVIRONMENT AND COMMUNITY SAFETY COMMITTEE
Date: 18 AUGUST 2009
Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 Members will recall the report to Community Health and Safety Committee in October 2008 regarding the review of the Community Wardens Service. At that meeting the proposal to combine the Environmental Enforcement Team and Community Warden Service was agreed. It was also agreed that a further report on the development of the proposal would be reported back to Members.
- 1.2 This report provides for Member consideration, details of the proposed organisational structures, operational arrangements and the human resources and financial implications associated with establishing an integrated team approach.

2. BACKGROUND

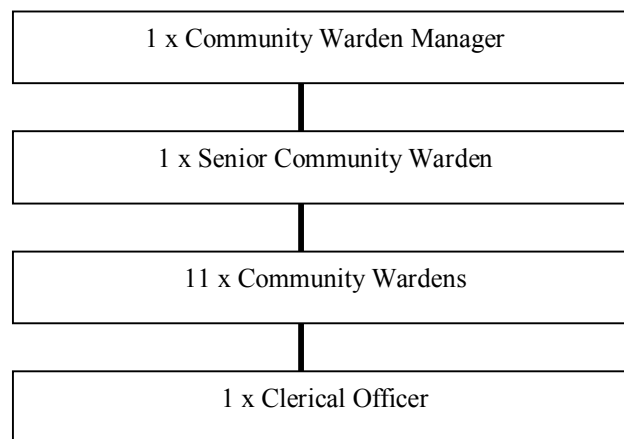
- 2.1 The Community Warden Service was funded through the Scottish Executive/Scottish Government's Anti Social Behaviour fund. The Community Health & Safety Committee approved the introduction of the service in January 2004 which was designed to offer a reporting and recording resource for anti social behaviour, whilst forming links to communities to establish greater community cohesion. The Community Warden Service was defined only to operate in 6 designated areas across the Council. There are two components to the service which consist of Community Wardens and Environmental Wardens. The Environmental wardens provide a responsive clean-up service, following requests and notification from Community Wardens.
- 2.2 The Environmental Enforcement Team was created in April 2005 by seconding Fieldwork Officers from Development Services (former Pest Control Officers/Dog Wardens) and former Litter Wardens from Corporate & Commercial Services. The team was supplemented by two additional Temporary Environmental Enforcement Officers which were also funded through the Anti Social Behaviour Fund.
- 2.3 Due to the nature of the external funding, the staff funded from the Anti Social Behaviour fund have been employed on a temporary basis since 2004.

- 2.4 In 2008, with the introduction of the Concordat, this ring-fenced funding was incorporated into the Council's budget for 2008/09. Members agreed to continue funding both services until March 2009 and requested a review of the Community Warden Service. The recommendation of the review was that the Community Warden Service and the Environmental Enforcement Team combine together to increase the pool of staff and geographical coverage of community engagement and environmental law enforcement. The objective of the integrated service would be to better meet service users' expectations and have a more clearly defined and visible role within the community.

3. EXISTING STRUCTURES

Community Wardens

- 3.1 This team are currently placed within the Housing Management Division of Corporate & Neighbourhood Services. The current Community Warden Service staffing structure is illustrated below:



- 3.2 The team are based in The Hedges, Camelon. They currently operate a two-team shift system covering the hours from Monday – Saturday 8.45 am – 10.00 pm (9.00 pm in the winter months). The staff have been employed on a temporary basis since 2004, with the Community Warden Manager currently seconded on a temporary basis from her substantive post.

- 3.3 At present, the areas covered by the Community Warden Service are:

- Bo'ness
- Camelon
- Denny
- Grangemouth
- Hallglen
- Stenhousemuir

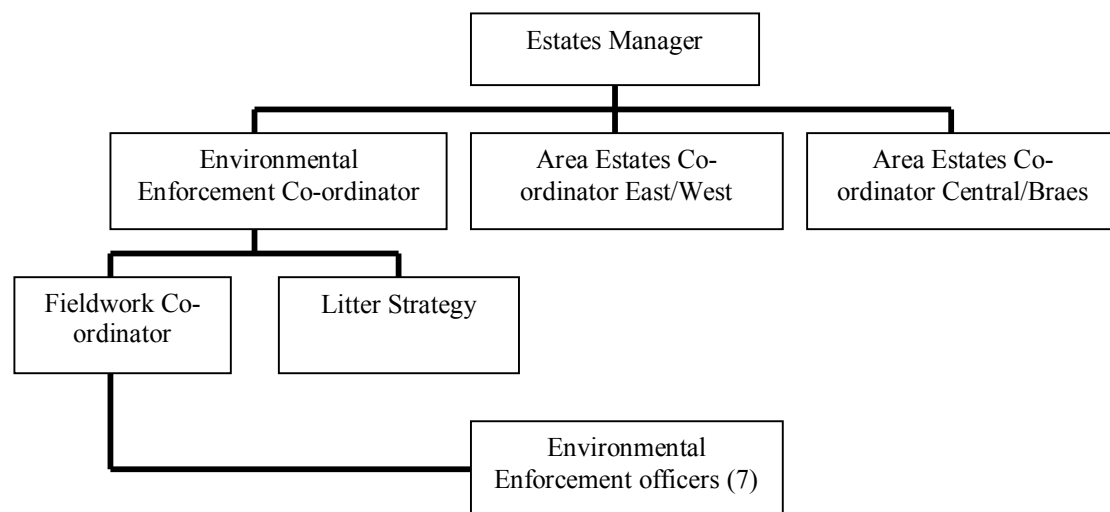
Environmental Wardens

- 3.4 The Environmental Wardens provide a reactive response cleaning and uplift service to the Community Wardens and are based within the Estates Management Division of Corporate & Neighbourhood Services.

- 3.5 There are 4 officers within this team and they have been recruited on similar terms and conditions to the Community Wardens and have also been employed on temporary contracts since 2004.

Environmental Enforcement Team

- 3.6 The team is based within the Estates Management Division of Corporate & Neighbourhood Services.
- 3.7 The current Environmental Enforcement Team structure is illustrated below:

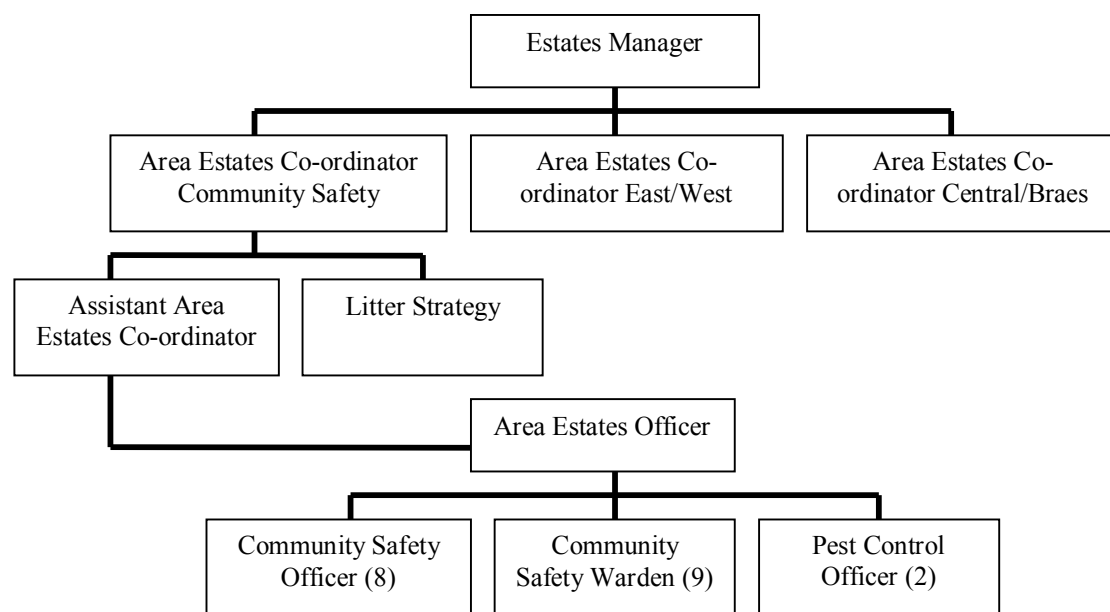


- 3.8 The majority of this team's funding comes from the Council's mainstream budget and therefore the majority of staff are employed on a permanent basis. Anti Social Behaviour budget funding is in place for two Environmental Enforcement Officers and the Co-ordinator's post. The Co-ordinator is currently on a temporary secondment from Development Services and the two Environmental Enforcement Officers are employed on temporary contracts.
- 3.9 The Enforcement Team are responsible for issuing warning letters and fixed penalty notices for dog fouling, litter and fly-tipping. As well as dealing with environmental issues the team also have responsibility for carrying out pest control duties. Their job descriptions are generic so that they can provide a flexible approach to both roles.
- 3.10 The Environmental Enforcement Team cover all Falkirk Council areas, however due to the nature of their work they tend to focus and work within highly populated areas e.g.: shopping areas and public parks.
- 3.11 This team currently work Monday – Friday 9 am – 5 pm. They undertake any additional hours out-with the core hours on an overtime basis.

4. PROPOSED STRUCTURE

Community Safety Team

- 4.1 It is proposed that the Community Warden Service and the Environmental Enforcement Team integrate to increase the pool of staff available and widen the geographical areas covered. It is further proposed that the integrated team be known as the **Community Safety Team** to reflect the wider community safety role that this team will be undertaking. In particular, the Team will play a key role in taking forward community reassurance and the objectives of the Council's Community Litter Plan.
- 4.2 The total operational staff resource within the Community Safety Team will be 20 and will integrate with the existing management structure of the Estates Management Division of Corporate and Neighbourhood Services. The proposed organisational structure is outlined below:



4.3 It is proposed that the Community Safety Team will provide a service across all the Council area, with coverage split into 3 distinct operational areas. Current knowledge and experience, together with analyst data will be used to focus and deploy resources on a daily basis within specific localities of the designated operational areas.

- EAST – including Grangemouth and Bo'ness areas
- WEST – including Denny/Bonnybridge and Larbert/Stenhousemuir areas
- CENTRAL – including Falkirk and Braes areas

- 4.4 A shift pattern will be introduced for the Team which covers the hours
- Monday – 7.00am to 8.30pm
 - Tuesday – Friday 7.00am to 10.00pm
 - Saturday – 9.00am to 10.00pm

All the Community Safety Officers and Wardens will participate in the shift pattern, with the exception of the Pest Control Officers.

- 4.5 Staff will be deployed into teams of two – a re-designated Community Safety Officer (previous Environmental Enforcement Officer) and a re-designated Community Safety Warden (previous Community Warden). The duties they will undertake will be to patrol a designated route carrying out similar duties as currently carried out by the Community Wardens. However, the team will also have the ability to issue fixed penalty notices as necessary. The re-designated Community Safety Officer will be responsible for issuing penalty notices, with the re-designated Community Safety Warden acting as a professional witness in such circumstances.
- 4.6 Deployment of the teams within prescribed geographical areas will be maintained as far as possible, in order to maximise their visibility and profile within the respective communities. This approach will also enable them to gain appropriate knowledge and operational intelligence about their area.

Pest Control/Dog Warden Service

- 4.7 The Pest Control and Dog Warden Services were integrated with the Environmental Enforcement Service some years ago in order to increase law enforcement activity potential. These services are however considered to be separate operational functions from those provided by the proposed Community Safety Team outlined above. Therefore, it is proposed that the Pest Control and Dog Warden Services will now operate as distinct functions, but under the same management and supervisory arrangements as the Community Safety Team. It is also proposed that two Pest Control Officers will operate a working week of 39 hours in the summer and 35 hours in the winter to accommodate the varying seasonal demand for the service.

Environmental Wardens

- 4.8 It is proposed that the Environmental Wardens merge with the Council's Street Cleansing Team and that their job function is mainstreamed into the current Street Cleansing service provision.
- 4.9 It is further proposed that the Clerical Officer post which currently supports the Community Wardens will join the Estates Management administration support team, in order to provide a more flexible and comprehensive support role to the Community Safety Team.

5. HR IMPLICATIONS

- 5.1 A series of working groups were established with staff to consider various issues associated with the integration. On the basis of these discussions, revised job descriptions have been prepared and evaluated in accordance with Council grading procedures in order to reflect the changes in duties of the respective posts. It is proposed that all posts within the integrated service structure above will be appointed on a permanent basis. This will provide security of employment for those staff currently employed on a temporary basis.

Community Wardens

- 5.2 The revised job description for the re-designated post of Community Safety Warden is graded as E which would represent an increase from their current grade of D. This staff group will relocate to Earls Road Depot, Grangemouth. The relocation will enable the full Community Safety Team to be co-located within the same premises,

facilitating more effective team working. The teams will however continue to be deployed and operate within prescribed geographical areas. The proposed integration also offers the Community Wardens a progression structure that wasn't previously available. There will also be some change to the current shift patterns operated by these staff.

Environmental Enforcement Officers

- 5.3 There are no grading impacts for the Environmental Enforcement Officers arising from the re-designation of their posts to Community Safety Officers and they will remain on Grade F.
- 5.4 Currently this staff group work conventional day shifts, Monday to Friday. The introduction of a shift pattern will vary the hours and days that they currently work.
- 5.5 There will also be a training requirement for both staff groups in order to familiarise and enable them to undertake the different duties and responsibilities associated with the current Community Warden and Environmental Enforcement posts.

Pest Control Officers/Dog Wardens

- 5.6 Some officers within the Environmental Enforcement Team have the necessary skills and experience to undertake the above role.
- 5.7 This team will not operate a shift pattern although their hours will be varied during the summer and winter months.

Environmental Wardens

- 5.8 It is proposed that the posts of Environmental Warden be integrated into the permanent Street Cleansing establishment as Driver/Sweepers. Their terms and conditions will remain the same and there are no other significant HR implications, other than that they will benefit from a permanent contract.
- 5.9 The revised structure will also change the role of the current Environmental Enforcement Co-ordinator, Community Warden Manager and Fieldwork Co-ordinator. Revised job descriptions for these posts have been established, resulting in new re-designated posts of Area Estates Co-ordinator (Community Safety); Assistant Area Estates Co-ordinator and Area Estates Officer. The grading review of these posts has resulted in an increase of one grade for each post. There will be no grading change to the Clerical Officer role which currently supports the Community Wardens.
- 5.10 Given the period of time that some staff have been in post, it is anticipated that current staff (both operational and supervisory/management) will be matched to posts within the integrated service as far as possible. Vacancies after matching will be filled through normal recruitment and selection procedures.

6. FINANCIAL IMPLICATIONS

- 6.1 The objective of the review has been to expand and increase the scope of the Community Warden and Environmental Enforcement services, within the existing budgetary provision.
- 6.2 Based on the revised gradings and associated on-costs, the proposed structure is estimated to cost £875,000. This cost can be accommodated within the current 2009/10 revenue budget for these Services.

7. CONSULTATION TO DATE

- 7.1 Consultation meetings have been held with the staff and 3 specific Staff Working Groups were set up to consider the following issues:
- Operational Issues (including scope and nature of service provision)
 - Resources (including vehicles, PPE and service branding)
 - Shift Patterns
- 7.2 These discussions with staff have assisted in informing the proposals contained in the report. It is however recognised that the integration represents a significant change to current methods of service provision and the associated implications for staff providing the new service. As such, these discussions will be continued with staff and the trade unions in order to effectively manage the integration process and ensure appropriate working practices and processes are established and implemented, particularly in relation to shift rotas; supervisory cover and training and guidance.

8. OTHER FACTORS/IMPLICATIONS

Branding

- 8.1 It is proposed that the integrated service be renamed as the Community Safety Team. With the current posts of Community Wardens being renamed as Community Safety Wardens and the posts of Environmental Enforcement Officers renamed Community Safety Officers.
- 8.2 It is proposed that there is a service launch, with an appropriate publicity campaign to promote and advertise the service.

Vehicles

- 8.3 It is proposed that 5 vehicles are purchased on long term lease to replace the current hired Community Warden vehicles and Environmental Enforcement Officers will no longer be required to use their own vehicles.
- 8.4 These vehicles will have highly visual livery to ensure that the new service is continuously promoted and in the public eye. One vehicle will be unmarked to enable covert operations to be undertaken.

Recording Apparatus

- 8.5 In order to improve the quality of evidence gathered for enforcement action and also to protect officers against complaints with regard to their behaviour or actions, it is proposed that personal/body cameras are available for use by each area team.

- 8.6 This equipment has been trialled and found to be effective in enhancing the quality of evidence available, particularly when investigating complaints relating to the appropriateness of enforcement action.
- 8.7 The camera recordings will also provide a valuable training aid for officers to ensure consistency and standards of approach.

9. CONCLUSIONS

- 9.1 The proposed integration of the Community Wardens and Environmental Enforcement Teams, provides an opportunity to better utilise staff resources, skills and vehicles, enabling a more comprehensive service to be provided to the community.
- 9.2 The proposed establishment of the area based Community Safety Teams will enable service coverage to be increased to cover the full Council area. Patrols by the Community Wardens are currently carried out on the basis of set routes. The new Community Safety Teams will use gathered intelligence to allocate officers into areas of highest need and will be focussed to specific areas and known “hot-spots” based on data gathered from reported incidents and general experience and knowledge gathered over time.
- 9.3 The proposals will also allow extended periods of coverage, particularly in the mornings and early evenings. These times are currently out with the working days of the Enforcement Team. The extended coverage will therefore enable the Teams to respond and tackle public feedback and concerns, particularly regarding dog-fouling, which predominantly occurs at these times.
- 9.4 The Community Safety Team will have a dual role, combining both the community engagement and support role of the current Community Warden service, together with enforcement powers, which can be utilised where necessary. The operational duties and responsibilities of the Team will be clearly defined to ensure that the appropriate balance between these roles is in place. Appropriate guidance and training will be provided to the Team to enable the dual role to be effectively undertaken.
- 9.5 Consultation has taken place with staff via the various working groups and trade unions. In order to effectively manage the change process for staff, a programme of training will be carried out to support staff during the integration process. It is also proposed that dialogue continues with staff and the trade unions in order to ensure that their feedback is incorporated into the finalised operational model.

10. RECOMMENDATIONS

Members are invited to:

- 10.1 **Note the proposed integrated organisational structure, combining the Community Warden service and Environmental Enforcement Team;**
- 10.2 **Refer the proposed organisational structure to Policy and Resources Committee for approval**

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DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 23 July 2009

Ref: ABB0809

Contact Officer: David McGhee, Ext: 0788

LIST OF BACKGROUND PAPERS

NONE

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 8 SEPTEMBER 2009 at 10.30 a.m.

PR58. REFERRALS FROM ENVIRONMENT AND COMMUNITY SAFETY COMMITTEE – 18 AUGUST 2009

Review of Community Warden and Environment Enforcement Services

With reference to the Minute of Meeting of the Environment and Community Safety Committee held on 18 August 2009 (Paragraphs ECS28 and ECS30 refer), there was submitted Report (circulated) dated 1 September 2009 by the Director of Corporate and Neighbourhood Services detailing the Reports considered by the said Committee and referred to Policy and Resources, namely:-

- Review of Community Warden and Environment Enforcement Services (ECS28)

Councillor Gow, seconded by Councillor Fry, moved the recommendation as detailed in the Report.

By way of Amendment, Councillor Alexander, seconded by Councillor Kenna moved that:-

“Committee notes that despite the assurances of the Labour/Tory Administration there remains major concerns within the staff group over this radical change of direction.

Officers are therefore asked to:-

- a) conduct full consultation with the staff members concerned
- b) provide alternative structures which retain the integrity of the current role of the staff members involved.
- c) Report back to Members only once there is full consultation with staff”.

On a division 5 Members voted for the Motion and 3 voted for the Amendment.

Accordingly, **AGREED**, to approve the proposed revised organisational structure for the integrated Community Warden Service and Environmental Enforcement Team as detailed in the Report.

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 8 SEPTEMBER 2009 at 10.30 a.m.

PR60. REFERRALS FROM HOUSING AND SOCIAL CARE COMMITTEE – 1 SEPTEMBER 2009

With reference to the Minute of Meeting of the Housing and Social Care Committee held on 1 September 2009 (Paragraphs HSC19, HSC21, HSC23, HSC26, HSC27 and HSC28 refers), there was submitted joint Report (circulated) dated 3 September 2009 by the Director of Corporate and Neighbourhood Services and Acting Director of Social Work Services detailing Reports considered by the said Committee and referred to Policy and Resources, namely:-

- Mixed Tenure Charging Arrangements (HSC19)

Councillor Gow seconded by Councillor Fry moved the recommendation for this item as detailed in the Report.

By way of an amendment, Councillor Alexander, seconded by Councillor Kenna moved that the discounted pricing structure should be retained including that for the refurbishment of High Rise Flats.

On a division 4 Members voted for the Motion and 4 voted for the Amendment.

There being an equality of votes and in terms of Standing Order 21.6, the Convener used her casting vote in favour of the Motion.

Accordingly, **AGREED**, to discontinue the discounted pricing structure for owners involved in the Planned Maintenance Programme with the exception of the refurbishment of the high rise flats.

FALKIRK COUNCIL

**Subject: REFERRAL FROM HOUSING AND SOCIAL CARE COMMITTEE – 1
SEPTEMBER 2009**
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 8 SEPTEMBER 2009
**Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES
AND ACTING DIRECTOR OF SOCIAL WORK SERVICES**

1. INTRODUCTION

- 1.1 The following Reports were submitted to the Housing and Social Care Committee at its meeting on 1 September 2009. The purpose of this Report is to refer recommendations made by the Housing and Social Care Committee to Policy and Resources Committee for approval.

2. MIXED TENURE CHARGING ARRANGEMENTS

- 2.1 Committee considered the Report by the Director of Corporate and Neighbourhood Services on a review of mixed tenure charging arrangements involving owners and presenting options for members to consider.

- 2.2 Committee was invited to:-

- (1) note the planned introduction of improved arrangements for incorporating owners' feedback and monitoring cases passed to Finance Services, in respect of mixed tenure work;
- (2) consider the options available to the Council regarding recharging owners and the financial implications for the Council, tenants and owners; and
- (3) refer the report to Policy and Resources Committee to consider the implications of any decisions made by members in relation to discounts to owners.

- 2.3 Councillor Goldie, seconded by Councillor McNeill, moved that the recommendation to be made to Policy and Resources Committee should be:-

“that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats.”

- 2.4 By way of an amendment, Councillor Meiklejohn, seconded by Councillor McNally moved that the discounted pricing structure should be retained including that for the refurbishment of High Rise Flats.

- 2.5 On a division, 6 Members voted for the Motion and 4 Members for the Amendment.

2.6 Accordingly, Committee agreed:-

- (1) that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats, and
- (2) to refer to the Policy and Resources Committee.
- (3) to note the planned introduction of improved arrangements for incorporating owners' feedback and monitoring cases passed to Finance Services, in respect of mixed tenure work.

2.7 **In accordance with paragraph 2.6 above, Policy and Resources Committee is invited to agree that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats.**

3. REVIEW OF DISTURBANCE ALLOWANCES FOLLOWING REPAIR AND IMPROVEMENT WORK

3.1 Committee considered the Report by the Director of Corporate and Neighbourhood Services on the review of arrangements through which the Council recompenses tenants for disturbance/redecoration arising from internal works.

3.2 Committee was invited and agreed to:-

- (1) approve the proposed arrangements detailed in paragraph 4.2 and authorise officers to develop the required procedural arrangements to allow implementation from April 2010;
- (2) Index link allowances to the Retail Price Index (RPI) of February each year. (However, this will not be reduced if there is a reduction in the RPI); and
- (3) refer the proposals outlined in paragraphs 4.2 to Policy and Resources Committee.

3.3 **In accordance with paragraph 3.2 above, Policy and Resources Committee is invited to approve the proposed arrangements as detailed in Paragraph 4.2 of the Report and to authorise officers to develop the required procedural arrangements to allow implementation from April 2010.**

4. ROLE OF THE CHIEF SOCIAL WORK OFFICER – IMPLEMENTATION OF NATIONAL GUIDANCE

4.1 Committee considered the Report by the Acting Director of Social Work Services referring to the contents of the National Guidance on the Role of the Chief Social Work Officer and to the Council's draft Policy Statement.

4.2 Committee was invited and agreed to:-

- (1) note the content of the National Guidance on the Role of the Chief Social Work Officer;
- (2) endorse the Draft Policy Statement as outlined in Appendix 2 of the Report; and
- (3) refer the Policy Statement to Policy and Resources Committee for final approval.

4.3 In accordance with paragraph 4.2 above, Policy and Resources Committee is invited to approve the Draft Policy Statement on the Role of the Chief Social Work Officer.

5. DELIVERING SERVICES TO CHILDREN AND FAMILIES: INTENSIVE FAMILY SUPPORT SERVICE

5.1 Committee considered the joint Report by the Acting Director of Social Work Services, and the Directors of Education Services and of Community Services detailing the work carried out by the Children's Commission to develop more integrated approaches to delivering services to children and families in the Falkirk Council area.

5.2 Committee was invited and agreed to:-

- (1) endorse the establishment of the permanent posts as outlined in paragraph 4.6 of the Report, and
- (2) agree that the Report should be referred to Policy and Resources Committee for establishment of the posts.

5.3 In accordance with paragraph 5.2 above, Policy and Resources Committee is therefore invited to approve the establishment of the permanent posts as outlined in Paragraph 4.6 of the Report.

6. INTERIM RESIDENTIAL PROVISION

6.1 Committee considered the Report by the Acting Director of Social Work seeking approval to continue to contract with Care Visions for the provision of 4 local medium term placements for Falkirk young people, on an interim basis.

6.2 Committee was invited to:-

- (1) endorse the proposal to continue to contract with Care Visions on an interim basis to provide medium term care within the Council area for 4 young people and refer this to Policy and Resources Committee for approval, and

- (2) request that the Acting Director of Social Work provide an update and options appraisal in relation to the longer term plans for a medium term/therapeutic unit at the earliest opportunity.
- 6.3 Councillor Goldie, seconded by Councillor McNeill moved the recommendations as contained within the Report.
- 6.4 By way of an amendment, Councillor Meiklejohn, seconded by Councillor Coleman moved that recommendation 2 above, be substituted with the following:-

“Reaffirm commitment to a third therapeutic unit and to request the Acting Director of Social Work Services to bring forward a Report on possible new build sites to Committee before the end of this year.”
- 6.5 On a division, 6 Members voted for the Motion and 4 Members for the Amendment.
- 6.6 Accordingly, Committee agreed to:-
 - (1) endorse the proposal to continue the contract with Care Visions, on an interim basis, for the provision of medium term care within the Council area for 4 young people and the matter be referred to the Policy and Resources Committee for approval, and
 - (2) request that the Acting Director of Social Work Services provide an update and options appraisal in relation to the longer term plans for a medium term/therapeutic unit at the earliest opportunity.
- 6.7 **In accordance with paragraph 6.6(1) above, Policy and Resources Committee is invited to approve the continuation of the contract with Care Visions for the provision of medium term care for 4 young people.**

7. FUTURE PROVISION OF FOSTERING SERVICES

- 7.1 Committee considered the Report by the Acting Director of Social Work Services on changes in the nature of fostering provision over recent years.
- 7.2 Committee was invited and agreed to:-
 - (1) endorse the increase of allowances to carers to the Fostering Network levels, on a phased basis as outlined in the Report and to refer the matter to the Policy and Resources Committee for approval;
 - (2) endorse the proposal to undertake a procurement exercise in relation to external foster care placements, on the basis that the outcome is referred to Policy and Resources Committee for approval; and
 - (3) request that the Acting Director of Social Work to provide Members with updates on the progress of the development of the fostering service.

- 7.3 In accordance with paragraph 7.2(1) above, Policy and Resources Committee is invited to approve the increase of allowances to carers to the Fostering Network levels, on a phased basis.

8. RECOMMENDATIONS

Committee is invited to:-

- (1) agree that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats;
- (2) approve the proposed arrangements as detailed in Paragraph 4.2 of the Report and to authorise officers to develop the required procedural arrangements to allow implementation from April 2010;
- (3) approve the Draft Policy Statement on the Role of the Chief Social Work Officer;
- (4) approve the establishment of the permanent posts as outlined in Paragraph 4.6 of the Report;
- (5) approve the continuation of the contract with Care Visions for the provision of medium term care for 4 young people; and
- (6) approve the increase of allowances to carers to the Fostering Network levels, on a phased basis.

.....
Director of Corporate and Neighbourhood Services

.....
Acting Director of Social Work Services

Date: 3 September 2009

Contact Officer: Brian Pirie, ext 6110

LIST OF BACKGROUND PAPERS NIL

FALKIRK COUNCIL

Subject: MIXED TENURE CHARGING ARRANGEMENTS
Meeting: HOUSING AND SOCIAL CARE COMMITTEE
Date: 1 September 2009
Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 The purpose of this report is to inform Members of the outcome of a review of mixed tenure charging arrangements involving owners and to present options for members to consider. Benefits and costs to the Housing Revenue Account of the current discounted pricing structure have been outlined in accordance with discussion regarding this issue at the Special Meeting of Falkirk Council held on 1 December 2008.

2. MIXED TENURE CHARGING ARRANGMENTS

- 2.1 In respect of work to common parts, the Council currently operates a discounted pricing structure for owners involved in the Planned Maintenance Programme and for owners within the High Rise flats. These were approved by Committee in May and November 2005 respectively. There are no discounted pricing structures for owners involved in the remainder of the Investment Programme or General Maintenance works.
- 2.2 The Communities Scotland Inspection report of February 2008 and resultant Improvement Plan highlighted the need for the Council to:
- Evaluate the effectiveness of the current flexible pricing and charging policy
 - Introduce mechanisms for incorporating owners' feedback about the effectiveness of arrangements
 - Improve monitoring of cases passed to Finance for invoicing owners
- 2.3 A review of the arrangements involving owners in communal works has recently been completed. This involved:
- Staff workshops
 - Involvement of Finance, Legal and Development Services
 - A literature review of best practice and the legal framework
 - A review of relevant standards set by the Scottish Housing Regulator in relation to owner occupiers

2.4 The outcomes of this review are as follows:

- The costs and benefits of the current pricing structure have been identified with options for members to consider (see Sections 3 and 4).
- Mechanisms have been identified for incorporating owners' feedback about the effectiveness of arrangements; this will entail including owners in regular satisfaction surveys and acting to improve services on the basis of those results.
- A procedure is being drawn up in partnership with Finance Services to enable improved monitoring of cases passed to Finance for invoicing owners.

3. PLANNED MAINTENANCE DISCOUNTED PRICING STRUCTURE

- 3.1 Planned Maintenance work includes the painting of stair closes, communal gutters and down pipes, chimney repairs and other essential cyclical maintenance activities. Owners have a responsibility for their share of common repairs and maintenance work.
- 3.2 The discounted pricing structure for Planned Maintenance work was approved by Members in May 2005 in an attempt to increase the number of owners willing to take part in the programme. The cost of scaffolding is deducted and an additional 15% discount is applied to the total bill. Administration costs of 12.5% to a maximum of £50 are also discounted unless the debt needs to be legally pursued.
- 3.3 The impact of the discounted pricing structure has been evaluated by analysing discount rates and income from owners for the financial years 2005/6 to 2008/9. The main issues for Members to note are outlined below.
- 3.4 On average 328 bills per annum are issued to owners who have agreed to the Council carrying out the work. In addition some owners opt to employ an alternative contractor. In these cases the Council must be satisfied that the contractor is adequately insured, the quote is competitive and that the quality of the work is satisfactory prior to paying its share to the owner. From 2006/7 to 2008/9 there were 46 owners who opted to employ alternative contractors, an average of 16 per annum. In these circumstances owners do not receive an invoice from the Council. Comparable data was not collected prior to the introduction of discounts.
- 3.5 The actual discount rate varies depending on whether scaffolding is involved. On average, the overall percentage discount given to owners is 34% based on a broad sample of bills selected for the purpose of the evaluation. This reduces the average bill by around £80 from £236 to £156.
- 3.6 The discount structure has cost the HRA c£105k over four years, an average of c£26k per annum. The cost of the discounts represents a reduction in the overall Planned Maintenance funding available of around 1.3%. The discounts will also cost progressively more in the long run as the number of owners adjoining Council property rises as a result of Right to Buy sales.

3.7 A survey of owners suggests that the discounts may not have significantly affected take up or use of alternative contractors. In a survey of owners involved in the Planned Maintenance Programme since the discounts were introduced, only a small minority would have considered using an alternative contractor if the discount had not been offered. The majority said that they would not have been any more likely to consider employing an alternative contractor even if the Council had not offered a discount. The most common reason for not considering an alternative contractor was related to convenience. A small minority did not consider it due to a lack of awareness that this was an option and one had considered using an alternative contractor but had been unable to find one. None of the owners had been aware until the point of the survey that a discount had been provided by the Council.

3.8 There are a number of options open to the Council in light of this review. The costs and implications of different options are summarised below.

3.9 **Option A – Suspending or Discontinuing the Planned Maintenance Discounted Pricing Structure would:**

- Remove the cross subsidy of £26k per annum from tenants to owners via the Housing Revenue Account and increase the available expenditure by around 1.3%.
- Standardise the pricing structure for owners involved in Planned Maintenance and Investment Programme work, with the exception of the unique case of the High Rise flats dealt with under Section 4.
- Maximise the annual Planned Maintenance budget, potentially expanding the programme by around 31 more council properties each year.
- Have no impact on participation rates where the Council is a majority owner and a potentially negative impact on participation rates where the Council is a minority or equal share owner. This is because participation is required of all owners if the majority decide to carry out essential maintenance, repairs or replacements to common parts, under the Tenements (Scotland) Act 2004. The survey of owners involved in planned maintenance discounts does not however substantiate whether discounts in practice, had any positive impact on participation rates.
- Increase the average bill per owner by £80 (34%) unless the owner is able to identify a lower cost alternative contractor that is acceptable to the Council.
- Potentially increase the likelihood that owners will not use the Council's in house service provider, in turn allowing more work to be carried out within Council properties. There is no evidence available to suggest that this is likely however.

3.10 **Option B – Retaining the Planned Maintenance Discount would:**

- Cost the HRA c£26k annually based on average costs over the last five years.
- Retain the current inequalities between Planned Maintenance and Investment Programme pricing structures involving owners.

- Continue to reduce the amount of available expenditure on tenanted properties by around 1.3% per annum, equivalent over four years to excluding one hundred and twenty five (125) Council properties from the programme.
- Have no impact on current participation rates of owners in planned maintenance.
- Continue to reduce the average bill per owner by around £80.
- Continue to limit the likelihood of owners opting not to use the Council's in house service provider.
- Cost progressively more in the long run if the number of owners adjoining Council properties increases as the Right to Buy is taken up.

3.11 **Option C – Extending Discounts to the Investment Programme would:**

- Cost the HRA c£43k per annum, if all communal work under the Investment Programme involving owners received a 34% discount.
- Standardise the pricing structure for owners involved in Planned Maintenance and Investment Programme work, with the exception of the unique case of the High Rise flats dealt with under Section 4.
- Reduce the available expenditure on Council properties by an estimated c£43k per annum, the equivalent over four years to around 56 gas central heating installations.
- Have no impact on participation rates where the Council is a majority owner and a potentially positive impact on participation rates where the Council is a minority or equal share owner. This is because participation is required of all owners if the majority decide to carry out essential maintenance, repairs or replacement to common parts (as well as installing door entry systems), under the Tenements (Scotland) Act 2004. The survey of owners involved in planned maintenance discounts does not however substantiate whether discounts in practice, had any positive impact on participation rates.
- Potentially have an impact on participation in certain improvements (i.e. those not reasonably incidental to the essential repair, maintenance or replacement of common parts) to meet the Scottish Housing Quality Standard (SHQS). The SHQS is not mandatory for private sector housing therefore it can be generally more difficult to achieve in mixed tenure circumstances.
- Reduce the average bill per owner involved in the Investment Programme by £891.
- Cost progressively more in the long run as the number of owners adjoining Council properties increases as the Right to Buy is taken up.

- 3.12 **General Maintenance** - The cost of extending discounts to owners involved in General Maintenance repairs is unlikely to impact on participation in essential work but would lead to a proportionate reduction in available expenditure from this budget. As outlined in 2.4, measures to improve monitoring arrangements are being introduced which may increase the identifiable income from this source. However on average, income over the last 4 years is c£7k per annum. On this basis extending a 34% discount to owners involved in General Maintenance would cost the HRA around £2k per annum.
- 3.13 **Discount Rate** - Members will also wish to consider that the current discounted pricing structure for Planned Maintenance is not a flat rate 34% discount. It varies according to whether scaffolding is involved, as outlined in paragraph 3.2. It could therefore be an option to replace the current variable pricing structure with a flat rate discount, in the interests of standardisation. The discount rate could be 34% or some other percentage deemed by Members to be appropriate.

4. **HIGH RISE FLATS DISCOUNTED PRICING STRUCTURE**

- 4.1 The discounted pricing structure for the High Rise flats was agreed by Members in November 2005. The cost of improvement work, preliminaries and fees are deducted from owners' bills. This was agreed after taking account of a number of issues including:
- Unique property type and nature of the refurbishment programme
 - High cost of work relative to property values
 - Difficulties associated with raising finance via mortgages for these properties
 - Significant element of improvements included in the programme
 - The legal framework relating to repairs, maintenance and improvements. Owners are not obliged to pay towards the cost of improvements unless they have consented to do so (in general terms where title deeds are silent, under the Tenements (Scotland) Act 2004, owners need to provide permission for most types of improvements, unlike repairs and maintenance which can be authorised by majority decision).
- 4.2 Within existing arrangements the main benefits are in terms of enabling the Council to undertake the programmed improvements within each project; and the financial benefit for owners given the unique construction type, high unit costs and difficulty raising mortgage finance.
- 4.3 **Cost of Discounts** - The cost to the HRA of the discounted pricing structure for the High Rise flats is c£11k per owner (exclusive of VAT) based on previous contracts. The bill per owner after discount was c£23k for Breton Court, c£21k for Corentin Court and c£16k for Belmont Tower (inclusive of VAT). Some owners have reduced their bills further via means tested grant of up to 100% of the re-roofing costs (c£3800). The refurbishment contract at Belmont Tower includes 16 owners recently issued with final bills. Six out of the seven owners at Breton & Corentin Courts have paid their bills in full.

- 4.4 **Impact of the Housing Scotland Act 2006** - It was noted when the current discount arrangements were approved that there may be an opportunity to review arrangements following the enactment of the Housing (Scotland) Act 2006, relevant provisions of which are being implemented on a phased basis over 12 months from 1 April 2009. Legal Services have explored the potential to use Maintenance Orders, Work Notices and Repayment Charges under the 2006 Act; but have concluded that it would not be fully commensurate with the Guidance to do so under these particular circumstances, one of the reasons being that the owners are not being required to organise and carry out the work themselves. Lending options including equity release are continuing to be reviewed by the Scottish Government. All other forms of advice and assistance to owners under this Act will be detailed in the Council's Draft Statement of Assistance.
- 4.5 There are a number of options open to the Council in light of this review. The costs and implications of different options are summarised below.
- **Option A – Retain Discounts for High Rise Flats Refurbishment**
This option will cost the HRA c£11k per owner. The estimated total cost will be c£913k based on previous costs and the current number of owners (83) within the 6 blocks remaining to be refurbished.
 - **Option B – Remove Discounts for High Rise Flats Refurbishment**
This option would not necessarily save the HRA the full discount to owners because they are not obliged if they do not agree, to contribute to the type of improvements being carried out to the ground floor areas. The removal of discounts for fees and preliminaries (c£9k per owner) would save the HRA c£747k over the course of refurbishing the remaining blocks.
- 4.6 Members will note that when the Council authorised the pricing structure for the High Rise flats it did so on the basis of a rolling programme. The agreed pricing structure was subsequently communicated via consultation events and leaflets to owners in all blocks.

5. CONCLUSION

- 5.1 This report summarises the findings of a review of mixed tenure charging arrangements and discounted pricing structures that has been prompted by the issues raised within the 2008 Communities Scotland Inspection Report for the Housing Service. It invites members to consider the options available to them in light of the findings presented.

6. RECOMMENDATIONS

Committee are invited to:

- 6.1 **Note the planned introduction of improved arrangements for incorporating owners' feedback and monitoring cases passed to Finance Services, in respect of mixed tenure work;**
- 6.2 **Consider the options available to the Council regarding recharging owners and the financial implications for the Council, tenants and owners; and**

- 6.3 Refer the report to Policy and Resources Committee to consider the implications of any decisions made by members in relation to discounts to owners.

.....
DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 20 August 2009

Ref: AAL0909 Mixed Tenure

Contact Names: David Dunbar, Service Manager, ext 0833
Stephen Murphy, Senior Programmes Officer, ext 0838

LIST OF BACKGROUND PAPERS

1. Analysis of costs of discounted pricing Structure for Owners.

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 8 SEPTEMBER 2009 at 10.30 a.m.

PR60. REFERRALS FROM HOUSING AND SOCIAL CARE COMMITTEE – 1 SEPTEMBER 2009

With reference to the Minute of Meeting of the Housing and Social Care Committee held on 1 September 2009 (Paragraphs HSC19, HSC21, HSC23, HSC26, HSC27 and HSC28 refers), there was submitted joint Report (circulated) dated 3 September 2009 by the Director of Corporate and Neighbourhood Services and Acting Director of Social Work Services detailing Reports considered by the said Committee and referred to Policy and Resources, namely:-

- Interim Residential Provision (HSC27)

Councillor Gow, seconded by Councillor Fry, moved the recommendation for this item as detailed in the Report.

By way of an Amendment, Councillor Alexander, seconded by Councillor Kenna moved that, in addition to recommendation 8.1 in the original report:-

“Committee agrees with the statement made by the current Leader of Falkirk Council that failure to deliver the three new centres committed to by the previous SNP/Independent Administration would be a betrayal of the children of Falkirk.

Committee therefore agrees to honour this commitment and asks officers to bring forward options for a new build centre”.

While addressing Committee under her right to reply the Convener checked Councillor Alexander for interrupting under Standing Order 26.1.

Councillors Alexander and Spears withdrew from the meeting.

On a division 4 Members voted for the Motion and 2 voted for the Amendment.

Accordingly, **AGREED** to continue the contract with Care Visions on an interim basis to provide medium term care within the Council area for 4 young people.

FALKIRK COUNCIL

**Subject: REFERRAL FROM HOUSING AND SOCIAL CARE COMMITTEE – 1
SEPTEMBER 2009**
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 8 SEPTEMBER 2009
**Author: DIRECTOR OF CORPORATE AND NEIGHBOURHOOD SERVICES
AND ACTING DIRECTOR OF SOCIAL WORK SERVICES**

1. INTRODUCTION

- 1.1 The following Reports were submitted to the Housing and Social Care Committee at its meeting on 1 September 2009. The purpose of this Report is to refer recommendations made by the Housing and Social Care Committee to Policy and Resources Committee for approval.

2. MIXED TENURE CHARGING ARRANGEMENTS

- 2.1 Committee considered the Report by the Director of Corporate and Neighbourhood Services on a review of mixed tenure charging arrangements involving owners and presenting options for members to consider.

- 2.2 Committee was invited to:-

- (1) note the planned introduction of improved arrangements for incorporating owners' feedback and monitoring cases passed to Finance Services, in respect of mixed tenure work;
- (2) consider the options available to the Council regarding recharging owners and the financial implications for the Council, tenants and owners; and
- (3) refer the report to Policy and Resources Committee to consider the implications of any decisions made by members in relation to discounts to owners.

- 2.3 Councillor Goldie, seconded by Councillor McNeill, moved that the recommendation to be made to Policy and Resources Committee should be:-

“that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats.”

- 2.4 By way of an amendment, Councillor Meiklejohn, seconded by Councillor McNally moved that the discounted pricing structure should be retained including that for the refurbishment of High Rise Flats.

- 2.5 On a division, 6 Members voted for the Motion and 4 Members for the Amendment.

2.6 Accordingly, Committee agreed:-

- (1) that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats, and
- (2) to refer to the Policy and Resources Committee.
- (3) to note the planned introduction of improved arrangements for incorporating owners' feedback and monitoring cases passed to Finance Services, in respect of mixed tenure work.

2.7 **In accordance with paragraph 2.6 above, Policy and Resources Committee is invited to agree that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats.**

3. REVIEW OF DISTURBANCE ALLOWANCES FOLLOWING REPAIR AND IMPROVEMENT WORK

3.1 Committee considered the Report by the Director of Corporate and Neighbourhood Services on the review of arrangements through which the Council recompenses tenants for disturbance/redecoration arising from internal works.

3.2 Committee was invited and agreed to:-

- (1) approve the proposed arrangements detailed in paragraph 4.2 and authorise officers to develop the required procedural arrangements to allow implementation from April 2010;
- (2) Index link allowances to the Retail Price Index (RPI) of February each year. (However, this will not be reduced if there is a reduction in the RPI); and
- (3) refer the proposals outlined in paragraphs 4.2 to Policy and Resources Committee.

3.3 **In accordance with paragraph 3.2 above, Policy and Resources Committee is invited to approve the proposed arrangements as detailed in Paragraph 4.2 of the Report and to authorise officers to develop the required procedural arrangements to allow implementation from April 2010.**

4. ROLE OF THE CHIEF SOCIAL WORK OFFICER – IMPLEMENTATION OF NATIONAL GUIDANCE

4.1 Committee considered the Report by the Acting Director of Social Work Services referring to the contents of the National Guidance on the Role of the Chief Social Work Officer and to the Council's draft Policy Statement.

4.2 Committee was invited and agreed to:-

- (1) note the content of the National Guidance on the Role of the Chief Social Work Officer;
- (2) endorse the Draft Policy Statement as outlined in Appendix 2 of the Report; and
- (3) refer the Policy Statement to Policy and Resources Committee for final approval.

4.3 In accordance with paragraph 4.2 above, Policy and Resources Committee is invited to approve the Draft Policy Statement on the Role of the Chief Social Work Officer.

5. DELIVERING SERVICES TO CHILDREN AND FAMILIES: INTENSIVE FAMILY SUPPORT SERVICE

5.1 Committee considered the joint Report by the Acting Director of Social Work Services, and the Directors of Education Services and of Community Services detailing the work carried out by the Children's Commission to develop more integrated approaches to delivering services to children and families in the Falkirk Council area.

5.2 Committee was invited and agreed to:-

- (1) endorse the establishment of the permanent posts as outlined in paragraph 4.6 of the Report, and
- (2) agree that the Report should be referred to Policy and Resources Committee for establishment of the posts.

5.3 In accordance with paragraph 5.2 above, Policy and Resources Committee is therefore invited to approve the establishment of the permanent posts as outlined in Paragraph 4.6 of the Report.

6. INTERIM RESIDENTIAL PROVISION

6.1 Committee considered the Report by the Acting Director of Social Work seeking approval to continue to contract with Care Visions for the provision of 4 local medium term placements for Falkirk young people, on an interim basis.

6.2 Committee was invited to:-

- (1) endorse the proposal to continue to contract with Care Visions on an interim basis to provide medium term care within the Council area for 4 young people and refer this to Policy and Resources Committee for approval, and

- (2) request that the Acting Director of Social Work provide an update and options appraisal in relation to the longer term plans for a medium term/therapeutic unit at the earliest opportunity.
- 6.3 Councillor Goldie, seconded by Councillor McNeill moved the recommendations as contained within the Report.
- 6.4 By way of an amendment, Councillor Meiklejohn, seconded by Councillor Coleman moved that recommendation 2 above, be substituted with the following:-

“Reaffirm commitment to a third therapeutic unit and to request the Acting Director of Social Work Services to bring forward a Report on possible new build sites to Committee before the end of this year.”
- 6.5 On a division, 6 Members voted for the Motion and 4 Members for the Amendment.
- 6.6 Accordingly, Committee agreed to:-
 - (1) endorse the proposal to continue the contract with Care Visions, on an interim basis, for the provision of medium term care within the Council area for 4 young people and the matter be referred to the Policy and Resources Committee for approval, and
 - (2) request that the Acting Director of Social Work Services provide an update and options appraisal in relation to the longer term plans for a medium term/therapeutic unit at the earliest opportunity.
- 6.7 In accordance with paragraph 6.6(1) above, Policy and Resources Committee is invited to approve the continuation of the contract with Care Visions for the provision of medium term care for 4 young people.**

7. FUTURE PROVISION OF FOSTERING SERVICES

- 7.1 Committee considered the Report by the Acting Director of Social Work Services on changes in the nature of fostering provision over recent years.
- 7.2 Committee was invited and agreed to:-
 - (1) endorse the increase of allowances to carers to the Fostering Network levels, on a phased basis as outlined in the Report and to refer the matter to the Policy and Resources Committee for approval;
 - (2) endorse the proposal to undertake a procurement exercise in relation to external foster care placements, on the basis that the outcome is referred to Policy and Resources Committee for approval; and
 - (3) request that the Acting Director of Social Work to provide Members with updates on the progress of the development of the fostering service.

- 7.3 In accordance with paragraph 7.2(1) above, Policy and Resources Committee is invited to approve the increase of allowances to carers to the Fostering Network levels, on a phased basis.

8. RECOMMENDATIONS

Committee is invited to:-

- (1) agree that the discounted pricing structure is discontinued with the exception of the refurbishment of High Rise Flats;
- (2) approve the proposed arrangements as detailed in Paragraph 4.2 of the Report and to authorise officers to develop the required procedural arrangements to allow implementation from April 2010;
- (3) approve the Draft Policy Statement on the Role of the Chief Social Work Officer;
- (4) approve the establishment of the permanent posts as outlined in Paragraph 4.6 of the Report;
- (5) approve the continuation of the contract with Care Visions for the provision of medium term care for 4 young people; and
- (6) approve the increase of allowances to carers to the Fostering Network levels, on a phased basis.

.....
Director of Corporate and Neighbourhood Services

.....
Acting Director of Social Work Services

Date: 3 September 2009

Contact Officer: Brian Pirie, ext 6110

LIST OF BACKGROUND PAPERS NIL

FALKIRK COUNCIL

SUBJECT: INTERIM RESIDENTIAL PROVISION

MEETING: HOUSING AND SOCIAL CARE COMMITTEE

DATE: 1ST SEPTEMBER 2009

AUTHOR: ACTING DIRECTOR OF SOCIAL WORK SERVICES

1. INTRODUCTION

- 1.1 This report seeks approval from Members to contract with a residential care provider, Care Visions, to provide 4 local medium term placements for Falkirk young people, on an interim basis. The report also highlights that work is being done to evaluate the longer term options for this type of care and proposes that an update is provided by the Acting Director of Social Work Services at the earliest opportunity.

2. BACKGROUND

- 2.1 In 2001, Members agreed a new structure for the provision of local care for our young people. The plan for local residential child care provision includes a long term unit, a short term unit and a medium term therapeutic unit.

Since then the Council has opened the long term unit, expanded this to accommodate 5 young people, and commenced work to develop a short term unit, which is due to open in early 2010.

- 2.2 In June 2006, Members of the Policy and Resources Committee agreed to the Council block purchasing 3 beds from a local care provider, Care Visions, pending the opening of our own short term accommodation. This provided the Council with local care for our young people at a significant saving to the Council, at that time £2,700 per bed per week against £3,500 - £4,300 for other providers. Additionally in 2007 Members agreed to the purchase of an additional external short term/crisis care bed from Crossreach in a joint one year contract with Stirling and Clackmannanshire Councils.
- 2.3 Since 2006 Care Visions have provided short term care for a maximum of 3 young people at any one time at their unit at Westside Farm, Avonbridge. A positive working relationship has developed and they have indicated their willingness to continue to provide residential care to meet the needs of some of our most vulnerable young people. Following the opening of the Council's own short term unit early next year, we will be able to meet the bulk of our needs for short term accommodation in a cost effective way through in house provision. However, we will still have some outstanding needs, primarily for medium term accommodation for younger children. The remainder of this report outlines the outstanding need for residential care and makes proposals for how

these could be met in a more cost effective manner through an interim revised contract with Care Visions.

3. CURRENT REQUIREMENTS FOR RESIDENTIAL CARE

- 3.1 As outlined above, by the beginning of 2010 it is envisaged that the Council will have succeeded in developing 5 long term places and 5 short term places for children and young people requiring residential care. In 2008, in recognition of the changes in patterns and trends relating to residential care and the resultant financial pressures, a Best Value Review was undertaken. This examined patterns and trends relating to residential child care and confirmed that there continued to be a need for residential provision for younger children who needed medium term therapeutic input. The number of full-time placements of this nature required in recent years was as follows:

| | |
|-----------|---|
| 2005/2006 | 3 |
| 2006/2007 | 6 |
| 2007/2008 | 7 |
| 2008/2009 | 6 |

- 3.2 The review also concluded that, in the light of the difficulties experienced to date in developing our own in house provision, there would be merits in undertaking an option appraisal of different approaches to achieving medium term places, rather than automatically continuing with a model of in-house provision. A sum of £750,000 has been set aside in the capital programme for 2010-2011 for a therapeutic unit. Work has commenced to undertake an options appraisal which will be reported to members in due course and which will help to inform a decision about whether a further in-house project in 2010-2011 represents the best way forward for meeting the Council's outstanding needs for residential child care.
- 3.3 In the meantime, however, the Council has the opportunity to enter into a revised contract with Care Visions which could provide a more cost effective way of meeting our needs for medium term accommodation for young people.

4. PROPOSAL

- 4.1 Care Visions remains the only residential child care provider in Falkirk Council area apart from 2 units providing specialist care to children with disabilities. Falkirk Council continues to require residential care for young people requiring medium term care, and until our own provision is available such placements are being purchased externally at a cost of between £3,200 and £4,500 per child per week. Of the placements currently purchased externally, 7 are spot purchased from Care Visions, at a cost of £3,375 to £3,970 per bed per week dependent on level of support required.
- 4.2 Care Visions also provide other types of residential care across the country, including long term and medium term care and are therefore an experienced provider. Following discussions, they have advised that they could reconfigure their provision in Westside to

provide 4 medium term beds, through a revision of their current block purchase contract, at a weekly cost of £2,892 per bed.

This compares favourably with the costs of other external placements as outlined above and represents a substantial discount on their spot purchase placements.

4.3 A revised 15 month contract, to this effect from January 2010 to April 2011 would:-

- allow the service to update the work previously done to ensure the model of service delivery remains the right one, and provide members with an options appraisal.
- 'save' the council £483 per bed per week, or £31,395 per bed over a 15 month period.
- allow children to remain in their local community, attend their local school, and keep contact with family and friends.

5. FINANCIAL IMPLICATIONS

5.1 The cost of residential care for children is a significant financial pressure for the Council. Entering into a revised contract with an existing provider of care would save the council £1,932 per week on 4 placements, plus savings in staff time and travel.

5.2 Over a 15 month period, the contract would cost £751,920, at current rates a saving to the Council of £125,580.

6. RESOURCE IMPLICATIONS

6.1 There are no human resource implications

7. CONCLUSION

7.1 Patterns and trends relating to looked after children indicate that the Council will continue to require at least 4 medium term residential placements. These are currently spot purchased externally to the Council with consequent implications for children who are living out of the area and financial pressures on the Council

7.2 Contracting with Care Visions for local provision of 4 placements is a means to bring costs down in the interim, and gives space to agree the best way to meet our commitment to local provision of medium term/therapeutic care.

7.3 Our existing relationship with Care Visions means we would be working with a known provider and able to monitor standards of care effectively.

8. RECOMMENDATION

It is recommended that members should;

- 8.1 endorse the proposal to continue to contract with Care Visions on an interim basis to provide medium term care within the council area for 4 young people and refer this to Policy and Resources committee for approval,
- 8.2 request that the Acting Director of Social Work provide an update and options appraisal in relation to the longer term plans for a medium term/therapeutic unit at the earliest opportunity.

.....
ACTING DIRECTOR OF SOCIAL WORK SERVICES

Date: 3rd August 2009

Contact Officer: Vivien Goodbrand, Service Manager (Children & Families), 506463

LIST OF BACKGROUND PAPERS

1. Best Value Review of Residential Child Care - Best Value and Audit Forum

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the LEISURE, TOURISM AND COMMUNITY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 15 SEPTEMBER 2009 at 9.30 A.M.

LTC26. THE PARK GALLERY

There was submitted Report (circulated) dated 25 August 2009 by the Director of Community Services on future options in relation to the operation of the Park Gallery, Falkirk.

Discussion included the importance of safeguarding the facility for art, artists, the public and for the cultural development of the Falkirk Council area.

Councillor Mahoney, seconded by Provost Reid, moved that the Park Gallery be relocated to Callendar House, Falkirk by the end of April 2010.

By way of an Amendment, Councillor Meiklejohn, seconded by Councillor Coleman, moved the following:-

‘It is recognised that the Park Gallery has provided a focal point for both high profile nationally renowned and local artists to display their works and enable local people to interact with them particularly through the educational programme. This is demonstrated in the increased visitor numbers in 2009/10, including visitors from outwith Falkirk District.

In addition it is acknowledged that the Park Gallery adds value to the facilities within Callendar Park, all of which are independent, the loss of any one could significantly impact on the others. Therefore there should be no downgrading of the Park Gallery and the current regime be retained.’

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) - Provost Reid; Councillors Buchanan, Lemetti, C MacDonald, McLuckie, Mahoney and Nicol.

For the Amendment (4) - Councillors Meiklejohn, Coleman, J Constable and McNally.

Accordingly, **AGREED** that the Park Gallery be relocated to Callendar House, Falkirk by the end of April 2010.

FALKIRK COUNCIL

Subject : THE PARK GALLERY
Meeting : LEISURE TOURISM & COMMUNITY COMMITTEE
Date : 15 SEPTEMBER 2009
Author : DIRECTOR OF COMMUNITY SERVICES

1. INTRODUCTION

- 1.1 At the meeting of Falkirk Council on 11 February 2009, the budget report noted that a review of the Park Gallery would be undertaken with a view to reducing operating costs. The purpose of this report is to provide Members of the Committee with information about the Park Gallery to enable them to consider such future options.

2. BACKGROUND

- 2.1 The Park Gallery is situated in Callendar Park, adjacent to the Callendar House Tea Room. It was opened in 2001 to provide a venue for contemporary arts and crafts as a complement to the historical displays in Callendar House.
- 2.2 The refurbishment of the Gallery was supported by funding of circa £90K from the Scottish Arts Council and the Gallery continues to receive financial support for programmes and projects from the same source. The Park Gallery is one of 40 Scottish Galleries participating in the UK Own Art scheme, administered in Scotland by the Scottish Arts Council and designed to encourage the purchase of contemporary art and crafts.
- 2.3 There is a strong interdependency with other facilities in the Park (Callendar House, the Teashop and the Park itself) and programmes link to other initiatives such as the Big Draw and Homecoming Scotland
- 2.4 The venue has the appropriate infrastructure e.g. appropriate security and environmental systems installed together with appropriate insurance cover, which allows the venue to hire or curate exhibitions that require such conditions. It is a dedicated and recognised space in which to exhibit works of art or crafts to a high standard.
- 2.5 However, it should be said that there are some drawbacks to the venue. In the first place it is quite a small space, comprising two galleries with low headroom. This has restricted the range and scale of professional exhibitions that can be shown. It also lacks storage and staff facilities, which again has placed restrictions on workshops and other activities. A larger venue with good ancillary facilities would allow a higher profile for exhibitions and activities.

3. STRATEGIC CONTEXT

- 3.1 The Park Gallery is one element of a strategic approach to arts development in the Falkirk Council area and sits within the national context of the Scottish Arts Council's priorities for the visual arts in Scotland.
- 3.2 Falkirk Council has an excellent track record in supporting visual artists and craftspeople and has established a national reputation for hosting contemporary art and craft exhibitions. The Park Gallery is a venue with which artists and exhibition lenders are happy to be associated. This is recognised by the Scottish Arts Council and has helped

the Council secure funding to deliver the Falkirk and Stirling Visual Arts and Crafts Awards Schemes, supported by SAC and delivered in partnership with Stirling and Clackmannanshire Councils. Cultural Services hosted a Craftmakers' Networking Day at the Park Gallery designed to provide information to craftmakers on business support and development which attracted 25 local makers. Forth Valley College also uses a number of exhibitions, including the arts and craft exhibition "Winter Warmth" as study visits for students

4. PROGRAMMES AND ACTIVITIES

- 4.1 The programme of exhibitions and associated events is wide ranging and seeks to balance increasing visitor numbers with engaging local people and visitors in contemporary arts and crafts. The aim is both to attract those who already have an interest in contemporary arts and crafts and also to encourage those for whom visiting exhibitions is a new experience. The Gallery has a key role to play in supporting emerging local artists and for supporting students from Forth Valley College to show their works in a professional environment.
- 4.2 The programme is varied, with exhibitions covering a wide range of artistic media – paintings, sculpture, photography, ceramics and glass, textiles and crafts. Some of the exhibitions are hired from other organisations, some are developed in house and some are the result of a partnership approach. There is an educational programme linked to exhibitions, that encourages children, young people and adults to become involved with the arts through workshops and talks
- 4.3 Equally, the Gallery exhibits works by nationally renowned artists, thus giving local residents the opportunity to view and enjoy art works not usually accessible to them. Recent examples have included the artist David Hockney, the photographer Man Ray, the exhibition of paintings, drawings and prints by Joan Eardley and a major retrospective of the works of Lesley Banks (a local artist of national repute).
- 4.4 *Visitor Figures*
- 4.4.1 Visitor figures for the Park Gallery in 2006 /07 were 4744; in 2007 /08 they were 4138 and in 2008/09 they totaled 4143. Whilst these figures have remained fairly consistent, there has been an increase in media interest and publicity for the Park Gallery programme. This has resulted in an increase in visitor figures for the 2009/10 season. During 2009 there has been a number of high profile exhibitions, including "Documenting Life", paintings and drawings by Joan Eardley and Audrey Walker; "Lesley Banks: 25 years of Painting" and "Marion Smith: Long View" . As a result visitor figures have increased considerably. During the period April to July 2009 visitor numbers totaled 3115 (in 2008 it was 1333 for the same period). The exhibitions are attracting visitors from beyond the Falkirk Council area who are coming specifically to visit the Gallery

5. OPERATING COSTS

- 5.1 For the financial year 2009/2010 the Park Gallery will have the following direct operating costs. The detail is set out below:

| | |
|-----------------------|----------------|
| Staffing Costs | £27,360 |
| Property Costs | £4,490 |
| Supplies and Services | <u>£18,640</u> |
| | £50,490 |

6. OPTIONS FOR REDUCING OPERATING COSTS

6.1 A number of options for reducing operating costs are listed below.

6.2 Reducing Opening Hours

The Park Gallery's current opening hours are as follows:

- Monday to Saturday 10 am – 4pm (October – March)
- Monday to Saturday 10am – 5pm and Sunday 2pm – 5pm (April to September)

6.3 The Gallery is also closed to the public during periods of exhibition changeover. This is standard practice. The Gallery could be closed for one or more days per week or open for afternoons only. If the Gallery were closed for one additional day per week, the annual saving in staff costs would be £4,378. This would be multiplied if there was more than one additional closed day. The reduction in opening hours may have implications for staff contracts and consultation with trade unions would be required. This is explained further in 10.1.

6.4 In terms of implications, a reduction in opening hours would require promotion to alert potential visitors. In general, visitors can be deterred by irregular opening hours.

6.5 Reducing the Park Gallery Exhibition and Workshop Programme

As stated in Section 2, the Gallery was established with funding from the Scottish Arts Council, to provide a venue for contemporary arts and crafts. Many of the exhibitions are purchased as part of touring programmes, whilst others are developed by staff in partnership with the artists concerned. The costs associated with the development of this programme are £18,640. This includes promotion and publicity, insurance cover and the purchase of material.

The number of exhibitions per annum could be reduced, with an associated 50% reduction in costs of £9,320, although this could leave the Gallery closed for long periods between shows.

7. OPTIONS FOR RELOCATION

7.1 As explained above the Park Gallery provides a dedicated and nationally recognised venue with a clear focus both on exhibiting contemporary arts and crafts, and encouraging participation in the arts. It also has appropriate security and environmental measures in place. There is no other similar venue managed by Falkirk Council, so relocation is likely require further investment.

7.2 A number of locations have been considered:

7.2.1 Callendar House

Callendar House has one temporary exhibition space which is used for object based exhibitions of historical interest and significance. Many of the exhibitions are curated from the museum collections, allowing visitors the opportunity to view artifacts from the collection which are not usually on display. The exhibition space has been designed to allow for object based displays and in its current guise would not be suitable for immediate relocation.

However, it is at least 12 years since Callendar House fully opened to the public. Professionally recognised standards suggest that “permanent” museum displays should be refreshed on a 10-15 year cycle, so the current provision of displays and services within the House should be examined with a view to upgrading and refurbishment. This would be a major project, involving external funding. Nevertheless there would be

an opportunity to factor in a dedicated art gallery within the overall facility as a consequence of the refurbishment works. This could provide an improved and larger dedicated space for art exhibitions and associated activities. Funding for this remodeling study was agreed at the Policy and Resources Committee on 11 August 2009.

7.2.2 Falkirk Town Hall

Falkirk Town Hall currently has an upstairs corridor which is used for community style art exhibitions e.g. from the Arts & Civic Council and for small displays that complement activities in the Town Hall., but it does not replicate the Park gallery as a dedicated exhibition venue.

7.2.3 Other Facilities

Other facilities such as Falkirk Municipal Buildings, libraries and community centres have been considered for the relocation of the Park Gallery. In all cases, whilst it might be possible to hang paintings on office, corridor or foyer walls at minimal cost, there are real security issues associated with this course of action. Unfortunately, no exhibition lender or professional artist would be willing to hire out an exhibition under such conditions.

8. **CLOSURE OF THE PARK GALLERY**

8.1 The final option for the Park Gallery is to consider complete closure. There are a number of implications associated with this.

8.2 External Funding

At this stage the Scottish Arts Council (SAC) will not issue a formal response to the possible closure of the Park Gallery. It will do so if, and when, the closure is announced. As part of the normal grant conditions SAC retains a 25-year interest in any property it has supported through funding. At this stage, SAC will also not comment on the future implications for other funding applications that Falkirk Council may wish to submit to SAC for future projects although there is an indication that some future funding strands may require applicant bodies to demonstrate resilience in the current economic downturn by demonstrating a commitment maintaining existing resource allocation to cultural provision.

The same principle holds true for relocation and removing the professional programme.

8.3 Property

If the Park Gallery were closed, the property would still require to be maintained so there would be an ongoing cost of around £4,500. There would also be a one-off cost to board up the large picture window at the entrance to prevent vandalism. It should also be noted that potential future funders of other development in Callendar Park may have regard to the closure in their assessment of project appraisals.

8.4 Staff

The part-time Visual Arts Assistants would require redeployment to elsewhere in the Council generating potential staff savings of £27,360. Paragraph 10.1 below provides detail on the consultation implications of such a change.

9. **SAVINGS**

9.1 Reduction in Operating Costs

Operating costs for the Park Gallery could be reduced by cutting the exhibition programme budget and/or reducing opening hours. A 50% reduction in the programming budget could release savings of £9,320 per annum. Reducing opening hours, following consultation, could increase this annual saving.

9.2 Closure of the Park Gallery

This would achieve full year savings of £46,000. This figure retains the £4,490 of property costs, until such time as a further use was identified for the space.

10. CONSULTATION

- 10.1 At this stage no formal consultation with stakeholders (public, artists, funders etc) has taken place. Members of the Committee may wish to consider which options presented above should be subject to a consultation process. Members will also be aware that given the potential for a redundancy situation arising from any decision, legislation requires that trade unions are consulted on any options being considered to ensure every step possible is taken to achieve minimal impact on employees. As such, any options being proposed by the Committee would be subject to specific consultation with the trade unions in line with legislation, prior to a final recommendation being presented.

11. CONCLUSION

- 11.1 It is not possible to immediately relocate and replicate the functions of the Park Gallery, in its current form, to another venue. The only real option that would maintain the current functions, and maintain the object based exhibitions programme is a longer term option of an internal remodelling of Callendar House. As referenced in 2.5 the Park Gallery does have limitations and a refurbishment of Callendar House would allow for an expansion and development of the visual arts and crafts programme and activities. This could provide visitors with a greatly enhanced experience. Consultation on the preferred options with trade unions and stakeholders will be essential prior to a final decision being made.

12. RECOMMENDATIONS

- 12.1 It is recommended that Members consider the options presented.

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Director of Community Services

Date: 25 August 2009

Contact Officer: Sue Selwyn - Ext 0903

LIST OF BACKGROUND PAPERS

Nil

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the ECONOMIC STRATEGY AND DEVELOPMENT COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 22 SEPTEMBER 2009 at 9.30 a.m.

ESD24. TOWN CENTRES STRATEGY: BO'NESS INITIATIVE

There was submitted Report (circulated) dated 14 September 2009 by the Director of Community Services (a) outlining the Heads of Terms incorporated into the Development Agreement to facilitate the delivery of the regeneration project in Bo'ness; (b) identifying the key Council requirements which have been incorporated into the Development Agreement; and (c) highlighting the key stages identified by the developer ING and the Council to progress the revised phasing of the master plan.

Discussion took place on the following issues:-

- revised timescale for the delivery of the project
- length of time taken to conclude the Development Agreement

Councillor Martin seconded by Councillor Lemetti moved the recommendation as contained within the report.

By way of an amendment, Councillor MacDonald seconded by Councillor Coleman moved the inclusion of a further recommendation, as follows:-

“Committee note the failure to properly engage the Bo'ness public in a consultation exercise with proposed changes to the original scheme of regeneration and roundly condemns this important omission. Committee therefore agrees to ensure that the community of Bo'ness are fully engaged in all future deliberations on this important strategy”.

On a division, 5 Members voted for the Motion and 3 voted for the Amendment.

Accordingly, **NOTED** the progress made on the Bo'ness Harbour and Foreshore Project as detailed in the Report.

FALKIRK COUNCIL

Subject: TOWN CENTRES STRATEGY: BO'NESS INITIATIVE
Meeting: ECONOMIC STRATEGY & DEVELOPMENT COMMITTEE
Date: 22ND SEPTEMBER 2009
Author: DIRECTOR OF COMMUNITY SERVICES

1.0 INTRODUCTION

- 1.1 The purpose of this report is to update Members on the progress of the regeneration proposals for Bo'ness harbour and foreshore including the outcome of negotiations between the Council and ING Real Estate, in line with approvals by the Policy & Resources Committee on 16th March 2004, 19th October 2004, 12th June 2007 and 8 April 2008. The report confirms the main terms agreed in the Development Agreement and identifies the next stages with regard to the development programme.

2.0 BACKGROUND

- 2.1 The Council is committed to the regeneration of Bo'ness town centre, harbour and foreshore and has been progressing the Townscape Heritage Initiative and proposals for the harbour and foreshore in partnership with developers, retailers and the local community. The Council's strategy for the regeneration of the Bo'ness harbour and foreshore was agreed at the 16th March 2004 Policy and Resources Committee, approving recommendations that the Council should:-

- a) Appoint ING Real Estate Development UK Ltd as the Council's preferred developer, subject to more detailed negotiations to satisfy financial and project feasibility conditions; and
- b) Note that the Director of Community Services will report back on the outcome of these negotiations, prior to conclusion of an appropriate Development Agreement.

- 2.2 On 19th October 2004 the Policy and Resources Committee:-

- a) Agreed that the Council enter into a formal agreement with ING Real Estate Development UK Limited in the form of a Co-operation Agreement; and
- b) Noted that the Director of Community Services will report back on the outcome of these negotiations, prior to conclusion of an appropriate Development Agreement.

- 2.3 On 12th June 2007 the Policy and Resources Committee agreed to:-

- a) Heads of Terms by which the Council should enter into a Development Agreement with ING RED UK (Bo'ness) Ltd with ING RE BV as guarantor, subject to financial checks.
- b) extend the Co-operation Agreement; and
- c) proceed as Harbour Authority in the management and maintenance of the harbour once restored and operational.

- 2.4 On 11th March 2008, as a consequence of the economic downturn, a revised phasing

scheme and Heads of Terms were submitted to the Policy and Resources Committee recommending:-

- a) Approval of the revised Heads of Terms by which the Council should enter into a Development Agreement with ING RED UK (Bo'ness) Ltd with ING RE BV as guarantor.
- b) Agree the phased development of the harbour restoration works as outlined in the report.

2.5 This matter was then referred to Full Council on 30th April 2008 where it was agreed that further consultation was required. Subsequently on 25th June 2008 the Full Council considered the outcome of consultation involving the Bo'ness community. It agreed that:-

the revised phasing of the Initiative should proceed and that the Director of Community Services be authorised to work with ING RED UK (Bo'ness) Ltd, with ING RE BV as guarantor, to progress and deliver the regeneration masterplan and finalise a Development Agreement on the terms set out in the original Policy & Resources Committee Report of 11th March 2008.

2.6 Following these approvals, Council Officers, ING and specialist advisers have progressed a detailed and comprehensive Development Agreement based on the Heads of Terms agreed through Policy and Resources Committee on the 11th March 2008.

3.0 DEVELOPMENT AGREEMENT

3.1 It was agreed as outlined in 2.4 that the Development Agreement be concluded on the basis of delivering the regeneration project as follows:-

- The transfer of Council land on the foreshore incorporating Blocks 15 and 16 with an option over Block 14.

In return for:-

- A residual site value of £500,000, subject to various conditions including pre-sale requirements.
- Payment of a £100,000 in return for an option agreement on Block 14. (Total value of Block 14 being £500,000).
- Payment of £400,000 where the option for block 14 is taken up.
- Payment to the Council of 100% of the overage above 12% developers profit on sales revenue.
- Establishment of a framework partnership agreement confirming agreed terms for the development of future blocks within the regeneration project sensitive to market conditions.
- ING's commitment to work in partnership with the Council in the phased development of the harbour works as funding becomes available from receipts generated by the scheme.

The Heads of Terms outlined above have now been incorporated into a detailed and comprehensive Development Agreement.

3.2 The residual value of the project is ring fenced for the restoration of the harbour, and is identified by accounting for the development value calculated on the basis of total house sales, less development costs including 12% developer profit. As a condition of the

Development Agreement, future sites will be transferred to ING at market value, assessed by the District Valuer. 100% of any profit overage at a minimum of £16m will also transfer to the Council, until the harbour restoration works are completed, with a 50:50 split of profit overage thereafter. The Council has committed to the requirement to transfer the residual value of each block and any profit overage payments into a harbour fund, ring fenced specifically to restore the harbour.

- 3.3 The terms of the Development Agreement include provision for cost validation and assessment of profit overage. This is to ensure that the Council obtains best value for its land contribution to the project. All costs will be validated through an independent assessment procedure and will be assessed over the term of the project to confirm that costs are realistic, have been reasonably incurred as part of the project and should be incorporated into the financial assessment in determining the profit overage. The Council's Development Services will instruct an independent cost consultant to validate all the costs incurred by the developer.
- 3.4 The Council's interests in the first phase of development of the site, (identified as the location for Blocks 15 and 16 as well as the site for Block 14 where the option agreement is exercised), have been valued. As advised previously to the Council, in consideration of the developer's financial appraisal, the Council's independent advisors and the District Valuer have confirmed that, on the basis of the proposed heads of terms detailed in item 3.1 above, the Council is receiving best value for its interests.

4.0 KEY COUNCIL REQUIREMENTS

- 4.1 In addition to the above principal terms identified in the Development Agreement, further key Council requirements have been incorporated into the Development Agreement.
- 4.2 The Council has secured trigger points (longstops) within the development timetable leading up to the completion of the scheme where the Council can terminate the agreement if ING are not meeting the deadlines for each stage.
- 4.3 The market values for blocks 14, 15 and 16 have been agreed and confirmed as best value by the District Valuer. The balance of future sites will be subject to District Valuer approval as per the committee report.
- 4.4 ING are required to continue with the role as principal developer throughout the development process with third party involvement only on the basis of a contractor. ING are to remain responsible for the delivery of the overall masterplan.
- 4.5 Clear parameters have been set to maintain the integrity of the Masterplan. The Council's consent is required for any subsequent material changes. These are:-
- any change in the concept of a strong urban street block pattern of town houses and apartments with integral open space;
 - the development of detached/semi-detached housing;
 - the development of uses other than residential where residential development has been identified in the agreed Masterplan;
 - removal of the park area identified in the Masterplan;
 - revisal of the intended commercial uses identified in the detailed planning

application for the Harbour development(Phase 1);

- changing the height of:-
 - (i) Block 3 and Block 17 to a height greater than that identified in the Agreed Masterplan; and
 - (ii) all other Phases not identified under paragraph (i) above a height of more than five storeys.
- changing the Harbour Works to be delivered by the Council.

4.6 100% overage is to be paid to the Council up to the value of the Council Harbour Works subject to a minimum of £16m. ING are to deliver all access to the development site including delivery and implementation of the lifting bridge at the harbour subject to a continuation of development beyond Blocks 14, 15 and 16.

5.0 DEVELOPMENT PROCESS

5.1 The following key stages have been identified by ING and the Council in order to progress the revised phasing of the masterplan:-

| Key Milestones | Target Completion date |
|---|------------------------|
| Development Agreement | August 2009 |
| Preconditions | February 2010 |
| Flood Prevention Scheme | September 2010 |
| Detailed Planning determination for Blocks 15, 16 | September 2011 |
| Block 16 Constructed | April 2014 |
| Block 15 Constructed | May 2016 |
| Block 14 Constructed | November 2018 |
| Proposals Submitted for future blocks | May 2019 |

A project team involving the Council and ING has been established and will meet regularly over the course of the project to maintain progress.

5.2 Preconditions

Prior to the preparation and submission of a detailed planning application both the Council and developer are required to resolve a number of issues that could affect the delivery of the project. These are:-

- Acquisition of third party interests.
- Conclude S75 Agreement with regard to the original outline planning application
- Finalise site and title plans
- Resolve outstanding title issues
- Finalise detail of historic costs in relation to preparatory work

5.3 Flood Prevention Scheme & Harbour Design

Works around the harbour are currently underway and relate to the Flood Prevention

Scheme (FPS), with a construction period from March 2008 to September 2010. These works will put in place the necessary safeguards to facilitate occupation of the site. Additionally, they will incorporate a coffer dam at the entrance to the Inner Dock which will offer flood protection and retain a body of water within the dock area making this a more attractive environment in the short term. Further restoration work around the Harbour will be designed as funding becomes available. A Sub Group involving local members, community groups, ING, consultants providing specialist harbour guidance and Council officers has been set up to take forward and prioritise the work around the harbour. In the meantime, Development Services will initiate a risk assessment covering the harbour area to make sure all health and safety requirements are in place.

5.4 Planning Submission

Once preconditions have been resolved the developer will initiate a detailed planning application in relation to Blocks 14, 15 and 16. In advance of a submission the developer is required to submit these plans to Falkirk Council as landowner for approval. If the proposals are materially changed, the Council would be required to report to Committee and present to the community for feedback prior to submission for planning approval.

5.5 Construction Stage

Construction of the scheme will be subject to market conditions. If the market improves and unit sales increase the blocks will be constructed quicker than timescales currently identified. In accordance with the development agreement the developer has to build each block within a set timescale, agreed through external advisers as commercially realistic and best value. If these trigger points are not met the Council can terminate the agreement.

6.0 **IMPLICATIONS**

6.1 Financial

The Council has agreed a capital contribution of £819,000 towards the scheme. On the basis of transferring a site accommodating Blocks 15 & 16 to ING, the Council will receive a receipt of £500,000 which has been independently confirmed to the Council as representing best value. This is on the basis that it represents best price available in cognisance of ground conditions and market conditions and permits the regeneration scheme to proceed as proposed. A further £100,000 receipt will be received committing Falkirk Council to an option agreement on the site for Block 14, with a further £400,000 on sale of the site if the option is exercised, as set out in item 3.1 above. This is also considered to provide best value for the Council.

6.2 In addition the developer has accepted a maximum level of profit of 12% on sale revenue which is considered to be lower than normal practice for schemes of this type. Any value above 12% will be transferred to the Council to be ring fenced for investment to enable completion of the restoration of the harbour area and flood prevention works with a 50:50 split thereafter.

6.3 Legal

The Council's independent valuer, the District Valuer and a development adviser (CBRE) valued the Council's interest to determine whether ING's proposals are considered to meet the requirements of S74 of the Local Government (Scotland) Act 1973 for the Council to obtain best consideration for assets disposed. It has been confirmed that on the basis of the agreed heads of terms, the Council is receiving best value.

6.4 Planning & Policy

The regeneration proposals for the foreshore site are consistent with the Structure Plan strategy of 'Sustainable Growth in All Our Communities'. The proposals support policies aimed at promoting the vitality and viability of the Town Centre, enhancing the tourism role of the town and conserving the built heritage. A detailed planning application will be required for Blocks 15 and 16 and will be dealt with in due course. The full context of the scheme, including detailed planning and roads issues, will be fully assessed through the planning application process. The proposals are also consistent with the Strategic and Local Community Plans and the *My Future's in Falkirk* Initiative.

7.0 CONCLUSION

- 7.1 The proposals for the regeneration of Bo'ness Harbour and Foreshore have now progressed to the extent of concluding a comprehensive and detailed development agreement between ING and Falkirk Council. The Council has incorporated a number of safeguards including control over the development timescale, design and third party involvement. As outlined in item 3 above, the main terms within the development agreement match the heads of terms approved through Policy and Resources Committee on 11th March 2008 and Full Council on 25th June 2008. This is a significant step forward in the regeneration of the harbour and foreshore site and with the Townscape Heritage Initiative and recent award of investment through the Town Centre Regeneration Fund, will enhance prospects for the town overall.

8.0 RECOMMENDATIONS

- 8.1 It is recommended that the Economic Strategy & Development Committee note the progress made on the Bo'ness Harbour and Foreshore project, as set out in the above report.

.....
Director of Community Services

14th September 2009.

Contact Officer: Colin Frame. Ext: 0972.

LIST OF BACKGROUND PAPERS

1. Town Centre Strategy Files.

Any person wishing to inspect the background papers listed above should telephone 01324 590972 and ask for Colin Frame.

FALKIRK COUNCIL

Subject: REFERRAL FROM ENVIRONMENT & COMMUNITY SAFETY COMMITTEE
Meeting: FALKIRK COUNCIL
Date: 7 OCTOBER 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 The following report was presented to the Environment & Community Safety Committee on 18 August 2009. Following consideration, it was agreed that the report be referred to Full Council for approval:-

➤ **New Mandatory Licensing Scheme for Knife Dealers**

2. RECOMMENDATION

- 2.1 That Full Council endorses the recommendations as outlined in the report and as approved by the Environment & Community Safety Committee on 18 August 2009.

.....
Director of Development Services
15 September 2009

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501013)

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the ENVIRONMENT AND COMMUNITY SAFETY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 18 AUGUST 2009 at 9.30 am.

ECS21. NEW MANDATORY LICENSING SCHEME FOR KNIFE DEALERS

With reference to Minute of Meeting of the Community Health and Safety Committee held on 28 October 2008 (Paragraph CH26 refers), there was submitted Report (circulated) dated 24 July 2009 by the Director of Development Services (a) advising of the introduction of a new mandatory licensing regime for knife dealers within Scotland; (b) attaching, as an appendix to the Report, mandatory and proposed local conditions to be attached to licences issued under the regime; (c) proposing that the duration of the licence be for a period of three years, and (d) recommending that a fee of £200 be initially set for applications.

Discussion took place on the following:-

- The potential for the introductory of the legislation to reduce knife crime
- The licensing of knife dealers who operate as internet companies

Councillor C MacDonald, seconded by Councillor CR Martin moved the recommendations contained within the Report, namely:-

NOTED the introduction of a licensing regime for in respect of specified knife dealers as of 1 June 2010.

AGREED to recommend to the Policy and Resources Committee:-

- (1) that the duration of the licence be for a period of three years;
- (2) that the fee for each of the relevant applications be set initially at £200, and
- (3) to note the mandatory conditions and approve the suggested local conditions as contained within Appendix 1 to the Report.

The meeting adjourned for a 10 minute recess to allow Members time to consider a proposed amendment put forward by Councillor Goldie as an addition to the motion, namely:-

“to authorise the Convener to write to the Justice Secretary urging the Scottish Government to introduce mandatory custodial sentencing for persons found carrying knives and committing knife crime”

The meeting reconvened at 12.05pm with all Members present as per the sederunt.

Following discussion, when it was advised that Councillor Goldie agreed to withdraw his proposed amendment, Councillor MacDonald with the consent of Councillor CR Martin, as seconder, altered the text of the motion with the replacement of “recommend to the Policy and Resources Committee” to “recommend to Falkirk Council.”

NOTED the introduction of a licensing regime for in respect of specified knife dealers as of 1 June 2010.

AGREED to recommend to Falkirk Council:-

- (4) that the duration of the licence be for a period of three years;
- (5) that the fee for each of the relevant applications be set initially at £200, and
- (6) to note the mandatory conditions and approve the suggested local conditions as contained within Appendix 1 to the Report.

FALKIRK COUNCIL

Subject: NEW MANDATORY LICENSING SCHEME FOR KNIFE DEALERS
Meeting: ENVIRONMENT & COMMUNITY SAFETY COMMITTEE
Date: 18 August 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 The purpose of this report is to (i) update Members of the introduction of a new mandatory licensing regime for knife dealers within Scotland, following on from the report on this matter to the then Community Health and Safety Committee at its meeting on 28th October, 2008, (ii) consider conditions to be attached to licences issued under the regime and (iii) consider an appropriate fee.

2. BACKGROUND

- 2.1 Section 58 of the Custodial Sentences and Weapons (Scotland) Act 2007 made provisions for the Civic Government (Scotland) Act 1982 to be amended to include a new licensing scheme for “knife dealer’s licences” for anyone carrying on business as a dealer in the following articles:
- a) Knives (other than those designed for domestic use);
 - b) Knife blades (other than those designed for domestic use);
 - c) Swords;
 - d) Any other article –
 - (i) Which has a blade; or
 - (ii) Which is sharply pointed,And which is made or adapted for use for causing injury to the person
- 2.2 It will be an offence from 1st June 2010 not to have a knife dealer’s licence where appropriate. There are provisions for entering, searching and seizing articles and for inspecting documents under the proposed regime.
- 2.3 The Act requires that licensing authorities must give public notice of every application made to them for the grant or renewal of a knife dealer’s licence by publishing in a newspaper circulating in the authority’s area, an advert giving details of the application, that objections may be made and how objections may be made.
- 2.4 A schedule of mandatory conditions and suggested “local” conditions that would be applied to licences are attached as appendix 1 to the report.

3. TIMESCALE

3.1 The Scottish Government advised all local authorities in April this year of the proposed timescale for implementation. The critical dates are as follows:-

- May 2009 Introduce regulations to Parliament
- 1 September 2009 Licensing Authorities will begin to receive applications
- 1 December 2009 Deadline for applications in order to guarantee processing
- 1 June 2010 Dealers must be in possession of a valid licence

4. IMPLICATIONS FOR SERVICE ARRANGEMENTS AND ACTIVITIES

4.1 It is anticipated that routine compliance checks will be undertaken during inspections of appropriate premises. Existing committee reporting procedures for dealing with applications made in terms of the 1982 Act will apply.

5. FINANCIAL IMPLICATIONS

5.1 It is envisaged that all expenses incurred in respect of the implementation of a licensing regime for knife dealers will be off-set by income generated through the application fee. It is proposed that the licence fee be set at initially £200 and that the licence endure for a period of three years.

6. RECOMMENDATION

6.1 That Members agree:-

6.1.1 to note the introduction of a licensing regime in respect of specified knife dealers as of 1st June 2010;

6.1.2 to recommend to the Policy and Resources Committee:

- (i) to note the mandatory conditions and approve the suggested additional conditions as detailed in Appendix 1;
- (ii) that the licence period be 3 years, and
- (iii) the relevant fee for any such application be set initially at £200.

.....

Director of Development Services

5 August 2009

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501013)

LIST OF BACKGROUND PAPERS

Nil

Falkirk Council
Civic Government (Scotland) Act 1982
Section 27A and Schedule 1
Knife Dealer's Licences
Conditions

Item 10 (iii)

Mandatory Conditions for all Knife Dealers

1. The Licence Holder must make detailed written records on the day of the transaction with a customer and retain such records for a period of 3 years from that date stating the following information:-
 - (1) The identity of the customer and the means by which the customer's identity was verified;
 - (2) The steps taken to establish that the customer was at least eighteen years of age at the time of the transaction (including any proof of age or identity sought or the means by which the customer's age was verified or reasons why such verification was not sought because it was unnecessary); and
 - (3) A full description of the article sold, hired, offered or exposed for sale or hire, lent or given to the customer.
2. The Licence holder must ensure that any article listed on section 27A (2) of the Civic Government (Scotland) Act 1982 or display of such articles is not visible from the street or any public entrance to the premises.
3. The Licence holder must display a notice which must:-
 - (1) be displayed at all times at the point of entry to the premises, the point of sale or counter and in a position which is readily visible to customers;
 - (2) be at least A4 size and which the lettering must be legible and no smaller than 5mm in height; and
 - (3) contain the following wording:-
 - (i) it is an offence to sell to a person under the age of 18 any knife (except if the person is aged 16 or over and the knife or blade is designed for domestic use);
 - (ii) it is also an offence to sell to a person under the age of 18 any razor blade, axe, sword or other article which has a blade or which is sharply pointed and which is made or adapted for use for causing injury; and
 - (iii) a customer may be asked to provide details of his/her age and identity (which may be recorded or copied and kept for inspection for up to 3 years).

Additional Mandatory Conditions for Swords

4. The Licence Holder must take all reasonable steps to establish from the customer and confirm the intended use of any sword.
 - (1) The Licence Holder must make detailed written records on the day of the transaction with a customer and retain such records for a period of 3 years from that date stating the enquiries made of the customer or other persons or bodies as to the intended use of any sword.

Local Conditions for all Knife Dealers

5. *In addition to the record requirements listed at paragraph 1 of these conditions, the licence holder shall –*
 - (1) Record the date of purchase and the number of items sold, if more than one;*
 - (2) verify a customer's age by means of sight of a passport or photographic driver's licence and shall retain a record of the passport or driver's licence number; and*
 - (3) shall retain a Refusals Register, which shall be retained for a period of at least 12 months, and which must record –*
 - a) the date of refusal;*
 - b) the reason for refusal;*
 - c) details of the person attempting to purchase the item, if known; and*
 - d) the age of the person, if known.*
6. *The Licence Holder may keep electronic copies of Purchase and Refusals Registers but must have a printed version retained within the premises to comply with the mandatory requirement to have a written record.*
7. *The Licence Holder shall display all knives, knife blades or swords within lockfast cabinets or display units within the premises and shall ensure that all such items not on display, are stored within a lockfast store within the premises.*
8. Definitions.

“the Act” means the Civic Government (Scotland) Act 1982;

“the Council” means Falkirk Council;

“Licence Holder” means the person, persons, company, firm, public body or voluntary organisation named in the Licence; “

Premises” means the premises specified in the Licence.

FALKIRK COUNCIL

**Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; REVISION TO
NEW RESOLUTION**
Meeting: FALKIRK COUNCIL
Date: 7 OCTOBER 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 The report that was considered at the Environment & Community Safety Committee on 18 August 2009. The Committee agreed to the recommendations contained within the report and to recommend them to Falkirk Council for approval.

2. IMPLICATIONS FOR EXISTING RESOLUTION

- 2.1 In order that a revision can be made to the existing resolution, the licensing authority is required to publish a notice stating that they intend to revise the resolution, and that any representations concerning the proposed revisions be made in writing to the authority within a period of 28 days of the first publication of the notice. Thereafter, the licensing authority will consider any representations that are timeously made and may make any alterations to the proposed revision in light of representations received, if considered appropriate.
- 2.2 If Council indicates today that it agrees to the proposed revision to the resolution, a notice will be published in the Falkirk Herald on 15th October 2009, from which the 28 day representation period will commence.
- 2.3 It is proposed that the notice specify the date on which the revised resolution will come into effect, namely, 1st October 2010. It must be borne in mind that this date may require to be put back when Council is asked to formally agree to the revised resolution, should any slippage of time have occurred by dint of the process of obtaining and considering representations.

3. RECOMMENDATIONS

- 3.1 That Council approves the recommendations as outlined in the report and as approved by the Environment & Community Safety Committee on 18th August 2009, and, in particular, indicates that it is minded to make a revised resolution in terms of the draft approved by the Environment & Community Safety Committee;

- 3.1 approves the publication of a notice in the Falkirk Herald on 15th October 2009, which shall inter alia specify the date of coming into operation of the revised resolution as 1st October, 2010, and acknowledges that it may have to amend this date; and
- 3.2 notes that a further report on this matter will be made to a future meeting of Council.

.....

Director of Development Services
15 September 2009

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501013)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

EXTRACT OF MINUTE of MEETING of the ENVIRONMENT AND COMMUNITY SAFETY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 18 AUGUST 2009 at 9.30 am.

ECS23. CIVIC GOVERNMENT (SCOTLAND) ACT 1982; REVISION TO NEW RESOLUTION

With reference to Minutes of Meetings of Falkirk Council held on 27 June 2007 and 3 October 2007 (Paragraphs FC12 and FC33 refers) and of the Policy and Resources Committee held on 12 June 2007 (Paragraph PR5 refers), there was submitted Report (circulated) dated 10 August 2009 (a) referring to the decision of Falkirk Council on 3 October 2007 to make a new Resolution in terms of Section 9 of the Civic Government (Scotland) Act 1982; (b) providing details of the current challenge being made to Falkirk Council's position in respect of the licensing of paintballing activities; (c) proposing that the Resolution be modified to clarify Falkirk Council's position regarding the licensing of activities such as paintballing, laser games, laser display and games and airsoftgames, and (d) attaching, as appendices, copies of previous reports.

Discussion took place on the nature of the challenge to Falkirk Council's position in respect of the licensing of paintballing activities.

AGREED that:

- (1) the terms of a proposed modification to the Resolution as detailed in paragraph 3.1 of the Report;
- (2) to recommend to Council that it promote the modified Resolution and that the prescribed procedures be undertaken to advertise the intention to make the Resolution and ingather any representations as detailed in Section 4.1 of the Report; and
- (3) that a Report with the outcome of these procedures with further recommendations be presented to a future meeting.

FALKIRK COUNCIL

**Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; REVISION TO
NEW RESOLUTION**
Meeting: ENVIRONMENT & COMMUNITY SAFETY
Date: 18 August 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 At its meeting on 3 October 2007, Falkirk Council agreed to make a new Resolution in terms of Section 9 of the Civic Government (Scotland) Act 1982 (“the Act”). This report and other associated reports are attached as Appendix 1.
- 1.2 Societal changes in the period from when the Resolution was first promoted in 1983 prompted the promotion of the new Resolution in 2007 and new activities were included within the Resolution as optional activities that the Council would licence. A clear example of this was the review of activities covered under the category of public entertainment licence. It was considered that in the intervening years from 1983 to 2007 there had evolved certain activities that could not have reasonably been foreseen as an activity that would require a public entertainment licence. Such new activities included in the new Resolution in 2007 were bungee jumping and the use of bouncy castles.

2. BACKGROUND

- 2.1 In 2008 an application for a public entertainment licence was submitted on behalf of a proposed paintball operator within Falkirk and the matter was duly considered at the Civic Licensing Committee. The licence was ultimately refused by the committee but this decision was not appealed against. The Council’s position in respect of licensing of such an activity is now being challenged although the precise nature of the challenge has not been made clear and the matter was not tested in court. The Council’s position was and remains that the paintballing activity which was the subject of the application required to be licensed in terms of the 2007 Resolution. It is suggested, however, that it would be better if the matter were made clear in the Resolution to place the issue beyond doubt.

3. PURPOSE OF REPORT

- 3.1 In order to address the issues that this matter has raised, it is proposed that Members give consideration to revision of the Resolution by the insertion of a more specific category of activity – “Premises used for paintball games, laser display and games and airsoft games”, if satisfied that these activities should continue to require a licence

4. PROCESS

- 4.1 Prior to the Resolution being modified, the terms of the proposed modification, together with a notice stating that the Licensing Authority intend to make the modification and that representations about the modification can be made in writing to the authority within 28 days of the first date of publication of the notice, must be published in a newspaper or newspapers circulating within the licensing authority area. The licensing authority shall consider any representations made and make any alterations to the proposed modification in light of these representations, if appropriate.
- 4.2 As soon as the modified Resolution is made, the Licensing Authority will arrange for the terms of the modified resolution to be published in a newspaper or newspapers circulating in its area.

5. RECOMMENDATIONS

That Committee agrees:-

- 5.1 to consider the option detailed in paragraph 3.1 in terms of the report and appendices; and
- 5.2 that should Members be minded to agree to the option detailed above, that it be recommended to Council to promote the proposed modified resolution and authorise officers to undertake the prescribed procedures to advertise the intention to make the Resolution and ingather any representation as detailed in this report; and
- 5.3 that officers report back on the outcome of these procedures with further recommendations.

.....
Director of Development Services
Date: 10 August 2009

Contact Officer: **Bryan Douglas**, Licensing Co-ordinator (telephone 501013)

LIST OF BACKGROUND PAPERS NIL

FALKIRK COUNCIL

Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; NEW RESOLUTION
Meeting: FALKIRK COUNCIL
Date: 3 October 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. PURPOSE OF REPORT

- 1.1 On 12 June 2007 the detailed report attached as Appendix 1 was considered by the Policy and Resources Committee. This Committee agreed the recommendations and agreed to recommend them to Falkirk Council for approval. The report was then considered at Falkirk Council on 27 June 2007 and the Committee agreed the recommendations detailed in paragraph 3 of the covering report dated 27 June 2007, which is attached as Appendix 2.
- 1.2 In accordance with paragraph 3(2) of the report of 27 June 2007 a notice was published in the Falkirk Herald on 5 July 2007 to which no representations were received.
- 1.3 If Council approves the resolution today a further notice will be published in the Falkirk Herald on 11 October 2007 indicating that the new resolution will come into operation on 1 August 2008 and that the resolutions of 27 September 1983 and 22 November 1983 will be revoked on 31 July 2008. The notice will also state that, with effect from that date, (1 August 2008) it will be an offence under section 7(1) of the 1982 Act to do without a licence whatever the resolution specifies as being an activity that requires to be licensed and that applications for licences in respect of the activity will be considered by the authority after the expiry of one month after the date of making the resolution.

2. RECOMMENDATIONS

That Council:-

- 2.1 makes a new resolution in terms of the report and appendices approved by Policy and Resources Committee on 12th June 2007 and Falkirk Council on 27 June 2007.
- 2.2 approves the publication of a notice in the Falkirk Herald on 11 October 2007, which notice shall inter alia identify the date of coming into operation of the resolution as 1st August 2008.

.....
Director of Development Services

Date:

Contact Officer: Alison Cairns, Consumer Protection Manager (telephone 501005)

LIST OF BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

**Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982, NEW
RESOLUTION; LATE HOURS CATERING POLICY AND
CONDITIONS; STREET TRADERS POLICY AND CONDITIONS**
Meeting: POLICY AND RESOURCES COMMITTEE
Date: 12 June 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 The Civic Government (Scotland) Act 1982 (the Act) sets out the framework within which Local Authorities in Scotland license the carrying out of various specified activities within their administrative areas. Certain activities specified in the Act are mandatory in that Local Authorities (Licensing Authorities) are required to operate licensing schemes in respect of these. Other activities are optional and each Authority can determine whether or not to operate a licensing scheme for any, or all, of these, having regard to local circumstances.
- 1.2 Where an Authority determines to license a specific optional activity, it must make a formal resolution to do so in terms of Section 9 of the Act. The resolution must specify a date from which the activity or activities, which the licensing authority has chosen to license, shall require to be licensed in accordance with the provisions of the Act. This date must not be before the expiry of nine months beginning with the day on which the resolution was made.
- 1.3 Before a resolution can be made, the terms of the proposed resolution, together with a notice stating that the Licensing Authority intend to make the resolution and that representations about the resolution can be made in writing to the authority within 28 days of the first date of publication of the notice, must be published in a newspaper or newspapers circulating within the licensing authority area. The licensing authority shall consider any representations made and make any alterations to the proposed resolution in light of these representations, if appropriate.
- 1.4 As soon as the resolution is made, the Licensing Authority shall publish, in a newspaper or newspapers circulating in its area, the terms of the resolution, together with a notice stating that, from the date specified in the resolution, it will be an offence under the Act to do without a licence whatever the resolution specifies as requiring to be licensed, and, further, that the licensing authority will consider applications for licences after the expiry of one month from the date of making the resolution.
- 1.5 In September and November 1983, the former Falkirk District Council made resolutions to license various optional activities and extracts of the minute of the appropriate meetings of the Council are attached as Appendices 1 and 2.
- 1.6 It is considered that the passage of time, changes in society, the increase in the numbers and variety of premises offering, for example, late hours catering, and the growth and change in the economy have all contributed to the circumstances where a review of the Council's policy and licensing requirements in relation to civic licensing issues is now necessary to ensure that they are relevant and appropriate to meet the needs

and aspirations of the economy, community and environment. To respond to this, it is suggested that a new resolution requires to be promoted and certain policies and conditions require to be revised.

2. PROPOSED NEW RESOLUTION

2.1 Sections 10 to 23 of the Act deal with taxi and private hire car licences and this optional licensing activity was included in the resolution made in September 1983. Since that time, the hire of stretch limousines and special event vehicles e.g. fire engines has become very popular and a number of operators now trade in the Falkirk area. It is consequently recommended that these types of activity be specified as included as part of the above activity and included in the new resolution.

2.2 Sections 24 to 27 of the Act deal with second hand dealers licences and this optional licensing activity was included in the resolution made in September 1983. In relation to second hand dealers, the licensing authority requires to specify the class or classes of that activity which they will license and regulate. Over the last twenty years there have been significant changes in the availability and ownership of items such as mobile telephones, personal computers, music compact discs, DVDs etc which has led to the creation of a second hand market for these types of item. Additionally, second hand sellers of motor cycles, caravans, spare parts, tyres and musical instruments have been identified in the Falkirk Council area. It is consequently recommended that this activity be included in the new resolution with the following additional classes being included:

Mobile Telephone Equipment

Motor Cycles and caravans including spare parts and tyres

Sport and recreational effects including personal computers, computer peripherals and discs

Musical Instruments

2.3 Section 38 of the Act deals with boat-hire licences and this optional licensing activity was not included in either of the 1983 resolutions. In light of the Millennium Canal Project, including the opening of the iconic Falkirk Wheel in May 2002, and the associated and continual development of the canals and waterways in the area, it is recommended that this type of activity be specified in the new resolution.

2.4 Section 39 of the Act deals with street traders' licences and this optional licensing activity was included in the September 1983 resolution. It is recommended that this type of activity continues to be specified in the new resolution.

2.5 Section 40 of the Act deals with market operators' licences and this optional licensing activity was included in the September 1983 resolution. It is recommended that this type of activity continues to be specified in the new resolution.

2.6 Section 41 of the Act deals with public entertainment licences and this optional licensing activity was included in the resolution made in September 1983. In relation to public entertainment, the licensing authority must specify the class or classes of that activity and the place or places where the activity may be carried on which they will license and regulate. Since the resolution was passed in 1983, other classes and places of public entertainment have been established in the Falkirk area and it is therefore recommended that the places and classes of public entertainment specified in the 1983 resolution are augmented by the following in the new resolution:

Stadia or open spaces when used for open air concerts, shows, displays or events

Go-kart tracks, mulator rides, bungee jumping, trampolines, quad bikes, motor stunt displays

- 2.7 Section 42 of the Act deals with late hours catering and this optional licensing activity was included in the September 1983 resolution. The Act specifies in this section that a licence shall be required for the use of premises between the hours of eleven o'clock in the evening and five o'clock the following morning for the sale to or consumption by the public of meals or refreshment on or off the premises. The resolution passed by Falkirk District Council in September 1983, specified that the commencement hour for such licences was 12.00 midnight. It is therefore recommended that this type of activity be specified in the new resolution and that the commencement hour for such a licence be 11pm to conform with the provisions of the Act.
- 2.8 Section 43 of the Act deals with window cleaners' licences and this optional licensing activity was the subject of the November 1983 resolution. It is therefore recommended that this type of activity continues to be specified in the new resolution.
- 2.9 It is recommended that the two previous resolutions which were made on 1983 be rescinded and replaced with a new resolution which more accurately reflects social, economic, environmental and regulatory needs in the Falkirk Council area. The proposed new resolution is attached as appendix 3

3. PROPOSED AMENDMENTS TO EXISTING POLICY

- 3.1 **Late Hours Catering licences** are personal to the holder thereof and are not transferable. The Licensing Authority currently licenses approximately 70 persons to operate Late Hours Catering premises.
- 3.2 The Licensing Authority has not developed any specific policy on the matter of Late Hours Catering licences other than setting a terminal hour for such licences at 1:30am at the meeting of the Performance, Policy and Resources Committee held on 16 November 1993 (Committee Reference Number: 665). It is therefore recommended that a policy is approved in relation to this activity. The proposed new policy is attached as appendix 4.
- 3.3 The current late hours catering licence is renewed every three years and difficulties have been experienced by officers of the Licensing Section in maintaining accurate records and exercising regulatory control as ownership of this type of business changes on a frequent basis without the licensing authority being notified. It is therefore recommended that the duration of a late hours catering licence be changed from three years to one year, which will effectively increase the frequency of regulatory checks by officers to ensure accurate records are maintained.
- 3.4 As stated in paragraph 3.1, the general terminal hour granted for licences is 1:30am. This policy was approved in 1993 and it is proposed to review this policy with a view to introducing different terminal hours for take away premises operating in residential and non-residential areas. The Falkirk Council Local Plan (finalised draft) deposit version states that pubs, restaurants, hot food takeaways and other similar types of businesses have formed a significant growth area in the local economy and provide an important facility to both local people and visitors to this area. However, it is recognised that this type of premise can create amenity problems when located adjacent to residential properties. It is recommended that in relation to Falkirk, Denny, Bo'ness, Grangemouth and Stenhousemuir, the areas contained within the designated Town or District boundaries detailed in the Falkirk Council Local Plan (finalised draft) deposit version are classed as non residential and would generally have a terminal hour granted for licences

of 1.30am. All other areas are classed as residential and, as such, in general have a terminal hour granted for licences of 12.30am. Maps outlining the Falkirk, Grangemouth, Stenhousemuir, Bo'ness and Denny, and designated Town or District boundaries are attached as appendices 5a, b, c, d and e respectively. Nothing in the policy would preclude the Licensing Authority from granting a licence subject to an earlier terminal hour if this was considered appropriate in the particular circumstances.

- 3.5 There has been an increase in the number of premises that operate on a 24 hour a day basis, namely supermarkets and petrol retailers, and these can be easily distinguished from take away premises as in the case of the former, the sale of take away food and drinks for immediate consumption is ancillary to the main function of these premises. It is therefore recommended that the licences for 24 hour supermarkets and 24 hour petrol retailers be generally granted until 5am.
- 3.6 **Street traders' licences** are personal to the holder thereof and are not transferable. The Licensing Authority currently licenses approximately 60 persons to carry out street trading activities with products supplied including fresh fish, confectionery, hot food, meat, hardware and textiles. Wheelie bin cleaning services and mobile valet services are also licensed.
- 3.7 The Licensing Authority has not developed any specific policy on the matter of street traders' licences other than setting a terminal hour for such licences at 1:30am. It is therefore recommended that a policy is approved in relation to this activity. The proposed new policy is attached as appendix 6.
- 3.8 The Scottish Executive has recently introduced the Schools (Health Promotion and Nutrition) (Scotland) Bill to Parliament which, if passed, will place health promotion at the heart of the schools' activities and ensure that food and drink served in schools meet high nutritional standards. Imposing an outright ban on street trading in the vicinity of schools is not within the scope of the Bill. Consultation with the Head of Educational Resources in Falkirk Council in relation to street trading near schools has revealed concerns about the availability of fast/junk food at a time when schools are trying to improve the quality and nutrition of food in schools and promoting a healthy eating agenda and culture. There is also a clear link between pupils' nutritional needs and their achievement in schools. It is therefore recommended that there is a 500 metre exclusion zone around schools in which street traders are not allowed to trade. However, these restrictions only apply during term time and then between the hours of 12 noon to 2pm and 3pm to 5pm on school days regardless of whom the traders are targeting.
- 3.9 It should, however, be noted that each licensing application must be considered on its merits. If it is contrary to policy, consideration must be given as to whether sufficient grounds have been put forward to justify a departure from policy. Even if a licensing application conforms with the policy, there can be circumstances when a license might not be given the full benefit of the policy position.

4. PROPOSED AMENDMENTS TO EXISTING CONDITIONS

Concerns have been expressed by Falkirk Council's Corporate and Commercial Services Estates Management Service about the problem of litter, particularly in the vicinity of take away food premises (both mobile and static). They also have concerns about the disposal of trade waste from these types of businesses.

- 4.2 Falkirk Council's current conditions for both late hours catering and street traders do not contain any conditions relating to trade waste. Although they both have a condition

relating to litter neither condition is sufficient to address the problems currently being experienced. The current conditions for late hours catering and street traders are attached as appendices 7 and 8, with the conditions relating to litter and trade waste being condition 4 and condition 9 respectively.

- 4.3 A comparison process was carried out with 12 other local authorities in relation to both street traders' conditions and late hours catering conditions in respect of litter and trade waste. Consultation then took place with Corporate and Commercial Services Estates Management Service and the Environmental Protection Unit of Development Services.
- 4.4 The Environmental Protection Act 1990 prohibits the unauthorised deposit of waste and puts a duty of care on businesses to prevent escape of waste, to pass waste only to an authorised person and to produce appropriate paperwork in respect thereof. To comply, all businesses must have documentation to show who their trade waste has been passed to, the nature of the waste and when it was collected. The onus is on the business to ensure that their trade waste is only passed to a registered waste carrier. Section 47(2) of this Act makes a requirement for the provision by the occupier of the premise of suitable waste receptacles and the method of presentation to facilitate emptying, i.e. where the waste is to be stored for collection, when it is to be ready for collection and in what type of container.
- 4.5 To deal with the problem of licenceholders not accepting responsibility for, and therefore not removing litter outside their premises, it is proposed that in respect of applications for both late hours catering and street traders' licences a plan will be produced which will detail in respect of litter an area to be maintained. The licenceholder shall, during business and at the end of each day, ensure the collection and removal of any paper, food wrapping, food, litter or refuse, containers and drinks containers within the area specified on their plan. If required, the holder of a late hours catering licence shall provide and service litter receptacles within the areas to be maintained. Where the holder of a street traders' licence trades at a particular location for a period exceeding 5 minutes, there will be a requirement that a litter receptacle shall be provided at the trading site for the use of customers and removed by the trader thereafter..
- 4.6 To address the issue of adequate trade waste practices, it is proposed that holders of street trader licences shall make provision for emptying of the litter receptacle and ensure that all waste collected is removed along with all other commercial waste produced by the business. Additionally it is proposed that there should be a requirement for the applicant to submit appropriate "Duty of Care" documentation, an annual contract with a registered trade waste carrier for example, with the licence application.
- 4.7 In relation to late hours catering premises, it is proposed that the Licenceholder shall ensure that adequate and suitable provision is made for the presentation, storage and removal of refuse and other waste from the premises in accordance with the provisions of the Environmental Protection Act 1990. It is therefore proposed that a form detailing arrangements for disposal and presentation of waste and a copy of a current waste transfer agreement be submitted with the licence application. These arrangements will require to be considered satisfactory before a licence will be granted. A copy of the form detailing arrangements for disposal and presentation of waste is attached as appendix 9.
- 4.8 For the reasons outlined in paragraphs 4.1 to 4.5 above, it is therefore recommended that new conditions are approved in relation to litter and trade waste for both street traders and late hours catering. The proposed new conditions are attached as appendices 10 and 11 respectively.

- 4.9 In relation to street traders' licence conditions, a review of the conditions relating to food hygiene issues was carried out by the Food and Safety Manager, Development Services. It is recommended that conditions 6, 7 and 8 in the existing conditions, attached as appendix 8, be removed as the issues covered by these conditions are already covered by statute. Additionally, condition 10 has been removed as Scottish Executive Circular 6/1983 states that conditions must not be imposed so as to restrict/distort competition.
- 4.10 It is recommended that the new conditions, both late hours catering and street traders, apply to new and existing licences. In relation to existing licences, the procedures contained in Section 10 of the Civic Government (Scotland) Act Licensing Provisions to vary the terms of a licence will be commenced.

5. MANDATORY LICENSING ACTIVITIES

- 5.1 As stated in paragraph 1.1 of this report, certain activities specified in the Civic Government (Scotland) Act 1982 are mandatory in that licensing authorities are required to operate licensing schemes in regard to these. Mandatory activities specified in the Act are metal dealers, itinerant metal dealers and indoor sports entertainment. Section 44 of the Act makes provision for new activities to be brought within the scope of the Act. New activities can be either optional, and therefore have to be covered by a section 9 resolution, or mandatory. The Licensing of Houses in Multiple Occupation Order 2000 requires mandatory licensing of houses in multiple occupation.
- 5.2 The Licensing of Skin Piercing and Tattooing Order 2006 was made on 1st of February 2006 and came into force on 1st of April 2006. Licensing of these activities is mandatory. The purpose of the order is to provide a mechanism to increase hygiene and reduce levels of infection in relation to skin piercing and tattooing, utilising inspection and licensing. The conditions that the licensing authority must impose are outlined in Schedule 1 to the Order.
- 5.3 A report was made to the Civic Licensing Committee by the Director of Development Services on 5th of April 2006 detailing the Order. A copy of this report is attached as appendix 12.
- 5.4 On 12th of December 2006, an amendment Order came into force which made a number of significant alterations to the principal Order. The amendment Order amends the conditions that must be imposed by a licensing authority when granting or renewing a licence for the carrying on of a business which provides skin piercing or tattooing, including in particular amending the conditions imposed on premises which carry out ear piercing but no other skin piercing or tattooing activities. The principal Order created an exemption for registered medical practitioners within a hospital or independent clinic. The amendment Order has now extended this exclusion to include any member of a profession regulated by a body specified in Section 25(3) of the National Health Service and Health Care Professions Act 2002.
- 5.5 It is, therefore, recommended that the conditions, which are attached as appendix 13, are approved. These conditions have been drafted in accordance with the amendment order.
- 5.6 A comparison process was carried out with 9 other local authorities in relation to the duration of skin piercing and tattooing licences and the fees charged. Some authorities issue licences for a period of three years, others for one year. It is recommended that Falkirk Council charge an annual fee of £200. Annual renewal would ensure an appropriately frequent inspection regime is applied.

6 RESOURCE IMPLICATIONS

- 6.1 The net effect of the application of the recommendations in this report will have no significant resource implications.

7. CONSULTATION

- 7.1 A total of 12 other local authorities were consulted in relation to litter, trade waste and skin piercing and tattooing issues.
- 7.2 Corporate and Commercial Services Estates Management section were consulted in relation to litter and trade waste issues.
- 7.3 Central Scotland Police were asked to comment on the matter and have made no objections thereto.
- 7.4 The Council's Food and Safety Regulation Manager was asked to comment on the matter and has made no objections thereto.
- 7.5 The Council's Environmental Protection Manager was asked to comment on the matter and has made no objections thereto.
- 7.6 The Council's Development Control Manager was asked to comment on the matter and has made no objections thereto.
- 7.7 The Council's Head of Education Services was asked to comment on the matter and has made no objections thereto.

8. RECOMMENDATIONS

That Members recommend to Council the following:

- 8.1 that Council promote the proposed resolution attached as appendix 3 to this report and authorise officers to undertake the prescribed procedures to advertise the intention to make the Resolution and ingather any representation as detailed in this report;
- 8.2 that officers report back on the outcome of these procedures with further recommendations;

In relation to licences granted in terms of the existing Resolutions, Members recommend to Council the following:

- 8.3 that the late hours catering policy, attached to this report as appendix 4, is approved;
- 8.4 that the street trading policy, attached to this report as appendix 6, is approved
- 8.5 that the new street traders' conditions attached to this report as appendix 10 are approved and will apply to existing, renewed and new licences. Officers are instructed to undertake the process referred to in paragraph 4.10 of this report;

- 8.6 that the new late hours catering conditions attached to this report as appendix 11 are approved and will apply to existing, renewed and new licences. Officers are instructed to undertake the process referred to in paragraph 4.10 of this report;
- 8.7 that the mandatory licences in respect of skin piercing and tattooing continue to be for a one year duration with a fee of £200;
- 8.8 that the skin piercing and tattooing conditions, attached to this report as appendix 13, are approved.

.....
Director of Development Services
5th June 2007

Contact Officer: Alison Cairns, Consumer Protection Manager (telephone 501005)

FALKIRK COUNCIL

Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982; NEW
RESOLUTION; LATE HOURS CATERING POLICY AND
CONDITIONS; STREET TRADERS POLICY AND CONDITIONS
Meeting: FALKIRK COUNCIL
Date: 27th June, 2007
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. PURPOSE OF REPORT

- 1.2 The attached report was considered at the Policy and Resources Committee on 12 June 2007. The Committee agreed the recommendations and agreed to recommend them to Falkirk Council for approval.

2. IMPLICATIONS FOR RESOLUTION

- 2.1 As stated in paragraph 1.3 of the attached report, before a resolution can be made, the licensing authority require to publish a notice stating that they intend to make a resolution, and that representations about the resolution may be made in writing to the authority within 28 days of the first publication of the notice. The licensing authority shall consider any representations made and may make any alterations to the proposed resolution in light of these representations, if appropriate, but provided these alterations do not extend the scope of the resolution.
- 2.2 A notice shall be published in the Falkirk Herald on 5th July 2007, from which the 28 day representation period shall start if Council indicates today that it is minded to make the resolution.
- 2.3 It is proposed that the notice identify the date on which the resolution will come into operation as 1st August 2008. This date may require to be put back when Council is asked to formally make the resolution, should any slippage of time have occurred e.g. by reason of the process of obtaining and considering representations.

3. RECOMMENDATIONS

That Council:-

- 3.1 approves the recommendations as outlined in the attached report and as approved by the Policy and Resources Committee on 12th June 2007, and, in particular indicates that it is minded to make a resolution in terms of the draft approved by Policy and Resources Committee.

- 3.2 approves the publication of a notice in the Falkirk Herald on 5th July 2007, which notice shall inter alia identify the date of coming into operation of the resolution as 1st August, 2008, and acknowledges that it may have to amend that this date and
- 3.3 notes that a further report on this matter will be made to a future meeting.

.....
Director of Development Services

Date: 19 June, 2007

Contact Officer: Alison Cairns, Consumer Protection Manager (telephone 501005)

LIST OF BACKGROUND PAPERS

NIL

Falkirk Council

Civic Government (Scotland) Act 1982

Licensing of certain activities – Resolution

Notice is hereby given that Falkirk Council has resolved to revoke The Falkirk District Council Civic Government (Scotland) Act 1982 Resolution of 27 September 1983 and The Falkirk District Council Civic Government (Scotland) Act 1982 Resolution of 22 November 1983 on the 31 July 2008 and to replace these with the new resolution detailed below coming into effect on 1 August 2008.

With effect from 1 August 2008 it will be an offence under section 7(1) of the Civic Government (Scotland) Act 1982 to do without a licence a specified activity requiring to be licensed in the resolution below.

That applications for licences in respect of the activity will be considered by the authority after the expiry of one month after the date of the making of the resolution.

Rhona Geisler
Director of Development Services
Abbotsford House
Davids Loan
Bainsford
Falkirk
FK2 7YZ

11 October 2007

Civic Government (Scotland) Act 1982 Section 9 Resolution

“Falkirk Council, the Licensing Authority for the Local Government Area of Falkirk in terms of the Civic Government (Scotland) Act, 1982 RESOLVE

(First) that as from 1 August 2008, the following activities shall require to be licensed in accordance with the provisions of said Act relating to those activities and shall be regulated by those provisions:-

- (1) Taxis and private hire cars and their drivers including special event vehicles e.g. fire engines and stretch limousines. (Sections 10 – 23)
- (2) Second hand dealers. (Sections 24 – 27)

The Resolution shall relate to dealing in the following classes of goods or articles:-

- (a) Household effects and electrical and gas goods;
 - (b) Personal effects including clothing, watches, jewellery, photographic equipment and mobile telephone equipment;
 - (c) Bicycles;
 - (d) Motor Vehicles, motor cycles and caravans including spare parts, accessories and tyres;
 - (e) Manufactured goods;
 - (f) Antiques, paintings, historical prints and maps;
 - (g) Stamps and coins;
 - (h) Antique and modern furniture and soft furnishings;
 - (i) Sport and recreational effects including personal computers, computer peripherals and discs
 - (j) Musical Instruments
- (3) Boat Hire (Section 38)
 - (4) Street Traders (Section 39)
 - (5) Market Operators (Section 40)
 - (6) Public Entertainment (Section 41)

The Resolution shall relate to the following places or classes of public entertainment:-

- (a) Public Halls and Community Centres;
 - (b) Concert Halls;
 - (c) Stadia or open spaces used for open air concerts, shows, displays or events ;
 - (d) Dance Halls;
 - (e) Discotheques;
 - (f) Bowling Alleys, roller or ice-skating rinks, Go-Kart Tracks
 - (g) Simulator rides, bungee jumping, trampolines, quad bikes, motor stunt displays;
 - (h) Billiard, snooker and pool halls;
 - (i) Amusement Arcades;
 - (j) Funfairs;
 - (k) Circuses;
 - (l) Premises licensed under the Licensing (Scotland) Act 1976 holding public entertainment outwith the hours permitted by the Licensing Board.
- (7) Late Hours Catering (Section 42)

A licence will be required for the sale to or consumption by the public from premises, vehicles and stalls of meals or refreshments between the hours of 11pm and 5 am the following day.

(8) Window Cleaners (Section 43)

(Second) That the foregoing Resolution be made in relation to the whole of the Falkirk Council area being the area of the Licensing Authority.

(Third) That the Falkirk District Council Civic Government (Scotland) Act 1982 Resolution of the 27th of September 1983 is hereby revoked as from the 31st day of July two thousand and eight.

(Fourth) That the Falkirk District Council Civic Government (Scotland) Act 1982 Resolution of the 22nd of November 1983 is hereby revoked as from the 31st day of July two thousand and eight.

FALKIRK COUNCIL

Subject: DISTRIBUTION OF FUNDS RAISED FOR SRI LANKA
Meeting: FALKIRK COUNCIL
Date: 7th OCTOBER 2009
Author: DIRECTOR OF COMMUNITY SERVICES

1. INTRODUCTION

- 1.1 Members will recall the devastation caused by the Tsunami in Asia at the end of 2004 and in particular the impact on Sri Lanka. A report (a copy of which is attached as Appendix 1) was presented to Members in April 2005 setting out some options on how the Council might support local people to raise funds to assist the Sri Lankan people affected by the loss of their homes and property. It was intended that the funds raised would assist longer term rebuilding rather than contribute to the immediate emergency aid that was provided by international aid organisations in the immediate aftermath.
- 1.2 A fund raising effort was arranged and as at September 2009 a fund of £15,536 is held by the Council. This report makes recommendations on how the Council might arrange to determine a mechanism to agree how the fund be disbursed appropriately.

2. BACKGROUND

- 2.1 The original report envisaged a significant level of engagement between the people of Falkirk and the rebuilding of a community in the Jaffna region in Sri Lanka. However, the ongoing political unrest in the area and the advice from key agencies and personnel meant that groups tended to direct their funds to the international recovery organisations rather than to a specific more localised project.

3. OPTIONS FOR DISTRIBUTION

- 3.1 Given that the funds were raised to support long term redevelopment and recovery in Sri Lanka it is appropriate to identify charities whose work will be in keeping with the original intent.
- 3.2 Clearly the recognised international aid charities each have programmes in Sri Lanka. In addition a number of Scottish based organisations have projects there. A number of those have come forward following the recent press article to offer assistance and to present their work as potential areas for the funds.

- 3.3 Given the diversity of good causes that would benefit and that the Council is only the custodian of the funds it is suggested that a group be established to decide which project should receive the funds. It is proposed that the group be made up of 3 young people from Schools and 3 Councillors. It is suggested that the group is supported by an officer from the external funding unit in their deliberations.

4. LEGAL IMPLICATIONS

- 4.1 The funds that have been gathered are held by the Council as custodian only and are not Council funds. The proposal set out in 3.3 allows Council to reflect the original aspiration of community engagement whilst having an appropriate mechanism for disbursement, and does not offend against s.83 of the Local Government (Scotland) Act 1973..

5. FINANCIAL IMPLICATIONS

- 5.1 The funds raised total £15,536 and are held with the Council and are available for distribution when an agreed use has been identified

6. CONCLUSION

- 6.1 A significant amount of energy and enthusiasm has gone into raising funds to help create a better environment after the Tsunami. It is now appropriate to disburse the fund and allow it to make a tangible difference in a community in Sri Lanka. It is proposed that the best way to decide on which charity to proceed with is through the formation of the group outlined in 3.3 above.

7. RECOMMENDATION

- 7.1 Members are asked to agree to form the group as outlined in 3.3 and identify 3 Councillors to assist in the determination of the appropriate charity/charities.

.....
Director of Community Services

Date: 21 September 2009

Contact: Maureen Campbell, Director. Ext. 0902

LIST OF BACKGROUND PAPERS

Nil

FALKIRK COUNCIL

**Subject : SUPPORTING RECONSTRUCTION WORK
 FOLLOWING THE INDIAN OCEAN DISASTER**
Meeting : FALKIRK COUNCIL
Date: 27 APRIL 2005
Author : DIRECTOR OF COMMUNITY SERVICES

1. INTRODUCTION

- 1.1 Members will recall the devastating images of the countries affected by the Tsunami and of the tremendous community response for financial assistance, raising £300m in the UK to the Disaster Emergency Committee (DEC) and a further £40m directly to other agencies.
- 1.2 In addition, the Provost's fund for Tsunami was established and £17,300 was raised which went directly to DEC.
- 1.3 This paper provides Members with details of an opportunity available that might enable additional support to be provided in the reconstruction of an area.
- 1.4 It recommends that the Council explore in more detail how it might give longer term support to the rebuilding of the area in partnership with the wider community.

2. BACKGROUND

- 2.1 Members will have noted the various media articles and programmes identifying the challenges that lie ahead in rebuilding the various communities. In particular the enormous challenges in developing new infrastructure, homes, schools and hospitals have been identified as a priority. The various international relief agencies are gearing up to respond to the medium term work programmes to be tackled following the immediate emergency phase.
- 2.2 The various national and international relief and/or aid agencies stress the importance of responding to the needs identified by local communities in the affected areas rather than trying to anticipate what is required because of the resource limitations in the region.
- 2.3 Local authorities might consider involving other local community organisations in providing a local co-ordinated response to the medium and long term requirements of the affected areas. In this regard it has been suggested that Falkirk might want to link with a designated area in one of the affected countries. This approach could provide a sustainable contribution to recovery and encourage a higher level of participation from community groups in the Falkirk area.

3. PROPOSALS

- 3.1 Within Falkirk an opportunity has arisen following an approach from the Bairns Trust, the Falkirk FC fans, shareholder and supporters group. The Trust has already raised a considerable amount from collections, both in terms of cash relief and required goods such as toiletries. The Trust has also established a fund raising programme specifically designed to involve the wider community and the council may wish to assist the Trust with the promotion of these ideas given the assurance that all proceeds will be allocated to the project listed below.
- 3.2 The Bairns Trust wish to establish a new charity, possibly known as Bairns Aid, that would drive local fundraising to be used toward the replacement of houses in the Jaffna region for local fishermen. Well established links exist and have grown with a Glasgow based businessman and the Sri Lankan government as well as links with the Jaffna District Fishermans Association. There may be spin off opportunities for kit building in Falkirk and for Sri Lankan people to come to Falkirk for training in construction of the kits. Economic Development officers are in discussion with the company on this matter. It is proposed that the new village be known as 'Falkirk' and appropriate twinning links be developed in the coming years.

4. LEGAL IMPLICATIONS/CONSTRAINTS

- 4.1 In considering the best way to support any request for assistance, Members should be aware of the scope of the authority within its powers.
- 4.2 As regards supporting a charity to be set up in Falkirk to support overseas work, it may be permissible for the Council to incur the expenditure necessary to set this up if, in its opinion, it is likely to improve the well-being of its area/inhabitants. However, there may be an issue with the Council contributing directly to such a charity given that its work will not be carried out in the UK.
- 4.3 Setting up a charity is likely to be straightforward. There is no formal registration process. It is for the Inland Revenue to decide whether a body may be regarded as a charity for tax purposes and, if so, accounts have to be submitted on an annual basis.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications from this particular report, however, the points below will be important considerations in the future.
- 5.2 If the Council were to support the formation of a charity, the costs associated with setting it up would need to be established and considered for support.
- 5.3 It should be noted that the charity would not be eligible to "twin" with any of the organisations financially supported by the DEC funds as they require any twinning partners to have been established for at least 3 years. This will have significant impact on raising additional UK level funds for anything that it might want to do in Sri Lanka.

6. CONCLUSION

- 6.1 The rebuilding of Sri Lanka will take a long and consistent approach to development. There are various agencies involved including the key international aid agencies as well as opportunities being co-ordinated through local government associations and the UK government departments.
- 6.2 The opportunity to create a local charity with an immediate focus on Sri Lanka is of significant interest. It provides a co-ordinated programme for local people to make a direct response to the issues in the world and to enhance local civic pride as a result.
- 6.3 There are a range of legal issues affecting the Council support for a charity and this needs to be examined in more detail before any commitments are made.

7. RECOMMENDATIONS

7.1 Council is asked to:

- a) Note the interest in establishing a long term relationship between Sri Lanka and Scotland in the rebuilding of the areas affected by the Tsunami;
- b) Note the specific interest in establishing a village in the Jaffna region to be known as Falkirk;
- c) Instruct officers to explore in more detail how the Council might support the formation of a local charity to enable local people to contribute directly;
- d) Make contact with appropriate UK departmental agencies to assess how best to support the relief effort;
- e) Note that further reports will be provided to an appropriate Committee on a coherent way forward; and
- f) Authorise officers to explore the possibility of establishing a partnership with house builders and local Sri Lankan people to support the reconstruction in the area.

.....
Director of Community Services

20th April 2005

BACKGROUND PAPERS

Nil

FALKIRK COUNCIL

**Subject: SINGLE OUTCOME AGREEMENT 2009/2011 – UPDATE
STATEMENT**
Meeting: FALKIRK COUNCIL
Date: 9 OCTOBER 2009
Author: CHIEF EXECUTIVE

1. INTRODUCTION

- 1.1 This report presents to Members the draft monitoring statement for the Single Outcome Agreement (SOA). Members will be aware that the Single Outcome Agreement was approved by the Council and other partners in May 2009 and signed off by the Scottish Government in August 2009.
- 1.2 Members will also be aware that there is a requirement to produce an annual monitoring statement for the SOA each September. Attached to this report as appendix one is the monitoring statement for the Single Outcome Agreement which notes progress made against each outcome and specific indicators. It also sets out some key initiatives we have progressed over the last year to ensure we achieve the outcomes set out in the SOA.

2. DEVELOPING THE SOA FOR THE FALKIRK COUNCIL AREA

- 2.1 Members will recall that the most recent SOA was developed as a refreshed version of the first SOA, rather than a wholly new agreement with different outcomes and indicators. This has allowed a comparison to be made on progress against each of the outcomes over the first year of the SOA to date.
- 2.2 The monitoring statement set out in appendix one sets out a summary of progress against each outcome and notes each of the indicators that measure progress against each outcome. The comparison statement then sets out the change in performance in terms of actual value, but also notes if this change supports the direction of travel agreed by the Partnership. As the SOA measures direction of travel, the change over time for each indicator is noted in most instances as a change of annual returns, rather than the more complex change in baseline.
- 2.3 The SOA monitoring statement also contains the information by which the Council measures its contribution to the Strategic Community Plan, as was previously presented to Members in the Corporate Plan monitoring report. Indeed, the majority of the local outcomes noted in the SOA are taken directly from the Council's Corporate Plan. The indicators therefore are also taken from previous Corporate Plan monitoring reports. As such, the Single Outcome Agreement monitoring statement is presented as both the monitoring statement for the SOA and the Corporate Plan.

- 2.4 From the summary statement attached, we can see that most of the outcomes are showing good progress on nearly all indicators. However, it is important that each of the partners reviews the outcomes and indicators they are responsible for, given the need to ensure that the update statement reflects our understanding of the most current context within which we are trying to achieve our outcomes. Members should note that some information is not yet available but will be collated and analysed as soon as possible.
- 2.5 In addition to a factual statement on the progress made against each of the indicators, the annual monitoring process should also have regard to a qualitative assessment on the effectiveness of the SOA approach. This should cover how the SOA is being supported by continuous improvement, e.g. the effectiveness of partnership working, the nature of community engagement and how this is informing priority outcomes and a review and alignment of arrangements to support the delivery of agreed outcomes. Much of this information is already contained within our Single Outcome Agreement and has been summarised in this monitoring statement.
- 2.6 The achievements made by Services of the Council and our partners have also been updated since the single outcome agreement was formally approved by Members in April 2009. Much of this information has already been reported to Members through various reports to Scrutiny Committees and to the Best Value Forum through service plans.

3. CONCLUSION

- 3.1 The Single Outcome Agreement is a significant document in that it sets out the commitment of the Council, our local partners and the Scottish Government to meeting the changing needs of the Falkirk Council area. It is important that the Council and our partners monitor regularly the progress we are making against our local outcomes and take appropriate actions where necessary, to ensure progress is made towards achieving the vision for our area.

4. RECOMMENDATIONS

It is recommended that Members:

- 4.1 **Approve the monitoring statement attached in appendix one; and**
- 4.2 **Note that further reports on progress on outcomes will be reported to Members on a regular basis.**

.....
CHIEF EXECUTIVE

Date: 22 September 2009

Ref: ABK1009FC– SOA

Contact Name: Fiona Campbell - Tel: 01324 506004

Summary Statement

| National Outcome | No of indicators Performance Improving | No of indicators Performance Deteriorating | No of indicators Performance the Same | Comparison not appropriate / available | Total No of Indicators |
|------------------|--|--|---------------------------------------|--|------------------------|
| 1 | 10 | 2 | | 0 | 12 |
| 2 | 8 | 4 | | 0 | 12 |
| 3 | 2 | 0 | | 2 | 4 |
| 4 | 6 | 0 | 1 | 0 | 7 |
| 5 | 9 | 3 | 1 | 2 | 15 |
| 6 | 16 | 10 | | 2 | 28 |
| 7 | 11 | 4 | | 6 | 21 |
| 8 | 7 | 0 | | 2 | 9 |
| 9 | 19 | 6 | | 3 | 28 |
| 10 | 11 | 5 | | 3 | 19 |
| 11 | 7 | 0 | | 3 | 10 |
| 12 | 4 | 4 | | 0 | 8 |
| 13 | 5 | 0 | | 5 | 10 |
| 14 | 7 | 3 | | 3 | 13 |
| 15 | 9 | 1 | | 2 | 12 |
| | | | | | |
| Total | 131 | 42 | 2 | 33 | 208 |
| | | | | | |

**Falkirk Community Planning Partnership
Single Outcome Agreement
Monitoring Statement
September 2009**

Falkirk Community Planning Partnership has had a Single Outcome Agreement in place since June 2008. The SOA helps measure the progress we are making locally to achieve our shared vision for the Falkirk Council area. The purpose of this monitoring statement is to note progress the partnership has made in achieving our vision and local outcomes over the period of the agreements.

Our collective commitment will ensure that in achieving our vision we will provide the best quality services at an affordable cost to our communities and citizens and that this is at the very heart of all that we do.

Our vision is to ensure that:

- ***The legacy of our past and the potential of our future are protected.***
- ***Our area is at the centre of Scotland.***
- ***Our future is as one of the most culturally diverse and distinct areas in Scotland.***
- ***Our future has investment in jobs, learning, homes and leisure for all.***
- ***Our area is 'the place to be' in the third Millennium.***

Implicit in our vision is the need for our citizens and communities to be safe and healthy.

This agreement is shared by the following partners:

- Falkirk Council;
- NHS Forth Valley;
- Central Scotland Police;
- Central Scotland Fire and Rescue Service;
- Forth Valley College;
- CVS Falkirk and District
- Scottish Enterprise
- Skills Development Scotland
- SESTRAN; and
- The Scottish Government

We must acknowledge that we alone cannot achieve our vision for our area and are reliant on a range of partners, communities and individuals to work with us to do this. Their contribution must be valued and recognised if we are to achieve what our communities need over the coming years.

While this monitoring statement notes progress against our key outcomes, we set out in our last agreement specific actions we were going to undertake to address the economic recession and its affects on our local communities. Since agreeing our action plan we have made progress in the following areas:

- Worked closely with the Business Panel to ensure we are providing relevant advice and support to local businesses;
- Specifically targeted advice and support to local retailers through both direct help but also by ensuring our town centre are attractive places to visit and shop;
- Reduced the time to pay suppliers from one month to 20 days;
- Initiated a programme to promote local tourism;
- Accelerated capital investment in a range of areas e.g. roads, economic development, parks and leisure and schools;
- Continued to lobby for the Avon Gorge / Grangemouth Freight Hub;
- Promoted further investment in housing
- Accelerated £600,000 of capital investment in business property;
- Reviewed the Council's approach to the use of section 75 agreements to ensure they maintain investment while protecting jobs;
- Provided further information and support to local people facing or experiencing redundancy and unemployment;
- Assisted local companies to access training, advice and support, particularly to engage young people in pre-vocational and apprenticeship programmes;
- Further embedded our approach to Community Benefits in Procurement to ensure our communities benefit from the spend public bodies make; and
- Further invested in money advice and support services for people who are faced with money, debt or housing problems.

As a partnership we understand that the recession will continue to affect individuals and communities for years to come. We must ensure the measures noted above are having the effect we expect while continuing to meet the outcomes expressed within this single outcome agreement. Over the coming years we must continue to review progress against our outcomes. We understand that we will be facing great challenges in meeting the growing needs of our communities with reducing resources. We must become more efficient in our use of resources not only individually but across our partnership.

To achieve this we must engage with our communities. We will consult on a new Strategic Community Plan based on the outcomes within this agreement to ensure we understand their priorities in the short, medium and longer term.

Our agreement will also develop over time to reflect our maturity in measuring all sectors' and partners' performance in achieving our vision. Importantly over time we will include indicators to measure our community and voluntary sectors' contribution to community life. We understand the valuable contribution volunteers and carers make to the lives of individuals and communities. We hope over time to reflect this contribution over time within our Single Outcome Agreement.

It is through this and our Strategic Performance Management System that we will refine and develop the detail of the Single Outcome Agreement. Our partnership processes will identify areas where the implementation of a national policy initiative may lead to any pressure on Council or partners' budgets. We welcome the position of the Scottish Government in that they have made a commitment to address this jointly as part of our maturing relationship.

The Single Outcome Agreement will provide us with a means of summarising existing performance information contained within both our Corporate and Community Planning systems. The Outcome Agreement helpfully tracks changes over time and thus provides us with a vehicle by which to scrutinise our performance and thus progress towards our local outcomes. The targets set have been set for the duration of the Agreement. However we will review these annually to ensure they are challenging and continue to be relevant. The results of this will be published so that our communities can see the progress we are making in achieving their vision for our area.

In addition to noting specific progress for each indicator we have also set out a range of actions that make a difference to the lives of individuals and communities. As a number of these actions relate to several of our local priorities, they have been grouped under specific themes of economy, health and safety, disadvantage and discrimination and the environment.

FURTHER DEVELOPING A THRIVING, SUSTAINABLE AND VIBRANT ECONOMY

- Falkirk Town Centre Management Ltd secured Business Improvement District Status for Falkirk Town Centre to ensure the town can continue to develop and grow;
- We supported the development of a skilled workforce, and increased the number of placements for modern apprenticeships to 324 and secured 406 placements for Get Ready for Work. We also established a Winter Leaver Programme for young people, exceeding the target for provision and successfully delivered the National Programme contracts and achieved performance outcomes well above the Scottish average.
- Carrongrange became 1 of only 10 schools in Scotland to be recognised as a Socially Enterprising School at a national awards ceremony in Edinburgh. Four S6 pupils received the Schools Award for Social Enterprise on behalf of their school from Fiona Hyslop MSP, Cabinet Secretary for Education and Lifelong Learning. Carrongrange School was also short listed as one of the top 3 in the 'Most Enterprising Special School' category at the 2008 Scottish Education Awards.
- In collaboration with INEOS Grangemouth, we continued working in support of the My Future's in Falkirk project 'Schools into Technology'. This project aims to encourage more pupils to take science subjects and encourage them to pursue a technology-based career so ensuring that our young people are equipped and able to benefit from the anticipated growth in local, technology-based companies. The project has three offerings - Master classes, the Scottish Science and Technology Network and the Science, Education and Technology Fair.
- For some years we have been working in partnership with Forth Valley College who offer a range of opportunities for school pupils to experience college courses while they are still attending school. We continued developing our links with the college with a view to encouraging more of our students into further education on leaving school.
- One of the core themes of the Council's Procurement Strategy is to develop procurement good practice in order to maximise community benefits through regeneration and supporting the local economy. The outcomes of our Community Benefits in Procurement work delivered 45 apprenticeship and other trainee work placements for young people in the Falkirk Council area during

2008/09 in a range of construction related contracts, including our new school build programme and affordable housing construction. Our work in this area was featured in a Scottish Government Report on Community Benefits in Procurement.

- In addition, during 2007/08 the Council spent approximately £77 million with businesses located within the Falkirk Council area. This equates to 42.5% of the Council's total procurement expenditure and is slightly higher than previous year's figures 41%. Through the implementation of the Council's Local Company Engagement Strategy, the Council is aiming to further build on this.
- We have worked with various housing agencies including Homes for Scotland to stimulate investment in housing construction in the area. The Council has continued to develop its current house building programme by constructing seven new Council houses in Falkirk, Stenhousmuir and Denny for people with disabilities.
- The Council remains determined to reduce the number of school leavers who do not move into a positive destination when they leave school. In support of these efforts, and in collaboration with a range of partner agencies including Forth Valley College, Careers Scotland, Scottish Enterprise Forth Valley, Community Scotland and Jobcentre Plus, a local joint action plan was developed focusing on two operational strands. The first of these is led by Education Services and targets young people at school who are at risk of not making a positive transition: the second, led by the Council's Employment & Training Unit, targets school leavers and young people aged 16-19 shortly after they have left school in an effort to engage them in a range of post-school activities to reduce the number of young people who are not in education, employment or training.

CONTINUING TO IMPROVE THE HEALTH, SAFETY AND WELLBEING OF OUR CITIZENS AND COMMUNITIES

- Active Forth, the GP exercise referral scheme, has expanded and is operating across the Council area and from all 3 main leisure centres. As a result more people are participating in the scheme with an increase of over 2,000 in a year. This has been complemented by a closer working relationship between the partners and key sports organisations.
- The Council in completing its secondary school replacement programme has also opened many new sports and swimming facilities across the area. This has resulted in many more people participating in sports and leisure activities.
- Our Community Service for Offenders Scheme has received national recognition for its work from the Prisons Commission and has also received a UK wide Butler Trust Award. We have significantly reduced the number of persistent young offenders over the last three years, from 64 in 2006-07 to 32 in 2008-09 a 50% decrease. We have acted as lead authority in establishing a team of staff to deliver accredited offending behaviour programmes across the Forth Valley area; and we have appointed a tenancy support officer to provide additional housing support to offenders whose loss of tenancy may increase the risk of re-offending;
- The Council arranged and hosted the inaugural Scottish training event and a subsequent event for local businesses leading to nationally recognised award in skin piercing safety - the Certificate in Safe Operating Practices for Beauty Therapists, Piercers and Tattooists. This meets part of the training requirements

of the Civic Government (Scotland) Act 1982 – (Licensing of Skin piercing and tattooing) Order 2006.

- A Christmas card campaign in around 500 shops highlighted the issues of slips and trips and manual handling when there is more stock handling by inexperienced workers.
- Approximately 100 local bars, pubs and clubs were given information about violence in the licensed trade and promoting the HSE's work-related violence tool kit.
- An education and enforcement campaign by the "Cruisers" working group on vehicle noise and emissions reduced the number of complaints and an anti-idling education campaign with neighbouring councils helped to reduce emissions.
- School lunches have been part of the school day for children for many years. Falkirk Council is continually developing this tradition to provide a high quality service responsive to our customers' needs. Close partnership working with Forth Valley Health Board and the Scottish Government in relation to the Hungry for Success Initiative and the Schools (Health Promotion and Nutrition) Scotland Act 2007 has meant we are committed to providing school meals that children can enjoy while balancing the eating trends of today with realistic nutritional levels.
- During the course of session 2008/09, on average 91% of primary pupils and 73% of secondary pupils who were entitled to free school meals, took up that entitlement. Children who have free school meals are not made to feel differently from those who pay, nor is it obvious that their meals are free. All of Falkirk Council's primary and secondary schools operate an anonymised system for recipients of free school meals, compared with the national average of only 40% in the primary sector and 71% in the secondary sector.
- The Scottish Government's School Meals Survey for 2008 showed that the uptake of free school meals in Falkirk Council primary and secondary schools was the highest in Scotland. Falkirk Council primary schools exceeded the national average by 13%, while secondary schools exceeded the national average by 21%.
- The Outdoor Education Team continued to promote Outdoor Learning as an effective approach to delivering Curriculum for Excellence. To that end, during the course of the session the Team delivered continuing professional development (CPD) sessions aimed at supporting classroom teachers in delivering curricular and extracurricular subjects in their school grounds, local parks and wild spaces. Opportunities for increased pupils' participation in the outdoors were also made available through linking with external environmental agencies and organisations and award schemes such as the John Muir Trust, the Duke of Edinburgh Award Scheme and Eco Schools.
- To help improve behaviour in secondary schools still further we have been trialling Restorative Approaches in two schools. In these schools the emphasis has been on establishing and maintaining positive relationships and helping young people understand the consequences of their behaviour for others to help improve behaviour rather than the traditional reliance on 'telling off' and punishment. The secondary school pilots in the development of Restorative Approaches have been very successful to the extent that Falkirk has been mentioned in national research reports in this field. As a result all our secondary schools have committed to developing Restorative Approaches over the next two to three years.

- We are one of the first Councils in Scotland to achieve the Gold Healthy Working Lives Award, which replaces the Gold SHAW award which the Council held for several years. The Healthy Working Lives award assesses not just our approach to health promotion, well being and lifestyle support as was covered by the SHAW award. It also assesses our health and safety initiatives, sustainability initiatives and the advice we provide to all employees in these areas.
- We have reviewed the work of our Community Wardens and Enforcement Teams to ensure they can provide services to those areas most in need. We have also continued to support the safer streets initiative and developed with partners in Forth Valley an innovative solution to information sharing on Anti Social Behaviour.
- A sample local house conditions survey was commissioned of all the Council's housing stock, as well as an all tenure house conditions survey, with future phases to be completed in 2009.

INCREASING OUR EFFORT TO TACKLE DISADVANTAGE AND DISCRIMINATION

- In the last financial year, our Community Advice Service achieved welfare benefit gains for people in the Falkirk Council area of £6.6 million. In the same period, the team lodged a total of 245 appeals against unfavourable decisions by benefits agencies and achieved a success rate of 74% decisions overturned. The service also provided advice or negotiated debts for over 800 local people on debts amounting to nearly £20 million. This is in addition to the work undertaken by the three Citizen Advice Bureaux in the Council area.
- We have continued to ensure our most vulnerable young people have the best services to meet their needs. We have over a number of years reduced the number of young people who leave school without moving onto a positive destination i.e. training, employment or further or higher education. We have also ensured young people leaving Carrongrange School have support to make positive decisions about their destinations when leaving school.
- We have also continued to support youth work across the Council area. New activities have been established in facilities in Camelon and Langlees. Detached youth workers have engaged with 2,344 young people throughout the year. Liaison between agencies has ensured that we can target these services to specific locations.
- The proportion of council service buildings that are accessible to the disabled increased by 10% during 2008-2009. 89% of schools are now accessible to the disabled. Further improvement will depend on the school replacement programme and improvements for individual pupils or staff.
- The partnership has developed the 'IDEAL' database which includes information on diversity and equality agencies locally. This will improve our consultation on all equality issues. Through the Community Planning Partnership we published six information booklets for migrant workers living and working in the area. These were launched at our annual community planning conference.
- We developed a Homelessness Strategy for the period 2008-2013 to direct activity to reduce homelessness in the area and to support vulnerable people to sustain their accommodation.
- We entered into a Public Social Partnership with Grangemouth Enterprises and the Falkirk Homeless Project (Quickstart) that provides furniture to homeless

people and families and maximises the benefits to the wider community in terms of waste management and employment / training opportunities.

- £138,000 was secured from the Scottish Government for further improvements to the Travelling Persons Site at Redding.
- Our Housing Allocation policy was reviewed to ensure that priority is given to those applicants in the greatest housing need and that the best use is made of the Council's housing stock and that the opportunities for applicant choice are maximised through choice-based letting arrangements. The review involved comprehensive and extensive consultation with stakeholders.
- By establishing a central team to process housing applications, maintain the housing list and match applicants with suitable vacancies, we have improved service delivery by reducing timescales for processing information and ensuring consistency.
- We continued to work towards our objective to educate Falkirk's children within its school system and as a result reduced reliance on external providers.
- We expanded the number of places in specialist Autistic Spectrum Disorder provision at both Grangemouth High School and the Ladeside Primary School Support Facility, in accordance with our objective to ensure the demand for specialist autistic provision is available locally and on an equitable basis by June 2011. To that end, we have also established an educational practitioner working group to anticipate short-term demands for 2009/10 and provide a rational local authority plan for the medium term.
- Work continued on developing systems to allow schools and other providers to monitor educational planning and outcomes for their Looked-After and Looked-After and Accommodated Children. The Service is already able to track the attendance, progress and outcomes for all Looked-After and/or Accommodated Children.
- Falkirk Children's Commission continued to develop a locality model for delivering integrated services to children and young people at as local a level as possible. Two prototype sites in Denny and St Mungo's were established with different models of delivery being tried in each. These models build on the successes of Integrated Learning Communities and the recognised impact which supporting families has on individual children's attainment and achievement.
- Following extensive consultation, and in continuing partnership with Barnardo's, the previously separate primary specialist provisions for children exhibiting social, emotional or behavioural difficulties, Dundas and Lecroft, were re-organised into the Oxbang School and Support Service. The new facility supports children in mainstream schools as well as providing full-time education at Oxbang School itself; it also provides support to parents of children on the caseload.

ENHANCING AND SUSTAINING AN ENVIRONMENT IN WHICH PEOPLE WANT TO LIVE, WORK AND VISIT

- We launched a revised version of the Community Litter Plan for the next three years. The Plan builds upon previous progress, in improving the cleanliness of the area, through the provision of more resources to tackle the litter problem, raising public awareness and in developing positive partnership working with communities and local groups. Performance in relation to numbers of missed bins and customer complaints relating to the Refuse Collection Service shows

significant improvement on previous year performance, with a reduction for both indicators of 37%.

- We continue to make progress towards meeting the Scottish Housing Quality Standard. Through the Housing Investment Programme work was completed in the following areas:
 - Kitchen & bathroom replacement to 1239 properties
 - Completion of upgrading to high rise block – Belmont Tower
 - Window replacement to 45 properties
 - Re-roofing to 119 properties
 - Electrical upgrading works to around 150 properties
 - Re-rendering to 204 properties
- We have continued to increase the uptake of the combined heat and power community heating project to 6 blocks of high rise flats in Falkirk, currently benefiting over 300 households. This will improve energy efficiency and costs to residents.
- In 2008/09, approximately £450,000 was accessed from a variety of sources, such as Communities Scotland's Warm Deal Programme and Energy Efficiency Commitment funding from the power companies, thus maximising the use of external funding opportunities to implement energy efficiency improvements.
- The Council approved a Home Energy Strategy, which incorporates the Council's Fuel Poverty Strategy and action plan to help eradicate fuel poverty by the Scottish Government's target of 2016.
- We have worked to reduce domestic energy use across the Council area by 10% since 2005 and carbon dioxide emissions by 9% over the same period, as the Council makes progress towards meeting its Home Energy Conservation Act responsibilities. A reduction in home energy use of 24% has now been achieved since 1997.
- 5154 spent street lighting discharge lamps were recycled.
- 40.8% of Municipal Solid Waste was recycled or composted during 2008-09, our highest ever annual rate, meeting the target for 2010. £235K of recycled material was incorporated into road schemes. 61% of waste material from road construction was diverted away from landfill beating our 58% target. An independently funded furniture reuse / recycling project was set up following a council run and funded pilot. Recycling, waste minimization and reducing litter are promoted in all Falkirk schools. In addition to paper and cardboard, many schools recycle other materials such as cans, printer and toner cartridges and plastic. However, they are equally encouraged to try to reduce the amount of material that needs to be recycled in the first place. During session 2007/08, the last complete session for which figures are available, Falkirk Council's schools recycled 260.5 tonnes of paper and card, a 36% increase over the previous session and more than double the level of recycling which took place 3 years ago, during session 2004/05.
- Local Authority Partnership Award from Community Recycling Network for Scotland for our work with Grangemouth Enterprises Ltd (GEL) and their activities, which have seen the volume of items reused and recycled increase in addition to allowing for the creation of many green training and employment opportunities for local people.







- Falkirk Environment Trust made grants totalling £313k during 2008-2009. Community projects included the River Avon Restoration Project phase 2 and Slamannan Angling Preservation Association. Both involved improving habitat and biodiversity.
- All Falkirk Council primary and secondary schools participate in the Eco Schools programme which promotes environmental awareness in a way that links to many curriculum subjects, including citizenship, personal, social and health education, and education for sustainable development. Falkirk Council primary and secondary schools have now received, in total, 49 bronze awards, 37 silver awards and 19 Green Flags (including 5 Second Green Flags and 1 Third Green Flag). Falkirk ranks 9th in Scotland for the percentage of educational establishments receiving a Green Flag, 4th for receiving a silver award and 5th for receiving a bronze award.
- Having already built four new secondary schools to replace the old buildings at Bo'ness Academy and Braes, Graeme and Larbert High Schools, as well as Carrongrange School, we have now replaced the four remaining secondary schools, those at Denny, Falkirk, Grangemouth and St Mungo's High Schools. This project will result in the council's portfolio of eight secondary schools all being fit for the delivery of education in the 21st century and will ensure that all of our pupils and staff have access to the quality of resources they need to ensure the best possible start to life for the pupils.
- There is also significant investment in primary schools with three new schools and a number of extensions recently completed, ongoing or planned over the next few years. The new non-denominational primary school for Larbert/Stenhousemuir, Kinnaird Primary School, opened early in 2008, and this will be followed by a new RC primary school in due course, increasing local provision by 650 places. A new replacement for Maddiston Primary School also opened in 2008 providing additional places in a state-of-the-art building that has replaced the Council's one remaining 'poor' condition school. A major extension was completed in 2008 at Wallacestone Primary School to cater for population growth and other significant extension/refurbishments are underway at Larbert Village and Hallglen Primary Schools and will be completed this year.
- The two new-build schools at Kinnaird and Maddiston also include provision for pupils with additional support needs that, together, have replaced Torwood School and increased the level of provision in this area.
- Recent investment in nursery provision has resulted in four new primary school nurseries at Bantaskin (2006), Carron (2007), Nethermain (2007), and the new Kinnaird Primary School (2008). Together with expansion at Maddiston Primary, this has resulted in 300 additional ½ day nursery places in areas where demand is the highest.
- Each school has a well established Pupil Council. These met regularly over the course of the session and sent representatives to the Schools Council (secondary pupils) and the Cluster Councils (primary pupils). A key development was the establishment of the Pupil Engagement in Decision-making policy, approved by the Council in December 2007. The policy sets out entitlements for children and young people, with their roles and responsibilities, in line with our key Learning to Achieve policy. It builds on existing good practice in our establishments to ensure that children and young people are actively involved in meaningful decision making in key areas that impact on their future.






- Falkirk Council received support from the Scottish Government's Anti-sectarianism fund for two projects. P1 children in Antonine and St Joseph's Primary Schools were involved in 'Bridge Street Bairns', which used Persona Dolls made by parents from both schools to focus on similarities and celebrate differences. Parents attended a workshop to consider issues around sectarianism in Scotland that then gave them the confidence to raise the subject with their children. The P6 children at Nethermains, Head of Muir and St Patrick's Primary Schools are 'Falkirk Firm Friends' after they worked together and made new friends through a number of activities that focused on Islamophobia with the aim of developing positive attitudes to the Muslim Faith.

National Outcome One – We live in a Scotland that is the most attractive place for doing business in Europe

Local Outcomes

- The quality of our infrastructure will help promote the growth of the local economy (CP)
- Ensured our profile reflects our area as a destination of choice (CP)
- Increased business investment, innovation and competitiveness and the diversification of our economy (SCP)
- Raised the profile and image of the area through promoting and marketing the area to attract new investment (SCP)
- Raised the profile and image of the area through promoting and marketing the areas as a culture and leisure destination (SCP)
- Improved the image and quality of the physical environment including town centres (SCP)






| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|--|--|--|--|---|---|------------------------|------------------------------------|
| Net number and rate of new businesses formed in local authority area on an annual basis | + 70 180 per 100,000 population | + 185 259 per 100,000 population | +115 +79 per 100,000 population | Not yet available |  | At least Scottish average 2007 – 283 per 100,000 population | ✓ | At least Scottish average |
| Total Gross Added Value of businesses in the area | £2,112m -2004 | £2,203m – 2005 – latest available | +£91m | Not yet available |  | Increase | ✓ | Increase |
| Total business stock | 3,889 | 3,951 | +62 | Not yet available |  | Increase | ✓ | Increase |
| No of occupied business properties as a % of the total | 98.6% | 97.3% | -1.3% | 96.7% |  | Maintain above 95% | ✓ | Maintain above 95% |
| Total business stock in priority industries e.g. chemicals, construction, financial services etc | 1162 | 1204 | +42 | Not yet available |  | Increase | ✓ | Increase |
| RSA awards accepted / paid Average no and value | 4 £1m | 3 £620,000 | -1 £380,000 | 2 accepted – £875,000 2 paid - £415,000 |  | Increase | ✓ | Increase |



| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|---|---|-----------------------------|-------------------------------------|---|--------------------------------------|------------------------|------------------------------------|
| Business advice requests for consumer protection completed within 14 days | 65.9% | 88.7% | +22.8% | 93.4% |  | 95% | ✓ | 95% |
| Increasing the total visitor expenditure to the area (per calendar year) | £76 m | £77m | £1m | £77m |  | Increase | ✓ | Increase |
| Increasing the number of bed nights taken up by tourism related visitors (per calendar year) | £1.27m | £1.25m | -£0.02 | £1.25m |  | Increase | ✗ | Increase |
| Falkirk Town Centre national ranking per CACI | 10 th in Scotland | 15 th in Scotland | -5 places | 15 th in Scotland (2008) |  | Improve | ✗ | Improve |
| Total area of Vacant and Derelict land Total | 52ha 90ha 142ha | 51.25ha 87.25ha 138 ha | -3.5ha | Next count in Oct 2009 |  | Reduce | ✓ | Reduce |
| Carriageway condition - % of network that should be considered for maintenance treatment | 54% Falkirk ranked 25 th in 2006/07 | 35% Indicator definition was changed. Falkirk ranked 12 th in 2007/08 | n/a Indicator changed | 33.2% | n/a Indicator change | Below 35% | ✓ | Maintain |

National Outcome Two - We will realise our full economic potential with more and better employment opportunities for our people

Local Outcomes

- Increasing the wealth and prosperity of our area(CP)
- Increase the number of people in jobs particularly the young and long term unemployed (SCP)
- Increase lifetime earning potential for all our citizens (SCP)



| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|---|--|-----------------------------|------------------------------|---|--------------------------------------|------------------------|------------------------------------|
| No of claimants in receipt of out of work benefits per 1,000 population. The benefits are defined as Jobseekers Allowance, Incapacity Benefit and Income Support (carers, lone parents and other on income related benefits) (FSF) | No of claimants 15,070 100.7 per 1,000 population 161.1 per 1,000 working age population | No of claimants 14,790 98.1 per 1,000 population 156.9 per 1,000 working age population | -280 -2.6 -4.2 | Not yet available |  | Reduce | ✓ | Reduce |
| Employment Rate | 78.6% | 78.5% | -0.1% | Not yet available |  | Increase | ✗ | Increase |
| Number of community benefit in procurement programmes with number of jobs and beneficiaries | 0 | 24 | +24 | 14 |  | 60 | ✓ | Increase |
| The proportion of school leavers in a positive destination In worst 15% SMID (FSF) | 84.3% 75.2% | 86.8% 75.7% | +2.5% +0.5% | Not available until Dec 2009 |  | Increase | ✓ | Increase |
| % of 16-19 year olds not in education, employment or training (FSF) | 19% | 16% | -3% | Not available until Dec 2009 |  | Reduce | ✓ | Reduce |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|--|--|-----------------------------|---|---|--------------------------------------|------------------------|---|
| Reducing the number of unemployed people relative to the Scottish average | Falkirk 2.1% Scotland 2.2% Sept 07 | Falkirk 2.6% Scotland 2.5% Sept 08 | +0.5% +0.3% | Not yet available |  | Reduce | ✗ | At or lower than the Scottish average. |
| Increasing satisfaction of business panel with events | 93% | 90% | -3% | 91% |  | Maintain | ✗ | Maintain |
| Increasing the number of business start up support from the Council through national business gateway | 300 | 278 | -22 | 339 |  | 300 | ✓ | Maintain |
| Increasing the uptake of work based training provision provided by the Council | 432 | 560 | +128 | 791 |  | 600 | ✓ | Maintain |
| Increasing the numbers of new starts on national training programmes | 201 150 | 227 600 | +26 +450 | 312 |  | 300 600 | ✓ | Maintain |
| Increasing the number of jobs created or secured by business development community planning activities | 684 | 729 | +45 | 339 Business Gateway 391 ETU 730 Total |  | Increase | ✓ | Increase |
| % of working age people receiving job related training in the 13 weeks prior to survey | 23.3% | 19% | -4.3% | Not yet available |  | Increase | ✗ | Increase |

National Outcome Three - We are better educated, more skilled and more successful, renowned for our research and innovation

Local Outcomes


- Our area will be recognised as having a culture of aspiration and ambition (CP)
- Support lifelong learning in the community (SCP)




| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|---|---|--|---|---|--------------------------------------|------------------------|------------------------------------|
| The % of school leavers moving into Higher education Further education Training Employment | 25% 16% 10% 33% | 28% 19% 12% 28% | +3% +3% +2% -5% | Not available - December 2009 |  | 28% 20% 7% 31% | ✓ | 30% 24% 11% 30% |
| Diversity in sectoral employment: - numbers and percentage. Wholesale and retail; Manufacturing; Health and Social Work; Public Administration; Real estate, renting business activities Other industries | 11,000 -18.9% 8,800 – 15.1% 9,000 – 15.5% 5,500 – 9.5% 5,200 - 9% 18,600 – 32% | 10,400 – 17.6% 9,300 – 15.7% 9,100 – 15.4% 5,600 - 9.4% 5,900 – 10% 18,900 – 31.9% | -1.3% +0.6% -0.1% -0.1% +1% -0.1% | Not yet available | -1.3% +0.6% -0.1% -0.1% +1% -0.1% | Monitor | - | Monitor |
| % of school leavers offered a guaranteed positive destination. | - | - | - | Not available until December 2009 | - | 50% 2008 75% 2009 100% 2010 | - | 100% |
| % of working age population with SVQ3 or above | 47.1% | 47.6% | +0.5% | 50% |  | Improve | ✓ | Improve |



National Outcome Four - Our young people are successful learners, confident individuals, effective contributors and responsible citizens

Local Outcomes

- Our workforce will be highly skilled (CP)
- Promote early learning experiences for all young children to enable them to have the best possible start (SCP)
Provide appropriate and relevant learning experiences and child care for children and their families (SCP)
- Raise levels of attainment and achievement in education (SCP)
- Provide high quality teaching in schools and early years establishments
- Provide flexible curriculum that meets the needs of all young people.

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|--|--|-------------------------------------|---|---|--|------------------------|--|
| Proportion of schools achieving 'good' or 'very good' or excellent in the last 3 years in HMIE reports for: a) Structure of the curriculum b) The teaching process c) Leadership d) Expectations & promoting achievement e) Equality & fairness f) Partnership with parents & the community | a) 94% b) 89% c) 100% d) 89% e) 100% f) 94% | a) 94% b) 89% c) 94% d) 100% e) 100% f) 94% | - - -6% +11% - - | Reporting measures changed by HMIE and will be reflected in the next SOA update | Measure has changed | Reporting measures changed by HMIE and will be reflected in the next SOA update. | ✓ | Reporting measures changed by HMIE and will be reflected in the 2010 /11 SOA |
| The % of pupils in P3, P4, P6 & P7 attaining or exceeding the appropriate levels for their stage in Reading Writing Mathematics | 85% 81% 88% | 85% 81% 87% | - - -1% | 85% 82% 88% |  | 85% 80% 85% | ✓ | 5-14 measures under review. |


| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|--------------------------|--------------------------|-----------------------------|------------------------|---|--------------------------------------|------------------------|------------------------------------|
| Cumulative Attainment of National Qualifications by all pupils in publicly funded schools for S4 - % of the S4 roll gaining level 3 or better in English and mathematics; % of S4 roll gaining 5 or more awards as SCQF level 3 or better; % of S4 roll gaining 5 or more awards at SCQF level 4 or better; % of S4 roll gaining 5 or more awards at SCQF level 5 or better | 91% 89% 73% 30% | 91% 89% 72% 33% | - - -1% +3% | Not yet available |  | 96% 93% 77% 36% | x | Improve |
| Cumulative attainment of National Qualifications by all pupils in publicly funded secondary schools for S5 – % of the original S4 roll gaining 1 or more awards at SCQF level 6 or better % of the original S4 roll gaining 3 or more awards at SCQF level 6 or better; % or the original S4 roll gaining 5 or more awards at SCQF level 6 or better | 34% 17% 6% | 37% 19% 7% | +3% +2% +1% | Not yet available |  | 39% 22% 10% | ✓ | Improve |
| The % of young people who leave school without employment, further or higher education or training | 16% | 13% | -3% | Not yet available |  | Reduce | ✓ | 7% |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|------------------------|-----------------------------|------------------------|---|--------------------------------------|------------------------|------------------------------------|
| % of pupil attendance at school Primary Secondary | 95.6% 89.9% | 95.4% 90.8% | -0.2% +0.9% | Not yet available |  | 96% 92% | ✓ | 96% 92% |
| Number of young people in secondary schools involved in Pupil Councils. | 251 | 375 | +124 | 429 |  | 450 | ✓ | 450 |




National Outcome Five - Our children will have the best possible start in life and are ready to succeed

Local Outcome

- All our children will be happy and healthy and able to make positive decisions about their own health (SCP)
- All our children will achieve their potential through learning and being creative and developing the skills and knowledge to make them fulfilled happy adults (SCP)
- Ensure high quality early years learning experiences including sufficient provision for vulnerable young people and their families (SCP)

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|----------------------------------|---|-----------------------------|-------------------------------------|---|--------------------------------------|------------------------|---------------------------------|
| Proportion of children living in households that are dependent on out of work benefits or child tax credit more than the family element (finalised awards) number per 1,000 children aged 0-16 | 166 Child Tax Credit - 539 | 158 Child Tax Credit - 553 | -8 +14 | - Child Tax Credit - 543 | -8 -4 | Monitor | - | Monitor |
| Proportion of early years establishments achieving 'good', 'very good', or 'excellent' in the last 3 years in HMIE reports for: <ul style="list-style-type: none"> • Improvements in performance • Children's experiences • The curriculum • Meeting learning needs • Improvement through self evaluation | n/a | New indicator 2008/09 data to be established as baseline | - | 80% 80% 80% 80% 60% | - | Improvement on baseline data | - | Improvement on baseline data |
| Provision of a suitable mix of affordable, accessible and high quality of early learning and child care (0-4) <ul style="list-style-type: none"> • Pre-school education places; | 100% | 100% | - | 100% |  | 100% | ✓ | 100% Maintain mix of |




| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|------------------------|-----------------------------|------------------------|---|--|------------------------|------------------------------------|
| <ul style="list-style-type: none"> toddlers places; baby places wraparound care | 92 24 164 | 92 24 220 | - - +56 | 101 24 254 | | 127 36 232 | | public and private provision |
| % of looked after children who on leaving care achieve at least one subject at SCQF level 3 or higher | 48% | 71% | +23% | 62.7% |  | Better than the Scottish Average 58.8% | ✓ | Better than the Scottish Average |
| % of looked after children who on leaving care achieve both English and Maths at SCQF level 3 or higher | 26% | 44% | +18% | 40.3% |  | Better than the Scottish Average 37.9% | ✓ | Better than the Scottish Average |
| Proportion of low birth weight per 1,000 live singleton births – Full term babies | 18.4 | 19.3 | +0.9 | 23.6 |  | Reduce | ✗ | Reduce |
| Pregnancies among under 20 year olds per 1,000 population | 2005 61.2 | 2006 61.6 | +0.4 | 2007 64.4 |  | Reduce | ✗ | Reduce |
| School meals taken as % of school roll Primary Secondary | 60% 50% | 59% 50% | -1% - | Not yet available |  | 65% 55% | ✗ | Maintain |
| % of schools with breakfast clubs | 35% | 35% | - | Not yet available |  | 35% | ✓ | Increase |
| Increase the proportion of newborn babies exclusively breastfed at 6-8 weeks | 18.7% | 19.6% | +0.9% | 21.3% |  | Increase | ✓ | Increase |










| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|------------------------|-----------------------------|------------------------|---|---|------------------------|----------------------------------|
| % of eligible children who take up free school meals- registered and present Primary Secondary | 93% 50% | % % | +6% +37% | 97% 73% |  | 99% 90% | ✓ | 99% 90% |
| The no and proportion of looked after and accommodated children in community placements rather than residential care | 84% | 86% | +2% | Not yet available |  | Better than the Scottish Average 81% | ✓ | Better than the Scottish Average |
| The proportion of young people who are looked after and accommodated who have a plan | 100% | 100% | - | 100% |  | Better than the Scottish Average 89% | ✓ | Better than the Scottish Average |










National Outcome Six - We will live longer, healthier lives





Local Outcomes

- Our citizens will be supported to make positive health choices in order that they can live longer (CP)
- Promoting healthy living within our communities (SCP)
- Reduce health inequalities (SCP)
- Improve emotional health, psychological and social well being. (SCP)
- Reduce the level of alcohol, drugs and substance misuse (SCP)

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|------------------------|-----------------------------|------------------------|---|--------------------------------------|------------------------|------------------------------------|
| Deaths per 100,000 population from coronary heart disease and all cancers | 2006 | 2007 | | Provisional | | | - | |
| CHD - No of Deaths | 357 | 361 | +4 | 270 | -87 | Monitor | | Monitor |
| Crude Rate | 238.5 | 239.5 | +1 | 178.1 | -60.4 | | | |
| All Cancers – No of Deaths | 446 | 419 | -27 | 445 | -1 | | | |
| Crude Rate | 298 | 278 | -20 | 294 | -4 | | | |
| People aged 65 and over admitted for any reason two or more times in a year as an emergency to acute specialties per 1,000 population | 41.6 | 47.98 | +6.38 | 44.89 |  | Reduce | × | Reduce |
| Reduce the increase of daily dose antidepressant prescription | 33.2 | 35.2 | +2 | 35.7 |  | Reduce | × | Reduce |
| Reduce psychiatric readmissions within one year for those who have had a psychiatric hospital admission over the 7 days | n/a | | - | 92 | | Reduce by 10% | ✓ | Reduce |
| Reduce the number of alcohol related acute hospital admissions (in | 181 | 192 | +11 | 200 |  | Reduce | × | Reduce |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|--|--|----------------------------------|---|---|--------------------------------------|------------------------|------------------------------------|
| patient or day cases) with alcohol as the main diagnosis | | | | | | | | |
| Number of suicides | 2006 16 | 2007 18 | +2 | 2008 19 |  | Reduce | ✗ | Reduce |
| Number of delayed discharges greater than 6 weeks | 394 | 164 | -230 | 30 |  | National target of 0 | ✓ | Reduce |
| Life expectancy at birth Life expectancy at age 65 | 2004-2006 At birth M – 74.5 F – 79.4 At age 65 M – 15.5 F – 17.9 | 2005-2007 At birth M – 74.9 F – 79.5 At age 65 M – 15.9 F – 18.1 | +0.4 +0.1 +0.4 +0.2 | 2006-2008 At birth M – 75.1 F – 79.6 At age 65 M – 15.9 F – 18.0 |  | Increase | ✓ | Increase |
| High BMI in Primary 1 children – number of reviews and % of children receiving a review who are overweight | 1,426 20.9% | 1,467 16.8% | +41 -4.1 | Not yet available |  | Reduce | ✓ | Reduce |
| Number of alcohol related diseases | 2006 29 | 2007 37 | +8 | 2008 28 |  | Reduce | ✓ | Reduce |
| % of schools designated as 'Health Promoting schools' | 4% | 98% | +94% | 100% |  | 100% | ✓ | 100% |
| Participation in organised culture and leisure activities | 28,105 | 35,558 | +7,453 | 40,666 |  | 37,000 | ✓ | Increase |
| Leisure Centre admissions for adults | 483,125 | 458,428 | -24,697 | 531,428 |  | 460,000 (525,000) | ✓ | Increase |
| Leisure Centre admissions for young people | 388,792 | 396,834 | +8042 | 399,960 |  | 400,000 | ✓ | Increase |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|-------------------------|-----------------------------|-------------------------|---|--|------------------------|--|
| Leisure Centre admissions for Leisure cards | 54,108 | 59,061 | +4953 | 49049 |  | 60,000 (55,000) | ✗ | Increase |
| The number of people participating in healthy lifestyle physical activity programmes | 13,537 | 19,669 | +6132 | 37001 |  | 20,000 (37,000) | ✓ | Increase |
| The number of participants in sports development classes | 7,637 | 10,766 | +3129 | 9346 |  | 11,000 (8,700) | ✓ | Increase |
| The number of young people participating in health promoting initiatives Falkirk Council Forth Valley College | 2,315 300 | 5,072 | +2757 | 8402 |  | 5,000 (9,000) 300 | ✓ | Maintain number engaged |
| No and rate per 1,000 population of carer assessments carried out | 266 2.3 per 1,000 | 1,236 10.6 per 1,000 | +970 | 2,320 19.6 per 1,000 |  | Increase | ✓ | Increase |
| Staff qualification – the percentage of care staff who are qualified, Working in care homes for older people (65+) Working in care homes other adults (18-64) | 63.5% 90.0% | 72.2% 80.0% | +8.7 -10% | 78.9% 70% |   | Better than the Scottish Average 65+: 53.9% 18-64: 56.4% | ✓ ✗ | Better than the Scottish Average |
| % of older people aged 65+ with intensive care needs receiving services at home | 25.4% | 24.7% | -0.5% | 24% |  | Maintain level of service | ✗ | Maintain |
| Home care - total hours as a rate per 1,000 population aged 65+ | 579.4 | 593.6 | +14.2 | 578 |  | Maintain level of service | ✗ | Maintain |





| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|------------------------|-----------------------------|------------------------|---|--------------------------------------|------------------------|------------------------------------|
| Home care % home care clients aged 65+ receiving personal care | 67.2% | 71% | +3.8% | 81.8% |  | Maintain level of service | ✓ | Maintain |
| Home care - % home care clients aged 65+ receiving care in evenings/overnight | 28.6% | 26.6% | -2% | 29.6% |  | Maintain level of service | ✓ | Maintain |
| Home care - % home care clients aged 65+ receiving care at weekends | 69% | 59.9% | -9.1% | 60% |  | Maintain level of service | ✗ | Maintain |
| Rate per 100,000 pop of all emergency admissions for patients of all ages | 8687 | 9449 | +762 | 9237 |  | Reduce | ✗ | Reduce |
| Reduce smoking among adults – Number of attempts to quit | n/a | 593 | - | Not yet available | - | Increase | - | Increase |



National Outcome Seven - We have tackled the significant inequalities in Scottish Society

Local Outcomes

- Disadvantaged communities will benefit from better services (CP)
- Increase the number of individuals participating in the local labour market (FSF)
- Increase household income (FSF)





| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|--|---|-----------------------------|------------------------|---|--------------------------------------|------------------------|------------------------------------|
| Median earnings in £'s for residents living in the local authority area who are employed – full time weekly gross pay Median earnings in £'s for workforce based in the local authority | Residents £429.30 Workplace £419.00 | Residents £458.00 Workplace £428 | +£28.70 £9.00 | Not yet available |  | Increase | ✓ | Increase |
| No of claimants in receipt of employment related benefits | 15070 | 14780 | -290 | Not yet available |  | Reduce | ✓ | Reduce |
| Reduce the earnings differential between male and female residents | £482.9m £406.20 f | £467.80m £434.40f | -£15.10 +£28.20 | Not yet available |  | Reduce | ✓ | Reduce |
| Number of people experiencing multiple deprivation i.e. people living in the worst 15% of areas in Scotland | 13,225 (8.8%) | 13,248 (8.8%) | +23 | 13,298 (8.8%) |  | Reduce | ✗ | Reduce |
| % of households assessed as homeless who are in priority need | 71% | 78% | +7% | 86% |  | Increase | ✓ | 100% by 2012 |
| The % of homeless households provided with permanent accommodation in Council stock who maintained their tenancy for at least 12 months | 91% | 93% | +2% | 90% |  | Increase | ✓ | Increase |




| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|-------------------------------------|-----------------------------|-------------------------|---|--------------------------------------|------------------------|------------------------------------|
| % of households where respondent or partner has a bank or building society account | SHS 2005/06 91% | Not available – bi-annual update | - | Not yet available | - | Increase | - | Increase |
| Number of active members of local credit unions | n/a | 1,480 | - | Awaiting information | | Increase | - | Increase |
| The number of new learners participating in adult literacy programmes Falkirk Council | 178 | 439 | +261 | 408 |  | 300 (400) 700 | ✓ | Maintain |
| Forth Valley College | 650 | 700 | +50 | - | | | | |
| Learning centres and learning access points A – number of users as a % of resident population | 8.9% | 7.9% | -1% | 8.1% |  | Maintain | ✗ | Maintain |
| B – the no of times the terminals are used per 1,000 population | 565.6 | 640.7 | +75.1 | 644.2 | | Increase | ✓ | Increase |
| Number of new IT learners from priority area and with special needs Falkirk Council | 49.7% | 23.7% | -26% | 35% |  | 30% (35%) | ✗ | Increase |
| Forth Valley College | 650 | 500 | -150 | - | | 500 | | |
| Number of time the free public access terminals are used in libraries | 84,360 | 95,899 | +11,539 | 97,088 |  | 96,000 97,000 | ✓ | Increase |
| The number of individuals obtaining Welfare benefits advice Debt advice – new cases | 17,150 681 | 16,166 698 | -984 +17 | 16,035 816 | Average 16,450 731.6 | Target not appropriate | - | n/a |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------------|------------------------|-----------------------------|-----------------------------------|--|--------------------------------------|------------------------|------------------------------------|
| Number of benefit enquiries and benefit gains (FSF) Falkirk Council Citizen's Advice Bureaux | 23,647 £7.7m | 17,009 £8.1m | -6,638 +£0.4 | 17,084 £9.7m | -6563 +£2m | Target not appropriate | - | n/a |
| Number of new debt cases and total debt negotiated (FSF) Falkirk Council Citizen's Advice Bureaux | 1,411 £26.7m | 1,266 £32.3m | -145 +£5.6m | 1,464 £49.3m | +53 +£22.6m | Target not appropriate | - | n/a |
| Average time (days) to process new housing benefit claims | 29.8 days | 26.8 days | -3 days | n/a |  | Reduce | ✓ | Reduce |
| Average time taken in calendar days to process all new claims and change events in housing and council tax benefit from the date of first notification. | n/a | n/a | n/a | DWP unable to provide information | - | 33 Days | - | Awaiting data from DWP. |
| Number of working age benefit claimants relative to Falkirk Council average in Priority areas – areas in worst 15% SIMD 2006 | 2,700 2.03:1 | 2,650 2.04:1 | -50 +0.01 | Not yet available |   | Reduce | ✓ x | Reduce |
| The number of benefit claimants in priority areas participating in work based training Falkirk Council Forth Valley College | 102 183 in Falkirk LEA | 163 150 | +61 -33 | Not yet available |  | 150 | ✓ | Increase |

National Outcome Eight - We have improved the life chances for children, young people and families at risk

- Vulnerable children will be protected (CP)
- People will have equitable access to local health, support and care (CP)
- All our children will grow up in a safe environment where they are protected and enabled to enjoy their lives(SCP)



| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|------------------------|-----------------------------|------------------------|---|--|------------------------|------------------------------------|
| Number and % of dental registrations (3-5 years) | 3,366 68.3% | 3,869 78.5% | +503 +10.2% | 4,362 88.4% |  | Monitor | ✓ | Monitor |
| Proportion of social background reports submitted to the Children's Panel within 20 days | 42% | 46.7% | +4.7% | 33.4% |  | Better than the Scottish Average 38% | ✓ | Better than the Scottish Average |
| Number and rate per 1,000 of child protection referrals / investigations carried out during the year | 486 15.2 | 484 15.1 | -2 -0.1 | 434 13.5 | Average 468 14.6% | Target not appropriate | - | n/a |
| Number and % of first contacts following supervision requirement within 15 working days | 70 78% | 133 82% | +63 +4% | 101 90.2% |  | Better than Scottish average 82.1% | ✓ | Better than the Scottish Average |
| Number and rate per 1000 of looked after children at home at 31 st March | 129 3.30 | 218 5.54 | +89 | Data not yet available | - | Target not appropriate (Scottish average: 4.81) | - | n/a |
| Number and rate per 1000 of looked after and accommodated children at 31 st March | 225 5.76 | 268 6.81 | +43 | Data not yet available |  | Scottish average 6.45 | ✓ | Scottish Average |







| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | ‘Progress’ target/s to 2010-11 | On track for target | ‘End’ target/s and timescale |
|--|--------------------------------|--------------------------------|--------------------------------------|--------------------------------|---|--|--------------------------------|---|
| Number of Children receiving Playscheme Respite sessions provided by the children with disabilities team | 171 | 200 | +29 | 167 |  | Maintain level of provision. | ✓ | Maintain |
| Reducing the number and percentage of persistent young offenders | 64 10.9% | 40 6.8% | -14 -4.1 | 32 7.2% |  | Better than the Scottish average 2007-08: 8.7% | ✓ | Better than the Scottish Average |
| Number of Children’s Panel Members appointed in a year. | 27 | 34 | +7 | 36 |  | Maintain | ✓ | Maintain |

National Outcome Nine - We will live our lives safe from crime, disorder and danger

Local Outcomes

- Our citizens will be protected (CP)
- Improve crime reduction and community safety (SCP)
- Reduce fear of crime (SCP)
- Reduce the incidence of death, injury and economic loss by fire and respond effectively to a broad range of fire and other emergencies (CSFRS)
- Support the delivery of safer communities (CSP)
- Preserve and restore public order; (CSP)
- Investigate crime effectively (CSP)
- Contribute to the reduction of crime (CSP)

| Indicator/s (<i>noting frequency / type / source</i>) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|-----------------------------------|-----------------------------------|----------------------------------|-----------------------------------|---|--------------------------------------|------------------------|------------------------------------|
| % of adult residents stating that they feel 'very safe' or fairly safe' when at home alone at night | SHS 2005/06 97% | Survey carried out every 2 years | - | No update available | - | Increase | - | Increase |
| Confidence in individual safety in local areas During the day At night | 2006 84% 47% | 2008 89% 51% | +5% +4% | No update available |  | Maintain increase | ✓ | Maintain increase |
| Volume and rate of recorded crimes and offences per 10,000 population Crimes and offences are categorised as: • Group 1 – Crimes of violence • Group 2 – crimes of indecency • Group 3 – Crimes of dishonesty | 13.9 16.8 280.7 | 14.4 18.5 278.5 | +0.5 +1.7 -2.2 | 15.1 13.7 267.3 |  | Reduce Groups 1 -4 | × ✓ ✓ | Reduce Groups 1 -4 |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|---|--|-----------------------------|-------------------------------------|---|--|------------------------|---|
| <ul style="list-style-type: none"> • Group 4 – Vandalism, fire-raising and malicious conduct • Group 5 – other crimes which includes all drugs offences • Group 6 – offences (miscellaneous) • Group 7 – offences (road traffic) | 226.3 | 201.9 | -24.4 | 190.2 |  | Groups 5 – 7 maintain | ✓ | Groups 5 – 7 maintain |
| | 140.3 | 135.4 | -4.9 | 132.6 | | | ✓ | |
| | 370.6 | 384.7 | +14.1 | 374.8 | | | ✗ | |
| | 649.5 | 727.6 | +78.1 | 781.3 | | | ✗ | |
| The number of casualties killed or seriously injured on our roads | 2002-2006 83 – moving 5-year annual average | 2003-2007 76 – moving 5 year annual average | 5 year average 7 | 2004-2008 72 (provisional) |  | 2006-2010 Fewer than 67 – moving 5 year annual average. | ✓ | No target set beyond the Local Transport Strategy 2006- 2009 |
| The number of persons, including children, killed or seriously injured per million vehicle kilometres | 2002-2006 average 0.058 KSI per mVkm | 2003-2007 0.052 | 5 year average 0.006 | 2004-2008 0.048 (provisional) |  | Reduce | ✓ | Reduce |
| The number of children killed or seriously injured per million vehicle kilometres | 2002-2006 average 0.009 KSI per mVkm | 2003-2007 0.007 | +0.002 | 2004-2008 0.048 |  | Reduce | ✗ | Reduce |
| The number of persons, slightly injured per million vehicle kilometres | 2002-2006 average 0.238 persons per mVkm | 2003-2007 0.230 | 5 year average 0.008 | 2004-2008 0.222 |  | Reduce | ✓ | Reduce |
| Overall prevalence of problem drug misuse – No of problem | 311 225 per 100,000 | 265 190 per 100,000 | -46 -35 per | TBC |  | Reduce | ✓ | Reduce |







| Indicator/s (<i>noting frequency / type / source</i>) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|------------------------|-----------------------------|------------------------|---|---|------------------------|--|
| drug users in the area Scotland | 257 per 100,000 Scot | 259 per 100,000 | 100,000 | | | | | |
| The proportion of social enquiry reports submitted to court by due date | 99.9% | 99.9% | 0 | 99.7% |  | Better than the Scottish average 2007/08, 97.3% | ✓ | Better than the Scottish average |
| Probation – the proportion of new probationers seen by a supervising officer within one week | 87.5% | 93.2% | +5.7% | 93.4% |  | Better than the Scottish average 2007/08, 69.3% | ✓ | Better than the Scottish average |
| Community service – the average hours per week taken to complete community service orders | 3.3 | 3.2 | -0.1 | 2.7 |  | Better than the Scottish average 2007/08, 3.3 | ✓ | Better than the Scottish average |
| Food hygiene – the % of premises with a minimum inspection frequency of 12 months or less, that were inspected on time | 99.3% | 97.1% | -2.2% | 99.2% |  | 96% | ✓ | Maintain |
| % communicable disease investigations started within time | 98.4% | 98% | -0.4% | 100 |  | 95% | ✓ | Maintain |
| Inspection of trading premises – the % in high and medium risk inspections that were inspected on time | 97.9% | 96.8% | -1.1% | 95.5% |  | 95% | ✓ | Maintain |
| Consumer complaints completed within 14 days of receipt | 71.5% | 51.8% | -19.7% | 56.2% |  | 50% | ✓ | Target revised |
| Cost of repairs on schools due to vandalism | £216k | £183k | -£33K | £233k |  | Decrease | ✗ | Decrease |










| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|---------------------------------|------------------------|-----------------------------|------------------------|---------------------------------|--------------------------------------|------------------------|---|
| Number and rate per 1,000 of adults at risk of harm investigations | 13 | 123 1 per 1,000 | +110 | 121 1 per 1,000 | +108 | Target not appropriate | - | n/a |
| The number of accidental dwelling fires per 10,000 population | 7.48 (Scottish average 10.7) | 5.68 | -1.8 | 8.28 | ✓ | Reduce | ✓ | To reduce at least as quickly as the Scottish average |
| The number of accidental fire fatalities per 10,000 population | 0.2 | 0 | -0.2 | 0.07 | ✓ | Lower than the Scottish average | ✓ | Lower than the Scottish average |
| The number of fire incidents resulting in casualties per 10,000 population | 0.93 | 0.73 | -0.2 | 0.73 | ✓ | Reduce | ✓ | Lower than the Scottish average |
| The number of wilful fire raising incidents per 10,000 population | 77.56 | 65.06 | -12.5 | 51.04 | ✓ | Reduce | ✓ | Reduce to 50% |
| The number of hoax emergency calls to the Fire and Rescue service per 10,000 population | 17.16 | 9.69 | -7.47 | 8.61 | ✓ | Reduce | ✓ | Achieve a year on year reduction |

National Outcome Ten – We live in well designed, sustainable places where we are able to access the amenities and services we need

Local Outcomes

- Our housing continues to meet the needs of people who live and may wish to live in our area (CP)
- Increase pride and satisfaction with their local community (FSF)
- Ensure the provision of a range of affordable housing options which meet the needs of local people including those with specific needs (LHS)
- Improved and maintained the Council's core housing stock (LHS)






| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|------------------------|-----------------------------|------------------------|--|---|------------------------|---------------------------------|
| The % of residents stating their neighbourhood as a 'very good' or fairly good' place to live. In worst 15% SMID (FSF) | 2006 81% 73% | 2008 84% 68% | +3% -5% | No update available |   | Improve | ✓ ✗ | Improve |
| Total larger (4+ bedrooms) affordable homes completed | 0 | 0 | 0 | 0 | 0 | Targets to be developed each year | - | To be confirmed |
| The number and variety of affordable homes total rented RSL and Council new build units completed; | 65 | 8 | +73 | 38 |  | 169 (subject to AHIP allocations each year and obtaining statutory consents) 41 | ✓ ✓ | Increase |
| total low cost home ownership new home build units completed | 8 | 0 | +8 | 0 |  | | | Increase |
| Total tender approvals completed for new build affordable homes | 51 | 105 | +54 | 48 |  | Increase | ✓ | Increase |
| % of Council tenancies allocated to homeless people | 37% | 53% | +16% | 63% |  | Increase | ✓ ✗ | Increase |
| % of RSL tenancies allocated to homeless people | - | 45% | 45% | 37.5% |  | | | |



| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|---------------------------------------|-----------------------------|------------------------|--|--|------------------------|----------------------------------|
| % of Council tenancies allocated to other groups in housing need | - | - | - | 29% | - | 50% | - | New indicator |
| % of RSL tenancies allocated to other groups in housing need | - | - | - | 32% | - | 50% | - | New indicator |
| % of cases reassessed as homeless or potentially homeless within 12 months of previous cases being completed | 4.1% | 3.8% | -0.3% | 1.5% |  | Reduce | ✓ | Reduce |
| % of council house sales settled within 26 weeks | 86.1% | 90.1% | +4% | 86.7% |  | Increase | ✓ | Increase |
| Privacy – percentage of residential care places that are in single rooms Older people (65+) Other Adults | 88% 93.3% | 92.3% 94.3% | +4.3% +1% | 96% 83% |   | Better than the Scottish average 65+: 91.7% 18-64: 92.3% | ✓ ✗ | Better than the Scottish average |
| The proportion of people in single rooms with ensuite provision in care homes older people (65+) other adults (18 -64) | 72% 33% | 72% 37% | 0 45 | 74% 48% |   | Better than the Scottish average 65+: 74% 18-64: 51% | ✓ ✗ | Better than the Scottish average |
| The number and rate per 1,000 adult population of Mecs community alarms provided | 703 6 per 1,000 | 683 5.9 per 1,000 | -20 -0.1 | 847 7.1 per 1,000 |  | Maintain level of service | ✓ | Maintain level of service |
| The number and rate per 1,000 population of new adaptations provided during the reporting year | 499 4 per 1,000 | 536 4.6 per 1,000 | +37 +0.6 | 595 5 per 1,000 |  | Maintain level of service | ✓ | Maintain level of service. |
| % of householder planning applications dealt with within 2 months | 85.1% | 82.9% 12 th in Scotland | -2.2 | 79% |  | 90% or first quartile of Scottish Councils | ✗ | Top quartile in Scotland |

National Outcome Eleven – We will have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others

Local Outcomes

- Citizens and communities will be encouraged to take responsibility for their own health and well being (CP)
- Changing attitudes and modifying behaviour (SCP)
- Divert young people away from criminal activity and antisocial behaviour (SCP)







| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|------------------------|-----------------------------|---|---|---|------------------------|--|
| The number and rate per 1,000 clients obtaining self directed support | 43 0.4 per 1,000 | 39 0.3 per 1,000 | -4 | 42 adults 0.4 per 1,000 6 Children 0.2 per 1,000 | +5 | Target not appropriate | - | n/a |
| Anti social noise complaints – average time to respond (in hours) | 157 hours | 19 hours | -138 hours | 0.41 hours |  | Average response time less than 2 hours. All response visits to be within 2 hours. | ✓ | Average response times less than 1 hour. All response visits to be made within 2 hours. |
| No of community litter clean ups organised | 16 | 20 | +4 | 23 |  | 25 | ✓ | Increase |
| Number of young people involved in a range of youth intervention initiatives | 40 | 120 | +80 | 2300 |  | Increase | ✓ | Minimum of 150 |
| Levels of reported anti-social behaviour | 3,474 | 3,320 | -154 | Not yet available |  | Reduce | ✓ | Reduce |
| % of tenancies sustained for at least 12 months | 91% | 93% | +2% | 92% |  | Increase | ✓ | Increase |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|--------------------------------|--------------------------------|--------------------------------------|--------------------------------|---|---|--------------------------------|---|
| ASB – % acknowledgement of new instruction issued within 1 day | 100% | 100% | 0 | 100% |  | Increase | ✓ | Increase |
| ASB - % lodged in Court within 4 days of final instruction / information | 100% | 100% | 0 | 100% |  | Increase | ✓ | Increase |
| % of homeless applicants fleeing domestic abuse | 20% | 22% | +2% | 19% | -1% | Monitor | - | Monitor |
| Rates of domestic abuse incidents per 10,000 population | 117 | 126 | +9 | | - | Monitor | - | Monitor |

National Outcome Twelve - We value and enjoy our built and natural environment and protect it enhance it for future generations

Local Outcomes




- We will improve the built environment (CP)
- Our open spaces will be attractive accessible and safe (CP)
- Improving the quality of the built and natural environment for local neighbourhoods (SCP)


| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|---------------------------------------|-----------------------------|------------------------|---|--|------------------------|------------------------------------|
| % of non householder planning applications dealt with within 2 months | 40.7% | 49.5% | +8.8% | 33.6% |  | 60% | × | 60% |
| % of all planning applications dealt with within 2 months | 64.5% | 67.1% 10 th in Scotland | +2.6% | 56% |  | % or first quartile Scottish Councils | × | 80% |
| Traffic light failure repairs completed within 48 hours | 90.6% | 94.5% | +3.9% | 96.4% |  | 95% | ✓ | 95% |
| Street light failure repairs completed within 7 days | 96.2% | 97.1% | +0.9% | 98.2% |  | 93% | ✓ | 93% |
| % programmed watercourse assessments carried out | 95% | 97% | +2% | 100% |  | 90% | ✓ | 90% |
| Assessment survey scores of cleanliness in public places | 72 | 70 | -2% | 71 |  | 73 | × | Maintain |
| Abandoned vehicles removed within 14 days of notification | 85.2% | 89.4% | +4.2% | 60.9% |  | 80% | × | 85% |
| Special uplifts completed within 5 days | 78% | 92.8% | +14.8% | 90% |  | 95% | ✓ | 95% |

National Outcome Thirteen - We take pride in a strong, fair and inclusive national identity

Local Outcomes

- Our citizens continue to access critical services that meet their needs. (CP)
- Develop our approach to local community planning in all our communities (SCP)

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|------------------------|-----------------------------|------------------------|---|--------------------------------------|------------------------|---------------------------------|
| No of civil marriages | 307 | 316 | +9 | 333 | Average 318 | Monitor | - | Monitor |
| No of civil partnerships | 6 | 9 | +3 | 8 | Average 7.6 | Monitor | - | Monitor |
| No of baby naming ceremonies | 6 | 11 | +5 | 10 | Average 9 | Monitor | - | Monitor |
| No of renewal of wedding vows ceremonies | 11 | 7 | -4 | 1 | Average 6.3 | Monitor | - | Monitor |
| No of people attending citizenship ceremonies | 56 | 54 | -2 | 37 | Cumulative 147 | Monitor | - | Monitor |
| Public Access % of council buildings that are suitable and accessible to disabled people | 56.0% | 63.4% | +7.4% | 73.4% |  | 78% by 2010 | ✓ | 100% |
| Public Access % of schools that are fully or mostly accessible to disabled people | 86% | 86% | 0 | 2009 89% |  | 90% | ✓ | Monitor |
| No of old people's welfare organisations operating across the Council area | 40 | 40 | 0 | 40 |  | Maintain | ✓ | Maintain |




| Indicator/s <i>(noting frequency / type / source)</i> | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|--------------------------------------|--------------------------------------|--|--------------------------------------|---|---|--------------------------------------|---|
| No of hate incidents | 220 | 229 | +9 | 222 |  | 175 | ✓ | Reduce |
| No of hate motivated crimes | TBC | TBC | - | | | | - | Reduce |



National Outcome Fourteen - We will reduce the local and global environmental impact of our consumption and production

Local Outcomes

- **We will be greener (CP)**
- **Promote a safety and efficient multi modal transport system that minimises on the local environment (SCP)**
- **Demonstrate commitment and direct contribution to the attainment and promotion of sustainable development (SCP)**
- **Improving our approach to waste management (SCP)**
- **A reduction in the numbers of people living in fuel poverty (LHS)**

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|---------------------------|---------------------------|-----------------------------|-----------------------------|---------------------------------|---|------------------------|--|
| CO2 emissions from Falkirk Council operations | 37,877 tonnes (05/06) | BC | - | - | - | Savings Tonnes 08/09 6,201 09/10 7,460 10/11 7,853 | - | 20% reduction in annual CO ₂ emissions by 2012/13 from 05/06 baseline |
| Tonnage of municipal waste collected per 1000 population | 760.9 tonnes | 78.5 tonnes | -82.4 tonnes | 633.3 tonnes | ✓ | Reduce | ✓ | Reduce |
| The maximum total tonnes of biodegradable municipal waste allowed to be sent to land fill | 45,142 | 38,633 | -6509 | 31,795 tonnes | ✓ | 50,470 - 08/09 48,144 - 09/10 | ✓ | Reduce |
| Proportion of municipal waste collected by the Authority: recycled or composted | 35% 24.8% 10.1% | 36% 24.3% 11.7% | +1% -0.5% +1.6% | 40.8% 27.6% 13.2% | ✓ | Increase % of MSW recycled or composted 30% 2008 40% 2010 | ✓ | 50% 2013 70% 2025 – aspirational |
| Proportion of adults travelling actively to work or education | 2005/06 Walk – 11% | No update available | - | May 2009 Walk – 13% | ✓ | Increase | ✓ x | Increase |




| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|--|--|-----------------------------|--|---|--|------------------------|---|
| | Cycle – 2% Scotland Walk – 11.8% Cycle 1.6% | Survey due during 2009 | | Cycle – 1% | | | | |
| Percentage of children travelling actively to school (walking or cycling) | 63.4% Primary 74.3% Secondary | No update available | - | Survey Sept 2009 | - | Increase | - | Increase |
| Proportion of adults travelling to work or education by car or van | 2005/06 69% | No update available. Survey due 2009 | - | May 2009 72% |  | Decrease | ✗ | Decrease |
| % of our vehicle fleet with reduced emission technology | 80% | 88% | +8% | 99% |  | 100% | ✓ | 100% |
| Compliance with EU and UK government air quality directives (SO2 – Sulphur dioxide) (NO2 – Nitrogen dioxide) (NOx – Nitrogen oxides) (AWMA – Air quality management area | Sulphur dioxide (UK) objective exceeded at 2 monitoring sites in Grangemouth. | Sulphur dioxide (UK) objective exceeded at 2 monitoring sites in Grangemouth | - | 2 SO2 breaches 2 NO2 breaches | - | Compliance with EU and UK government air quality objectives at all 9 monitoring sites within the Council area | - | Compliance with EU and UK government air quality objectives at all 9 monitoring sites within the Council area |
| % of educational establishments achieving Eco Schools awards: Bronze awards; Silver awards; Green Flags | 73% 47% 12% | 75% 52% 21% | +2% +5% +9% | 81% 67% 37% |  | 80% 60% 30% | ✓ | 80% 60% 30% |




| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|------------------------|-----------------------------|------------------------|---|---|------------------------|---|
| Reported incidents of illegal tipping Refuse Accumulations | 134 476 | - | | 2536 |  | Assuming all incidents are reported – reduce number | × | Assuming all incidents are reported – reduce number |
| Total number of dwellings brought up to SHQS by criteria: | | | Cumulative | | | | | |
| • Tolerable standard | 0 | 0 | 0 | 0 | | Increase | ✓ | Increase |
| • Free from serious disrepair | 541 | 308 | 849 | 335 | | | | |
| • Energy efficiency | 2131 | 1976 | 4107 | 2068 |  | | | |
| • Modern facilities and services | 1514 | 1221 | 2735 | 1075 | | | | |
| • Healthy, safe and secure | 1012 | 208 | 1220 | 1612 | | | | |
| Total | 1491 | 1324 | 2815 | 2446 | | | | |

National Outcome Fifteen - Our public services are high quality, continually improving, efficient and responsive to local people's needs

Local Outcomes

- We are committed to
 - Public service
 - Performance
 - Partnership (CP)

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|--|------------------------|------------------------|-----------------------------|------------------------|---|--------------------------------------|------------------------|---------------------------------|
| Sickness absence - % of working days lost through sickness absence for chief officers and local government employees | 5.4% | 6.0% | +0.6% | 5.7% |  | 4% | ✗ | 4% |
| % of who people who contacted the Council that were satisfied with the service they received | 2006 75.2% | 2008 72.7% | -2.5% | Bi annual survey | - | Increase | - | Increase |
| % of operational buildings of appropriate condition for current use. | 89.4% | 89.9% | +0.5% | |  | Increase | ✓ | Increase |
| % of people who feel informed about the Council | 2006 71.8% | 2008 75% | +3.2% | Bi annual survey |  | Increase | ✓ | Increase |
| % of SPIs in upper quartile | 33% | 34% | +1% | Not available yet |  | Maintain | ✓ | Maintain |
| Response repairs the % of housing repairs completed within the target times | 77% | 83% | +6% | 89.3% |  | Increase | ✓ | Increase |
| Tenancy changes – the % of rent loss due to voids | 1.6% | 1.5% | -0.1% | 1% |  | Reduce | ✓ | Reduce |
| % of homeless assessments completed within 28 days | 39% | 46% | +7% | 72.2% |  | Increase | ✓ | Increase |

| Indicator/s (noting frequency / type / source) | Baseline at 2006-07 | 2007/08 Performance | Annual Progress 06-08 | 2008/09 Performance | Overall Performance 06-09 | 'Progress' target/s to 2010-11 | On track for target | 'End' target/s and timescale |
|---|------------------------|------------------------|-----------------------------|------------------------|---|--------------------------------------|------------------------|---------------------------------|
| The % of not low demand dwellings that were re-let within 4 weeks | 15% | 11% | -4% | 74% |  | Increase | ✓ | Increase |
| % of tenants satisfied with the Council as a landlord | | 93% | - | - | - | Increase | - | Increase |
| % of Council tax collected in the year | 96.2% | 96.4% | +0.2% | 96.1% |  | Maintain | ✓ | Maintain |
| Time taken to respond to emergency calls Central Scotland Police Central Scotland Fire and Rescue Service - % handled in less than 1 minute | 84% 61.8% | 84% 65.1% | 0 +3.3% | 66.8% |  | Maintain 66.7% | ✓ | Maintain 70% target achieved |

FALKIRK COUNCIL

Subject: PROGRAMME OF MEETINGS - 2010
Meeting: FALKIRK COUNCIL
Date: 7 OCTOBER 2009
Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION SERVICES

1. INTRODUCTION

- 1.1 The purpose of this report is to present a Programme of Meetings for 2010 for approval.
- 1.2 The programme for meetings in 2009 was approved by Council in October 2008. Since then the Council established an Audit Committee. It is proposed that this Committee will meet on three occasions – 22 March, 31 May and 15 November 2010.
- 1.3 Council also agreed to establish a Planning Review Committee following the implementation of the Planning etc (Scotland) Act 2006. Meetings of this Committee will be held as required and are not timetabled.
- 1.4 Members will be aware that notwithstanding the programme set out in the Appendix there may, during the year, be a requirement to call special meetings of the Committees and of Council as necessary.
- 1.5 Further when considering the programme of meetings, Members should also note that there may be a requirement to call special meetings in addition to those detailed in the Appendix.

2. RECOMMENDATION

- 2.1 Council is asked to consider the proposed Programme of Meetings for 2010 as detailed in the Appendix to this Report and to note that Special meetings may be called if necessary.

.....
Acting Director of Law and Administration

Date: 26 August 2009
Contact Officer: Brian Pirie, Tel: 01324 506110

LIST OF BACKGROUND PAPERS

Nil.

FALKIRK COUNCIL - PROGRAMME OF MEETINGS- 2010

JANUARY TO DECEMBER 2010 – ALL MEETINGS COMMENCE AT 10.30 AM UNLESS OTHERWISE STATED

| TIME | COMMITTEE | CYCLE 3 | CYCLE 4 | CYCLE 5 | CYCLE 1 | CYCLE 2 |
|----------|---|--------------------------------------|---------------|---------------|----------------|--------------|
| 10.30 am | Policy & Resources Committee | Tues 12 January | Tues 9 March | Tues 4 May | Tues 10 Aug | Tues 19 Oct |
| 9.30 am | Civic Licensing | Wed 13 January | Wed 10 March | Wed 5 May | Wed 11 Aug | Wed 20 Oct |
| 9.30 am | Environment and Community Safety Committee | Tues 19 January | Tues 16 March | Tues 11 May | Tues 17 Aug | Tues 26 Oct |
| 10.00 am | Audit Committee | | Mon 22 March | Mon 31 May | | Mon 15 Nov |
| 9.30 am | Education Committee | Tues 26 January | Tues 23 March | Tues 18 May | Tues 24 Aug | Tues 2 Nov |
| 9.30 am | Planning Committee | Wed 27 January | Wed 24 March | Wed 19 May | Wed 25 Aug | Wed 3 Nov |
| 9.30 am | Housing and Social Care Committee | Tues 2 February | Tues 30 March | Tues 25 May | Tues 31 August | Tues 9 Nov |
| 10.30 am | Joint Consultative Committee | Wed 3 February | Wed 31 March | Wed 26 May | Wed 1 Sept | Wed 10 Nov |
| 10.30 am | Policy & Resources Committee | Tues 9 February * Wed 10 February | Tues 6 April | Tues 1 June | Tues 7 Sept | Tues 16 Nov |
| 9.30 am | Civic Licensing | Thurs 11 February | Wed 7 April | Wed 2 June | Wed 8 Sept | Wed 17 Nov |
| 9.30 am | Leisure, Tourism and Community Committee | Tues 16 February | Tues 13 April | Tues 8 June | Tues 14 Sept | Tues 23 Nov |
| 10.30 am | Investment | Thurs 18 February | | Thurs 10 June | Thurs 16 Sept | Thurs 25 Nov |
| 9.30 am | Economic Strategy and Development Committee | Tues 23 February | Tues 20 April | Tues 15 June | Tues 21 Sept | Tues 30 Nov |
| 9.30 am | Planning Committee | Wed 24 February | Wed 21 April | Wed 16 June | Wed 22 Sept | Wed 1 Dec |
| 10.30 am | Falkirk Council | Wed 3 March | Wed 28 April | Wed 23 June | Wed 6 Oct | Wed 8 Dec |

Public Holidays: 1st and 4th January, 2 and 5 April, 3 May, 13 September and 27 and 28 December 2010

*** Special Budget meetings of the Policy and Resources Committee and Falkirk Council to be confirmed Wednesday * February 2010**

FALKIRK COUNCIL

Subject: APPOINTMENT TO EXTERNAL ORGANISATIONS AND COMMITTEES
Meeting: FALKIRK COUNCIL
Date: 7 OCTOBER 2009
Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to (a) provide details of resignations received from external organisations in respect of Paragon Housing Association, WESLO Housing Association and the COSLA Health and Wellbeing Executive Group; (b) seek nominations to the said organisations, and (c) advise of a request received from the Scottish Parliament Cross Party Group on Supporting Veterans in Scotland requesting that Council appoints a “Veterans Champion”.

2. BACKGROUND

2.1 Resignations from External Organisations

On 27 June 2007 Council appointed Councillor Goldie to the following external organisations:-

- Paragon Housing Association.
- WESLO Housing Association
- COSLA Health and Wellbeing Executive Group

Councillor Goldie has intimated his resignation from the forementioned organisations and Council is therefore invited to appoint replacements.

2.2 Scottish Parliament Cross Party Group on Supporting Veterans in Scotland

The Scottish Parliament Cross Party Group on Supporting Veterans in Scotland was established in 2008 and considers issues affecting the veterans’ community in Scotland in order that those responsible for shaping policy through the UK recognise that the needs of some veterans may be different from other members of society. To date the group has met on 3 occasions and considers issues such as the provision of social housing for veterans and matters relating to physical and mental health.

The Group is seeking nominations, from each of Scotland’s 32 Local Authorities, of a “Veterans’ Champion”. The role of the Veterans’ Champion is to act as a link with veterans, veterans’ charities, Scottish Parliament, Government and the Cross Party Group itself to create a more robust system of support for veterans.

3. RECOMMENDATIONS

3.1 Council is invited to appoint:-

- (1) a member to Paragon Housing Association**
- (2) a member to WESLO Housing Association**
- (3) a member to COSLA Health and Wellbeing Executive Group**
- (4) a Veterans' Champion**

.....
Acting Director of Law and Administration

Date: 11 September 2009

Contact Officer: Brian Pirie, Ext 01324 506110

LIST OF BACKGROUND PAPERS

Nil.

FALKIRK COUNCIL

Subject: EXECUTION OF DEEDS
Meeting: FALKIRK COUNCIL
Date: 7 October 2009
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.

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

Date: 26 August 2009

Contact Officer: Brian Pirie (Tel: 01324 506110)

LIST OF BACKGROUND PAPERS

Nil.

ASSIGNATION incorporating Minute of Variation between FALKIRK COUNCIL and

Oran Support Services Limited, Rossco Properties Limited

Subjects to the northeast side of South Bridge Street, Grangemouth

ASSIGNATION BY FALKIRK COUNCIL in favour of

CHARGING ORDER by FALKIRK COUNCIL

Mrs A Whitehead
Margaret Ford

24 Endrick Drive, Denny
53 Hadrian Way, Bo'ness

COMULSORY PURCHASE ORDER

Falkirk Council (B803) Garbethill Culvert) Compulsory Purchase Order 2009

Garbethill Culvert, Easter Jawcraig Farm, Nr Slamannan, Falkirk

CONSULTANT COLLATERAL WARRANTY AGREEMENT among FALKIRK COUNCIL and

W Nimmo & Partners and Oran Limited

Project Office 1, Wholeflats Business Park, Wholeflats Road, Grangemouth

DEED of POSTPONEMENT amongst FALKIRK COUNCIL and

Royal Bank of Scotland Plc

29 Haig Street, Grangemouth

DEED of SERVITUDE by FALKIRK COUNCIL

John Rowley with the consent of Link Group Limited

Site at Mayfield Drive, Longcroft

DEROGATIONS AGREEMENT between FALKIRK COUNCIL and

Falkirk Schools Gateway

Falkirk High School

DEVELOPMENT AGREEMENT between FALKIRK COUNCIL and

ING Red UK (Bo'ness) Limited, ING Real Estate Development UK Support Limited and ING RE BV

Development of land at Bo'ness

DISCHARGE by FALKIRK COUNCIL in favour of

A Brown & R Brown
G Magee
Mr & Mrs B W Moore
D J Green
N B Grant

1 Lochside Cottages, Redding, Falkirk
32 Grangeburn Road, Grangemouth
87 Thornbridge Road, Falkirk
52 Newhouse Road, Grangemouth
12c Bridgeness Road, Bo'ness

DISCHARGE of LETTER of INHIBITION by FALKIRK COUNCIL in relation to

CA Richardson

4 Cedar Grove, Larbert

DISPOSITION by FALKIRK COUNCIL in favour of

Ishtiaq Ahmed otherwise known as Mohammed Ikram Saleem

Land to rear of 1A Castleton Crescent, Grangemouth

G Murray
S Azam and S Sikander
MacDonald Estates plc
A Clark
C McNeil and H J McNeil

40 Mansionhouse Road, Falkirk
8 Abercairney Crescent, Maddiston
Land at King Street, Stenhousemuir Town Centre
32 McLachlan Street, Stenhousemuir
Additional area of ground at "The School House", Parkhall Drive, Maddiston

B Graham
K Hammond and J R Hammond
E J McWatt
M J Kemp
M Howie and T Howie
N B Doherty and J Doherty
B I C Gibson
H Wilson & A Wilson
P Blackwood
J McKernan
S Taylor
W McLuckie and D McLuckie
S Simpson and L Simpson
J A Shirra
M Nicol and Mrs D A Nicol
W M Manson and Mrs P C Manson
S C F Crawford
R Campbell and J E Campbell
Fisher Estates (Scotland) Ltd
G W L Smith & A T L Smith

21 St Giles Way, Falkirk
48 Kerse Road, Grangemouth
25 Skaithmuir Crescent, Carronshore
106 Main Street, Carronshore
25 Valeview, Stenhousemuir
32 Deanfield Road, Bo'ness
13 Skaithmuir Avenue, Carronshore
3 Bantaskine Street, Falkirk
2 Dundarroch Street, Larbert
38 St. John's Avenue, Falkirk
1 Avon Street, Grangemouth
36 Mansionhouse Road, Falkirk
60 Deanfield Road, Bo'ness
1 Waddell Street, Carronshore
Ground adjacent to 7 Smiddy Brae, Old Polmont
Ground adjacent to 5 Smiddy Brae, Old Polmont
16 Grahamshill Terrace, Fankerton
4 Striven Drive, Falkirk
Land at Bo'mains Industrial Estate, Bo'ness
206 superficial yards of ground or thereby at Spion Kop, East Bridge Street, Falkirk
49 Dryburgh Avenue, Denny
74 Langton Road, Westquarter
45 Eastburn Tower, Eastburn Drive, Falkirk
19 Ritchie Place, Grangemouth
276 King Street, Stenhousemuir
22 Chacefield Street, Bonnybridge
30 Bankier Terrace, Banknock
1 Bean Row and 19 & 21 Cow Wynd, Falkirk
9 Earn Court, Grangemouth

GENERAL VESTING DECLARATION

GRANT of SERVITUDE by FALKIRK COUNCIL in favour of
Scotland Gas Networks plc

Plot of ground at Abbots Road, Grangemouth

LEASE between FALKIRK COUNCIL and
Oran Limited

Office 1, Wholeflats Business Park, Grangemouth

LEASE between FALKIRK COUNCIL and
A Whittton, M Quinn, M Larkin, M E Bishop, M Convoy, M Blleloch, F Kelly and C
W Huter
S Kane and A Kane

0.33 Acres at Haugh Street, Falkirk

1A Old Redding Road, Laurieston Industrial Estate,
Falkir

MINUTE of AGREEMENT between FALKIRK COUNCIL and
MWH UK LTD
John Scott Penn
P Wylie and W Patterson
The Scottish Ministers
The Scottish Ministers
Dundas Estates & Development Co Ltd
Charles Church Developments Ltd
Galliford Try Properties Limited
Alan Peter Bye
Evelyne Walker

Climate Change Suppoort Project
Unit 3 Ladysgate, Carronshore, Falkirk
Caledonia House, Etna Road, Falkirk
Site at NHS Hospital, Bellsdyke Road

Land to west of 23 Church Road, California
Overton Farm, Falkirk
West Mains Industrial Estate, West Mains Road,
Area of ground to the west of Stewart Road, Falkirk
50 Vicar Street, Falkirk

MINUTE of AGREEMENT among FALKIRK COUNCIL and
A Graham and E Graham and BDW Trading Limited
M S Sandhu and K K Sandu
K Begum and I Mohammed

6 Abercainey Crescent, Maddiston
3 Dower Place, Airth
Greenbank Court, Camelon, Falkirk

MINUTE of EXTENSION between FALKIRK COUNCIL and
Vibration Technology Limited

5 Central Boulevard, Central Park Larbert

MINUTE OF RENUNCIATION between FALKIRK COUNCIL and
G McGhee, K Russell and B G Maddison and M Ward
A R Dawkins t/a A.R.D. Consultancy

Bonnybridge Social Club
Suite 1.11, The Forum, Callendar Business Park,
Falkirk

MINUTE OF TERMINATION of LEASE between FALKIRK COUNCIL and
BTCV Charitable Trust

27 Winchester Avenue, Denny

MINUTE OF VARIATION between FALKIRK COUNCIL and
Retail Travel Limited
Link Group Limited & Persimmon Homes Limited

Block 4 Central Business Park, Larbert
Torwoodlea Hotel, Bellsdyke Road, Larbert

Datapoint Customer Solutions Limited
Cameron Sinclair
E Marandola

23 Castle Road, Bankside Industrial Estate, Falkirk
250 Main Street, Stenhousemuir
44 Main Street, Larbert

PRE-DIPLOMA TRAINING CONTRACT between FALKIRK COUNCIL and

Eilean Margaret Anne McCrae

ROADS ORDERS

The Falkirk Council (Kerse Lane (A904), Falkirk) (Prohibition of Left Turn) Order 2009

RENUNCIATION by FALKIRK COUNCIL in favour of

A Henderson and B Henderson
Lloyds Pharmacy Limited

1A Evans Street, Larbert
79 Mary Street, Laurieston, Falkirk

RENUNCIATION between

Lloyds Pharmacy Limited and Falkirk Council

79 Mary Street, Laurieston, Falkirk

SECTION 75 AGREEMENT among

FALKIRK COUNCIL (the Planning Authority and Drum Development Company
Limited and Mathiesons Bakeries Limited
Falkirk Council (the Planning Authority and Link Group Limited (the Landowner)
and Persimmon Homes Limited (the Developer)

Williamson Street & Burnhead Lane, Falkirk

Torwoodlea Hotel, Bellsdyke Road, Larbert