

DRAFT
AGENDA ITEM 1(a)

MINUTE of MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 23 JUNE 2010 at 9.30 AM.

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

CONVENER: Provost Reid.

APOLOGY: Councillor Constable.

ATTENDING: Chief Executive; Directors of Corporate and Neighbourhood Services of Community Services, of Development Services and of Finance Services; Acting Directors of Law and Administration Services and of Social Work Services; Heads of Educational Support and of Human Resources; Senior Forward Planning Officer (R Teed); Senior Planning Officer (B Vivian); Development Manager (I Dryden); Integration Support Manager; Legal Services Manager and Democratic Services Manager.

DECLARATIONS OF INTEREST:

Depute Provost Black declared a non-financial interest in Item FC21 as an owner of property and as a relative of an owner of property referred to in the Report but did not consider that this required her to recuse herself from consideration of the item, standing terms of paragraph 5.18 of the code of Conduct.

Councillor Buchanan referred to his declaration of interest made at the meeting of Council held on 15 June 2010 in respect of the Falkirk Council Local Plan Inquiry Report and intimated that he would take no part in approving the minute of that meeting, being Item FC16(c).

Councillor Coleman declared a non-financial interest in Item FC19 as a Board Member of CVS but did not consider that this required him to recuse himself from consideration of the item, standing the terms of paragraph 5.18 of the Code of Conduct.

In connection with Item FC29 Councillor Meiklejohn advised that a family member was a recipient of self directed support but that as the report was a general one dealing with a consultation response to a Bill, she did not consider that it gave rise to a declarable interest.

Councillor McNally declared a remote financial interest in Item FC32 as the owner of a business in Denny Town Centre and consequently stated that he would take no part in the discussion and decision making process on this item.

Councillor Fry declared a financial interest in Item FC28 on the basis that he was employed by the Royal Bank of Scotland and consequently stated that he would take no part in the discussion and decision making process on this item.

Following the notice of a further amendment during Item FC32, Councillor Nicol declared a financial interest as a family member was the owner of a business in Grangemouth town centre and consequently stated that he would take no part in the subsequent discussion and decision making process on this item.

FC15. ORDER OF BUSINESS

In terms of Standing Order 15.2(i), Provost Reid varied the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken at the meeting.

In accordance with his declaration of interest Councillor Buchanan withdrew from the meeting.

FC16. MINUTES AND INFORMATION BULLETIN

- (a) There was submitted (circulated) and **APPROVED** Minute of Meeting of Falkirk Council held on 28 April 2010, subject to the amendment of Item FC11 to read “Councillor C Martin, seconded by Councillor Nimmo, moved that Council”;
- (b) There was submitted (circulated) and **APPROVED** Minute of Meeting of the Planning Committee (comprising all Members of Council) held on 8 June 2010;
- (c) There was submitted (circulated) and **APPROVED** Minute of Special Meeting of Falkirk Council held on 15 June 2010;
- (d) There was submitted (circulated) and **APPROVED** Minute of Special Meeting of Falkirk Council held on 15 June 2010;
- (e) There was submitted (circulated) and **NOTED** Volume of Minutes – Volume 2 2010/2011; and
- (f) There was submitted (circulated) and **NOTED** Information Bulletin – Volume 2 2010/2011.

Councillor Buchanan rejoined the meeting at the conclusion of the foregoing item of business.

FC17. COUNCIL MANAGEMENT STRUCTURE

With reference to the Minute of the Meeting held on 10 February 2010 (Paragraph FC88 refers), there was submitted Report (circulated) dated 15 June 2010 by the Chief Executive (a) summarising the review of the Council’s Management Structure; (b)

proposing a revised management structure; and (c) outlining an implementation plan to move towards the revised structure.

Prior to consideration of the item, all Chief Officers, with the exception of the Chief Executive and the Head of Human Resources, left the meeting.

Councillor C Martin, seconded by Councillor Nimmo, moved the recommendations contained in the Report.

In order to allow a full discussion on the detail of the Report, Council **AGREED** that the press and public be excluded from the meeting on the grounds that the discussion would be likely to involve the disclosure of exempt information.

Accordingly, **RESOLVED** in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for this item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the said Act.

Following discussion and questions on the detail of the Report, Council **AGREED** to readmit the public and press to the meeting.

Councillor Alexander then, by way of an Amendment, and seconded by Councillor A MacDonald, moved that Council “thanks the Chief Executive for the work undertaken by her to date and believes it is now the responsibility of Members to take ownership of the process. To achieve this Council agrees to:-

- (1) arrange a full informal meeting of all Members of the Council to be held in private where all financial figures missing from the report are provided,
- (2) request a paper that provides all alternative structures to be listed including the retention of Community Services within Falkirk Council’s structures, and
- (3) refer the findings of Members to the next meeting of Falkirk Council or to a special meeting of Falkirk Council once there has been proper scrutiny of the options”.

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

For the Motion (17) – Provost Reid; Depute Provost Black; Councillor Blackwood, Buchanan, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, C R Martin, McLuckie, McNeill, Nicol, Nimmo, Patrick and Waddell.

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

Abstention (1) – Councillor Fry.

Accordingly, **AGREED**:-

- (a) to approve the revised management structure as detailed at Appendices 1a and 1b of the report;
- (b) to note the position in relation to Community Services;
- (c) to note the interim nature of the Finance structure;
- (d) to note the position in relation to the Sign Factory as detailed in paragraphs 3.8 to 3.11 and to request that the recommended further work be undertaken and reported to Committee as appropriate;
- (e) to approve the appointment process and preparatory work for implementation of the revised structure as detailed in paragraphs 4.2 to 4.6 of the report and the transfer of functions detailed in paragraph 4.9 to the new posts of Chief Finance Officer and Chief Governance Officer;
- (f) that an Appointments Committee be called at an appropriate stage in the implementation and provided with delegated authority to make appointments to those posts outlined in paragraphs 4.7 and 4.18 of the report;
- (g) the implementation of the proposed changes to Chief Officer conditions as detailed in paragraphs 4.11 to 4.13 of the report and provide the Chief Executive with delegated powers to implement these in line with good employee relations practice as well as legislation;
- (h) to note the work to be undertaken as part of a second phase to this review which will be aimed at realising further savings;
- (i) to approve the introduction of a Grade N on the SJC pay structure as detailed in the amended pay structure attached as Appendix 6 to the report;
- (j) that the transfer of Economic Development to Development Services and Licensing to Law & Administration will be given effect from 5 July 2010.

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

Chief Officers were re-admitted to the meeting following consideration of the foregoing item of business.

Councillor Spears joined the meeting following consideration of the foregoing item of business.

FC18. AUDIT COMMITTEE

With reference to Minute of Meeting of Falkirk Council held on 28 April 2010 (Paragraph FC11 refers), there was submitted Report (circulated) dated 17 June 2010 by the Chief Executive providing further information on guidance from CIPFA with regard to the Convenership of the Audit Committee.

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

“To strengthen the independence of the Audit Committee, Council agrees to proceed toward appointing an external (lay) member to chair the Committee. Council therefore instructs the Chief Executive to report to the next available meeting of Council with a suggested process for making that appointment and with those amendments to the Scheme of Delegation as may be required to give effect to this decision. In the meantime, Council notes the resignation of Councillor Martin from convenership of the Committee and appoints Councillor Patrick as an interim convener pending the further appointment referred to in this motion”.

By way of an amendment, Councillor Alexander, seconded by Councillor Coleman, moved that Council:-

“appoints Councillor Coleman as Convener of the Audit Committee and makes appropriate arrangements to reinstate the 2 SNP members who had resigned, to the Committee”.

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

For the Motion (18) – Provost Reid; 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 (12) – Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Ritchie and Thomson.

Abstention (1) – Councillor Spears.

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

Councillor McNeill withdrew from the meeting following consideration of the foregoing item of business.

FC19. DELIVERING SERVICES TO CHILDREN AND FAMILIES – IMPLEMENTATION OF THE HUB

In terms of the Council’s Scheme of Delegation, this item had been called into Council by Councillors Alexander and Kenna.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 1 June 2010; and (b) Joint Report by the Director of Education Services, Acting Director of Social Work Services and Director of Community Services submitted to the said meeting (i) seeking agreement to appoint a Change Manager (previously referred to as a Hub Co-ordinator) to the Strategic Co-ordination and Communication Hub Team and (ii) providing an update on developments in relation to Getting it Right for Every Child (GIRFEC) in Falkirk.

Councillor C Martin, seconded by Councillor Fry, moved the recommendations as detailed in the Report.

By way of an Amendment, Councillor Meiklejohn, seconded by Councillor Coleman, moved that Council:-

“agrees to develop the task in-house within existing structures in order to minimise management costs”

On a division 17 Members voted for the Motion and 13 voted for the Amendment.

AGREED the proposals to recruit to the post of Charge Manager in partnership with CVS Falkirk and District.

NOTED the progress made on implementing Getting it Right for Every Child (GIRFEC).

FC20. DELEGATION OF POWERS TO DETERMINE URGENT ISSUES DURING THE SUMMER RECESS

There was submitted Report (circulated) dated 20 May 2010 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/or Depute Convener of the appropriate Committee, to determine urgent items of business during the summer recess (from 24 June 2010 to 9 August 2010) 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.

FC21. EXECUTION OF DEEDS

There was submitted Report (circulated) dated 7 June 2010 by the Acting Director of Law and Administration Services advising of the deeds which had been signed and sealed on behalf of the Council since its last meeting.

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.

FC22. APPOINTMENTS TO COMMITTEES/EXTERNAL ORGANISATIONS

There was submitted Report (circulated) dated 1 June 2010 by the Acting Director of Law and Administration Services (a) noting a change in the requirement for Council representation on the Board of Directors of the Linked Work and Training Trust; (b) seeking an appointment to the Falkirk District Twinning Association; and (c) advising of resignations from the Audit Committee, Civic Licensing Committee and Central Scotland Joint Fire and Rescue Board.

Linked Work and Training Trust

NOTED that there was no longer a requirement for Council representation on the Board of Directors.

Falkirk District Twinning Association

AGREED to continue consideration of the appointment of a Member to the Twinning Association.

Audit Committee

NOTED the resignation of Councillors Coleman and Kenna from the Audit Committee.

Civic Licensing Committee

NOTED the resignation of Councillor McNally from the Civic Licensing Committee and **AGREED** to appoint Councillor Jackson to the Committee.

Central Scotland Joint Fire and Rescue Board

NOTED the intention of Councillor Gow to resign from Central Scotland Joint Fire and Rescue Board on 2 September 2010 and **AGREED** to appoint Councillor Lemetti to the Board with effect from 2 September 2010.

Council adjourned at 1.00 pm for lunch and reconvened at 1.45 pm with all members present as per the sederunt, with the exception of Councillor McNeill.

FC23. THE PARK GALLERY: RELOCATION AND CONSULTATION

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

There was submitted (a) Extract of Minute of Meeting of the Leisure Tourism and Community Committee held on 8 June 2010; and (b) Report by the Director of Community Services submitted to the said meeting presenting an update on the relocation of Park Gallery within Callendar House and reviewing the responses to the consultation undertaken by Community Services following the decision to relocate.

Councillor Mahoney, seconded by Councillor Nicol moved the recommendation in the Report.

By way of an amendment, Councillor McNally, seconded by Councillor Meiklejohn, moved that Council:-

- “(a) reaffirms its commitment to not only carry out consultation with stakeholders but to also act on the conclusions of each consultation exercise;
- (b) notes that 96% of those consulted objected to the closure of the Park Gallery and in line with the ethos outlined in para. 10.1 of the Report agrees to respect the clearly expressed wish of the majority to retain this asset; and
- (c) therefore agrees to reverse the previous closure motion and retain the Park Gallery in its current format.”

Following discussion, and in terms of Standing Order 25.2(ii), Depute Provost Black, seconded by Provost Reid, moved that “the question now be put”.

On a division 17 Members voted for the Motion and 13 voted against. The mover of the original Motion then spoke in reply before the Motion was put to the vote.

On a division 17 Members voted for the Motion and 13 voted for the Amendment.

Accordingly, **NOTED** the contents of the Report.

FC24. COMMONWEALTH GAMES: DELHI HANDOVER CEREMONY

In terms of the Council’s Scheme of Delegation, this item had been called into Council by Councillors McNally, Coleman and Meiklejohn.

There was submitted (a) Extract of Minute of Meeting of the Leisure Tourism and Community Committee held on 8 June 2010; and (b) Report by the Director of Community Services submitted to the said meeting seeking approval of the use of Council funding up to £6000 towards supporting up to 6 young people to participate in the Delhi Commonwealth Handover Ceremony in October 2010.

NOTED the report and **AGREED** to receive regular reports on local activity linked to the London Olympics 2012 and Glasgow Commonwealth Games 2014.

FC25. MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL AND SPORTS FACILITIES ON LAND TO THE EAST OF BONNYBRIDGE HOSPITAL, BONNYBRIDGE FOR ANTONINE PROPERTY DEVELOPMENTS GROUP LTD – P/09/0431/OUT

With reference to Minute of Meeting of the Planning Committee held on 8 June 2010 (Paragraph P40 refers) there was submitted Report (circulated) dated 15 June 2010 by the Director of Development Services on an application for outline planning permission

(now planning permission in principle) for the mixed use development comprising residential development (including approximately 200 dwellinghouses) and sports facilities on land, extending approximately to 19 hectares lying to the east of the existing Bonnybridge urban limit.

Councillor Goldie, seconded by Councillor Gow, moved that Council “be minded to grant the application subject to the provisions of paragraphs 7.c4 and 7c.5 in the Report”.

By way of Amendment, Councillor A MacDonald, seconded by Councillor Hughes moved that Council “refuses the application in accordance with the recommendation in the Report”.

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

For the Motion (15) – Councillors Blackwood, Buchanan, Fry, Goldie, Gow, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNally, Nicol, Nimmo and Waddell.

For the Amendment (15) – Provost Reid; Depute Provost Black; Councillors Alexander, Carleschi, Coleman, Hughes, Jackson, Kenna, A MacDonald, Meiklejohn, Oliver, Patrick, Ritchie, Spears and Thomson.

There being an equality of votes, the Provost, in terms of Standing Order 21.6, was entitled to a casting vote which he chose not to exercise on this occasion.

The Motion and Amendment accordingly both fell and the application was not determined.

There followed a 15 minute adjournment with Council reconvening at 4.00 pm with all Members present as per the sederunt, with the exception of Councillor McNeill.

FC26. REFERRAL FROM HOUSING AND SOCIAL CARE COMMITTEE – 25 MAY 2010 - SMALL REPAIR AND HANDYPERSON SERVICE

In terms of the Council’s Scheme of Delegation, this item had been called into Council by Councillors Alexander and Kenna.

There was submitted (a) Extract of Minute of Special Meeting of the Policy and Resources Committee held on 16 June 2010; and (b) Joint Report by the Director of Corporate and Neighbourhood Services and the Director of Development Services submitted to the said special meeting (a) providing an update on pilot projects for a combined Small Repair Service and Handy person Service, and (b) seeking approval for the introduction of such a Service.

Councillor Blackwood, seconded by Councillor McLuckie, moved the recommendations as detailed in the Report to the extent that they referred to this item.

By way of an Amendment, Councillor Meiklejohn, seconded by Councillor A MacDonal moved that Council:-

- “(1) believes that the proposal to charge elderly residents for the use of a service previously free is a further breach of the Council’s Social Inclusion Policies and ethos,
- (2) therefore agrees that this service should remain free at the point of delivery, and
- (3) also agrees to retain the existing qualification criteria.”

On a division, 17 Members voted for the Motion and 13 voted for the Amendment.

Accordingly **AGREED**:-

- (1) to the introduction of a Small Repair and Handyperson Service on a permanent basis as outlined within the Report to the Housing and Social Care Committee on 25 May 2010;
- (2) the outlined options for delivery which will be met within the existing Private Sector Housing Grant (PSHG) budget; and
- (3) the principle of charging and proposal to introduce a change of £12.50 per hour for the Small Repair and Handyperson Service, as detailed within the said Report.

FC27. ANNUAL ACCOUNTS 2009/10

There was submitted Report (circulated) dated 8 June 2010 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 2010 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 completion of the unaudited Annual Accounts and **APPROVED** their submission to the controller of Audit by the statutory deadline of 30 June 2010.

In accordance with his declaration of interest Councillor Fry left the meeting at this point.

FC28. TREASURY MANAGEMENT STRATEGY 2010/11 CONSIDERATION OF ETHICAL INVESTING

With reference to the Minute of the Meeting held on 28 April 2010 (paragraph FC10. refers) there was submitted Report (circulated) dated 8 June 2010 by the Director of Finance Services outlining the scope for ethical investment in the Council’s Treasury Investment Strategy.

Councillor C Martin, seconded by Councillor Waddell, moved that “Council notes that effective ethical investment is conducted by the Pension Fund and consequently to link the Council’s Treasury Management Strategy, in respect of ethical investment, accordingly”.

By way of an Amendment, Councillor Coleman moved, as an addendum to the Motion, that Council:-

“Instructs officials in Treasury Management to refrain where possible from investing in banks that breach the guidance issued by the Treasury in London in bonuses paid to bank executives”.

Council then adjourned for ten minutes to allow Members to consider the terms of the Motion and suggested addendum and reconvened at 4.40 pm with all members present as per the sederunt, with the exception of Councillor McNeill.

Councillor Martin, with the consent of the Provost and of Councillor Waddell, as his seconder, agreed to amend his Motion to include the terms of the addendum.

Accordingly, **NOTED** that effective ethical investment is conducted by the Pension Fund and consequently to link the Council’s Treasury Management Strategy in respect of ethical investment accordingly.

AGREED to instruct officers in Treasury Management to refrain, where possible, from investing in banks that breach the guidance issued by Treasury in London on bonuses paid to bank executives.

Councillor Fry rejoined the meeting following consideration of the foregoing item of business.

FC29. RESPONSE TO SCOTTISH GOVERNMENT PROPOSED SELF DIRECTED SUPPORT (SCOTLAND) BILL JUNE 2010

There was submitted Report (circulated) dated 10 June 2010 by the Acting Director of Social Work Services advising of the Scottish Government’s consultation on the proposals for a Self Directed Support (Scotland) Bill and detailing, as an Appendix, a proposed response to the consultation.

NOTED the consultation document on the proposed Self Directed Support (Scotland) Bill and **AGREED** to endorse the content of the officer response as detailed in the Report, as an accurate reflection of Falkirk Council’s views on the proposed bill.

FC30. EXCLUSION OF PUBLIC

Councillor Oliver, seconded by Councillor A MacDonald moved that Item FC32 be held in public.

By way of an Amendment, Councillor C Martin, seconded by Councillor Mahoney, moved that the press and public be excluded from the meeting for both Items FC31 and

FC32 on the basis that the both items of business would be likely to involve the disclosure of exempt information.

On a division, 13 Members voted for the Motion and 17 voted for the Amendment.

Accordingly, **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 would involve the likely disclosure of exempt information as defined in Paragraphs 9, 11 & 12 of Part 1 of Schedule 7A of the said Act.

FC31. EQUAL PAY UPDATE

There was submitted Joint Report (circulated) dated 15 June 2010 by the Directors of Corporate and Neighbourhood Services and of Finance Services providing an update on ongoing negotiations with employee representatives to progress out of court settlements for outstanding equal pay claims.

NOTED the position in respect of the outstanding claims.

AGREED to:-

- (1) authorise the Chief Executive to continue negotiations and to settle the equal pay claims for the pre 18th December 2006 period on the basis of the settlement levels contained within the Report; and
- (2) request a further report on progress in due course.

In accordance with his declaration of interest Councillor McNally left the meeting at this point.

FC32. TOWN CENTRE REGENERATION STRATEGY: DENNY TOWN CENTRE

There was submitted Report (circulated) dated 16 June 2010 by the Director of Community Services (a) providing an update on the Denny Town Centre regeneration project and (b) presenting options available to Council.

Councillor Mahoney, seconded by Councillor Lemetti moved that:-

- (i) Council agrees to commission a programme of health and safety measures at Church Walk at an estimated cost to the HRA of £140,000;
- (ii) The Director of Community Services be authorised to proceed with measures to initiate Option 2 as set out in the Report and seek to negotiate and conclude an amended Development Agreement in satisfactory terms; and
- (iii) The Director of Finance be authorised to identify resources of up to £4.5m in the Council's capital programme as a balancing fund and to bring forward capital

programme options to Members to finance the £500,000 in 2010/12 for acquisition and Phase 1 demolition requirements.

By way of an amendment, Councillor Oliver, seconded by Councillor A MacDonald, made the following adjustments to the Motion:-

- (a) that “option2” in paragraph (ii) be replaced with “option 1”, and
- (b) that “£4.5m” in paragraph (iii) be replaced with “£5.6m”.

The Acting Director of Law and Administration gave advice on the implications of the State and rules.

Councillor Spears gave notice of a further amendment.

On a division 16 Members voted for the Motion and 12 voted for the Amendment.

In terms of Standing Order 19.6, the Motion became the substantive Motion upon which the further Amendment could be moved.

In accordance with his declaration of interest Councillor Nicol withdrew from the meeting at this point.

Councillor Spears, seconded by Councillor A MacDonald moved, in addition to the substantive motion, that Council:-

“agrees to call public meetings in our Regeneration Towns to update the public regarding where we are now with the regeneration in their towns”.

On a division 15 members voted for the substantive motion and 12 voted for the Amendment.

Accordingly, **AGREED** the terms of the substantive Motion, namely that Council:-

- (i) The Council agree to commission a programme of health and safety measures at Church Walk at an estimated cost to the HRA of £140,000;
- (ii) The Director of Community Services be authorised to proceed with measures to initiate Option 2 as set out in the Report and seek to negotiate and conclude an amended Development Agreement in satisfactory terms; and
- (iii) The Director of Finance be authorised to identify resources of up to £4.5m in the Council’s capital programme as a balancing fund and to bring forward capital programme options to Members to finance the £500,000 in 2010/12 for acquisition and Phase 1 demolition requirements.

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

MINUTE of SPECIAL MEETING of FALKIRK COUNCIL held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 7 SEPTEMBER 2010 at 1.00pm.

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

CONVENER: Provost Reid.

APOLOGIES: Councillors Coleman, Jackson, C MacDonald and Waddell.

ATTENDING: Chief Executive; Director of Finance; Acting Director of Social Work Services; Service Manager (D McCart); Accountancy Services Manager (B Heron); Legal Services Manager (C Moodie) and Democratic Services Manager.

DECLARATIONS OF INTEREST:

Councillor Meiklejohn declared a financial interest in Item FC35 on the grounds that a close member of her family was in recipient of (funding for self directed care). She stated that she would take no part in the discussion or decision making on this item. She also declared a non financial interest in item FC34. She indicated that she did not consider that this in its self required her to recuse herself from consideration of the item standing the terms of paragraph 5.18 of the Code of Conduct. She advised that given the close relationship between this item and FC35 and the fact that they were to be discussed at the same meeting, she had reached the view that she could not properly participate in the discussion and decision making on this item.

In accordance with her declarations of interests Councillor Meiklejohn left the meeting at this point.

FC33. ELIGIBILITY CRITERIA FOR ADULT SOCIAL CARE SERVICES

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillors Meiklejohn, A MacDonald and Jackson.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Housing and Social Care Committee held on 31 August 2010 and (b) Report by the Acting Director of Social Work Services submitted to the meeting of the Housing and Social Care Committee held on 31 August 2010.

Councillor Blackwood, seconded by Councillor McNeill moved the recommendations as detailed in the Report.

By way of an Amendment, Councillor Alexander, seconded by Councillor A MacDonald, moved that Council:-

“(1) does no more than note the COSLA position with regard to eligibility criteria and (2) instructs officers to prepare a further Report giving detailed information on the implications of implementing the eligibility criteria”.

On a division 16 members voted for the Motion and 11 voted for the Amendment.

Accordingly, **NOTED**:-

- (1) the Operational Guidance which has been produced in relation to the implementation of the eligibility criteria relating to adult social care services; and
- (2) that Members will be provided with an opportunity to receive a detailed briefing on how assessment processes operate within Community Care Services.

FC34. DEVELOPMENT OF A CHARGING POLICY FOR NON-RESIDENTIAL ADULT SOCIAL CARE SERVICES

With reference to Minute of Meeting of Falkirk Council held on 10 February 2010 (Paragraph FC88 refers), there was submitted Report (circulated) by the Acting Director of Social Work Services (a) summarising the outcomes of a consultation in relation to the introduction of charges for non-residential social care services; (b) establishing the general principles for the charging policy; (c) setting out proposed levels of charging including a capped level of maximum charge and income protection; (d) detailing a plan for the implementation of the charging policy; and (e) seeking approval to implement stage 1 of the plan with charges introduced on 1 November 2010.

Councillor C Martin, seconded by Councillor Blackwood, moved the recommendations as detailed in the Report.

By way of an Amendment, Councillor Alexander seconded by Councillor McNally moved that Council:-

- “(1) agrees to note the guidance produced by Cosla on charging for non residential social care services;
- (2) does not agree to implement stage 1 proposals outlined in sections 5 and 6;
- (3) agrees that the elderly and disabled people are part of the “most vulnerable” sections within our communities and council believes that they should be protected; and
- (4) does not agree to a second stage raid on the pockets of elderly and disabled people but instead recognises the improved starting of point of the 2010/11 financial years in terms of the carry forward position from 2009/10.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 27 Members present, with voting as undernoted:-

For the Motion (16) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Fry, Goldie, Gow, Lemetti, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Nimmo and Patrick.

For the Amendment (11) – Councillors Alexander, Carleschi, Constable, Hughes, Kenna, A MacDonald, McNally, Oliver, Ritchie, Spears and Thomson.

Accordingly, **AGREED** to:-

- (1) note the guidance produced by COSLA on charging for non-residential social care services;
- (2) the implementation of the stage 1 proposals as outlined in sections 5 & 6 of the Report;
- (3) commence work to undertake financial assessments in relation to all service users under the age of 65 and those service users over the age of 65 as required (in line with decisions made in the Comprehensive Spending Review)
- (4) request that the Acting Director of Social Work Services bring an update report to Housing and Social Care Committee in February 2011 to provide an update on the implementation of stage 1 of the charging policy and, a progress report on the completion of financial assessments and detailed proposals for stage 2.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in CAMELON COMMUNITY EDUCATION CENTRE, CAMELON on 7 SEPTEMBER 2010 commencing at 7.00 P.M.

The purpose of the meeting was to hold a pre-determination hearing in terms of the Planning etc. (Scotland) Act 2006. When sitting in this capacity, the Planning Committee comprises all members of the Council.

PRESENT: Provost Reid; Councillors Blackwood, Buchanan, Carleschi, Goldie, Gow, Hughes, Kenna, Lemetti, A MacDonald, Mahoney, McLuckie, McNeill, Nicol, Nimmo, Oliver, Patrick, Thomson and Waddell.

CONVENER: Councillor Buchanan.

APOLOGIES: Depute Provost Black; Councillors Alexander, Coleman, Constable, Fry, Jackson, C MacDonald, McNally, C Martin, C R Martin, Meiklejohn, Ritchie and Spears.

ATTENDING: Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Development Manager, Senior Planning Officer (J Milne); Roads Development Officer (C Russell); Legal Services Manager (I Henderson); Committee Officer (A Sobieraj), Committee Assistant (S McGhee) and Modern Apprentice (N Nicol).

ALSO

ATTENDING: Head of Economic Development; Development Plan Coordinator; Transport Planning Coordinator; Transport Planning Officer; Environment Health Officer (S Henderson); and R Drysdale, Planning Consultant, RDPC Ltd; D Wilson, TESCO Stores Ltd; G Latto, Transport Engineer and B Travers, Transport Planning Manager (all applicant's representatives).

DECLARATIONS

OF INTEREST: None.

P90. ERECTION OF SUPERSTORE, PETROL FILLING STATION, CAR PARK, PEDESTRIAN AND VEHICULAR ACCESS, SERVICE YARD AND LANDSCAPING AT WRANGLER FACTORY, GLASGOW ROAD, FALKIRK FOR TESCO STORES LTD - P/09/0512/FUL

There was submitted Report (circulated) dated 27 August 2010 by the Director of Development Services on an application for full planning permission for the erection of a retail superstore, petrol station, car park, pedestrian and vehicular access, service yard and landscaping at the former Wrangler Factory, Glasgow Road, Falkirk.

1. The Convener formally welcomed those present and outlined the procedures relating to the meeting.
2. The Development Manager outlined the nature of the application.
3. The applicant was heard in relation to the application.
4. Questions were then asked by Members of the Committee as follows:-

Q(a) Information was sought on the proposals for alleviating traffic congestion at Watling Street and on how residents would be assisted in getting access to and egress from their homes, having particular regard to the traffic on Glasgow Road.

Response by the Transport Planning Officer:-

It was considered that appropriate signalling would create gaps in traffic which would assist entry to and egress from Glasgow Road. Monitoring would be undertaken with the objective of addressing the problem of rat running in the future. Should it become evident that rat running was prevalent traffic calming measures would be considered in the event that planning permission was granted.

Response by the applicant's representative:-

It was acknowledged that traffic on Glasgow Road would increase to allow appropriate gaps to enable access to adjoining streets and for pedestrians.

Q(b) Clarification was sought on what would be covered by the Section 75 Agreement.

Response by Transport Planning Officer:-

It is difficult at this stage to be specific about traffic impact problems that may arise. There would be a period of monitoring after the store was opened in order to assess any problems and this would be provided for in any Section 75 Agreement.

Q(c) Information was requested on the job opportunities that would be available within the store and whether they reflected the needs of the community in terms of skills and pay levels.

Response by the applicant's representative:-

A wide range of posts would be available as the store would open over seven days and operate 24 hours a day. Posts would include opportunities within customer services, warehousing and office work. Posts would be on a 60/40 full time/part time basis. Training opportunities would be available including management schemes. It was stated that Tesco Stores Ltd provided among the best levels of pay and benefits within the retail sector.

Q(d) The applicant was asked if Wilson Road would be a more natural junction for traffic signals rather than Watling Street.

Response by the applicant's representative:-

The application site was already set. Access off Wilson Road would require the acquisition of land outwith the site and within the ownership of a third party. Synchronised traffic signals would assist the traffic flow.

Q(e) Clarification was sought on whether the installation of a roundabout had been considered in place of traffic lights.

Response by the applicant's representative:-

All options had been examined since the original application in 2001. Traffic signals were deemed to be most appropriate with regard to pedestrian access and limiting the extent of land take. It would not be possible to create a roundabout to the required design standards within the confines of the application site.

Q(f) Clarification was sought on whether an impact assessment had been carried out in relation to adjacent town centres, e.g. Denny and Stenhousemuir.

Response by the applicant's representative:-

The applicant had undertaken a detailed analysis of traffic and shopping patterns. Regard was also had to the household shopping survey undertaken by the Council. A heavy flow of traffic into Falkirk Town Centre passing this site had been identified. Some supermarkets in Falkirk were already trading at twice the expected level. The application premises would enable a more even distribution of expenditure across the area. The detailed analysis had already identified a natural element of decentralised shopping. It was anticipated also that there would be a substantial reduction in spend in other Tesco stores once this store was open.

Response by the Development Plan Coordinator:-

The Retail Impact Assessment identified that trade to this site was likely to be drawn 31% from the Camelon area, 35% from Falkirk South, 10.3% from Denny, 8.5% from Bonnybridge and 8% from Larbet, Stenhousemuir and Carron. Anticipated levels of expenditure to this proposed store was also contained within the Retail Impact Assessment.

Q(g) Clarification was sought on how the site compared in size to other Tesco stores in the area.

Response by the applicant's representative:-

The store would be c.5,500m² in size compared to stores in Grahams Road (>6,000m²) and Redding (6,900m²)

Clarification was sought on whether the conclusions in the Retail Impact Assessment were accepted by the planning authority.

Response by the Development Plan Coordinator:-

In broad terms, yes, although there is always an element of judgement being exercised, the important question to be asked was the implication of the figures in the Risk Impact Assessment for other town centres.

Q(i) Clarification was sought on whether either Tesco Stores Ltd as site owners or Falkirk Council had received enquiries from other parties in relation to the site.

Response by the applicant's representative:-

Over the period of ownership by Tesco Stores Ltd no enquires had been received concerning the site.

Response by the Head of Economic Development:-

Since the Head of Economic Development had been in post no formal proposals relating to the site had been received.

Q(j) In connection with the reference to 200 jobs being generated, clarification was sought on whether there would be inevitable job losses elsewhere as a consequence of the new store opening and therefore what the net job increase was anticipated to be..

Response by the applicant's representative:-

It was considered that there would be no overall loss in the number of jobs in the area and that it was likely that the overall number of jobs in the local area would increase.

Q(k) Clarification was sought on the expected additional benefit to other local businesses within Camelon.

Response by the applicant's representative:-

It was envisaged that other local retailers would benefit from the existence of the Tesco store as shoppers would be more likely to shop locally and utilise other local shops. Local suppliers would also be encouraged.

Q(l) Confirmation was sought that the existing parking arrangements would be maintained on Main Street, Camelon.

Response by the Transport Planning Officer:-

It was confirmed that there were no proposals to change these arrangements and that while there would be two lanes exiting the roundabout these would filter into a single lane again to accommodate parking.

Q(m) Further clarification was sought on the results of the household shopping survey and the effect on Denny Town Centre.

Response by the Development Plan Coordinator:-

The household shopping survey was limited to the likely turnover of any new store as opposed to impact figures.

Q(n) Clarification was sought on the relationship between the double lane on Main Street, Camelon and the current congestion problem.

Response by the applicant's representative:-

The road design would be one which was commonly used. The two exit lanes on the Main Street would merge to one lane with parking retained at Main Street.

Q(o) Clarification was sought on the timescale for clearing the site should planning permission be granted.

Response by the applicant's representative:-

Any development of the site was dependant on the decision of the Council in relation to the planning application and the nature of the attached planning conditions.

Q(p) Clarification was sought on the timescale for the development of the bus lane and at the roundabout.

Response by the Acting Head of Planning and Transportation:-

Detailed work would commence following a decision of Falkirk Council on whether to grant or refuse the application for planning permission.

5. Section 38A of the Town and Planning (Scotland) Act 1997 together with Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 give those persons who have submitted representations on relevant planning applications the right to be heard before a Committee of the Council before the application is determined. On this occasion, in addition to those persons who had submitted representations, other members of the public in attendance at the meeting were permitted to address the Committee.

(a) Mr D Goldie, in support of the development, highlighted the new jobs that would be brought to the area.

(b) Ms I Bradley, in support of the development, raised the value of new jobs to the area as well as eradicating a local eyesore by regenerating the Camelon area.

- (c) Mr S Paterson stated that he had originally objected to the application but had changed his mind having seen the plans. He remained concerned about traffic impact and parking problems, however, and sought further clarification on the filter lanes at the roundabout.
 - (d) Ms H Craig, in support of the development, indicated that the proposed store would provide a positive benefit to the area. Ms Craig also referred to the present lack of shops in the local area which was limited to one co-op and one other small shop. The local community favoured a store with a varied selection of quality goods at affordable prices. The former factory's negative visual impact was reiterated.
 - (e) Ms J Rennie, an objector to the development, advised that her concerns were not about the proposed store itself or the jobs that would be created but the impact of the location of the development on her home which was located across the road from it. In particular she raised concerns about the noise from 24 hour trading, security concerns affecting her property and the dirt during the construction phase.
 - (f) Mr L Ramsay, an objector to the development, raised concerns about how his and other bungalows which were located directly across from the proposed petrol station would be affected by the development. This included parking outside the properties and problems of vehicular access and egress. Mr Ramsey's caravan would no longer be able to be taken onto the road and would require to be moved elsewhere. The need for a petrol station at this site was questioned given that there were already two existing petrol stores in close proximity. A proliferation of petrol stations would impact on existing jobs. The location of the petrol station at the front of the development was also criticised on grounds of safety and it was asked whether the lessons learned from the Buncefield disaster had been taken into account in planning the development.
 - (g) Mr N Harris, for Henry Boot, an objector to the development, raised concern at the impact of the development on the ability to regenerate Denny Town Centre.
 - (h) Mr W Wilson referred to the inappropriateness of the traffic system and its effect on small businesses within Camelon.
6. Responses were given by the applicant's representatives and Officers from Development Services in relation to the issues raised by Members and contributors as follows:-

Response by the Development Manager:-

In July 2009 the Council received the application for planning permission and this was followed by appropriate consultation. Major applications of this nature required lengthy dialogue with applicants and other Council Services because of their complexity.

Response by the applicant's representative:-

In relation to concerns about security in the vicinity of the proposed store, 24hour security and CCTV would operate to address the local community's security concerns. Tesco Stores Ltd employed a member of staff in each store to identify and address such security concerns. The company would also work closely with Central Scotland Police on measures to discourage young people from congregating at the proposed site. This collaborative work would aim to ensure that antisocial behaviour was kept to a minimum. In relation to noise, trade at such stores was low at night and the stores tended to be used mainly by shift workers. In relation to the construction period, a contracted with a neighbourhood policy would be used. The redistribution centre for this store was located in Livingston. All distribution lorries were fitted with timers and the drivers' routes were determined in advance of departure. Drivers were required to travel with the minimum of noise and disturbance. The vehicle refrigeration systems were also turned off at night. The delivery yard for this store would be located next to the railway line and all deliveries would take place at the rear of the building. In addition, all drivers were risk assessed.

With regard to health and safety issues, stringent checks are in place. The Health and Safety Executive incorporate lessons from Buncefield when they check all new petrol stations. Deliveries to the petrol station would be subject to conditions to limit noise and the car wash would not operate at night. An acoustic report has already been prepared which has raised no issues of concern. Most petrol stations are located close to a road. The applicant had not encountered any issues with their other petrol stations along the same lines. With regard to traffic impact, the applicant was confident in the robustness of their assessments. While there may be potential disbenefits from increased traffic, they did not consider that significant delays would be introduced.

7. Close of Meeting

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by Falkirk Council on 6 October 2010.

FALKIRK COUNCIL

EXTRACT of MINUTE of MEETING of the POLICY AND RESOURCES COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 10 AUGUST 2010 at 10.30 a.m.

PR29. FINANCIAL POSITION 2010/11

There was submitted Report (circulated) dated 26 July 2010 by the Director of Finance (a) presenting the financial position for the period 1 April to 30 June 2010; (b) projecting a year end underspend of £0.109m and (c) summarising the preparatory work currently underway at local and national level in anticipation of a reduction in funding for public bodies.

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

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

“Members are invited to note the spending in the current year.

Members also agree that the cuts being proposed by the Conservative/Liberal Westminster Government will have a detrimental effect on not only the provision of essential services to the most vulnerable within our community but also the wider Falkirk economy.

Members therefore agree to the following course of action.

- (1) write to the London Chancellor demanding the maintenance of public services at their current level of funding and reminding him that the financial problems facing the UK economy were not caused by the failure of the Public Sector,
- (2) invite all of the local MSPs and MPs to support a Falkirk Council position of no cuts,
- (3) Condemn as dogmatic the comment from the Conservative Prime Minister that all cuts in funding of the Public Sector are permanent; and
- (4) Prepare regular reports for full Council on the impact of the Westminster cuts on the provision of Council services.”

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

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

Accordingly, **NOTED:-**

- (i) this first projection of spending in the current year, and
- (ii) the update relating to the preparatory work being undertaken for 2011/12 to 2013/14.

FALKIRK COUNCIL

Subject: FINANCIAL POSITION 2010/11
Meeting: POLICY & RESOURCES COMMITTEE
Date: 10 August 2010
Author: DIRECTOR OF FINANCE

1. INTRODUCTION

1.1 This report presents the first update on the financial position of the Council for 2010/11 and reflects my assessment of the projected year end outturn after the first quarter of the year.

2. GENERAL FUND

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

2.2 In overall terms net expenditure is currently forecast to be only £0.109m below the approved budget of £340.441m. There are however a number of deviations from budget and the most significant are described below:-

Social Work Services (over budget by £2.940m; 3.6%)

The pressures behind the 2009/10 overspend arising from the cost of purchasing residential care for children, community care and adult 24 hour care are continuing. These pressures are mitigated to an extent by savings in staff costs. Members will also note the approved budget included additional resources of c£2.8m to reflect the increasing demands on Social Work and other Service budgets.

Corporate & Neighbourhood Services (over budget by £0.172m; 1.5%)

The overspend arises from reduced income within Refuse Collection and the Sign Factory.

Miscellaneous Services (under budget by £0.290m; 3.6%)

The underspend relates wholly to a further VAT recovery received from HMRC as reported previously to Members.

Loan Charges (under budget by £0.200m; 7.4%)

The saving arises from the impact of a reduction in the level of borrowing in the last financial year.

3. TRADING ACCOUNTS

The Council's two statutory trading accounts of Building Maintenance and Roads are forecast to generate surpluses of £1.330m which is around 3% lower than planned.

4. HOUSING REVENUE ACCOUNT

Net expenditure is currently forecast to be very close to the planned level, with modest additional costs on empty properties more than offset by higher commercial rents.

5. REVENUE BUDGETS 2011/12 - 2013/14

5.1 In view of the significant challenges facing Councils, this Report also provides an update on preparatory work being undertaken in respect of the next three year budgets. In recognition of the challenging environment facing the public sector, Cosla has been developing a strategic approach to the forthcoming spending review based on a planning assumption that funding will fall by c12% in real terms over the next three year period. Work is being undertaken on a partnership basis with Cosla and the Scottish Government and is overseen by a senior officer group called the Strategic Funding Review Group (SFRG) with input from the Improvement Service.

5.2 The key component of the SFRG work is the development of a model which seeks to quantify the expenditure gap in future years. Based on this model, Falkirk Council's planned spending could grow by c£6.2m in the next financial year while government funding could fall by c£7m producing a gap next year of over £13m. The figures also suggest this could equate to having to find savings of c£45m over the three year period 2011/12 – 2013/14. It is emphasised however that the precise impact of the government's recent emergency budget in Scotland (proposed savings of £332m for the current year have been deferred) will not be known until the UK spending review is published in October. Detailed grant figures for Scottish Councils will not be known until around December.

5.3 In recognition of the above, Services are in the process of prioritising the services provided to identify potential areas of savings. This includes taking into account the results of the recent customer survey which asked for the public's views on areas which could relieve budget pressures. Over 700 responses have now been received and Services will now consider the suggestions from the survey.

6. CONCLUSION

6.1 At this early stage in the financial year net General Fund expenditure is forecast to be only marginally below the level approved in February of this year. The overspend within Social Work Services of some £2.9m is neutralised by the provision for expenditure pressures of c£2.8m added into the budget. Although this additional resource was not exclusively for the benefit of Social Work spending it was recognised that a significant element would require to be directed to that Service. General Fund reserves are projected to be £6.884m at the year-end.

6.2 Spending within the HRA is also very close to budget with year-end reserves projected to be £4.880m.

7. RECOMMENDATIONS

7.1 Members are invited to:-

- (i) Note this first projection of spending in the current year, and**
- (ii) Note the update relating to the preparatory work being undertaken for 2011/12 to 2013/14.**

Director of Finance

Date: 26 July 2010

Contact Officer: Alex Jannetta

LIST OF BACKGROUND PAPERS

- 1. Financial Monitoring Statements 2010/11

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506300 and ask for Alex Jannetta.

FALKIRK COUNCIL

GENERAL FUND

PROJECTED REVENUE OUTTURN STATEMENT 2010/11 AS AT 30/06/2010

	<u>Budget</u> £'000	<u>Projected</u> <u>Outturn</u> £'000	<u>Fav (-ve) Adv (+ve)</u>	
			<u>Variance</u>	
			£'000	%
Education Services	160,494	160,697	203	0.1
Social Work Services	80,878	83,818	2,940	3.6
General Fund Housing Services	3,924	3,924	-	-
Development Services	26,427	26,424	(3)	(0.0)
Community Services	22,155	22,092	(63)	(0.3)
Corporate & Neighbourhood Services	11,257	11,429	172	1.5
Miscellaneous Services	8,136	7,846	(290)	(3.6)
Provision for Expenditure Pressures	2,797	-	(2,797)	(100.0)
Central Support Services	23,279	23,279	-	-
Less: Central Support Recharges	(23,279)	(23,279)	-	-
Commercial Services Trading Activities	(1,376)	(1,330)	46	3.3
Sub - Total	314,692	314,900	208	0.1
Police	12,879	12,879	-	-
Fire	8,805	8,805	-	-
Valuation	1,365	1,365	-	-
Adj. for Capital Financing Costs / Capital Charges	2,700	2,500	(200)	(7.4)
NET EXPENDITURE	340,441	340,449	8	0.0
<u>Financed By :</u>				
Revenue Support Grant	220,356	220,356	-	-
Non-Domestic Rates	60,652	60,652	-	-
Council Tax	59,433	59,550	(117)	(0.2)
NET INCOME	340,441	340,558	(117)	(0.0)
SURPLUS/(DEFICIT)	-	109	(109)	999.0
Add : General Fund Surplus as at 1 April 2010		6,775		
Projected General Fund Balance as at 31 March 2011		6,884		

FALKIRK COUNCIL
HOUSING REVENUE ACCOUNT
PROJECTED REVENUE OUTTURN STATEMENT 2010/11 AS AT 30/06/2010

	Budget £'000	Projected Outturn £'000	Fav (-ve) Adv (+ve)	
			Variance	
			£'000	%
Employee Expenses	7,019	7,019	-	-
Property Expenses	21,645	21,692	47	0.2
Transport Expenses	62	62	-	-
Supplies and Services	3,383	3,483	100	3.0
Third Party Payments	906	906	-	-
Support Services	4,311	4,311	-	-
Capital Charges	12,551	12,551	-	-
GROSS EXPENDITURE	49,877	50,024	147	0.3
INCOME	48,767	48,970	(203)	(0.4)
SURPLUS/(DEFICIT)	(1,110)	(1,054)	(56)	(5.0)
Add: Surplus brought forward as at 1 April 2010		5,934		
Projected Surplus as at 31 March 2011		4,880		

FALKIRK COUNCIL

Subject: SINGLE OUTCOME AGREEMENT 2009/2011 – ANNUAL MONITORING STATEMENT
Meeting: FALKIRK COUNCIL
Date: 6 OCTOBER 2010
Author: CHIEF EXECUTIVE

1. INTRODUCTION

- 1.1 Members are aware that each year the Community Planning Partnership is required to submit an annual monitoring statement on the Single Outcome Agreement. 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 from the first year of the SOA to date.
- 2.2 The monitoring statement 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. 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. We have made significant improvements in indicators noted under outcome 3, which relate mainly to Education, but then have also noted a downturn in our economic indicators. This is understandable given the recession. It is important that the Council and our partners review 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.
- 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 partnership approach to achieving outcomes. A statement of progress under each of the Council's four goals which sit above outcomes, is also included within the statement. Much of this information has already been reported to Members through various reports to Scrutiny Committees and to the Best Value Forum.
- 2.6 Members will be aware that the Single Outcome Agreement underpins the outcomes we are trying to achieve as part of our overall approach to community planning. The current Strategic Community Plan is being reviewed with partners and will be presented to Members for approval in December this year.

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

- 4.1 **It is recommended that Members approve the Single Outcome Agreement monitoring statement attached in appendix one.**

.....
CHIEF EXECUTIVE

Date: 23 September 2010
Ref: ABK1010FC- 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	Provisional figures Comparison not appropriate	Total No of Indicators
1	5	5	0	0	10
2	5	6	0	0	11
3	16	2	0	2	20
4	11	1	0	1	13
5	14	3	0	1	18
6	16	9	0	4	29
7	15	4	0	3	22
8	3	2	0	4	9
9	23	3	0	2	28
10	12	4	0	1	17
11	5	2	0	3	10
12	4	3	0	0	7
13	3	0	0	5	8
14	11	4	0	0	15
15	7	5	0	1	13
Total	150	53	0	27	230
%	65%	24%	0%	11%	100%

**Falkirk Community Planning Partnership
Single Outcome Agreement
Monitoring Statement
September 2010**

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
- 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 effects on our local communities. Since agreeing our action plan and progressed action during 2009/10 we have achieved the following:

- Optimise community benefits from procurement. During 2009/10, 72 local people were provided with training or employment opportunities through a variety of contracts, including a partnership with LINK Housing. This includes contracts for a new and refurbished school, cladding works at Eastburn Tower and the HELIX project.
- Supporting local people in poverty or who have been adversely impacted on by both the recession and the banking crisis. This has been achieved by providing additional support to organisations who have targeted support on our most deprived communities, with a view to tackling financial exclusion.
- Raising awareness and developing a response to help support the retention of a resilient and vibrant local Third Sector.
- The Falkirk Council area gained recognition as the most enterprising area in Scotland in the UK's 'Enterprising Britain' competition. This was supported with recognition from CoSLA for our 'Backing Falkirk's Future' initiative.
- Our approach on modern apprenticeships received recognition at the national awards in the 'Large Employer, category and particularly our 'Pathways to Apprenticeship' programme.
- Activity on community learning and development supported 650 local people to gain an accredited award.
- Continue to invest in the quality of our infrastructure, with Banknock SIRR Development Framework winning an "outstanding" commendation in the Scottish Awards for Quality in Planning.
- Falkirk residents received an award from Glassmaker O-I, for recycling 2500 tonnes of glass in the year 2009/10.
- Falkirk Council received the Council of the Year award at the APSE Scottish Housing & Building Awards and the Best employee initiative for Building and Housing 2010.
- We recognise the importance of Early Years provision, with Education Services overseeing the building work for the integrated Denny Day Nursery and Nursery School and the opening of Camelon Nursery. These, together with other work, have enhanced Early Years provision by increasing capacity for vulnerable children, babies and toddlers.
- Continued investing on our school estate with the completion of a major extension at Larbert Village Primary School and the completion of the refurbished Hallglen Primary School. The area is also served by 8 modern secondary schools and 1 secondary special school which provide facilities which are fit for educating our young people in the 21st century.

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.

We are in the process of finalising our new Strategic Community Plan, having consulted extensively with both our key partners and our citizens. The Strategic Community Plan 2010 – 2015 sets out a challenging agenda for change, for Community Planning Partners, as well as our citizens and communities. Central to the new Plan, is a commitment to build and further both individual and community contributions to our vision and local outcomes. The Plan also addresses the key challenges and priorities facing the Falkirk Council area into the future. We continue to develop our approach on Community Engagement. We have just conducted our first engagement exercise on the new Community Plan utilising Falkirk Council's new Citizen's

Panel. We are also seeking to engage with individuals, as well groups of communities in new and innovative ways. This includes ‘Communities Along the Carron’ which during 2009/10 engaged with 18 communities along the River Carron. Emerging from this activity is an ambitious action plan generated by community representatives and to be taken forward by them. These projects will progress the green, historical and cultural potential which the river and areas adjacent to it offer.

In addition to this, we also seek to make public involvement integral to major projects, which will take the area further forward. One such example is the HELIX which is a lottery sponsored project to redevelop wasteland between Grangemouth and Falkirk as one of Scotland’s most significant vibrant green spaces. Nearly 2000 people have been engaged with through a multitude of means to access their views on how the HELIX should be progressed. From this work, 45 adults and 32 young people are directly involved with the on-going design of the HELIX, including paths, allotments, project sentinels, environmental, as well arts and culture based projects.

Our agreement will continue to develop over time to reflect our maturity in measuring all sectors’ and partners’ performance in achieving our vision. Importantly, we will include indicators to measure our community and voluntary sectors’ contribution to community life. This will support priorities set out in our new Strategic Community Plan 2010 – 2015. We understand the valuable contribution volunteers and carers make to the lives of individuals and communities.

The Single Outcome Agreement provides us with the 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 are for the duration of the Agreement. However, we 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 these actions relate to our local priorities, they have been grouped under specific themes of economy, health and safety, disadvantage and discrimination and the environment. We will update both progress and future action each year.

FURTHER DEVELOPING A THRIVING, SUSTAINABLE AND VIBRANT ECONOMY

- The Falkirk Council recently received the accolade as the most enterprising place in Scotland, reflecting the approach adopted through My Future’s in Falkirk. This initiative was initially established in the face of job losses in the petrochemical industry. Some of our most significant achievements as part of this initiative include:
 - The creation of the Falkirk Business Improvement District;
 - £20 million investment in regeneration;
 - The creation of two business parks on reclaimed land; and
 - The establishment of innovative partnership working.

- During 2009/10, the main economic driver for the Falkirk Council area 'My Future's in Falkirk' was refreshed. Underpinning this has been a successful partnership and the direct involvement of the Falkirk Business Panel in determining the priorities within the updated strategy. The success of the Business Panel has been secured by holding regular events such as the annual Panel conference and a Business Fair, which attracted nearly 400 delegates. These were supported by regular information sessions that were attended by approximately 220 delegates during the year.
- Falkirk Council in partnership with BP, Scottish Enterprise and Falkirk for Business, has worked to establish loan funding, particularly for small businesses. This is supported by a part-time Business Adviser to support fund applicants and provide aftercare. Loans of up to £10,000 are available, repayable over a 3-year period.
- We continued to invest in and develop our local infrastructure during 2009/10. The associated road works supporting the Council's NPDO schools programme were completed. Preparatory work in terms of the design, securing of planning consent and land acquisition for the proposed upgrade to A801 River Avon Gorge was completed. The next step is to secure funding from the Scottish Government for construction work to begin. The Council spent £700,000 on 23 capital lighting replacement schemes.
- Continuing investment in new technology and supporting infrastructure is essential if we are to secure sustainable economic growth. As part of this commitment, Falkirk Council continued to invest in its ICT infrastructure during 2009/10 to ensure that it continues to meet our changing needs. This has included the delivery of modern infrastructure to all 4 of our new secondary schools, as well as supporting the regeneration of Stenhousemuir town centre. Education Services WAN links have been improved to meet the requirements of the national GLOW project, with a further 19 ICT upgrades completed on Education properties during the year.
- In collaboration with INEOS Grangemouth, Education Services supported the My Future's in Falkirk inspired project 'Schools into Technology'. The project has two aspects – master classes for S1/S2 and the Science, Education and Technology Fair for P7 pupils. This is with the aim of encouraging more pupils to take science subjects at school and pursue a science or technology based career when leaving school. This is also designed to provide our young people with the necessary skills to work in local technology based companies.

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

- The Sport 4 youth project provides physical activity sessions for young people to reduce their levels of boredom and anti-social behaviour. This encompasses on average, 135 young people attending weekly sessions across 9 venues within the Council area. Access is free, but targeted on those from regeneration areas which have a higher risk of crime, unemployment and low life expectancy. Targeting on the 12 – 15 year age group has been highlighted by Community Safety partners. Female participation is also a priority for the project. Delivering sessions locally and in the evening has been successful in attracting and retaining young people. The project also links with work on substance misuse to support young people who have experience of this.

- The Community Planning Partnership is very aware of the impact on families of substance mis users. It is for this reason that support is provided for:
 - Grangemouth Family Substance Abuse Support, which helps families affected by someone else's substance misuse. This has resulted in 112 clients receiving support last year, 71 of which feel that they are now better able to cope.
 - A joint project between Social Work and the Aberlour Trust to provide tailored and integrated support packages, following referral and assessment where parental substance misuse places children at risk of neglect and / or harm, pregnant women or parents with new babies. Over the last year, 68 families have been supported by this service, enabling 97 children to be maintained at home and 76 to remain in mainstream school or nursery.
- Safe Drive Stay Alive is a performance provided by Central Scotland Fire and Rescue Service, aimed at young people who may be driving alone or with friends for the first time. In 2009/10 performances were attended by over 1800, 4th to 6th year pupils from the Falkirk Council area. The project aims to highlight the potential consequences of dangerous or careless driving to young people who may be driving soon. This follows over 30 people having been killed and 2,500 injured on the roads in Central Scotland in the last three years. The project aims to reduce the number of road incidents involving young people. The impact on the attendees is very apparent on the day of attendance.
- Our Community Safety Partnership led by Central Scotland Police has continued recent year trends in reducing crime and anti-social behaviour. Our success has been attributable to close and effective partnership working across key agencies to tackle and resolve emerging issues and challenges at the earliest opportunity. Pivotal to our success is effective community engagement which is undertaken in an integrated manner through 'Police and Community Together' (PACT) meetings. These meetings are facilitated by Community Police Officers working with local communities and involve partner agencies as required. They allow information to be provided and exchanged on issues and problems within communities and then designing realistic and prompt responses, as well as managing expectations in a pragmatic manner. PACT meetings are generally held on a monthly basis with priorities being set and reported on at each meeting.
- As part of our drive to improve the night time economy of Falkirk Town centre, the weekend taxi marshals is now provided throughout the year. During 2009/10 this resulted in 33,745 users who utilised this service to secure a taxi for an onward journey. Key stakeholders now see this as an important service.
- One of the main thrusts of work within the current Joint Health Improvement Plan is to increase the number of people improving their lifestyle and as a result, their health. One of the means of measuring this is by the number of people taking part in some form of physical activity. The number of people in general, participating in organised culture and leisure activities between 2006/07 and 2009/10, has increased by 48% from a baseline of 28,105 in 2006/07. Leisure centre admissions for young people have also been maintained at a high level, in excess of 370,000 young people during the same period. The number of people participating in healthy lifestyle and physical activity programmes has increased by 217% between 2006/07 and 2009/10, from a baseline of 13,537 in 2006/07.
- One highly successful aspect of physical activity is the encouragement of citizens to increase the amount of walking they do through initiatives such as Step Forth and Braveheart. One aspect of this is the annual Big Fit Walk which was first held in

Grangemouth in 2004, with 3000 people taking part. Over 8000 people took part in the 2009 Big Fit Walk. This initiative was recently nationally recognised for its success, by winning the Active Nation 'Active Factor 2010' award within the physical activity and health alliance category. This year's Big Fit Walk took place on 11 June. This is designed to stimulate and promote more regular exercise by citizens, by encouraging them to undertake 30 minutes of low to moderate intensity exercise each day. By doing so citizens will:

- Reduce their risk of heart disease by 50%;
 - Reduce the risk of a number of cancers, including bowel and breast cancer;
 - Reduce the risk of developing type 2 diabetes; and
 - Improve mood and as a result, reduce the risk of depression.
- Significant efforts have been made to reduce the number of children who are overweight, with a focus on their Body Mass Index. Between 2006 and 2008, the percentage of children in primary 1 who are overweight, having received a Body Mass Index review, has reduced from 20.9% to 16.8%. In Scotland, this percentage was much higher at 19.8%. The reduction in the Forth Valley area has been supported by NHS Forth Valley and Education Services through the 'Max in the Middle' initiative to focus on healthy eating amongst young people. Work has also been undertaken by Education Services through the 'Health Promoting' schools initiative, to better inform young people on healthy eating. The percentage of schools designated as health promoting, has increased from 4% in 2006/07 to 100%. This includes work taken on a Forth Valley basis to develop a 'Promoting Health and Wellbeing' accreditation scheme as part of Positive Approaches to Health. All schools within the Falkirk Council area have either achieved level 1 or 2 accreditation. We are now looking at applying the principles of Health Promoting Schools to all our child care establishments.
- Catering Services, Falkirk Council, have sought to widen the range of healthy eating options within school meals. One example of this is the Primary 'Pre Ordering Lunch' Service which has been developed by Catering Services, in partnership with Education Services. This aims to:-
- Encourage healthy food choices;
 - Ensure all pupils have a menu choice;
 - Reducing waiting time for pupils;
 - Further encourage the up-take of school meals; and
 - Encourage parent participation in menu selection for their children.

This initiative was run on a pilot basis within 12 primary schools between March and June. The scheme encompassed a colour coding system to identify the degree to which the meal is healthy. This was also facilitated by taking photographs of meals to be included in class lunch folders to aid healthy menu choice. Interim feedback from Catering Managers has been positive. Further feedback from Head Teachers and parents will be sought at the start of the new school term in August. The pre ordering service will be continued in the 12 pilot primary schools in the meantime.

- The HMIe Child Protection Inspection which reported in June 2009, found the following key strengths:

- Children experiencing domestic abuse received help quickly through an effective multi-agency approach;
- Helpful advice from legal services supporting immediate action and long term planning for children at risk;
- The health needs of looked after children away from home being met effectively;
- Use of a robust and effective approach by the Children's Commission to assess needs of children and agree service priorities; and
- Children and families being involved as partners in planning and delivery of services.

INCREASING OUR EFFORT TO TACKLE DISADVANTAGE AND DISCRIMINATION

- In January, we implemented the Council's new housing allocations policy (Homespot) and completed a re-registration of our housing waiting list – this choice-based approach to letting houses has improved the information available to prospective tenants and provides greater choice to our customers. The new approach also ensures that we are more effectively meeting our legislative obligation to house those in greatest housing need.
- A new Homelessness Strategy (2008-2013) for the area was launched in June 2009, with good progress being made in its implementation. We increased our stock of temporary housing accommodation for people experiencing homelessness, by an additional 105 properties and made a corresponding reduction in the number of people that the Council required to place in Bed & Breakfast accommodation in order to meet the Council's statutory duty to accommodate them.
- The Community Planning Partnership has supported the expansion of Credit Unions to widen access across the Falkirk Council area. In 2009/10 this resulted in attracting 277 new members, the recruitment of additional volunteers and the increase in opening hours.
- The area's 3 Citizen's Advice Bureaux have been supported to progress the financial wellbeing of people from our most disadvantaged communities, through the provision of clinics and additional appointments to minimise waiting time. During 2009/10 this has helped people experiencing or at risk of hardship. As a result, £49 million of debt has been renegotiated, with over 330 benefit checks completed and over 135 debt cases supported. These services have also helped clients to access approximately £740,000 in benefit claims.
- Older people have been supported through an advice project targeted on our most deprived areas, to access benefits and referrals to other agencies. These have been facilitated by home visits which have helped to secure £540,000 in additional benefits.
- During 2009/10, Falkirk Council's Employment and Training Unit helped 61 young people to make better transitions from High School, through developing effective pre school leaving activities. Of these, 44 were new starts during the year and 35 secured a positive destination when leaving. The 'Positive Transitions' project has linked with 8 High Schools across the Council area which help young people who require this type of intervention.

- In addition to this, a range of targeted post school interventions aimed at young people, aged between 16 and 19 who have left school is provided. These interventions are designed to secure positive destinations, specifically for those from the most deprived communities. This also helps to mitigate the threat of growing youth unemployment due to the recession. During 2009/10, 139 young people completed the 'employment gateway' of which 44 came from our most deprived areas. Performance for the year was nearly 300% above that of the original annual target. Work with local employers within the 'Backing Falkirk's Future' initiative has led to 100 support pledges being received, most of which comprise work experience and work based training.
- The Community Planning Partnership supports a project called 'People with Potential' by Edinburgh Cyrenians. This provides support through pro-active interventions and key work sessions for clients who are homeless, or are vulnerable to homelessness and who are also excluded from community life. During the reporting year, the project has supported 31 new young clients, as well continuing to support the cohort from 2008/09. This has contributed to securing 39 positive destinations for local young people. Referrals for this service increased by 150% during the year, due to increased management capacity and changes in resource allocation and prioritisation.
- The 'Rise Higher' project, run by the Salvation Army supports some of the most vulnerable local people. The project supports individuals who are furthest away from the labour market, including clients with learning disabilities, substance mis users and ex-offenders. During 2009/10, the project supported 71 individuals with courses, advice etc. which helped 14 clients access employment or full-time education. The project also helps to improve client's self-confidence and esteem and access education qualifications, some for the first time.
- The Community Planning Partnership supported Central Scotland Racial Equality Council for black and ethnic minority individuals to achieve their full potential, by accessing training, acquire skills and increase their employability. During 2009/10 this project supported 87 people, 17 of which have secured employment. This includes practical advice in applying for employment, as well as building individual's confidence.

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

- Our HEROS project built on previous work with significant enhancement during 2009/10. This provides environmental improvements for predominantly regeneration communities, while providing training opportunities for young people. This project has helped 15 individuals to secure permanent employment, 9 of who have attained vocational qualifications. A total of 14 environmental projects involving 21 community groups were completed during the year.
- The 'Carbon Crusader' programme introduced by Falkirk Council has mobilised employees to think about their local carbon footprint. This in turn has encouraged them to get more involved in developing practical solutions to both save money and reduce carbon emissions. After 18 months since first being introduced, independent evaluation suggests that for an initial marketing based cost of £2000, the programme has reduced:

- Carbon emissions by approximately 960 tonnes and from Falkirk Council buildings by a minimum of 3%; and
 - Energy and other costs by at least £160,000.
- The Community Planning Partnership supported measures to enhance Third Sector resilience during 2009/10 in recognition of the particular pressures faced by the sector in securing sustainable sources of funding and in the increased level of expectation on the role it can play in future. Measures included supporting a Third Sector convention in February 2010 to help improve the sustainability of local Third Sector organisations. The event was led by CVS Falkirk & District and attracted over 300 delegates from across Forth Valley. The event comprised 32 workshops on topics offering advice and support on how best to face the future financial climate. Further work flowing from the convention is taking place to develop a package of non-financial resilience based support to further underpin a vibrant and sustainable local Third Sector.
 - The Hippodrome Cinema in Bo'ness reopened in April 2009 following a £2.1m refurbishment; the programme for the year included first runs of 'Up', popular new releases, classic films and special heritage events. Local businesses have welcomed the Hippodrome, noticing increased footfall in the town on matinee days, as well as it being a valuable addition to the evening economy of the town.
 - As part of the drive to regenerate our town centres, we secured £2 million of investment from the Scottish Government to accelerate the regeneration of Falkirk, Denny, Stenhousemuir, Grangemouth and Bo'ness town centres. This includes work to restore and improve the historic churchyard and surrounding area in Falkirk town centre. As part of the development process for Stenhousemuir town centre, communities in both Larbert and Stenhousemuir, as well as local school children, have been involved in the design and commissioning of public artwork. Work on the Bo'ness Townscape Heritage Initiative included the completion and restoration of derelict tenements. Development agreements were also signed with developer partners for the further regeneration of Bo'ness and Denny town centre.
 - We have made significant progress in ensuring the sustainability of our open spaces through the completion of our Open Space Strategy, our Contaminated Land Prioritisation Model and the adoption of our Core Paths Plan. Upgrades and improvements to both our paths and our cycle paths network were completed in 9 different communities across the Falkirk Council area. A partnership with the Falkirk Allotments Society saw the completion of 18 individual garden allotments.
 - We completed our new Home Energy Strategy to help deliver on our commitment to reduce fuel poverty and promote energy efficiency in homes across the Falkirk Council area. In support of this, we created new advice pages to promote better Home Energy Efficiency on the Council's website, which are currently receiving approximately 1200 hits per month. We also developed a Home Energy advice booklet which has been adopted by Falkirk Council, together with other partners. Since the start of our Home Insulation Programme, over 4000 local properties have benefited from cavity wall and loft insulation. We have also produced a staff leaflet on Fuel Poverty to help improve the advice and service we provide for tenants most in need of fuel debt assistance.
 - The redesign of Camelon day service for adults with a learning disability has facilitated more localised opportunities. This has included changing the building use to

accommodate the Children with Disabilities Team and the Falkirk Learning Disability Team working together and creating a resource centric model.

- During 2009/10 Falkirk Council Criminal Justice Social Work Service provided around 44,385 hours of unpaid labour. At the minimum wage, this equates to £257,423 of effort for the benefit of the communities across Falkirk. The work has included:
 - Supporting individual charities
 - Litter picking
 - Ground clearance
 - Improving amenity areas
 - Growing crops for the Salvation Army

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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Total Gross Added Value of businesses in the area	£2,308m - 2004	£2,550m – 2005	£2,813m – 2006	£3,010m – 2007	+ £197m	+£702m	Increase	✓	Increase
Total business stock	3,892	3,959	4,075	Not yet available	-	-	Increase	✓	Increase
% of business properties leased by the council that are occupied	98%	97.3%	97.1%	94.7%	-2.4%	-3.3%	Maintain above 95%	✗	Maintain above 95%
Total business stock in priority industries e.g. chemicals, construction, financial services etc	1,162	1,204	1,261	Not yet available	-	-	Increase	✓	Increase
Regional Selective Assistance awards: number accepted/paid and their value	4 £1m	3 £620,000	2 accepted £875,000 2 paid - £415,000	2 accepted £280,000	-	-2 -£720,000	Increase	✗	Increase
Business advice requests for consumer protection completed within 14 days	65.9%	88.7%	93.4%	95%	+1.6%	+29.1%	95%	✓	95%

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Total visitor expenditure in the council area (per calendar year)	£76 m	£77m	£77m	£73m (provisional figure – a recalculation of the bed stock has exaggerated the apparent decline in 2009-10)	-£4m	-£3m	Increase	✘	Increase
Number of visitor bed nights spent in the council area (per calendar year)	1.27m	1.25m	1.25m	1.20m (provisional figure as above)	-0.05m	-0.07m	Increase	✘	Increase
Falkirk Town Centre's national retail centre ranking as measured by CACI	10 th in Scotland	15 th in Scotland	15 th in Scotland	7 th in Scotland	+ 8 places	+ 3 places	Improve	✓	Improve
Total area of Urban Vacant land Derelict land Total (Urban Vacant and Derelict land)	Oct 2006 100ha 105ha 205ha	Oct 2007 53ha 92ha 145ha	Oct 2008 51ha 87ha 139 ha	Oct 2009 53ha 85ha 137 ha	2008-2009 -1ha -1ha -2ha	2006-2009 -47ha -20ha -68ha	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	33.2%	38.1%	+4.9% Worsened in year	+3.1% Worsened since 2008 – 2006/07 data not comparable	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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)	No of claimants 15,070 100.7 per 1,000 population 161.1 per 1,000 working age population	No of claimants 14,780 98.1 per 1,000 population 156.9 per 1,000 working age population	No of claimants 16,780 110.7 per 1,000 population 177.7 per 1,000 working age population	Not yet available	-	-	Reduce	✘	Reduce
Employment Rate	78.6%	78.5%	75.4%	Not yet available	-	-	Increase	✘	Increase
Number of job placements and training places achieved as a result of "community benefit in procurement" programmes	0	24	14				60	✓	Increase
The proportion of school leavers in a positive destination In worst 15% SMID	84.3% 75.2%	86.7% 75.7%	82.1%	Not yet available	-	-	Increase	✘	Increase
% of 16-19 year olds not in education, employment or training	19%	16%	17%	Not yet available	-	-	Reduce	✘	Reduce

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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	Falkirk 4.4% Scotland 4.0% Sept 09	Not yet available			Reduce	✘	At or lower than the Scottish average.
Number of business start ups which received support from the Council through the business gateway	300	278	339	324	-15	+24	300	✓	Maintain
Number of trainees placed in work based training by the Council	432	560	791	Not available	-	-	600	✓	Maintain
Number of persons who were new starts on national training programmes	201 150	227 600	312	368	+56	+167	300 600	✓	Maintain
Number of jobs created or secured by business gateway and council employment and training activities	684	729	730 Total 339 via Business Gateway 391 via ETU	966 Total 544 via Business Gateway 422 via ETU	+236 Total +205 via Business Gateway +31 via ETU	+282 Total	Increase	✓	Increase
% of working age people receiving job related training in the 13 weeks prior to survey	23.3%	19.0%	18.8%	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
The % of school leavers moving into									
Higher education	25.5%	28.1%	31.1%	Not yet available	-	-	28%	✓	30%
Further education	16.2%	19.3%	21.8%				20%	✓	24%
Training	10.0%	11.4%	7.9%				7%	✓	11%
Employment	32.6%	27.8%	21.1%				31%	✗	30%
Diversity in sectoral employment: - numbers and percentage.									
Wholesale and retail;	11,000 – 18.8%	10,300 – 17.4%	10,900 – 18.2%	Not yet available	-	-	Monitor	-	Monitor
Manufacturing;	8,800 – 15.1%	9,300 – 15.6%	8,300 – 14.0%						
Health and Social Work;	9,000 – 15.4%	9,100 – 15.3%	9,200 – 15.5%						
Public Administration;	5,500 – 9.4%	5,600 – 9.4%	4,800 – 8.1%						
Real estate, renting business activities	5,200 – 9.0%	5,900 – 10%	5,900 – 9.9%						
Other industries	18,600 – 32.3%	18,900 – 32.3%	20,400 – 34.3%						
% of school leavers offered a guaranteed positive destination.	84%	87%	82%	Not available until December 2010	-	-	50% 2008 75% 2009 100% 2010	✓	100%

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
% of population aged 16-64 with SVQ3 or above	51.2%	50.7%	51.8%	52.3%	+0.5%	+1.1%	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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: <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	(1 year only) 100% 100% 100% 100% 86%	(2 years only) 93% 100% 86% 93% 71%	3 year average not yet available	3 year average not yet available	Improvement on baseline data	-	Improvement on baseline data
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%	85% 82% 88%	86% 82% 88%	+1% Maintained Maintained	+1% +1% Maintained	85% 80% 85%	✓	5-14 measures under review.

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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%	91%	95%	95%	Maintained	+4%	96%	✓	Improve
	89%	89%	92%	93%	+1%	+4%	93%	✓	
	73%	72%	77%	79%	+2%	+6%	77%	✓	
	30%	33%	35%	34%	-1%	+4%	36%	✓	
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%	37%	39%	44%	+5%	+10%	39%	✓	Improve
	17%	19%	21%	25%	+4%	+8%	22%	✓	
	6%	7%	8%	12%	+4%	+6%	10%	✓	
The % of young people who leave school without employment, further or higher education or training	15.7%	13.0%	17.9%	Not yet available			Reduce	✗	7%
% of pupil attendance at school Primary Secondary	95.6% 89.9%	95.4% 90.8%	95.6% 91.7%	2009/10 data not yet available	2009/10 data not yet available	2009/10 data not yet available	96% 92%	✓ ✓	96% 92%
Number of young people in secondary schools involved in Pupil Councils.	251	375	429	503	+17%	+100%	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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 0-15	166 Child Tax Credit - 539	158 Child Tax Credit - 553	172 Child Tax Credit - 543	Not yet available Child Tax Credit - 570	- Child Tax Credit - +27	- Child Tax Credit - +31	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	(1 year only) 80% 80% 80% 60%	(2 years only) 93% 93% 93% 87% 73%	3 year average not yet available	3 year average not yet available	Improvement on baseline data	✓	Improvement on baseline data

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
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"> • Percentage of 4 year olds in a grant-aided pre-school place • Number of toddler places • Number of baby places • Number of wraparound care. 	100%	100%	100%	100%	100% Maintained	100% Maintained	100%	✓	100%
	92	92	101	121	+20%	+32%	127	✓	Maintain mix of public and private provision
	24	24	24	42	+75%	+75%	36	✓	
	164	220	254	276	+9%	+68%	232	✓	
% of looked after children who on leaving care achieve at least one subject at SCQF level 3 or higher	48.1%	70.6%	62.7%	75.5%	+12.8%	+27.4%	Better than the Scottish Average 62.5%	✓	Better than the Scottish Average
% of looked after children who on leaving care achieve both English and Maths at SCQF level 3 or higher	25.9%	44.1%	40.3%	41.5%	+1.2%	+15.6%	Better than the Scottish Average 41.5%	✓	Better than the Scottish Average
Proportion of low birth weight per 1,000 live singleton births – Full term babies	18.4	19.3	23.6	21.8	-1.8	3.4	Reduce	✗	Reduce
Pregnancies among under 20 year olds per 1,000 population	2005 61.2	2006 61.6	2007 64.4	2008 ^P 60.6	-3.8	-0.6	Reduce	✓	Reduce
School meals taken as % of school roll									
Primary	60%	59%	59%	56%	-3%	-4%	65%	✗	Maintain
Secondary	50%	50%	51%	52%	+1%	+2%	55%	✓	
% of schools with breakfast clubs	35%	35%	40%	45%	+5%	+10%	35%	✓	Increase

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Increase the proportion of newborn babies exclusively breastfed at 6-8 weeks	2006 19.1%	2007 20.5%	2008 20.7%	2009 ^P 20.5%	-0.2%	+1.4%	Increase	✓	Increase
% of eligible children who take up free school meals- registered and present Primary Secondary	93% 50%	99% 87%	97% 73%	97% 87%	Maintained +14%	+4% +37%	99% 90%	✓ ✓	99% 90%
The number and proportion of looked after children in community placements at 31 st March	297 83.8%	417 85.8%	378 86.5%	405 89.2%	+27 +7.14%	+108 +36%	Better than the Scottish Average 89.7%	✗	Better than the Scottish Average
The proportion of young people who are looked after and accommodated away from home at 31 st March who have a current care plan	100%	100%	98.6%	98%	-0.6%	-2%	Better than the Scottish Average 94.2%	✓	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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 CHD - No of Deaths Crude Rate All Cancers – No of Deaths Crude Rate	2006 357 238.5 446 298	2007 361 239.5 419 278	2008 307 202.6 445 294	Not yet available awaiting GRO update	n/a n/a	n/a n/a	Monitor	- -	Monitor
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	42.0	47.9	44.9	Provisional (Feb 2010) 45.4	+0.5	+3.4	Reduce	✘	Reduce
Reduce the increase of daily dose antidepressant prescription	33.3	35.2	35.7	38.6	+2.9	+5.3	Reduce	✘	Reduce
Reduce psychiatric readmissions within one year for those who have had a psychiatric hospital admission over the 7 days	n/a	95	92	89	-3	2007-2010 -6	Reduce by 10%	-	Reduce
Reduce the number of alcohol related acute hospital admissions (inpatient or day cases) with alcohol as main diagnosis	181	192	202	191	-11	+10	Reduce	✘	Reduce

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Number of suicides	2006 16	2007 18	2008 19	2009 19	-	+3	Reduce	✗	Reduce
The number of months during the reporting year that the target was achieved of zero delayed discharge patients waiting 6 weeks or more	0/12	0/12	6/12	8/12	+ 2	+ 8 months	12 (National monthly target of 0 delayed discharges > 6weeks)		Increase
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	2006-2008 At birth M – 75.1 F – 79.6 At age 65 M – 15.9 F – 18.0	2007-2009 At birth M – 75.9 F – 79.8 At age 65 M – 16.4 F – 18.4	At birth M – 0.8 yrs F – 0.2 yrs At age 65 M – 0.5 yrs F – 0.4 yrs	At birth M – 1.4 yrs F – 0.4 yrs At age 65 M – 0.9 yrs F – 0.5 yrs	Increase	✓	Increase
High BMI in Primary 1 children number of reviews and % of children receiving a review who are overweight	1,416 21%	1,474 16.9%	1,541 19.6%	Awaiting ISD update	n/a	n/a	Reduce	✓	Reduce
Number of alcohol related deaths	2006 29	2007 37	2008 28	2009 37	+9	+8	Reduce	-	Reduce
% of schools designated as 'Health Promoting schools'	4%	98%	100%	100%	Maintained level	+96%	100%	✓	100%
Participation in organised culture and leisure activities	28,105	35,558	40,666	41,729	+ 1,063	+13,624	61,500	✓	Increase
Leisure Centre admissions for adults	483,125	458,428	526,843	517,345	- 9,498	+ 34,220	525,000	✓	Increase
Leisure Centre admissions for young people	388,792	396,834	399,960	373,709	- 26, 251	-15,083	400,000	✗	Increase

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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	44,453	61,977	+ 17,524	+ 7,869	57,000	✓	Increase
The number of people participating in healthy lifestyle physical activity programmes	13,537	19,669	37,001	42,855	+ 5,854	+29,318	40,000	✓	Increase
The number of participants in sports development classes	7,637	10, 375	9,346	10,619	+ 1,273	+2,982	10,000	✓	Increase
The number of young people participating in health education initiatives Falkirk Council Forth Valley College	2,315 300	5,072	8,402 300	5,761 400	- 2, 641 +100	+3,446 +100	5,500 300	✓ ✓	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	2,320 19.6 per 1,000	2,195 19.9 per 1,000	-125 +0.3 per 1,000	+1,929 +17.6 per 1,000	Maintain	✓	Maintain
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%	78.9% 70.0%	72.1% 88.9%	-6.8% +18.9%	+8.6% -1.1%	Better than the Scottish Average 65+: 62.0% 18-64: 65.4%	✓ ✓	Better than the Scottish Average
% of older people aged 65+ with intensive care needs receiving services at home	25.4%	24.7%	24.0%	21.9%	-2.1%	-3.5%	Maintain level of service	✗	Maintain
Home care – total number of hours and as a rate per 1,000 population aged 65+	13,554 579.4	14,018 593.6	13,779 578.0	13,460 554.8	-319 -23.2	-94 -24.6	Maintain level of service	✗	Maintain

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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%	71.0%	81.8%	83.6%	+1.8%	+16.4%	Maintain level of service	✓	Maintain
Home care - % home care clients aged 65+ receiving care in evenings/overnight	28.6%	26.6%	29.6%	13,460 29.5%	-0.1%	+0.9%	Maintain level of service	✓	Maintain
Home care - % home care clients aged 65+ receiving care at weekends	69.0%	59.9%	60.0%	61.0%	+1.0%	-8.0%	Maintain level of service	✓	Maintain
Rate per 100,000 pop of all emergency admissions for patients of all ages	8671	9374	9122	Provisional 9245	+123	+574	Reduce	✗	Reduce
Reduce smoking among adults – Number of attempts to quit	n/a	2007 593	2008 864	2009 1609	+745	2007-2010 +1016	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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 £458.30 Workplace £426.00	Residents £462.80 Workplace £460.00	Not yet available	-	-	Increase	✓	Increase
No of claimants in receipt of employment related benefits	15,070	14,780	16,780	Not yet available	-	-	Reduce	✗	Reduce
Reduce the earnings differential between male and female residents	£482.90 m £406.20 f	£470.40 m £426.00 f	£513.90 m £400.40 f	Not yet available	-	-	Reduce	✗	Reduce
Number of people experiencing multiple deprivation i.e. people living in the worst 15% of areas in Scotland SIMD 2006	13,225 (8.8%)	13,248 (8.8%)	13,292 (8.8%)	13,266 (8.7%)	-	-	Reduce	✓	Reduce
% of households assessed as homeless who are in priority need	71%	78%	86%	90%	+4%	+19%	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%	90%	92%	+2%	+1%	Increase	✓	Increase

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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%	n/a	SHS 2007/08 92%	n/a	-	-	Increase	✓	Increase
Number of active members of the Falkirk and District credit union.	n/a	674	482	Not available	-	-	Increase	✓	Increase
The number of new learners participating in adult literacy programmes Falkirk Council Forth Valley College	178 650	439 700	408 -	497 800	+ 89 -	+319 +150	440 700	✓ ✓	Maintain
Learning centres and learning access points Number of users of the free public access terminals in libraries		11,794	12,225	13,149	+ 924	-	13,300	✓	Maintain
Number of new IT learners from priority areas and with special needs Falkirk Council Forth Valley College	650	118 500	184 -	155 550	-29 -	- -100	160 500	✓ ✓	Maintain
Number of times the free public access terminals are used in libraries	84,360	95,899	97,088	106,974	+ 9,886	+ 22,614	105,000	✓	Increase
The number of individuals obtaining Welfare benefits advice Debt advice – new cases	17,150 681	16,166 698	16,035 816	Data not available 797	- -19	- +116	Target not appropriate	-	n/a
Number of benefit enquiries and benefit gains Falkirk Council and Citizen's Advice Bureaux	23,647 £7.7m	17,009 £8.1m	17,084 £9.7m	12,653 £5.6m	-4,431 -£4.1m	-10,994 -£2.1m	Target not appropriate	-	n/a

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Number of new debt cases and total debt negotiated Falkirk Council and Citizen's Advice Bureaux	1,411 £26.7m	1,266 £32.3m	1,464 £49.3m	797 £30.3m	-667 -£19m	-614 +£3.6m	Target not appropriate	-	n/a
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. (The Right Time indicator)	n/a	n/a	Change to indication definition	20.03 days	n/a	n/a	21 days	✓ Improving handling time for changes	Maintain
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	2,680 2.04:1	2,925 1.99:1	Not yet available	-	-	Reduce	✗ ✓	Reduce
The number of benefit claimants in priority areas participating in work based training with Falkirk Council Forth Valley College	102 183 in Falkirk LEA	163 150	Not available	74 200	-	-28 +7	150	✗ ✓	Increase

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

Local Outcomes

- 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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Number and % of dental registrations (3-5 years)	March 2007 3,267 66.3%	March 2008 3,869 78.5%	March 2009 4,362 88.4%	March 2010 4,617 89.3%	+255 +0.9%	+1,350 +23%	Monitor	-	Monitor
Proportion of social background reports submitted to the Children's Panel within 20 days	41.7%	46.7%	33.4%	33.5%	+0.1%	-8.2%	Better than the Scottish Average 41.3%	✘	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	434 13.5	362 11.3	-72 -2.2	-124 -3.9	Target not appropriate	-	n/a
Number and % of first contacts following supervision requirement within 15 working days	70 77.8%	133 82.1%	101 90.2%	70 80.5%	-31 -9.7%	0 +2.7%	Better than Scottish average 89.3%	✘	Better than the Scottish Average
Number and rate per 1000 of looked after children at home at 31 st March	118 3.7	218 6.8	168 5.2	Not yet available	-	-	Target not appropriate (Scottish average: 5.7)	-	n/a
Number and rate per 1000 of children looked after away from home at 31 st March	236 7.3	268 8.4	269 8.4	Not yet available	-	-	Scottish average 9.0	✓	Scottish Average

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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	167	175	+8	+4	Maintain level of provision.	✓	Maintain
Number of Children's Panel Members appointed in a year.	27	34	36	26	-10	-1	Target not appropriate	-	Target not appropriate

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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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%	n/a	SHS 2007/08 95%	n/a			Increase	-	Increase
Confidence in individual safety in local areas	2006	2008	n/a	2010	n/a				
During the day	84%	89%		90%		+6%	Maintain increase	✓	Maintain increase
At night	47%	51%		58%		+11%		✓	
Volume and rate of recorded crimes and offences per 10,000 population Crimes and offences are categorised as:									
Group 1 – Crimes of violence	13.9	14.4	15.1	11.5	-3.6	-2.4	Reduce Groups 1-4	✓	Reduce Groups 1-4
Group 2 – crimes of indecency	16.8	18.5	13.8	12.3	-1.5	-6.9		✓	
Group 3 – Crimes of dishonesty	280.7	278.5	260.8	238.2	-22.6	-42.5		✓	
Group 4 – Vandalism, fire-raising and malicious conduct	226.3	201.9	191.0	152.3	-38.7	-126.0		✓	
Group 5 – other crimes which includes all drugs offences	140.3	135.4	133.4	116.6	-16.8	-23.7	Groups 5-7 monitor	✓	Groups 5-7 monitor
Group 6 – offences (miscellaneous)	370.6	384.7	376.1	330.1	-46.0	-40.5		✓	

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Group 7 – offences (road traffic)	1185.0	1114.9	1051.3	923.8	-127.5	-261.2			
The number of casualties killed or seriously injured on our roads (moving annual average over five calendar years)	2002-2006 83	2003-2007 76	2004-2008 71	2005-2009 68	2004/08- 2005-09 -3	2002/06- 2005-09 -15	2006-2010 Fewer than 67	✓	No target after Local Transport Strategy 2006-2009
The number of persons, including children, killed or seriously injured per million vehicle kilometres (moving annual average over five calendar years)	2002-2006 0.058 KSI /mVkm	2003-2007 0.052 KSI /mVkm	2004-2008 0.048 KSI /mVkm	Insufficient traffic data available to calculate 2009 rate	Insufficient traffic data currently available	2002/06- 2004/08 -0.01 KSI /mVkm	Reduce	✓	Reduce
The number of children killed or seriously injured per million vehicle kilometres (moving annual average over five calendar years)	2002-2006 0.009 KSI /mVkm	2003-2007 0.007 KSI /mVkm	2004-2008 0.007 KSI /mVkm	Insufficient traffic data currently available	Insufficient traffic data currently available	2002/06- 2004/08 -0.002 KSI /mVkm	Reduce	✓	Reduce
The number of persons, slightly injured per million vehicle kilometres (moving annual average over five calendar years)	2002-2006 0.238 persons /mVkm	2003-2007 0.230 persons /mVkm	2004-2008 0.222 persons /mVkm	Insufficient traffic data currently available	Insufficient traffic data currently available	2002/06- 2004/08 -0.016 KSI /mVkm	Reduce	✓	Reduce
Overall prevalence of problem drug misuse No of new individual clients reported Rate per 100,000 population Scotland – rate per 100,000 population	312 226 258	266 191 263	286 200 245	Not yet available	n/a	-26 -26 -13	Reduce	✓	Reduce
The proportion of social enquiry reports submitted to court by due date	99.9%	99.9%	99.7%	99.8%	+0.1%	-0.1%	Better than the Scottish average 98.3%	✓	Better than the Scottish average

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Probation – the proportion of new probationers seen by a supervising officer within one week	87.5%	93.2%	93.4%	93.0%	-0.4%	+5.5%	Better than the Scottish average 74.5%	✓	Better than the Scottish average
Community service – the average hours per week taken to complete community service orders	3.3	3.2	2.7	3.0	+0.3	-0.3	Better than the Scottish average 3.2	✓	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%	99.2%	100%	+0.8%	+0.7%	96%	✓	Maintain
Inspection of trading premises – the % in high and medium risk inspections that were inspected on time	97.9%	96.8%	95.5%	90.7%	-4.8%	-7.2%	95%	✗	Maintain
Consumer complaints completed within 14 days of receipt	71.5%	51.8%	56.2%	68.2%	+12%	-3.3%	50%	✓	Target revised
Cost of repairs on schools due to vandalism	£216k	£183k	£233k	£172k	-26%	-20%	Decrease	✓	Decrease
Number and rate per 1,000 of adults at risk of harm investigations	13 0.11	123 1.02	121 1.00	59 0.49	-62 -0.51	+46 +0.38	Target not appropriate	-	n/a
The number of accidental dwelling fires per 10,000 population	7.48 (Scottish average 10.7)	5.68	8.28	6.40	-1.88	-1.08	Reduce	✓	To reduce at least as quickly as the Scottish average

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
The number of accidental fire fatalities per 10,000 population	0.20	0	0.06	0.06	0	-0.14	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	1.06	1.3	+0.24	+0.37	Reduce	✗	Lower than the Scottish average
The number of wilful fire raising incidents per 10,000 population	77.56	65.06	54.08	49.60	-4.48	-27.96	Reduce	✓	Reduce to 50
The number of hoax emergency calls to the Fire and Rescue service per 10,000 population	17.16	9.69	8.6	9.3	+0.69	-7.86	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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%	2008 84%	n/a	2010 86%	n/a	+5%	Improve	✓ -	Improve
The number and variety of affordable homes total rented RSL and Council new build units completed;	65	8	38	93	+55	+28	169 (subject to AHIP allocations each year & obtaining statutory consents) 41	✓	Increase
total low cost home ownership new home build units completed	8	0	0	54	+54	+46		✓	Increase
% of Council tenancies allocated to homeless people	37%	53%	60%	58%	-2%	+21%	50%	✓	Increase
% of RSL tenancies allocated to homeless people	-	45%	37.5%	39%	+1.5%	n/a	✓		
% of Council tenancies allocated to other groups in housing need	-	-	35%	35%	0%	n/a	45%	✗	New indicator
% of RSL tenancies allocated to other groups in housing need	-	-	32%	32%	0%	n/a	45%	✗	New indicator

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
% of cases reassessed as homeless or potentially homeless within 12 months of previous cases being completed	4.1%	3.8%	1.5%	1.4%	-0.1%	-2.7%	Reduce	✓	Reduce
% of council house sales settled within 26 weeks	86.1%	90.1%	86.7%	90.1%	+3.4%	+4.0%	Increase	✓	Increase
Privacy – percentage of residential care places that are in single rooms older people (65+) other adults	87.6% 93.3%	92.3% 94.3%	96.2% 92.7%	94.0% 96.7%	-2.2% +4.0%	+6.4% +3.4%	Better than the Scottish average 65+: 93.7% 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)	71.4% 32.8%	71.8% 36.9%	74.0% 48.2%	75.2% 43.1%	+1.2% -5.1%	+3.8% +10.3%	Better than the Scottish average 65+: 77.7% 18-64:52.6%	✓ ✗	Better than the Scottish average
The number and rate per 1,000 adult population of Mecs community alarms provided	703 6.0	683 5.8	847 7.1	777 6.5	-70 -0.6	+74 +0.05	Maintain level of service	✓	Maintain level of service
The number of people with new adaptations during the reporting year and the rate per 1,000 population	499 4.2	536 4.5	595 5.0	787 6.5	+192 +1.5	+288 +2.3	Maintain level of service	✓	Maintain level of service.
% of householder planning applications dealt with within 2 months	85.1%	82.9%	79%	83.9%	+4.9%	-1.2%	90% or first quartile in Scotland	✗	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
The number and rate per 1,000 obtaining self directed support	50 adults 0.42 11 children 0.34	45 adults 0.38 8 children 0.25	42 adults 0.35 6 Children 0.19	56 adults 0.47 8 children 0.25	+14 +2	+6 -3	Target not appropriate	-	n/a
Anti social noise complaints – average time to respond (in hours)	157	19	0.41 hours	0.49 hours	0.08 hours (5 minutes longer)	Improved by 156.2 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	23	23	-	+7	25	✓	Increase
Number of young people involved in a range of youth intervention initiatives	40	120	2,300	2,490	+190	+2,450	Increase	✓	Minimum of 150
Number of calls to anti-social behaviour helpline	3,474	2,774	2,971	3,927	+956	+453	Reduce	✗	Reduce
% of new tenancies sustained for at least 12 months	91%	93%	92%	92%	0%	+1%	Increase	✓	Increase

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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%	100%	100%	-	-	Maintain	✓	Maintain
ASB - % lodged in Court within 4 days of final instruction/information	100%	100%	100%	90%	-10%	-10%	Maintain	✘	Maintain
% of homeless applicants fleeing domestic abuse	20%	22%	19%	19%	0%	-1%	Monitor	-	Monitor
Number of domestic abuse incidents per 10,000 population	117	126	141	122	-19	+5	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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%	33.6%	28.1%	-5.5%	-12.6%	60%	✘	60%
% of all planning applications dealt with within 2 months	64.5%	67.1%	56%	59.3%	+3.3%	-5.2%	80% or first quartile of Scottish Councils	✘	80%
Traffic light failure repairs completed within 48 hours	90.6%	94.5%	96.4%	96.7%	+0.3%	+6.1%	95%	✓	95%
Street light failure repairs completed within 7 days	96.2%	97.1%	98.2%	96.9%	-1.3%	+0.7%	93%	✓	93%
Assessment survey scores of cleanliness in public places	73	70	71	72	+1	-1	73	✓	Maintain
Abandoned vehicles removed within 14 days of notification	85.2%	89.4%	60.9%	89.1%	+28.2%	+3.9%	80%	✓	85%
Special uplifts completed within 5 days	78%	92.8%	90%	81%	-9%	+3%	90%	✘	90%

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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
No of civil marriages	307	316	333	324	-9	+17	Monitor	-	Monitor
No of civil partnerships	6	9	8	5	-3	-1	Monitor	-	Monitor
No of baby naming ceremonies	6	11	10	3	-7	-3	Monitor	-	Monitor
No of renewal of wedding vows ceremonies	11	7	1	1	0	-10	Monitor	-	Monitor
No of people attending citizenship ceremonies	56	54	37	37	0	-19	Monitor	-	Monitor
Public access % of council buildings that are suitable and accessible to disabled people	56.0%	63.4%	73.4%	76.6%	+2.2%	+20.6%	78% by end of 2010	✓	100%
Public access % of schools that are fully or mostly accessible to disabled people	86%	86%	89%	89%	-	+3%	89%	✓ Those schools which can be made accessible, cost effectively have been improved	Further progress beyond 89% will depend on the school replacement programme

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
No of old people's welfare organisations operating across the Council area	40	40	-	46	-	+6	Maintain	✓	Maintain
No of hate incidents	No data	No data	440	338	-2	n/a	-	✓	Reduce
No of hate motivated crimes and offences	No data	No data	659	441	-218	n/a	-	✓	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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
CO2 emissions from Falkirk Council operations	42,875 tonnes	43,497 tonnes	42,855 tonnes	Not yet available	-	-	Cumulative savings in tonnes 08/09 6,201 09/10 7,460 10/11 7,853	2008/09 51% of target reduction achieved	20% reduction in annual CO2 emissions by 2012/13 from 05/06 baseline
Tonnage of municipal waste collected per 1000 population	760.9 tonnes	678.5 tonnes	633.3 tonnes	596.67 tonnes	-36.63 tonnes	-164.33 tonnes	Reduce	✓	Reduce
The maximum total tonnes of biodegradable municipal waste allowed to be sent to land fill	45,142 tonnes	38,633 tonnes	31,795 tonnes	29,651 tonnes	-2,144 tonnes	-15,491 tonnes	Targets set by SEPA 50,470t in 2008/09 48,144t in 2009/10	✓	Reduce
% of municipal waste collected by the Authority: recycled or composted.									
Total	35%	36%	40.8%	42.75%	+2.0%	+7.8%	Increase % recycled or composted		
Recycled	24.8%	24.3%	27.6%	28.8%	+1.2%	+3.9%	30% 2008	✓	50% 2013
Composted	10.1%	11.7%	13.2%	14.0%	+0.8%	+3.9%	40% 2010		70% 2025 – aspirational

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Proportion of adults travelling actively to work or education	2005/06 Walk – 11% Cycle – 2% Scotland Walk – 11.8% Cycle 1.6%	No update available	May 2009 Walk – 13% Cycle – 1%	Next update will be 2011 national Census	Not available	2005-2009 Walk +1% Cycle -1%	Increase	✓ ✗	Increase
Proportion of adults travelling to work or education by car or van	2005/06 69%	No update available.	May 2009 72%	No update available (see above)	No update available	+3%	Decrease	✗	Decrease
Percentage of children travelling actively (walking, cycling or skating) to school (Primary and secondary)	55%	54% (plus 4% “park and stride”)	54% (plus 7% “park and stride”)	49% (“park and stride” is no longer a category)	-5%	-6%	Increase	✗	Increase
% of our vehicle fleet with reduced emission technology	80%	88%	99%				100%	✓	100%
Compliance with EU and UK government air quality directives (SO ₂ – Sulphur dioxide) (NO ₂ – Nitrogen dioxide) (NO – Nitrogen oxides) (AWMA – Air quality management area)	Sulphur dioxide (UK) objective exceeded at two monitoring sites in Grangemouth	Sulphur dioxide (UK) objective exceeded at 2 monitoring sites in Grangemouth	2 SO ₂ breaches in Grangemouth 2 NO ₂ breaches at 1 site in Falkirk Town centre and 1 site in Haggs (A80/A803	SO ₂ breach in Grangemouth PM ₁₀ breach at one site in Falkirk Town Centre	1 site fewer with SO ₂ breaches in Grangemouth AQMA (industrial sources) No NO ₂ breaches. 1 site recorded PM ₁₀ breach	1 site fewer with SO ₂ breaches in Grangemouth AQMA (industrial sources) Additional NO ₂ and PM ₁₀ breaches mainly from road traffic	Compliance with EU, UK and Scottish government air quality objectives at all 10 monitoring sites within the Council area	✗	Compliance with EU, UK and Scottish government air quality objectives at all 10 monitoring sites within the Council area

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
% of educational establishments achieving Eco Schools awards: Bronze awards; Silver awards; Green Flags	73% 47% 12%	75% 52% 21%	81% 67% 37%	86% 75% 49%	+5% +8% +12%	+13% +28% +37%	80% 60% 30%	✓ ✓ ✓	80% 60% 30%
Reported incidents of illegal tipping and refuse accumulations	1,980	3,161	2,419	1,866	-553	-14	Fewer than 2000 incidents	✓	Assuming all incidents are reported – reduce number
Total number of dwellings brought up to SHQS by criteria in each year: <ul style="list-style-type: none"> ▪ Tolerable standard ▪ Free from serious disrepair ▪ Energy efficiency ▪ Modern facilities and services ▪ Healthy, safe and secure Total no of properties meeting SHQS	16,005 14,715 2,897 9,759 12,246 6,298	16,005 15,256 5,028 11,273 13,258 6,446	16,005 15,564 7,004 12,494 13,466 6,730	16,005 16,267 8,894 13,707 14,513 7,021			Increase	✓	Increase

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	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'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 all local government employees [including teachers]	4.89%	5.21%	4.69%	4.91%	+0.22	+0.02	4%	✘	4%
% of who people who contacted the Council that were satisfied with the service they received	2006 75.2%	2008 72.7%	n/a	2010 74%	n/a	-1.2%	Increase	✘	Increase
Percentage of operational accommodation buildings suitable for their current use.	90.6%	89.2%	94.1%	90.4%	-3.7%	-0.2%	Increase	✘	Increase
Percentage of gross internal floor area of operational buildings that is in a satisfactory condition	75.3%	73.4%	80.9%	85.6%	+4.7%	+10.3%	Increase	✓	Increase
% of people who feel informed about the Council	2006 71.8%	2008 75%	n/a	2010 87%	n/a	+15.2%	Increase	✓	Increase
% of SPIs in upper quartile	33%	34%	25.5%	Not yet available			Maintain	✘	Maintain

Indicator	Baseline at 2006-07	2007/08 Performance	2008/09 Performance	2009/10 Performance	Annual Progress 2008-2010	Overall Performance 2006-2010	'Progress' target(s) to 2010-11	On track for target	'End' target(s) and timescale
Response repairs the % of housing repairs completed within the target times	77%	83%	89.3%	94.3%	+5%	+17.3%	Increase	✓	Increase
Tenancy changes – the % of rent loss due to voids	1.6%	1.5%	1%	1%	0%	-0.6%	Reduce	✓	Reduce
% of homeless assessments completed within 28 days	39%	46%	72.2%	84.2%	+12%	+45.2%	Increase	✓	Increase
The % of not low demand dwellings that were re-let within 4 weeks	15%	11%	74%	21%	-53%	+6%	Increase	✓	Increase
% of tenants satisfied with the Council as a landlord	-	93%	-	93%	-	0%	Increase	-	Increase
% of Council tax collected in the year	96.2%	96.4%	96.09%	95.98%	-0.11%	-0.22%	Improve to 96.2%	✗	Improve
Time taken to respond to emergency calls Central Scotland Police – emergency calls attended within target Central Scotland Fire and Rescue Service - % calls handled in less than 1 minute	84% 61.8%	84% 65.1%	87% 66.8%	86% 50%	-1% -16.8%	+2% -11.8%	Maintain 66.7%	✓ ✗	Maintain 70% target achieved

FALKIRK COUNCIL

Subject: AUDIT COMMITTEE CONVENERSHIP AND APPOINTMENT OF LAY MEMBER
Meeting: FALKIRK COUNCIL
Date: 6 OCTOBER 2010
Author: CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 This purpose of this Report is to suggest a procedure for the recruitment and appointment of a lay member as Convener of the Audit Committee.

2. BACKGROUND

- 2.1 At the meeting of Falkirk Council on 23 June 2010, Members agreed the following in relation to the Audit Committee:

“to proceed towards appointing an external (lay) Member to chair the Committee and to instruct the Chief Executive to report to the next available meeting of Falkirk Council with a suggested process for making that appointment and with those amendments to the Scheme of Delegation as may be required to give effect to this decision.”

- 2.2 Four Scottish Councils have appointed lay members to their Audit Committees. These are Perth & Kinross, North Lanarkshire, Scottish Borders and West Dunbartonshire Councils.

3. RECRUITMENT PROCESS

- 3.1 It is recommended that the responsibility for the recruitment and selection of a lay member of the Audit Committee is delegated to a Selection Panel with a membership to be determined by Council. It is suggested that to maintain independence and impartiality that members of the Audit Committee may not be members of the Selection Panel.

3.2 Eligibility Criteria

It is recommended that Council agrees a clear person specification for the post and that, in order to assist in the selection process, the specified criteria are categorised as essential or desirable. A proposed person specification is attached at Appendix 1.

3.3 Qualities and Experience

CIPFA Guidance specifies that members of Audit Committees should be expected to:-

- Be financially aware, with an understanding of Local Authority financial, risk and control issues
- Hold a relevant academic qualification

- Have a good understanding of how the Council works and a broad understanding of the controls which exist or should exist
- Be able to distinguish between serious control weaknesses and those which are relatively minor
- Be confident about discussing audit findings with auditors and management

The Guidance also states that Conveners of Audit Committees should be expected to:

- Be prepared to encourage open, apolitical discussion at meetings and should not seek to restrict debate
- Have financial awareness and a broad understanding of the financial, risk and control and corporate governance issues facing the Council
- Have the ability to question, probe and seek clarification about complex issues

3.4 As a member of the Committee a Lay member would be expected to possess the qualities set out in the person specification as outlined at para 3.2.

3.5 Appointment Process

It is proposed that the appointment process to be followed is clear and structured. The proposed process will involve three stages and is likely to be undertaken over an 8 week period. A suggested timetable is attached as Appendix 2.

Stage 1 - Advertising

3.5.1 In order to attract a wide selection of candidates for the role it is recommended that the post is widely advertised with an advert placed the Council website, Local press, together with mailings to community/local organisations. It is also recommended that organisations within the private sector are targeted, such as the Falkirk Business Forum.

Stage 2 – Applications

3.5.2 Applications would be sought from interested parties and submitted to the Selection Panel for short-listing and appointment. In order to ensure consistency in the application process and to assist the Selection Panel assess candidates it is recommended that candidates are invited to apply using an application form.

Stage 3 - Appointment

3.5.3 As set out in para 3.1 above it is recommended that Council delegates the authority to select and appoint a lay convener to a Selection Panel. It would be a matter for Council to determine the composition of this Panel. However it is recommended that the panel is limited in size to no more than 5 members with a quorum of 3. It is also recommended that the membership of the Panel reflects the political balance of the Council, therefore in terms of the guidelines for political proportionality this should be (2 Labour, 2 SNP and either 1 Conservative or 1 Independent or the non-aligned Independent). In accordance with best practice those members who take part in the shortlisting of applicants should also make the final appointment.

4. CONDITIONS OF APPOINTMENT

4.1 Period of Appointment

Council should consider the length of term for appointment of lay member of the Audit Committee. It is recommended that the Convener is appointed for a fixed term. It is suggested that the initial appointment is made until the next local government elections which are due to take place in May 2012. Thereafter, any appointments of lay persons would be for a period of 5 years until 2017 and 4 years thereafter to reflect the time between Local Government Elections. Council may wish to consider whether to limit the length of time that a Convener may serve.

4.2 Remuneration

Council should consider the terms of any appointment and whether this would be offered on a voluntary basis or if any remuneration would be paid. Other Authorities who have appointed Lay members have offered the position on a voluntary basis with only expenses and subsistence reimbursed. It is recommended that Council adopts this approach.

4.3 Time Commitment

The Lay Member would be expected to attend the 3 scheduled meetings of the Audit Committee per calendar year. It would also be expected that they would attend relevant training and development events.

5. CHANGES TO STANDING ORDERS

5.1 In order to facilitate the appointment of a Lay Member to the Audit committee, a change would have to be made to the appropriate section of the Standing Orders. Standing Order 34.2 states that the Membership of the Audit Committee will be 6 and will have a quorum of 4 at any meeting. Council should consider whether it wishes to increase the number of Members on the Committee to accommodate the lay appointment i.e. to 7 Members. It would be appropriate to keep the quorum at 4 as in general the quorum for meetings is one third of the membership.

5.2 Standing Order 34.14 would also require to be changed to reflect that the Convener of the Audit Committee would be a lay person appointee, with an additional section added stating how this appointment is made.

5.3 A copy of the proposed amendments to the relevant sections of the Standing Orders is attached as Appendix 3.

6. RECOMMENDATIONS

Council is invited to agree:-

- (1) the process for the recruitment and selection of a lay person as Convener of the Audit Committee as outlined in the report;**

- (2) that the appointee should hold the post until the next Local Government Elections due to be held in May 2012;
- (3) that the post will not attract any form of remuneration, but would be voluntary with expenses and subsistence being reimbursed as appropriate, and
- (4) the changes to Standing Orders as detailed in Appendix 3.

.....
Chief Executive

Date: 28 September 2010

(Contact Officer: Brian Pirie, Democratic Services Manager, ext 6110).

LIST OF BACKGROUND PAPERS

Nil

**FALKIRK COUNCIL
POST HOLDER ATTRIBUTES**



Job Definition

Job Title:	External (Lay) Member – Audit Committee
Service:	N/A
Section:	N/A
Location:	As required by meeting location
Grade:	Voluntary position with payment of travel and subsistence expenses in line with Falkirk Council policies and procedures

Purpose of Role

Falkirk Council is committed to ensuring and demonstrating good governance, and has established an Audit Committee with a remit based on the Chartered Institute of Public Finance and Accountancy’s 2004 guidance ‘Audit Committee Principles in Local Authorities in Scotland’ and 2005 guidance ‘Audit Committees – Practical Guidance for Local Authorities’. The role of the External (Lay) Member of the Committee will be to independently assist the Committee to effectively discharge its role by providing advice and scrutiny on matters relating to the Council’s arrangements for risk management, governance and control.

Post Holder Attributes

POST HOLDER ATTRIBUTES	ESSENTIAL	DESIRABLE
Health and Physical	Health and general fitness consistent with regular attendance at, and contribution to the work of, the Council’s Audit Committee. Effective personal presentation.	

**FALKIRK COUNCIL
POST HOLDER ATTRIBUTES**



POST HOLDER ATTRIBUTES	ESSENTIAL	DESIRABLE
Qualifications		University degree or relevant further education or professional qualification in accountancy, finance, risk management, business management or internal audit.
Experience	Substantial practical experience in the financial and / or general management of large businesses or public sector organisations.	Experience in a local government environment. Audit Committee (or equivalent) experience.
Training	Evidence of awareness and knowledge of concepts of risk management, governance and control.	
Special Knowledge	Good understanding of the environment within which Falkirk Council operates (including knowledge of the principles and practices of risk management, best value, external scrutiny) Good understanding of the roles of Internal and External Audit.	Understanding of the wider local government environment and accountability structures. Knowledge/skills/experience in audit or risk management, or other technical specialty pertinent to the Council's activities.
Circumstances / Personal	Available to attend and undertake appropriate preparation for each meeting of the Council's Audit Committee. Ability / willingness to attend any relevant training or development activities associated with the role.	

**FALKIRK COUNCIL
POST HOLDER ATTRIBUTES**



POST HOLDER ATTRIBUTES	ESSENTIAL	DESIRABLE
Disposition / Attitude	<p>High level of inter-personal skills.</p> <p>Ability to work effectively with elected Members and Council Officers in a formal Committee environment.</p>	
Practical and Intellectual Skills	<p>The ability to assess issues relating to arrangements for risk management, governance and control, and to identify and evaluate solutions.</p> <p>Ability and confidence to challenge and hold to account senior managers and representatives of Internal and External Audit.</p>	

AUDIT COMMITTEE RECRUITMENT OF LAY CHAIRPERSON

PROPOSED TIMETABLE

Date	Process
w/c 11 October 2010	Following agreement at Falkirk Council on 6 October 2010, process started for advertising of post – information on the Council website, Falkirk Online, adverts in local press and letters sent to interested parties
5 November 2010	Deadline for receipt of completed applications
w/c 15 November 2010	Short-listing Meeting of Selection Panel
w/c 29 November 2010	Selection Panel meet to appoint
8 December 2010	Report to Falkirk Council confirming appointment of Lay Member to be effective from 8 December 2010

SECTION 4CONSTITUTION, MEETINGS AND PROCEEDINGS
OF COMMITTEES AND SUB-COMMITTEES**34. COMMITTEES**

34.1 At its Statutory Meeting, the Council will appoint:-

- (i) Standing Committees, together with any other bodies required for statutory purposes. The powers of the Committees will be set out in their terms of reference,
- (ii) A Convener, Depute Convener and Members for each, **with the exception of the Audit Committee.**

34.2 The number of Members on each Committee and the quorum for each will be as set out below:-

STANDING COMMITTEES

Committee	Membership	Quorum
Policy and Resources Committee	8	3
Education Committee	12 plus 3 representatives of denominational bodies as required by Section 124 of the 1994 Act; 2 parental, non- voting representatives and 2 non-voting young people to be nominated by the Falkirk Schools' Council	4 elected Members
Environment and Community Safety Committee	12	4
Economic Strategy and Development Committee	12	4
Leisure, Tourism and Community Committee	12	4
Housing and Social Care Committee	12	4

Planning Committee	12 except when conduction a pre- determination hearing required by s 38A of the Town and Country Planning (Scotland) Act 1997 when the membership will comprise all elected members of Council	4 except when conducting a pre- determination hearing required by s 38A of the Town and Country Planning (Scotland) Act 1997 when the quorum will be quarter of the membership
Planning Review Committee	5 The Convener and Depute Convener of the Planning Committee, ex officio, with 3 others drawn from the remaining members of the Planning Committee on a rota basis	3
Civic Licensing Committee	10	4
Audit Committee	7 6 Elected Members and 1 Lay Member	4
Appeals Committee	8	3
Investment Committee	6	3
Appointments Committee	6 Plus the Convener of the relevant Scrutiny Committee on an ad hoc basis where he/she is not already a Member of the Committee; where there is more than one Scrutiny Committee to which the appointee would principally report,	3

	the Conveners should agree amongst themselves which Member will attend.	
Consultative Committee	6	3
Emergency Committee	The Members of the Policy and Resources Committee	3
Bo'ness Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3
Denny and Dunipace Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3
Falkirk Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3
Grangemouth Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3

34.3 The Education Committee, the Environment and Community Safety Committee, the Economic Strategy and Development Committee, the Leisure, Tourism and Community Committee and the Housing and Social Care Committee are collectively referred to as the Council's 'Scrutiny Committees'.

34.4 (i)The Convener of the Policy and Resources Committee will be the Convener of the Emergency Committee.

(ii)The Convener and Depute Convener of the Planning Committee will be the Convener and Depute Convener of the Planning Review Committee.

- 34.5 The Council may appoint special Committees for such purposes as it may from time to time consider expedient.
- 34.6 The Policy and Resources Committee may at any time appoint Sub-Committees or panels and may authorise the appointment of such Sub-Committees and panels by any of the Scrutiny Committees. Such bodies' terms of reference and the delegation of any powers to them must be explicit and within the appointing Committee's terms of reference.
- 34.7 A Member of a Sub-Committee or panel must be a Member of the Committee appointing it.
- 34.8 With the exception of the Common Good Fund Committees and from time to time the Planning Review Committee, Membership of all Committees and Sub-Committees will reflect the political balance of the Council. Seats allocated to Political Groups will be as resolved by the Council at the Statutory Meeting or at any other meeting of the Council as required to comply with the provisions of the 1989 Act or any Regulations made thereunder.
- 34.9 The Director of Law and Administration is authorised to appoint, nominate and convene Committees, boards and panels for specific statutory purposes. These include:-
- (i) Council Tax and Housing Benefit Review Boards;
 - (ii) Access to Personal Files Review Boards (Education, Housing and Social Work);
 - (iii) Complaints Review Committee (Social Work);
 - (iv) Education Appeals Committee;
 - (v) Appointments Committee (Education);
 - (vi) Attendance Committee (Education).
- 34.10 The Council is the lead Council among Falkirk, Stirling and Clackmannanshire Councils in respect of the following statutory Committees:-
- (i) Joint Advisory Committee on the Inspection of Residential Care Establishments,
 - (ii) Joint Children's Panel Advisory Committee.

The Director of Law and Administration is authorised to appoint, nominate and convene these Committees or to liaise with the other two Councils in so doing.

- 34.11 The Director of Law and Administration will appoint, nominate and convene the bodies referred to in Standing Orders 34.9 and 34.10, and like bodies, in accordance with their statutory framework. These bodies will follow the procedure that is suitable to the subject matter being considered and will not otherwise be bound by the procedures for meetings set out in these Standing Orders. They will usually be required to observe the principles of natural justice and to follow a set procedure.
- 34.12 Meetings of the Appeals Committee and the Appointments Committee will follow procedures which are set out by the Director of Law and Administration and which will conform to the principles of good employment practice. Those Committees will not otherwise be bound by the procedures for meetings set out in these Standing Orders.
- 34.13 The Council and its Committees and Sub-Committees can establish other informal advisory or consultative bodies, which are not Council Committees or Sub-Committees. They may also establish working groups which may include both officer and Member representation.
- 34.14 With exception of the Planning Review Committee **and the Audit Committee**, the Members of each Committee referred to in Standing Order 34.2 and the Conveners and Depute Conveners thereof:-
- (i) will be appointed by the Council at the Statutory Meeting of the Council in terms of Standing Order 5, and
 - (ii) will hold office until the date of the next election of Councillors, unless:-
 - (a) otherwise decided by the Council by resolution following a Notice of Motion in terms of Standing Order 28, or
 - (b) an individual Councillor delivers to the Chief Executive a letter of resignation specifying the particular office from which (s)he is resigning and the date on which such resignation will take effect.
- 34.14(A)
- 1. The Provost will be appointed by the Council at the Statutory Meeting of the Council in terms of Standing Order 5; and
 - (i) Will hold office until the date of the next election of Councillors unless:-

- (a) otherwise decided by the Council by resolution following a Notice of Motion in terms of Standing Order 28, or
- (b) the Provost delivers to the Chief Executive a letter of resignation from office and the date on which such will take effect.

2. The above provision relating to the Provost will also apply to the Depute Provost if the Council has elected a Depute Provost.

34.14(B) The Convener of the Audit Committee shall be a lay person appointed following a public recruitment exercise and will hold office for a period to be agreed by Council.

34.15 The Conveners and Depute Conveners of Sub-Committees will be appointed by the parent Committee of that Sub-Committee.

FALKIRK COUNCIL

Subject: ERECTION OF SUPERSTORE, PETROL FILLING STATION, CAR PARK, PEDESTRIAN AND VEHICULAR ACCESS, SERVICE YARD AND LANDSCAPING AT WRANGLER FACTORY, GLASGOW ROAD, FALKIRK FOR TESCO STORES LIMITED - P/09/0512/FUL

Meeting: FALKIRK COUNCIL

Date: 6 October 2010

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Gerry Goldie
Councillor Joe Lemetti
Councillor John Patrick
Councillor Georgie Thomson

Community Council: None

Case Officer: John Milne (Senior Planning Officer), ext 4815

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed planning application is for the erection of a retail superstore of 5,536 square metres (60,000 square foot gross area) on the 3.5 hectare site of the former Wrangler factory at Glasgow Road, Camelon.
- 1.2 The proposal includes a petrol filling station and a car park of 450 space capacity. Both the store and petrol filling station are envisaged to be open 24 hours.
- 1.3 The application site lies on the A803, one of the main approaches to Falkirk from the west. The site is bounded to the north by a railway, with recreational ground – including a golf course – beyond. To the south is the A803 (Glasgow Road) and mixed residential/commercial properties forming part of the Camelon settlement. To the west, industrial property is used to manufacture buses and to the east, vacant commercial premises were previously used as a book binders.
- 1.4 The superstore would be located in the north east corner of the site with the service yard facing the railway with a gable abutting commercial premises to the east. The car parking would be to the front and side of the store, with a 4 pump petrol filling station with carwash to the west of the access road, between the store and Glasgow Road. A small recycling facility is also envisaged.

- 1.5 Vehicular access to the site would be via a traffic light controlled junction, limited roadway widening and traffic calming will be provided if required.
- 1.6 The applicant submits that the development would be a landmark on one of the main approaches to Falkirk and would provide improved quality and choice in food shopping for Falkirk and Camelon. The building would be clad in high quality sustainable materials and the site laid out to provide a safe and pleasant environment. The setting would be enhanced by tree, shrub and hedge planting throughout the site, with feature walling along Glasgow Road. The design would incorporate the latest sustainability initiatives, technologies and materials to reduce the environmental impact of the store.
- 1.7 For the purpose of this planning application, an Environmental Impact Assessment is not required.
- 1.8 The following information has been submitted by the applicant in support of the proposal:-
- Analysis of planning policy and retail impact issues;
 - Design statement;
 - Drainage impact assessment;
 - Transport assessment;
 - Acoustic report;
 - Geotechnical and environmental assessment.
- 1.9 The planning policy and retail impact issues document submitted by the applicant concludes as follows:-
- “Camelon is an important centre within the Falkirk Council area, and in 1996 was the fourth largest centre after Falkirk, Grangemouth and Bo'ness. However its shopping facilities have been allowed to decline substantially over the years, to the point that the 2009 household survey indicates that none of Camelon's local residents now shop locally for main food shopping trips. Instead they are obliged to travel the 4km round trip into Falkirk town centre to obtain their household's main food and grocery requirements.
 - The range of community facilities in Camelon - the Mariner Centre, other leisure facilities, restaurants and public houses, churches and schools - is sufficiently wide to maintain its importance as a major focus for residents of this part of the town, in all respects other than shopping. If the policies in the Structure and Local Plans - which support a better distribution of shopping facilities and the enhancement of facilities in centres - are to be given effect, there is an urgent need for improved foodstore facilities in Camelon. Amongst those who attended recent Tesco's public exhibitions there was strong support for the principle of greatly improving convenience shopping provision in the Camelon area by way of a superstore offering a wide range of convenience and comparison goods. None of those who attended the exhibition expressed any opposition to the proposal.

- Falkirk Council has resolved that support should be given for a foodstore development on Glasgow Road in Camelon. It has not expressed a preference for any particular site, but the only site in the vicinity of Camelon centre which is both suitable and available for a superstore development is the former Wrangler factory. The site is not part of any strategically important industrial land supply, and there has been no interest from industry or business operations for the long-term reuse of the vacant premises. The proposal will comply with the policy tests in Structure Plan's policy ECON.6, and will help to realise the aim of the Finalised Local Plan's policy FAL.5 which seeks to promote the role of the local centres.
- The Structure Plan emphasises the need for Falkirk to move away from a reliance on manufacturing activity and to promote service industry. The Tesco proposal would create a large number of job opportunities for local people in the midst of a recession. Many of those people attending the Tesco exhibition were anxious to know when the Tesco jobs would become available.
- The site is well located in terms of bus and rail access and has an extensive walk-in catchment. Camelon's car ownership levels are well below the national average, and a major attraction of the proposal to local people is the prospect of being able to carry out main food shopping trips on foot from their homes. The development will mean that local people will no longer have to make a 4km round trip to other centres for their food shopping needs, and leakage to centres outside Falkirk – particularly Cumbernauld – will be reduced. The west Falkirk area will become more self-sufficient in terms of its shopping activities, and the length of shopping journeys are likely to reduce significantly, thus promoting the principles of sustainability and energy conservation.
- A detailed capacity and retail impact analysis has been undertaken using the latest expenditure projections which take account of current economic conditions, and the latest survey information from the Council's 2009 household survey of shopping patterns. The analysis shows ample scope for accommodating the proposed store without adversely affecting existing centres.
- The scale of store proposed for the site is larger than provided for in the development plan, but Tesco have been under considerable pressure from the local community to provide a store of equivalent quality to the existing superstores elsewhere in the Falkirk area, so that people have a genuine opportunity to undertake most of their regular household shopping locally instead of having to travel further afield. The development of a smaller store would not meet all the regular household shopping needs of the local community and consequently trips to other superstores would continue in much larger numbers than will be the case following the opening of the proposed store. Furthermore the impact analysis has demonstrated that a store of the scale proposed can be supported by the available expenditure.

- With the decision having been taken by the Council to support a foodstore development at Camelon, this Tesco proposal offers the opportunity for the desired investment to be secure swiftly, and major environmental enhancement and economic regeneration to be achieved in this part of Falkirk by the end of 2010”.

1.10 It should be noted that the above reflects the views of the applicant without prejudice to any decision which may be taken on this application, not those of Falkirk Council.

2. REASON FOR CONSIDERATION BY COUNCIL

2.1 Council consideration is required for a major development that is significantly contrary to the Development Plan. The proposed development is considered to be significantly contrary to the approved Falkirk Council Structure Plan and the adopted Falkirk Local Plan due to the scale of the proposed superstore in the context of the local area.

2.2 A Pre-Determination Hearing is required for a major development that is significantly contrary to the Development Plan. The hearing was held in Camelon Education Centre on Tuesday 7th September, 2010 at 7pm. A site visit by members was undertaken prior to the Pre-Determination Hearing, at 5.30 pm. At the hearing, the applicant spoke in support of the proposed development and highlighted its benefits to the local community. Falkirk Council's Transport Planning Unit commented on road traffic impacts; Falkirk Council's Planning and Environment Unit commented on the Retail Impact Assessment; representation was made by a representative of Henry Boot Ltd on the potential detrimental consequences on the Denny Regeneration Project should the application be approved; local residents spoke in both support and objection to the application.

3. SITE HISTORY

3.1 F/94/0833 - Relocation of factory shop and alterations to frontage (detailed) - Wrangler (Retail Develop) Ltd - Insufficient fee;

3.2 F/95/0275 - Display of illuminated advertisements - Wrangler Ltd - approved 14 June 1995;

3.3 F/2001/0008 - Erection of Supermarket (7,972 sqm gross - 78,464 sqft) and Petrol fill station (outline) Tesco Stores Ltd - Insufficient fee;

3.4 F/2003/1036 - Erection of superstore, new access, car park, service yard and fill station (outline) - Tesco Stores Ltd - Withdrawn 29 January 2004;

3.5 F/2003/1037 - Erection of 10,000 sqm Non-Food Retail Development, New Access, Car Park, Service Yard (Outline) - Tesco Stores Ltd - Withdrawn 29 January 2004;

3.6 P/09/04048/PAN - Erection of Superstore, petrol filling station, car park, pedestrian and vehicular access, service yard and landscaping (Proposal of Application Notice) - Tesco Stores Ltd - closed 2 July 2009. This notice was the necessary commencement, under the new legislation, to the current application.

4. CONSULTATIONS

4.1 Falkirk Council's Environmental Protection Unit advises that the applicant should undertake a noise survey, as there are residential properties in close proximity to the application site. The design of the proposed development should ensure that the operation of large refrigeration units and air conditioning units along with vehicle deliveries during the night, would not give rise to complaints. Due to the presence of a foundry, former Wrangler works and several other potentially contaminative activities on site and in close proximity, a planning condition should be imposed (should the application be approved) addressing contaminated land investigation, monitoring and remediation.

Acoustic information has been submitted and restrictions may be imposed by way of planning conditions, should the application be approved.

4.2 Scottish Water has no objection to the planning application, however the applicant will be required to submit a fully completed development impact assessment form. In some circumstances, it may be necessary for the applicant to fund works on existing infrastructure to enable development to connect. A totally separate drainage system would be required, for this proposal with the surface water discharging to a suitable outlet. Scottish Water requires a Sustainable Urban Drainage System (SUD's) if the system is considered for adoption. The proposal may also involve the discharge of trade effluent to the public sewer and may be subject to further control. The proposal requires the provision of an oil interceptor prior to discharge to the public sewer system and the applicant should also consult the Scottish Environment Protection Agency as to this provision.

4.3 Falkirk Council's Transport Planning Unit advice is as follows:-

Walking & Cycling Accessibility

- The proposed controlled pedestrian crossing facilities on Glasgow Road, east and west of the proposed access, and the controlled facilities across the access and Watling Street are acceptable.
- The applicant has agreed to provide the required 27 cycle parking spaces along the store frontage in line with the Council's Design Guidelines & Construction Standards for Roads in the Falkirk Council Area.

Public Transport Accessibility

- Public transport accessibility to the site is of an acceptable level. The existing bus stops are within the required 400m walking threshold combined with frequent existing services along Glasgow Road to Falkirk and neighbouring areas.
- Enhanced bus stop facilities, including shelter requirements for the east and west bound stops, should be agreed with the Council's Public Transport Unit.
- Sufficient land has been allocated along the frontage of the site, which is currently proposed for use by all vehicles but could be converted to a bus priority lane in the future, as required in the new Local Plan (TR.FAL5)

A803 Glasgow Road/Watling Street Site Access junction

- The revised traffic signal junction appears to have sufficient capacity to accommodate the predicted traffic flows at the required 2011 opening year assessment, in accordance with 'best practice' advice contained within the latest Transport Assessment Guidance issued by the Scottish Government.

However, it is worth noting the following:-

- (a) The junction would be operating close to its practical capacity at peak periods which could result in fairly long queues of traffic forming on Glasgow Road at certain times during these peak periods.
 - (b) There is only limited reserve capacity available to cope with higher traffic flows beyond the opening year. If traffic growth continues beyond this period, it is possible that the proposed traffic signal junction could reach capacity during peak periods within the short to medium term which will further increase queuing and congestion in the area.
- If the store were not to open in 2011 as proposed by the applicant, then a further capacity assessment would be required at the new opening year, to ensure that a suitable access is provided in line with the latest Transport Assessment Guidance.
 - In order to improve safety and maximise the queuing capacity on the Glasgow Road (west) approach stopline, it is the Transport Planning Unit's view that the informal parking area to the west of the junction (on the north side of Glasgow Road) should be closed off. Whilst the applicant's stance that the stopping up of this access should not be linked to the opening of the store is accepted, the applicant has indicated he would be willing to enter into a Section 75 legal agreement with Falkirk Council to provide a contribution towards the Council promoting the necessary stopping-up order, and if successful, would undertake the necessary works to physically close this access and amend the site access junction accordingly. This would be an acceptable way forward to the Transport Planning Unit.
 - The amended kerb lines on Watling Street to accommodate swept path movements are acceptable provided a minimum 2m wide footway is maintained on the east side of the junction.
 - The submitted swept path drawings suggest that the proposed traffic signals would not preclude access to properties 102, 104 and 106 Glasgow Road, and that access/egress manoeuvres to/from these properties would be similar to existing movements. However, it is recognised that the increase in traffic flows generated in this area as a result of the development could make access/egress slightly more difficult for these occupiers, however the cyclic nature of the traffic signals should create stop/start movements on Glasgow Road which may allow opportunities to reduce these problems.

A803 Glasgow Road/Main Street/A9 Stirling Road Junction

- The revised capacity analysis suggests that the proposed amendments to the existing roundabout should provide sufficient capacity to accommodate the predicted flows at the anticipated opening year of the store.

Other Issues

- Due to the potential additional queues and delays now anticipated on Glasgow Road at the proposed access, there is still a concern that traffic would start rat-running through the adjacent residential areas of Camelon. It is therefore proposed to monitor possible rat-running should the application be approved and after the store is open. The applicant has agreed to enter into a Section 75 Agreement to allow the Council to review and identify if the opening of the development would increase the level of rat-running, and if necessary an appropriate level of financial contribution would be provided to allow the Council to promote, design and implement such traffic calming as deemed both reasonable and necessary.
- The required Travel Plan should be developed in line with the Travel Plan Framework recently agreed for the Redding Road Tesco superstore. The applicant has agreed to include the Travel Plan requirement within the Section 75 agreement for the Camelon store.
- The Transport Planning Unit suggest that a Stage 2 Road Safety Audit be carried out to assess all of the proposed new infrastructure prior to the application being determined. However, if this is not possible this requirement should be conditioned if permission were to be granted.

4.4 Falkirk Council's Keeper of Archaeology / Local History advises that the developer should produce a WSI (Written Scheme of Investigation) to demonstrate how the archaeological resource is to be mapped and dealt with. This could be part of a planning condition if planning permission is granted.

4.5 Falkirk Council's Community Services raise the following matters:-

- Concerns in relation to industrial land being rezoned for alternative uses without some alternative land being zoned for industrial to compensate;
- A major retail outlet on this site would severely prejudice town centre regeneration achievements to date and longer term objectives for neighbouring town centres of Denny and Stenhousemuir, concern is also expressed that this proposal could have a potentially detrimental impact on the Council's wider interests around Falkirk town centre;
- Jobs offered by this development are welcomed. There is a query as to whether the majority of the jobs that would be provided are what the area needs in terms of skill and pay levels;
- Glasgow Road can be very congested at times, the proposed development would add to this; and

- The proposed development includes part of the site of the Roman Fort at Camelon. As much as possible of any archaeological deposits should be kept intact. Should planning permission be granted the following condition should be attached; “No development shall take place within the development site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority”.

4.6 Central Scotland Police's Architectural Liaison Report offers advice in relation to the security of the site perimeter, internal features and layout. In terms of a crime profile, the area is found to be medium / high, primarily related to crimes of dishonesty and disorder occurring in nearby street and premises. This has been forwarded to the applicant for his consideration.

Site Approach / Perimeter

- Should the superstore, if approved, not be 24 hour opening, consideration should be given to installing an access control barrier at the vehicular entrance to prevent unauthorised vehicles entering and the drivers using the car park as a place to socialise;
- If the superstore, if approved, is to be 24 hour opening, regular patrols of the car park should be made in the evenings to prevent such behaviour;

Car Park

- The row of parking bays running adjacent to the knee rail fence at the south side of the car park should be removed as any vehicles parked there will hinder the natural surveillance. Additional parking spaces could then be added to the bays in the centre;

Landscaping

- The trees that are to be planted at the south side of the site at the knee rail fence on Glasgow Road should be spaced out so not to block the natural surveillance from Glasgow Road. Likewise the trees planted at the south end of the parking bays should not block out the natural surveillance from Glasgow Road;
- There are currently trees outside the boundary which over hang the south east corner of the site. The branches should be cut back as this will prevent the footpath from becoming an area of shelter and increase the natural light in the car park;
- The area of landscaping at the north west of the site is due to be all grass. Planting some low level bushes will not only make it more appealing it will also discourage anyone from using it for sports, especially with it being next to the main road into the car park;

Lighting

- All exterior lighting within the development should be metal halide which offers excellent colour rendition when used in conjunction with CCTV;

- Particular attention should be paid to the lighting of the entrances and car park area to ensure that they complement the CCTV system fitted. Lighting units should not become restricted by trees, shrubs or other landscape features and should be positioned out of reach to avoid being vandalized;

CCTV

- Internal and external CCTV cameras should be installed which record onto harddrive and can be viewed from within the store. Externally the delivery points in the service yard and the main entrance to the store should be covered by cameras as well as the main sections of the car park;
- The filling station and forecourt area should also be covered by CCTV and be positioned in such a way that all vehicle registration plates entering the forecourt are clearly visible;

Building Design

- Down pipes and other building fabric should be designed so as not to provide climbing aids;

Doors and Windows

- All windows should be compliant with BS7950, and should meet the standards of Secured by Design. Further to this, consideration should be made to make ground floor windows laminated;
- All access doors should be constructed and tested to PAS 24 standard and should be internally hinged; and
- Fire doors should be controlled, alarmed and secured.

Conclusion

- It should be noted that the implementation of the above recommendations might not prevent the determined criminal attacking the premises. They will however make it more difficult and greatly increase the chances of detection with the resultant decrease in any financial loss to the organisation.
- It should also be noted that, although these recommendations are made with due regard to the fire and planning regulations, a Fire Prevention Officer or Local Authority Planning Officer should also be consulted where appropriate.

4.7 Falkirk Council's Roads Development Unit advises that clarification has been achieved regarding drainage calculations and no objection is raised over this matter. All other matters may be controlled by planning condition should the application be approved.

4.8 Scottish Environment Protection Agency (SEPA) advise that, based on information currently available, they have no objection in principle.

SEPA advise that the surface water drainage arrangements meet with their requirements. Details of how waste will be minimised at the construction stage through the submission of a Site Waste Management Plan.

In terms of Flood Risk, the site is not located within an area of flood risk as defined by the SEPA Indicated Flood Map and the risk of flooding has been incorporated and addressed through the submitted Drainage Impact Assessment.

5. COMMUNITY COUNCIL

5.1 No Community Council is currently operating in this area.

6. PUBLIC REPRESENTATION

6.1 1 letter offered no comment.

6.2 2 letters offered no objection but raised concern regarding increased traffic on Glasgow Road.

6.3 7 letters of objection were received commenting that:

- When 850 employees leave the neighbouring site, traffic levels are very high. Tailback of traffic, along with the mix of pedestrians and vehicles, may be worsened by new traffic lights;
- The proposal will exacerbate existing traffic volume, creating difficulty for entry and exit onto Glasgow Road. Noise generated by increased traffic volume will disturb residents adjacent to Glasgow Road. In terms of need, there are already 3 Tesco's within a short distance, 2 of which operate on a 24hr basis. There are also various other supermarkets large enough to cover all demands of people living slightly outwith Falkirk, with a new store opened up in Stenhousemuir - only a short distance from Camelon;
- The new junction and pedestrian crossing will create difficulty for existing neighbours on Glasgow Road/Watling Street through loss of on-street parking, difficulty in access/egress and potential difficulty in the use of adjoining roadways as a 'rat-run' to avoid traffic queues;
- The proposal will result in Camelon Main Street becoming a 'Ghost Town' ending the small businesses which are present there;
- A comprehensive approach should be taken to include bus lanes in each direction;
- There are already 2 petrol filling stations in close proximity to the site and the location of the petrol filling station may cause nuisance to residents facing the site;
- The feature wall should be extended and should be in keeping with existing walls;
- The proposal will create light pollution and measures should be taken to minimise this nuisance;

- The proposal will undermine the regeneration efforts in Denny Town Centre, as the creation of an ad hoc retail development away from targeted town and local centres, would put into serious doubt any developer's chances to secure retail operators and therefore the implementation of the wider redevelopment scheme and the Council's stated objectives;
- The sequential test carried out by the applicant does not appear to have been carried out correctly in the context of the expected catchment area. If the sequential test had been carried out correctly, there would be other sequentially preferable sites both in and on the edge of town and local centres;
- The applicant has misrepresented the prospective Denny Town Centre Regeneration project in their Planning and Retail Report where they state that “a mainstream superstore is not being proposed for that scheme (Denny)”. This information is incorrect as the type of store/operator has not yet been determined and therefore the applicant has clearly not produced a true assessment of the future retail dynamic of the area in this report;
- The proposal is contrary to local plan policy aimed at the regeneration of local centres, particularly because this development appears to threaten the potential for other retail and regeneration projects prioritized in the emerging local plan;
- Glasgow Road is already very busy with traffic and not just at peak hours. In addition, the increased traffic will impede visitors to the nearby crematorium;
- New retail development in local centres, such as Camelon, is to be a “scale appropriate to the centre’s catchment, and should help to reinforce the centres role in the shopping hierarchy”.

6.4 289 letters of support were received, commenting that:-

- Camelon needs a supermarket and will create new jobs;
- People will not have to travel so far to access a supermarket;
- The proposed development would create hundreds of jobs; it will cut down the amount of traffic using the other end of town;
- The proposed development would remove the adverse visual impact of the derelict site;
- Camelon has nothing but fast food shops;
- The proposed development would enable elderly residents ease of access to a supermarket.

6.5 20 additional letters of support similar in content to those detailed above were received and, although signed had no addresses.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

7a.1 The following policies of the Development Plan are potentially relevant to the determination of the application.

Approved Falkirk Council Structure Plan, January 2007

7a.2 Policy ECON. 5 'Location of New Retail and Commercial Leisure Development' states:

"The scale of new retail development will be commensurate with maintaining the hierarchy of shopping centres shown in Schedule ECON 5 and enhancing them. Proposals for significant new retail and commercial leisure development should accord with the following principles:

1. *non food retailing will be directed to Falkirk Town Centre and the District Centres. In addition, provision will be made for bulky household goods retailing at Middlefield/Westfield Strategic Development Opportunity (up to 25,000 sq m gross), and for limited specialist retailing at the Falkirk Canal Interchange Strategic Development Opportunity, as set out in Schedule ECON.1 and subject to the criteria in Policy ECON.2;*
2. *priority will be given to the provision of new food retail floorspace in Grangemouth, Larbert/Stenhousemuir, the Polmont area, Denny and Bonnybridge/Banknock, of a scale commensurate with the local catchment. New food retail floorspace will be directed to the District Centres and other established local centres, and only to new local centres where they meet the criteria set out in Policy ECON.6;*
3. *new food retail floorspace in Falkirk will be restricted to existing commitments, neighbourhood stores of less than 1,000 sq. m. gross floorspace, and limited extensions to existing stores; and*
4. *commercial leisure developments will be directed to Falkirk Town Centre, the District Centres and those other Strategic Development Opportunities for which such uses are specified in Schedule ECON.1."*

7a.3 In terms of food retailing the strategy is to decentralise new provision in order to reduce car trips and help regenerate local centres. Policy ECON.5(2) states that priority is to be given to new provision in Grangemouth, Larbert/Stenhousemuir, Denny, Bonnybridge/Banknock and the Polmont area. Camelon is not listed as a priority. Such new food retail floorspace should be directed to District and Local Centres. Policy ECON.5 (3) states that new food retail floorspace within the settlement of Falkirk (which covers Camelon) is restricted to existing commitments and neighbourhood stores of less than 1,000 sq. m. gross. This reflects the fact that Falkirk itself is well provided with stores, with the emphasis on improving the quality and quantity of provision within other communities. The proposal is clearly in excess of the 1,000 sq.m limit, and is an out-of-centre location. It should be noted that a significant proportion of the floorspace of the new store is devoted to comparison goods (some 1,235 sq.m net or 35% of the total net floorspace). Policy ECON.5(1) states that non-food retailing will be directed to Falkirk Town Centre and the District Centres, with provision for bulky household goods retailing at the Falkirk Gateway. The proposal is therefore contrary to Policy ECON.5.

7a.4 Policy ECON.6 ‘Out-of-Centre Retail and Leisure Development’ states:

“Proposals for significant retail or commercial leisure development not within or adjacent to Falkirk Town Centre, or the District Centres or not provided for within a Strategic Development Opportunity as specified in Schedule ECON 1, will be assessed in relation to the following:

- (1) the impact on the vitality and viability of Falkirk Town Centre, the District Centres, and any other Strategic Development Opportunity;*
- (2) the need for the development;*
- (3) the proposal’s ability to meet the sequential approach;*
- (4) the accessibility of the proposal by a choice of means of transport ;*
- (5) the impact on the number and length of car trips; and*
- (6) whether the proposal lies within the existing or proposed urban area as defined in the Local Plan.*

A Retail/Leisure Impact Assessment addressing these factors will be required for all retail developments of 2,500 sq. m. gross floorspace or more, and for major commercial leisure developments. Assessment of smaller retail developments (between 1,000 and 2,500 sq.m. gross) may also be required in certain circumstances.”

7a.5 In terms of criterion (1) it is considered that there is likely to be an impact on the District Centre of Denny, in terms of the reduced potential for improved food retailing and regeneration in this centre. In terms of (2) and (3), it has been largely accepted through the emerging Falkirk Council Local Plan that some enhancement of Camelon's food retail provision could be justified, and it could be difficult to provide this within or adjacent to the Local Centre of Camelon. However, as discussed later in the report, it is not considered that there is a need for a development of this scale. Further assessment of the proposal against the sequential approach is provided in paragraph 7b.4. In terms of (4) - (5), the proposed site is considered to be easily accessible by both bus and rail, and it may contribute towards reducing the length of shopping trips within Camelon and other locations in the west of the Council area insofar as shoppers currently carrying out main food shopping in Falkirk Town Centre may switch to the proposed store. In terms of criterion (6), the site lies within the urban area of Falkirk.

7a.6 Policy ECON.3 'Local Business Development Opportunities' states:

"Provision will be made for business and industrial land to meet local needs within settlements. Local Plans will assess local need and identify and safeguard suitable sites which should meet all relevant environmental, amenity, access and infrastructure requirements giving priority to previously developed sites."

7a.7 This policy states that provision will be made for business and industrial land to meet local needs within settlements, and such sites should be safeguarded in Local Plans. Insofar as the site is identified as an area to be safeguarded for business and industrial use in the adopted Local Plan, the proposal may be considered contrary to Policy ECON.3.

7a.8 Policy COM.5 'Developer Contributions' states:

"The Council will ensure that proper provision is made to meet the physical and social infrastructure needs of new development and to mitigate the impact of such development on the locality. Where it is required to make a proposal acceptable in land use planning terms, serve a planning purpose and is directly related to the proposed development, developer funding for on- or off-site works will be sought in respect of:

- (1) environmental enhancement required to mitigate, or compensate for landscape, townscape or ecological impacts;*
- (2) physical infrastructure required to make the development acceptable, particularly transport provision required to ensure that the development meets sustainability criteria;*
- (3) community and recreational facilities required to meet demand generated by the development.*

The required provision will be reasonable and related to the scale and nature of the proposed development, taking into account the relevant Council standards and will be specified within Local Plans and development briefs as appropriate. Examples of the range of matters which developers may be asked to address are provided in Schedule COM.5."

7a.9 The applicant has stated that a financial commitment or agreement of provision may be acceptable towards:

- (1) a memorial to Thomas Clement Douglas – the 'father of Canadian Healthcare' and influential Canadian politician – in recognition of his birthplace of Sunnyside, Camelon; and
- (2) a potential review and identification of whether the new store has contributed to vehicle movements through adjoining roadways, resulting in 'rat-running' in the area and, if required, provision of an appropriate level of financial contribution to allow Falkirk Council to promote, design and implement such traffic calming as is deemed both reasonable and necessary.
- (3) the stopping up process referred to in paragraph 4.3 above.

Adopted Falkirk Local Plan, June 2000

7a.10 Policy FAL 6.2 'Existing Business and Industrial Areas' states:

"The existing business and industrial areas identified on the Policies, Proposals and Opportunities Map will be reserved primarily for business, industrial and storage and distribution use (Classes 4, 5 and 6), with the exception of Callendar Business Park which will be reserved exclusively for Class 4 use. Other employment generating uses may be considered favourably, provided they are either ancillary to or compatible with the principal business/industrial use of the site, will not adversely affect the industrial and business land supply and are consistent with other development plan policies. The Council will seek to maintain and enhance the environmental quality of these areas."

7a.11 The site lies within the urban limit of Falkirk and is identified as an existing business and industrial area by Policy FAL6.2 in the adopted Falkirk Local Plan. This policy seeks to retain such areas for business, industrial and storage and distribution uses (Classes 4, 5 and 6). Other employment generating uses may be considered favorably provided they are either ancillary or compatible with the principle business/industrial use of the site. Proposals should not adversely affect the industrial and business land supply. Whilst there is some flexibility in this policy for other employment generating uses, a retail proposal which takes up the majority of the site and which is contrary to other Local Plan policies cannot be viewed as compliant. The proposal is therefore considered contrary to Policy FAL 6.2.

7a.12 Policy FAL 7.1 'The Shopping Hierarchy' states:

"The Council will support the existing hierarchy of shopping centres within the Local Plan Area. Specifically, it will promote and enhance:

- (i) Falkirk Town Centre as the Sub-Regional Centre;*
- (ii) Newcarron Village, Camelon, Bainsford and Grahamston as Local Centres in their complementary role of providing convenient local shopping and services for their respective communities; and*
- (iii) the provision of other localised neighbourhood shops."*

7a.13 In terms of retail policy, Policy FAL7.1 of the adopted Local Plan supports the retail hierarchy in Falkirk which seeks to promote and enhance Falkirk Town Centre as the Sub Regional Centre, and Newcarron Village, Camelon, Bainsford and Grahamston as Local Centres which provide convenient local shopping for their surrounding neighbourhoods. The proposal does not fall within any centres within the hierarchy and is therefore contrary to Policy FAL 7.1.

7a.14 Policy FAL 7.3 'Off-Centre Retail Development' states:

"Proposals for significant retail development which are not located in or adjacent to existing centres in the hierarchy will only be considered favourably where the Council is satisfied that the following criteria are met:

- (i) the vitality and viability of existing centres, or proposals for their improvement, will not be prejudiced;*
- (ii) the development would meet a deficiency in the quantity or quality of shopping provision which cannot satisfactorily be met on sites in or adjacent to existing centres;*

- (iii) *the development is well located in relation to its catchment, offers good access by public transport, cycle and on foot, and would not lead to a significant increase in travel by private car; and*
- (iv) *there will be no significant effect on the industrial/business land supply.*

Planning conditions and/or legal agreements restricting the range of goods to be sold from off-centre retail developments will be used where they are justified by the need to protect the vitality and viability of existing centres.”

7a.15 In terms of criterion (i), there may be an impact on the District Centre of Denny, in terms of the reduced potential for improved food retailing and regeneration in this centre. There is also likely to be an adverse impact on Bonnybridge, insofar as there is reduced potential for the improved local food shopping, as supported by the Structure Plan. There is also a significant risk of direct impact on the Local Centre of Camelon, notwithstanding the conclusions of the applicant's retail impact study. In terms of criterion (ii), it has largely been accepted through the emerging Falkirk Council Local Plan that some enhancement of Camelon's food retail provision could be justified, and it could be difficult to provide this within or adjacent to the Local Centre of Camelon. However, it is considered that the scale of store proposed is excessive in relation to any deficiency which exists locally. In terms of criterion (iii) the site is reasonably well located in relation to the local catchment of Camelon, but not in relation to other areas from which it is likely to draw trade, such as Denny, Bonnybridge and Banknock. The site benefits from a high level of accessibility by public transport. Access by cycle is moderately good. Walking accessibility from the local catchment of Camelon will be reasonably good if the proposed controlled crossing facilities are implemented. In terms of criterion (iv) the retail proposal will take up the vast majority of the former Wrangler site, and the proposal will result in the loss of industrial/business land within Glasgow Road Industrial Estate. Considering all the criteria together, the proposal is considered contrary to Policy FAL 7.3.

7a.16 Policy FAL 7.4 ‘Foodstores’ states:

“The Council will seek to maintain and improve access to food shopping for local communities. New foodstores, other than small neighbourhood stores, should be located within or adjacent to existing centres, in accordance with Policy FAL 7.2, and only on off-centre sites where the criteria in Policy FAL 7.3 are satisfied. The scale of proposals should be commensurate with the local catchment population and, in Local Centres, should not exceed 2500 square metres net.”

7a.17 Policy FAL 7.4 provides guidance on foodstores, stating that new foodstores other than small neighbourhood stores should be located within or adjacent to existing centres and only on off-centre sites where the criteria in Policy FAL 7.3 are satisfied. Given the site's off-centre location, compliance with Policy FAL 7.3 is required. The proposal is therefore considered contrary to Policy FAL 7.4.

7a.18 Accordingly, the proposal does not accord with the Development Plan.

7b Material Considerations

7b.1 The material considerations in respect of this application are Scottish Planning Policy (SPP) (February 2010), the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010), Falkirk Council's Action Plan for the Economic Downturn, the consultation responses, the representations received and submissions by the applicant in support of the application.

Scottish Planning Policy (February 2010)

7b.2 Scottish Planning Policy (February 2010) is Scottish Government Policy on land use planning. The following paragraphs from the section on "Town Centres and Retailing" are relevant to the consideration of retail proposals:

(55) The network of centres identified in the Development Plan will provide a context for the assessment of proposals for new development. Where proposals support a centre's role and function, as identified in the Development Plan, there is no requirement to provide a detailed assessment of need. Investment to maintain and improve commercial centres should be supported where the centres are part of the network and where such investment will not undermine town centres.

(62) The sequential approach should be used when selecting locations for all retail and commercial leisure uses unless the Development Plan identifies an exception. It should also apply to proposals to expand or change the use of existing developments where proposals are of a scale or form sufficient to change their role and function. The sequential approach requires that locations are considered in the following order:

- town centre,
- edge of town centre,
- other commercial centres identified in the Development Plan,
- out of centre locations that are or can be made easily accessible by a choice of transport modes."

(63) The sequential approach requires flexibility and realism from planning authorities, developers, owners and occupiers to ensure that different types of retail and commercial uses are developed in the most appropriate location. Where development for town centre uses is proposed within a town centre, assessment of its impact on the viability of similar uses in that centre will not be necessary. Where development proposals in edge of town centre, commercial centre or out-of-centre locations are not consistent with the Development Plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing centres is acceptable. Out-of-centre locations should only be considered when:

- all town centre, edge of town centre and other commercial centre options have been assessed and discounted as unsuitable or unavailable,
- development of the scale proposed is appropriate, and

- there will be no significant adverse effect on the vitality and viability of existing centres.

Development Plans should indicate whether retail or commercial development may be appropriate outwith existing centres and identify appropriate locations.

(64) When a proposed retail or commercial leisure development is contrary to the Development Plan, planning authorities should ensure that:

- the sequential approach to site selection has been used,
- there is no unacceptable individual or cumulative impact on the vitality and viability of the identified network of centres,
- the proposal will help to meet qualitative and quantitative deficiencies identified in the Development Plan, and
- the proposal does not conflict with other significant objectives of the Development Plan or other relevant strategy.

7b.3 The proposed development is considered to be contrary to the Development Plan, and so the considerations in paragraph (64) of the SPP are relevant.

7b.4 In terms of the sequential approach, it is accepted that, in terms of the improvement of food retailing within Camelon, there appear to be no opportunities within the local centre of Camelon, or on its edge, and that an off-centre location could be justified. However, insofar as the proposal appears to be serving a wider catchment, which includes Denny and Bonnybridge, town centre sites in these areas do exist, most notably the regeneration area in Denny Town Centre.

7b.5 As regards impact on the identified network of centres, reference has already been made to the potential impact on Denny, Bonnybridge and Camelon.

7b.6 Camelon is not identified as having a food retail deficiency in the Development Plan, although the emerging Falkirk Council Local Plan does accept that there is scope for a level of enhanced provision to meet local needs.

Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as Amended by the Final Proposed Modifications (June 2010)

7b.7 Policy ED.FAL12 Glasgow Road 1

Opportunity: Business/Industrial Development (Class 4, 5 and 6)

Site Area: 3.6 hectares

Agency: Private

Comments: Extensive vacant site formerly occupied by Wrangler works suitable for conversion or redevelopment for business/industrial purposes.”

7b.8 Policy EP2 - 'Land For Business And Industrial Use' states:

"In order to maintain the business and industrial land supply and the employment role of existing business and industrial areas:

- (1) The sites for new business and industrial development identified on the Proposals Map will be safeguarded for the employment use specified for each site; and*
- (2) The areas for retention in business and industrial use identified on the Proposals Map will be retained and reserved for Class 4, 5 or 6 uses, except for the established business parks of Callendar Park and Gateway Business Park, Grangemouth which will be reserved for Class 4 uses only, and the Glasgow Road Camelon Industrial Area which may include a food retail element to meet local needs as part of the mix.*

Other ancillary employment uses may be permitted within these areas where they are compatible with the principal business / industrial use of the site, will not result in a significant reduction in the availability of business land or property, and are consistent with other Local Plan policies."

7b.9 The site is allocated in the finalised Falkirk Council Local Plan 2007 as Opportunity ED.FAL 12 which is for business/industrial development (Class 4, 5 and 6). It also lies within an area covered by Policy EP2(2) which is for retention of business and industrial use in order to maintain the business and industrial land supply. Policy EP2 does allow for other ancillary employment uses within these areas provided they will not result in a significant reduction in the availability of business land and are compatible with the main business/industrial use of the site. Policy EP2(2) specifically allows a food retail element to meet local needs within the Glasgow Road Industrial Area, and therefore would potentially be supportive of a foodstore within the former Wrangler site. However, as noted elsewhere in the report, the scale of the proposal is considered to go beyond meeting purely "local needs" as stated in Policy EP2(2). Its scale also reduces the scope for business use within the site, which is prejudicial to the wider aims of Policy EP2.

7b.10 Policy EP6 'Hierarchy of Centres' states:

"The Council will promote and enhance the hierarchy of centres as set out in Table 5.2 as the continuing focus of retail, leisure and major community uses in the Council area. The boundaries of centres are identified on the Proposals Map and the detailed policies in respect of each centre are set out under the relevant Settlement Statement."

7b.11 In terms of retail policy the Falkirk Council Local Plan supports the Structure Plan's hierarchy of centres and its strategy for food retailing to decentralise new provision to certain priority areas in order to reduce car trips and help regenerate local centres. The hierarchy is reiterated in Table 5.2 Town Centre Hierarchy of the draft Falkirk Council Local Plan.

Table 5.2 Town Centre Hierarchy

Level in Hierarchy	Centres	Role
Sub-Regional Centre	Falkirk	Serves a Council-wide catchment in terms of comparison and convenience shopping, and acts as a focus for visitor trips from outwith the area. Provides an extensive range of shops, services, and community facilities.
District Centres	Bo'ness Denny Grangemouth Stenhousemuir	Serve the larger towns within the Council area in terms of main food shopping, limited comparison shopping and services. Provides a reasonable range of local shops, services and community services.
Local Centres	Bainsford Bonnybridge Brightons Camelon Charlotte Dundas Grahamston Larbert Laurieston Polmont Newcarron Redding Slamannan	Serve the smaller towns within the Council area in terms of main food shopping, limited comparison shopping and services. Provides a reasonable range of local shops, services and community services.
Retail/Leisure Park	<u>Falkirk Gateway</u> (Middlefield/Westfield)	Provides an out-of-centre focus for household shopping and leisure complementary to Falkirk Town Centre. Limited to 25,000 sq.m. non-food (bulky goods) retail floorspace.

New centres provided for in the Local Plan are underlined

7b.12 Policy EP7 - 'New Retail Development' states:

“(1) New retail development in excess of 500 sq.m. gross will be permitted where it is consistent with Policies ECON.5 and ECON.6 of the Structure Plan, and specific policies for individual centres in the Settlement Statements.

- (2) *Retail developments smaller than 500 sq.m. serving neighbourhood needs will be permitted within the urban area, subject to other Local Plan policies.*
- (3) *Retail development must demonstrate a high level of design quality, compatibility with adjacent land uses and an ability to integrate functionally and visually with any centre of which it is to form part.”*

7b.13 Policy EP7 defines significant retail proposals as those over 500 sq.m. If proposals are in excess of this figure they are required to comply with Structure Plan Policies ECON.5 and ECON.6. Insofar as the proposal is contrary to these Structure Plan policies, it is also contrary to Policy EP7.

7b.14 Policy EQ7 ‘Area Enhancement Priorities’ states:

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

- (1) *Principal Transport Corridors*
- (2) *Town and Local Centres*
- (3) *Main Town Gateways and Approaches*
- (4) *The Canal Corridor*
- (5) *Falkirk Greenspace (see Policy EQ 21)*
- (6) *Urban Regeneration Areas*
- (7) *Conservation Areas and Areas of Townscape Value”*

7b.15 Policy EQ7 sets out key priorities for improvement/enhancement. These priorities are largely drawn from Schedule ENV.6 of the Structure Plan and are directed to those areas which will have the most visible impact. Principal Transport Corridors and Main Town Gateways and approaches are listed as priorities and such enhancement is expected to be reflected in any development proposals.

7b.16 Policy EQ8 - ‘Vacant, Derelict And Contaminated Land’ states:

“The Council will seek to reduce the incidence of vacant, derelict and contaminated land, particularly within the priority areas for enhancement set out in Policy EQ7. Subject to compliance with other local plan policies, development involving the rehabilitation and re-use of derelict land will be encouraged.”

7b.17 This policy gives encouragement to proposals which would result in the recycling of derelict land, particularly in the priority areas for enhancement set out in Policy EQ7. As noted above, Glasgow Road would be considered to be a principal transport corridor and main town gateway/approach. The proposal therefore may be considered favourably by Policy EQ8.

7b.18 Policy TR.FAL5 A803 Glasgow Road

Proposal: Bus Priority Lanes
 Agency: Falkirk Council
 Comments: Feasibility of extending bus priority lanes westwards along A803 to be investigated. May require some land take to widen carriageway.

7b.19 Proposal TR.FAL5 is relevant. This requires the feasibility of extending bus priority lanes westwards along A803 to be investigated. This may require some land take from the adjacent sites to widen the carriageway and the submitted layout plan shows how the proposed development is able to accommodate this strategy.

7b.20 Policy EQ1 ‘Sustainable Design Principles’ states:

“New development will be required to achieve a high standard of design quality and compliance with principles of sustainable development. Proposals should accord with the following principles:

- (1) Natural and Built Heritage. Existing natural, built or cultural heritage features should be identified, conserved, enhanced and integrated sensitively into development;*
- (2) Urban and Landscape Design. The scale, siting and design of new development should respond positively and sympathetically to the site’s surroundings, and create buildings and spaces that are attractive, safe and easy to use;*
- (3) Accessibility. Development should be designed to encourage the use of sustainable, integrated transport and to provide safe access for all users;*
- (4) Resource Use. Development should promote the efficient use of natural resources, and take account of life cycle costs, in terms of energy efficient design, choice and sourcing of materials, reduction of waste, recycling of materials and exploitation of renewable energy;*
- (5) Infrastructure. Infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise; and*
- (6) Maintenance. Proposals should demonstrate that provision will be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.”*

7b.21 Policy EQ2 ‘Implementation of Sustainable Design Principles’ states:

“In order to ensure that the principles set out in Policy EQ1 are incorporated into development proposals:

- (1) Masterplans will be required for development proposals requiring a comprehensive approach to design and infrastructure. The Council will set out the basis for the preparation of Masterplans in Development Frameworks or Briefs;*
- (2) Development Briefs will be prepared by the Council for other development sites where merited by the size, sensitivity or complexity of the site;*
- (3) Supplementary Planning Guidance Notes will be produced to provide detailed advice on the application of the sustainable design principles; and*
- (4) Planning applications for significant residential, business or commercial development, or smaller proposals affecting protected sites or buildings, should be accompanied by a Design Statement explaining how each of the factors in Policy EQ1 has been complied with.”*

7b.22 Policy EQ3 ‘Townscape Design’ states:

“New development will be required to contribute positively to the quality of the built environment. Proposals should accord with the following criteria:

- (1) The siting, layout and density of new development should create a coherent structure of streets, amenity space and buildings which respects and complements the site’s environs and creates a sense of identity within the development;*
- (2) Streets and public spaces should have buildings fronting them, and where this is not possible, a high quality architectural or landscape treatment will be required as an alternative;*

- (3) *The design of new buildings should reflect the surrounding urban fabric in terms of scale, height, massing and building line;*
- (4) *Building materials, finishes and colours should be chosen to complement those prevailing in the local area;*
- (5) *Existing buildings or structures which contribute to the local townscape should be retained and integrated sensitively into the layout; and*
- (6) *The contribution to the townscape of important landmarks, skylines and views should be respected.”*

7b.23 Policy EQ4 - ‘Landscape Design’ states:

“Development proposals should include a landscape framework which enhances the development and assists integration with its surroundings. The landscape scheme should:

- (1) *Be informed by the surrounding landscape;*
- (2) *Retain and incorporate existing vegetation, natural and cultural features where they contribute to the amenity and biodiversity of the site, with provision for replacement planting where removal is authorised;*
- (3) *Integrate with strategies for the provision of open space, pedestrian access, and sustainable urban drainage systems on the site;*
- (4) *Promote biodiversity, including the use of native tree and plant species (see Policy EQ25);*
- (5) *Incorporate robust structure planting to provide structure in larger developments, and screen the edge of developments where necessary;*
- (6) *Incorporate street trees and informal open space planting to assist in structuring and unifying streets and spaces;*
- (7) *Incorporate high quality hard landscaping, including surface materials, boundary enclosures and street furniture which are robust and complement the development; and*
- (8) *Demonstrate that satisfactory arrangements have been made for the future maintenance and management of all landscaped areas.”*

7b.24 Policy EQ5 ‘Design and Community Safety’ states:

“Development proposals should create a safe and secure environment for all users through the application of the following principles:

- (1) *Buildings, public spaces, access routes and parking areas should benefit from a high level of natural surveillance;*
- (2) *Boundaries between public and private space should be clearly defined;*
- (3) *Access routes should be direct, clearly defined and well lit, with recognised points of entry; and*
- (4) *Contributions to the provision of CCTV may be sought, where appropriate.”*

7b.25 Policy EQ6 ‘Design and Energy Use’ states:

“Developers should demonstrate how they have assessed and pursued opportunities for sustainable energy use in new developments. In particular:

- (1) *Local climatic factors should be taken into account, and opportunities taken to maximise solar gain and minimise wind chill in the layout and orientation of buildings;*
- (2) *The utilisation of renewable energy sources in meeting the energy needs of developments will be encouraged where appropriate in terms of type, scale and impact; and*

- (3) *Combined heat and power and community heating schemes as part of new developments will be encouraged.”*

7b.26 Design quality is identified as a key strategic issue by the Structure Plan. The Finalised Falkirk Council Local Plan therefore contains a number of policies which seek to enhance the image of the Council area as a whole, as well as ensure that sustainable design principles are integrated into developments. The proposal is considered to adhere to the above policies, given the balance between aesthetic appearance and function – not least given the vehicular traffic generation from the site, which requires a large amount of car parking to be provided.

Falkirk Council's Action Plan for the Economic Downturn

7b.27 In December 2008, the Council adopted an Action Plan for the Economic Downturn, which highlighted the potential for the Council to be flexible in its application of planning policies to help secure development. The former Wrangler factory has been vacant since 1999, and the building and surrounding site have fallen into a state of near dereliction. The proposal would completely regenerate the site as well as bring significant economic activity in the form of new jobs and investment. However, while development of the site will bring a considerable boost to the Camelon area, the potential knock-on detrimental effects on other town centres as highlighted elsewhere in this report are important to consider. In the case of Denny, the impact is expected to be significant and may impact adversely on delivery of that scheme.

Consultation Responses

7b.28 The consultation responses are summarised in Section 4 of this report and there are no matters arising which, if the application were to be approved, cannot be addressed through planning condition or legal agreement.

Representations Received

7b.29 The representations received are summarised in Section 6 of this report, to which it may be responded to objectors that:-

- A Transport Assessment has concluded that, while traffic on Glasgow Road will increase as a consequence of development, traffic management measures will seek to address such matters however there remain some concerns;
- That a high proportion of the clientele for a superstore of this scale and at this location will be drawn from outwith the immediate Camelon area;
- There may be inconvenience to existing residents on Glasgow Road through increased traffic generation, adding to existing difficulties in accessing/egressing property by vehicle;
- The success or decline of commercial premises within Camelon Main Street may be influenced by factors other than the introduction of a superstore at this location, while the proximity of petrol filling stations is a commercial consideration, not a material planning consideration;

- The proposed wall detail will be extended along the site frontage, while light pollution measures may be controlled through planning condition; and
- It is recognised that the introduction of a superstore at this location will contribute to the available shopping provision, conceivably to the detriment to other superstore proposals in the Council area.

In relation to comments in favour of the application, it is acknowledged that:-

- Some 200 jobs will be generated as a consequence of the proposal;
- travel distances for some residents in the area will be reduced;
- traffic flows to other areas of the District may be reduced, although (conversely) traffic flows to the application site from other areas will increase; and
- the proposed development will add retail diversity to the immediate area.

Submission by the Applicant

7b.30 The submissions by the applicant in support of the application are detailed in paras 1.6-1.9 of this report.

7b.31 Since the Pre-Determination hearing, the applicant has altered the petrol filling station layout by moving the tanker access area to behind the intended kiosk, increasing the distance away from the nearest residential property.

7c Analysis of Retail Issues

7c.1 The retail impact report produced by the applicant concludes that the main impacts will be on stores in Falkirk Town Centre, on the basis that most of the new Camelon store's trade will be drawn from people who currently do their main food shopping in the Town Centre. Thus, the overall impact on convenience retailing in the Town Centre is 14.6% (Table 26). This level of impact, although significant, is unlikely to seriously undermine any individual store, or indeed the vitality and viability of the Town Centre as a whole. Nonetheless, this impact needs to be seen in the context of the cumulative effects on the Town Centre of new stores which have opened in Grangemouth, Stenhousemuir and Redding, which have a substantial comparison, as well as convenience shopping component.

7c.2 Paragraph 3.40 of the retail impact report suggests that the new store will generate a general uplift in convenience shopping activity within the existing Camelon Local Centre due to higher levels of footfall in the area because more people are shopping locally. This seems optimistic, as the presence of a superstore selling a wide range of goods will mean shoppers are less likely to look for further shopping opportunities within the Local Centre. The centre is not sufficiently close to the proposed store to attract walking trade from those parking at the new store. It is therefore considered that the adverse impact on Camelon Local Centre may have been underestimated.

- 7c.3 The report suggests that there will be little or no direct impact on existing stores in other District and Local Centres such as Stenhousemuir, Denny, Bonnybridge and Newcarron. These impacts may have been underestimated to some degree. However, the major concern is not with direct impacts on existing stores, but the impact on potential new retail investment in certain of these centres, notably Denny and Bonnybridge, which are highlighted for improvement in the Structure Plan. The store will draw significant trade from these areas, and reduce the further prospect of clawing back such expenditure to their respective centres. In Denny a new foodstore is a key element of the town centre regeneration proposals and this project could be adversely affected.
- 7c.4 This relates back to concerns that the proposed store (5,536 sq.m) is out of scale with the size of Camelon, whose population is just 5,724 (2009 figure). By way of comparison, Stenhousemuir's new foodstore is 3,716 sq.m and serves a population of 23,257 (2008 figure for Larbert, Stenhousemuir, Carron and Carronshore). The report estimates that only 31% of the store's trade will be drawn from Camelon, with 35% drawn from Falkirk South, 10.3% from Denny, 9.5% from Bonnybridge/Banknock and 8% from Larbert/Stenhousemuir/Carron (Table 25). In short, whilst the emerging Local Plan supports improved food shopping in Camelon, the scale of the proposal cannot be seen as purely meeting "local needs" (Falkirk Council Local Plan Policy EP2(2) or being "commensurate with the size of the local catchment" (Structure Plan Policy ECON 5).
- 7c.5 In relation to the possibility of a smaller scale store, the applicant is of the view that the store currently proposed is the correct scale for the site. They state that a smaller store would undermine the economic viability of the proposal and reduce the number of jobs and regeneration benefits. They also state that a smaller store would also be unable to address the leakage of expenditure out of the local catchment and fail to provide the community with the range of goods they expect from a superstore.
- 7c.6 In response it is considered that no evidence has been produced to confirm that alternative proposals with a smaller retail component would not be economically viable, or could not secure the successful regeneration of the site. A smaller store may create fewer jobs, but the potential for job creation on the balance of the site should be taken into account. A smaller store could still provide the Camelon area with a good shopping facility capable of meeting main food shopping needs, without prejudicing the prospects of achieving better provision within the communities of Denny and Bonnybridge.

7d Loss of Business and Industrial Land

- 7d.1 The loss of business/industrial land is a significant policy issue in relation to the current Local Plan designation of the site. The applicant states that two-fifths of a hectare of land adjacent to the Alexander Dennis plant will be available for future development of a complementary land use. This could potentially accommodate business development, although it would represent a fairly minimal level of provision. Tesco suggest that due to a current lack of demand/economic conditions, no firm development proposals are being put forward, and a landscaping scheme for the surplus land is currently proposed. Nonetheless, Policy EP2 seeks to maintain a supply of accessible and well located business and industry sites, and a smaller retail proposal might allow a more meaningful business site. Given the site's location on one of the main routes into Falkirk, it is considered that this could be a desirable location for business/industry.

7d.2 With the impending regeneration of the Tamfourhill site, there will be a need to maintain availability of sites and premises in the western part of the Council's area and the availability of a site at this location would be beneficial.

7e Conclusion

7e.1 This application is considered contrary to the Falkirk Council Structure Plan, the Falkirk Local Plan and Falkirk Council Local Plan. The loss of a significant business/industry site is contrary to both Structure Plan and Local Plan policies Policy ECON.3 and Policy FAL 6.2 respectively. In terms of retail policies the proposal does not comply with Policies ECON.5 and ECON.6 of the Structure Plan, it is in an out of centre location and above the permitted 1,000 sq.m. limit for neighbourhood stores in Falkirk. Whilst the emerging Falkirk Council Local Plan, as recently modified, considers that a foodstore could be beneficial to the regeneration of the wider Glasgow Road Industrial area, and replace employment which has been lost in the area, the size of the proposed supermarket is considered out of scale with Camelon. It is accepted that the store may allow people in Camelon to shop more locally, however the size in relation to the expenditure available in Camelon is such that a significant amount of trade will have to be attracted from elsewhere.

7e.2 The evidence submitted by the applicant suggests that there will be no significant impact on the vitality and viability of one particular centre. However, it is considered that there will be an impact on the potential for improved food retailing and regeneration in Denny and Bonnybridge. Impacts on the Falkirk Town Centre would not, on their own, threaten the vitality and viability of the centre, although they could be viewed as putting further pressure on the Town Centre at a time when it is attempting to recover from the recession.

7e.3 The Transport Assessment is considered satisfactory and the proposed junction improvements appear to have sufficient capacity to accommodate the predicted traffic flows during the predicted 2011 opening year assessment. However, it is worth noting that the proposed traffic signal access at the Glasgow Road/ Watling Street junction would be operating close to its practical capacity at peak periods, which could result in fairly long queues of traffic forming on Glasgow Road at certain times during these peak periods, and there is only limited reserve capacity available to cope with higher traffic flows beyond the opening year. If traffic growth continues beyond this period, it is possible that the proposed traffic signal junction could reach capacity during peak periods within the short to medium term, which will further increase queuing and congestion in the area.

7e.4 Drawing these considerations together, if the Council is minded to improve shopping provision in Camelon and provide a new foodstore on the Wrangler site a smaller store may be acceptable. This may allow Policy ECON.6 to be satisfied in terms of impact and need. It would also allow a greater proportion of the site to be allocated for business and industry. Notwithstanding this, a smaller store would still be contrary to ECON.5(3) (i.e. larger than 1,000 sq.m), but this might be viewed as acceptable given the regeneration benefits that would potentially be distributed across Camelon and other locations in the Falkirk area. As regards what might be viewed as an appropriate size of store, the Co-op store at Newcarron Village, with a gross floorspace of 3,578 sq.m., may provide a suitable benchmark, as a store in a Local Centre serving a suburb of Falkirk. Accordingly, a store of a scale of around 3,500 sq.m. gross floorspace may be acceptable, subject to the results of a revised Retail Impact Assessment and Transport Assessment.

7e.5 If Members are minded to approve the application, the following matters may be addressed through planning conditions:-

- Timescales for initiation of development.
- Landscaping
- Construction materials.
- Noise restrictions.
- Boundary treatments
- Archaeological survey
- Contaminated land
- Sustainable Urban Drainage infrastructure
- Road geometry and construction standards
- A stage 2 safety audit prior to the initiation of development
- Methods of controlling light pollution from the site
- Transport assessment safeguard regarding timescale for opening of the store
- Control over floorspace available for comparison goods.

In addition, matters which may be addressed through legal agreement:

- Provision of memorial to Thomas Clement Douglas;
- Strategy for potential review and identification if the new store has contributed to vehicle movements through adjoining roadways in the vicinity of Watling Street and Wilson Road;
- A Travel Plan, developed in line with a Travel Plan Framework;
- The promotion of a stopping-up order to close off an existing adjoining road access.

7e.6 If Members are minded to grant planning permission, while the application is considered a significant departure from Development Plan policy, no referral to Scottish Ministers under Planning Circular 3 2009: Notification of Planning Applications is required as Falkirk Council has no financial interest in the application.

8. RECOMMENDATION

8.1 It is recommended that the Council refuse the application for the following reason:

(1) The proposed development is considered contrary to:

- **Falkirk Council Structure Plan Policies:**
 - **ECON.3 - Local Business Development Opportunities.**
 - **ECON.5 - Location of New Retail and Commercial Leisure Development.**
 - **ECON.6 - Out of Centre Retail and Leisure Development.**
- **Falkirk Local Plan Policies:**
 - **FAL 6.2 - Existing Business and Industrial Areas.**
 - **7.1 - The Shopping Hierarchy.**
 - **7.3 - Off-Centre Retail Development.**
 - **7.4 - Foodstores.**

- **Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the final proposed modifications (June 2010):**
 - **Policy EP2 - Land for Business and Industrial Use.**
 - **Policy EP7 - New Retail Development.**
 - **Policy EP6 - Hierarchy of Centres.**
 - **Falkirk Local Plan Opportunity ED.FAL12 Glasgow Road 1.**

in that the proposal represents the introduction of a store of a scale inappropriate to the scale of Camelon and that the vitality and viability of existing centres and / or the delivery of their regeneration may be prejudiced.

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Director of Development Services

Date: 29 September 2010

LIST OF BACKGROUND PAPERS

1. Scottish Planning Policy (February 2010)
2. Approved Falkirk Council Structure Plan
3. Adopted Falkirk Council Local Plan
4. Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010)
5. Letter of Representation from Elizabeth Morrison, Mariner Bar, 90 Glasgow Road, Falkirk FK1 4HJ on 06 August 2009
6. Letter of Objection from Alexander Dennis Ltd, 91 Glasgow Road Falkirk FK1 4HR
7. Letter of Support from Ms Kim Bell, 10 Bothkennar Road Carronshore Falkirk FK2 8HS on 21 October 2009
8. Letter of Support from Meryl Campbell, 49 Atrium Way Bonnybridge FK4 2DP
9. Letter of Support from Nichola Sharp, 19 Watling Avenue Falkirk FK1 4QE on 16 October 2009
10. Letter of Support from P Burns, 44 Clarinda Avenue Falkirk FK1 4LZ on 16 October 2009
11. Letter of Support from Mrs H Lamont, 7 Airlie Drive Polmont Falkirk FK2 0QE on 16 October 2009
12. Letter of Support from Agnes McDonald, 123 Rowan Crescent Falkirk FK1 4SH on 16 October 2009
13. Letter of Support from Mrs Laura Bryce, 85 Braemar Drive Falkirk FK2 9HB on 16 October 2009
14. Letter of Support from Ailsa Rae, 8 Morrison Avenue Bonnybridge FK4 1ET on 16 October 2009
15. Letter of Support from Mary Baff, 143 Binniehill Road Slamannan Falkirk FK1 3BG on 16 October 2009
16. Letter of Support from Mrs Carroll, 40 Russel Street Falkirk FK2 7HS on 16 October 2009
17. Letter of Support from Margaret Allan, 6 Wallace Crescent Brightons Falkirk FK2 0HN on 16 October 2009

18. Letter of Support from Diane Rankine, 105 Kersehill Crescent Falkirk FK2 9GJ on 16 October 2009
19. Letter of Support from M Anderson, 6 Oswald Street Falkirk FK1 1QJ on 16 October 2009
20. Letter of Support from Janice McRoberts, 12 Cunningham Gardens Falkirk FK2 9BE on 16 October 2009
21. Letter of Support from Christopher McMillan, Silvana 2 Parkview Avenue Falkirk FK1 5JX on 16 October 2009
22. Letter of Support from Amy Cochrane, 12 St. Margaret's Crescent Polmont Falkirk FK2 0UP on 16 October 2009
23. Letter of Support from J C Dick, NO ADDRESS GIVEN on 23 February 2010
24. Letter of Objection from Mister James Kelly, 4, Charles Drive, Larbert FK5 3HB on 18 September 2009
25. Letter of Objection from GVA Grimley, 206 St Vincent Street Glasgow G2 5SG on 18 December 2009
26. Letter of Support from Mrs B Thornton, 60 Dorrator Road Falkirk FK1 4BL on 1 December 2009
27. Letter of Support from Mrs Helen Baird, 102 Mariner Road Falkirk FK1 4LE on 1 December 2009
28. Letter of Support from Mrs Janet Runciman, 125 Fairlie Street Falkirk FK1 4NN on 8 December 2009
29. Letter of Objection from James Barr, 226 West George Street Glasgow G2 2LN on 18 September 2009
30. Letter of Support from Mr William Anderson, 107 Mariner Road Falkirk FK1 4LE on 1 December 2009
31. Letter of Objection from Miss Julie Rennie, 6 Laurel Court, Camelon, Falkirk FK1 4PH on 31 July 2009
32. Letter of Objection from Aileen Ferguson, 244 Main Street Camelon Falkirk FK1 4DY on 31 July 2009
33. Letter of Objection from Lawson Ramsay, 106 Glasgow Road Falkirk FK1 4HR on 19 August 2009
34. Letter of Support from Mr Steven Clark, 130 Glasgow Road Falkirk FK1 4HR on 16 March 2010
35. Letter of Support from Mary Sinclair, 14 Telford Square Falkirk FK1 4BT on 16 March 2010
36. Letter of Support from E Sinclair, 14 Telford Square Falkirk FK1 4BT on 16 March 2010
37. Letter of Support from P Jenkins, 2 Summerford Gardens Falkirk FK1 5DY on 16 March 2010
38. Letter of Support from L Coll, 7 Telford Square Falkirk FK1 4BT on 16 March 2010
39. Letter of Support from L McKinlay, 8 Nailer Road Falkirk FK1 4DA on 16 March 2010
40. Letter of Support from Mr John Watt, 9 Summerford Gardens Falkirk FK1 5DY on 16 March 2010
41. Letter of Support from Sherl Richardson, 268 Glasgow Road Falkirk FK1 4JQ on 16 March 2010
42. Letter of Support from G Cowie, 268 Glasgow Road Falkirk FK1 4JQ on 16 March 2010
43. Letter of Support from W Fish, 23 Roman Buildings Mansion House Road Falkirk FK1 4QL on 16 March 2010
44. Letter of Support from Ms Ethel Blair, 56 Elizabeth Crescent Falkirk FK1 4JF on 19 January 2010
45. Letter of Support from Mrs K Reid, 129 Ochiltree Terrace Falkirk FK1 4LS on 19 January 2010
46. Letter of Support from Mrs M Benzie, 6/4 Greenbank Court Falkirk FK1 5DT on 19 January 2010

47. Letter of Support from Elizabeth Nicol, 11 Kenmure Street Falkirk FK1 4LX on 22 February 2010
48. Letter of Support from Pamela Shand, 145 Ochiltree Terrace Falkirk FK1 4LS on 22 February 2010
49. Letter of Support from Owner/Occupier, 3 Ross Crescent Falkirk FK1 4NT on
50. Letter of Support from M Malley, 14 Ross Crescent Falkirk FK1 4NT
51. Letter of Support from Mr Charles Cameron, 15 Ross Crescent Falkirk FK1 4NT
52. Letter of Support from Mrs Ruth Cameron, 15 Ross Crescent Falkirk FK1 4NT
53. Letter of Support from Theresa Young, 16 Ross Crescent Falkirk FK1 4NT
54. Letter of Support from Owner/Occupier, 18 Ross Crescent Falkirk FK1 4NT
55. Letter of Support from Mr John Waugh, 19 Ross Crescent Falkirk FK1 4NT
56. Letter of Support from Mr John Buchanan, 21 Ross Crescent Falkirk FK1 4NT
57. Letter of Support from Elizabeth Buchanan, 23 Ross Crescent Falkirk FK1 4NT
58. Letter of Support from Agnes Dow, 25 Ross Crescent Falkirk FK1 4NT
59. Letter of Support from Mrs A Robertson, 26 Ross Crescent Falkirk FK1 4NT
60. Letter of Support from J Weir, 27 Ross Crescent Falkirk FK1 4NT
61. Letter of Support from Owner/Occupier, 28 Ross Crescent Falkirk FK1 4NT
62. Letter of Support from Louise Munro, 29 Ross Crescent Falkirk FK1 4NT
63. Letter of Support from Margaret O'Hara, 31 Ross Crescent Falkirk FK1 4NT
64. Letter of Support from Claire Wood, 35 Ross Crescent Falkirk FK1 4NT
65. Letter of Support from Mr Young, 43 Ross Crescent Falkirk FK1 4NT
66. Letter of Support from Owner/Occupier, 47 Ross Crescent Falkirk FK1 4NT on 16 March 2010
67. Letter of Support from Mr and Mrs Merrilees, 1 Ross Crescent Falkirk FK1 4NT
68. Letter of Support from M Harris, 2 Ross Crescent Falkirk FK1 4NT
69. Letter of Support from M Bennett, 1F Brown Street Falkirk FK1 4QF on 16 March 2010
70. Letter of Support from C Erskine, 3 Brown Street Falkirk FK1 4PX on 16 March 2010
71. Letter of Support from Janet Laird, 23 Brown Street Falkirk FK1 4PX on 16 March 2010
72. Letter of Support from Elspeth Laird, 23 Brown Street Falkirk FK1 4PX on 16 March 2010
73. Letter of Support from M Wallace, 25 Brown Street Falkirk FK1 4PX on 16 March 2010
74. Letter of Support from Owner/Occupier, 27 Brown Street Falkirk FK1 4PX on 16 March 2010
75. Letter of Support from A Wright, 27 Brown Street Falkirk FK1 4PX on 16 March 2010
76. Letter of Support from Owner/Occupier, 31 Brown Street Falkirk FK1 4PX on 16 March 2010
77. Letter of Support from Maralyn Mackay, 33 Brown Street Falkirk FK1 4PX on 16 March 2010
78. Letter of Support from A Miller, 35 Brown Street Falkirk FK1 4PX on 16 March 2010
79. Letter of Support from Owner/Occupier, 37 Brown Street Falkirk FK1 4PX on 16 March 2010
80. Letter of Support from Mrs Kimberley Anderson, 42 Brown Street Falkirk FK1 4QF on 16 March 2010
81. Letter of Support from Mrs Elizabeth Duns, 44 Brown Street Falkirk FK1 4QF on 16 March 2010
82. Letter of Support from Mr M George, 48 Ochiltree Terrace Falkirk FK1 4LR
83. Letter of Support from Owner/Occupier, 46 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
84. Letter of Support from Ms Emma Wilson, 44 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
85. Letter of Support from Mr Robert Miller, 34 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010

86. Letter of Support from John / R Sweeny/Gibson, 18 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
87. Letter of Support from J Aden, 14 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
88. Letter of Support from J McIntz, 7 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
89. Letter of Support from J Turnbull, 8 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
90. Letter of Support from Owner/Occupier, 56 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
91. Letter of Support from Owner/Occupier, 50 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
92. Letter of Support from C Marshall, 73 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
93. Letter of Support from V Meikle, 46 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
94. Letter of Support from Eliz Peebles, 151 Fairlie Street Falkirk FK1 4NN on 8 March 2010
95. Letter of Support from Owner/Occupier, 52 Fairlie Street Falkirk FK1 4NL on 8 March 2010
96. Letter of Support from Mrs Doreen Elgie, 56 Fairlie Street Falkirk FK1 4NL on 8 March 2010
97. Letter of Support from Owner/Occupier, 76 Fairlie Street Falkirk FK1 4NL on 8 March 2010
98. Letter of Support from Owner/Occupier, 74 Fairlie Street Falkirk FK1 4NL on 8 March 2010
99. Letter of Support from Owner/Occupier, 78 Fairlie Street Falkirk FK1 4NL on 8 March 2010
100. Letter of Support from E Cassidy, 81 Fairlie Street Falkirk FK1 4NN on 8 March 2010
101. Letter of Support from Mrs D Graham, 77 Fairlie Street Falkirk FK1 4NH on 8 March 2010
102. Letter of Support from Mr David Fairlie, 63 Fairlie Street Falkirk FK1 4NH on 8 March 2010
103. Letter of Support from S Cunningham, 65 Fairlie Street Falkirk FK1 4NH on 8 March 2010
104. Letter of Support from Owner/Occupier, 31 Fairlie Street Falkirk FK1 4NH on 8 March 2010
105. Letter of Support from M Peacock, 87 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
106. Letter of Support from C Campbell, 81 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
107. Letter of Support from Owner/Occupier, 71 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
108. Letter of Support from Owner/Occupier, 67 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
109. Letter of Support from Nancy Harvey, 61 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
110. Letter of Support from Owner/Occupier, 61 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
111. Letter of Support from S Beveridge, 1 Fairlie Gardens Falkirk FK1 4NW on 8 March 2010
112. Letter of Support from Owner/Occupier, 2 - 3 Fairlie Gardens Falkirk FK1 4NW on 8 March 2010
113. Letter of Support from L Eckland, 8 Fairlie Gardens Falkirk FK1 4NW on 8 March 2010
114. Letter of Support from Mrs E Miller, 13 Fairlie Street Falkirk FK1 4NH on 8 March 2010
115. Letter of Support from Owner/Occupier, 25 Fairlie Street Falkirk FK1 4NH on 8 March 2010
116. Letter of Support from Owner/Occupier, 22 Fairlie Street Falkirk FK1 4NH on 8 March 2010
117. Letter of Support from Owner/Occupier, 60 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
118. Letter of Support from D Brown, 33 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
119. Letter of Support from Ms Nicola Buchannan, 34 Fairlie Drive Falkirk FK1 4NP on 11 March 2010
120. Letter of Support from Mr John Robertson, NO ADDRESS GIVEN on 11 March 2010
121. Letter of Support from Jacqueline Meeke, NO ADDRESS GIVEN on 11 March 2010
122. Letter of Support from K MacDonald, 32 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
123. Letter of Support from Mr Steven Fowler, 46 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
124. Letter of Support from Ms Lorna Graham, 26 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
125. Letter of Support from Owner/Occupier, 8 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
126. Letter of Support from Mr Gregor Hay, 10 Fairley Drive Larbert FK5 4PS on 8 March 2010
127. Letter of Support from Owner/Occupier, 12 Fairlie Street Falkirk FK1 4NH on 8 March 2010
128. Letter of Support from Ms Lisa Lumsden, 14 Fairlie Drive Falkirk FK1 4NP on 8 March 2010

129. Letter of Support from S Maarshall, 4 Fairlie Gardens Falkirk FK1 4NW on 8 March 2010
130. Letter of Support from Owner/Occupier, 99 Dorrator Road Falkirk FK1 4BL on 16 March 2010
131. Letter of Support from Donna Sinclair, 24 Conner Avenue Falkirk FK2 7FS on 16 March 2010
132. Letter of Support from Mr John Laidlaw, 14/4 Greenbank Court Falkirk FK1 5DS on 16 March 2010
133. Letter of Support from Mr Scott Malcolm, 7 Windsor Crescent Falkirk FK1 5DD on 16 March 2010
134. Letter of Support from D Bell, 29 Burnside Court Camelon Falkirk FK1 4DR on 16 March 2010
135. Letter of Support from Linda Welsh, 32 Woodburn Crescent Bonnybridge FK4 2DJ on 16 March 2010
136. Letter of Support from Amanda Upfold, 97 Bantaskine Street Falkirk FK1 5EX on 16 March 2010
137. Letter of Support from Una McConnachie, 35 Waverley Crescent High Bonnybridge Bonnybridge FK4 2AX on 16 March 2010
138. Letter of Support from Ann Henderson, 6 Millar Place Bonnybridge FK4 2AR on 16 March 2010
139. Letter of Support from Marion Richardson, 5 Antonine Gardens Falkirk FK1 4NY on 16 March 2010
140. Letter of Support from Mr Richardson, 5 Antonine Gardens Falkirk FK1 4NY on 16 March 2010
141. Letter of Support from Mrs S A Cassidy, 10 Antonine Gardens Falkirk FK1 4NY on 16 March 2010
142. Letter of Support from Mrs Dewar, 1 Antonine Street Falkirk FK1 4NX on 16 March 2010
143. Letter of Support from Irene O'Brien, 3 Antonine Street Falkirk FK1 4NX on 16 March 2010
144. Letter of Support from Mr John O'Brien, 3 Antonine Street Falkirk FK1 4NX on 16 March 2010
145. Letter of Support from G Wynd, 8 Antonine Street Falkirk FK1 4NX on 16 March 2010
146. Letter of Support from Owner/Occupier, 14 Antonine Street Falkirk FK1 4NX on 16 March 2010
147. Letter of Support from R McCindle, 18 Antonine Street Falkirk FK1 4NX on 16 March 2010
148. Letter of Support from T Johnston, 36 Antonine Street Falkirk FK1 4NU on 16 March 2010
149. Letter of Support from Mary McIntyre, 48 Brown Street Falkirk FK1 4QF on 16 March 2010
150. Letter of Support from Mr James McGeachie, 2 Antonine Gardens Falkirk FK1 4NY on 16 March 2010
151. Letter of Support from Mrs Jan Evans, 1 Sunnyside Street Falkirk FK1 4BJ on 10 February 2010
152. Letter of Support from C MacEachen, 127 Fairlie Street Falkirk FK1 4NN on 8 March 2010
153. Letter of Support from S McCrindle, 40 Fairlie Street Falkirk FK1 4NL on 8 March 2010
154. Letter of Support from M Kerr, 82 Fairlie Street Falkirk FK1 4NL on 8 March 2010
155. Letter of Support from P Kerr, 82 Fairlie Street Falkirk FK1 4NL on 8 March 2010
156. Letter of Support from Owner/Occupier, 86 Fairlie Street Falkirk FK1 4NL on 8 March 2010
157. Letter of Support from Owner/Occupier, 86 Fairlie Street Falkirk FK1 4NL on 8 March 2010
158. Letter of Support from M Strang, 90 Fairlie Street Falkirk FK1 4NL on 8 March 2010
159. Letter of Support from Mrs M Stran, 90 Fairlie Street Falkirk FK1 4NL on 8 March 2010
160. Letter of Support from E MacDonald, 96 Fairlie Street Falkirk FK1 4NN on 8 March 2010
161. Letter of Support from J Wilson, 32 Fairlie Street Falkirk FK1 4NL on 8 March 2010
162. Letter of Support from Mr and Mrs C & M Swan, 2 Fairlie Street Falkirk FK1 4NH on 8 March 2010
163. Letter of Support from E Ramage, 6 Fairlie Drive Falkirk FK1 4NP on 8 March 2010

164. Letter of Support from C McCreddie, 58 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
165. Letter of Support from P Fitzgerald, 25 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
166. Letter of Support from Mr John Weir, 7 Fairlie Gardens Falkirk FK1 4NW on 8 March 2010
167. Letter of Support from A Jordan, 6 Fairlie Gardens Falkirk FK1 4NW on 8 March 2010
168. Letter of Support from A Young, 35 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
169. Letter of Support from M McCrindle, 23 Fairlie Street Falkirk FK1 4NH on 8 March 2010
170. Letter of Support from Ms Carolanne Ramage, 21 Fairlie Street Falkirk FK1 4NH on 8 March 2010
171. Letter of Support from Ms Anne Hall, 19 Fairlie Street Falkirk FK1 4NH on 8 March 2010
172. Letter of Support from A Burns, 20 Fairlie Street Falkirk FK1 4NH on 8 March 2010
173. Letter of Support from C Lyon, 11 Fairlie Street Falkirk FK1 4NH on 8 March 2010
174. Letter of Support from Ms Lorna Girvan, 21 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
175. Letter of Support from Mrs Christina Hall, 7 Fairlie Street Falkirk FK1 4NH on 8 March 2010
176. Letter of Support from Ms Elizabeth Douglas, 5 Fairlie Street Falkirk FK1 4NH on 8 March 2010
177. Letter of Support from Mr Tommy Mercer, 3 Fairlie Street Falkirk FK1 4NH on 8 March 2010
178. Letter of Support from Ms Donna Hall, 27 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
179. Letter of Support from C Methuson, 56 Carradale Avenue Falkirk FK1 4AF on 8 March 2010
180. Letter of Support from Lauren and Evelyn Hilson, 44 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
181. Letter of Support from Danee McDonald, 9 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
182. Letter of Support from L Gonzalez, 24 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
183. Letter of Support from Mr Robert Laidlaw, 4 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
184. Letter of Support from Janet Gilfillan, 2 Wilson Avenue Falkirk FK1 4LQ on 15 January 2010
185. Letter of Representation from Fiona Mallon, Hillcrest Sunnyside Road Falkirk FK1 4BD on 18 January 2010
186. Letter of Support from Janet Noel, 23 Roman Road Bonnybridge FK4 2DE on 18 January 2010
187. Letter of Support from Mrs A McLeod, 42 Dorrator Road Falkirk FK1 4BL on 18 January 2010
188. Letter of Support from Patricia Mackie, 19 Elizabeth Crescent Falkirk FK1 4JF on 12 January 2010
189. Letter of Support from Mrs Maralyn Mackay, 33 Brown Street Falkirk FK1 4PX on 12 January 2010
190. Letter of Support from Marlene Neil, 9 Watling Street Falkirk FK1 4HT on 12 January 2010
191. Letter of Support from Lynda Dawson, 135 Wall Street Falkirk FK1 4HU on 12 January 2010
192. Letter of Support from W Jack NO ADDRESS GIVEN on 19 February 2010
193. Letter of Support from Ms Irene Cowan, 1 Kenmure Street Falkirk FK1 4LX on 8 March 2010
194. Letter of Support from Owner/Occupier, 127 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
195. Letter of Support from A Fyfe, 135 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
196. Letter of Support from C Kilpatrick, 151 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
197. Letter of Support from A Campbell, 153 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
198. Letter of Support from Owner/Occupier, 155 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
199. Letter of Support from Ms Sarah Guthrie, 155 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
200. Letter of Support from Owner/Occupier, 27 Kenmure Street Falkirk FK1 4LX on 8 March 2010
201. Letter of Support from R H Magners, 3 Kenmure Street Falkirk FK1 4LX on 8 March 2010
202. Letter of Support from Owner/Occupier, 66 Fairlie Street Falkirk FK1 4NL on 8 March 2010

203. Letter of Support from Ms Moira Dobbie, 86 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
204. Letter of Support from M McGarry, 34 Glencairn Street Falkirk FK1 4LY on 8 March 2010
205. Letter of Support from C Cairns, 101 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
206. Letter of Support from Owner/Occupier, 14 Glencairn Street Falkirk FK1 4LY on 8 March 2010
207. Letter of Support from Owner/Occupier, 20 Glencairn Street Falkirk FK1 4LY on 8 March 2010
208. Letter of Support from Owner/Occupier, 53 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
209. Letter of Support from Owner/Occupier, 55 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
210. Letter of Support from Owner/Occupier, 7 Glencairn Street Falkirk FK1 4LY on 8 March 2010
211. Letter of Support from G Graham, 89 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
212. Letter of Support from Owner/Occupier, 9 Glencairn Street Falkirk FK1 4LY on 8 March 2010
213. Letter of Support from Mr Charles Lawrence, 49 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
214. Letter of Support from L McLean, 51 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
215. Letter of Support from Owner/Occupier, 39 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
216. Letter of Support from J and Milinda Morrison, 35 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
217. Letter of Support from Ms Sharon McKinlay, 25 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
218. Letter of Support from F Sharpe, 6 Wilson Avenue Falkirk FK1 4LQ on 8 March 2010
219. Letter of Support from Owner/Occupier, 60 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
220. Letter of Support from Ms Sheena Rankine, 105 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
221. Letter of Support from Owner/Occupier, 111 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
222. Letter of Support from Mr Robert Kerr, 143 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
223. Letter of Support from R Ferguson, 113 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
224. Letter of Support from Mr John O'Connor, 95 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
225. Letter of Support from Owner/Occupier, 97 Ochiltree Terrace Falkirk FK1 4LT on 8 March 2010
226. Letter of Support from Owner/Occupier, 94 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
227. Letter of Support from M Stein, 92 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
228. Letter of Support from J Logan, 4 Kenmure Street Falkirk FK1 4LX on 8 March 2010
229. Letter of Support from Owner/Occupier, 20 Kenmure Street Falkirk FK1 4LX on 8 March 2010
230. Letter of Support from James Taylor, 21 Kenmure Street Falkirk FK1 4LX on 8 March 2010
231. Letter of Support from Agnes Irvine, 25 Kenmure Street Falkirk FK1 4LX on 8 March 2010
232. Letter of Support from M MacPherson, 31 Kenmure Street Falkirk FK1 4LX on 8 March 2010
233. Letter of Support from J Smith, 12 Glencairn Street Falkirk FK1 4LY on 8 March 2010
234. Letter of Support from G Marshall, 84 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010

235. Letter of Support from M Dolan, 82 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
236. Letter of Support from Owner/Occupier, 76 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
237. Letter of Support from Owner/Occupier, 117 Ochiltree Terrace Falkirk FK1 4LS on 8 March 2010
238. Letter of Support from M Niven, 27 Fairlie Street Falkirk FK1 4NH on 8 March 2010
239. Letter of Support from Owner/Occupier, 13 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
240. Letter of Support from Ms Alice Hill, 5 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
241. Letter of Support from Owner/Occupier, 7 Ochiltree Terrace Falkirk FK1 4LR on 8 March 2010
242. Letter of Support from Mr Robert Jeffrey, 153 Fairlie Street Falkirk FK1 4NN on 8 March 2010
243. Letter of Support from E Murray, 141 Fairlie Street Falkirk FK1 4NN on 10 March 2010
244. Letter of Support from Owner/Occupier, 82 Fairlie Street Falkirk FK1 4NL on 8 March 2010
245. Letter of Support from A McCracken, 111 Fairlie Street Falkirk FK1 4NN on 8 March 2010
246. Letter of Support from Owner/Occupier, 89 Fairlie Street Falkirk FK1 4NN on 8 March 2010
247. Letter of Support from T Johnston, NO ADDRESS GIVEN on 16 March 2010
248. Letter of Support from Owner/Occupier, NO ADDRESS GIVEN on 16 March 2010
249. Letter of Support from Cassie Kerrigan, NO ADDRESS GIVEN on 16 March 2010
250. Letter of Support from Cameron Laidlaw, NO ADDRESS GIVEN on 16 March 2010
251. Letter of Support from Jennifer Hawthorn, NO ADDRESS GIVEN on 16 March 2010
252. Letter of Support from D Nicol, NO ADDRESS GIVEN on 16 March 2010
253. Letter of Support from Gail MacLeod, NO ADDRESS GIVEN on 16 March 2010
255. Letter of Support from C Laidlaw, NO ADDRESS GIVEN on 16 March 2010
256. Letter of Support from J Johnston, NO ADDRESS GIVEN on 16 March 2010
257. Letter of Support from P Jamieson, NO ADDRESS GIVEN on 16 March 2010
258. Letter of Support from Ray Johnston, NO ADDRESS GIVEN on 16 March 2010
259. Letter of Support from M Patterson, NO ADDRESS GIVEN on 16 March 2010
260. Letter of Support from Mr David Graham, NO ADDRESS GIVEN on 16 March 2010
261. Letter of Support from A Ferguson, NO ADDRESS GIVEN on 16 March 2010
262. Letter of Support from Owner/Occupier, NO ADDRESS GIVEN on 16 March 2010
263. Letter of Support from G Smith, NO ADDRESS GIVEN on 16 March 2010
264. Letter of Support from Owner/Occupier, 35 Ross Crescent Falkirk FK1 4NT on 16 March 2010
265. Letter of Support from Mr Peter Paterson, 12 Aitken Terrace Falkirk FK1 4EY on 26 January 2010
266. Letter of Support from A Paterson, 6 Fairlie Street Falkirk FK1 4NH on 8 March 2010
267. Letter of Support from Mrs Margaret Tattersall, 36 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
268. Letter of Support from Nicola Leiper, 29 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
269. Letter of Support from Mrs Docherty, 15 Fairlie Street Falkirk FK1 4NH
270. Letter of Support from B Mitchell, 28 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
271. Letter of Support from Mr Lawrence Malcolm, 19 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
272. Letter of Support from D Mitchell, 28 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
273. Letter of Support from Owner/Occupier, 16 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
274. Letter of Support from Irene Wilson, 1 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
275. Letter of Support from W Mitchell, 28 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
276. Letter of Support from Mr and Mrs John Craig, 18 Fairlie Street Falkirk FK1 4NH on 8 March 2010

277. Letter of Support from D Laidlaw, 20 Fairlie Drive Falkirk FK1 4NP on 8 March 2010
278. Letter of Support from N Sinclair, 68 Hamilton Street Falkirk FK1 4QH on 8 March 2010
279. Letter of Support from Karen Graham, 10 Fairlie Street Falkirk FK1 4NH on 8 March 2010
280. Letter of Support from Owner/Occupier, 14 Fairlie Street Falkirk FK1 4NH on 8 March 2010
281. Letter of Support from Owner/Occupier, 9 Ross Crescent Falkirk FK1 4NT on 16 March 2010
282. Letter of Support from E Lapsley, 12 Ross Crescent Falkirk FK1 4NT on 16 March 2010
283. Letter of Support from Vicki Laird, 8 Ross Crescent Falkirk FK1 4NT on 16 March 2010
284. Letter of Support from Sharon Riley, 13 Ross Crescent Falkirk FK1 4NT on 16 March 2010
285. Letter of Support from A Wardlaw, 10 Ross Crescent Falkirk FK1 4NT on 16 March 2010
286. Letter of Support from Owner/Occupier, 9 Ross Crescent Falkirk FK1 4NT on 16 March 2010
287. Letter of Support from K Cowie, 268 Glasgow Road Falkirk FK1 4JQ on 16 March 2010
288. Letter of Support from Alison Pryde, 6 Ross Crescent Falkirk FK1 4NT on 16 March 2010
289. Letter of Support from E McDowell, 20 Ross Crescent Falkirk FK1 4NT on 16 March 2010
290. Letter of Support from A Clark, 22 Ross Crescent Falkirk FK1 4NT on 16 March 2010
291. Letter of Support from Mary Malone, 93 Mansion House Road Falkirk FK1 4PT on 16 March 2010
292. Letter of Support from Owner/Occupier, 13 Fairlie Drive Falkirk FK1 4NP on 16 March 2010
293. Letter of Support from Chris McCourt, 62 Fairlie Drive Falkirk FK1 4NP on 16 March 2010
294. Letter of Support from Robert Bradley, 8 Fairlie Street Falkirk FK1 4NH on 16 March 2010
295. Letter of Support from Isobel Bradley, 8 Fairlie Street Falkirk FK1 4NH on 16 March 2010
296. Letter of Support from R MacDonald and A Bell, 9 Fairlie Street Falkirk FK1 4NH on 16 March 2010
297. Letter of Support from G Armstrong, 1 Watling Drive Falkirk FK1 4QD on 16 March 2010
298. Letter of Support from Owner/Occupier, 9 Watling Drive Falkirk FK1 4QD on 16 March 2010
299. Letter of Support from Joan Burke, 23 Watling Drive Falkirk FK1 4QD on 16 March 2010
300. Letter of Support from Mr A Clark, 25 Watling Avenue Falkirk FK1 4QE on 16 March 2010
301. Letter of Support from Sybil McLaren, 26 Watling Drive Falkirk FK1 4QD on 16 March 2010
302. Letter of Support from Georgie Leonard, 2 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
303. Letter of Support from Lisa Fotheringham, 3 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
304. Letter of Support from Owner/Occupier, 5 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
305. Letter of Support from M McArthur, 6 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
306. Letter of Support from Owner/Occupier, 8 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
307. Letter of Support from Elizabeth Newton, 9 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
308. Letter of Support from J Arneil, 10 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
309. Letter of Support from Owner/Occupier, 12 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
310. Letter of Support from B Fowler, 13 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
311. Letter of Support from B Green, 15 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
312. Letter of Support from Owner/Occupier, 16 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
313. Letter of Support from Robert McFarlane, 17 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
314. Letter of Support from E McFarlane, 17 Glenfuir Street Falkirk FK1 4NS on 16 March 2010

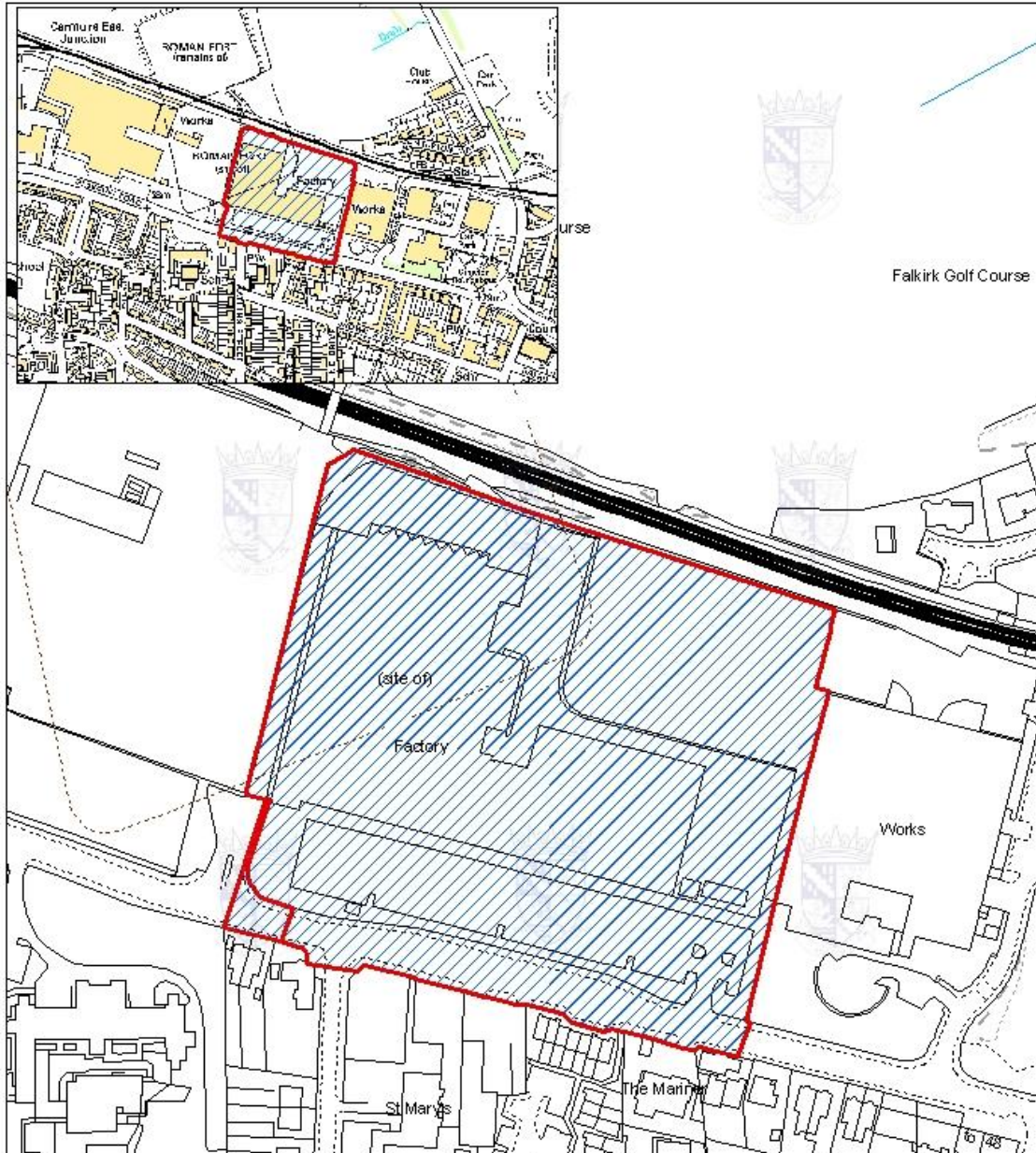
315. Letter of Support from Miss Tina Ollive, 18 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
316. Letter of Support from J Millar, 20 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
317. Letter of Support from A L Henderson, 21 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
318. Letter of Support from Miss K Sharp, 23 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
319. Letter of Support from G and S J Walker, 25 Glenfuir Street Falkirk FK1 4NS on 16 March 2010
320. Letter of Support from James Hutton, 29 Brown Street Falkirk FK1 4PX on 11 December 2009
321. Letter of Support from Mrs Irene McDuff, 14 Carmuir Drive Falkirk FK1 4JG on 11 December 2009
322. Letter of Support from Mrs Sandra McWhinnie, 15 Glencairn Street Falkirk FK1 4LY on 24 February 2010
323. Letter of Representation from Ian Grieve, 93-95 Glasgow Road Falkirk on 20 May 2010

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504815 and ask for John Milne (Senior Planning Officer).

Planning Committee

Planning Application Location Plan P/09/0512/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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FALKIRK COUNCIL

Subject: PROGRAMME OF MEETINGS – 2011
Meeting: FALKIRK COUNCIL
Date: 6 OCTOBER 2010
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 2011 for approval.

2. PROGRAMME

2.1 The programme for meetings in 2010 was approved by Council in October 2009.

2.2 A draft programme for 2011 is attached as an Appendix to this Report.

2.3 Following decisions taken by Council on 5 March and 25 June 2008, meetings of the Council's five scrutiny committees, the Planning Committee and the Civic Licensing Committee all start at 9.30am. In the main, the other standing committees (Policy and Resources, Audit, Joint Consultative and Investment) retain their traditional start time of 10.30am, as does Council itself. It is suggested that there would be benefit in having a consistent approach to the start time of all standing committees (and Council) and the programme for next year has accordingly been prepared on that basis, while recognising that this is ultimately a decision for members.

2.4 Should Council approve the draft programme it will be necessary to amend Standing Order 31.1 which currently states:-

“31.1. Meetings of Council will generally start at 10.30 a.m. (unless the Provost specifies an earlier start time)...”

3. PLANNING COMMITTEE

3.1 In 2009, 9 meetings of the Planning Committee were held on site and 11 meetings have been held in 2010 so far. Arrangements for the meetings have been made on an ad hoc basis, in consultation with the Convener and Depute Convener and with reference to the Council's agreed schedule of meetings. This has sometimes meant that the meetings have been called at relatively short notice which makes it difficult for members to manage their other diary commitments. In order to address this, it is proposed that Council agrees to include the dates on which the Planning Committee may meet on site within the annual programme. The meetings can be cancelled if there is no business for them. In order to allow time to ensure that due notice of the meetings is given to those persons entitled to attend and be heard at them (including applicants and those who have

made representations on the application) and then to enable reports of the issues arising to be prepared for the following meeting of the Committee, it is proposed that the site meetings will be held on the second Monday following the Planning Committee, with two exceptions being Monday 9 May (when the Monday preceding is a public holiday) and Monday 8 August 2011 (as the second Monday after the Committee meets falls in the Council recess).

3.2 In addition to the proposed programme, meetings of the Planning Review Committee may be held as required.

4. LICENSING BOARD

4.1 The attached draft programme is for Falkirk Council meetings and accordingly does not include arrangements for the Licensing Board. However, to assist Members to manage their diaries, the dates of meetings of the Licensing Board scheduled for 2011 are included with the Council programme, for information.

5. SPECIAL MEETINGS

5.1 Members should be aware that, notwithstanding the draft programme set out in the appendix, there may be a requirement to call special meetings of Council or Committees during the year, as necessary.

6. RECOMMENDATIONS

6.1 Council is invited to:-

- (i) approve the draft programme of meetings 2011 as detailed in the Appendix to the Report;
- (ii) note that special meetings of Council or its Committees may be called as necessary; and
- (iii) authorise those changes to Standing Orders required to give effect to these decisions.

.....
Acting Director of Law and Administration Services
Date: 23 September 2010
Contact Officer: Brian Pirie (Tel: 01324 506110)

LIST OF BACKGROUND PAPERS

Nil.

TIME	COMMITTEE	CYCLE 3	CYCLE 4	CYCLE 5	CYCLE 1	CYCLE 2
9.30 am	Policy & Resources Committee	Tues 11 January	Tues 8 March	Tues 3 May	Tues 9 Aug	Tues 18 Oct
9.30 am	Civic Licensing	Wed 12 January	Wed 9 March	Wed 4 May	Wed 10 Aug	Wed 19 Oct
9.30 am	Environment and Community Safety Committee	Tues 18 January	Tues 15 March	Tues 10 May	Tues 16 Aug	Tues 25 Oct
9.30 am	Audit Committee		Mon 21 March	Mon 16 May		Mon 31 Oct
9.30 am	Education Committee	Tues 25 January	Tues 22 March	Tues 17 May	Tues 23 Aug	Tues 1 Nov
9.30 am	Planning Committee	Wed 26 January	Wed 23 March	Wed 18 May	Wed 24 Aug	Wed 2 Nov
9.30 am	Planning Committee On Site	Mon 7 February	Mon 4 April	Mon 30 May	Mon 5 Sept	Mon 14 Nov
9.30 am	Housing and Social Care Committee	Tues 1 February	Tues 29 March	Tues 24 May	Tues 30 August	Tues 8 Nov
9.30 am	Joint Consultative Committee	Wed 2 February	Wed 30 March	Wed 25 May	Wed 31 August	Wed 9 Nov
9.30 am	Policy & Resources Committee	Tues 8 February Wed 9 February*	Tues 5 April	Tues 31 May	Tues 6 Sept	Tues 15 Nov
9.30 am	Civic Licensing	Thurs 10 February	Wed 6 April	Wed 1 June	Wed 7 Sept	Wed 16 Nov
9.30 am	Leisure, Tourism and Community Committee	Tues 15 February	Tues 12 April	Tues 7 June	Tues 13 Sept	Tues 22 Nov
9.30 am	Investment	Thurs 17 February		Thurs 9 June	Thurs 15 Sept	Thurs 24 Nov
9.30 am	Economic Strategy and Development Committee	Tues 22 February	Tues 19 April	Tues 14 June	Tues 20 Sept	Tues 29 Nov
9.30 am	Planning Committee	Wed 23 February	Wed 20 April	Wed 15 June	Wed 21 Sept	Wed 30 Nov
9.30 am	Falkirk Council	Wed 9 February* Wed 2 March	Wed 27 April	Wed 22 June	Wed 5 Oct	Wed 7 Dec
9.30 am	Planning Committee On Site	Mon 7 March	Mon 9 May	Mon 8 August	Mon 3 October	Mon 12 December

Public Holidays: 3 and 4 January, 22 & 25 April, 2 May, 12 September and 26 and 27 December 2011

*** Special Budget meetings of the Policy and Resources Committee and Falkirk Council provisionally scheduled for Wednesday 9 February 2011 but these dates are subject to change.**

Licensing Board Meetings: 19 Jan, 16 Feb, 16 Mar, 13 Apr, 11 May, 8 June, 17 Aug, 14 Sept, 26 Oct, 23 Nov and 14 Dec (for information only and subject to Board confirmation and alteration)

FALKIRK COUNCIL

Subject: AMENDMENT TO STANDING ORDERS AND SCHEME OF DELEGATION
Meeting: FALKIRK COUNCIL
Date: 6 OCTOBER 2010
Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present for approval a revised set of Standing Orders and Scheme of Delegation in consequence of the decision of Council in June 2010 to implement a new Council management structure.

2. BACKGROUND

- 2.1 At its meeting on 23 June 2010, Council agreed a revised Council management structure, including a Chief Executive Office which will incorporate the functions formerly performed by Finance and Law and Administration Services. The current Director and Head of Service level posts for these Services will be lost and the posts of Chief Governance Officer, Depute Chief Governance Officer, Chief Finance Officer and two Depute Chief Finance Officers will be created. It is understood that the process to fill these posts will begin in October 2009. It is proposed that the Standing Orders and Scheme of Delegation are amended to reflect these changes and that they become effective when the Chief Officer appointments are made. At this stage, the amendments deal mainly with terminology rather than matters of substance. A more thorough review of Standing Orders and the Scheme of Delegation will be carried out to ensure they are still fit for purpose, having regard to the dynamic change climate across the public sector generally.
- 2.2 Council also agreed in June that the Licensing function would transfer to Law and Administration Services with effect from 5 July 2010 (and consequentially to the Chief Executive Office), with management responsibility being undertaken, in the first place, by the Acting Director of Law and Administration. The Scheme of Delegation requires to be amended to reflect this change and to accommodate the future role of the Chief Governance Officer.
- 2.3 As set out in the June report, the posts of Director of Finance and Director of Law and Administration hold a number of statutory offices, principally those of Chief Finance Officer and Monitoring Officer, but also various other proper officer functions detailed in statute. These are set out in Appendix 1. The Acting Director of Law and Administration has also been accorded the role of the Clerk to the Licensing Board.
- 2.4 Council agreed in June that, at the stage appointments are made to the posts of Chief Finance Officer and Chief Governance Officer, each office, role or function currently associated with the posts of Director of Finance and Director of Law and Administration should transfer to the new post until further decision by the Council. Council is now invited to confirm that the functions, as detailed above and in the appendix, will transfer to the new posts of Chief Governance Officer and Chief Finance Officer as appropriate, once those posts are filled.

3. STANDING ORDERS AND SCHEME OF DELEGATION

- 3.1 The current Standing Orders and the Scheme of Delegation have been revised in consequence of the changes to Council's management structure, with the deletion of all references to the Director of Law and Administration and the Director of Finance and replaced by the posts of Chief Governance Officer and Chief Finance Officer respectively.
- 3.2 Changes have also been made to the relevant sections relating to the licensing function in recognition that the responsibility for the licensing function will rest with the Chief Governance Officer.
- 3.3 Copies of the revised versions of both the Standing Orders and the Scheme of Delegation are attached as Appendix 2 and Appendix 3, with the changes made shown in bold.

4. RECOMMENDATIONS

4.1 Members are asked to :-

- (i) confirm that the roles and functions ascribed to the posts of Director of Finance and Director of Law and Administration, as detailed in paragraph 2.3, transfer, at the stage appointments are made, to the posts of Chief Finance Officer and Chief Governance Officer respectively;**
- (ii) approve the revisions to the Standing Orders and to the Scheme of Delegation as detailed in this Report, and**
- (iii) agree that that the revised versions of the Standing Orders and the Scheme of Delegation will take effect when the new management structure is implemented, on a date to be determined by the Chief Executive, with the exception of the revisions to reflect the transfer of the licensing function to the Acting Director of Law and Administration which will take immediate effect.**

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

Date: 17 September 2010

Contact Officer: Brian Pirie, Democratic Services Manager, ext 6110.

LIST OF BACKGROUND PAPERS

Nil

DESIGNATION OF PROPER OFFICER

STATUTORY PROVISIONS APPLICABLE TO FALKIRK COUNCIL

<u>Statutory Provision</u>	<u>Purpose</u>	<u>Proper Officer</u>
Local Government (Scotland) Act 1973		
Section 33A	Proper Officer for purposes in connection with Declarations of Acceptance of Office by Councillors.	Chief Executive
Section 34	Proper Officer for receipt of Councillors' resignations.	Chief Executive
Sections 43 and Schedule 7	Proper Officer for purposes in connection with meetings and proceedings of the Council, Committees and Sub Committees.	Director of Law and Administration Services
Section 50B - F	Proper Officer for various purposes in connection with access to agenda, reports and background papers of the Council, Committees and Sub Committees.	Director of Law and Administration Services
Section 95	Proper Officer for the administration of the Council's financial affairs (Chief Finance Officer).	Director of Finance Services

Section 190	Proper Officer for various purposes in connection with legal proceedings and service of legal proceedings, notices etc on the Council.	Director of Law and Administration Services
Section 191	Proper Officer in respect of claims on behalf of the Council in sequestrations and liquidations.	Director of Finance Services
Section 193	Proper Officer in respect of authentication of Documents.	Director of Law and Administration Services
Section 194	Proper Officer in respect of execution of deeds and use of the Council seal.	Chief Executive and Director of Law and Administration Services
Sections 202-204	Proper Officer for various purposes in connection with byelaws.	Director of Law and Administration Services
Representation of the People Act 1983		
Section 41	Returning Officer	Chief Executive
Local Government & Housing Act 1989		
Section 2	Proper Officer in respect of list of politically restricted postholders.	Director of Law and Administration Services

Section 4	Head of Paid Service	Chief Executive
Section 5	Monitoring Officer	Director of Law and Administration Services
Civic Government (Scotland) Act 1982		
Section 112-113	Proper Officer in respect of management rules.	Director of Law and Administration Services
Local Government (Scotland) Act 1975		
Section 28	Proper Officer in respect of reports from the Ombudsman.	Director of Law and Administration Services
The Ethical Standards in Public Life etc. (Scotland) Act (Register of Interests) Regulations 2003	Proper Officer in respect of maintaining the register of members interests.	Director of Law and Administration Services

STANDING ORDERS RELATING TO MEETINGS

These Standing Orders Relating to Meetings apply and have from 6 October 2010 subject to such amendments as may from time to time be made by the Council. (Consolidated Version)

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STANDING ORDERS RELATING TO MEETINGS

SECTION 1

PRELIMINARY MATTERS

1. APPLICATION OF INTERPRETATION ACT 1978

- 1.1 The Interpretation Act 1978 will apply to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament.

2. DEFINITIONS

- 2.1 In these Standing Orders, unless the context otherwise demands, the following terms will have the undernoted meanings:-

Term	Meaning
The 1973 Act	The Local Government (Scotland) Act, 1973
The 1975 Act	The Local Government (Scotland) Act, 1975
The 1985 Act	The Local Government (Access to Information) Act, 1985
The 1989 Act	The Local Government and Housing Act, 1989
The 1992 Act	The Local Government Finance Act, 1992
The 1994 Act	The Local Government Etc. (Scotland) Act, 1994
The Council	Falkirk Council constituted by virtue of and incorporated under the 1994 Act
The Provost	The Convener of the Council duly appointed as such by a full meeting of the Council in terms of Section 4(1) of the 1994 Act.
The Depute Provost	The Depute Convener of the Council duly appointed as such by a full meeting of the Council in terms of Section 4(2) of the 1994 Act.

Convener	The person presiding at a Committee or Sub-Committee, duly appointed by the Council.
Depute Convener	The person presiding at a Committee or Sub-Committee in the absence of the Convener, duly appointed by the Council.
Councillor	A Member of the Council duly elected at an election or by-election, and who has made and delivered to the Proper Officer of the Council a Declaration of Acceptance of Office in accordance with Section 33A of the 1973 Act.
The National Code of Local Government Conduct	The code of recommended practice issued by the Secretary of State for Scotland under Section 31 of the Local Government and Housing Act, 1989.
Head of Paid Service	The person designated as such by the Council under Section 4 of the 1989 Act. In Falkirk Council, that person is the Chief Executive.
Chief Officer	A statutory or non-statutory chief officer, as defined in Section 2 of the 1989 Act.
Monitoring Officer	The person designated as such by the Council under Section 5 of the 1989 Act or, if that person is unable to act owing to absence or illness, the person nominated by him/her as his/her deputy under Sub-section (7) of that Section. In Falkirk Council, the Monitoring Officer is the Chief Governance Officer .
Proper Officer	The person designated as such by the Council to undertake specific duties, as detailed in a list kept for public inspection within the head office of the Council which is situated at Municipal Buildings, Falkirk.
Committee	A Committee of the Council.
Sub-Committee	A Sub-Committee of a Committee.
Joint Boards	The Central Scotland Joint Police Board, the Central Scotland Joint Fire Board and the Central Scotland Joint Valuation Board.
Clerk	The person attending a meeting to act as Clerk to the Council, or any of its Committees and Sub-Committees.

Political Group	Any group of Councillors who have given due notice to the Proper Officer and who satisfy the definition of such a group as contained in Sections 15 and 16 and Schedule 1 of the 1989 Act, and the definition contained in Paragraph 2 of the Local Authorities Etc (Allowances) (Scotland) Regulations 1991.
Leader of a political group	The leader of a group as defined in Paragraph 2 of the Local Authorities Etc (Allowances) (Scotland) Regulations 1991.
Leader of the Council	The leader of the group or groups which form the Administration of the Council.
Majority Group	A political group to which belong:- <ul style="list-style-type: none"> (i) more than half of the Members of the Council; or (ii) exactly half of the Members of the Council, including the Provost; or (iii) the largest number of Members of the Council.
Minority Group	A political group which:- <ul style="list-style-type: none"> (i) where there is a majority group among the Members of the Council, is not that majority group; (ii) in any other case, is recognised as such by the Council.
Pecuniary interests	Those interests whether direct or indirect which satisfy the prescribed information detailed in the Schedule attached to the Local Authorities (Members' Interests) Regulations 1992, as amended.
General notice of pecuniary interests	A notice required to be given by a Councillor to the Proper Officer in terms of and in accordance with the time limits contained within the Local Authorities (Members' Interests) Regulations 1992, as amended.

Clear days	When referring to service of Notices, the term “clear days” refers to weekdays, excluding weekends, Bank Holidays, local or national holidays, the day the Notice is posted and the day on which the meeting is held.
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3. CONDUCT OF MEMBERS

- 3.1 All Councillors must have regard to the National Code of Local Government Conduct which represents the standard against which Councillors will be judged both by the public and by fellow Councillors as required by Section 33A of the 1973 Act. Councillors must also have regard to the agreed Falkirk Council Code of Conduct for Members and Officers.

SECTION 2

MEETINGS OF THE COUNCIL

4. MEETINGS

4.1 All Council meetings will take place in accordance with legal requirements. There are 3 forms of Council meeting:

- (i) The Statutory Meeting
- (ii) Ordinary Meetings
- (iii) Special Meetings

5. STATUTORY MEETING

5.1 The Statutory Meeting of the Council in the year of an Election must be held within 21 days from the date of the Election.

5.2 The Returning Officer for that Election or, failing him/her, such Councillor as may be selected by the meeting, will preside at the meeting until the Provost is elected following which the Provost will take the chair.

5.3 The following business will normally be transacted at the Statutory Meeting: -

- (i) Elect the Provost of the Council;
- (ii) If it is resolved to do so, elect the Depute Provost of the Council;
- (iii) Resolve what Committees will be appointed, the terms of reference of each of those Committees and the number of voting Members each Committee will have;
- (iv) Appoint the Members of the Committees and any Standing Sub-Committees of the Council and of Joint Boards;
- (v) Appoint Conveners and Depute Conveners of the Committees and any Standing Sub-Committees of the Council;
- (vi) Appoint the Members of the Licensing Board;
- (vii) Appoint ex officio Justices of the Peace;

- (viii) Appoint representatives to certain other outside bodies insofar as such appointments may competently be made at this meeting;
 - (ix) Subject to the terms of these Standing Orders and of any statutory provision, deal with any urgent competent business.
- 5.4 With the exception of items (i) and (ii) above, the order of business may be varied: -
- (i) by the **Chief Governance Officer** in advance of the meeting;
 - (ii) by the Provost at his or her discretion, or
 - (iii) by a motion put forward, seconded and carried without discussion, by a majority of the Members at the meeting. No written notice of the motion is required.
- 5.5 No adjournment of the statutory meeting will take place to a date later than twenty-one days from the date of the Election.

6. ORDINARY MEETINGS

- 6.1 All meetings of the Council will be held in the Municipal Buildings, Falkirk at the time and on the day which is approved by the Council and in accordance with the programme circulated by the **Chief Governance Officer**, unless determined otherwise by:-
- (i) the Council; or
 - (ii) the Provost and Depute Provost; or
 - (iii) the Provost or Depute Provost, either of them acting together with the Leader of the Council,

with due notice being given of any alteration to the ordinary meeting place or time in compliance with the provisions of the 1973 Act.

7. SPECIAL MEETINGS

- 7.1 A Special Meeting of the Council may be called at any time:-
- (i) by the Provost; or
 - (ii) in the absence of the Provost, by the Depute Provost; or

- (iii) on a requisition in writing specifying the business proposed to be transacted and signed by at least one-quarter of the whole number of Members of the Council. The **Chief Governance Officer** will arrange for the meeting to be held within fourteen days of receipt of the requisition.

8. NOTICE OF MEETING

- 8.1 Public Notification: The **Chief Governance Officer** will notify the public of a meeting by posting a notice at the Council's Offices at least three clear days before the meeting or, if the meeting is convened at shorter notice, at the time the meeting is actually convened.
- 8.2 The Notice of Meeting will comprise:-
 - (i) the date, time and place of the meeting;
 - (ii) the list of items of business to be transacted at the meeting; and
 - (iii) if it is likely that the public is to be excluded during the whole or part of the meeting, notification of that fact.
- 8.3 Notice To Councillors: The **Chief Governance Officer** will give notice of meetings to all Councillors by posting or delivering a Notice to them at their usual place of residence:-
 - (i) at least three clear days before the meeting, or
 - (ii) if the meeting is convened at shorter notice, at the time the meeting is actually convened.
- 8.4 Councillors should notify the **Chief Governance Officer** in writing if the Notice is to be sent to an address other than their usual place of residence.
- 8.5 Want of service of a Notice on any Councillor will not affect the validity of a meeting.
- 8.6 The Notice of Meeting will comprise:-
 - (i) the date, time and place of the meeting;
 - (ii) the list of items of business to be transacted at the meeting, and

(iii) copies of Reports associated with every Agenda item, unless special circumstances exist for non-availability of any Report, which circumstances will be stated on the face of the Notice.

8.7 Notice To The Press And Public: The **Chief Governance Officer** will give notice of meetings to the press and to the public by posting or delivering copies of the items specified in Standing Order 8.6 above to the head office of local newspapers and to public outlets owned by the Council:-

- (i) at least three clear days before the meeting, or
- (ii) if the meeting is convened at shorter notice, at the time the meeting is actually convened.

However, no Report containing confidential or exempt information as defined in Standing Orders 9.5 and 9.6 will be made available for public inspection.

8.8 Where a special meeting has been requisitioned by Members of the Council in terms of Standing Order 7.1(iii), the Members calling the meeting will sign the Notice of the Meeting.

9. THE AGENDA

9.1 Each item of business to be transacted at a meeting will be noted on the Agenda which will be signed by the Chief Executive or the **Chief Governance Officer**. No other item of business will be considered at the meeting unless, by reason of special circumstances, the Provost is of the opinion that the item should be considered as a matter of urgency. The nature of the special circumstances will be recorded in the minute of the meeting.

9.2 Each Agenda item will be accompanied by a Report, unless special circumstances exist for non-availability of any Report.

9.3 Copies of the Agenda and accompanying Reports will be open for inspection by Members of the public at the offices of the Council at least three clear days before the meeting, except:-

- (i) where the meeting is convened at shorter notice, in which case the Agenda and Reports will be available for public inspection from the time the meeting is convened;
- (ii) where an item is added to an Agenda, copies of which are open for inspection by the public, copies of the item (or of the revised Agenda), and copies of any Report for the meeting relating to the item, will be open for inspection from the time the item is added to the Agenda;

- (iii) there may be excluded from the copies of Reports the whole or part of any Report which relates only to items during consideration of which, in the opinion of the **Chief Governance Officer**, the meeting is likely not to be open to the public;
- (iv) the whole or part of any Report which discloses confidential information will be excluded from publication.

9.4 The Agenda will be divided into the following parts:-

PART I Unrestricted Items: permitting full public inspection.

PART II Exempt Items: see Standing Order 9.5.

PART III Confidential Items: see Standing Order 9.6.

9.5 What is meant by “exempt information” is set out in Section 50J and Schedule 7A of the 1973 Act. The following categories of information are defined as being “exempt”:-

- (i) Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office holder or applicant to become an office holder under, the Council;
- (ii) Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority;
- (iii) Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the Council;
- (iv) Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the Council;
- (v) Information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement of that child made under the Children Act 1995;
- (vi) Information relating to the financial or business affairs of any particular person (other than the Council);
- (vii) Information relating to anything done or to be done in respect of any particular person for the purposes of any matter referred to in Section 27(1) of the Social Work (Scotland) Act 1968 (providing reports on and supervision of certain persons);

- (viii) The amount of any expenditure proposed to be incurred by the Council under any particular contract for the acquisition of property or the supply of goods or services;
- (ix) Any terms proposed or to be proposed by or to the Council in the course of negotiations for a contract for the acquisition or disposal of any property or the supply of goods or services;
- (x) The identity of the Council (as well as any other person, by virtue of item (vi) above) as the person offering any particular tender for a contract for the supply of goods or services;
- (xi) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the Council;
- (xii) Any instructions to Counsel and any opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:-
 - (a) any legal proceedings by or against the Council, or
 - (b) the determination of any matter affecting the Council, (whether, in either case, proceedings have been commenced or are in contemplation);
- (xiii) Information which, if disclosed to the public, would reveal that the Council proposes:-
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person, or
 - (b) to make an order or direction under any enactment;
- (xiv) Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime;
- (xv) The identity of a protected informant.

9.6 What is meant by “confidential information” is set out in Section 50A(3) of the 1973 Act. The following categories of information are defined as being “confidential”:-

- (i) Information furnished to the Council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public, and

- (ii) Information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

9.7 Every Report which includes confidential or exempt information will be marked, respectively:-

- (i) “Not for publication by virtue of the confidential nature of the information as defined in Section 50A(3) of the Local Government (Scotland) Act 1973”,

or

- (ii) “Not for publication by virtue of the exempt nature of the information as defined in paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973”.

9.8 The requirement for Reports to accompany Agenda items will not apply to the Agenda of Scrutiny Committees of the Council, unless the Policy and Resources Committee so require in any instance.

10. PUBLIC ACCESS TO MEETINGS

10.1 All meetings of the Council will be open to the public, except in the circumstances detailed below:-

- (i) Whenever it is likely at any meeting, in view of the nature of the business to be transacted or the nature of the proceedings, that there will be a disclosure of exempt information (see Standing Order 9.5), the public may be excluded from the meeting while the particular matter is being considered.
- (ii) Whenever it is likely at any meeting, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information (see Standing Order 9.6) will be disclosed in breach of the obligation of confidence, the public will be excluded while the particular matter is being considered.
- (iii) The Provost has power to exclude any Member of the public from a meeting in order to suppress or prevent disorderly conduct or other misbehaviour which is impeding or likely to impede the work or proceedings of the Council.

(iv) If a Member of the public interrupts the proceedings at any meeting, the Provost will give a warning. If the interruption continues, the Provost will order the removal of the person from the meeting place. In the case of general disturbance in any part of the meeting place open to the public, the Provost may order that part to be cleared.

10.2 No Member of the public will be permitted to speak or to take any other part in the proceedings of a meeting of the Council except when addressing the meeting as a Member of a deputation under Standing Order 30.

10.3 Nothing in these Standing Orders will require the Council to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.

11. NON-ATTENDANCE OF MEMBERS

11.1 Should a Member of the Council be unable to attend a meeting for whatever reason, (s)he may tender his/her apologies either by intimating them to the **Chief Governance Officer** in advance of the meeting or by another Councillor doing so prior to the commencement of business, and these apologies only will be incorporated in the minute of the meeting.

11.2 Subject to the provisions of the 1973 Act, if a Councillor fails throughout a period of six consecutive months to attend any meeting of the Council, (s)he will, unless the failure to attend was due to some reason approved by the Council, cease to be a Member of the Council.

11.3 Subject to the provisions of the 1973 Act, the Council may grant a leave of absence to any Councillor who, for a reason approved by Council, is unable to attend any meeting of the Council for a continuous period of six months.

11.4 Attendance at any Committee or Sub-Committee of the Council or any Joint Committee, Joint Board or other body to which any function of the Council has been delegated or any meeting of any body of persons at which the Councillor is authorised to represent the Council is deemed to be attendance at a meeting of the Council for the purposes of this Standing Order.

12. PERSON PRESIDING AT MEETINGS OF THE COUNCIL

12.1 Without prejudice to the provisions of Standing Order 5, the Provost will preside at all meetings of the Council. In his/her absence, the Depute Provost will preside at the Council meeting and, in the absence of both, the Proper Officer or Chief Executive will preside over the meeting until the Council appoints a Convener from amongst its numbers.

13. QUORUM

- 13.1 At all meetings of the Council, one quarter of the Membership will form a quorum and if, within fifteen minutes after the time appointed for the meeting, a quorum is not present, the meeting will stand adjourned to such date and time as may be fixed, and the minute of the meeting will disclose this fact.
- 13.2 If, at any time after a meeting has commenced, the number of Members present falls below the quorum, the Provost will suspend the proceedings.
- 13.3 If, after the lapse of five minutes, the Provost finds that the quorum has not been achieved, (s)he will adjourn the meeting to such other date and time as may be fixed, and any business not considered at the adjourned meeting will be postponed to and considered at the reconvened meeting.

DECLARATIONS OF INTEREST AND EXCLUSION OF MEMBERS FROM MEETINGS

- 14.1 If any Councillor has a direct or indirect pecuniary interest in any contract, proposed contract, or other matter being discussed at a meeting, he or she must declare the interest and leave the meeting until the matter has been dealt with.
- 14.2 A Councillor must disclose at a Council meeting any non-pecuniary interest (s)he has in any matter being discussed at a meeting, which falls within the categories described in the National Code of Local Government Conduct. However, the Member may remain, speak and vote unless the interest is clear and substantial.
- 14.3 If the interest is clear and substantial, the Councillor may remain, speak and in some cases vote, in the circumstances described in the National Code of Local Government Conduct. The Member must still disclose the interest.
- 14.4 When a Councillor declares an interest at a meeting, (s)he should state clearly the specific nature of the interest. The Councillor's name, the nature of the interest and whether or not the Councillor remained in the meeting, took part in the debate or voted, will be included in the minutes.
- 14.5 If a Councillor is affected by the provisions of Section 112 of the 1992 Act (Councillors with Council Tax arrears who are precluded from voting on financial matters), (s)he must declare that fact at any meeting dealing with the setting of the Council Tax or other relevant issues referred to in that Section of the Act, and must not vote on any question with respect to that matter.

- 14.6 In advance of any meeting, advice may be sought from the **Chief Governance Officer** on the terms of the National Code of Local Government Conduct and how it may affect any Councillor in any particular circumstances.

SECTION 3

ORDER AND CONDUCT OF BUSINESS AT MEETINGS OF THE COUNCIL

ORDER OF BUSINESS

15.1 The business of the Council at Ordinary Meetings will proceed in the following order, subject to its division into Parts I, II and III as referred to in Standing Order 9.4 above:

- (i) The sederunt will be taken by way of calling the roll and any apologies intimated and noted;
- (ii) The minutes of the last ordinary meeting and of any special meeting of the Council since held will be held as read, corrected, if need be, and approved;
- (iii) Submission of the Information Bulletin and Volume of Minutes;
- (iv) Questions submitted in accordance with Standing Order 29;
- (v) Public announcements by the Provost regarding matters of immediate local concern;
- (vi) Recommendations from Committees;
- (vii) New business;
- (viii) Motions of which notice has previously been given in accordance with Standing Order 30;
- (ix) Business required by statute to be disposed of at the meeting; including authority for execution of deeds.

15.2 The order of business in items (i) and (ii) of Standing Order 15.1 may not be changed. The order of any other business may be varied:-

- (i) by the Provost at his or her discretion either at or before the meeting;
or
- (ii) by a motion put forward, seconded, and carried without discussion, by a majority of Members at the meeting. No written notice of motion is required.

MINUTES

- 16.1 Minutes of Council meetings will be compiled and kept by the **Chief Governance Officer** and will be signed at the next Ordinary Council Meeting by the Provost.
- 16.2 The Provost will put the question that the minutes of the meeting of the Council held on the day of will be approved as a true record.
- 16.3 There will be no discussion of the minutes except on their accuracy. Any question of accuracy must be raised by motion and voted on without discussion. No written notice of motion is required. The Provost will sign the minutes once they are deemed accurate.
- 16.4 A Council meeting which has had its minutes properly signed will be deemed to have been held, and all Councillors present at the meeting will be deemed to have been duly qualified, until the contrary is proved.

RULES OF DEBATE

17. RESPECT FOR THE CHAIR

- 17.1 At all Meetings of the Council, there will be a duty on the Provost to preserve order and to ensure that every Member has a fair hearing.
- 17.2 As a matter of courtesy, a Councillor, when speaking, should stand and address the Provost. If two or more Councillors rise, the Provost will call on one to speak; the other or others will then sit. When a Councillor is speaking, all other Councillors will remain seated, unless rising to a point of order or in personal explanation. When the Provost rises, any Councillor then standing will resume his or her seat and no Councillor will rise until the Provost has resumed his or her seat.

18. POINTS OF ORDER, PERSONAL EXPLANATIONS AND PERSONAL ATTACKS

- 18.1 On a point of order, a Councillor will be heard forthwith. Any other Councillor then speaking must give way. A point of order must relate only to an alleged breach of a Standing Order or statutory provision, and the Councillor must specify the Standing Order or statutory provision, and the way in which (s)he considers it has been contravened. The Councillor's remarks must be confined to the point of order.

- 18.2 On a point of personal explanation, a Councillor who has previously spoken on an item of business may rise and, with the consent of the Provost, speak in personal explanation. The Member will be heard forthwith if consent is given and any other Councillor then speaking will give way. A point of personal explanation must be confined to some material part of a former speech by him/her, which may appear to have been misunderstood in the present debate, or as to some statement or act wrongly attributed to him/her. Making such explanation, the Councillor must confine his/her remarks strictly to that point and must not refer to other matters, nor endeavour to elaborate a former speech by new arguments, or reply to other Councillors.
- 18.3 The Provost will consent to a Councillor giving an immediate personal explanation if he/she is abused, misinterpreted or unfairly accused of a misdemeanour by another Councillor. The Councillor's response must relate only to the part of the previous Councillor's speech which abuses, misinterprets or unfairly accuses him or her.
- 18.4 In the event of the Provost ruling against the admissibility of a point of order or personal explanation under Standing Order 18.1 or 18.2 he/she will give reason for the ruling.

19. MOTIONS AND AMENDMENTS

- 19.1 A motion or amendment will not be discussed or put to the meeting unless it has been moved and seconded.
- 19.2 If requested by the Provost, the mover of a motion or amendment will put it in writing and hand it to the Provost before it is discussed or put to the vote.
- 19.3 A Councillor must direct any speech strictly to the question under discussion or to a personal explanation or to a point of order.
- 19.4 Motions or amendments made but not seconded will not be discussed or recorded in the minutes. When a motion or amendment has been moved but not seconded, the mover may require his or her dissent in respect of a decision taken on the item of business to which the motion or amendment relates to be entered in the minute.
- 19.4A Any motion or amendment which seeks to add to, take from or otherwise alter or amend the annual budgets submitted to Council by the **Chief Finance Officer** (relating to the Revenue Budget, the General Services Capital Programme, the Housing Revenue Account and Council House Rents and the Housing Investment Programme) shall require to take the form of an alternative budget which shall detail the cost of the proposal(s) being advanced or the savings proposed to be achieved and the consequential impact of that cost or those savings on the budget as submitted by the **Chief Finance Officer**.

- 19.5 Only one amendment may be moved and discussed at a time and no further amendment may be moved (although notice of it should be given) until the amendment under discussion has been dealt with. No Member may move more than one amendment to a motion.
- 19.6 If an amendment is lost, other amendments may be moved on the original motion but only where notice has been given. If an amendment is carried, the amended motion replaces the original motion and becomes the substantive motion upon which any further amendment may be moved.
- 19.7 A Councillor may only alter the text of his or her motion with the consent of the Provost. The alteration must amend the motion and not be an entirely new motion. If the motion has been moved and seconded, the seconder must also give consent to the alteration.
- 19.8 A motion or amendment once made and seconded may only be withdrawn with the unanimous consent of those present at the meeting. No Councillor may speak on the motion or the amendment after the mover has asked permission for its withdrawal, unless permission has been refused.
- 19.9 An amendment must be relevant to the motion and will be either:-
- (i) to refer a subject of debate to a Committee for consideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others, or
 - (iv) to insert or add words,
- but such omission, insertion or addition of words must not have the effect of introducing new subject matter into or negating the motion before Council.
- 19.10 Except where the Provost notes that those Councillors at the meeting are in general agreement with regard to any unopposed motion, each motion will be put to the vote.

20. SPEECHES

- 20.1 Each Councillor will introduce his or her speech by indicating whether (s)he is speaking in support of the motion or the amendment or introducing it.
- 20.2 Except with the consent of the Provost, a speech must not exceed:-
- (i) ten minutes, when a Councillor is moving an original motion or an amendment, or is seconding a motion or amendment; and
 - (ii) five minutes in any other case.

- 20.3 A Councillor must direct his or her speech to:-
- (i) the question under discussion, or
 - (ii) a personal explanation or a point of order.
- 20.4 A Councillor may only speak once during the debate on an item of business to either:-
- (i) move an amendment or motion, or
 - (ii) second or speak to an amendment or motion moved by another Member.
- 20.5 The exceptions are:-
- (i) to speak on the substantive motion;
 - (ii) to exercise a right of reply;
 - (iii) on a point of order; and
 - (iv) by way of personal explanation.
- 20.6 The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion is entitled to a right of reply at the close of the debate on the amendment but must not otherwise speak on the amendment. The mover of an amendment has no right of reply to the debate on that amendment. At the end of the debate, the Provost will call on the original mover of the motion to exercise his or her final right of reply.
- 20.7 After the mover of the motion has exercised his/her final right of reply, no other Councillor may speak to the question which will then be put by the Provost.

21. VOTING

- 21.1 Unless dispensed with by the Provost, the Clerk will read out to the meeting the terms of the motion and the amendment. Thereafter the Clerk will:-
- (i) call for votes for the amendment, and subsequently
 - (ii) call for votes for the motion.

- 21.2 The Clerk will then announce the result of the vote on the basis of a simple majority of those voting.
- 21.3 After the Clerk has announced the issue on which a vote is to be taken and has started to take the vote, no Councillor will be permitted to offer an opinion, ask a question or otherwise interrupt the proceedings, until the result of the vote is declared.
- 21.4 Voting will be by show of hands, except in the following circumstances:-
- (i) If not less than one-quarter of the Council present and voting so request, the Clerk will call over the names of all the Councillors and will record in the minutes of the meeting the names of those:-
 - (a) voting for or against the motion or amendment; or
 - (b) abstaining from voting, or
 - (c) absent from the meeting when the vote was taken.
 - (ii) on a motion put forward, seconded, and carried without discussion, by a majority of Members at the meeting, voting will be by ballot which will be undertaken by the Clerk to ensure the secrecy of the vote. No written notice of motion is required.
- 21.5 If, immediately after a vote is taken, a Councillor requests his or her vote to be recorded, there will be noted in the minute of the meeting whether the Councillor:-
- (i) cast his or her vote for or against the question, or
 - (ii) abstained from voting,
- except in any case where the vote is taken by roll call.
- 21.6 In the case of an equality of votes, the Provost will have a second or casting vote and may exercise it at his/her discretion except as detailed in Standing Order 23.

22. VOTING ON APPOINTMENTS

- 22.1 Where more than two persons are nominated for any position to be filled by the Council, the Councillor to be elected will be determined by a vote in which each Councillor may vote for one candidate per vacancy only, the vote being put to the meeting in the order in which nominations have been proposed and seconded. Where any one candidate has an absolute majority, (s)he will be declared as elected.

22.2 Where, after the first vote in accordance with Standing Order 23.1, there is an equality of votes for two or more candidates, the candidate to be elected will be decided by lot, which will be conducted by the Clerk.

23. THIRD PARTY INTERESTS

23.1 For the purposes of clarification, where voting takes place on an Agenda item where third party interests are directly affected, e.g. where a planning application is being considered, or where appointments are being made in accordance with Standing Order 22, only those Councillors who have been present during the whole of the discussion will be entitled to participate in the vote, save where as otherwise provided within these Standing Orders.

23.2 Absences for brief periods during consideration of business will be disregarded in these situations. In all other cases, only those Councillors who have been in attendance during the whole or part of the discussion on the Agenda item giving rise to the vote will be entitled to participate in that vote.

24. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

24.1 The following motions and amendments may be moved without notice to:-

- (i) appoint a Chair of the meeting;
- (ii) question the accuracy of the minutes;
- (iii) move that an item of business on the Agenda takes precedence;
- (iv) give leave to withdraw a motion;
- (v) move that “the question be now put”;
- (vi) move that “the debate be now adjourned”;
- (vii) move that “the Council proceed to the next business”;
- (viii) move that “the Council do now adjourn”;
- (ix) move that “the vote be taken by ballot”;
- (x) move that “the time for the meeting be extended”;
- (xi) exclude or re-admit the press and public under section 50A(4) of the 1973 Act;

- (xii) move that a Member named under Standing Order 26 be not further heard or do leave the meeting;
- (xiii) give consent of the Council where consent is required by these Standing Orders;
- (xiv) grant urgent action powers.

25. MOTIONS WHICH MAY BE MOVED DURING DEBATE AND CLOSURE MOTIONS

25.1 When a motion is under debate no other motion may be moved except:-

- (i) to amend the motion;
- (ii) motions moved by the Provost or another Member that a Member:-
 - (a) “be not further heard”;
 - (b) “must leave the meeting”;
- (iii) motions to exclude the press and public;
- (iv) closure motions under the following paragraph.

25.2 The following closure motions will be permitted during discussion of another motion. They will be moved, seconded and put to a simple vote without discussion. The Provost will proceed as follows:-

- (i) on a motion to “proceed to the next business”:

Unless, in the Provost’s opinion, the matter before the meeting has been discussed insufficiently, the Provost will first give the mover of the original motion a right of reply and then put to the vote the motion to proceed to the next business; if that motion is carried, the original motion will lapse and the Council will proceed to the next business.

- (ii) on a motion that “the question be now put”:

Unless, in the Provost’s opinion, the matter has been discussed insufficiently, the Provost will first put to the vote the motion that the question be now put and if it is carried, then give the mover of the original motion a right of reply before putting the original motion to the vote.

- (iii) on a motion to adjourn the meeting or debate:

If the Provost is of the opinion that the matter has not been discussed sufficiently and cannot reasonably be discussed sufficiently on that occasion, the adjournment motion will be put to the vote without giving the mover of the original motion a right of reply on that occasion; if the adjournment motion is carried, the original motion and/or any remaining business will then stand over as uncompleted business until the next ordinary meeting of the Council.

- 25.3 If a closure motion is not carried, a similar motion may be made after every three additional Councillors have spoken.

26. MISCONDUCT

- 26.1 The Provost may check a Councillor for irrelevance, tedious repetition, failure to address the Chair, unbecoming language, reflections of a personal character on another Member or any breach of order and may direct such Councillor speaking to discontinue his or her speech.

- 26.2 In the event of persistent misconduct of a Councillor by disregarding the ruling of the Provost, or behaving improperly or offensively, or using racist or sexist or unbecoming language, or wilfully obstructing the business of the Meeting, the Provost may take any of the following courses either separately or in sequence:-

- (i) direct the Councillor to refrain from speaking during the remainder of the debate on the matter under discussion;
- (ii) move “that the Councillor *named* be not further heard” which motion will not require to be seconded, will be put to a simple vote without discussion and, if carried, the Councillor named must not speak further at that meeting. If the Councillor named continues the misconduct after a motion under the foregoing paragraph has been carried and does not heed a further warning from the Provost, the Provost is empowered to require the Councillor to leave the meeting. The Council Officer will act on such order as (s)he may receive from the Provost in pursuance of such action;
- (iii) adjourn the meeting for such period as seems expedient to the Provost;

- (iv) in the event of general disturbance which in the opinion of the Provost renders the due and orderly despatch of business impossible, the Provost may, in addition to any other power vested in him/her, without the question being put, suspend the meeting for such period of time that he/she considers expedient.

27. PROTESTS OR EXPRESSIONS OF DISSENT

- 27.1 Without prejudice to Standing Order 19.4, no protest or expression of dissent made by any Councillor or Councillors will be entered in the minutes of the Council.

28. NOTICES OF MOTION INTENDED FOR CONSIDERATION AT NEXT MEETING

- 28.1 Every notice of motion must be in writing and signed by the Member giving the notice. Every motion must be relevant to some matter in relation to which the authority has functions or which affects the area of the Council. The Provost will, if need be, give a ruling as to whether the motion is relevant.
- 28.2 Every such notice must be delivered to the **Chief Governance Officer** at his or her office not later than 12 Noon at least seven clear working days before the date of the next meeting of the Council, otherwise it will not appear on the Agenda for such meeting. The motion may be delivered by hand, post or fax but not e-mail.
- 28.3 The **Chief Governance Officer** has power to refuse to accept any notice of motion which, by reason of any enactment, or other rule of law, or any provision in these Standing Orders, could not be considered at the meeting for which it is given. In the event of such power being exercised, the **Chief Governance Officer** will give written reasons to the Member submitting the motion within five working days following delivery of the notice of motion in terms of Standing Order 28.2 above.
- 28.4 If the **Chief Governance Officer** has any doubts about any motion for reasons of propriety, he or she may refer it to the Provost.
- 28.5 If the Provost considers the motion to be vexatious, irrelevant or otherwise improper, the **Chief Governance Officer** will return it to the Member who submitted it by noon of the third working day after submission and will explain to the Member in writing why it will not be included on the Agenda. The motion will only be included on the Agenda if it is resubmitted by noon on the fourth working day before the date of the next meeting of the Council and is signed by at least one quarter of the whole Members of the Council.

- 28.6 All motions considered valid by the **Chief Governance Officer** and of which notice has been duly given will be included in the Agenda for the next meeting in the order in which they were received by the **Chief Governance Officer**, who will record both the date and time of receipt on the original notice.
- 28.7 If more than one such motion, in the opinion of the **Chief Governance Officer**, having consulted with the Provost, deals with the same subject matter, only the motion first lodged will be considered.
- 28.8 If a motion, notice of which is specified in the Agenda, is not moved either by the Councillor who has given the notice or by some other Councillor on his/her behalf when it arises on the Agenda, it will, unless postponed by leave of the meeting, be considered as dropped and may not be moved without fresh notice.

29. QUESTIONS

29.1 Any Councillor may put a question relevant to the business of the Council:-

- (i) to the Provost as to matters of fact relating to an Agenda item, or
- (ii) to the **Chief Governance Officer** as to a point of law or procedure,

provided that the Councillor must have given the question in writing to the **Chief Governance Officer** not later than 10.30 a.m. on the last working day prior to the day of the meeting.

- 29.2 The Provost will decide whether any question is to be answered orally or in writing at the Council meeting. Questions and any written answers will be reproduced and numbered in the order in which they have been received and will be made available to the Members of the Council at the commencement of the meeting.
- 29.3 Arising from each answer given, two supplementary questions, for clarification of the answer given, may be put by the Councillor who asked the original question and the supplementary questions will be answered orally by the Provost or by the **Chief Governance Officer** or by such other Officer as the Provost may direct.
- 29.4 If the Provost is of the opinion that a question is out of order the question will not be answered.
- 29.5 Written questions and any written answers will be recorded in the minute. The key points of any oral answers will also be recorded in the minute.

- 29.6 In this Standing Order, the expression “written question” includes a series of written questions asked by the same Member all dealing with one subject or with subjects, which in the opinion of the Provost, are so closely related as to be regarded as one subject.
- 29.7 Standing Order 29.1 is without prejudice to the right of any Member present at any meeting of the Council to obtain at such meeting and without prior notice such information as may then be available concerning any matter appearing on the Agenda, subject to the reservation that the person addressed may postpone his or her reply to the next ordinary meeting should the information requested not be available.
- 29.8 In addition to, and without prejudice to, the above provisions of this Standing Order, any Member may put, without notice, a question to the Provost at any ordinary meeting of the Council, on any matter contained in the Volume of Minutes of Committees or the Council Information Bulletin circulated to Members, provided that:-
- (i) any question requiring a detailed response or which cannot be answered immediately will be continued to the next ordinary meeting of the Council unless in the interval it has been disposed of otherwise, and
 - (ii) it will not be competent for any Member to move a motion on any such matter which has been the subject of a decision made under delegated powers in terms of the Scheme of Delegation to Committees, Sub-Committees and Officers if that motion seeks to rescind, alter, amend or recall any such decision.

30. DEPUTATIONS OR DELEGATIONS

- 30.1 No deputations will be received by the Council unless an application for admission to the meeting setting out the matters on which the deputation wish to be heard is lodged with the **Chief Governance Officer** at least 10 clear days before the meeting. Any such application will be entered in the Notice calling the meeting and such meeting may agree to decline to receive the deputation.
- 30.2 Unless with leave of the meeting, the Members of any deputation will not exceed five persons and only one Member will be entitled to address the Council, except in reply to questions from the Provost or Members of the Council.

31. CLOSE OF BUSINESS

- 31.1 Meetings of Council will generally start at 10.30a.m. (unless the Provost specifies an earlier or later time) and will last for no longer than 3 hours unless a motion to continue the meeting for a further specified period has been moved, seconded and voted upon without discussion, provided that no meeting will continue beyond 5p.m. on that same day (subject to the terms of section 31.2 below) unless a motion to continue the meeting beyond that time for a further specified period has been moved, seconded and voted upon without discussion.
- 31.2 If, at 5 p.m. or such later time as Council shall have agreed, business remains on the agenda to be transacted, it shall be dealt with in the following manner:
- 31.2.1 Any motion or amendment which has been formally moved and seconded will be put to the vote by the Provost.
- 31.2.2 Any reports or motions then remaining on the agenda will be considered by the Provost in order. It will be available for a motion and amendment to be moved and seconded on each item but without discussion (Provided that the Provost may allow discussion on such an item where in his/her view such discussion is necessary for the proper consideration of the item). Each item will then be put to the vote by the Provost. Items not moved and seconded will fall from the agenda.
- 31.2.3 There will be no right of reply available to the mover of any motion under this Standing Order.
- 31.3 Nothing in this Standing Order will prejudice the power of the Provost, at his/her discretion, to adjourn temporarily any meeting for a brief period. The time elapsed during any such adjournment will be disregarded for the purpose of calculating the period of 3 hours referred to in Standing Order 31.1 but will not have the effect of extending the 5p.m. closure term specified therein.

32. RESCINDING/REVOCATION OF PREVIOUS DECISION/RESOLUTION

- 32.1 No decision of the Council may be reconsidered and, except where required by statute, no item of business the same or substantially the same as one previously determined by the Council may be discussed by the Council within six months of the date of the making of the previous decision or determination of the item, except when two-thirds of the Members present and voting and an absolute majority of the whole Council agree otherwise.

33. STANDING ORDERS

- 33.1 The ruling of the Provost concerning the interpretation or application of these Standing Orders shall not be challenged at any meeting of the Council.
- 33.2 The ruling of any person presiding at a meeting of any Council body shall not be challenged on the interpretation of Standing Orders relating to the meeting.
- 33.3 The Council at any of its meetings may suspend any Standing Order provided that:-
- (i) either due notice has been given, or Council agrees that it is a case of urgency, and
 - (ii) the motion to suspend a Standing Order is moved, seconded and carried without discussion by at least two-thirds of the Councillors present and voting at the meeting and an absolute majority of the whole Council.
- 33.4 A meeting of the Council may only consider changes to these Standing Orders if notice of the intention is included in the Notice for the meeting.
- 33.5 Standing Orders 32 and 33 are not capable of suspension.

SECTION 4

CONSTITUTION, MEETINGS AND PROCEEDINGS OF COMMITTEES AND SUB-COMMITTEES

34. COMMITTEES

34.1 At its Statutory Meeting, the Council will appoint:-

- (i) Standing Committees, together with any other bodies required for statutory purposes. The powers of the Committees will be set out in their terms of reference,
- (ii) A Convener, Depute Convener and Members for each.

34.2 The number of Members on each Committee and the quorum for each will be as set out below:-

STANDING COMMITTEES

Committee	Membership	Quorum
Policy and Resources Committee	8	3
Education Committee	12 plus 3 representatives of denominational bodies as required by Section 124 of the 1994 Act; 2 parental, non- voting representatives and 2 non-voting young people to be nominated by the Falkirk Schools' Council	4 elected Members
Environment and Community Safety Committee	12	4
Economic Strategy and Development Committee	12	4
Leisure, Tourism and Community Committee	12	4
Housing and Social Care Committee	12	4
Planning Committee	12	4

	except when conducting a pre-determination hearing required by s 38A of the Town and Country Planning (Scotland) Act 1997 when the membership will comprise all elected members of Council	except when conducting a pre-determination hearing required by s 38A of the Town and Country Planning (Scotland) Act 1997 when the quorum will be quarter of the membership
Planning Review Committee	5 The Convener and Depute Convener of the Planning Committee, ex officio, with 3 others drawn from the remaining members of the Planning Committee on a rota basis	3
Civic Licensing Committee	10	4
Audit Committee	6	4
Appeals Committee	8	3
Investment Committee	6	3
Appointments Committee	6 Plus the Convener of the relevant Scrutiny Committee on an ad hoc basis where he/she is not already a Member of the Committee; where there is more than one Scrutiny Committee to which the appointee would principally report, the Conveners should agree amongst	3

	themselves which Member will attend.	
Consultative Committee	6	3
Emergency Committee	The Members of the Policy and Resources Committee	3
Bo'ness Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3
Denny and Dunipace Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3
Falkirk Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3
Grangemouth Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3

34.3 The Education Committee, the Environment and Community Safety Committee, the Economic Strategy and Development Committee, the Leisure, Tourism and Community Committee and the Housing and Social Care Committee are collectively referred to as the Council's 'Scrutiny Committees'.

34.4 (i)The Convener of the Policy and Resources Committee will be the Convener of the Emergency Committee.

(ii)The Convener and Depute Convener of the Planning Committee will be the Convener and Depute Convener of the Planning Review Committee.

34.5 The Council may appoint special Committees for such purposes as it may from time to time consider expedient.

34.6 The Policy and Resources Committee may at any time appoint Sub-Committees or panels and may authorise the appointment of such Sub-Committees and panels by any of the Scrutiny Committees. Such

bodies' terms of reference and the delegation of any powers to them must be explicit and within the appointing Committee's terms of reference.

34.7 A Member of a Sub-Committee or panel must be a Member of the Committee appointing it.

34.8 With the exception of the Common Good Fund Committees and from time to time the Planning Review Committee, Membership of all Committees and Sub-Committees will reflect the political balance of the Council. Seats allocated to Political Groups will be as resolved by the Council at the Statutory Meeting or at any other meeting of the Council as required to comply with the provisions of the 1989 Act or any Regulations made thereunder.

34.9 The **Chief Governance Officer** is authorised to appoint, nominate and convene Committees, boards and panels for specific statutory purposes. These include:-

- (i) Council Tax and Housing Benefit Review Boards;
- (ii) Access to Personal Files Review Boards (Education, Housing and Social Work);
- (iii) Complaints Review Committee (Social Work);
- (iv) Education Appeals Committee;
- (v) Appointments Committee (Education);
- (vi) Attendance Committee (Education).

34.10 The Council is the lead Council among Falkirk, Stirling and Clackmannanshire Councils in respect of the following statutory Committees:-

- (i) Joint Advisory Committee on the Inspection of Residential Care Establishments,
- (ii) Joint Children's Panel Advisory Committee.

The **Chief Governance Officer** is authorised to appoint, nominate and convene these Committees or to liaise with the other two Councils in so doing.

34.11 The **Chief Governance Officer** will appoint, nominate and convene the bodies referred to in Standing Orders 34.9 and 34.10, and like bodies, in accordance with their statutory framework. These bodies will follow the procedure that is suitable to the subject matter being considered and will not otherwise be bound by the procedures for meetings set out in these Standing Orders. They will usually be required to observe the principles of natural justice and to follow a set procedure.

34.12 Meetings of the Appeals Committee and the Appointments Committee will follow procedures which are set out by the **Chief Governance Officer** and which will conform to the principles of good employment practice. Those Committees will not otherwise be bound by the procedures for meetings set out in these Standing Orders.

34.13 The Council and its Committees and Sub-Committees can establish other informal advisory or consultative bodies, which are not Council Committees or Sub-Committees. They may also establish working groups which may include both officer and Member representation.

34.14 With exception of the Planning Review Committee, the Members of each Committee referred to in Standing Order 34.2 and the Conveners and Depute Conveners thereof:-

- (i) will be appointed by the Council at the Statutory Meeting of the Council in terms of Standing Order 5, and
- (ii) will hold office until the date of the next election of Councillors, unless:-
 - (a) otherwise decided by the Council by resolution following a Notice of Motion in terms of Standing Order 28, or
 - (b) an individual Councillor delivers to the Chief Executive a letter of resignation specifying the particular office from which (s)he is resigning and the date on which such resignation will take effect.

34.14(A)

- 1. The Provost will be appointed by the Council at the Statutory Meeting of the Council in terms of Standing Order 5; and
 - (i) Will hold office until the date of the next election of Councillors unless:-
 - (a) otherwise decided by the Council by resolution following a Notice of Motion in terms of Standing Order 28, or
 - (b) the Provost delivers to the Chief Executive a letter of resignation from office and the date on which such will take effect.
- 2. The above provision relating to the Provost will also apply to the Depute Provost if the Council has elected a Depute Provost.

34.15 The Conveners and Depute Conveners of Sub-Committees will be appointed by the parent Committee of that Sub-Committee.

- 34.16 Standing Committees and any Sub-Committees will meet in accordance with the programme based on a cycle approved by the Council, such programme to be drawn up by the **Chief Governance Officer** and intimated to all Councillors and Chief Officers, provided that Members of the Scrutiny Committees may agree to meet on a more frequent basis if the nature of the business to be considered and the timescale for completion of that business so requires.
- 34.17 Any Member elected as the result of a By-election should fill the vacancies on Committee created by the circumstances leading to the By-election until the first meeting of Council following the By-election, but only where the Member is of the same political group as the Member whose demission of office created the By-election.

35. CONDUCT OF MEETINGS AT COMMITTEES

- 35.1 Meetings of Committees and any Sub-Committees will be conducted in accordance with Standing Orders 8 to 14, 16 to 29.7 and 30 to 32, subject to the following amendments:-
- (i) all references to “Provost” and “Depute Provost” will be read as “Convener” and “Depute Convener” respectively;
 - (ii) the quorum for any meeting will be as set out in Standing Order 34.2 and, in the case of a Sub-Committee, by the parent Committee appointing it;
 - (iii) at any meeting of the Planning Committee, the Convener may extend the period for transaction of business if (s)he considers that it will enable the Committee to complete its business;
 - (iv) the time limit for meetings will not apply to the Appeals Committee, the Appointments Committee or any of the bodies referred to in Standing Orders 34.9 and 34.10;
 - (v) no report need accompany an item on the Agenda for any of the Scrutiny Committees unless:-
 - (a) the Policy and Resources Committee issues a prior written direction to that effect, or
 - (b) the item on the Agenda requires consideration by the Committee of recommendations from officers;

- (vi) the Convener of any of the Scrutiny Committees may, in the interests of securing open debate, dispense in regard to any item on the Agenda with the requirements respecting rules of debate, procedural motions and points of order and will announce to the meeting that (s)he is so dispensing. Any such dispensation will be minuted and may be recalled by the Convener should the requirements of good order and expeditious dispatch of business require it. The aim of the Scrutiny Committees is for the Convener to conduct the meeting in a manner which will encourage interest and participation and without unnecessary formality such as would inhibit or discourage involvement.
- (vii) A Councillor may attend any Council Committee, Sub-Committee or panel meetings, even when they are not appointed to them, but they cannot vote. They may attend all parts of the meeting, whether or not the Committee has excluded the press and public, with the following exceptions:-
 - (a) Councillors who are not appointed Member of the Appeals Committee, Appointments Committee may not attend any part of these meetings;
 - (b) Councillors who are not appointed Members of any of the bodies referred to in Standing Orders 34.9 and 34.10 may not attend any part of these meetings;
 - (c) where the Councillor is not a Member of the Committee, Sub-Committee or panel, (s)he should sit in the public gallery so that it is clear to the public that the Member is not part of the body taking the decisions.
- (viii) Where a Councillor has a right to attend a Committee, Sub-Committee or panel under Standing Order 35.1(vii), (s)he may speak at a meeting subject to:-
 - (a) giving notice to the Convener of the meeting of the matters the Councillor wishes to speak about, at least 24 hours before the start of the meeting, and
 - (b) the Convener giving his or her consent.

36. ORDER OF BUSINESS AT SCRUTINY COMMITTEES

36.1 The business of the Scrutiny Committees will proceed in the following order and subject to its division into Parts I, II and III as referred to in Standing Order 9.4:-

- (i) The sederunt will be taken and any apologies intimated and noted;

- (ii) The minutes of the last meeting will be held as read, corrected if need be, and approved;
- (iii) Written questions submitted in accordance with Standing Orders 29.1 to 29.7;
- (iv) Motions of which notice has previously been given in accordance with Standing Order 28 will be considered in the order in which such notices were received by the **Chief Governance Officer**;
- (v) Business required by statute to be disposed of at the meeting;
- (vi) Statement by the Convener of the remit of the meeting as decided by Council or the Policy and Resources Committee;
- (vii) Presentations and submission of any Reports;
- (viii) Statements of any expert witnesses accepted as such by the Convener (whose decision will be final);
- (ix) Debate/discussion;
- (x) Voting thereon.

The order of business in items (i) and (ii) may not be changed but the order and content of any other business may be varied at the discretion of the Convener.

37. SPECIAL PROVISIONS IN THE EVENT OF THE USE OF THE CONVENER'S DISPENSING POWER

37.1 In the event of the Convener utilising his dispensing power in terms of Standing Order 35.1(vi), the following provisions will apply (but only for as long as the dispensation remains unrecalled):-

- (i) No substantive motions or amendments will be tabled or discussed (save those in respect of which prior notice has been given);
- (ii) No procedural motions will be moved, except to shorten or curtail business;
- (iii) No question will be asked of the Convener except:-
 - (a) those of which prior written notice has been given, and
 - (b) those relevant to the business before the meeting, the matter of relevancy being one for the Convener in his or her sole discretion to decide;

- (iv) No point of order will be raised.

38. MINUTES

- 38.1 The minute of a meeting of a Committee will be submitted to the next ensuing ordinary meeting of the Committee at which it will be held as read, corrected if need be, and where held to be a true record of the proceedings of the meeting to which it relates, will be signed by the person presiding at that next ensuing meeting.
- 38.2 The minute of a meeting of a Sub-Committee will be:-
 - (i) submitted to the next meeting of the parent Committee for noting, and
 - (ii) submitted to the next following meeting of the Sub-Committee at which it will be held as read, corrected if need be, and where held to be a true record of the proceedings of the meeting to which it relates, will be signed by the person presiding at that next following meeting.

39. REPRESENTATIVES

- 39.1 In addition to the persons referred to in Section 124 of the 1973 Act as being entitled to be Members of the Education Committee, two other persons will be invited to sit on the Committee.
- 39.2 The two additional Members will be drawn from the pool of serving teachers employed within schools managed by the Council and will be nominated and appointed by their peers.
- 39.3 The two Members referred to in Standing Order 39.2 will not be entitled to vote on any matter before the Committee but will otherwise have the same rights as elected Members.

40. SPECIAL MEETING

- 40.1 The requirement to hold a Special Meeting of any Committee, except the Emergency Committee, will be determined by the **Chief Governance Officer**. Notice of the time and place of the meeting and the business to be transacted will be in terms of Standing Orders 8 and 9.

SECTION 5

MISCELLANEOUS MATTERS

41. DISCLOSURE OF INFORMATION

- 41.1 Information, whether contained in a document or otherwise, which is confidential information within the meaning of Section 50A(2) of the 1973 Act, must not be disclosed to any person by any Member or officer.
- 41.2 The full or any part of a document marked "Not for Publication by virtue of the appropriate Paragraph of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973" must not be disclosed to any person unless or until the document has been made available to the public or the press under Section 2 of the 1973 Act.
- 41.3 Any information regarding proceedings of the Council or a Committee or Sub-Committee from which the public have been excluded must not be disclosed to any person unless and until such disclosure has been authorised by the Council or Committee or Sub-Committee or the information has been made available to the public or the press under Section of the 1973 Act.
- 41.4 Without prejudice to the National Code of Local Government Conduct and to Paragraphs (2) and (3) of this Standing Order, no Councillor shall use or disclose to any person any confidential and/or exempt information coming to his or her knowledge by virtue of his or her office as a Councillor where such disclosure would be to the advantage of the Councillor or of anyone known to him or her, or which would be to the disadvantage or discredit of the Council or anyone else.

42. APPOINTMENT OF STAFF (GENERAL)

- 42.1 In accordance with the provisions of Section 7 of the 1989 Act, all appointments of staff will be made on merit, subject, however, to the provisions of those Acts specifically mentioned in Section 7(2) of the 1989 Act.
- 42.2 The Council will comply with any Regulations made by the Secretary of State imposing a duty to adopt Standing Orders with respect to staff as contained in Section 8 of the 1989 Act.

43. APPOINTMENTS MADE BY MEMBERS

43.1 The appointment of the Chief Executive, Chief Officers and their Heads of Service will be undertaken by a Committee and/or panel made up of Councillors. All appointments made below Heads of Service level will be made by the relevant Chief Officer in consultation, if necessary, with other relevant Chief Officers.

44. EXECUTION OF DEEDS AND COMMON SEAL

44.1 Except where statute expressly requires otherwise, deeds requiring to be sealed by the Council will be sealed with the Common Seal of the Council and signed on its behalf by the Chief Executive or the **Chief Governance Officer** or the **Depute Chief Governance Officer** or the Legal Manager(s).

44.2 The Common Seal of the Council will be kept by the **Chief Governance Officer** who will be responsible for its safe custody and use.

44.3 An entry of the sealing of every deed and other document to which the Common Seal has been affixed will be made by the **Chief Governance Officer** in a register kept for this purpose and the officer subscribing the deed or the document on behalf of the Council will also sign against the appropriate entry in the register.

44.4 The Chief Executive, the **Chief Governance Officer** and the **Depute Chief Governance Officer** will have authority to execute any deed or document not required by law to be under seal which is necessary to effect the decisions of the Council.

45. REGISTER OF MEMBERS AND COMMITTEE MEMBERSHIP

45.1 The **Chief Governance Officer** will maintain on behalf of the Council a current Register stating:-

- (i) the name and address of each Member of the Council and the ward which (s)he represents;
- (ii) the date when any Councillor ceases to be a Member of the Council;
- (iii) the name of every Member of each Committee or Sub-Committee for the time being; and
- (iv) the date of appointment to and resignation from such Committee or Sub-Committee.

46. CONTRACT STANDING ORDERS AND FINANCIAL REGULATIONS

- 46.1 The Council will make Contract Standing Orders and may make Financial Regulations for the regulation of the making by it or on its behalf of contracts and for the proper planning, execution and control of its financial affairs and such Standing Orders and Regulations will form part of these Standing Orders and will be read with them and with any Scheme of Delegation made by the Council.
- 46.2 Contract Standing Orders and Financial Regulations made by the Council in terms of this Standing Order will apply to Committees, Sub-Committees, Members of the Council, Officers and certain Agents of the Council as appropriate, (the question of whether any person or body is an “Agent” of the Council being determined by the **Chief Governance Officer** whose ruling will be final).

47. PROHIBITION OF SMOKING

- 47.1 No smoking will be permitted during any Council meeting.

**SCHEME OF DELEGATION
TO COMMITTEES, SUB-COMMITTEES
AND OFFICERS**

**This Scheme of Delegation applies and has effect from 6 October 2010 subject to such amendments as may from time to time be made by the Council.
(consolidated version)**

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TERMS OF REFERENCE TO COUNCIL

The Following Matters Are Reserved to Council:-

1. To appoint the Provost and Depute Provost.
2. To appoint Conveners and Depute Conveners of Standing Committees and Sub-Committees.
3. To appoint Members to represent the Council on other bodies where such power is not expressly delegated to another Committee or Sub-Committee.
4. To determine a Scheme of Delegation for the discharge of Council functions by Standing Committees, Sub-Committees or Officers and, in particular, to fix the constitution, functions and powers of Standing Committees and Sub-Committees and to amend the same from time to time as Council may decide.
5. To set the Council tax and business rate.
6. To set Council house rents.
7. To make and amend Byelaws and Management Rules.
8. To consider reports from the Commissioner for Local Administration where there has been a finding of maladministration.
9. To promote or oppose private legislation.
10. To consider statutory reports from the Monitoring Officer, Chief Finance Officer and Head of Paid Service.
11. To approve the management and political structure of the Council.
12. To agree the Structure Plan.
13. To agree the Strategic Community Plan
14. To consider Boundary Commission proposals.
15. To delegate new powers and duties and exercise new discretion not already delegated to a Committee or officer.
16. To receive an annual report from the Convener of the Policy and Resources Committee.
17. To deal with appropriate matters relating to the election of Councillors.
18. To deal with all matters relating to the Conduct of Members, other than that specifically described elsewhere in these Standing Orders.

19. To appoint a Civic Events Panel.
20. To agree significant policy initiatives which affect the whole of the Council area.
21. Any other matter which is required by statute to be considered by Council.
22. The determination of all Planning applications which fall within S38A(1) of the town and Country Planning (Scotland) Act 1997.

SCHEME OF DELEGATION TO COMMITTEES

POLICY AND RESOURCES COMMITTEE

Terms of Reference

1. To be the Council's main instrument of policy, to give strategic policy direction in relation to all the Council's functions and to have overall responsibility for implementing agreed policies and strategies.
2. To initiate debate and analysis on substantial policy issues which relate to the Council's functions or have a significant impact on the Council area or its residents.
3. To determine such substantial policy issues after debate and analysis by other Council Committees.
4. To decide other policies and strategies to meet the Council's overall objectives.
5. To set the overall policy framework for other Committees, to refer reports and issues for consideration to those Committees and to receive reports from them.
6. To determine all matters relating to capital and revenue financing and borrowing and to recommend to Council an overall financial strategy, the annual revenue and capital budgets and the rate and Council tax to be levied.
7. To ensure that the organisational, administrative and management procedures of the Council are such as to make the most efficient contribution to achieving the Council's objectives and to keep these procedures under review in the light of changing circumstances.
8. To review the effectiveness of the Council's work and policies and the standard and level of services provided.
9. To consider any new policies or changes in policy which materially alter existing Council policy or involve additional resources or changes to the establishment suggested by any other Committee and the effect of these on the policy plans and resources of the Council.
10. To be responsible for all matters relating to employees of the Council and their terms and conditions of employment and terms of service.
11. To monitor budget performance.
12. To set strategies for partnership and influence outside the Council.
13. To deal with service delivery and the discharge of all Council functions.

14. To deal with all matters relating to land and buildings owned, rented or proposed to be acquired by the Council.
15. To deal with requests from all sources for grants and loans to voluntary organisations.
16. To be responsible for the sound stewardship of public funds and, in particular, to monitor and oversee the performance and financial management of the Council's Direct Labour/Service Organisations.

Powers

1. The Policy and Resources Committee is authorised to discharge all the Council's powers and duties except those reserved to Council, on which it can make recommendations, and those specifically delegated to other Committees.
 - (a) Where there is a vote (with the exception of votes on those procedural motions detailed in Standing Order 24.1) and where at least one quarter of those members present and voting at the meeting express dissent against the decision, the decision will be referred to either a special meeting of Council or the next scheduled meeting of Council if, within three working days of the committee meeting, at least one quarter of those members present and voting and who dissented intimate in writing to the **Chief Governance Officer** the desire to follow such a route. If, after three working days have elapsed, there is no such information then the matter will be considered to have been settled by the committee.
2. The Committee is responsible for all financial matters, apart from those reserved to Council, on which it can make recommendations. In particular, the Committee has power to discharge all the Council's functions relating to capital and revenue financing and other financial matters, apart from those reserved to Council. This includes:-
 - (i) borrowing policy;
 - (ii) local taxation, including discretionary reliefs;
 - (iii) forecasting resource availability;
 - (iv) monitoring expenditure;
 - (v) approving virements in accordance with financial regulations, and
 - (vi) writing off debts.
3. The Committee has power to approve and oversee the development and implementation of the Council's policies, and to determine policy outwith the remit of Council. This includes programming, ensuring public involvement, monitoring, formulating the corporate plan, performance and service plans and other statutory plans and strategies. It includes deciding the route by which

policy initiatives should be considered, referring matters to other Committees, resolving any differences between them and receiving reports from them. The Committee can agree exceptions to policies for which no other Committee or officer has authority.

4. The Committee can authorise departures from all the Council's Standing Orders and Financial Regulations apart from those which are mandatory by law and those which regulate the conduct of Council or its own meetings.
5. The Committee is authorised to refer any matter within its own remit to a Scrutiny Committee for consideration. In doing so, the Committee will determine the terms of reference of the Scrutiny Committee, and may determine their procedural rules and programme of work.
6. The Committee is authorised to delegate decision-making on any matter within its competence to any Scrutiny Committee provided, however, that in so delegating, the Committee will clearly specify the relevant Scrutiny Committee and the extent to which such delegated decision-making power may be exercised by the Committee.
7. The Committee will receive reports from Scrutiny Committees on matters referred to them and, to the extent that the Scrutiny Committee has not been delegated authority to decide the issue, will take decisions on the matter referred.
8. The Committee is responsible for all matters relating to land and buildings owned, rented or proposed to be acquired by the Council, or over which the Council has a security. It can take decisions about these matters and exercise all the Council's powers (except those reserved to Council) including:-
 - (i) to acquire or dispose of an interest in property, or to grant or take rights over property;
 - (ii) to appropriate property for a statutory purpose;
 - (iii) authorising all further action in connection with an acquisition or disposal or granting or taking rights;
 - (iv) managing property; and
 - (v) determining energy management policy in relation to Council buildings.
9. The Committee is authorised to establish working groups within the Council or with outside bodies or individuals.
10. Without prejudice, the Committee will receive reports from the **Chief Finance Officer** on matters relating to the financial administration of the Council that are causing him/her concern and from the Chief Executive on any matters of which s(he) considers the Committee should be made aware.

SCRUTINY COMMITTEES

1. The Council has appointed 5 Scrutiny Committees as follows:

- (i) **Education Committee**
- (ii) **Environment and Community Safety Committee**
- (iii) **Economic Strategy and Development Committee**
- (iv) **Leisure, Tourism and Community Committee**
- (v) **Housing and Social Care Committee**

Terms of Reference

2. The Scrutiny Committees will advise the Policy and Resources Committee on policy matters relating to the following areas:-

Committee	Policy areas
<p>Education</p> <p>(Where required for any statutory purposes, this Committee will be the Council's Education Committee)</p>	<ul style="list-style-type: none"> • The Council's education functions; • Early years' education; • Lifelong learning; • Other education matters referred from Policy and Resources Committee;
<p>Environment and Community Safety</p>	<ul style="list-style-type: none"> • Community health, safety and wellbeing; • Crime reduction and criminal justice; • Consumer protection, environment health and trading standards; • Road safety, traffic management and lighting • Sustainability • Waste • Other environment and community safety matters referred from Policy and Resources Committee;
<p>Economic Strategy and Development</p>	<ul style="list-style-type: none"> • Economic regeneration and development; • Strategic transport and infrastructure planning; • Business advice; • Inward investment; • Employment training; • Town centre commercial and economic development; • Development of structure and local plans and planning policy, generally; • Other economic strategy and development matters referred from

	Policy and Resources Committee
Leisure, Tourism and Community	<ul style="list-style-type: none"> • Libraries, museums, arts and community festivals; • Parks, open spaces and countryside; • Community development, support, regeneration and investment; • Sport, community and leisure facilities and participation; • Conservation and built heritage; • Tourism; • Cemeteries and crematoria; • Other leisure, tourism and community matters referred from Policy and Resources Committee;
Housing and Social Care (Where required for any statutory purpose, this Committee will be the Council's Social Work Committee)	<ul style="list-style-type: none"> • Housing; • Social policy; • Community care; • Welfare and social services; • Child care; • Equal opportunities; • Opportunities and services for older people; • Other housing and social care matters referred to it by the Policy and Resources Committee.

Powers

3. The Scrutiny Committees will authorise appropriate responses to consultation documents submitted to the Council in accordance with the remit of each Scrutiny Committee.
4. Scrutiny Committees will decide upon any matter within their remit providing that the decision does not change or materially alter any Council policy, or involve additional resources, or changes to the establishment.
5. The Scrutiny Committees will develop policy proposals referred to them by the Policy and Resources Committee or by Council, within their own terms of reference. The Scrutiny Committees will:-
 - (i) Receive policy proposals from the Policy and Resources Committee;
 - (ii) Identify the main issues to be addressed;
 - (iii) Identify the primary means by which they should be addressed;

- (iv) Identify the appropriate financial implications;
 - (v) Report back to the Policy and Resources Committee;
 - (vi) Propose policy objectives to the Policy and Resources Committee;
 - (vii) Review, monitor and make determinations on specific policy and service delivery issues referred to it by the Policy and Resources Committee;
 - (viii) Investigate, monitor, oversee and comment on how Council services are delivered and any other matters where the Council has powers or duties or which affect the Council area or its residents and which have been referred to it by Policy and Resources Committee.
6. As part of this process, the Committees may undertake public consultation to influence the development of the policy proposals. They will have the power to agree appropriate mechanisms for this process, such as holding public meetings, setting up focus groups or panels, or inviting persons with particular expertise in areas being considered by Committee to address the Committee or to take part in meetings.
7. The Scrutiny Committees:-
- (a) Where a Scrutiny Committee has been granted decision making powers in respect of any item of business and is exercising these powers (i.e., where the committee is not reporting back to Policy and Resources Committee or Council) and where there is a vote (with the exception of those votes on procedural motions defined in Standing Order 24.1) and where at least one quarter of those members present and voting dissent against the decision, the decision will be referred to either a special meeting of the Council or the next scheduled meeting of the Council if, within three working days of the committee meeting, at least one quarter of those present and voting and who dissented intimate in writing to the **Chief Governance Officer** the desire to follow such a route. If, after three working days have elapsed there is no such intimation then the matter will be considered to have been settled by the Committee.
- (i) will receive policy development proposals or policy issues within their terms of reference from the Policy and Resources Committee;
 - (ii) will consider the proposals or issues and report on them to the Policy and Resources Committee within the timescale set by Policy and Resources;
 - (iii) will have those decision making powers specifically delegated to them by Council or by Policy and Resources Committee;
 - (iv) will have power to regulate their own proceedings.
8. In considering the proposal or issue, the Scrutiny Committee:-
- (i) will identify the main issues to be addressed, the primary means by which they should be addressed and any financial implications;

- (ii) may work in partnership with outside bodies in the public, voluntary and private sectors;
 - (iii) may establish working groups, and joint working groups with outside bodies, and consider their reports; and
 - (iv) may consult the public or sections of the public, and establish mechanisms for this purpose.
9. In reporting on the proposal or issue, the Committee should comment on it and may propose amendments.
10. No member of the Policy and Resources Committee may be a standing Member of a Scrutiny Committee.
11. The Scrutiny Committees may not establish Sub-Committees of the Council nor delegate decisions to officers of the Council, unless authorised by Council or the Policy and Resources Committee.
12. Without prejudice to any other power, to the extent that any of the respective areas of remit of the Scrutiny Committees cover any of the client functions of the Council's Direct Labour/Service Organisations, each of the Scrutiny Committees so involved will be responsible directly to Council for monitoring and reviewing the performance of the Direct Labour/Service Organisations within the respective terms of reference of the Committees.

PLANNING COMMITTEE

For the avoidance of doubt, under S 56 (6A) of the 1973 Act, there is reserved to full Council, the determination of all applications which fall within S 38A (1) of the Town and Country Planning (Scotland) Act 1997. These are applications which require a mandatory pre-determination hearing prior to determination and include "national developments" as set out in a National Planning Framework and major developments which are significantly contrary to the development plan.

Terms of Reference

1. To discharge the Council's regulatory and enforcement functions, in accordance with Council policy and so far as not reserved to Council or delegated to the Planning Review Committee or any other Committee or Officer, which relate (but not exclusively) to:-
- (i) Town and Country Planning;
 - (ii) Roads and Transportation;
 - (iii) Building Control;

- (iv) Other matters of a regulatory or enforcement nature.

Powers

2 (a) In relation to development control matters, to determine applications for:-

- (i) listed building and conservation area consent
- (ii) discharge, amendment or deletion of conditions
- (iii) certificates of lawfulness of existing or proposed development
- (iv) advertisement consent
- (v) hazardous substances consent
- (vi) decisions on permitted development, and
- (vii) planning permission in relation to major and local developments in terms of s26A(1) subsections (b) and (c) respectively of the Town and Country Planning (Scotland) Act 1997, other than those which require to be determined by the Council in terms of the provisions of s56(6A) of the 1973 Act, in circumstances where:-
 - (i) the application has been made by the Council,
 - (ii) the application has been made by a member of the Council or by an officer involved in the statutory planning process
 - (iii) the application relates to land in the ownership of the Council or to land in which the Council has a financial interest,
 - (iv) determining the application (whether by grant or refusal) would result in a contravention of the development plan or a contravention of the Council's policies, whether or not objections have been made
 - (v) it is proposed to approve the application and there is a formal objection from a statutory consultee which would trigger referral of the application to Scottish Ministers,
 - (vi) there has been a request from an elected member to refer any matter to committee within 7 days of the periodical recommendations list being issued, in which case reasons must be stated or
 - (vii) for any other reason, the Director of Development Services considers it inappropriate to consider the application under delegated powers

- 2 (b) To conduct pre-determination hearings required by s 38A of the Town and Country Planning (Scotland) Act 1997
3. To hear and determine unresolved objections to any order proposed for the regulation of traffic and the implementation of traffic management schemes under the Road Traffic Regulation Act 1984, the Roads (Scotland) Act 1984 and the Local Roads Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1987, and to conduct any hearings required under those acts and Regulations.
4. To consider and determine any of the regulatory and enforcement matters relating to the Council's functions as Roads Authority, in terms of the Roads (Scotland) Act 1984, the Road Traffic Regulation Act 1984, the Town and Country Planning (Scotland) Act 1997 or any other relevant Acts or Regulations, where the nature of the matter has been deemed controversial by the Director of Development Services.
5. To conduct hearings under the Building (Scotland) Acts 1959-70 and to make appropriate determinations.
6. To agree the procedures relating to conduct of any review carried out by the Planning Review Committee, other than those already set out in regulations or a development order.
7. In carrying out any of their powers hereunder, the Committee may:-
 - (i) conduct hearings in such manner as they consider appropriate, having regard to the subject matter under consideration and the requirements of law;
 - (ii) visit any site connected with a matter under consideration if it would assist the Committee in the discharge of their functions;
 - (iii) authorise the institution, entering appearance in or defending of any proceedings before any Court, Tribunal or Inquiry (where not authorised elsewhere in these Schemes of Delegation) where Council involvement is necessary to protect or uphold the interests of the Council and its community in respect of any matter within the remit of the Committee, provided that it will remain open to any Chief Officer to provide the foregoing authority where time limits or an emergency situation requires immediate action to ensure the Council's participation in the proceedings.
8. Any regulatory or enforcement powers or duties conferred or imposed on the Council in terms of law, apart from those detailed herein as being within the remit of the Council, the Planning Committee or the Planning Review Committee will be executed by the Chief Officer for the relevant Service and, in the event of there being any conflict as to which is the relevant Service, the Chief Executive will be entitled to decide. Without prejudice to the generality of the foregoing, it is specifically acknowledged that the Director of Development Services will have power to:-

- (i) vary or otherwise any planning permission where the variation sought is not material, under section 64 of the Town and Country Planning (Scotland) Act 1997
- (ii) advertise applications for planning permission when considered necessary or desirable
- (iii) decide whether the topping, lopping or felling of trees subject to Tree Preservation Orders is necessary in terms of section 160 of the Town and Country Planning (Scotland) Act 1997 and the authorisation of such activities
- (iv) make emergency Tree Preservation Orders
- (v) issue stop notices and instruct action for interim interdicts
- (v) issue breach of condition and planning contravention notices
- (vi) pursue enforcement action
- (vii) issue statutory notices in terms of the Building (Scotland) Act 2003 and any Regulations made there under or any amendment thereof

PLANNING REVIEW COMMITTEE

Terms of Reference

- 1 to discharge the planning authority's functions in terms of s.43A (8) of the Town and Country Planning (Scotland) Act 1997 in connection with the review of any planning decision taken by an officer appointed for that purpose in terms of s.43A (1) of the said Act.

Powers

- 2 when required to do so by the applicant to review any application which has been dealt with by an officer appointed in terms of s43A (1) above where
 - (i) the application has been refused
 - (ii) the application has been granted subject to conditions or
 - (iii) the application has not been determined within such period as may be prescribed by regulations or a development order.
- 3 to uphold, reverse or vary any determination made in terms of 2(i) or 2(ii) above
- 4 to determine any application which has not already been determined within in term of 2 (iii) above
- 5 to conduct any review in accordance with regulations or a development order made in terms of s.43A (10) of the said Act of as decided by the Planning Committee, which shall, without prejudice to the foregoing include the power to:-

- (i) hold pre-examination meetings to determine the manner in which the review is to be conducted
- (ii) invite written submissions
- (iii) hold hearing sessions
- (iv) undertake site visits

CIVIC LICENSING COMMITTEE

Terms of Reference

1. To discharge the Council's regulatory and enforcement functions, in accordance with Council policy with the exception of those matters delegated to the **Chief Governance Officer** and listed in paragraph 2 hereunder and to the Director of Corporate and Neighbourhood Services as listed in paragraph 3 and so far as not delegated to any other Committee or officer which relate (but not exclusively) to:
 - (i) the functions of the Council in relation to all licensing matters under the Civic Government (Scotland) Act 1982 and all other Acts covering personal or other licences, certificates and permits (excluding all matters dealt with by the Licensing Board), including licences and permits in respect of cinemas and theatres, betting, gaming and lotteries, taxis, charitable collections, animal boarding establishments, riding establishments, second-hand dealers and boat hirers, and places of public entertainment and the registration of landlords.
 - (ii) the functions of the Council under the Safety of Sports Grounds Act 1975.
2. The **Chief Governance Officer** is authorised to determine the following licensing matters:
 - (i) to grant taxi drivers and private hire car drivers licences, and taxi and private hire car operators licences, on advice from the Chief Constable that there are no current and where there are no objections; provided that applications for second or subsequent licences for the same applicant will be referred to the Civic Licensing Committee;
 - (ii) to renew taxi drivers and private hire car drivers licences, and taxi and private hire car operators licences, if there are no new convictions since the Civic Licensing Committee's last consideration of the matter (whether in connection with a grant, renewal or default report);
 - (iii) to grant licences for second-hand dealers, window cleaners and street traders, on advice from the Chief Constable that there are no current convictions, and no objections; provided that applications for second or subsequent licences for the same applicant will be referred to the Civic Licensing Committee;

- (iv) to renew licences for second hand dealers, window cleaners, street traders, market operators and late hours caterers, if there are no new convictions or adverse information received since the Civic Licensing Committee's last consideration of the matter and the licence sought is the same as the licence previously granted;
 - (v) to grant and renew boat hirers, public entertainment, indoor sports entertainment and houses in multiple occupation licences, subject to no objections;
 - (vi) to grant and renew permits for amusements with prizes machines in premises other than hotel and public houses, where they are outwith the class of premises specified in the Council's resolution and there are no objections or adverse comments received;
 - (vii) to grant or renew permits to install all-cash amusements with prizes machines in amusement arcades where there are no objections or adverse comments received;
 - (viii) to grant and renew licences for pet animals, dangerous wild animals, game dealers, venison dealers, riding establishments, animal boarding establishments, breeding of dogs, methylated/surgical spirits and film exhibitions subject to no objections or adverse comments being received from the Chief Constable, Chief Fire Officer or Head of Environmental and Consumer Protection;
 - (ix) to determine applications to licence caravan sites where there are no objections or adverse comments received;
 - (xi) to determine applications for permission to hold public processions
 - (xii) to determine applications for approval of premises under the Marriage (Scotland) Act 2002 and any associated Regulations; and
 - (x) to approve applications for the registration of society lotteries in accordance with the Lotteries and Amusements Act 1976 where there are no current convictions and no objections.
3. The Director of Corporate and Neighbourhood Services is authorised to exercise all decisions relating to the registration of Private Landlords except for the refusal of applications for registration and the revocation of registration which will be reserved to the Civic Licensing Committee.

Provided that if, for any reason, the **Chief Governance Officer** or the Director of Corporate and Neighbourhood Services considers it inappropriate to determine an application under delegated powers, the application will be referred for determination to the Civic Licensing Committee.

Powers

4. To conduct hearings, so far as provided for by law or the Council's policy, in respect of the granting, suspension or revocation of licences or permits, under the following Acts, and under any other current relevant legislation or legislation which is introduced in the future, and to make appropriate determinations:-
 - (i) Caravan Sites and Control of Development Act 1960
 - (ii) Cinemas Act 1985
 - (iii) Civic Government (Scotland) Act 1982
 - (iv) Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000
 - (v) Deer (Scotland) Act 1996
 - (vi) Gaming Act 1968
 - (vii) Reservoirs Act 1975
 - (viii) Zoo Licensing Act 1981
 - (ix) Gambling Act 2005
 - (x) Animal Boarding Establishments Act 1963
 - (xi) Breeding of Dogs Act 1973
 - (xii) Dangerous Wild Animals Act 1976
 - (xiii) Game Licences and Gamedealers' Licences (Scotland) Order 1967
 - (xiv) Hypnotism At 1952
 - (xv) Ice Cream (Scotland) Regulations 1948-63
 - (xvi) Pet Animals Act 1951
 - (xvii) Riding Establishments Act 1964
 - (xviii) Performing Animals (Regulation) Act 1925
 - (xix) Theatres Act 1968

5. In carrying out any of their powers hereunder, the Committee may:-
 - (i) conduct hearings in such manner as they consider appropriate, having regard to the subject matter under consideration and the requirements of law;
 - (ii) visit any site connected with a matter under consideration if it would assist the Committee in the discharge of their functions;
 - (iii) authorise the institution, entering appearance in or defending of any proceedings before any Court, Tribunal or Inquiry (where not authorised elsewhere in these Schemes of Delegation) where Council involvement is necessary to protect or uphold the interests of the Council and its community in respect of any matter within the remit of the Committee, provided that it will remain open to any Chief Officer to provide the foregoing authority where time limits or an emergency situation require immediate action to ensure the Council's participation in the proceedings.

6. Any regulatory or enforcement powers or duties conferred or imposed upon the Council in terms of law, apart from those detailed herein as being within the remit of the Civic Licensing Committee or the Planning Committee referred to in the immediately preceding paragraph, will be executed by the Chief Officer for the

relevant Service and, in the event of there being any conflict as to which is the relevant Service, the Chief Executive will be entitled to decide.

INVESTMENT COMMITTEE

Terms of Reference

The functions delegated to this Committee are:-

- (i) The management and investment of the Superannuation Fund.

APPEALS COMMITTEE

Terms of reference

The functions delegated to this Committee are:-

- (i) The consideration of appeals by individual employees or groups of employees on decisions of Chief Officers on disciplinary grievance and grading issues and the determination of appropriate action in accordance with statutory, national and local arrangements.

APPOINTMENTS COMMITTEE

Terms of reference

The functions delegated to this Committee are:-

- (i) To recommend to the Council, the appointment of the Chief Executive, Chief Officers and their Heads of Service.

AUDIT COMMITTEE

Terms of reference

- (1) The Audit Committee will provide:-
 - (i) independent assurance on the adequacy of the risk management framework and the associated control environment within the authority;
 - (ii) independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment; and

- (iii) assurance that any issues arising from the process of drawing up, auditing and certifying the authority's annual accounts are properly dealt with.
- (2) The Functions delegated to this Committee are:-
- (i) to consider the Council's governance and business management arrangements;
 - (ii) to consider the Council's risk management arrangements and action being taken to address risk related issues identified by auditors and inspectors, including consideration of periodic reports from the Corporate Risk Management Group;
 - (iii) to consider the adequacy of the Council's control environment;
 - (iv) to approve (but not direct) Internal Audit's strategy;
 - (v) to consider and agree Internal Audit Plans, ensuring that work is planned with due regard to risk, materiality and coverage;
 - (vi) to review summary Internal Audit reports and seek assurances that action has been taken to address issues identified;
 - (vii) to consider an Annual Assurance report from the Internal Audit Manager;
 - (viii) to consider the reports of External Audit and other inspection agencies and seek assurances that recommendations made are addressed;
 - (iv) to ensure there are effective relationships between Internal and External Audit;
 - (v) to review the Authority's assurance statements, including the statement on the System of Internal Financial Control or equivalent, to ensure they properly reflect the risk environment.

COMMON GOOD FUND COMMITTEE

Terms of reference

The functions delegated to this Committee are:-

- (i) To consider and determine applications for grants and donations from organisations from Common Good Funds held by the Council as Trustees.

CIVIC EVENTS PANEL

Terms of Reference

The functions delegated to this Committee are:-

- (i) To determine ceremonial matters and hospitality in accordance with the policy of the Council.

EMERGENCY COMMITTEE

Terms of reference

The functions delegated to this Committee are:-

- (i) To take such immediate action as may be necessary (including consultation with such individuals or organisations as the Committee may consider appropriate) to protect the interests of the Council in relation to:-
 - (a) Emergencies arising from industrial action by employees of the Council;
and
 - (b) Any other emergency the implications of which, in the opinion of the Convener or the Chief Executive, require to be referred to the Committee.

A Meeting of the Emergency Committee may be called with 24 hours notice.

PART 3

SCHEME OF DELEGATION TO OFFICERS

1. The Chief Executive, the Directors of Services and other officers holding posts recognised by the Council as having chief officer status are referred to as “the Council’s chief officers” in this part of Standing Orders. They are the only officers specifically empowered to act and take decisions in the name of the Council.
2. The Chief Executive is the Head of Paid Service and has authority over all other chief officers so far as is necessary for efficient management and for carrying out the Council’s functions. His or her principal responsibilities are:-
 - (i) to be the Council’s principal adviser on general policy, and to ensure that all proposals are consistent with policy;
 - (ii) to make long term assessments of resources, needs and commitments and to co-ordinate advice on forward planning;
 - (iii) to ensure that the Council’s policies and programmes are implemented and that the Council’s staff is managed effectively having regard to statutory responsibilities,
 - (iv) to be responsible for management of the Council’s operational buildings.
3. Subject to Standing Order 2 above, the Council’s chief officers are answerable to the Council for the efficient management of the services provided by their staff and due performance of their statutory functions.
4. The Council’s chief officers are hereby empowered to take decisions:-
 - (i) discharging the functions of the Council except for any matters specifically reserved to Council or Committee;
 - (ii) on all managerial and professional matters incidental or ancillary to the discharge of functions delegated under (i) above or relating to lawful requirements imposed on them or their staff by third parties;
 - (iii) without exception, where an emergency requires that a decision under (i) above be taken without reference to Council or Committee .

5. The Council's chief officers may use whatever means they consider appropriate to discharge the functions of the Council allocated to or dealt with by them or their staff, including:-
 - (i) incurring expenditure;
 - (ii) engaging and deploying staff provided that there shall be no increase in agreed staffing levels unless the increase is necessary to implement any decision of Council;
 - (iii) deploying other resources within their control;
 - (iv) placing contracts and procuring other resources within or outside the Council;
 - (v) determining any matter which is necessary to enable the Council to provide any service, to comply with any duty or requirement in the provision or management of any service, to assist the efficient and effective management of the Council or a function thereof or to implement any decision of the Council.

6. In exercising their delegated powers the Council's chief officers must:-
 - (i) act within the law and the Council's Standing Orders and Financial Regulations and any Code of Practice adopted by the Council from time to time;
 - (ii) ensure that no decision taken by them would impact significantly on service delivery across the whole of the council area;
 - (iii) have regard to the approved Strategic and Local Community Plans;
 - (iv) ensure the implementation of corporate policies and strategies, both at an area wide and local level;
 - (v) ensure that the performance of their Service across the Council area in relation to agreed standards is reported appropriately;
 - (vi) ensure that Local Members, Area Forums and other bodies, where appropriate, are informed about the performance of their service in the local area; and
 - (vii) consult, as appropriate, with the Lead Member for the service area involved and the Local Member(s).

7. The Council's chief officers may authorise other officers to exercise powers delegated to them, including for the avoidance of doubt, in the case of a Chief Officer dealing with Planning matters, to appoint persons to determine planning applications in terms of s.43(A)(i) of the Town and Country planning (Scotland)

- Act 1997, However, actions taken under that authority must be taken in the name of the chief officer concerned, and remain his or her responsibility.
8. Emergency action taken under delegated powers must be reported to the next meeting of the appropriate Committee.
 9. The Council's chief officers will have full legal authority under Standing Order 4 above to take or authorise actions, decisions, expenditure and commitments on behalf of the Council. However, without qualifying that legal authority, conformance with Council policy should be assured in one of the following ways:-
 - (i) the matter involves the implementation of a Council policy approved by Committee; or
 - (ii) the matter was approved by Committee as part of the annual service plan and budget; or
 - (iii) the procedure set out in Standing Order 10 below is followed.
 10. The procedure referred to in Standing Order 9 above is as follows:-

The Chief Executive or Director concerned will:-

 - (i) consult the Convener of the relevant Committee before exercising the delegated power;
 - (ii) consult the **Chief Governance Officer**, the Director of Finance and any other Director involved as a matter of good administrative practice before exercising the delegated power;
 - (iii) keep a record of the exercise of the delegated power; and
 - (iv) make this record available to the Members of the relevant Committee.
 11. Approval of the budget by Council provides authorisation for Chief Officers to incur expenditure and collect income in respect of revenue and capital budgets, subject to:-
 - (i) any restrictions or conditions included in service plans;
 - (ii) further approval from the Policy and Resources Committee where sufficient detail has not been included in service plans;
 - (iii) compliance with the financial limits set from time to time.

12. All Directors must ensure to the satisfaction of the Chief Executive and the **Chief Finance Officer**/Director of Corporate and Neighbourhood Services that:-
- (i) appropriate systems for planning, monitoring, evaluating and reviewing performance are in operation for the Services for which they are responsible;
 - (ii) capital expenditure is planned and monitored continually to ensure that the Council's plans are actioned, including the prompt implementation of associated revenue elements;
 - (iii) revenue expenditure is planned and monitored continually to ensure that it is within approved estimates and continues to be justified by Service performance.
13. Where specific powers and duties are imposed upon specific Officers of the Council by operation of law, those powers and duties will be undertaken by the Officer so empowered having regard to the procedures set out by law, the Council's policies and these Standing Orders.

FALKIRK COUNCIL

Subject : APPOINTMENTS TO COMMITTEES/EXTERNAL ORGANISATIONS
Meeting : FALKIRK COUNCIL
Date: 6 OCTOBER 2010
Author : ACTING DIRECTOR OF LAW & ADMINISTRATION

1. PURPOSE

1.1 The purpose of this Report is to (a) seek nominations to vacant positions on the Audit Committee and (b) advise of a resignation from the Central Scotland Race Equality Council and to seek an appointment thereto.

2. BACKGROUND

Audit Committee

2.1 Council noted, in June 2010, the resignation of Councillors Coleman and Kenna from the Audit Committee. Both were appointed to the Audit Committee in December 2008 and intimated their resignations from this Committee with effect from 29 and 28 April 2010 respectively. In terms of the political balance of the Council their successors should be members of the SNP Group.

Central Scotland Race Equality Council

2.2 Council appointed Councillor C R Martin to the Central Scotland Race Equality Council (CSREC) in June 2007. Councillor Martin has intimated his resignation from this organisation. Council is invited to appoint a successor.

3. RECOMMENDATIONS

3.1 Council is invited to:-

- (i) seek nominations to the Audit Committee following the resignation, in April 2010, of Councillors Coleman and Kenna from the Committee; and
- (ii) note the resignation of Councillor C R Martin from the Central Scotland Race Equality Council and to appoint a successor.

.....
Acting Director of Law and Administration

Date: 27 September 2010
Contact Officer: Brian Pirie (Tel: 01324 506110)

LIST OF BACKGROUND PAPERS
Nil.

FALKIRK COUNCIL

Subject: NATIONAL PROCUREMENT – SCOTLAND EXCEL PARTICIPATION
Meeting: FALKIRK COUNCIL
Date: 6 October 2010
Author: DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

1. INTRODUCTION

- 1.1 On 9th March 2010, Members of the Policy and Resources Committee resolved that Falkirk Council become a member of Scotland Excel, the Local Government Centre of Expertise for procurement.
- 1.2 The purpose of this report is to now request Members to delegate appropriate procurement authority to Scotland Excel's Joint Committee and to appoint one Member to that Joint Committee.

2. BACKGROUND - SCOTLAND EXCEL

- 2.1 The Review of Public Procurement in Scotland recommended the establishment of Procurement Centres of Expertise, across the public sector. The Scottish Government Procurement Directorate undertakes the role of National Centre of Expertise. In April 2008, Scotland Excel was formally launched as the Local Government Procurement Centre of Expertise. Renfrewshire Council is the lead authority and employs the necessary staff.
- 2.2 Members of the Policy and Resources Committee have considered three previous reports in connection with participation in Scotland Excel (Policy and Resources Committee – April 2008, March 2009 and March 2010). Following consideration, Members agreed not to join in both 2008/09 and 2009/10 but on 9 March 2010 resolved to commit fully to Scotland Excel in Year 3 (2010/11)

3. DELEGATION TO SCOTLAND EXCEL

- 3.1 Scotland Excel is a Joint Committee constituted under section 57 of the Local Government (Scotland) Act 1973. Pursuant to the terms and conditions of Scotland Excel each member authority must delegate to the Joint Committee its powers to regulate the provision of its general purchasing functions, including the negotiation, tendering and completion of contracts for the provision of supplies and services and the carrying out of works.
- 3.2 Council is therefore invited to delegate its powers to regulate these functions to the Joint Committee of Scotland Excel until such time as the Council is no longer a member of Scotland Excel. It should be noted that member authorities must give at least one year's written notice of their intention to withdraw from Scotland Excel.

- 3.3 It is important to note that delegation is without prejudice to the Council retaining the right to exercise these powers in its own right. In terms of Scotland Excel's terms and conditions, member authorities may arrange to contract independently where:
- it represents best value to do so;
 - where the supplies, services and works available via Scotland Excel are not of an appropriate specification or quality to meet the requirements of the Council; or
 - where the supplies, services and works available via Scotland Excel are not available or not available within a timescale deemed reasonable by the Council.
- 3.4 It is recommended that, for the sake of clarity and business efficiency, Council delegates to the Director of Corporate and Neighbourhood Services, as Chair of the Council's Procurement Board, the authority to determine which contracts should be procured through Scotland Excel, and which should be procured directly by the Council. The Council's Central Purchasing Unit will provide the necessary support and advice to Services to ensure the Council utilises the full range of Scotland Excel contracts, to deliver best value for the Council. Council officers will also actively engage with Scotland Excel through their User Intelligence Groups to ensure that contract specifications, supplier performance and new collaborative opportunities fully meet Council requirements and policy objectives.
- 3.5 Regular updates will be provided on the impacts and benefits of Scotland Excel participation to Members through Best Value Forum and Policy and Resources Committee as appropriate. In addition, under the Council's Contract Standing Orders, as a Council approved buying consortium, all Scotland Excel contracts will also be reported to Members through the Council's Information Bulletin.
- 3.6 It should be noted that the vast majority of Council expenditure will still be procured and managed by the Council.

4. GOVERNANCE OF SCOTLAND EXCEL

- 4.1 A Joint Committee has been established for the purpose of regulating the joint discharge of Scotland's Excels functions by its member authorities. The Joint Committee has its own procedural standing orders, financial regulations, scheme of delegations and standing orders relating to contracts.
- 4.2 The Joint Committee is responsible for:
- the making of governance arrangements for the joint committee and any sub-committees;
 - the approval of the annual budget and any review or amendment of the budget;
 - approval of the overall procurement strategy;
 - the approval of the business plan; and
 - consideration of the annual report on the performance of Scotland Excel.
- 4.3 Each member authority must appoint one of its elected members to be its representative on the Joint Committee (with each member authority with a population in excess of

200,000 being entitled to also appoint a second representative.) Council is therefore invited to appoint a Member to the joint committee.

- 4.4 Members should note that responsibility for the overall supervision, and for the monitoring of the performance of the director and staff, of Scotland Excel in delivering its annual business plan objectives lies with the Chief Executive Officers Management Group. This comprises 6 chief executives (or their nominees) from the member authorities. The Chief Executive of Renfrewshire Council as lead authority is a standing member, with the remaining 5 members being appointed by the joint committee.

5. RECOMMENDATION

It is recommended that Members:

- 5.1 **Delegate to the Joint Committee of Scotland Excel the Council's powers to regulate the provision of general purchasing functions on behalf of the Council, until such time as the Council is no longer a member of Scotland Excel;**
- 5.2 **Delegate responsibility to the Director of Corporate and Neighbourhood Services to determine which contracts are procured through Scotland Excel, in line with Council policies; and**
- 5.3 **Appoint a Member to the Joint Committee of Scotland Excel.**

.....

DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES

Date: 16 June 2010

Ref: AAC1010

Contact Officer: David McGhee Ext. 0788

BACKGROUND PAPERS

1. Scotland Excel Joint Committee – Procedural Standing Orders
2. Scotland Excel Joint Committee – Financial Regulations
3. Scotland Excel Joint Committee – Scheme of Delegations
4. Scotland Excel Joint Committee – Standing Orders relating to Contracts

Any person wishing to inspect the background papers should contact David McGhee extension 0788

FALKIRK COUNCIL

Subject: EXECUTION OF DEEDS
Meeting: FALKIRK COUNCIL
Date: 6 OCTOBER 2010
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: 21 September 2010
Contact Officer: Brian Pirie (Tel: 01324 506110)

LIST OF BACKGROUND PAPERS

Nil.

CHARGING ORDER by FALKIRK COUNCIL

J Ballantyne and D Ballantyne
 JT Campbell and I Campbell
 JF Park and EA Park
 MF Williamson
 M M Ritchie or Blyth
 M M M Boyle
 A M M Peacock
 J M Moffat or Black

4 Bearcroft Gardens, Grangemouth
 52 Avon Street, Dunipace
 47 Borrowstoun Crescent, Bo'ness
 3 Aven Drive, Laurieston
 210 Dean Road, Bo'ness
 5 Creteil Place, Grangemouth
 3 Rosemead Terrace, California
 42A Bonnytoun Terrace, Dean Road,
 Bo'ness

DISCHARGE by FALKIRK COUNCIL in favour of

A Morton and M Galloway
 Kier Homes (Caledonia) Limited
 M C Laurie

Insurance settlement
 Redding Park, Falkirk
 9 Marshall Street, Grangemouth

DISCHARGE of CHARGING ORDER by FALKIRK COUNCIL

M A McRorie

31 Castle Drive Larbert

DISPOSITION by FALKIRK COUNCIL in favour of

E Archibald and R D Bell
 T Donnelly
 A Miller Electrical Ltd
 M S R Cowan and W Cowan
 MJH Kirkwood and M Kirkwood
 JT Connor and J Connor
 M P Donnelly & JC Donnelly
 S C Stephenson
 LJ Derry & DS Main
 S Ferguson
 D Kilpatrick
 J Snaddon & M Snaddon
 J W Shirra as Executor Dative
 A McDonald
 L Fernie
 C McGarvie and H McGarvie
 W U Neilson
 C Collins
 R Morgan & J Morgan
 F MacDonald
 G Vivers
 J A MacLaren and M T MacLaren
 W M Floyd
 W Gavin and R Gavin
 Carron Bathrooms Limited

127 Alloa Road, Stenhousemuir
 57 Langton Road, Westquarter
 6, 8 Dundas Street, Grangemouth
 9 Shiel Gardens, Falkirk
 23 Irving Court, Falkirk
 12 York Lane, Grangemouth
 39 Braes View, Denny
 13B South Street, Bo'ness
 184 Bowhouse Road, Grangemouth
 Footpaths at Beech Crescent, Dunipace
 168 Carmuir Avenue, Falkirk
 17 Lumley Street, Grangemouth
 1 Waddell Street, Carronshore
 52 Thornbridge Road, Falkirk
 97 High Street, Bonnybridge
 53 Carmuir Avenue, Falkirk
 42 Parkfoot Court, Falkirk
 45 Calder Place, Falkirk
 51A Dean Road, Bo'ness
 61 La Porte Precinct, Grangemouth
 14 Bridgend Road, Avonbridge
 37 Barnego Road, Dunipace
 37 Castleview Terrace, Hags
 99 Gateside Avenue, Bonnybridge
 2.026 ha Stenhouse Road, Carron, Falkirk

E Doyle and M Doyle
 A McFarlane

196 Kilsyth Road, Banknock
 "Tigh-na-Saor", Bridgeness Lane, Bo'ness

D Elliot and A Elliot
 C Fleming
 M Heeps

29 Portal Road, Grangemouth
 54 Westfield Street, Falkirk
 36 Main Street, Avonbridge

EJA Mitchell and JJ Mitchell
J Fleming
J J Craig
G McDougall
J Keane
N Breen and S W Martin
S A Baillie

32 Parkfoot Court, Falkirk
40 Kerse Gardens, falkirk
5 Glenbervie Avenue, Larbert
41 Dryburgh Way, Grangemouth
71 Wheatlands Avenue, Bonnybridge
42 Montgomery Street, Falkirk
6 Dower Crescent, Bo'ness

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

Ground at Overton Crescent and Little
Denny Road, Denny

LEASE between FALKIRK COUNCIL and
Arrow Supplies (Scotland) Limited

DMAC Testing Services Limited
Falkirk Allotment Society

Warehouse, Newhouse Business Park,
Newhouse Road, Grangemouth
7 Murnin Road, Bonnybridge
0.578 acres at south Bantaskine Estate ,
Falkirk
4 Hallglen Shopping Centre, Islands
Crescent, Hallglen, Falkirk

Ladbrokes Betting and Gaming Limited

MINUTE of AGREEMENT between FALKIRK COUNCIL and

Oneaxis Limited and the Trustees of the Oneaxis Limited
Retirement Benefit Scheme
Right medicine Pharmacy Limited formerly known as
Advanced Complementary Medicine Services Limited
Ian Liddle Williamson and Sarah Carolilne Williamson
Shepherd and Wedderburn LLP
John Hamilton Gilvear, Brian Alexander Gilvear and
Stephen Lawrence Gilvear
Arnold Clark Automobiles Ltd

0.91 hectares or thereby at Myrehead Farm,
Linlithgow
88 Main Street, Carronshore

Dykehead Farm, Avonbridge, Falkirk
Community Services Trust
Land to the south of 1 Glenburn Cottage,
Glen Road, Torwood
Unit B & C, Grangemouth Enterprise Centre

Manor Forrest Ltd

land to east of Argricultural Holdings No. 9
Kilsyth Road, Haggs
Land to west of Cadgers Brae, Falkirk
Community Services Trust
Corbiehall, Bo'ness
Land at Tippetcraig
Dwellinghouse at Kersie Bank, Kersie
Terrace, Stirling
Land at Causewayend, Linlithgow

Kato Developments Limited
Grant Thornton Uk LLP
Bo'ness Developments Limited
The Deanston Partnership
G Paterson

Brian Maloney and Jane Maloney

MINUTE of LEASE between FALKIRK COUNCIL and
SP Distribution Limited

Ground at New Denny High School,
Herbertshire Street, Denny

MINUTE OF TERMINATION of LEASE between FALKIRK COUNCIL and
Trilight Limited

25 Castle Road, Bankside Industrial Estate,
Falkirk

MINUTE of VARIATION between FALKIRK COUNCIL and

Retail Travel Limited

Block 4, Central Business Park, Larbert

Acadian Engineering Limited

Innovative Environmental Services Limited

Contral Instruments Limited

Thomas Brown and Craig Mill

Corrie Cuthbertson t/a Ginkgo Translations

City Angel Limited

Helix Binders Limited

NOTICE of PAYMENT of GRANT

William Gilvear

Andrew White and Christina White

Janet Mitchell

Doris Nimmo

Peter Graham

Elizabeth Anne Burns

Elizabeth Fraser

Mary Deans

John Tetsill

J Carroll

E McLean & W McLean

K Marshall

J Jamieson

J Fraser

M Rice

Mr Duncan & J Bryce

D Hames

A Munnoch

J Moffat

L Ashurt

M Sellstrom

E Nolan

M Lawson

W Dalrymple

E Scott

M Ross

R Kenna

D Prow

J Wilson

J Addison

D Bowie

A McGlynn

A Holdon

T McFarlane

E Toner

H Watkins

E Anderson

E Griffin

C Allan

S Chirstie

M Clason

J Gordon

Unit 1C, West Mains Industrial Estate,
Grangemouth

2 Castle Road, Bankside Industrial Estate,
Falkirk

6 Abbotsinch Road, Grangemouth

547 King Street, Stenhousemuir

Suite E, 30 Newmarket Street Falkirk

254 Main Street, Camelon, Falkirk

1 Almond Court, Middlefield

46 Reedlands Drive, Denny

48 York Street, Middlefield, Falkirk

17 California Road, Maddiston

23 Maranatha Crescent, Brightons, Falkirk

8 Bruce Drive, Stenhousemuir

106 High Street, Bonnybridge

51 Haig Street, Grangemouth

36 South Green Drive, Airth, Falkirk

12 Wilson Gardens, Camelon

308 Stirling Street, Denny

71 Valeview, Stenhousemuir

43 Graham Avenue, Larbert

6 Chestnut Grove, Bo'ness

5 Union Place, Larbert

50 Argyll Avenue, Falkirk

3 Wolfe Road, Falkirk

110 Duke Street, Denny

17 Braeside Place, Laurieston

94 Bellsdyke Road, Larbert

261 Stirling Street, Dunipace

19 Newton Avenue

93 Oswald Street, Falkirk

15 Avontoun Crescent, Whitecross

3 Briar Brae, Brightons, Falkirk

27 Highland Dykes Crescent, Bonnybridge

63 Almond Street, Grangemouth

1 Argyll Path, Denny

10 Gauze Place, Bo'ness

68 Cobblebrae Crescent, Falkirk

10 Victoria Place, Brightons

9 Watson Street, Falkirk

5 Binniehill Road, Slamannan, Falkirk

2 Bennet Place, Polmont, Falkirk

44 Polwarth Avenue, Brightons, Falkirk

39 Castlevue Terrace, Hags, Bonnybridge

46 Kings Road, Grangemouth

118 Haugh Street, Falkirk

24 Castleton Cresecent, Grangemouth

33 Wilson Street. Grangemouth

60 Broad Street, Denny

13 Lumley Court, Grangemouth

11 Douglas Road, Bo'ness

A Hill
A Hamilton

D & H Pitcaithly
E Anderson
H Rose
E Chalmers
C McMahon
M & A Cheape
M McBeath
Lynne Close
W & M Hunter
M Fraser
E Millar
D Campbell
A Gray
C Leadbetter
E McCormack
C Isdale
C Gordon
M White
M Watson
A Hunter
J Paton

RENUNCIATION by

Ganton House Investments Limited in favour of Falkirk Council

SECTION 75 AGREEMENT among Falkirk Council and

M J Cadell & Others and MacTaggart & Mickel Homers Limited

TEMPORARY PROHIBITION OF TRAFFIC ORDERS

The Falkirk Council (High Street and Adjoining Streets, Falkirk) (Temporary Weight Restriction, Temporary Road Closure and Temporary One Way Traffic) Order 2010

12 Avontoun Crescent, Whitecross
4 Castleview Terrace, Haggs, Bonnybridge

5 Hodge Street, Falkirk
118 Haugh Street, Falkirk
77 Wotherspoon Drive, Bo'ness
24 Falkirk Road, Glen Village, Falkirk
10A Main Street, Bonnybridge
10b Main Street, Bonnybridge
16 South Philpingstone Lane, Bo'ness
13 Gunn Road, Grangemouth
34 Tedder Street, Grangemouth
33 Wall Street, Camelon, Falkirk
8 Towers Court, Falkirk
8 Watt Gardens, Camelon, Falkirk
31 Burnbank Road, Grangemouth
1 Mayfield Road, Redding, Falkirk
1 Muirepark Court, Bo'ness
14 Waverley Park, Redding, Falkirk
19 Newbiggin Road, Grangemouth
14 Overton Road, Grangemouth
94 Symon Tower, Seaton Place, Falkirk
324 Stirling Street, Denny
74 Haugh Street, Bainsford, Falkirk

Unit 4, Islands Crescent, Hallglen Shopping Centre, Falkirk

Drum Farm, Grahamsdyke Road, Bo'ness