

ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 25 August 2009 at 4.00 pm.

Present: Councillors DAVID MAY, DAVID FAIRWEATHER, PAUL VALENTINE, ALEX KING, JEAN LEE, IAN MACKINTOSH, JIM MILLAR, PETER MURPHY, ROBERT MYLES, HELEN OSWALD, RALPH PALMER, MARK SALMOND, ROBERT SPINK, SANDY WEST and JOHN WHYTE.

Councillor MAY, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Iain Gaul with Councillor Paul Valentine substituting.

2. DECLARATIONS OF INTEREST

Councillor Oswald declared an interest in item 6 as she had a relative who was employed by one of the contractors recommended to be included in the Council's Standing List of Contractors. She indicated that she would not be taking part in any discussion or voting on the matter.

Councillor Mackintosh declared an interest in item 27 as he had a scheduled monument on his farm. He indicated that he would not be taking part in any discussion or voting on the matter.

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 2 June 2009](#) was approved as a correct record and signed by the Convener.

(b) Executive Sub-Committee

The [minute of meeting of the Executive Sub Committee of 10 August 2009](#), a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

4. MONIFIETH TOWN CENTRE REGENERATION BID

With reference to Article 11 of the minute of meeting of this Committee of 2 June 2009, the Committee was advised that the bid for town centre regeneration funding for Monifieth had been unsuccessful. However, a resubmission was possible.

Having heard the main reasons for refusal, the Committee agreed that the application be resubmitted.

5. INFRASTRUCTURE SERVICES DEPARTMENT ANNUAL REPORT 2008/2009

With reference to Article 5 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 571/09](#) by the Director of Infrastructure Services advising the Committee of the production of the 2008/2009 Annual Report for the Infrastructure Services Department, a copy of which was appended to the Report.

The Committee agreed to note the contents of the Infrastructure Services Department Annual Report 2008/2009.

6. STANDING LIST OF CONTRACTORS FOR CONSTRUCTION, CIVIL ENGINEERING AND ROAD MAINTENANCE CONTRACTS TO A MAXIMUM VALUE OF £500,000

With reference to Article 23 of the minute of meeting of this Committee of 21 April 2009, there was submitted [Report No 572/09](#) by the Director of Infrastructure Services recommending the approval of Standing Lists of Contractors for various categories of work up to a maximum value of £500,000, in accordance with the Council's Financial Regulations.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the Standing Lists of Contractors for various categories of work up to a maximum contract value of £500,000, as detailed in Appendix 5 to the Report.

7. A933 COLLISTON TO LEYSMILL - CARRIAGEWAY WORK

There was submitted [Report No 573/09](#) by the Director of Infrastructure Services outlining the method of procurement of tenders and detailing tenders received for the A933 Colliston to Leysmill Carriageway Work and recommending acceptance of the lowest value tender submitted.

The Report indicated that the project comprised kerbing, drainage, some reconstruction and surfacing works on the A933 between Colliston and Leysmill.

The Committee agreed:-

- (i) to note the method of open tender with conditions used in the tendering process for the works; and
- (ii) to approve acceptance of the lowest value tender submitted for the carriageway resurfacing contract on the A933 between Colliston and Leysmill, that of Tayside Contracts, in the sum of £810,363.22.

8. A937 NORTH CRAIGO TO MARYKIRK - CARRIAGEWAY WORKS

There was submitted [Report No 574/09](#) by the Director of Infrastructure Services outlining the method of procurement of tenders and detailing tenders received for the A937 North Craigo to Marykirk carriageway works and recommending acceptance of the lowest tender submitted.

The Report indicated that the project comprised mainly carriageway surfacing and associated kerbing and drainage works.

The Committee agreed:-

- (i) to note the method of open tender with conditions used in the tendering process for the works; and
- (ii) to approve acceptance of the lowest value tender submitted for the carriageway resurfacing contract on the A937 between North Craig and Marykirk on the Aberdeenshire boundary, that of Tayside Contracts, in the sum of £485,683.01.

9. B9128 HILLENDE JUNCTION IMPROVEMENTS - ACCEPTANCE OF TENDER

With reference to Article 16 of the minute of meeting of this Committee of 3 June 2008, there was submitted [Report No 575/09](#) by the Director of Infrastructure Services detailing tenders received for the construction of the B9128 Hillend Junction improvements and recommending acceptance of the lowest tender submitted.

The Committee agreed:-

- (i) to approve acceptance of the lowest tender submitted for the construction of the B9128 Hillend Junction improvements, that of Dundee Plant Co Ltd, in the sum of £250,541.74; and

- (ii) to note the financial provision for the project, as detailed in the Report.

10. WORKS AWARDED TO TAYSIDE CONTRACTS

With reference to Article 20 of the minute of meeting of this Committee of 3 June 2008, there was submitted [Report No 576/09](#) by the Director of Infrastructure Services detailing the works awarded to Tayside Contracts on behalf of the Council by the Head of Roads during the financial year 2008/2009.

The Committee agreed to note the value of work awarded to Tayside Contracts by the Head of Roads during financial year 2008/2009, as detailed in Appendix 2 to the Report.

11. ROAD MAINTENANCE - WINTER SERVICE POLICY AND PROVISION FOR 2009/2010

With reference to Article 36 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 577/09](#) by the Director of Infrastructure Services detailing the winter road maintenance service provided during 2008/2009 and setting out the Council's proposed policy for 2009/2010. The Report also detailed the proposed arrangements for preventative salting and snow clearing during the winter period 2009/2010, in conjunction with the operational issues detailed in the supplement which had been placed in the Members' Lounge.

The Report indicated that the Council had a statutory duty to take such steps as it considered reasonable to keep public roads safe during adverse winter weather and, notwithstanding the difficulty in predicting the duration, severity and geographical distribution of winter conditions, it was necessary to have a clear policy and an agreed level of service to allow the planning and preparation necessary for the delivery of a winter maintenance service to proceed. If during the course of the winter abnormal or particularly extreme weather conditions were experienced, the Director of Infrastructure Services, in conjunction with the Director of Corporate Services, would report the position to this Committee and would recommend appropriate contingency arrangements and any necessary compensatory budgetary adjustments. The proposed winter maintenance arrangements for 2009/2010 would continue to provide value for money and a targeted level of service.

Having heard from a number of members, the Committee agreed:-

- (i) to note that the number of evenings and mornings treatments of the priority road network for the 2008/2009 winter season had been the highest in the 13 year record of Angus Council, as was auxiliary route treatments;
- (ii) to note that the net out-turn expenditure on winter maintenance for 2008/2009 was £2,586,000 (compared to a budget of £1,975,000 for third party payments) resulting in an overspend of £611,000 (31%);
- (iii) to note that this excess expenditure on winter maintenance had been contained within the overall Roads Revenue Budget for 2008/2009;
- (iv) to adopt the policy for the winter maintenance service during the forthcoming winter, as detailed in Appendix 3 to the Report;
- (v) to approve the proposed arrangements for the coming winter 2009/2010 which were fundamentally the same as the arrangements for 2008/2009, together with the adjustments, as detailed in the Report;
- (vi) to note the upgrades being made to weather stations;
- (vii) to note the trial of the effectiveness and efficiency of rock-salt through the winter and the proposed continuation of that trial;
- (viii) to note the continued use of "red" diesel for agricultural tractors for gritting, subject to continued approval by HM Revenue and Customs and the payment of the relevant duty; and

- (ix) to note that winter maintenance operations could not easily be managed within the normal constraints of a cash limited budget due to the unpredictable and variable effects of weather, that the winter maintenance budget had been increased for the coming winter in comparison to previous years, and accordingly winter maintenance expenditure would be closely monitored and any over or underspend projected out-turn would be reported to this Committee, as necessary, along with any recommended corrective budget adjustment options.

12. A92 ARBROATH TO MONTROSE - PROPOSED WORKS AT BIG TREE BENDS (HAWKHILL BENDS)

With reference to Article 22 of the minute of meeting of this Committee of 21 April 2009, there was submitted [Report No 578/09](#) by the Director of Infrastructure Services detailing the works being implemented on the A92 at "Big Tree Bends" (Hawkhill Bends) prior to the commencement of the implementation of a bend improvement scheme.

The Report indicated that, whilst there were already extensive signing and lining measures in place, arrangements had been made to renew the centre line road markings, upgrade the chevron signing and provide vehicle activated signs. The additional signing and lining measures would help road safety at the bends until the proposed improvement scheme proceeded.

Having heard from a number of members, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the signing and lining improvements which were taking place.

13. TRAFFIC REGULATION ORDERS - UPDATE

There was submitted and noted [Report No 579/09](#) by the Director of Infrastructure Services detailing the current stage of progress regarding pending Traffic Regulation Orders.

14. STATUTORY UNDERTAKERS PERFORMANCE IN ANGUS 2007/2008 AND 2008/2009

With reference to Article 16 of the minute of meeting of this Committee of 24 August 2006, there was submitted [Report No 580/09](#) by the Director of Infrastructure Services detailing the performance of Statutory Undertakers operating in Angus in 2007/2008 and 2008/2009, based on inspections of their street works, as required under the New Roads and Street Works Act 1991 and providing an update on the status of the Transport (Scotland) Act 2005 Part 2 - Road Works.

The Committee agreed:-

- (i) to note the performance of Statutory Undertakers in Angus during 2007/2008 and 2008/2009, based on the inspection regime undertaken by Roads staff; and
- (ii) to note the status of the Transport (Scotland) Act 2005, Part 2 - Road Works, different parts of which had come into force on 1 April and 1 October 2008.

15. LIGHTING PARTNERSHIP

There was submitted [Report No 581/09](#) by the Director of Infrastructure Services detailing a proposal to introduce a lighting partnership between the Council's Infrastructure Services Department and Tayside Contracts.

The Report indicated that the current arrangements for lighting service provision were that the design and contractor supervision functions were undertaken by in-house staff within the Roads Division of the Infrastructure Services Department, with the workforce employed by Tayside Contracts undertaking the maintenance/repairs, replacement and installation of new lighting. The opportunity had arisen to re-examine the specific working relationship between the Council and Tayside Contracts, with a view to possible efficiency gains being made by

combining the lighting operations to form a single operational structure. It was therefore proposed to form a partnership for an initial trial period of two years, with the aim to deliver improved lighting service balancing improved performance and the drive to reduce costs by maximising service efficiencies.

The Committee agreed:-

- (i) to approve the principles of the proposed partnership; and
- (ii) to authorise the Head of Roads, in consultation with the Head of Law and Administration, to enter into a partnership agreement, on the basis detailed in the Report.

16. U444/3 RAILWAY BRIDGE OF DUN - FUNDING IMPLICATIONS AND OPTIONS FOR LONG TERM FUTURE MAINTENANCE

There was submitted [Report No 583/09](#) by the Director of Infrastructure Services updating the Committee following an investigation of the maintenance and repair options for Railway Bridge of Dun, one of three road-over-rail bridges on the railway line between Brechin and Bridge of Dun. The Report also summarised five options available for the long-term future of the bridge.

The Committee agreed:-

- (i) to adopt Option 1, remedial strengthening, as the best course of action to repair and maintain Railway Bridge of Dun; and
- (ii) to instruct the Head of Roads to proceed with the project as part of the Council's bridges maintenance programme, commencing in financial year 2009/2010 which could be contained in the Roads Capital Budget for Bridge Repairs/Strengthening.

17. MA/36 BOG ROAD BRIDGE, BRECHIN - FUNDING IMPLICATIONS AND OPTIONS FOR LONG-TERM FUTURE MAINTENANCE

There was submitted [Report No 584/09](#) by the Director of Infrastructure Services updating the Committee following an investigation of the maintenance and repair options for Bog Road Bridge, Brechin, one of three road-over-rail bridges on the railway line between Brechin and Bridge of Dun. The Report also summarised three options available for the long-term future of the bridge.

The Committee agreed:-

- (i) to instruct the Head of Roads to continue to monitor the structure; and
- (ii) to adopt, in the long-term, Option 2, removal and closure, as the best course of action for Bog Road Bridge, as and when the bridge deteriorated to the point that this was necessary, together with the promotion of a Permanent Weight Limit Order in the interim period.

18. A935/4 ARRAT BRIDGE - FUNDING IMPLICATIONS AND OPTIONS FOR LONG-TERM FUTURE MAINTENANCE

There was submitted [Report No 585/09](#) by the Director of Infrastructure Services updating the Committee following an investigation of the maintenance and repair options for Arrat Bridge, one of three road-over-rail bridges on the railway line between Brechin and Bridge of Dun. The Report also summarised two options available for the long-term future of the bridge.

COUNCILLOR MAY, SECONDED BY COUNCILLOR FAIRWEATHER, MOVED THAT THE COMMITTEE AGREES:-

- (I) TO ADOPT OPTION 1, TRACK DRAINAGE AND ONGOING MAINTENANCE AS THE BEST COURSE OF ACTION TO REPAIR AND MAINTAIN ARRAT BRIDGE; AND

- (II) TO INSTRUCT THE HEAD OF ROADS TO PROCEED WITH THE PROJECT AS PART OF THE COUNCIL'S BRIDGES MAINTENANCE PROGRAMME, COMMENCING IN FINANCIAL YEAR 2009/2010, WHICH COULD BE CONTAINED IN THE ROADS CAPITAL BUDGET FOR BRIDGE REPAIRS/STRENGTHENING.

Councillor West, seconded by Councillor Oswald, moved, as an amendment, that the Committee defer consideration of the Report and instructs the Director of Infrastructure Services to report back on the options available, including possible realignment.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Fairweather, Mackintosh, Millar, Murphy, Myles, Salmond, Spink and Whyte (9).

For the amendment:-

Councillors King, Lee, Oswald, Palmer, Valentine and West (6).

The motion was declared carried and became the finding of the meeting.

19. REBUILDING OF RETAINING WALL AND WIDENING OF C6 ROAD THROUGH TEALING

There was submitted [Report No 586/09](#) by the Director of Infrastructure Services recommending approval of the rebuilding of a retaining wall and widening of the C6 road adjacent to the wall on the opposite side of the road, in order to reduce the likelihood of further damage to property walls on either side of the road, subject to successful negotiations with private owners, failing which it was recommended that the retaining wall reconstruction should proceed on its own.

The Report indicated that the C6 was a busy rural route, which was particularly narrow through Tealing, and it was difficult for large vehicles to pass each other without waiting or slowing virtually to a standstill. As a result, the walls on each side had, on occasions, been damaged by vehicles overrunning the available carriageway width. Additionally, a dry stone dyke on the boundary of the property known as Rosconelle had, on occasions, also been damaged. A scheme had been drawn up to provide a 0.9 metre footway, a 6 metre carriageway, a 0.5 metre strip on the east side and a new dry stone dyke. A small piece of land at the entrance of the property Miltonhaugh to the north of Resconrllle would also be required.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the rebuilding of the retaining wall along the property frontage known as Sunnyview in Tealing and the acquisition of land for the widening of the C6 road adjacent to the properties Rosconelle, Tealing and Miltonhaugh, Tealing, subject to successful negotiations with the owners.

20. A92 PROJECT

With reference to Article 4 of the minute of meeting of the A92 Finance Close Special Committee of 7 August 2003, there was submitted [Joint Report No 587/09](#) by the Director of Infrastructure Services and the Director of Corporate Services seeking approval to delegate authority to the Head of Law and Administration to execute any documentation required in connection with the A92 Project.

The Report indicated that, to allow the A92 Contract to operate smoothly, it was considered appropriate to delegate authority to the Head of Law and Administration to sign any documentation required in connection with the project.

- * The Committee agreed to authorise the Head of Law and Administration to execute any minor changes necessary to the documents associated with the Design, Build, Finance and Operate Contract for the A92 Upgrading Project in accordance with Standing Order 45.

21. TEMPORARY TRAFFIC ORDERS

There was submitted and noted [Report No 589/09](#) by the Director of Corporate Services advising that, at the request of the Head of Roads, five Temporary Traffic Orders had been made, as detailed in the Report.

22. LOCAL BUS SERVICES - REVIEW OF CONTRACT PRICES

With reference to Article 20 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 590/09](#) by the Director of Infrastructure Services recommending a local bus service contract price increase of 1.91% effective from 1 July 2009.

The Committee agreed to approve the award of a 1.91% contract price increase, for eligible local bus service contracts, from 1 July 2009.

23. CYCLING ACTION PLAN FOR SCOTLAND CONSULTATION DOCUMENT

There was submitted [Report No 591/09](#) by the Director of Infrastructure Services detailing a draft response to the Scottish Government's consultation document "Cycling Action Plan for Scotland".

The Report indicated that Scotland's Road Safety Framework 2020 made a commitment to develop a Cycle Action Plan for Scotland. The Plan sought to make cycling an easy and practical choice for people making short trips to work, to school, for leisure purposes and for longer journeys through integration with public transport. Increasing cycling rates would contribute to the sustainable development of Scotland and would produce the additional benefits of improving fitness and wellbeing, reducing emissions and would help in the fight against climate change, whilst contributing towards economic sustainable growth.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the Report as the basis for the Council's response to the Scottish Government's Consultation Document "Cycling Action Plan for Scotland".

24. FINALISED DEVELOPMENT BRIEF FOR SOUTH OF GARDYNE STREET, FRIOCKHEIM

With reference to Article 17 of the minute of meeting of this Committee of 2 June 2009, there was submitted [Report No 592/09](#) by the Director of Infrastructure Services outlining and commenting on the responses to consultation on the draft development brief and finalising the planning requirements that would guide the development of the site Fk2: Housing - South of Gardyne Street, Friockheim, which was allocated in the Angus Local Plan Review for residential development.

The Report indicated that the finalised development for South of Gardyne Street, Friockheim would assist in the implementation of Angus Local Plan Review Site Fk2 and would guide developers towards a successful planning submission. Ongoing dialogue with any prospective developer would ensure the successful application of the development brief.

Having heard from Councillors King and Millar in relation to aspects of sustainable development; the Committee agreed:-

- (i) to note the responses to the consultation draft brief, as detailed in Annex 1 to the Report;
- (ii) to approve the finalised development brief, as detailed in Annex 2 to the Report;
- (iii) to note that the Director of Infrastructure Services would write to the developer requesting that he take into consideration principles of sustainable development; and
- (iv) to refer the Report to the Development Standards Committee for noting and consideration in assessing development proposals affecting site Fk2: Housing - South of Gardyne Street, Friockheim.

25. CONSULTATION ON THE IMPLEMENTATION OF THE REMOVAL OF THE DUTY OF PLANNING AUTHORITIES TO NOTIFY HISTORIC SCOTLAND ON CERTAIN TYPES OF LISTED BUILDING CONSENT APPLICATION

With reference to Article 20 of the minute of meeting of this Committee of 20 January 2009, there was submitted [Report No 593/09](#) by the Director of Infrastructure Services commenting on and providing a basis for the Council's response to the consultation on the "Implementation of the Removal of the Duty of Planning Authorities to Notify Historic Scotland on Certain Types of Listed Building Consent Application". The consultation report provided a summary of the outcome of a pilot project which had aimed to explore whether it would be possible to protect the historic environment and deliver decisions more quickly to applicants.

Overall, decisions had been issued more quickly and in line with local and national policy and allowed for more time to focus on more complex applications for both the pilot authorities and Historic Scotland. The pilot scheme had been considered successful, however, before signing up to any future scheme, each planning authority must ensure that it could demonstrate to Historic Scotland that it had signed up to the Joint Working Agreement, had access to specialist conservation advice and appropriate policies with supporting processes and monitoring to operate effectively.

The Committee agreed:-

- (i) to note the content of the Consultation Report by Historic Scotland; and
- (ii) to approve the Report as the basis for the Council's response to the Scottish Government.

26. CONSULTATION ON PROPOSED FORFAR CONSERVATION AREA APPRAISAL AND BOUNDARY AMENDMENT

There was submitted [Report No 594/09](#) by the Director of Infrastructure Services seeking approval to carry out public consultation on the proposed Conservation Area Appraisal for the Forfar Conservation Area and proposed amendment to the Conservation Area boundary.

The Report indicated that Conservation Area Appraisals would eventually be prepared for all 19 Conservation Areas in Angus which would provide stakeholders with information to assist with managing the development process and would help impart information on the built heritage of Angus to the wider public.

The Committee agreed:-

- (i) to authorise the Head of Planning and Transport to carry out consultation with the Forfar community, and other stakeholders, on the Conservation Area Appraisal and proposed amendment to the boundary for the Forfar Conservation Area; and
- (ii) to note that a further Report would be brought back to this Committee once the consultation had been carried out.

27. THE ANCIENT MONUMENTS AND LISTED BUILDINGS (AMENDMENT) (SCOTLAND) BILL CONSULTATION

Councillor Mackintosh, having declared an interest at Article 2 above, left the meeting during consideration of this item.

There was submitted [Report No 595/09](#) by the Director of Infrastructure Services commenting on and providing a suggested basis for the Council's response to the consultation on the proposed amendment to The Ancient Monuments and Listed Buildings (Amendment) (Scotland) Bill.

The Report indicated that the Bill would give more discretionary powers to the local authority with limited implications regarding the burden of any associated requirements. The changes proposed in the Bill would assist with aligning and modernising heritage legislation, with powers available in other legislation, and would further aide the protection of the historic built environment and heritage in Angus.

The Committee agreed:-

- (i) to note the content of The Ancient Monuments and Listed Buildings (Amendment) (Scotland) Bill; and
- (ii) to approve the Report as the basis for the Council's response to Historic Scotland.

28. FINALISED SUPPLEMENTARY PLANNING GUIDANCE FOR GAIRIE WORKS, BELLIES BRAE, KIRRIEMUIR

With reference to Article 39 of the minute of meeting of this Committee of 21 April 2009, there was submitted [Report No 596/09](#) by the Director of Infrastructure Services outlining and commenting on the responses to consultation on the draft Supplementary Planning Guidance for any future development of Gairie Works, Bellies Brae, Kirriemuir.

The Report indicated that the site had been established in a prominent area of Kirriemuir's townscape for over 150 years and was an important part of Kirriemuir's industrial heritage. Following contact from the site owner, it had become apparent that there was the potential for redevelopment on the site, as the factory was soon to become vacant. As a windfill site, the opportunity had been taken to establish guidance and development principles which would aid the regeneration of the area and, as a result of site availability, a subsequent planning application had been lodged with the Council and, notwithstanding, should take cognisance of the broad principles, particularly in relation to the importance of townscape, set out within the finalised guidance.

COUNCILLOR MAY, SECONDED BY COUNCILLOR FAIRWEATHER, MOVED THAT THE COMMITTEE AGREES:-

- (I) TO NOTE THE RESPONSE TO THE CONSULTATION ON THE DRAFT SUPPLEMENTARY PLANNING GUIDANCE, AS SET OUT IN ANNEX 1 TO THE REPORT; AND
- (II) TO APPROVE THE FINALISED SUPPLEMENTARY PLANNING GUIDANCE, AS SET OUT IN ANNEX 2 TO THE REPORT.

Councillor Palmer, seconded by Councillor Oswald, moved, as an amendment, that the Committee agrees:-

- (I) to note the response to the consultation on the draft Supplementary Planning Guidance, as set out in Annex 1 to the Report; and
- (ii) to note the finalised Supplementary Planning Guidance, as set out in Annex 2 to the Report, at this stage.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Fairweather, Mackintosh, Millar, Murphy, Myles, Salmond and Whyte (8).

For the amendment:-

Councillors King, Lee, Oswald, Palmer, Spink, Valentine and West (7).

The motion was declared carried and became the finding of the meeting.

Thereafter, Councillor Oswald sought clarification on the Council's position with regard to elected members taking part in a meeting of the full Council to determine a planning matter if the appropriate training had not been provided. It was agreed that the Head of Law and Administration would confirm, in writing, the legal position on the matter.

29. RURAL TAYSIDE LEADER PROGRAMME 2007/2013

With reference to Article 23 of the minute of meeting of this Committee of 22 April 2008, there was submitted [Report No 597/09](#) by the Director of Infrastructure Services advising the Committee of progress on the Rural Tayside LEADER Programme and seeking approval to

implement two small financial support mechanisms to assist applicants in Angus experiencing cash flow issues.

The Report indicated that the Rural Tayside LEADER Programme continued to offer excellent opportunities for community organisations and business networks in rural Angus and across Tayside to attract funding for a range of projects. The programme would continue to be promoted through events, publicity, and with the forthcoming launch of the website. Offering small scale interest-free loan facilities for all applicants would be a positive and welcomed opportunity for community groups who often perceived the payments in arrears as a barrier to developing and implementing projects and therefore refrained from applying for funding. In the current economic climate, this would also be welcomed by applicants.

The Committee agreed:-

- (i) to note the progress of the Rural Tayside LEADER Programme in Tayside;
- * (ii) to approve the implementation of an advance payment facility for any successful LEADER applicant experiencing cash flow issues, and to delegate authority to the Head of Economic Development and Environmental and Consumer Protection to approve advance payments on a case-by-case basis;
- * (iii) to delegate to the Head of Economic Development and Environmental and Consumer Protection to approve advance funding on a case-by-case basis for retention monies for any LEADER applicant experiencing cash flow issues; and
- (iv) to refer recommendations (ii) and (iii) above to the Council so that the consequential amendments to the Scheme of Delegation to Officers would be formally approved.

30. LEASE OF GROUND, WARDMILL ROAD, ARBROATH

There was submitted [Report No 602/09](#) by the Director of Infrastructure Services seeking approval to lease ground at Wardmill Road, Arbroath, in accordance with the terms of the Report, and to recover back-dated rent associated with an erroneously located telecommunications installation.

The Report indicated that, in August 2002, T-Mobile (UK) Ltd had received planning permission to establish a telecommunications base station on Wardmill Road, Arbroath. The original intention had been for the station to be located on the public footpath. However, it had been discovered that the apparatus had been installed erroneously on the adjacent grass verge, which was held on the Economic Development Account. When the error had been identified, outline terms for a lease of the site had been agreed with T-Mobile's agents, with a date of entry, and thus rent, to be back-dated to 1 September 2003.

The Committee agreed:-

- (i) to approve the lease of land at Wardmill Road, Arbroath to T-Mobile (UK) Ltd for use as a telecommunications base station;
- (ii) to authorise the Head of Economic Development and Environmental and Consumer Protection, in consultation with the Head of Property and Head of Law and Administration, to recover back-dated rent of £15,490; and
- (iii) to note that the current Council policy in relation to telecommunications installations had been set aside in this instance only.

31. THE FOOD HYGIENE INFORMATION SCHEME

There was submitted [Report No 598/09](#) by the Director of Infrastructure Services advising the Committee of the Food Hygiene Information Scheme which was a means of providing information to consumers regarding the standards of hygiene in food businesses at the point of sale and on the web.

The Report indicated that the Food Hygiene Information Scheme was a national scheme that the Food Standards Agency had requested Scottish local authorities to adopt. According to the Agency, neighbouring local authorities had either implemented the Scheme as part of the Food Hygiene Information Scheme pilot exercise, or had undertaken to implement the

Scheme. It was therefore deemed advantageous for the Council to adopt and implement the Scheme as this would enhance the present food safety service provision for consumers, whether Angus residents or tourists to the area.

The Committee agreed:-

- (i) to the adoption and implementation of the Food Hygiene Information Scheme in Angus; and
- (ii) to authorise the Head of Economic Development and Environmental and Consumer Protection Division to agree a plan of implementation for the scheme with the Food Standards Agency (Scotland).

32. REVIEW OF THE FEED, FOOD AND SAFETY SERVICES PLAN FOR 2008/2009

With reference to Article 28 of the minute of meeting of this Committee of 25 November 2008, there was submitted [Report No 599/09](#) by the Director of Infrastructure Services advising that the Council was required, on an annual basis, to review the Feed, Food and Safety Services Plan.

The Report indicated that, by undertaking the review, the Council was fulfilling its legal obligation in terms of the Framework Agreement on Local Authority Food Law Enforcement and with Section 18 of the Health and Safety at Work etc Act 1974 (as amended).

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the contents of the Review of the Feed, Food and Safety Services Plan 2008/2009.

33. SEAGULLS - SIGNAGE

With reference to Article 8 of the minute of meeting of this Committee of 3 June 2008, there was submitted [Report No 600/09](#) by the Director of Infrastructure Services seeking approval for the siting of signs to discourage people from feeding gulls.

Having heard from the Convener in relation to further signage at the Harbour, Arbroath; Wharf Street, Curly Pond, Sea Splash and Mid-Links, Montrose and from Councillor King in relation to further signage at Keptie Pond, the Committee agreed to approve the erection of signs stating "Please Do Not Feed the Gulls" at the locations detailed in the Report and the additional locations intimated by the Convener.

34. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2) that the public and press be excluded from the meeting during consideration of the following item, so as to avoid the disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 6, 8 and 9.

35. UPDATE ON THE ELMS, ARBROATH

With reference to Article 33 of the minute of meeting of this Committee of 3 March 2009, there was submitted [Report No 601/09](#) by the Director of Infrastructure Services updating the Committee on progress made and providing the detailed process of works and timescales required to progress the secure future of The Elms.

The Committee agreed to approve the recommendations, as detailed in the Report.