

ANGUS COUNCIL

MINUTE of MEETING of the **NEIGHBOURHOOD SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Thursday 28 May 2009 at 4.00 pm.

Present: Councillors JIM MILLAR, COLIN BROWN, ALISON ANDREWS, BILL MIDDLETON, DONALD MORRISON, PETER NIELD, HELEN OSWALD, MARK SALMOND, BOB SPINK, MARGARET THOMSON, SHEENA WELSH SANDY WEST and JOHN WHYTE.

Councillor MILLAR, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Mairi Evans, David Fairweather and David May with Councillor Helen Oswald substituting for Councillor Evans and Councillor John Whyte substituting for Councillor Fairweather.

2. DECLARATIONS OF INTEREST

Councillor West declared an interest in item 6 as the owner of one of the properties receiving an improvement/repairs grant and intimated that he would leave the meeting during consideration of this item.

3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 16 April 2009](#) was approved as a correct record and signed by the Convener.

With reference to Article 6 therein, the Director, in reply to a question from Councillor Bill Middleton, indicated that members would be provided with details of the costs, up to the end of the financial year, associated with reducing the level of arrears.

4. HOUSING CAPITAL AND PLANNED MAINTENANCE PROGRAMME - HRA BLOCK - 2008/2009

With reference to Article 4 of the minute of meeting of this Committee of 16 April 2009, there was submitted [Joint Report No 412/09](#) by the Director of Neighbourhood Services and the Director of Corporate Services setting out the near final actual Capital and Planned Maintenance spends to 31 March 2009 together with updated funding proposals.

The Report advised that the actual spend achieved to 31 March 2009 on the Housing Capital Programme was currently £9.947 million which represented an overspend of £97,000 against the original budget of £9.850 million. It was currently projected that this would be the final capital position for 2008/2009. However, it was noted that at the time of finalising the Report, some adjustments and accruals had still to be processed as part of the ongoing final accounts process. This therefore meant that the actual expenditure and outturn estimated figures contained within the Report might change, albeit no significant changes were currently expected.

With regard to the 2008/2009 Planned Maintenance Programme, the near final actual expenditure to 31 March 2009 was approximately £2.400 million which represented an overspend of £220,000 against the original budget of £2.180 million. The main reasons for this projected overspend was slippage of £134,000 from 2007/2008 in respect of the door replacement programme together with advancement of spend from the 2009/2010 work programme. The projected overspend had reduced by £87,000 from the previous Report and this had resulted from year-end accounting adjustments within gas maintenance, as part of the ongoing final accounts process. In addition, further work had been required in respect of the repaints programme. As with the Housing Capital Programme, it was currently projected that this would be the final position for 2008/2009 in respect of planned maintenance, however it was noted that, at the time of finalising the Report, some adjustments and accruals had still to be finalised as part of the ongoing final accounts process. This therefore meant that the actual expenditure and outturn estimated figures contained within the Report might change, albeit no significant changes were currently expected.

Having heard from the Director of Neighbourhood Services in relation to progress with the regeneration at Mayfield/Cliffburn, Arbroath, the Committee, for its interest, agreed:-

- (i) to note the near final actual expenditure figures presented for the Housing Capital and Planned Maintenance Programmes for the period to 31 March 2009;
- (ii) to note the near final capital receipts position for the period to 31 March 2009; and
- (iii) to note the proposed funding approach as detailed within the Report.

5. COUNCIL HOUSE SALES

With reference to Article 4 of the minute of meeting of this Committee of 26 February 2009, there was submitted [Report No 413/09](#) by the Director of Corporate Services detailing individual Council house sales for the fourth quarter of 2009/2010 and cumulative figures for 2008/2009 to 31 March 2009.

The Committee agreed to note the contents of the Report.

6. IMPROVEMENT/REPAIRS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

Having declared an interest at item 2 above, Councillor West left the meeting during consideration of this item.

With reference to Article 5 of the minute of meeting of this Committee of 16 April 2009, there was submitted and noted [Report No 414/09](#) by the Director of Infrastructure Services detailing grant applications in respect of improvement, repairs, window and gutter replacement and town centre refurbishments, all of which had been approved under delegated authority for the period 1-31 March 2009.

7. ARREARS UPDATE INCLUDING SERIOUS ARREARS - HOUSING REVENUE ACCOUNT TENANTS

With reference to Article 6 of the minute of meeting of this Committee of 16 April 2009, there was submitted [Report No 415/09](#) by the Director of Neighbourhood Services updating members on current rent arrears and bringing to their attention very serious arrears cases.

The Report indicated that there were 28 serious rent arrears cases in respect of Council house tenants, as detailed in Appendix B of the Report. The tenants had been kept informed of progress in respect of action being raised against them and had been made fully aware of the remedies open to them.

If a tenant was evicted, the tenant concerned might present themselves to the Council as homeless and in terms of the current legislation, it would be required to provide them with temporary accommodation while their homelessness application was assessed. The Council would seek to conduct an assessment as early as possible and the Social Work and Health Department would be fully informed of the progress of any eviction, including steps taken to avert the eviction.

The Report also advised that, of the 28 cases reported to Committee in April, 15 cases had reduced the amount owed and were continuing to make payments to reduce their arrears. In the remaining cases, the Council continued to apply the rent arrears policy and had arranged Court dates or were awaiting a Court date.

It was also proposed to delegate the full arrears procedure to the Head of Housing which would remove the need to present individual cases to Committee. This would streamline the process, reduce bureaucracy and enable a faster progression through the agreed Council Policy in relation to Housing Revenue Account Arrears.

The Report concluded that the Council remained committed to providing support with rent payments but ultimately where this was not utilised by tenants, it must enforce the tenancy conditions agreed through the Scottish Secure Tenancy Agreement and make it clear that rent payment was a priority and that failure to keep up rent payments would result in the utilisation of the full range of sanctions available. Further and ongoing work would be done to ensure

that the momentum of tackling arrears was maintained and where further improvements could be made, these would be thoroughly investigated.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the current performance information provided in Appendix A to the Report;
- (iii) to give approval to proceed to seek decree for cases set out in Appendix B to the Report;
- (iv) to note the progress to date in pursuing serious arrears cases;
- * (v) to approve the amendment of Section 7(b)(10) to the Scheme of Delegation to Officers as detailed in paragraph 6.3 of the Report and to recommend to the Council accordingly; and
- (vi) to authorise the Head of Law and Administration to make the consequential changes to Standing Orders for incorporation at the next review.

8. HOUSING REVENUE ACCOUNT - WRITE-OFF OF RENT IN 2008/2009

With reference to Article 8 of the minute of meeting of this Committee of 21 August 2008, there was submitted [Report No 436/09](#) by the Director of Neighbourhood Services on the Housing Revenue Account and homelessness accommodation rent arrears for 2008/2009 which it was proposed be written off.

Following discussion, during which Councillor Morrison and Councillor Nield raised questions relating to tenants who presented themselves to the Council as homeless and the contents of the Tenancy Agreement respectively, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to write off as irrecoverable, the cases set out in the Appendix to the Report, totalling £263,955.98;
- (iii) to instruct the Director of Neighbourhood Services to submit a Report to the next meeting of the Committee detailing the percentage of tenants who presented themselves to the Council as homeless and were required to be provided with temporary accommodation while their homelessness application was assessed under the Housing (Scotland) Act 1987; and
- (iv) to instruct the Director of Neighbourhood Services to submit a Report to the next meeting of the Committee regarding the content of the Tenancy Agreement, and in particular the possibility of including a question regarding National Insurance numbers.

9. PROMOTING POSITIVE OUTCOMES: NATIONAL AND LOCAL RECOMMENDATIONS REGARDING ANTI-SOCIAL BEHAVIOUR

There was submitted [Report No 416/09](#) by the Director of Neighbourhood Services, outlining the recently launched guidance and framework from the Scottish Government entitled "Promoting Positive Outcomes: Working Together to Prevent Anti-Social Behaviour in Scotland".

The Report indicated that the new anti-social behaviour framework had been developed as a joint process between COSLA and the Scottish Government as part of a concordat. The COSLA Wellbeing and Safety Executive Group would monitor its implementation particularly in relation to any resource issues. Angus Community Safety Partnership was well placed to deliver the recommendations of the new framework and had already undertaken some of the recommendations prior to the framework, noting them as local actions. Good practice within the Partnership, such as a strong Strategic Assessment document had already been recognised by the Scottish Government and was utilised by the Scottish Police College in their analyst training. The Report also reflected upon the good work already being carried out by

the Angus Community Safety Partnership in the field of anti-social behaviour prevention and resolution.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the national actions and local recommendations relating to anti-social behaviour as outlined in the Appendix to the Report.

10. DRAFT HOUSING (SCOTLAND) BILL: A CONSULTATION

There was submitted [Report No 417/09](#) by the Director of Neighbourhood Services advising the Committee of the recent publication of the draft Housing (Scotland) Bill: A Consultation, outlining the main headlines of the consultation and the next steps Angus Council would take to develop a response.

The Report indicated that the Scottish Government had recently published their proposals for a draft Housing (Scotland) Bill and were seeking views on the draft through a consultation exercise. The Report set out the main headlines of the Bill and a course of action to enable Angus Council to submit an informed response to the Government within the consultation deadline of 14 August 2009. A copy of the consultation paper had been placed in the Members' Lounge and a briefing paper and consultation event would be organised in the near future to ascertain members' views which would be reflected in the Council's final response.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the publication of the draft Housing (Scotland) Bill, together with the main headlines of the consultation; and
- (iii) to approve the actions set out in the Report.

11. DIGITAL TV UPGRADING PROPOSALS

There was submitted [Report No 418/09](#) by the Director of Neighbourhood Services advising the Committee of the progress being made by Angus Council in upgrading communal TV systems for tenants to receive digital signals by 2010.

The Report indicated that the proposal to switch over from terrestrial analogue transmissions to digital transmissions was planned for mid to late 2010 for the Angus area. A programme had therefore been developed in conjunction with the Property Division of Corporate Services, to identify and upgrade communal systems where necessary. Some of these old systems, serving rows of houses, could be replaced with individual aerials at switchover, as the signal strength for the digital signals would be much improved over the old analogue signals.

However, there were approximately 1615 tenants connected to systems which would require to be completely renewed. The work to upgrade communal systems or dismantle existing communal systems was expected to commence in October 2009 with the completion expected by the end of 2009. The cost of the works was estimated at this stage not to exceed £150,000 and would be project managed by the Housing Division with the work being procured through the Property Division of Corporate Services. Currently, this was expected to be the subject of a further Committee Report in August 2009.

The Committee agreed to note the contents of the Report prior to contracts being let to carry out the necessary upgrading works.

12. PROPOSAL FOR INVOLVEMENT IN THE HOME INSULATION SCHEME

There was submitted [Report No 419/09](#) by the Director of Neighbourhood Services advising the Committee of a recent application to the Scottish Government for involvement in the Home Insulation Scheme and seeking approval to formally participate in the project if the application to attract investment was successful.

The Report indicated that Angus Council had been working hard for several years to deal with the issue of fuel poverty, this being the overriding aim of the fuel poverty strategy and a major objective in the Local Housing Strategy. The Council also had a duty, as a signatory in 2007, of the Climate Change Declaration to reduce domestic greenhouse gas emissions in order to tackle the threat of climate change. Consequently, the Council had been in discussions with the Scottish Government and COSLA about proposals for their new area based home insulation scheme. It was expected that the decision on whether the bid had been successful, would be made by the Scottish Government by the end of June 2009.

It was hoped that the bid would attract a large proportion of funding to the north-east half of Angus, based on some 20,000 homes in and around Brechin, Montrose and Arbroath. This area had been proposed because it included the wards recorded as having the highest incidence of fuel poverty and multiple deprivation factors in Angus. If the bid was successful there would be economic benefits for Angus in terms of employment opportunities and construction industry activity as well as increasing disposable income of householders by reducing their fuel bills and maximising benefit uptake.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the proposal that Angus Council should provide support and participate in the Home Insulation Scheme if the application to attract the project to Angus was successful.

13. LEASE OF LOCHSIDE, WOODLANDS AND SOUTH LINKS CARAVAN PARKS

With reference to Article 13 of the minute of meeting of this Committee of 16 April 2009, there was submitted [Report No 420/09](#) by the Director of Neighbourhood Services requesting authorisation to market the caravan parks at Forfar, Montrose and Carnoustie for lease or management contracts.

The Report indicated that Lochside, Woodlands and South Links Caravan Parks had been advertised for lease on 19 December 2008 through the Council's retained external estates consultants, Graham & Sibbald. The process had allowed external bodies or individuals to bid for one or more sites. As a result of the lack of standardisation in the tenders, particularly in regard to the use of static caravans, it had not been possible for Council Officers to fully evaluate the information provided. Due to time constraints, a decision had been taken to allow the parks to be operated by the Council for another season. A full review of the caravan pitch usage had now been carried out and the results and recommendations in regard to the number of static caravans to be permitted on each site were detailed in the Appendix to the Report.

COUNCILLOR MILLAR, SECONDED BY COUNCILLOR BROWN, MOVED THAT THE COMMITTEE AGREES:-

- (I) TO APPROVE, IN PRINCIPLE, THE PROPOSAL TO ENTER INTO A LEASE OR MANAGEMENT CONTRACT FOR THE THREE CARAVAN PARKS;
- (II) TO APPROVE THE ADVERTISING OF THE CARAVAN PARKS FOR LEASE (OR MANAGEMENT CONTRACT) REQUESTING NOTES OF INTEREST AND THE PREPARATION OF A SELECT TENDER LIST;
- (III) TO APPROVE THE SENDING OF TENDER DOCUMENTS TO THE COMPANIES/INDIVIDUALS ON THE SELECT TENDER LIST; AND
- (IV) TO NOTE THAT A FURTHER REPORT WOULD BE PRESENTED TO COMMITTEE IN AUGUST 2009 TO REPORT ON THE OUTCOME OF THE TENDERING PROCESS.

In accordance with the provisions of Standing Order 11(i), Councillor Oswald having moved as an amendment that the three caravan parks detailed in the Report remain in Council control and ownership, and the amendment having been ruled incompetent by the Convener, indicated that she wished the terms of her amendment be recorded.

Councillor Oswald, seconded by Councillor Morrison, moved, as an amendment, that the three caravan parks detailed in the Report accommodate touring caravans only.

On a vote being taken, the members voted:-

For the motion:-

Councillors Millar, Brown, Andrews, Whyte, Nield, Salmond and Thomson (7).

For the amendment:-

Councillors Oswald, Bill Middleton, Morrison, Spink, Welsh and West (6).

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

At the request of Councillor Morrison, and having heard from the Director, the Committee agreed to note that the wardens at the three sites would be approached to ascertain whether they would be interested in entering into a lease or management contract for the relevant caravan park.

*** 14. MONTROSE MID LINKS, JAMIESON PARK LIGHTING ISSUES**

With reference to Article 17 of the minute of meeting of the Environmental and Leisure Services Committee of 4 March 2004, there was submitted [Report No 421/09](#) by the Director of Neighbourhood Services advising the Committee of the lighting problems at Jamieson Park, Mid Links, Montrose and providing an option to resolve the existing problems.

The Report reminded members that the Council had approved the restoration of the Mid Links, Montrose in 2004 with the main contractor being AWG Construction Services Ltd. However, problems had arisen with the lighting system installed in Jamieson Park with the first reported repair being logged on 21 September 2005. This had been addressed by the contractor during the defects liability stage but, subsequent to this, a number of further faults had been reported and the lighting had unfortunately repeatedly failed.

In order to seek clarity as to the continuing failure, an on-site survey had been carried out on 7 August 2008 to determine the cause, or causes as to why the lighting control located within some luminaries continued to fail. The survey had determined that the main cause of failure was poor installation and cable connection method allowing moisture to track up the cable joints. To rectify the existing installation problems with the luminaries would cost approximately £46,750 with £4,014 having been spent to date on repairs to the existing installation, with very limited success.

It was therefore proposed that, in order to provide a permanent solution, the existing luminaries be removed and a new dependable and aesthetically attractive lighting scheme be installed. The estimated cost for replacing the existing system with new lanterns and columns would be in the region of £40,000. The Council was currently pursuing action against the various parties who were involved in this area of contract works with a view to cost recovery.

COUNCILLOR MILLAR, SECONDED BY COUNCILLOR BROWN, MOVED THAT THE COMMITTEE AGREES:-

- (I) TO NOTE THE CONTENTS OF THE REPORT; AND
- (II) TO APPROVE THE ACTION TO SEEK TENDERS FOR REPLACEMENT LIGHTING AT JAMIESON PARK, MONTROSE.

Councillor Bill Middleton, seconded by Councillor Oswald, moved, as an amendment, that the Committee agrees not to replace the lighting at Jamieson Park, Montrose.

On a vote being taken, the members voted:-

For the motion:-

Councillors Millar, Brown, Andrews, Whyte, Nield, Salmond and Thomson (7).

For the amendment:-

Councillors Oswald, Bill Middleton, Morrison, Spink, Welsh and West (6).

The motion was declared carried and became the substantive motion.

Councillor West, seconded by Councillor Welsh, moved, as a further amendment, that the possibility of the funding gap being met from the Montrose Common Good Fund be investigated.

On a vote being taken, the members voted:-

For the substantive motion:-

Councillors Millar, Brown, Andrews, Whyte, Nield, Salmond and Thomson (7).

For the amendment:-

Councillors Oswald, Bill Middleton, Morrison, Spink, Welsh and West (6).

The motion was declared carried and remained the substantive motion.

Councillor Oswald, seconded by Councillor West, moved as a further amendment, that the Committee agrees to defer consideration of the Report until a further Report was submitted exploring the use of Montrose Common Good Fund to meet the shortfall in funding.

On a vote being taken, members voted:-

For the substantive motion:-

Councillors Millar, Brown, Andrews, Whyte, Nield, Salmond and Thomson (7).

For the amendment:-

Councillors Oswald, Bill Middleton, Morrison, Spink, Welsh and West (6).

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

15. COMMUNITY SPONSORSHIP FOR THE PROVISION OF FLORAL BEDDING DISPLAYS AND HANGING BASKETS

There was submitted [Report No 422/09](#) by the Director of Neighbourhood Services relating to the sponsorship by community groups and other organisations of additional or new provision of hanging baskets, commemorative carpet bedding or additional bedding displays.

The Report indicated that, as part of previous budget submissions, savings had been identified and made by reducing the use of high cost bedding plants associated with intricate carpet bedding that required very high density planting and maintenance by using more traditional bedding with emphasis on floral displays, rather than creating logos and lettering. In addition, there had been an overall reduction in provision of hanging baskets as part of these budget savings.

As a result of this reduction in the use of traditional carpet bedding plants, intricate bedding and logo planting could no longer be undertaken at all the display locations with these areas now being planted for floral effect only. The Committee was therefore asked to agree that when requests were received from community groups or other organisations to provide and maintain additional or new hanging baskets, commemorative/centenary carpet bedding or additional annual planting, in all instances the groups would require to meet the full cost of the supply, preparation and maintenance of the hanging baskets of floral displays.

Following a full discussion, during which Councillor Oswald requested, and the Director concurred, that the bullet point in paragraph 6.1 of his Report "More citizens are involved in community life" was not particularly relevant and should therefore be removed, the Committee agreed:-

- (i) to approve, when requests were received from community groups or other organisations to provide and maintain additional or new hanging baskets, commemorative/centenary carpet bedding or additional annual bedding provisions, subject to service resources being available to provide and maintain these displays, in all instances these groups would require to contribute to the full cost of the supply, preparation and maintenance of the provision;
- (ii) to note that requests for commemorative/centenary carpet bedding would be restricted to local groups that in many instances formed part of national organisations; and
- (iii) to note that the full costs of floral provision to be met by the community groups or other organisations should include all materials, all labour costs in relation to maintenance, including watering, associated preparation, installation/planting and removal, with administration costs in relation to purchase of material etc being absorbed by the Service.

16. THE YEAR OF THE LIGHT

There was submitted [Report No 423/09](#) by the Director of Neighbourhood Services proposing that the displays at the Signal Tower Museum be refreshed, to concentrate upon Arbroath's maritime heritage in general, and particularly to celebrate the 200th anniversary of the Bellrock Lighthouse on 11 February 2011.

The Report indicated that Cultural Services had been working with a Committee, comprising the Northern Lighthouse Board and representatives of all the national collections, namely the National Archives of Scotland, the National Galleries of Scotland, the National Library of Scotland, the National Museums of Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland, which had been set up for the purpose of celebrating the anniversary of the Bellrock Lighthouse, which was an event of national importance. Although there would be an exhibition in the Museum of Scotland in Edinburgh, it was proposed that Angus Council consider how to mark this important milestone in local history. While there would be a series of events, many of which would be community driven, it was proposed to develop a project to redisplay Signal Tower Museum and to refocus on the maritime history of Arbroath in general, and the legacy of the Bellrock Lighthouse in particular.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the intention to develop a project at Signal Tower Museum, concentrating upon Arbroath's maritime heritage, and especially the building of the Bellrock Lighthouse to tie in with the 200th anniversary of the date upon which the lighthouse first shone; and
- (iii) to authorise the Director of Neighbourhood Services to progress the preparation of the required Capital Project Appraisal for this project to ensure that it could be considered by the Capital Budget Sub-Group and relevant committees at the earliest opportunities.

17. ACCREDITATION WITHIN NEIGHBOURHOOD SERVICES DIVISIONS

The Director of Neighbourhood Services reported that Museums Galleries Scotland had advised that all Angus Council museums had been awarded Museums Accreditation. Signal Tower Museum, Arbroath; Kirriemuir Gateway to the Glens Museum; the Meffan Museum, Forfar; Montrose Museum and the William Lamb Studio, Montrose had all been awarded full accreditation. Brechin Town House Museum had been awarded provisional accreditation until it reopened.

The Director further advised that, in relation to Quest, the UK Quality Scheme for Sport and Leisure, Montrose Sports Centre had been presented with two awards at the recent Quest conference for achieving the highest score in facility operations and the highest overall score in Scotland. Websters Sports Centre had also obtained the same overall score as Montrose Sports Centre but had missed out on the award through a count back process. This score now put these two sites in the top 15% in the UK.

The Committee agreed to note the above accreditations within Neighbourhood Services Divisions and congratulated all staff on these achievements.

18. EXCLUSION OF PUBLIC AND PRESS

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

19. IMPROVEMENT/ADAPTATIONS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 6 above, there was submitted [Report No 424/09](#) by the Director of Infrastructure Services detailing grant applications in respect of improvements and adaptations, all of which had been approved under delegated authority for the period 1-31 March 2009, in respect of vulnerable people.

The Committee agreed to note the contents of the Report.

20. APPOINTMENT OF THE RELATIVE OF A CHIEF OFFICER

There was submitted [Report No 425/09](#) by the Director of Neighbourhood Services seeking approval for the appointment of the relative of a Senior Service Manager to the post of Clerical Assistant on a permanent basis.

The Committee noted that the Senior Service Manager had played no part in the selection procedure, nor would be involved in any direct working relationship with the appointee which might give rise to allegations of favouritism or other form of embarrassment within the Council, and agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the appointment of the relative of a Senior Service Manager to the post of full-time Clerical Assistant on a permanent basis.