

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 14 December 2006 at 4.00 pm.

Present: Provost BILL MIDDLETON, Depute Provost STEWART McGLYNN, Councillors IAN ANGUS, FRANK ELLIS, JACK GIBB, JOHN HENDERSON, ALEX KING, The Hon R J LESLIE MELVILLE MBE, IAN MACKINTOSH, GLENNIS MIDDLETON, JOY MOWATT, PETER MURPHY, ROB MURRAY, ROBERT MYLES, PETER NIELD, GEORGE NORRIE MBE, KITTY RITCHIE, BILL ROBERTON, MARK SALMOND, DAVID SELFRIDGE, JENNIFER SPEIRS, RICHARD SPEIRS, ROBERT SPINK, SHEENA WELSH and TERRY WOOD.

Apologies: Apologies for absence were intimated on behalf of Councillors IAIN GAUL, DAVID LUMGAIR, HELEN OSWALD and RON SCRIMGEOUR.

Provost BILL MIDDLETON, in the Chair.

1. DECLARATIONS OF INTEREST

Declarations of interest were made by:-

- Councillor Ellis in Article 2 of the minute of the special meeting of the Council of 16 November 2006 and Report No 1481/06 by the Director of Infrastructure Services on the Finalised Angus Local Plan Review, as an objector had contacted him about the outcome of the meeting, but he had decided to participate in discussion and voting.
- Councillor Gibb in item 10 (Report No 1486/06) as a Director of Angus Digital Media Centre.
- Councillor Mowatt in Article 29 of the minute of meeting of the Infrastructure Services Committee of 23 November 2006 and in item 10 (Report No 1480/06) as a Director of Angus Digital Media Centre and Chair of CAMERATA, she had chaired a meeting set up Angus Crafts Association, and was a member of Friends of Brechin Town House Museum.
- Councillor Murray in Article 29 of the minute of meeting of the Infrastructure Services Committee of 23 November 2006 as the representative of the sole member (Angus Council) of the Angus Digital Media Centre at their Annual General Meeting.
- Councillor Ritchie in Article 4 of the minute of meeting of the Infrastructure Services Committee of 23 November 2006 as Vice-Chairman of Tayside and Central Scotland Transport Partnership (TACRAN) and in Article 19(a) of the minute of the same meeting (Report No 1399/06) as a member of Montrose Heritage Trust.
- Councillor Nield in Article 5 of the minute of meeting of the Development Control Committee of 7 December 2006 as the applicant for planning permission.

The Council also noted that all members had received a faxed letter from Macdonald Estates dated 13 December 2006 in connection with Westway Retail Park, Arbroath and its exclusion from the Angus Local Plan Review.

2. ENERGY EFFICIENCY ACCREDITATION SCHEME

With reference to Article 3 of the minute of meeting of the Resources and Central Services Committee of 19 October 2006, there was displayed the award gained by the Property Division of the Corporate Services Department as a result of the Council being re-accredited in terms of the Energy Efficiency Accreditation Scheme.

On behalf of the Council, the Provost extended congratulations to all staff involved in achieving this award.

3. REQUEST FOR DEPUTATION

The Council resolved, in accordance with Standing Order 12, to hear a deputation from Mr Gordon S Reid, 2 Earlstone Place, Carnoustie on behalf of the “Stakeholders” of NHS Tayside, on the subject of the contract and the investment by a private company in services at Stracathro Hospital.

The deputation answered questions from members, following which they withdrew to the public benches.

4. STRACATHRO HOSPITAL – USE OF PRIVATE HEALTHCARE COMPANY

With reference to Article 5 of the minute of the previous meeting, Mr Peter Bates, Chairman, and Mr Gerry Marr, Chief Operating Officer, NHS Tayside, addressed the Council and gave a presentation on the background and process involved in setting up the Scottish Regional Treatment Centre at Stracathro Hospital. Mr Marr explained the consultation and advice which NHS Tayside had undertaken and received; the planned activity at the Centre and a breakdown of the patients expected from Grampian, Fife and Tayside; the proposed commercial arrangements and operating proposals; and the value for money exercise which had been undertaken prior to the placing of a contract.

Following their presentation, Mr Bates and Mr Marr answered questions from members. The Provost then thanked them for their explanation of the proposals for Stracathro Hospital.

5. THE ANGUS FOCUS ON ALCOHOL PROJECT

The Council agreed to defer consideration of [Report No 1482/06](#) by the Director of Social Work and Health on the Angus Focus on Alcohol Project.

6. EMERGENCY MOTION – RURAL POST OFFICES

The Provost ruled that the following motion by Councillor Murray, seconded by Councillor Ellis be considered as a matter of urgency in light of the statement the previous day by the UK Government on the future of certain post offices.

“This Council:

- (i) condemns the Labour Government’s newly announced strategy that will lead to the closure of 2,500 rural and urban post offices;
- (ii) notes that the reason for their closure is that these post offices are termed “uneconomic”;
- (iii) notes that they are uneconomic as a direct result of Labour Government policy;
- (iv) notes that this strategy will be absolutely disastrous for local communities in both economic and social terms;
- (v) calls for the immediate reversal of this strategy and the introduction of a system that fully reflects the needs of people in rural areas; and
- (vi) instructs the Chief Executive to write to the Prime Minister and the First Minister in these terms.

The Council resolved unanimously to approve the motion.

7. MINUTES OF COUNCIL AND COMMITTEES

(a) Special Structural Review Committee

The [minute of meeting of the Special Structural Review Committee of 23 October 2006](#) was submitted and approved.

(b) Angus Council

The [minute of meeting of Angus Council of 2 November 2006](#) was submitted, approved as a correct record and signed by the Provost.

(c) Special Structural Review Committee

The [minute of meeting of the Special Structural Review Committee of 3 November 2006](#) was submitted and approved.

(d) Development Control Committee

The [minute of meeting of the Development Control Committee of 9 November 2006](#) was submitted and approved.

(e) Education Committee

The [minute of meeting of the Education Committee of 9 November 2006](#) was submitted and approved.

(f) Special Structural Review Committee

The [minute of meeting of the Special Structural Review Committee of 14 November 2006](#) was submitted and approved.

(g) Angus Council (Special Meeting)

The [minute of the special meeting of Angus Council of 14 November 2006](#) was submitted, approved as a correct record and signed by the Provost.

(h) Social Work and Health Committee

The [minute of meeting of the Social Work and Health Committee of 14 November 2006](#) was submitted and approved.

(i) Civic Licensing Committee

The [minute of meeting of the Civic Licensing Committee of 14 November 2006](#) was submitted and approved.

(j) Angus Council (Special Meeting)

The [minute of meeting of the special meeting of Angus Council of 16 November 2006](#) was submitted, approved as a correct record and signed by the Provost.

Arising from part (ii)(b) of the resolution of that meeting, there was submitted Report No 1481/06 by the Director of Infrastructure Services setting out the implications of the Council's decision to consider reducing the phasing of the housing allocation at Hillhead, Kirriemuir from 80 houses to 40 houses in the period to 2011 and to redistribute those 40 houses to land south of Beechwood Place, Kirriemuir.

The Report concluded that the detailed implications of development of 40 houses at Beechwood Place were to some extent dependant on the form of development proposed. However, allocating land south of Beechwood Place for housing would be contrary to the decision of the Infrastructure Services Committee of 8 September 2005 (Article 4 refers). It would also be contrary to the Reporter's conclusions and recommendations having considered the proposed development in some detail at the Local Plan Inquiry.

Accordingly, the Director considered that, in the event that the Council was minded to reverse the previous decision of the Infrastructure Services Committee of 8 September 2005, and the Reporter's findings, and resolve to amend the Local Plan Review to allocate land for 40 houses south of Beechwood Place, it would be

necessary to ensure that the proper delivery of that development was provided for. In these circumstances, the Head of Planning and Transport would wish any new policy to include requirements for satisfactory roads access, landscaping and boundary treatment, 15% affordable housing, provision for connection to possible future development, and suitable use and maintenance of the remaining area of land not required for development at this stage.

Councillor Selfridge, seconded by Councillor Ritchie, moved that the Council resolves to approve the recommendations of the Director of Infrastructure Services on land at Beechwood Place and at Hillhead, Kirriemuir, as previously set out in Schedule 1 to Report No 1342/06, and consequently:

- (i) does not allocate land south of Beechwood Place for 40 houses; and
- (ii) maintains the phased allocation of 80 houses at Hillhead in the period to 2011.

COUNCILLOR HENDERSON, SECONDED BY COUNCILLOR MURRAY, MOVED THAT THE COUNCIL RESOLVES AS FOLLOWS:

- (I) TO ENDORSE THE RECOMMENDATION OF THE REPORTER AND TO CONFIRM THE HOUSING ALLOCATION OF 40 HOUSES AT HILLHEAD AND 40 HOUSES AT SUNNYSIDE, KIRRIEMUIR;
- (II) TO NOTE THAT THERE IS NOW NEW EVIDENCE THAT THERE IS A REQUIREMENT FOR AN ADDITIONAL 40 HOUSES TO BE LOCATED WITHIN THE KIRRIEMUIR AREA (SEE PAGES 113/16 AND 114/17 OF REPORT NO 1481/06), AND THAT THIS INFORMATION WAS NOT AVAILABLE TO THE REPORTER DURING THE PUBLIC LOCAL PLAN INQUIRY;
- (III) TO RESOLVE THAT THIS ADDITIONAL HOUSING ALLOCATION SHOULD BE ALLOCATED TO THE SITE SOUTH OF BEECHWOOD PLACE, KIRRIEMUIR, ALLOWING FOR AN INTEGRATED, MASTER PLANNED, SOLUTION FOR DEVELOPMENT TO THE SOUTH OF THE TOWN, WHICH WILL ASSIST IN THE PROVISION OF THE SIGNIFICANT AND IMPORTANT COMMUNITY BENEFITS, INCLUDING A NEW INDUSTRIAL ESTATE, AN IMPROVED ROAD LAYOUT AND NEW GATEWAYS INTO KIRRIEMUIR.

Councillor Henderson indicated that the reasons for his proposal to allocate additional housing to the site south of Beechwood Place were as follows:

- *that the allocation at Beechwood Place would provide additional choice (as recommended by the Reporter)*
- *that the site is one originally supported and included by the Council within the finalised draft local plan*
- *that site provides an integrated development incorporating housing land with employment land and certain community benefits.*

On a vote being taken, members voted as follows:

For the motion:-

Depute Provost McGlynn, Councillors Ellis, Leslie Melville, Mackintosh, Myles, Nield, Norrie, Ritchie, Salmond, Selfridge, Spink and Wood (12).

For the amendment:-

Provost Bill Middleton, Councillors Angus, Henderson, King, Glennis Middleton, Mowatt, Murphy, Murray, Robertson, Jennifer Speirs, Richard Speirs and Welsh (12).

(Councillor Gibb having left the meeting was not present when the vote was taken).

There being an equality of voting, the Provost exercised his casting vote in favour of the amendment and the Council resolved accordingly.

(k) Housing Committee

The [minute of meeting of the Housing Committee of 16 November 2006](#) was submitted and approved.

(l) Environmental and Leisure Services Committee

The [minute of meeting of the Environmental and Leisure Services Committee of 21 November 2006](#) was submitted and approved.

(m) Infrastructure Services Committee

The [minute of meeting of the Infrastructure Services Committee of 23 November 2006](#) was submitted and approved.

(n) Resources and Central Services Committee

The [minute of meeting of the Resources and Central Services Committee of 28 November 2006](#) was submitted and approved.

(o) Special Structural Review Committee

The [minute of meeting of the Special Structural Review Committee of 5 December 2006](#) was submitted and approved.

(p) Strategic Policy Committee

The [minute of meeting of the Strategic Policy Committee of 5 December 2006](#) was submitted and approved.

(q) Civic Licensing Committee

The [minute of meeting of the Civic Licensing Committee of 5 December 2006](#) was submitted and approved.

(r) Development Control Committee

The [minute of meeting of the Development Control Committee of 7 December 2006](#) was submitted and approved.

8. MINUTES OF JOINT BOARDS AND COMMITTEES

(a) Tayside Joint Police Board

The minute of meeting of the Tayside Joint Police Board of 21 August 2006 was submitted and noted.

(b) Tayside Fire and Rescue Board

The minute of meeting of the Tayside Fire and Rescue Board of 21 August 2006 was submitted and noted.

(c) Tayside Valuation Joint Board

The minute of meeting of the Tayside Valuation Joint Board of 21 August 2006 was submitted and noted.

(d) Tayside Contracts Joint Committee

The minute of meeting of the Tayside Contracts Joint Committee of 21 August 2006 was submitted and noted.

(e) Tay Road Bridge Joint Board

The minute of meeting of the Tay Road Bridge Joint Board of 18 September 2006 was submitted and noted.

9. PARKS MAINTENANCE TENDERS**(a) Bedding Plants and Hanging Baskets**

There was submitted [Report No 1477/06](#) by the Director of Neighbourhood Services seeking approval to accept tenders for the supply and delivery of bedding plants and hanging baskets.

The Council resolved to approve the recommendation by the Director of Neighbourhood Services, in consultation with the Head of Finance, to accept the tender for the supply and delivery of bedding plants and hanging baskets as outlined in Report No 1477/06 for the 2007/08 financial year, renewal by mutual consent for a further two years.

(b) Plant Machinery and Equipment

There was submitted [Report No 1478/06](#) by the Director of Neighbourhood Services seeking approval to accept tenders for the purchase of plant, machinery and equipment for replacement within the capital budget programme.

The Council resolved to approve the recommendation by the Director of Neighbourhood Services, in consultation with the Head of Finance, to accept the tenders for plant, machinery and equipment as outlined in Report No 1478/06.

10. FORMER SEAFORTH HOTEL SITE, DUNDEE ROAD, ARBROATH – SUPPLEMENTARY PLANNING GUIDANCE

With reference to Article 7 of the minute of meeting of the Infrastructure Services Committee of 5 October 2006, there was submitted [Report No 1487/06](#) by the Director of Infrastructure Services outlining and commenting on the responses to consultation on the draft supplementary planning guidance and finalising the guidance that would assist in considering future development proposals for the regeneration of the former Seaforth Hotel site, Arbroath.

The Report summarised and discussed the responses and main points arising from the public consultation exercise and set out the finalised supplementary planning guidance that would provide the basis for assessing development proposals. There had been strong community support for the Council's position expressed in the draft supplementary planning guidance which gave priority to the reuse of the site for recreation, leisure or tourist uses. These uses were considered to complement and enhance the wider seafront area and were in keeping with both the location and previous planning policy in Arbroath. Residential development was not considered to be an appropriate use for this site.

The Council resolved:

- (i) to note the response to the public consultation on the draft supplementary planning guidance;
- (ii) to approve the finalised supplementary planning guidance as set out in appendix 1 to the policies and proposals set out in the Angus Local Plan (Adopted 2000) and finalised Angus Local Plan Review (2005), as they related to Arbroath; and
- (iii) to refer Report No 1487/06 to the Development Control Committee for its interest.

11. EXCLUSION OF PUBLIC AND PRESS

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

12. EMPLOYMENT TRIBUNAL DECISION

There was submitted [Report No 1480/06](#) by the Chief Executive advising of the outcome of an Employment Tribunal case brought by a former employee and which outlined a proposed course of action in response to the Employment Tribunal's decision.

The Council resolved to approve the 4 recommendations set out in the Report.

13. ANGUS DIGITAL MEDIA CENTRE - UPDATE

With reference to Article 29 of the minute of meeting of the Infrastructure Services Committee of 23 November 2006, there was submitted [Joint Report No 1486/06](#) by the Chief Executive, the Director of Corporate Services and the Director of Infrastructure Services reviewing the options currently under discussion between Angus Digital Media Centre and the Head of Economic Development (as Angus Digital Media Centre Monitoring Officer) and bringing forward recommendations for consideration by the Council.

Having heard Councillor Mowatt, the Council resolved to approve the 6 recommendations set out in the Report.