

ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 28 August 2007 at 4.00 pm.

Present: Councillors DAVID MAY, COLIN BROWN, FRANK ELLIS, IAIN GAUL, ALEX KING, 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 Fairweather with Councillor Brown substituting.

2. DECLARATIONS OF INTEREST

Councillor Spink declared an interest in item 41 as a member of the Esk District Salmon Fishery Board.

Councillor Mackintosh declared an interest in item 41 as a member of the Tay Area Advisory Group.

Councillors Gaul and Whyte declared an interest in items 13 and 14 as Council representatives on the Tayside and Central Scotland Transport Partnership (TACTRAN).

Councillor Myles declared an interest in items 17, 18 and 22 as a member of Tayside Contracts Joint Committee.

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 14 June 2007](#) was submitted as a correct record and signed by the Convener.

(b) Executive Sub-Committee

The [minute of meeting of the Executive Sub-Committee of this Committee of 2 August 2007](#), a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

4. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 24(1)

* (a) Keptie Street, Arbroath – Proposed Pedestrian Crossing

COUNCILLOR MILLAR, SECONDED BY COUNCILLOR BROWN, MOVED THAT THE COMMITTEE RECONSIDER THE DECISION TO APPROVE THE INSTALLATION OF A "PUFFIN" STYLE PEDESTRIAN CROSSING AT KEPTIE STREET, ARBROATH AND CALL ON THE DIRECTOR OF INFRASTRUCTURE SERVICES TO REPORT ON THE BACKGROUND TO THE DECISION AND REVIEW THE LOCATION OF THE PROPOSED CROSSING.

Councillor Millar then circulated letters of objection received in connection with the proposed crossing and the Committee agreed to adjourn for five minutes to allow members the opportunity to read the letters of objection.

Thereafter Councillor King, seconded by Councillor Oswald, moved as an amendment that:-

- (i) the Committee ratifies the unanimous decision of the meeting of the Infrastructure Services Committee of 26 August 2006 (Article 22) to implement the recommendations of Report No 1014/06;
- (ii) to note that a significant amount of the physical works involved in the installation had been already completed; and
- (iii) to instruct the Director of Infrastructure Services to take prompt action to complete the installation and early commissioning of the "Puffin" style crossing at Keptie Street, Arbroath as detailed in Report No 1014/06.

On a vote being taken, the members voted:-

For the motion:-

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

For the amendment:-

Councillors Ellis, Gaul, King, Oswald, Palmer, Spink and West (7).

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

(b) Bus Services – Easthaven

Councillor King, seconded by Councillor May, moved that the Committee agrees:-

- (i) to note with concern the drastic reduction in bus services to and from Easthaven Village, which took effect from Monday 13 August 2007;
- (ii) to instruct the Director of Infrastructure Services to urgently seek to have more bus services timetabled, to serve the village during the day, for the benefit of those residents who wish to visit Arbroath, Carnoustie or Dundee;
- (iii) to seek to have evening bus services provided, which would allow those residents who wish to use the bus for social purposes to do so;
- (iv) to use all means at the Director's disposal to achieve a significant increase in frequency of timetabled bus services to and from Easthaven over those provided by the new timetable; and
- (v) to report progress to the next Infrastructure Services Committee.

Following discussion, the Committee agreed the terms of the motion unanimously.

*** (c) Slipway at Arbroath Harbour**

Councillor King, seconded by Councillor Spink, moved that this Committee:-

- (i) recognises the significant efforts, which have been made over the past ten years, to improve Arbroath Harbour as a tourist attraction including the newly completed Harbour Visitor Centre, the Marina and various environmental works around the harbour area;
- (ii) recognises that there is an immediate need to provide a slipway to allow the launching of trailer borne boats, thereby making Arbroath Harbour attractive to the many small boat owners who own trailer borne boats;

- (iii) recognises that there is an existing road access to the west of the Lifeboat Shed, alongside the new Harbour Visitor Centre, which was constructed at the same time as the visitor centre in order to provide access to an area where such a slipway could easily be constructed; and
- (iv) instructs the Director of Infrastructure Services to bring forward an urgent report, detailing a draft design for such a slipway along with indicative costs, so that this matter can be properly considered for inclusion in the 2008/2013 Capital Plan.

COUNCILLOR MAY, SECONDED BY COUNCILLOR BROWN, MOVED AS AN AMENDMENT, THAT THE COMMITTEE AWAIT THE REPORT FROM THE DIRECTOR OF INFRASTRUCTURE SERVICES FOLLOWING THE OUTCOME OF DISCUSSIONS WITH THE ARBROATH HARBOUR JOINT CONSULTATIVE COMMITTEE.

On a vote being taken, the members voted:-

For the motion:-

Councillors Ellis, Gaul, King, Oswald, Palmer, Spink and West (7).

For the amendment:-

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

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

5. PROPOSED BUS QUALITY PARTNERSHIP AND PUNCTUALITY IMPROVEMENT PLAN

There was submitted [Report No 747/07](#) by the Director of Infrastructure Services regarding a proposed Bus Quality Partnership and potential Punctuality Improvement Plan for the Arbroath to Dundee bus corridor within Angus and sought authority from members to draw up these partnership agreements with Stagecoach Strathhtay.

The Report advised that quality partnerships could either be entered into on a voluntary or statutory basis, the latter being under the powers granted to authorities in the Transport (Scotland) Act 2001. Statutory quality partnerships may be entered into where it was thought the scheme would:-

- (i) improve the quality of local services and facilities provided in the area to which the proposed scheme relates in such a way as to bring material benefits to persons using those services and facilities; or
- (ii) reduce a limited traffic congestion, noise or air pollution.

The Committee noted that voluntary partnerships may also be entered into with the same objectives but require less stringent monitoring of compliance and where there was no legal obligation in such cases for the parties to deliver their part of the partnership, this was not normally an issue when both parties were committed to delivery and have funding available, as was the case in this instance.

After some discussion, the Committee agreed:-

- (i) that a voluntary quality partnership be drawn up between Angus Council and Stagecoach Strathhtay which would set out each party's agreed commitments and responsibilities for delivering improvements to local bus service and infrastructure provision on the Arbroath to Dundee corridor within Angus;

- (ii) that developing a punctuality improvement plan be pursued as part of the quality partnership proposals on this corridor; and
- (iii) that the Director of Infrastructure Service provide information to members on the differences between a voluntary and a statutory based partnership.

6. LOCAL BUS SERVICES – REVIEW OF CONTRACT PRICES

There was submitted [Report No 748/07](#) by the Director of Infrastructure Services recommending a contract price increase of 1.96% to be effective from 1 July 2007.

The Committee agreed to approve the award of 1.96% contract price increase, for eligible local bus service contracts, effective from 1 July 2007.

7. PLANNING ETC (SCOTLAND) ACT 2006

With reference to Article 31 of the minute of meeting of the Development Control Committee of 2 February 2006, there was submitted [Report No 749/07](#) by the Director of Infrastructure Services which summarised some of the main aspects of the Planning Etc (Scotland) Act 2006 which contained wide ranging changes in respect of planning legislation that would affect the delivery of the Council's planning service, including the operation of both development planning and development management.

The Report indicated the aims of the Act were to improve the planning system by strengthening the involvement of communities, speeding up decisions, reflecting local views better, and allowing quicker investment decisions.

The Committee, for its interest, agreed to note the wide-ranging and far-reaching provisions for land-use planning as set out in the Planning Etc (Scotland) Act 2006 and that as and when necessary, further reports in respect of the implementation of the Act would be placed before the Committee for information.

8. IMPLEMENTING THE PLANNING ETC (SCOTLAND) ACT 2006 – DEVELOPMENT PLANS: STRATEGIC DEVELOPMENT PLAN AREA – DUNDEE CITY REGION

With reference to Article 7 of the minute of meeting of this Committee of 26 January 2006, there was submitted [Report No 750/07](#) by the Director of Infrastructure Services summarising some of the principal changes that would affect development planning in Angus as part of the implementation of the Planning Etc (Scotland) Act 2006.

The Report outlined the proposed provisional timetable for the establishment of a "Strategic Development Planning Authority for the Dundee City Region" and the need for Angus Council to also prepare a development plan scheme.

The Report also sought the formal dissolution of the present Dundee and Angus Structure Plan Panel and the nomination of three elected members to engage in discussion with officers and members of Fife, Dundee City and Perth & Kinross Councils on the establishment of a "Shadow Strategic Development Plan Authority for Dundee City Region".

Councillor Ellis seconded by Councillor King nominated Councillors May, Gaul and Spink as representatives.

Councillor May, seconded by Councillor Brown nominated Councillors May and Myles.

In accordance with the provisions of Standing Order 19(1), there being more than the required number of nominations, and the Committee having agreed that the vote be taken by ballot, in accordance with Standing Order 18(3)(ii), members voted:-

Councillor May - 9 votes
 Councillor Myles - 8 votes
 Councillor Gaul - 8 votes
 Councillor Spink - 7 votes

Accordingly Councillors May, Myles and Gaul were nominated to participate in the formation of the Shadow Strategic Development Plan Authority.

The Committee also agreed:-

- (i) to note the significant changes in the development plan system arising from the implementation of the Planning Etc (Scotland) Act 2006, for Angus Council, particularly the introduction of the Strategic Development Planning Authority for the Dundee City Region and the need for Angus Council to prepare a development plan scheme;
- (ii) to note the recent publication by the Scottish Executive of the consultation paper - Strategic Development Planning Authorities; Designation Orders and Statutory Guidance (27 July 2007) and that a full report on this matter would be submitted to the Infrastructure Services Committee of 12 October 2007 to meet the consultation deadline of 26 October 2007;
- (iii) to formally dissolve the present Dundee and Angus Structure Plan Panel in its present format;
- (iv) in principle, to establish a Shadow Strategic Development Planning Authority for the Dundee City Region to enable background work to progress over the next 12 months;
- (v) to participate in a member/officer seminar to be held in Dundee on 11 September 2007;
- (vi) that the Head of Planning and Transport bring forward, as appropriate, a Development Plan Scheme for Angus; and
- (vii) to note that further reports on the implementation of the Planning Etc (Scotland) Act 2006 would be brought forward as appropriate.

9. CAIRNGORMS NATIONAL PARK DEPOSIT LOCAL PLAN

With reference to Article 12 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 751/07](#) by the Director of Infrastructure Services advising the Committee of the suggested basis for the Council's response to the Cairngorms National Park Deposit Local Plan.

Following adoption, it would replace the existing adopted Angus Local Plan (November 2000) framework for that part of the Cairngorms National Park in Angus. A copy of the contents page from the Deposit Local Plan was attached as Appendix II to the Report, with a copy of the published "Guide to Understanding the Cairngorms National Park Deposit Local Plan" attached as Appendix III to the Report.

The Report indicated that, since the Cairngorms National Park was designated in 2003, work had been progressing on both the National Park Plan and National Park Local Plan. The Cairngorms National Park Plan had been approved by Scottish Ministers on 15 March 2007 and provided the overarching context for development planning and management of the Cairngorms National Park, and was a material consideration in the determination of planning applications. The Park Plan provided both general guidance and specific direction for the Local Plan.

The Committee agreed:-

- (i) to note the publication of the Cairngorms National Park Deposit Local Plan;
- (ii) that this Report form the basis of the Council's response to the National Park Authority and that no formal objection be made to the National Park Deposit Local Plan;
- (iii) that the Cairngorms National Park Deposit Local Plan be taken into account as a "material consideration" for development management purposes in the assessment of planning applications affecting that part of the Cairngorms National Park within Angus; and
- (iv) to refer this Report to the Development Control Committee for their interest.

10. A935 MONTROSE-BRECHIN ROUTE ACTION PLAN

With reference to Article 28 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 752/07](#) by the Director of Infrastructure Services updating the Committee on the status of the A935 Montrose-Brechin Route Action Plan and outlining the programme for its delivery together with the current financial provision as contained within the Council's Capital Budget 2007/2008.

The Report indicated that preliminary studies had been carried out by Roads staff in 2006 from which an initial Routes Action Plan (RAP) Report for the A93 was prepared. The Report analysed the route in detail and highlighted sections requiring attention and proposed initial short-term actions and a potential programme of long-term improvement works.

The Committee noted that the A935 RAP Report had recently been updated to take account of the works carried out in 2006/2007 and to update the project budgets, traffic volume data and accident analyst data. A copy of the updated A935 RAP Report was available in the Members' Lounge and an executive summary of that Report was attached as Appendix 1 to the Report.

The Committee agreed:-

- (i) to note the current status of the project;
- (ii) to instruct the Head of Roads to proceed with the project on the basis described in the Report; and
- (iii) to note the current financial provision for the project set out in the Council's Financial Plan Provision 2007/2008.

11. A935-A90(T) LINK ROAD AT BRECHIN

With reference to Article 9 of the minute of meeting of this Committee of 25 August 2005, there was submitted [Report No 753/07](#) by the Director of Infrastructure Services updating the Committee on the status of the project (A935-A90(T) Link Road at Brechin) and outlined a programme for its delivery together with the current financial provision as contained within the Council's Capital Budget 2007/2008. A copy of the current proposed programme was shown in Appendix 1 to the Report.

The Report indicated that the project was currently at the Scottish Transport Appraisal Guidance (STAG) pre-appraisal progress stage and stakeholder meetings had taken place to identify and validate the study objectives. These meetings had identified that further work was required to confirm the need for the link road in socio-economic terms and it was proposed to engage a specialist consultant to assist with part of the survey.

The Committee agreed:-

- (i) to note the current status of the project;
- (ii) to instruct the Head of Roads to proceed with the project on the basis described in the Report;
- (iii) to note the current financial provision for the project set out in the Council's current Financial Plan Provision 2007/2008; and
- (iv) to remit the Head of Roads to appoint transport consultants Deltix, as detailed in the Report.

12. A92 ARBROATH-MONTROSE ROUTE ACTION PLAN

With reference to Article 28 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 754/07](#) by the Director of Infrastructure Services advising the Committee of the status of the project (A92 Arbroath-Montrose Route Action Plan) and outlining the programme for its delivery together with the current financial provision as contained within the Council's Capital Budget 2007/2008. A copy of the updated A92 RAP Report was available in the Members' Lounge and an executive summary of that Report was attached as Appendix 1 to the Report.

The Report indicated that the updated RAP Report had identified a programme of possible signing and lining works to be carried out between Arbroath and Lower Northwaterbridge. This work would be implemented in 2007/2008 together with carriageway surface improvements, revisions to signals and associated junction improvements on the urban section of the route through Arbroath.

The Committee agreed:-

- (i) to note the current status of the project;
- (ii) to instruct the Head of Roads to proceed with the project on the basis described in the Report; and
- (iii) to note the current financial provision for the project set out in the Council's current Financial Plan provision 2007/2008.

13. TRAFFIC SIGNALS IMPROVEMENTS, BURNSIDE DRIVE, ARBROATH

There was submitted [Report No 755/07](#) by the Director of Infrastructure Services detailing the proposed improvements to the existing traffic signals on Burnside Drive, Arbroath between Catherine Street and Brothock Bridge including the proposed removal of the traffic signals at the Millgate junction.

The Report indicated that the traffic signals equipment on Burnside Drive, Arbroath between Lordburn roundabout and Brothock Bridge was reaching the end of its useful life and would need to be replaced in the near future. A contract was currently being let to resurface this area of Burnside Drive and it would be prudent to carry out certain improvements to the traffic signals in this area at the same time and thus minimising disruption.

It was also noted that various complaints had been received regarding the signals timing at Catherine Street and delays at the Catherine Street junction were common. The proposed improvements to the traffic signals would reduce this problem as well as make traffic flow more freely through the whole area.

Following discussion, the Committee agreed:-

- (i) to the improvement of the traffic signals on Burnside Drive, Arbroath as set out in the Report; and
- (ii) to instruct the Head of Roads to undertake appropriate consultation in respect of the proposals for the Millgate/Burnside Drive junction and that a further detailed report be submitted to this Committee following such consultation.

14. A92 BURNSIDE DRIVE, ARBROATH – CARRIAGEWAY AND TRAFFIC MANAGEMENT WORKS - ACCEPTANCE OF TENDER

With reference to Article 25 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 756/07](#) by the Director of Infrastructure Services on tenders received for the A92 Burnside Drive, Arbroath - Carriageway and Traffic Management Works.

The Committee agreed to approve acceptance of the lowest tender submitted for the works on the A92 Burnside Drive, Arbroath, that of Tayside Contracts, in the amount of £568,111.20.

15. A92 LOWER NORTHWATERBRIDGE – BRIDGE REPAIRS – ACCEPTANCE OF TENDER

With reference to Article 15 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 757/07](#) by the Director of Infrastructure Services seeking homologation of the decision by the Head of Law and Administration to award the contract for A92 Lower Northwaterbridge - Bridge Repairs.

The Committee agreed to homologate the decision to award the contract for the A92 Lower Northwaterbridge to the lowest tenderer, that of Makers UK Ltd in the amount of £698,782.68.

16. PATCHING CONTRACT – AWARD OF TENDERS

There was submitted [Report No 758/07](#) by the Director of Infrastructure Services recommending that two of the patching area contracts be awarded to the lowest tenderer, Renovo Construction Ltd and two be awarded to the second lowest tenderer, Tayside Contracts who were also below the awarded works rates calculated under the Best Value regime.

The Committee agreed:-

- (i) to award the Brechin and Forfar patching contracts to Renovo Construction Ltd at a value of £66,375 and £52,088 respectively, being the lowest submitted tenders; and
- (ii) to award the Kirriemuir and Montrose patching contracts to Tayside Contracts at a value of £77,873.72 and £78,370.68 respectively, being the second lowest submitted tenders.

17. WORKS AWARDED TO TAYSIDE CONTRACTS

With reference to Article 12 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 759/07](#) 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 2006/2007.

The Committee agreed to note the value of work awarded to Tayside Contracts by the Roads Division during financial year 2006/2007 as detailed in Appendix 2 to the Report.

18. TENDERS ACCEPTED – 1 JANUARY–30 JUNE 2007

There was submitted and noted [Report No 760/07](#) by the Director of Infrastructure Services detailing tenders accepted on behalf of the Council under delegated authority by the Head of Roads during the period 1 January to 30 June 2007 as detailed in Appendix A to the Report.

19. CODES OF PRACTICE FOR HIGHWAY MAINTENANCE, LIGHTING MANAGEMENT AND HIGHWAY STRUCTURES AND ASSET MANAGEMENT UPDATE 2007

With reference to Article 18 of the minute of meeting of this Committee of 25 January 2007, there was submitted [Report No 761/07](#) by the Director of Infrastructure Services detailing the Council's current status in utilising national Codes of Practice which gave advice and recommendations to roads authorities for the maintenance and management of the road network, street lighting and associated road structures.

The Report indicated that the Implementation Plan had been updated for those tasks which had now become due as detailed in Appendix 1 to the Report.

The Committee agreed:-

- (i) to note the current status in utilising these new Codes of Practice relevant to the Roads Service;
- (ii) to note the resources required to deliver the above compliance within the timescales outlined; and
- (iii) to note the progress and approve the proposals for developing Asset Management in this context.

20. PROVISION OF STREET LIGHTING IN PRESENTLY UNLIT AREAS

With reference to Article 10 of the minute of meeting of the Roads Committee of 22 November 2001, there was submitted [Report No 762/07](#) by the Director of Infrastructure Services which reviewed the Council's current custom and practice with respect to the provision of lighting on presently unlit areas.

The Committee considered the three options available to the Committee when dealing with such requests and agreed to adopt the current custom and practice of not providing lighting on presently unlit areas.

21. SKIDDING RESISTANCE STRATEGY

With reference to Article 13 of the minute of meeting of this Committee of 9 March 2006, there was submitted [Report No 763/07](#) by the Director of Infrastructure Services detailing a recommended skidding resistance strategy for Angus Council and seeking Committee approval for its adoption.

The Committee agreed:

- (i) to approve the strategy on skidding resistance contained in the Report; and
- (ii) to note the national standard recommendations summarised in Appendix 1 to the Report.

22. WINTER SERVICE POLICY AND PROVISION FOR 2007/2008

With reference to Article 22 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 764/07](#) by the Director of Infrastructure Services informing the Committee of the Council's winter service policy and reviewing the performance during the winter of 2006/2007. The Report also detailed the options for the service provision for gritting and snow clearing during the winter period 2007/2008, in conjunction with the operational issues detailed in the supplement which had been placed in the Members' Lounge.

COUNCILLOR MAY, SECONDED BY COUNCILLOR BROWN MOVED THAT THE COMMITTEE AGREE:-

- (I) TO CONTINUE WITH THE ESTABLISHED POLICY FOR THE WINTER SERVICE STATED IN APPENDIX I OF THE REPORT;
- (II) TO APPROVE THE PROPOSED ARRANGEMENTS FOR THE COMING WINTER 2007/2008 WHICH WERE COMMENSURABLE WITH THE ARRANGEMENTS FOR 2006/2007;
- (III) TO NOTE THAT WINTER SERVICE OPERATIONS COULD NOT EASILY BE MANAGED WITHIN THE NORMAL CONSTRAINTS OF A CASH LIMITED BUDGET DUE TO THE UNPREDICTABILITY AND VARIABLE EFFECTS OF WEATHER. WINTER SERVICE EXPENDITURE WOULD THEREFORE BE CLOSELY MONITORED AND ANY OVER - OR UNDER-SPEND PROJECTED OUT-TURN WOULD BE REPORTED TO COMMITTEE ALONG WITH RECOMMENDED CORRECTED BUDGET ADJUSTMENT OPTIONS; AND
- (IV) TO NOTE THE VARIOUS OPTIONS AVAILABLE FOR EXTENDING THE SERVICE AND THE ASSOCIATED COSTS AND TO SELECT OPTION (4), AS DETAILED IN THE REPORT.

Councillor King, seconded by Councillor Ellis, moved as an amendment that recommendations (i)-(iii) as detailed in the Report be accepted, and that option (1) (the status quo) be adopted.

On a vote being taken, the members voted:-

For the motion:-

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

For the amendment:-

Councillors Ellis, Gaul, King, Oswald, Palmer, Spink and West (7).

The motion was therefore declared carried.

Councillor Gaul, seconded by Councillor Ellis, moved as a further amendment to defer consideration of the Report to allow a further more detailed Report to be brought back to the Committee which would provide details of gritting and snow clearing of all auxiliary routes in Angus and which would give details of its funding.

On a vote being taken, the members voted:-

For the motion:-

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

For the amendment:

Councillors Ellis, Gaul, King, Oswald, Palmer, Spink and West (7).

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

23. TRANSPORT (SCOTLAND) ACT 2005

With reference to Article 16 of the minute of meeting of this Committee of 24 August 2006 there was submitted [Report No 765/07](#) by the Director of Infrastructure Services which provided an update on the impact of the published Codes of Practice which implemented the Transport (Scotland) Act 2005.

The Committee agreed to note and approve the contents of the Report which would allow the Council to fulfil the new statutory duties placed upon it.

24. PROPOSED AMENDMENT TO CONSTITUTION AND REPRESENTATION OF ANGUS COUNCIL HARBOUR USERS

There was submitted [Report No 766/07](#) by the Director of Infrastructure Services which proposed a revision to the Council's representation on the Arbroath Harbour Joint Consultative Committee due to changes in the ward structure and also an additional place for a representative of users to be nominated by Arbroath Sailing and Boating Club.

The Committee agreed:-

- (i) that the representatives of the Council on the Arbroath Harbour Joint Consultative Committee (AHJCC) be as follows:-
 - Convener of Infrastructure Services Committee
 - Vice-Convener of Infrastructure Services Committee; and
 - 4 other members of the Council as defined at para 2.1.3 of the Report four names as detailed in the Report, with Councillor Spink being included in the nominations (making the total representation six members of the Council).
- (ii) the names of the other members be given to the Head of Law and Administration as soon as possible, having noted that Councillor Spink be included in the nominations.
- (iii) that, in response to a request by the Arbroath Sailing and Boating Club concerning direct representation on the Arbroath Harbour Joint Consultative Committee, to afford the Club a nominated representative with such representative being the Commodore of the Club, substituted by either of the Vice Commodores as and when necessary; and
- (iv) that the representative of the Harbour Users be amended as shown in Appendix A to the Report.

25. 20 MPH SPEED LIMITS AT SCHOOLS – PROGRESS UPDATE AND FURTHER PROPOSALS

With reference to Article 17 of the minute of meeting of this Committee of 23 November 2006, there was submitted [Report No 767/07](#) by the Director of Infrastructure Services updating the Committee on the progress with the introduction of 20 mph speed limits at schools as detailed in Appendix A to the Report and outlining measures to be implemented during the current financial year as detailed in Appendix B to the Report.

The Report concluded that completion of this year's programme would bring to a conclusion the five year programme to introduce 20 mph limits at schools, utilising the Scottish Executive's ring fenced capital allocation. Completion of the programme would have met the Executive's stated aim for this project, by increasing the safety of children walking to and from school.

Having heard a number of members express concern about various primary schools being excluded from the programme, the Committee agreed:-

- (i) to note the progress with the introduction of 20 mph speed limits at those schools listed in Appendix A;
- (ii) to note the proposals for those schools listed in Appendix B; and
- (iii) that a further Report be submitted to the Infrastructure Services Committee detailing the schools that did not justify any change to the speed limit at the school frontage and advising of the reasons.

26. TRAFFIC REGULATION ORDERS - UPDATE

With reference to Article 19(b) of the minute of meeting of this Committee of 8 March 2007, there was submitted and noted Report No 768/07 by the Director of Infrastructure Services detailing the current stage of progress of pending Traffic Regulation Orders.

27. OGILVIE PLACE/GUTHRIE PORT, ARBROATH – PROPOSED PROHIBITION OF RIGHT TURNING MANOEUVRES

With reference to Article 27 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 769/07](#) by the Director of Infrastructure Services recommending that a Traffic Regulation Order be promoted to prohibit right turning manoeuvres at the junction of Ogilvie Place/Guthrie Port, Arbroath as a consequence of the granting of the Road Construction Consent for Gladedale Developments Limited at Stobcross, following a request by the developer.

The Committee agreed to approve the promotion of the necessary Traffic Regulation Order to prohibit traffic turning right into Ogilvie Place from Guthrie Port, Arbroath, or turning right out of Ogilvie Place into Guthrie Port.

28. PROPOSED STOPPING-UP OF PART OF INVERISCANDYE ROAD, EDZELL

There was submitted [Report No 770/07](#) by the Director of Infrastructure Services relating to the introduction of a Stopping-Up Order, under Section 68 of the Roads (Scotland) Act 1984, for part of Inveriscandye Road, Edzell.

The Committee agreed to approve the making of a Stopping-Up Order in respect of part of the public road verge at Inveriscandye Road, Edzell.

The Convener ruled in terms of Standing Order 25(2)(i) that he was satisfied that a material change in circumstances had occurred for the reasons detailed in the Report and that the Committee could competently consider the matter.

29. SECTION OF JAMES CHALMERS ROAD, KIRKTON INDUSTRIAL ESTATE, ARBROATH – STOPPING-UP OF ROADS CANCELLATION

With reference to Article 52 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 771/07](#) by the Director of Infrastructure Services proposing the cancellation of the promotion of a Stopping-Up Order in respect of a section of James Chalmers Road, Kirkton Industrial Estate, Arbroath.

The Committee agreed to note that in view of a material change in circumstances, the promotion of this Stopping-Up Order was no longer required.

30. A92 DUNDEE TO ARBROATH DUALLING – SALE OF SURPLUS LAND

With reference to Article 2 of the minute of meeting of the Executive Sub-Committee of this Committee of 16 August 2004, there was submitted [Report No 772/07](#) by the Director of Infrastructure Services outlining a proposal to declare land at Balhousie Farm, Muirdrum surplus to the requirements of the Council which was no longer required as part of the A92 Dundee to Arbroath dualling project.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to declare a surplus to the requirements of the Council, two plots of land measuring a total of 5,580 square metres at Balhousie Farm, Muirdrum;
- (iii) to authorise the Director of Corporate Services to negotiate appropriate terms and conditions for the disposal of the land; and
- (iv) that a report be submitted to the Infrastructure Services Committee detailing any outstanding amounts due and any further surplus land.

31. INFRASTRUCTURE SERVICES ANNUAL HEALTH AND SAFETY REPORT

With reference to Article 10 of the minute of meeting of this Committee of 8 June 2006, there was submitted [Report No 773/07](#) by the Director of Infrastructure Services providing an update on key health and safety issues/actions within the Infrastructure Services Department during the period 1 April 2006 to 31 March 2007 and setting out further health and safety actions proposed for 2007/2008.

The Report indicated that there had been no significant health and safety events/incidents within the Infrastructure Services Department, or its predecessor departments over the reporting period.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the issue of a new departmental health and safety policy as detailed in Appendix 1 of the Report.

32. TRAFFIC ORDERS

(a) Angus Council (Various Roads Adjacent to Schools) (20MPH Variable Speed Limited)(Variation) Order 2007

With reference to Article 18 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 774/07](#) by the Director of Corporate Services relating to the introduction of an Order for the purpose of introducing further reduced speed limits on roads in the vicinity of new primary schools at Queen Street and Thomas Street, Carnoustie.

The Committee agreed to approve the making of the Order.

(b) Angus Council (Dundee Road, Newtyle) (Variation of Speed Limits) Order 2007

With reference to Article 18 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 775/07](#) by the Director of Corporate Services relating to the introduction of an Order to vary the current speed limit on the approach to the new Newtyle Primary School.

The Committee agreed to approve the making of the Order.

(c) Angus Council (Schools Keep Clear Areas) (Variation) Order 2007

With reference to Article 18 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 776/07](#) by the Director of Corporate Services relating to the introduction of an Order to vary the parent Order so as to introduce "School Keep Clear" markings at four additional school locations in the interest of pedestrian and traffic safety.

The Committee agreed to approve the making of the Order.

(d) Temporary Traffic Orders

There was submitted and noted [Report No 746/07](#) by the Director of Corporate Services advising that, at the request of the Head of Roads, ten Temporary Traffic Orders had been made, as detailed in the Report.

33. GRANT SUPPORT TO CALEDONIAN RAILWAY (BRECHIN) LTD

With reference to Article 17 of the minute of meeting of this Committee of 25 August 2005, there was submitted [Report No 777/07](#) by the Director of Infrastructure Services outlining proposals for two development projects to enhance Brechin Station for visitors and allow greater passenger numbers and requested members give consideration to approval of grant support.

The Report indicated that the Caledonian Railway was an important tourism facility, attracting significant numbers of visitors to Brechin town centre which not only directly benefited the railway but provided much needed opportunities for local businesses and other nearby tourist attractions.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to offer the Caledonian Railway (Brechin) Ltd capital grant support of up to £24,775 to support the extension of the platform at Brechin Station;
- (iii) to offer Caledonian Railway (Brechin) Ltd capital grant support of up to £12,484 to support the restoration of the 1848 building at Brechin Station; and
- (iv) to note that the company was hoping to construct a restoration shed at the Bridge of Dun Station.

34. TAYSIDE BUSINESS GATEWAY – END OF SERVICE LEVEL AGREEMENT AND RENUNCIATION OF PROPERTY LEASE

With reference to Article 26 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 778/07](#) by the Director of Infrastructure Services advising members of forthcoming changes to the operation of the Business Gateway in Angus and the ending of the Service Level Agreement with Tayside Business Gateway Limited and requesting approval to allow Tayside Business Gateway to vacate its Arbroath premises without penalty.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note that Tayside Business Gateway Limited had been unsuccessful with its bid to deliver the new Business Gateway Contract for Tayside;
- (iii) to note that as a result, this would end the Council's direct involvement with the delivery of Business Gateway Services in Angus and the ending of the Service Level Agreement with them;
- (iv) to authorise the Head of Economic Development to review the future of business support activities in Angus with a view to coming forward with recommendations as to the most appropriate strategies;
- (v) to approve the renunciation of the lease with Tayside Business Gateway Limited for the premises at 61 Marketgate, Arbroath, with effect from 1 October 2007, without penalty;
- (vi) to authorise the Head of Economic Development, in consultation with the Head of Property, to identify alternative occupiers for the building at 61 Marketgate, Arbroath and conclude the most appropriate agreement; and
- (vii) to authorise the Head of Economic Development to express the Committee's thanks and appreciation to the staff of Tayside Business Gateway Limited for their valuable contributions.

35. WWW.ANGUS4COMMUNITY.COM

With reference to Article 25 of the minute of meeting of this Committee of 28 April 2005, there was submitted [Report No 779/07](#) by the Director of Infrastructure Services advising members of the success to date of the Angus Funding website – www.angus4community.com since its launch in July 2005.

The Report indicated that there had been constant high demand and usage of the site since its launch which would continue to be monitored and evaluated prior to making a decision to re-subscribe in 2008.

The Committee agreed to note the contents of the Report.

36. SCOTTISH RURAL DEVELOPMENT PROGRAMME – LEADER 2007-2013

With reference to Article 9 of the minute of meeting of the Council of 29 June 2006, there was submitted [Report No 780/07](#) by the Director of Infrastructure Services advising members on progress with the Scottish Rural Development Programme 2007-2013 and in particular the development of the LEADER Programme.

The Report indicated that the Council would continue to have a key role in the programme and had a significant interest in identifying projects for future funding to contribute to rural development in Angus.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the progress with the development of the Scottish Rural Development Programme for 2007-2013 and the submission of an indication of interest for a local action group to deliver LEADER in Tayside for the period 2007-2013; and
- (iii) if successful with the indication of interest, to remit to officers, to prepare and submit a full business plan together with Perth & Kinross Council and Scottish Enterprise Tayside.

37. NORTH SEA COMMISSION GENERAL ASSEMBLY – BRUMSTAD, NORWAY – 20-22 JUNE 2007 – PROGRESS REPORT

With reference to Article 36 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 781/07](#) by the Director of Infrastructure Services advising members of the outcome of attendance at the North Sea Commission General Assembly in Brunstad, Norway in June 2007.

The Report indicated that attendance at this assembly continued to be very important in terms of identifying and developing project ideas, increasing knowledge of the new North Sea Programme and raising awareness throughout Angus.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise the Head of Economic Development to co-ordinate a cross-departmental approach to future participation in North Sea Programme Projects.

38. ANCESTRAL TOURISM INITIATIVE: MARKETING PROJECTS

With reference to Article 3 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Joint Report No 782/07](#) by the Director of Infrastructure Services and the Director of Neighbourhood Services outlining strategic projects to assist product development and marketing of the Ancestral Tourism Initiative, both for the Roots Festival 2008 and web marketing to encourage visitors to “walk in the footsteps of their Angus ancestors”.

The Report also made recommendations for the burial records digitisation project based on programmes of implementation, phasing, funding and potential income streams which might arise.

The Report indicated that ancestral tourism was an important market from which Angus might benefit and the proposals in the Report would strengthen the Angus Heritage Product and the tourism appeal of the area.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the burial records project outlined in section 3 of the Report and its significant potential to add to ongoing product development for the Ancestral Tourism Initiative and enhance visitors experience both on-line and at the Roots Festival 2008;
- (iii) to authorise the commission of the project for burial records digitisation with on-line access by the public using e-commerce payments systems, at an estimated one-off total capital cost within the range of £87,000-£114,000;
- (iv) to note the potential income generation estimates in a range of assumptions of £6,000-£22,000 per annum, as detailed in Appendix 2 of the Report;
- (v) to delegate to the Head of Economic Development in consultation with the Head of Law and Administration to negotiate a detailed contract for the burial records project with the preferred supplier, within the range of the estimated costs detailed in the Report; and
- (vi) to approve the project as being an extension of the existing Gower system already used by the Council and that it be exempted from normal tendering arrangements in terms of Financial Regulations 16.3.2(b) and 16.3.4.

39. TOURISM SUPPORT AND AGREEMENT WITH VISITSCOTLAND 2007/2008

With reference to Article 9 of the minute of meeting of the Council of 15 February 2007, there was submitted [Report No 783/07](#) by the Director of Infrastructure Services identifying progress in implementing the partnership Tourist Information Centres following the transfer of the functions of the centres to the Council, utilisation of the Council's VisitScotland contribution and the scope for added value activity to Angus via VisitScotland during 2007/2008.

The Report indicated that following significant changes to the arrangements for delivering Tourist Information Services across Angus, the new partnership arrangements were working well and it was proposed to continue to work with VisitScotland via the Angus Tourism Partnership within the budgets available.

The Committee agreed:-

- (i) to note the progress in implementing the new arrangements following the transfer of Tourist Information Centre functions to the Council;
- (ii) to note the use of the Council's contribution to VisitScotland in 2007/2008, as detailed in the Report and that this would be reviewed in 2008/2009;
- (iii) to approve the context for future joint working on non-core activity as detailed in the Report and that a further Report would be submitted to this Committee on these aspects; and
- (iv) to express thanks and appreciation to all the staff concerned in their contribution to the success of these arrangements.

40. ANGUS PORTAL – DEVELOPMENT OF VIDEO STREAMING

There was submitted [Report No 784/07](#) by the Director of Infrastructure Services updating members on the continuous visitor growth on www.angusahead.com and on the addition of video and audio streaming to the site. The Report also sought approval for a project to utilise the back catalogue (video/audio) of Angus Digital Media Centre with additional heritage video content to enrich the visitor experience and increase visitor traffic on all channels of the site.

The Report indicated that website growth depended on the quality and diversity of content and increasingly, visitors were attracted through video/audio content. AngusAhead.com was experiencing visitor growth in view of diversity and daily refreshment and this growth would be further stimulated by the addition of video and audio content.

The Committee agreed:-

- (i) to note the continuing growth in web-hits and unique visitor numbers to www.angusahead.com and the intention to implement video and audio streaming on the site to further increase visitor interest;
- (ii) to commission Angus Digital Media Centre to utilise relevant content from its extensive back catalogue and adapt the content for Phase 1 of the Angus Portal video/audio streaming programme together with the production of additional heritage video content for video streaming on the portal and screening at a film event during the Roots Festival, at a total cost of £31,725;
- (iii) to exempt this project from normal tendering arrangements in terms of 16.3.4 of the Council's Financial Regulations, on the basis of the Media Centre being approved as a specialist supplier providing demonstrated best value; and
- (iv) to authorise further phases using new content and the remainder of the Centre's back catalogue to be carried out subject to available resources in 2008/2009 to 2009/2010.

41. RIVER SOUTH ESK CATCHMENT MANAGEMENT PLAN

With reference to Article 31 of the minute of meeting of this Committee of 9 June 2005, there was submitted [Report No 785/07](#) by the Director of Infrastructure Services outlining progress made towards auditing information sources and issues for the development of a River South Esk Management Plan and seeking commitment to contribute a maximum of £22,500 over three financial years towards the preparation of such a plan, on condition that a fully funded package of £67,409 was secured in partnership with other funding sources.

The Report indicated that the consultative draft Angus Economic Development Strategy highlighted the importance of identifying and harnessing environmental/biological assets in Angus for economic gain, without detriment to these assets and a contribution would enable the employment of a part-time temporary Project Officer and associated costs to prepare and publish a management plan for the River South Esk.

The Committee agreed:-

- (i) to note the progress which had been made towards auditing information sources and issues relevant to the development of a River South Esk Catchment Management Plan;
- (ii) to authorise the Heads of Economic Development, Roads and Planning & Transport to commit a combined maximum of £22,500 over three financial years 2007/08 to 2009/10 from their respective divisional revenue budgets, towards the production of a River South Esk Catchment Management Plan, conditional on confirmation that the full funding package of around £67,409 is secured through contributions from the project partners and/or other external funding sources;
- (iii) to authorise the Head of Economic Development in consultation with the Head of Corporate Planning and Human Resources, to agree a Job Outline and Project Brief with the project partners and, once the funding package has been secured, to advertise for a part-time and temporary post for the employment by the council of a River South Esk Project Officer; and
- (iv) to note the intention to submit a regular six monthly report on progress being made towards the production of a River South Esk Catchment Management Plan including an opportunity for the Council to consider and approve both the initial consultative draft plan and the final draft plan prior to publication.

42. INFRASTRUCTURE WORKS, BRECHIN BUSINESS PARK

There was submitted [Report No 786/07](#) by the Director of Infrastructure Services seeking approval to proceed with infrastructure works at Brechin Business Park.

The Report indicated that following negotiations with Scottish Water, it was opportune for the works to commence as the Economic Development Division were currently dealing with strong enquiries for several of the new plots and once the works were completed, it was hoped that several land sales might be concluded.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise the Head of Economic Development, in conjunction with the Head of Roads, to commission drainage and water services works at Brechin Business Park at a total cost of £75,000, as detailed within the Report.

43. REQUEST FOR CONTINUED FUNDING OF TAYSCREEN

With reference to Article 24 of the minute of meeting of this Committee of 25 November 2004, there was submitted [Report No 787/07](#) by the Director of Infrastructure Services advising that since its inception in 2002, Tayscreen had been successful in generating enquiries and converting a large number of projects for filming in Angus and throughout Tayside. Funding was due to expire at the end of March 2008 and the Council had been asked to continue its contribution for another year.

The Report indicated that the international film industry was continually looking for new locations and Tayscreen had been attracting film projects to the Angus, Tayside and Fife areas which had resulted in significant expenditure and publicity for these areas.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve continued funding of Tayscreen during 2008/2009 subject to the other local authority funding partners confirming their contributions, with the Angus contribution of £9,000 being met from the Economic Development revenue budget.

44. AGENCY AGREEMENT, MARKETING OF ORCHARDBANK BUSINESS PARK, FORFAR

There was submitted [Joint Report No 788/07](#) by the Director of Infrastructure Services and the Director of Corporate Services seeking approval to appoint sub-agents to assist in the marketing of Orchardbank Business Park, Forfar.

The Report indicated that interest in Orchardbank Business Park remained strong, with several major enquiries currently under consideration and the Orchardbank Joint Venture had taken the view that additional resources which were proposed for the marketing effort would assist in generating extra enquiries thereby hastening the development of the park, maximising land values and creating new employment opportunities.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the proposals to appoint sub-agents to market Orchardbank Business Park, as detailed in the Report and that the employment of sub-agents be exempted from the normal tendering processes in terms of Article 16.3.2(c) and (d) of the Financial Regulations.

45. REVIEW AND UPDATE OF THE FOOD SAFETY ENFORCEMENT POLICY

There was submitted [Report No 789/07](#) by the Director of Infrastructure Services advising members that as a result of a major change in European Union Food Safety Legislation in 2006 and the new Food Law Code of Practice (Scotland), a review of the present Food Safety Enforcement Policy had been undertaken.

The Report indicated that the proposed new policy was in the areas of:-

- Food Safety Law Enforcement
- Food Sampling
- Food Hygiene Law Enforcement Service – Service Delivery
- Food Standards Law Enforcement – Service Delivery
- Enforcement Policy – Requirement for Food Safety Management Procedures

Having heard from Councillor Spink, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to adopt the policies contained in the Appendices to the Report, subject to any final minor amendments.

46. AGREEMENT TO SUPPORT A LOCAL DOG REHOMING SERVICE

With reference to Article 49 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 790/07](#) by the Director of Infrastructure Services outlining an agreement which had been drawn up between the Council and the charity, Help for Abandoned Animals, to provide a dog rehoming service to deal with stray or abandoned dogs.

The Committee agreed to support Help for Abandoned Animals, Arbroath to enable them to provide a service to the Council in relation to rehoming stray or abandoned dogs in terms of a formal agreement drawn up by the Council.

47. 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 undernoted items, 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 and 9.

48. BUS ROUTE DEVELOPMENT GRANT BIDS TO THE SCOTTISH EXECUTIVE

With reference to Article 4 of the minute of meeting of this Committee of 26 January 2006, there was submitted [Report No 791/07](#) by the Director of Infrastructure Services seeking approval for the submission of bids to the Scottish Executive for Bus Route Development Grant funding for improvements to local bus services in Angus.

The Report indicated that should the bids be successful, they would offer significant travel benefits to Angus residents.

The Committee agreed:-

- (i) to the submission by the Council, in partnership with Stagecoach Strathtay, of Bus Route Development Grant bids to the Scottish Executive for enhanced local bus service provision on the Forfar to Dundee and the Forfar to Perth corridors; and
- (ii) to support the bid to be submitted by Perth & Kinross Council in relation to service improvements on the Blairgowrie-Coupar Angus-Dundee corridor.

49. THE ELMS, ARBROATH – APPOINTMENT OF PREFERRED RESTORING PURCHASER

With reference to Article 7 of the minute of meeting of this Committee of 9 March 2006, there was submitted [Report No 792/07](#) by the Director of Infrastructure Services advising members of the response to the second advertisement for restoring purchasers for the Category A Listed Building known as The Elms, Cairnie Road, Arbroath.

The Report indicated that the building had been at risk since 2000 and the planning authority had served notices on the owners without proper response and the course of action recommended in the Report was considered necessary to minimise any risks associated with further deterioration of the building.

The Committee agreed:-

- (i) to accept Toprowan Developments (Angus) Ltd as the preferred restoring purchaser to acquire The Elms, Cairnie Road, Arbroath from the Council subject to conclusion of both the legal agreement and the compulsory acquisition procedures referred to in the Report;
- (ii) to authorise the Head of Law & Administration, in consultation with the Head of Planning & Transport, to enter into negotiations with the preferred restoring purchaser with a view to concluding a legal agreement in terms of which:
 - compulsory acquisition procedures would be implemented by the Council;
 - title would be transferred to the preferred restoring purchaser; and
 - the necessary repair works would be carried out by the preferred restoring purchaserand which in the opinion of the respective Heads of Service were necessary to best protect the interests of the Council; and
- (iii) subject to the successful conclusion of the legal agreement with the preferred restoring purchaser, to authorise the Head of Law and Administration, in consultation with the Head of Planning and Transport to take the necessary proceedings to compulsorily acquire The Elms under Section 42 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 or such other statutory provisions as the Head of Planning and Transport deemed appropriate and to transfer title to the preferred restoring purchaser.