

ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 4 March 2008 at 4.00 pm.

Present: Councillors DAVID MAY, DAVID FAIRWEATHER, FRANK ELLIS, IAIN GAUL, ALEX KING, IAN MACKINTOSH, DAVID LUMGAIR, PETER MURPHY, BOB MYLES, HELEN OSWALD, RALPH PALMER, MARK SALMOND, BOB 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 Jim Millar with Councillor David Lumgair substituting

2. DECLARATIONS OF INTEREST

Councillor Salmond declared an interest in item 24 as a director of a company who used an 'A' Board to promote their business. He advised that he would not be taking part in any discussion or voting on the matter.

Councillor Mackintosh declared an interest in item 7 as a member of the Angus Local Access Forum.

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 22 January 2008](#) was approved as a correct record and signed by the Convener.

(b) Appeals (Smoking in Public Places) Sub-Committee

The [minute of meeting of the Appeals \(Smoking in Public Places\) Sub-Committee of 14 January 2008](#), a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

4. REVIEW OF FEES AND CHARGES

There was submitted [Report No 248/08](#) by the Director of Infrastructure Services containing details of increased fees and charges for the financial year 2008/2009 for services provided under the remit of the Roads and Environmental and Consumer Protection Services.

The Report indicated that the Council charged for a range of services which were discretionary, or in some cases, statutory. Some charges historically had not been reviewed regularly and therefore were in places, not fully representative of costs. The appendices to the Report set out the proposed charges for Waste Management Services, Trading Standards Services and Roads Services for the financial year 2008/2009.

The Committee agreed:-

- (i) to note that Report No 248/08 had been prepared on the basis that the proposed percentage increases for Roads and Waste Management charges had been approved at the special meeting of the Council on 27 February 2008;
- (ii) to adopt the fees and charges for Roads and Waste Management as set out in Appendices 1 and 2 to the Report; and
- (iii) to approve the service fees for Trading Standards as set out in Appendix 3 to the Report.

5. PERFORMANCE MANAGEMENT REPORTING

With reference to Article 5 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 249/08](#) by the Director of Infrastructure Services updating the Committee on progress made by the department in implementing the actions set out in the Service Plan, and seeking approval of the revisions by lead officers for Service Plan actions.

The Report indicated that, in line with the agreed reporting arrangements, crystal reports had been produced from Excelsis for each of the Service Plans. The full report for Infrastructure Services was detailed in Appendix 2 to the Report with summary reports having been drawn from these crystal reports to allow the recommendations of individual senior management teams to be recorded for each of the actions that have gone beyond deadline, or with changes to deadline requested during the reporting period.

The summary report for the Infrastructure Services Service Plan actions was detailed in Appendix 1 to the Report. The summary report also showed the recommended course of action and, following agreement by the Committee to the proposed revised deadline dates, the action status would be revised from "overdue" to "on target".

The Committee agreed:-

- (i) to approve the Director's recommendation for each of the actions beyond the deadline as detailed in Appendix 1 to the Report;
- (ii) to approve the Director's recommendation for revisions to deadlines during the reporting period for those actions detailed in the summary report in Appendix 1 to the Report; and
- (iii) to note the actions marked as "completed" during the reporting period in the full report as detailed in Appendix 2 to the Report.

6. A LOW CARBON STRATEGY FOR SCOTLAND

There was submitted [Report No 250/08](#) by the Director of Infrastructure Services advising that, in August 2007, the Scottish Government had appointed an expert panel to look at ways of enhancing the energy performance of buildings in Scotland and thereby reducing carbon emissions. The Report also detailed the background to the Panel's report, the Panel's findings and the potential for a significant increase in energy standards to all buildings and, furthermore, the potential for a significant increase in the workload of the Buildings Standards Section of the Council.

The Report indicated that it was widely recognised that climate change was a problem and that carbon emissions from buildings accounted for almost one-half of Scotland's emissions. Whilst other measures such as human behaviour would reduce emissions, the design, construction, maintenance and re-use of buildings would play their part. The publication of the report "A Low Carbon Buildings Standards Strategy for Scotland" was a significant step in moving Scotland to a position where it could have the best energy standards in Europe and which set ambitious standards for both new and existing buildings.

The Report concluded that the Panel's report set a challenge for all parties involved in the procurement of buildings that was demanding and realistic, within a timeframe which was both essential and achievable. The nine workstreams would impact considerably on the work of local authorities but would ensure that a meaningful reduction in carbon emissions would follow which would, hopefully, impact on reducing the effects of climate change.

The Committee, for its interest, agreed:-

- (i) to welcome the publication of the report "A Low Carbon Building Standards Strategy for Scotland";
- (ii) to note the contents of the Panel's report;

- (iii) to note that, if implemented in full, the recommendations of the Panel's report would have a significant impact on the reduction of carbon emissions from buildings; and
- (iv) to await the outcome of the various workstreams recommended in the Panel's report and to instruct a further report in due course once it was known what the full implications were for Building Standards.

7. ANGUS CORE PATHS PLAN - FINAL DRAFT

With reference to Article 5 of the minute of meeting of this Committee of 16 October 2007, there was submitted [Report No 251/08](#) by the Director of Infrastructure Services seeking the Committee's approval of the draft Core Paths Plan for Angus, providing an update on progress with the associated Strategic Environmental Assessment (SEA) Report and seeking approval to undertake consultation on both.

The Report indicated that the Land Reform (Scotland) Act 2003 had placed a duty on all local authorities and national park authorities to draw up a plan for a system of paths (core paths) sufficient for the purposes of giving the public reasonable access throughout their area.

The proposed draft Core Paths Plan had been drawn up following an extensive consultation and path selection process and progress was being made with the SEA Environmental Report, following completion of the scoping report.

The Committee agreed:-

- (i) to note the current position regarding the preparation of the Angus Core Paths Plan;
- (ii) to approve the draft Core Paths Plan;
- (iii) to instruct the Director of Infrastructure Services to undertake statutory consultation on the draft Core Paths Plan;
- (iv) to note the current position regarding the preparation of the SEA Environmental Report for the Plan; and
- (v) to instruct the Director of Infrastructure Services to undertake statutory consultation on the SEA Environmental Report.

8. IMPLEMENTING THE PLANNING ETC (SCOTLAND) ACT 2006

(a) Draft Secondary Legislation on Development Management - Consultation Paper

There was submitted [Report No 252/08](#) by the Director of Infrastructure Services advising the Committee that the Scottish Government had issued a consultation paper in respect of Development Management as part of implementing the Planning etc (Scotland) Act 2006. The Report also outlined the draft proposals of the Government and set out a suggested response to the consultation paper.

The Report indicated that the Government viewed the proposed changes to Development Management within the context of making the planning application process fit for purpose and responsive to different types of development proposals, improving efficiency in determining planning applications and improving public involvement in the consideration of planning applications.

COUNCILLOR KING, SECONDED BY COUNCILLOR ELLIS, MOVED THAT IN RELATION TO THE PROPOSED RESPONSE TO QUESTION 41, THE COMMITTEE AGREE TO RETAIN THE TERM "BAD NEIGHBOUR".

Councillor Palmer, seconded by Councillor Myles, moved as an amendment, that the term "bad neighbour" be replaced by the term "application of potential concern".

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Fairweather, Ellis, Gaul, King, Lumgair, Murphy, Oswald, Spink, West and Whyte (11).

For the amendment:-

Councillors Mackintosh, Myles and Palmer (3).

No vote:-

Councillor Salmond.

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

Thereafter the Committee, for its interest, agreed:-

- (i) to note the proposals put forward by the Scottish Government in respect of draft secondary legislation on Development Management; and
- (ii) to approve the response, as detailed in Appendix 1 to the Report, for submission to the Scottish Government in relation to their consultation paper, subject to minor amendments, including the amended response to Question 41 as agreed above.

(b) Draft Regulations on Development Plan Examinations - Consultation Paper

There was submitted [Report No 253/08](#) by the Director of Infrastructure Services advising the Committee that the Scottish Government had issued a consultation paper in respect of draft Regulations on Development Plan Examinations as part of implementing the Planning etc (Scotland) Act 2006. The Report also outlined the draft proposals and set out a suggested response to the consultation paper.

The Report indicated that the publication of the draft Regulations on Development Plan Examinations was another important element in modernising the Development Plan process and the new draft Guidance sought to provide a consistent approach to examination of both new style Strategic Development Plans and Local Development Plans to ensure the integrity of development planning and that public confidence in the new planning system was maintained.

The Committee agreed:-

- (i) to note the proposals put forward by the Scottish Government in respect of draft Regulations on Development Plan Examinations;
- (ii) to approve the response, as set out in Appendix 1 to the Report, for submission to the Scottish Government in relation to their consultation paper; and
- (iii) to note that further reports on the implementation of the Planning etc (Scotland) Act 2006 would be brought forward as appropriate.

(c) Draft Regulations on the Planning Hierarchy - Consultation Paper

With reference to Article 7 of the minute of meeting of this Committee of 28 August 2007, there was submitted [Report No 254/08](#) by the Director of Infrastructure Services advising the Committee that the Scottish Government had published a consultation paper on the draft Regulations on the Planning Hierarchy as part of implementing the Planning etc (Scotland) Act 2006. The Report outlined the draft Regulations and set out a suggested response to the consultation paper.

The Report indicated that, as part of the implementation of the new Development Management System established by the Planning etc (Scotland) Act 2006, the Scottish Government had published draft guidance on the hierarchy of development and thresholds for major and local development and these thresholds, and the subsequent category within which a development proposal fell, would affect the process by which a planning application would be determined and the subsequent review or appeal process. The full implications of the hierarchy or development was likely to only become clear as further consultation on secondary planning legislation was published. However, the current consultation provided an important opportunity to express the views of the Council on the proposed thresholds for defining major and local development.

The Committee, for its interest, agreed:-

- (i) to note the proposals put forward by the Scottish Government in respect of draft Regulations on the Planning Hierarchy; and
- (ii) to approve the response, as set out in Appendix 2 to the Report, for submission to the Scottish Government in relation to their consultation paper.

9. SCOTTISH PLANNING POLICY: SPP3 - PLANNING FOR HOUSING

There was submitted [Joint Report No 255/08](#) by the Director of Infrastructure Services and Director of Neighbourhood Services detailing a suggested response to the draft Scottish Planning Policy (SPP)3: Planning for Housing.

The Report indicated that the Scottish Government had published a consultation draft of SPP3: Planning for Housing, which set out the Scottish Government's policy on the role of planning in the identification of housing requirements and the delivery of quality houses in the right locations. The housing system in Scotland had been under pressure for several years with a range of factors contributing to house price inflation and growing divergence between incomes and house prices and, as a result, there had been increased demand in the rental and social housing sector in particular areas and therefore bringing forward sufficient land for housing had been identified as one of the most significant obstacles to the delivery of new housing.

The Report concluded that the review of SPP3: Planning and Housing was to be generally welcomed as it updated and strengthened a range of existing land use planning policy relating to the provision of housing, including the establishment of a new framework to assess and identify housing requirements across housing market areas. It also continued to recognise and support the crucial role of the land use planning system, and development planning in particular, and strengthened the need for joint working within and between councils and a range of stakeholders in delivering a range of good quality affordable housing at the right location for residents of Scotland. The introduction of key requirements such as a strategic housing need and market area assessment and local housing strategies had an input into the new style development plan that would require a review of resources to local authority planning and housing services.

The Committee, for its interest, agreed:-

- (i) to note the contents of the consultation draft SPP3: Planning for Housing which set out the revised national planning policy for housing in Scotland; and
- (ii) that Report No 255/08 form the basis of the Council's response to the Scottish Government.

10. FINALISED DEVELOPMENT BRIEF - LAND AT HILLHEAD, KIRRIEMUIR

With reference to Article 19 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 256/08](#) by the Director of Infrastructure Services outlining and commenting on the responses to the consultation on the draft Development Brief and finalising the planning requirements that would guide the development of a site allocated in the Angus Local Plan Review for residential development at Hillhead, Kirriemuir.

The Report indicated that the draft Development Brief had been circulated to a range of organisations including Kirriemuir Community Council, landowners, Scottish Water, the Scottish Environmental Protection Agency (SEPA) and other service providers and a copy of the draft Brief had also been circulated to objectors with valid objections to the Hillhead site through the Angus Local Plan Review post-enquiry modifications process.

The Report concluded that finalising the Development Brief for development at Hillhead, Kirriemuir would assist the implementation of the Angus Local Plan Review proposal and would also guide developers towards a successful planning submission. This would also require continued dialogue with both landowners and prospective developers to ensure co-ordination and progression of the site-wide requirements that would be necessary to enable full development of the site.

The Committee agreed:-

- (i) to note the response to the Consultation Draft Brief; and
- (ii) to approve the finalised Development Brief as detailed in Appendix 1 to the Report.

11. ANGUS LOCAL PLAN REVIEW - SECOND PUBLIC LOCAL INQUIRY - UPDATE

With reference to Article 20 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 257/08](#) by the Director of Infrastructure Services updating the Committee on the arrangements for the Angus Local Plan Review - Second Public Local Inquiry which was to commence in late April 2008.

The Report indicated that arrangements were underway to conduct the Second Public Local Inquiry into unresolved objections associated with modifications to the Finalised Angus Local Plan Review. A copy of the finalised timetable was circulated to members of the Committee.

The Committee agreed to note the updated position in respect of representations to the Angus Local Plan Review modifications and the arrangements to date for the Second Local Plan Inquiry.

***12. CROSS-BOUNDARY CONTRACTED LOCAL BUS SERVICES**

There was submitted [Report No 258/08](#) by the Director of Infrastructure Services advising the Committee that Dundee City Council had reviewed contracted local bus service operation both for services operating within their Council area and for services operating on a cross-boundary basis and, among a number of service reductions, three contracts operating between Dundee and Angus would be affected by funding withdrawals from 1 April 2008.

The Report indicated that the decision by Dundee City Council to cease funding towards cross-boundary local bus service operations was disappointing. However, services on the Downfield - Auchterhouse and Dundee-Murroes-Tealing corridors would be maintained without change until August 2008 and a full review of passenger requirements would be undertaken during this intervening period. The Dundee-Liff-Fowlis service would be operated commercially by Travel Dundee with only three return journeys being withdrawn. Discussions were ongoing with Travel Dundee to amend the commercial timetable scheduled to be implemented from 1 April 2008 on Monday to Saturday mornings, subject to no adverse implications for passengers on the journeys suggested to be retimed, to provide a better spread of journey times for passengers than would otherwise have been the case.

Councillor Ellis, seconded by Councillor Gaul, moved that the Committee agree:-

- (i) to note the withdrawal, from 1 April 2008, of subsidy by Dundee City Council towards Angus Council's contract for the Dundee-Auchterhouse service;
- (ii) to note the withdrawal, from 1 April 2008, of subsidy by Dundee City Council towards Angus Council's contract for the Dundee-Murroes-Tealing service;
- (iii) to note the termination by Dundee City Council, from 1 April 2008, of their contract for the provision of services between Dundee, Liff and Fowlis;

- (iv) to note the decision by Travel Dundee to continue operation of the majority of journeys currently operating on the Dundee, Liff, Fowlis corridor on a commercial basis, with the possible minor retiming of morning journeys to meet passenger requirements;
- (v) to retain the Monday to Saturday evening journey at 21:30 from Dundee to Liff and Fowlis until a full review of passenger requirements had been undertaken; and
- (vi) to retain the Sunday journey at 11:30 from Dundee to Liff and Fowlis and return until a full review of passenger requirements had been undertaken.

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MACKINTOSH, MOVED AS AN AMENDMENT, THAT THE COMMITTEE AGREE TO APPROVE RECOMMENDATIONS (I)-(VI) AS DETAILED IN THE REPORT.

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, Fairweather, Mackintosh, Lumgair, Murphy, Myles and Salmond (7).

No vote:-

Councillor Whyte.

There being an equality of votes, the Convener exercised his casting vote in favour of the amendment which became the finding of the meeting.

13. CARNOUSTIE LEVEL CROSSING

The Committee was advised that, due to ongoing concerns with a number of vehicles failing to stop when the signals were at red on the level crossing at Carnoustie, discussions were continuing with the railway authorities to try to find ways of improving this situation.

The Committee noted that a report would be brought to a future meeting once discussions with the rail authorities were concluded.

14. TENDERS ACCEPTED - 1 OCTOBER TO 31 DECEMBER 2007

There was submitted and noted [Report No 259/08](#) 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 October to 31 December 2007, as detailed in Appendix A to the Report.

15. TRAFFIC REGULATION ORDERS - UPDATE

There was submitted and noted [Report No 260/08](#) by the Director of Infrastructure Services detailing the current stage of progress regarding pending Traffic Regulation Orders.

16. REMOVAL OF PART-TIME SPEED LIMITS AND SCHOOL KEEP CLEAR RESTRICTIONS AT VARIOUS FORMER SCHOOLS PREMISES

There was submitted [Report No 261/08](#) by the Director of Infrastructure Services advising the Committee of proposals to delete part-time 20mph speed limit and School Keep Clear areas restrictions at various former school locations.

The Report indicated that, as a result of the upgrading of several schools and erection of new schools at Carnoustie and Forfar, some schools had already closed or were due to close in the near future. In order to remove the existing part time speed limit and School Keep Clear area restrictions at the affected schools, the promotion of a Traffic Regulation Order was required in order to implement these proposals.

The Committee agreed to the promotion of a Traffic Regulation Order to remove part time 20mph speed limits and School Keep Clear area restrictions in roads adjacent to several schools which had closed or were due to close in the near future.

17. VARIATION OF SPEED LIMIT AT WESTHALL TERRACE, DUNTRUNE

There was submitted [Report No 262/08](#) by the Director of Infrastructure Services detailing proposed alterations to the current speed limit at Westhall Terrace, Duntrune.

The Report indicated that concerns had been raised by a local member over a number of recent accidents on the Dundee-Tealing road just north of Westhall Terrace, Duntrune and, following consultation with Tayside Police, it was considered appropriate to extend the existing 30mph speed restriction by approximately 100 metres northwards.

Having heard Councillors Ellis, Oswald and Whyte welcome the Report, the Committee agreed to effect an extension of the 30mph speed limit on the Dundee-Tealing road just north of Westhall Terrace, Duntrune.

18. ADDITIONS/DELETIONS TO/FROM THE LIST OF PUBLIC ROADS

With reference to Article 16 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 263/08](#) by the Director of Infrastructure Services advising the Committee of additions to and deletions from the List of Public Roads.

The Report indicated that the sections of carriageway, footway, cycle track and footpath added to the List of Public Roads had been constructed to the Council's specification and consequently the Council, as roads authority, was obliged to add these roads to its List of Public Roads. The sections of carriageway and footway had been deleted from the List of Public Roads following the completion of statutory procedures required under Section 68(1) or Section 152(2) of the Roads (Scotland) Act 1984.

The Committee agreed:-

- (i) to note the additions to the List of Public Roads, as detailed in Appendices 1 and 3 to the Report; and
- (ii) to note the deletions from the List of Public Roads, as detailed in Appendices 2 and 4 to the Report.

19. ABANDONMENT OF PROPOSALS TO STOP-UP PARK STREET, ARBROATH

With reference to Article 16 of the minute of meeting of this Committee of 5 October 2006, there was submitted [Report No 264/08](#) by the Director of Infrastructure Services seeking approval to abandon the proposed stopping-up of Park Street, Arbroath. The Report indicated that a request had been received from the occupant of 4 Gravesend for the stopping-up of Park Street, in order that use could be made of the road by the adjacent business. However, the person who had made the request was now no longer occupying the premises at 4 Gravesend and the owner of the property had objected to the making of the Order, as access for servicing was required.

Councillor King, seconded by Councillor Oswald, moved that the Committee agree to continue with the promotion of a Stopping-Up Order in respect of Park Street, Arbroath.

COUNCILLOR FAIRWEATHER, SECONDED BY COUNCILLOR MYLES MOVED, AS AN AMENDMENT, THAT THE COMMITTEE AGREE TO THE ABANDONMENT OF THE STOPPING-UP ORDER FOR PARK STREET, ARBROATH.

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, Fairweather, Mackintosh, Lumgair, Murphy, Myles, Salmond and Whyte (8).

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

20. ASSET MANAGEMENT UPDATE 2008

With reference to Article 19 of the minute of meeting of this Committee of 28 August 2007, there was submitted [Report No 265/08](#) by the Director of Infrastructure Services detailing the progress which had been achieved through the Society of Chief Officers of Transportation in Scotland (SCOTS) to develop asset management for local authority roads infrastructure across Scotland and specifically including that in Angus.

The Report also set out proposals to establish a Sounding Panel to engage with the consultants appointed by SCOTS to progress asset management, comprising the Convener, Vice-Convener, one other member from the Administration Group and two members from the Opposition.

The Committee agreed:-

- (i) to note the progress made by the Society of Chief Officers of Transportation in Scotland (SCOTS) to develop asset management for roads network infrastructure; and
- (ii) to appoint the Convener, Vice-Convener, Councillors Gaul and Palmer to the Sounding Panel, with the Head of Law and Administration to be advised as soon as possible of the remaining member of the Administration Group to be appointed to the Panel.

21. SPEED LIMIT REVIEW - A & B CLASS LOCAL ROADS

With reference to Article 16 of the minute of meeting of this Committee of 23 November 2006, there was submitted [Report No 266/08](#) by the Director of Infrastructure Services outlining the process used and the progress made in the review of speed limits in Angus on both A and B class roads, in accordance with the Scottish Government guidance on the setting of local speed limits published in August 2006, and the production of a speed limit strategy for the Council.

The Report indicated that, in August 2006, the Scottish Government had published new guidance on setting local speed limits and within this guidance was a requirement for all local authorities to review the speed limits on their A and B class road network by 2011. The review was now complete and detailed proposals relating to the review of A and B class roads were attached in Appendix 2 to the Report.

The Report concluded that all new speed limit requests in Angus would be assessed using the proposed new Speed Limit Strategy for Angus 2008, which had been prepared based on the Scottish Guidance Document - ET(LLD) Circular No 01/2006: Setting Local Speed Limits, as detailed in Appendix 1 to the Report. Changes to existing speed limits on A and B class roads, following the review in accordance with Circular No 01/2006, would be implemented as per the new strategy and subject to the agreement of this Committee.

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

- (i) to note the proposed Angus Council Speed Limit Strategy 2008;
- (ii) to note the effects of the adoption of the proposed strategy as detailed in Section 3 to the Report;

- (iii) to approve the proposed Angus Council Speed Limit Strategy 2008 as detailed in Appendix 1 to the Report; and
- (iv) to promote the necessary Speed Limit Orders to enable implementation of the various proposals described in Appendix 2 to the Report, subject to the amendment of the speed limit on the A926 Maryton to include a 30 mph between Kirriemuir and Maryton with a 40mph buffer zone to be put in place on the eastern side of Maryton.

***22. PROPOSED PEDESTRIAN CROSSING AT KEPTIE STREET, ARBROATH BETWEEN HELEN STREET AND GARDEN STREET**

With reference to Article 28 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 267/08](#) by the Director of Infrastructure Services detailing the findings of the consultation regarding the possible installation of a puffin style pedestrian crossing at Keptie Street, Arbroath located between Helen Street and Garden Street together with the available options.

COUNCILLOR FAIRWEATHER, SECONDED BY COUNCILLOR MYLES, MOVED THAT THE COMMITTEE AGREE:-

- (i) TO NOTE THE COMMENTS MADE DURING THE CONSULTATION PROCESS;
- (ii) TO DETERMINE NOT TO PROCEED WITH THE INSTALLATION OF A PEDESTRIAN CROSSING AT KEPTIE STREET BETWEEN HELEN STREET AND GARDEN STREET; AND
- (iii) TO INSTRUCT THE DIRECTOR OF INFRASTRUCTURE SERVICES TO BRING A REPORT BACK TO A FUTURE MEETING OF THE COMMITTEE HAVING CONSIDERED THE OPTIONS FOR TRAFFIC MANAGEMENT AND/OR TRAFFIC CALMING MEASURES TO REDUCE TRAFFIC SPEEDS AND THE CONFLICT BETWEEN TRAFFIC AND PEDESTRIANS.

Councillor King moved an amendment, but having heard from the Head of Law and Administration, the Convener ruled that, in accordance with provisions of Standing Order 25(1) (alteration or revocation of previous decision –the “6 month rule”), items 4, 5 and 6 of his proposed amendment were not competent.

Thereafter, and in accordance with the provisions of Standing Order 26(2), Councillor Gaul, seconded by Councillor Palmer moved, as a procedural motion, that Standing Order 25(1) be suspended.

On a vote being taken, the members voted:-

For Suspension:-

Councillors Ellis, Gaul, King, Palmer, Spink and West (6).

Against Suspension:-

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

(Councillor Oswald having left the meeting prior to the vote).

The procedural motion failed to receive the vote of two thirds of the members present and voting, as required by Standing Order 26(2), resulting in Standing Order 25(1) not being suspended. The motion by Councillor Fairweather was thereupon declared carried and became the finding of the meeting.

In accordance with the provisions of Standing Order 39(3)(i), Councillors King and Gaul indicated that they wished the matter referred to the Council for a decision.

23. A92 BURNSIDE DRIVE/MILLGATE JUNCTION, ARBROATH: RESPONSE TO CONSULTATION REGARDING POSSIBLE PROHIBITION OF RIGHT TURN AND REMOVAL OF TRAFFIC SIGNALS

With reference to Article 13 of the minute of meeting of this Committee of 28 August 2007, there was submitted [Report No 268/08](#) by the Director of Infrastructure Services detailing the findings of the consultation regarding the possible prohibition of the right turning manoeuvre from Millgate into Burnside Drive and associated removal of the traffic signals from the junction of the A92 Burnside Drive and Millgate in Arbroath, together with a recommended course of action.

The Report indicated that the aim of the proposal was to improve traffic flow along Burnside Drive, although this had, to an extent, been achieved by the improvements already carried out to the traffic signals and it was apparent from the responses to the consultation that there was public opposition to the proposal.

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

- (i) to note the comments received during the consultation process regarding the possible removal of the traffic signals from the junction of the A92 Burnside Drive and Millgate in Arbroath; and
- (ii) to approve the maintenance of the status quo at this location.

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

24. OBSTRUCTIONS ON PUBLIC ROADS - ADVERTISING SIGNS ETC - UPDATE

With reference to Article 12 of the minute of meeting of this Committee of 23 November 2006, there was submitted [Report No 269/08](#) by the Director of Infrastructure Services updating the Committee on the difficulties created by advertising signs and other potential obstructions placed on the public roads, proposing a review of the interim policy adopted by the Council and setting out a policy for consideration.

The Report indicated that the interim policy with regard to obstructions on public roads had been reviewed in November 2006, whereby the Head of Roads had been instructed to bring forward a further Report to Committee detailing the operational arrangements required to implement a policy of regulation.

The Committee agreed:-

- (i) to approve the proposed policy of regulating the deployment of items on the road;
- (ii) to note that some existing 'A' boards and displays of goods on the public road would require to be removed as a result; and
- (iii) to note the financial implications and the proposed level of charges for permitted signs.

25. ARBROATH HARBOUR DREDGING 2008 TO 2010

With reference to Article 24 of the minute of meeting of this Committee of 9 June 2005, there was submitted [Report No 270/08](#) by the Director of Infrastructure Services seeking Committee approval to accept an offer from Moray Council for a three year extension to the current maintenance dredging contract at Arbroath Harbour.

The Committee agreed:-

- (i) to approve the offer from Moray Council to extend the current dredging contract for three years in the sum of £160,985.89;
- (ii) to note that funding for the works would be contained within the Roads Division's budget provision in each respective year; and

- (iii) to remit to the Head of Roads to instruct these works on an annual basis, as detailed in the Report.

26. TRAFFIC ORDERS

(a) Angus Council (Guthrie Port/Ogilvie Place, Arbroath) (Prohibition of Right Hand Turn) Order 2008

With reference to Article 27 of the minute of meeting of this Committee of 28 August 2007, there was submitted [Report No 271/08](#) by the Director of Corporate Services relating to the introduction of an Order intended to prohibit right hand turning manoeuvres at the junction of Guthrie Port with Ogilvie Place, Arbroath.

The Committee agreed to approve the making of the Order.

(b) Temporary Traffic Orders

There was submitted [Report No 272/08](#) by the Director of Corporate Services advising that, at the request of the Head of Roads, 11 Temporary Traffic Orders had been made, as detailed in the Report.

27. CONSULTATION ON THE REVIEW OF THE FOOD LAW CODE OF PRACTICE (SCOTLAND) AND FOOD LAW PRACTICE GUIDANCE (SCOTLAND)

There was submitted [Report No 273/08](#) by the Director of Infrastructure Services setting out a response to the consultation exercise undertaken by the Food Standards Agency (Scotland) on the review of the Food Law Code of Practice and accompanying Guidance.

The Report indicated that this was the third review of the Food Law Code of Practice (Scotland) and associated Guidance undertaken since 2004. The Code of Practice was made under a number of pieces of food legislation including Section 40 of the Food Safety Act 1990 (amended) and the Council was required in terms of the legislation, to have due regard to the Code of Practice when carrying out its duties as a Food Authority. The Consultation document not only included the reviewed Code of Practice and its Guidance but also included a summary of the main changes, a partial Regulatory Impact Assessment, Monitoring Categories and a list of some 21 questions to be answered by the consultees.

The Committee agreed to respond to the Consultation Exercise using the response, as detailed in the Appendix to the Report.

28. NORTH SEA REGIONAL FOOD INITIATIVE PROJECT

There was submitted [Report No 274/08](#) by the Director of Infrastructure Services seeking approval to proceed with the proposed North Sea Regional Food Initiative Project as detailed in the Report.

The Report indicated that the project would be run alongside the development of an "East of Scotland Food Sector Network" which would focus on delivering projects specific to this area. This would ensure that the Council had a fully integrated approach to the food sector with an Angus, an East of Scotland and a North Sea/European Strategy.

The Committee agreed:-

- (i) to proceed with the North Sea Regional Food Initiative Project as detailed in the Report;
- (ii) to authorise the Head of Economic Development to submit the final Interreg IVB project application; and
- (iii) to note that a further progress report on this initiative would be brought forward to a future meeting of this Committee.

29. PUBLIC PROCUREMENT - ENGAGEMENT WITH THE LOCAL BUSINESS COMMUNITY

With reference to Article 19 of the minute of meeting of the Corporate Service Committee of 31 January 2008, there was submitted [Joint Report No 275/08](#) by the Director of Infrastructure Services and the Director of Corporate Services detailing a Council programme to be adopted to assist the local business community to be better prepared for bidding for public sector contracts.

The Report indicated that public procurement contracts offered huge business potential to Angus Small and Medium Enterprises and, through the Supplier Development Programme, it was intended to identify opportunities for the business community, prepare companies to be "tender ready" and help companies win contracts. This process would be managed in a changing environment where there was now greater emphasis on more efficient purchasing methods and where there was a general move towards the awarding of larger contracts.

The Committee agreed:-

- (i) to note that the Council was now a partner in the Supplier Development Programme; and
- (ii) to note the activities to be undertaken to support the local business community.

30. 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 item, so as to avoid the disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 6, 8 and 9.

31. SALE OF LAND AT BRECHIN BUSINESS PARK

There was submitted [Report No 276/08](#) by the Director of Infrastructure Services seeking approval to conclude a land sale on Brechin Business Park.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to remit to the Head of Economic Development, in consultation with the Head of Property, to conclude negotiations for the sale of a site at Brechin Business Park on the terms as detailed in the Report.