

ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 22 April 2008 at 4.00 pm.

Present: Councillors DAVID MAY, DAVID FAIRWEATHER, 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

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

Councillor Mackintosh declared an interest in Item 6 as he was a member of the Angus Farming and Wildlife Advisory Group.

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 4 March 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 27 February 2008](#), a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

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

The Convener, in accordance with Standing Order 11(2)(ii), ruled that the following motion be considered as a matter of urgency in light of recent press articles.

(a) Emergency Motion - Forfar Bus Depot

Councillor Gaul, seconded by Councillor May, moved that this Committee:-

- (i) instruct the Director of Infrastructure Services to contact Stagecoach as a matter of urgency in order to ascertain what the Company's intentions are regarding the bus depot in Forfar;
- (ii) to seek assurances regarding the retention of jobs in Forfar; and
- (iii) to seek assurances regarding the continuation of services within Forfar, Kirriemuir and Letham areas and to report back to the first appropriate Committee.

Having heard Councillor Glennis Middleton, a local member, the Committee unanimously agreed the terms of the motion.

(b) Traffic Calming - Montrose Seafront

Councillor West (who had given the required notice in terms of Standing Order 24(1)), seconded by Councillor Gaul, moved that the Committee request that a report be brought back as soon as possible detailing the options available to improve traffic calming and enforcing the speed limit at Montrose Seafront.

COUNCILLOR SALMOND, SECONDED BY COUNCILLOR MAY, MOVED AS AN AMENDMENT, THAT THE COMMITTEE DOES NOT SEEK SUCH A REPORT.

On a vote being taken, the members voted:-

For the motion:-

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

For the amendment:-

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

The amendment was declared carried and became the substantive motion.

Thereafter, Councillor Palmer, seconded by Councillor West, moved as a further amendment that the Director of Infrastructure Services, in liaison with Tayside Police, investigate the options available to improve traffic calming and enforcing the speed limit at Montrose Seafront and report back to this Committee as soon as possible.

On a vote being taken, the members voted:-

For the substantive motion:-

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

For the further amendment:-

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

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

(c) Slipway at Arbroath Harbour

Councillor Spink (who had given the required notice in terms of Standing Order 24(1)), seconded by Councillor King, moved that the Committee notes that the Head of Roads has recently initiated public consultation regarding the possible provision of a slipway for trailer mounted boats at Arbroath Harbour, but that the consultation period is extremely short and the range of consultees extremely limited, and accordingly agrees:-

- (i) that the period of consultation on the viability and requirement for a small boat slipway at Arbroath Harbour be extended for a further six weeks, until 30 May 2008, to allow greater public inclusion; and
- (ii) that given such a slipway seeks the support of, and patronage by, parties from well outside the Angus area, both these potential users be canvassed for their opinion in any consultation, and the area covered be extended to cover at least the whole of Scotland.

Having heard from the Head of Roads in relation to the range of consultees, Councillor Spink, with the approval of Councillor King, agreed that recommendation (ii) be deleted from his motion.

The Committee unanimously agreed the terms of the amended motion.

5. ANGUS ENVIRONMENTAL TRUST ANNUAL NEWSLETTER AND STATEMENT OF ACCOUNTS

With reference to Article 8 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 397/08](#) by the Director of Infrastructure Services advising the Committee of the Annual Newsletter and Statement of Accounts which had been received from Angus Environmental Trust in respect of the year 1 October 2006 to 30 September 2007.

The Report indicated that the main aims of the Trust were to distribute landfill tax funds to help encourage and fund local community groups and organisations to protect and enhance the environment of Angus.

The Committee agreed to note the contents of the Angus Environmental Trust Annual Newsletter and Statement of Accounts.

6. SERVICE LEVEL AGREEMENT - ANGUS FARMING AND WILDLIFE ADVISORY GROUP

With reference to Article 9 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 398/08](#) by the Director of Infrastructure Service seeking approval of a revised Service Level Agreement between Angus Council and the Farming and Wildlife Advisory Group (FWAG).

The Report indicated that the Angus FWAG had a key role in improving the environment of Angus and in particular had provided a valuable service in both the preparation and delivery of the Tayside Local Biodiversity Action Plan.

The Committee agreed:-

- (i) to note the successful progress made on delivering outputs specified in the Service Level Agreement with FWAG for 2007/2008;
- (ii) to approve the updated Service Level Agreement for 2008/2009 and authorise the Head of Law and Administration to enter into the revised Service Level Agreement; and
- (iii) to instruct the Head of Planning and Transport to monitor compliance with the terms of the Agreement.

7. CONSERVATION GRANT APPLICATION - 7 MELVILLE GARDENS, MONTROSE

There was submitted [Report No 399/08](#) by the Director of Infrastructure Services advising the Committee that the owner of 7 Melville Gardens, Montrose had applied for a grant towards the repair of stonework in the Category B listed property.

The Report indicated that the building was a prominent feature in the Mid-Links area of Montrose and the award of the grant would help to carry out specialist repairs to a prominent listed building within the Montrose Conservation Area.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise payment of a grant of £3,000 towards the cost of repairing stonework at the Category B listed building at 7 Melville Gardens, Montrose.

8. SCOTTISH GOVERNMENT: CONSULTATION ON MODERNISING PLANNING APPEALS

With reference to Article 14 of the minute of meeting of Angus Council of 27 March 2008, there was submitted [Report No 400/08](#) by the Director of Infrastructure Service presenting the conclusions of the Development Standards Short Life Working Group in respect of commenting on the Scottish Government's consultation on Modernising Planning Appeals and in relation to proposed revisions to the Scheme of Delegation in respect of the determination of planning applications.

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 a consultation paper on draft regulations in respect of planning appeals. The regulations, once implemented, would fundamentally change the way in which the Council dealt with planning applications and a central part of this change would be a requirement to amend its Scheme of Delegation with regard to the determination of planning applications. A suggested response in respect of the questions raised by the consultation paper was detailed in Appendix 1 to the Report and an amended Scheme of Delegation, taking into account the

terms of the consultation paper, was now proposed for implementation in the determination of planning applications within Angus, was detailed in Appendix 2 to the Report.

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

- (I) TO APPROVE RECOMMENDATIONS 1-4 AS DETAILED IN THE REPORT, NAMELY:-
 - (A) THAT THE SHORT LIFE WORKING GROUP'S RECOMMENDATION IN RESPECT OF COMMENTS TO THE SCOTTISH GOVERNMENT REGARDING THE CONSULTATION PAPER ON MODERNISING PLANNING APPEALS AS INDICATED IN APPENDIX 1 TO THE REPORT BE APPROVED;
 - (B) THAT THE SHORT LIFE WORKING GROUP'S RECOMMENDATIONS FOR A SCHEME OF DELEGATION IN RESPECT OF THE DETERMINATION OF PLANNING APPLICATIONS AS DETAILED IN APPENDIX 2 OF THE REPORT WHEN THE NEW REGULATIONS ARE ISSUED BE APPROVED;
 - (C) THAT THE DIRECTOR OF INFRASTRUCTURE SERVICES REPORT BACK TO AN APPROPRIATE MEETING OF THIS COMMITTEE WITH A RECOMMENDATION AS TO HOW THE PLANNING ETC (SCOTLAND) ACT 2006 BE IMPLEMENTED WITH REGARD TO THE ESTABLISHMENT OF A PLANNING APPEALS REVIEW PANEL FOR ANGUS;
 - (D) THAT, ONCE THE REGULATIONS ARE IN PLACE, THE REPORT BE REFERRED TO AN APPROPRIATE MEETING OF THE COUNCIL WITH A RECOMMENDATION THAT THE REVISED SCHEME OF DELEGATION BE APPROVED; AND
- (II) TO ALSO RECOMMEND TO THE COUNCIL:
 - (E) THAT THE PLANNING APPEALS REVIEW PANEL FOR ANGUS COMPRISE A MAXIMUM OF FIVE MEMBERS AND A MINIMUM OF THREE, WITH THE MEMBERSHIP BEING DRAWN FROM THE MEMBERSHIP OF THE DEVELOPMENT STANDARDS COMMITTEE;
 - (F) THAT ALL MEMBERS OF THE DEVELOPMENT STANDARDS COMMITTEE RECEIVE APPROPRIATE TRAINING IN RELATION TO DEALING WITH PLANNING APPEALS; AND
 - (G) THAT ALL PROFESSIONAL ADVICE GIVEN TO THE REVIEW PANEL BE PROVIDED BY THE APPROPRIATE OFFICERS OF THE COUNCIL.

Councillor Gaul, seconded by Councillor Oswald, moved as an amendment, that recommendations 1-4 as detailed in the Report (ie (a)-(d) of the motion be approved and that a further Report be brought back to this Committee on the composition of the Review Panel.

On a vote being taken, the members voted:-

For the motion:-

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

For the amendment:-

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

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

9. PERMITTED DEVELOPMENT RIGHTS FOR DOMESTIC MICRO GENERATION EQUIPMENT

There was submitted [Report No 401/08](#) by the Director of Infrastructure Services advising the Committee that the Scottish Ministers were committed to promoting a greater uptake of micro generation and, in order to encourage the installation of more micro generation equipment in domestic buildings, the Scottish Government was seeking views on the extent to which planning control could be reduced by making micro generation "permitted development" and thus removing the need to apply for planning permission.

The Report indicated that the impact the proposed changes to the permitted development rights would have with regard to domestic micro generation equipment would depend very much on the uptake of the equipment and improvements in technology. The response put forward a pragmatic approach to the permitted development rights for domestic micro generation equipment attempting to strike the right balance between controlling adverse impact on neighbours and the general amenity, and the wide environmental benefits of CO₂ emission reductions.

Councillor King, seconded by Councillor Gaul, moved that, in relation to the proposed response to Question 1, the Committee agrees to amend the response to read "that applications for wind turbines should not be subject to permitted development rights".

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MILLAR, MOVED AS AN AMENDMENT, THAT THE COMMITTEE AGREES TO APPROVE THE TERMS OF THE RESPONSE TO QUESTION 1 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, Millar, Murphy, Myles, Salmond and Whyte (8).

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

Councillor Oswald, seconded by Councillor King, moved that, in relation to the proposed response to Question 2, the Committee agrees to amend the response to read "that applications for wind turbines should not be subject to permitted development rights".

COUNCILLOR MILLAR, SECONDED BY COUNCILLOR MYLES, MOVED AS AN AMENDMENT, THAT THE COMMITTEE AGREES TO APPROVE THE TERMS OF THE RESPONSE TO QUESTION 2 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, Millar, Murphy, Myles, Salmond and Whyte (8).

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

Councillor Gaul, seconded by Councillor Palmer, moved that, in relation to the proposed response to Question 14, the Committee agrees to amend the response to read "that permitted development rights not be allowed on wind turbines with blades greater than 1 metre in length".

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MILLAR, MOVED AS AN AMENDMENT, THAT THE COMMITTEE AGREES TO SEEK CLARIFICATION REGARDING DETAILED MEASUREMENTS OF BLADE HEIGHTS.

On a vote being taken, the members voted:-

For the motion:-

Councillors Gaul, King, Palmer and West (4).

For the amendment:-

Councillors May, Fairweather, Ellis, Mackintosh, Millar, Murphy, Myles, Oswald, Salmond, Spink and Whyte (11).

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

Accordingly, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the response, as detailed in Appendix 1 to the Report, for submission to the Scottish Government in relation to its consultation paper, subject to minor amendments (as agreed at this meeting), including the amended response to Question 14 as agreed above.

10. DRAFT SCOTTISH PLANNING POLICY: SPP23 - PLANNING AND THE HISTORIC ENVIRONMENT

There was submitted [Report No 402/08](#) by the Director of Infrastructure Services commenting on and providing a suggested basis for the Council's response to the draft Scottish Planning Policy: SPP23 - Planning and the Historic Environment.

The Report indicated that the draft SPP set out the national planning policy for the historic environment with a view to its protection, conservation and enhancement and indicated how the planning system would contribute towards the delivery of Scottish Ministers' policies as set out in the Scottish Historic Environment Policy series produced by Historic Scotland.

The Report concluded that draft SPP23 emphasised the important role of the land use planning system in the stewardship of the historic environment and encouraged a positive and proactive approach by planning authorities to manage change in the historic environment. It recognised the importance of the historic environment to the culture and heritage of local communities, and in its role in providing opportunity for economic development and tourism.

The Committee agreed:-

- (i) to note the content of the consultation draft SPP3: Planning and the Historic Environment which set out national planning policy for the historic environment of Scotland; and
- (ii) to approve the Report as the basis for the Council's suggested response to the Scottish Government.

THE TIME BEING 6.50 PM, COUNCILLOR MAY, SECONDED BY COUNCILLOR MYLES, MOVED THAT, IN ACCORDANCE WITH STANDING ORDER 20(8), THE MEETING PROCEED BEYOND THE THREE HOUR LIMIT TO THE CONCLUSION OF THE REMAINING BUSINESS.

Councillor King, seconded by Councillor Oswald, moved as an amendment, that the meeting be adjourned and reconvene at 2.00 pm on Wednesday 23 April 2008.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Fairweather, Millar, Murphy, Myles, Salmond and Whyte (7).

For the amendment:-

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

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

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

11. ANGUS LOCAL PLAN - SUPPLEMENTARY PLANNING GUIDANCE: GUIDELINES FOR FARM BUILDING CONVERSIONS

With reference to Article 21 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 403/08](#) by the Director of Infrastructure Services outlining and commenting on the responses to consultation on the draft supplementary planning guidance and finalising the guidance that would assist in considering development proposals under Angus Local Plan Policy H12 Farm Building Conversion.

The Report indicated that, while the adopted Angus Local Plan Policy on Farm Building Conversion (H12) had been in place for several years, finalisation of supplementary guidance would assist in clarifying aspects of policy interpretation when dealing with development proposals.

The Committee, for its interest, agreed:-

- (i) to note the response to consultation on the draft supplementary guidance; and
- (ii) to approve the finalised supplementary planning guidance on the conversion of farm buildings as detailed in the Report, subject to minor amendments.

12. NEW ROAD CONSTRUCTION CONSENTS

With reference to Article 18 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 404/08](#) by the Director of Infrastructure Services advising the Committee of construction consents for new roads which had been granted under delegated authority by the Head of Roads during 2007/2008.

The Committee agreed to note the road construction consents which had been granted in 2007/2008, as detailed in the Appendix to the Report.

13. NEW STREET NAMES

With reference to Article 19 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 405/08](#) by the Director of Infrastructure Services advising the Committee of new street names which had been authorised in 2007/2008 under delegated authority by the Head of Roads, following consultation with the Convener and the local members.

The Committee agreed to note the list of new street names which had been authorised in 2007/2008, as detailed in the Appendix to the Report.

14. PEDESTRIAN CROSSING AT PARKVIEW HEALTH CENTRE, BARRY ROAD, CARNOUSTIE: RESPONSE TO CONSULTATION

With reference to Article 13 of the minute of meeting of this Committee of 22 January 2008, there was submitted [Report No 406/08](#) by the Director of Infrastructure Services detailing the results of the consultation regarding the proposed installation of a signalled controlled 'puffin' style pedestrian crossing at Parkview Health Centre, Barry Road, Carnoustie, together with a recommended course of action.

The Report indicated that the consultation documents had been issued on 29 January 2008 to the residents and businesses in the area of Parkview Health Centre, the emergency services and other relevant bodies. Five responses had been received by the closing date of 15 February 2008 and of these responses, only one was opposed to the proposal.

Having heard Councillors Murphy, Oswald and Palmer welcome the Report, the Committee agreed:-

- (i) to note the comments received during the consultation process regarding the installation of a signal controlled 'puffin' style pedestrian crossing on Barry Road at Parkview Health Centre; and
- (ii) to approve the provision of a signal controlled crossing at this location.

15. PROPOSED RESPONSE TO THE SCOTTISH ROAD SAFETY STRATEGY CONSULTATION DOCUMENT

There was submitted [Report No 407/08](#) by the Director of Infrastructure Services advising the Committee of background information which had led to the publication of a Scottish Road Safety Strategy consultation document published by the Scottish Government and current progress towards existing casualty reduction targets, and seeking approval of the proposed response to that consultation document.

The Report indicated that, in Angus, very good progress had been made on accident reduction to date. It was important to maintain this progress and the Scottish Government was now consulting on what should be the focus in the coming years.

The Committee agreed:-

- (i) to note the publication of a consultation document on a Scottish Road Safety Strategy;
- (ii) to note the progress made in achieving the 2010 casualty reduction targets; and
- (iii) to approve the draft response to the consultation document, as detailed in Appendix 1 to the Report.

16. ARBROATH HARBOUR - POSSIBLE FUTURE WORKS

There was submitted [Report No 408/08](#) by the Director of Infrastructure Services detailing the current progress with the proposals to improve the infrastructure at Arbroath Harbour and outlining plans for future programmes of works.

The Report indicated that the proposed future works would further improve the condition of the infrastructure at Arbroath Harbour and would ensure that it remained an attractive destination for local residents, harbour users and tourists into the future.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note that further reports on the possible future works would be brought forward in due course.

17. TOURISM SIGNING POLICY - HIGHLIGHTED ISSUES AND PROPOSED AMENDMENTS

With reference to Article 7 of the minute of meeting of the Roads Committee of 17 October 1996, there was submitted [Report No 409/08](#) by the Director of Infrastructure Services advising the Committee of updates which were proposed to the Council's Tourism Signing Policy that were required in view of developments which had occurred since the last policy was originally developed.

The Report indicated that the Council's existing Tourism Signing Policy had been in place since 1996 and had been effective in allowing tourist establishments to procure suitable brown/white tourist type road traffic signs to direct visitors to their premises. The guidance for local roads was unchanged, but, with recent changes to the Council's departmental structure,

the publishing of a revised Trunk Road and Motorway Tourism Signposting Policy by Transport Scotland and revisions to other statutory documents that affected tourist signage, the existing policy document required updating and republishing. Review of the policy would also provide an opportunity to make any clarifications and amendments that were necessary to make the policy document more user friendly.

The Report concluded that, although generally successful, the current Tourism Signing Policy had some minor anomalies and required updating. The proposed revisions would remove these anomalies and make the policy useable for the foreseeable future.

The Committee agreed:-

- (i) to note the issues with the Council's existing Tourism Signing Policy that had arisen over time;
- (ii) to instruct the Head of Roads to proceed with altering the Council's Tourism Signing Policy to remove any anomalies and to update the policy document to allow for the new Council structure and for previous revisions to other relevant documents that were associated with tourist signing; and
- (iii) to instruct the Head of Roads to handle the procurement of tourist signs on behalf of a client should they request this service.

18. COASTAL PROTECTION AND FLOOD PREVENTION "THE FUTURE OF FLOOD RISK MANAGEMENT IN SCOTLAND" - A CONSULTATION BY THE SCOTTISH GOVERNMENT (FLOODING BILL 2008)

With reference to Article 11 of the minute of meeting of this Committee of 2 September 2004, there was submitted [Report No 410/08](#) by the Director of Infrastructure Services updating the Committee on issues regarding the exercise of the Council's discretionary powers for the promotion of Coastal Protection Schemes and Flood Prevention Schemes, together with the current Flood Prevention and Response Strategy, which would be subject to changes under the emerging Flood Bill being proposed for enactment before December 2009 by the Scottish Government. The Report also outlined the proposals for future expenditure related to the management of flooding.

The Report indicated that legislation governing coastal protection and flood prevention was about to change with a target date of December 2009 for the introduction of a new Flooding Bill and this would have implications for the Council's own policies.

The Committee agreed:-

- (i) to note that the Scottish Government had begun the process of transposing the European Council's Directive on the Assessment and Management of Flood Risk into Scots Law and had recently launched a consultation on the proposed new legislation to which officers had prepared a draft response;
- (ii) to approve the draft response to this consultation, as detailed in Appendix A to the Report;
- (iii) to note that the policies for the provision of coastal protection schemes and for flood prevention schemes, together with the response strategy previously agreed by the Council would continue in the interim until the impacts of the new Act were determined; and
- (iv) to establish a multi-departmental working group in order to fully assess the implications of the changes in legislation and to bring forward recommendations for revisions to Council policies for flooding issues to ensure they complied with the emerging legislation.

19. TRAFFIC ORDERS

(a) Angus Council (Variation of Waiting Restrictions) Order 2008

With reference to Article 20 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 425/08](#) by the Director of Corporate Services relating to the making of an Order for the purpose of varying the provisions of current Traffic Orders in respect of waiting restrictions at various locations in Angus. Five letters of objection had been received in so far as the Order related to Hillside, Montrose.

The Committee agreed to make an Order to vary the provisions of Traffic Orders relating to waiting restrictions in Arbroath, Kirriemuir and Monifieth and, having taken account of the views expressed by those objecting to the proposals in respect of the Hillside location, that no variation be made to the waiting restrictions in Hillside, Montrose.

(b) Temporary Traffic Orders

There was submitted [Report No 411/08](#) by the Director of Corporate Services advising that, at the request of the Head of Roads, three temporary traffic orders had been made, as detailed in the Report.

In accordance with the provisions of Standing Order 20(2), Councillor Oswald, seconded by Councillor West, moved, as a procedural motion, that the meeting be adjourned for 20 minutes.

On a vote being taken, the members voted:-

For the adjournment:-

Councillors Ellis, Gaul, Oswald, Palmer and West (5).

Against the adjournment:-

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

(Councillors King and Mackintosh having left the meeting).

The procedural motion failed consequently the meeting continued.

20. ANGUS ECONOMIC DEVELOPMENT STRATEGY

With reference to Article 41 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 412/08](#) by the Director of Infrastructure Services presenting the final draft Angus Economic Development Strategy for approval following a period of consultation and outlining proposals for development of the action plan through the Angus Economic Development Partnership.

The Report indicated that the Economic Development Strategy provided a focus for the combined activity of the partners in the Angus Economic Development Partnership aimed at moving Angus towards sustainable prosperity.

The Committee agreed:-

- (i) to adopt the Angus Economic Develop Strategy "Towards Sustainable Prosperity";
- (ii) to authorise officials to pursue the development of an associated Action Plan through the Angus Economic Development Partnership; and
- (iii) to instruct officials to report back on the action plan to a future meeting of this Committee.

***21. NORTH SEA COMMISSION 17TH GENERAL ASSEMBLY - HERNING, DENMARK, 11-13 JUNE 2008**

There was submitted [Report No 413/08](#) by the Director of Infrastructure Services seeking approval for member and officer representation at the North Sea Commission's General Assembly to be held in Herring, Denmark from 11-13 June 2008.

The Report indicated that the benefit for the Council would be dependent upon the development of contacts and networking at the North Sea Commission's General Assembly culminating in successful applications for funding and an increased role for Angus in the North Sea Commission. Attendance at the North Sea Commission's General Assembly was therefore seen to be important to the Council in terms of building on progress made to date and developing effective transnational links.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) that the Council be represented by the Convener of the Corporate Services Committee as the Council's nominated spokesperson on European Union matters and by the Head of Economic Development, at the North Sea Commission's Annual General Assembly to be held in Herring, Denmark from 11-13 June 2008.

22. INTERNATIONAL POTATO CONFERENCE AND A STUDY OF POTATO PRODUCTION IN ANGUS

There was submitted [Report No 414/08](#) by the Director of Infrastructure Services seeking approval to sponsor the 'Improving International Potato Production' Conference and to commission a study looking into potato production in Angus and the distribution of the crop.

The Report indicated that the growing of potatoes remained important to Angus farmers and the local economy and the proposed study would help to better understand the value of this crop and where value could be added. Sponsorship of the 'International Potato Production' Conference would help to promote Angus as a potato growing area as well as highlighting the area at a conference of international importance.

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MILLAR, MOVED THAT THE COMMITTEE:-

- (I) AGREE TO SPONSOR THE 'IMPROVING INTERNATIONAL POTATO PRODUCTION' CONFERENCE TO BE HELD ON FRIDAY 8 AUGUST 2008 TO THE VALUE OF £5,000; AND
- (II) TO TAKE NO ACTION IN RELATION TO RECOMMENDATION (2) IN THE REPORT.

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

- (i) agree to sponsor the 'Improving International Potato Production' Conference to be held on Friday 8 August 2008 to the value of £2,000; and
- (ii) to take no action in relation to recommendation (2) in the Report.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Fairweather, Millar, Murphy, Myles, Salmond and Whyte (7).

For the amendment:-

Councillors Oswald, Palmer, Spink and West (4).

No Vote:-

Councillors Ellis and Gaul (2).

(Councillors King and Mackintosh having left the meeting).

The motion was declared carried and became the substantive motion.

Thereafter, Councillor Gaul, seconded by Councillor Ellis, moved as a further amendment, that the Committee agree recommendations 1 and 2, as detailed in the Report.

On a vote being taken, the members voted:-

For the substantive motion:-

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

For the further amendment:-

Councillors Ellis, Gaul and West (3).

No vote:-

Councillors Oswald and Palmer (2).

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

23. SCOTTISH RURAL DEVELOPMENT PROGRAMME AND LEADER 2007-2013

With reference to Article 19 of the minute of meeting of this Committee of 16 October 2007, there was submitted [Report No 415/08](#) by the Director of Infrastructure Services advising members of the approval of the Scottish Rural Development Programme 2007-2013 and the Rural Tayside LEADER Action Group and seeking approval for the Council to assume the lead partner role for the implementation of LEADER in Tayside.

The Report indicated that the Council was well placed to assume the lead role for the LEADER Local Action Group in Rural Tayside and this would complement their involvement in the Tayside Regional Programme Assessment Committee in terms of identifying supporting projects to contribute to rural development Angus and setting regional priorities.

The Committee agreed:-

- (i) to note the approval of the Scottish Rural Development Programme and LEADER in Tayside;
- (ii) to approve the Council assuming the lead partner role for the implementation of LEADER in Rural Tayside;
- (iii) to approve an increased contribution to the running of the LEADER Programme of £12,500 in 2008 and £10,000 annually from 2009-2013; and
- (iv) to approve the establishment of two full-time posts within the Economic Development Division for a fixed term of five years to administer the LEADER Programme, to be funded from the programme's administration costs budget and contributions from Angus Council and Perth and Kinross Council.

24. EUROPEAN REGIONAL DEVELOPMENT FUND APPLICATION FOR A RURAL TOURISM PROJECT

There was submitted [Report No 416/08](#) by the Director of Infrastructure Services seeking approval for the Council's participation in an ERDF application for a rural tourism project. The Committee agreed to refer consideration of this matter to the meeting of the Strategic Policy Committee on 6 May 2008.

25. LEASE OF 61 MARKETGATE, ARBROATH

With reference to Article 34 of the minute of meeting of this Committee of 28 August 2007, there was submitted [Report No 417/08](#) by the Director of Infrastructure Services advising the Committee of the lease agreements reached with Careers Scotland for continued occupation of 75% of the floor area of 61 Marketgate, Arbroath and seeking approval for the proposed use of the remaining 25% to provide a shared occupancy facility for organisations working together on the employability agenda.

The Report indicated that retaining 25% of the office space at 61 Marketgate, Arbroath presented the opportunity to utilise the accommodation as a one-stop shop for delivery of employability services from various agencies from an ideal location being located in the heart of Arbroath close to the areas of greatest identified need. Overall, the proposals would provide a cost-effective solution for the Council and would minimise the Council's risk in respect of the future rental for 61 Marketgate, Arbroath.

The Committee agreed:-

- (i) to note the conclusion of lease terms with Careers Scotland for the lease of 75% of the floor area of 61 Marketgate, Arbroath as detailed in the Report;
- (ii) to utilise the remaining 25% of the floor space for the Working for Families Team during 2008/2009; and
- (iii) to authorise the Head of Economic Development, together with the Community Planning Manager, to investigate the use of this office space for shared occupancy by officers from various agencies working together on the new employability agenda and to report back on the findings as part of the review into the allocation of the Fairer Scotland Fund.

26. PIGEONS REPORT

With reference to Article 4 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 418/08](#) by the Director of Infrastructure Services advising the Committee on issues related to feral pigeon nuisance.

The Report indicated that a number of complaints had been received in previous years regarding pigeon nuisance associated with two tunnels beneath railway bridges in Monifieth and a survey of all railway tunnels/underpasses in Angus had been carried out by Environmental Health staff to ascertain the extent of the problem with regard to the numbers of pigeons and the level of associated mess. No tunnel/underpass other than two in Monifieth had a pigeon problem although there was evidence that some frequented a tunnel at St Vigeans without causing nuisance conditions.

The Committee agreed:-

- (i) to authorise the removal of pigeons and carrying out of proofing measures at two railway underpasses in Monifieth, subject to agreement with the rail authorities;
- (ii) to note the outcome of the survey of railway underpasses throughout Angus, carried out by Environmental Health staff; and
- (iii) to note the legal position regarding responsibility for dealing with feral pigeon nuisance at railway underpasses.

27. RESTENNETH LANDFILL SITE - LEACHATE TREATMENT AREA

With reference to Article 3 of the minute of meeting of the Executive Sub-Committee of this Committee of 20 December 2007, there was submitted [Report No 420/08](#) by the Director of Infrastructure Services seeking Committee approval for exemption from contract arrangements contained within the Council's Financial Regulations.

The Committee agreed:-

- (i) to note the award of the contract for provision of a heat exchanger to connect to the existing gas engines at Restenneth Landfill Site to Moulding Contracts Limited and to award the contract for the connection to the existing gas engines at Restenneth Landfill Site to Natural Power;
- (ii) to approve the capital funding for the provision of the heat exchanger and installation to be met from the Infrastructure Services Financial Plan allocation for Restenneth Landfill Site 2008/2009 at a total cost of £46,975; and
- (iii) to approve that the project be exempt from the tendering process in accordance with Financial Regulation 16.3.2(b) by virtue of the fact that the services required were of a specialist nature, such that the requirements of Regulation 16.5(2) could not be met.

28. IMPLEMENTATION OF WASTE STRATEGY PRIORITIES IN 2008-2009

There was submitted [Report No 421/08](#) by the Director of Infrastructure Services bringing forward proposals for implementing a waste strategy in the year 2008/2009 and the utilisation of funding provided in that regard within the Government's financial settlement.

The Committee agreed:-

- (i) to note the contents of the Report and the implications of new national targets in recycling and composting;
- (ii) to implement measures within the financial year 2008/2009 as identified in paragraphs 3.3, 3.4 and 3.5 of the Report that would improve the recycling and recovery at the Council's recycling units by increasing staffing levels as appropriate, deal with the separation and recycling of inert materials at recycling centres and continue to improve the composting capacity and efficiency at Restenneth;
- (iii) to fund these new measures at a total estimated cost of £915,863 to be met from the £903,000 additional funding for the strategy allocated in the departmental budget for 2008/2009 with the balance of £12,863 to be funded from the Strategic Waste Fund capital grant provision 2008/2009; and
- (iv) that the projects, where necessary, be subject to a competitive tendering process in accordance with the Council's Financial Regulations.

29. REMOVAL OF EXEMPTION TO LICENCE SEASONAL WORKERS' CARAVAN SITES

With reference to Article 22 of the minute of meeting of this Committee of 16 October 2007, there was submitted [Report No 422/08](#) by the Director of Infrastructure Services advising the Committee on the outcome of an application to the Scottish Government to remove the licensing exemption on seasonal workers' caravan sites.

The Report indicated that the appropriate Scottish Minister was satisfied by the evidence provided by the Council and had agreed that there was valid reason to remove the exemptions on licensing for caravan sites hosting seasonal migrant agricultural workers in Angus.

The Committee agreed:-

- (i) to note that the Scottish Government Minister for Communities and Sport had agreed to remove the exemption on licensing for caravan sites used for seasonal agricultural workers in Angus; and
- (ii) to instruct the Head of Law and Administration to undertake the necessary arrangements for the preparation and publishing of formal 'notice' of the Minister's 'Order' removing the exemption.

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

31. PEST CONTROL CONTRACT - TENDER REPORT

With reference to Article 25 of the minute of meeting of this Committee of 22 January 2008, there was submitted [Report No 423/08](#) by the Director of Infrastructure Services advising on the outcome of the tendering process for the issuing of a new contract for pest control services and seeking the Committee's approval for the acceptance of the recommended tender.

The Committee agreed:-

- (i) to note the tenders received in respect of pest control services for the treatments relative to domestic properties and rats/mice surveys at 12 listed sites;
- (ii) to accept the tender received from Graham Environmental Services Ltd to provide the pest control service, as detailed in the tender documents, for a period of three years from 6 May 2008 to 5 May 2011; and
- (iii) to authorise the Head of Environmental and Consumer Protection to extend the contract with Graham Environmental Services Ltd for a further two years from 6 May 2011 to 5 May 2013, subject to a satisfactory performance having been determined during the initial three year period and the price continuing to provide value for money.