

## ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 25 November 2008 at 4.00 pm.

**Present:** Councillors DAVID MAY, DAVID FAIRWEATHER, IAIN GAUL, ALEX KING, IAN MACKINTOSH, JIM MILLAR, PETER MURPHY, ROB MURRAY, 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 Frank Ellis with Councillor Rob Murray substituting.

### 2. DECLARATIONS OF INTEREST

In relation to item 15, a number of members intimated that they had received correspondence and a brochure from Scotia Homes, but all indicated that they intended to take part in any discussion and voting on the matter.

Councillor Whyte declared an interest in item 18 as one of the Council's representatives on the Tayside and Central Scotland Transport Partnership (TACTRAN). He indicated that he enjoyed the benefit of the general dispensation issued by the Standards Commission in relation to Council appointments to outside bodies and that he would therefore participate in any discussion and voting.

Councillor Myles declared an interest in items 8 and 9 as the Chairman of the Brechin Townscape Heritage Initiative Project Support Group. He indicated that he would be taking part in discussion and voting. Councillor Myles also declared a financial interest in item 35 as the recipient of a Less Favoured Area Support Scheme Payment. He indicated that he would not be taking part in any discussion or voting on the matter.

Councillor Mackintosh declared an interest in item 32 as the Council's nominated representative on the Cairngorms National Park Board. He indicated that he enjoyed the benefit of the general dispensation issued by the Standards Commission in relation to Council appointments to outside bodies and that he would therefore participate in any discussion and voting. Councillor Mackintosh also declared a financial interest in item 35 as a farmer who benefited from the Less Favoured Area Support Scheme. He indicated that he would not be taking part in any discussion or voting on the matter.

### 3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 14 October 2008](#) was approved as a correct record and signed by the Convener.

### 4. 2008/2012 FINANCIAL PLAN AND 2009/2010 CAPITAL BUDGET

With reference to Article 20 of the minute of meeting of the Corporate Services Committee of 12 June 2008, there was submitted [Report No 1109/08](#) by the Director of Corporate Services advising the Committee of the latest position with regard to the preparation of the 2008/2012 Financial Plan, incorporating the 2009/2010 Capital Budget, for the Infrastructure Services Department.

Appended to the Report was the Infrastructure Services Departmental Financial Plan submission for 2008/2012 as returned to the Head of Finance and subsequently reviewed by the Capital Budget Sub-Group.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report at this stage in the Financial Plan process; and
- (ii) to note that more detailed Reports with specific recommendations would be brought forward later in the Financial Plan cycle.

#### **5. 2009/2010 REVENUE BUDGET**

With reference to Article 19 of the minute of meeting of the Corporate Services Committee of 12 June 2008, there was submitted [Report No 1114/08](#) by the Director of Corporate Services advising the Committee of the latest position with regard to the preparation of the Infrastructure Services Department's 2009/2010 Revenue Budget and associated issues.

Appended to the Report was a summary of the Departmental Provisional Base Budget for 2009/2010 as submitted to, and subsequently reviewed by, the Head of Finance.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report at this stage in the Budget process; and
- (ii) to note that more detailed Reports, with specific recommendations, would be brought forward later in the Revenue Budget cycle.

#### **6. INFRASTRUCTURE SERVICES DEPARTMENT SERVICE PLAN 2008/2009 - PROGRESS REPORT**

With reference to Article 5 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 1124/08](#) by the Director of Infrastructure Services advising members of progress being made by the Infrastructure Services Department in implementing the actions set out in the Department's Service Plan.

The Report indicated that scrutiny by elected members of progress made in delivering Service Plan Actions was a vital component of the effective performance management arrangements. Accordingly, the Monitoring Group, at its meeting on 20 May 2008, had agreed that mid-year performance reports on progress against actions in Departments' Service Plans should be submitted to the November/December Committee cycle. Attached to the Report was the mid-year Report for the Infrastructure Services Department setting out the performance status as at four weeks prior to the date of the Committee which had been produced from Excelsis, the Council's Performance Management System.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the progress being made in delivering the actions in the Infrastructure Services Department Service Plan 2008/2009.

#### **7. INTERIM MANAGEMENT ARRANGEMENTS FOR THE ENVIRONMENTAL AND CONSUMER PROTECTION DIVISION**

There was submitted [Report No 1171/08](#) by the Director of Infrastructure Services detailing a proposal to continue the current temporary management arrangements within the Environmental and Consumer Protection Division.

The Report indicated that temporary management arrangements had been in operation within the Division since the retirement of the Head of Service in late 2007, pending the outcome of a wide ranging review of waste management. The review was complex in nature and had been broken down into two separate but intrinsically linked phases. Phase 1 outcomes were currently the subject of officer consultation and the Phase 2 outcomes were expected to be completed in the first half of 2009.

The Committee agreed to continue the current interim management arrangements in the Environmental and Consumer Protection Division for a period of up to 12 months.

#### **8. CITY OF BRECHIN TOWNSCAPE HERITAGE INITIATIVE - UPDATE**

With reference to Article 24 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 1140/08](#) by the Director of Infrastructure Services updating the Committee on the progress of the City of Brechin Townscape Heritage Initiative (THI).

The Report indicated that work had started on the Town House Museum extension and a number of enquiries had been received which should result in the submission of grant applications. Further, one of the key buildings that the THI was aiming to upgrade, 29-33 High Street, might soon be the subject of a grant application.

The Committee agreed to note the contents of the second Report on the progress of the City of Brechin Townscape Heritage Initiative.

#### **9. AMENITY NOTICE - 83-87 HIGH STREET, BRECHIN**

There was submitted [Report No 1141/08](#) by the Director of Infrastructure Services seeking Committee approval to proceed to serve an Amenity Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 on the owners of 83-87 High Street, Brechin.

The Report indicated that 83-87 High Street was a Category C listed building situated in the lower part of the Brechin Conservation Area. The building had been empty for several years, although work had started some years ago to implement a planning permission and listed building consent for conversion to residential use. However, the parts of the permissions that had been implemented mainly involved the insertion of new floor joists.

The on-going City of Brechin Townscape Heritage Initiative was aimed at regenerating the centre of Brechin by targeting funding on a number of priority projects. The property at 83-87 High Street, whilst not within the core area, was nevertheless a blight on the centre of Brechin and accordingly it was important this blight be removed as its removal was a condition of the grant from the Heritage Lottery Fund.

The Committee agreed to remit to the Head of Planning and Transport, in consultation with the Head of Law and Administration, to serve an Amenity Notice, under Section 179 of the Town and Country Planning (Scotland) Act 1997, on the owners of 83-87 High Street, Brechin.

#### **10. FINALISED ANGUS LOCAL PLAN REVIEW - NOTICE OF INTENTION TO ADOPT THE PLAN**

With reference to Article 17 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 1142/08](#) by the Director of Infrastructure Services advising the Committee that no objections had been received to the publication of post second inquiry modifications and, consequently, the Council could move forward to the Notification to Adopt stage.

The Committee agreed:-

- (i) to note that no objections had been received to the post second inquiry modifications within the prescribed period;
- (ii) to note that Scottish Natural Heritage had agreed the content and conclusions of the Appropriate Assessment of the Finalised Angus Local Plan Review; and
- (iii) to authorise the Head of Planning and Transport to implement the necessary steps to advertise the Council's intention to adopt the Angus Local Plan Review, as modified.

## 11. LOCAL BUS SERVICE CONTRACTS - REVIEW OF CONTRACT PRICES

With reference to Article 20 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 1143/08](#) by the Director of Infrastructure Services advising the Committee of the fuel related inflationary increase applied from 1 October 2008 to local bus service contracts.

The Committee agreed to note the inflationary increase applied to local bus service contracts from 1 October 2008 of 1.66%.

## 12. PUBLIC TRANSPORT UPDATE

With reference to Article 14 of the minute of meeting of this Committee of 14 October 2008, there was submitted [Report No 1144/08](#) by the Director of Infrastructure Services advising the Committee of further changes to Stagecoach Strathtay's local bus services in the Montrose/Brechin areas following service revisions introduced on 18 August 2008 and detailing the local bus service arrangements over the Christmas and New Year holiday period. The Report also sought approval for the procurement of additional real time information equipment and bus infrastructure improvements in Angus on the A90 between Forfar and Dundee.

The Report indicated that, following adverse public reaction to their local bus service revisions made in the Montrose/Brechin areas on 18 August 2008, Stagecoach Strathtay had reviewed their operations and the decision by Stagecoach Strathtay to reinstate bus services and revert to former routes in the Montrose/Brechin areas was to be welcomed.

The Committee agreed:-

- (i) to note the further local bus service revisions being implemented by Stagecoach Strathtay in the Montrose/Brechin areas from 24 November 2008;
- (ii) that additional real time information equipment be procured under the negotiated procedure, as detailed in the Report; and
- (iii) that BEAR Scotland Ltd undertake, on behalf of the Council, bus infrastructure improvements in Angus on the A90 between Forfar and Dundee.

## 13. CONSULTATION ON PROPOSED CATEGORIES FOR MINOR MODIFICATIONS UNDER THE RAILWAYS ACT 2005

There was submitted [Report No 1145/08](#) by the Director of Infrastructure Services detailing on-going consultation by Transport Scotland on a proposal to allow Scottish Ministers, where there was a limited effect on the provision of railway passenger services, to treat such closure as Minor Modifications. This would apply two categories of closure which were currently required to follow the full closure process, namely, station relocation and the reduction of a multiple track railway that ran through a station to a minimum of a single track.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the response to the Consultation Document, as detailed in the Appendix to the Report, for submission to Transport Scotland.

## 14. ABERDEEN CITY AND SHIRE DRAFT STRUCTURE PLAN FOLLOW UP REPORT: IMPLICATIONS FOR INFRASTRUCTURE AND SERVICES IN NORTH ANGUS

With reference to Article 23 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 1146/08](#) by the Director of Infrastructure Services advising the Committee on the possible implications for services and infrastructure in North Angus arising from the Development Strategy proposed for the Laurencekirk area of South Aberdeenshire.

The Report indicated that the existing Angus Local Plan Review provided a framework for stimulating investment by encouraging economic development and increasing opportunities for housing development on a range of sites in the North Angus area. Structure Plan strategy would take a long view of the future of an area and would indicate the broad scale and location of development to achieve implementation of that strategy. There would be a range of impacts in North Angus stemming from the implementation of the Aberdeen City and Shire draft Structure Plan strategy, most of which would be expected to be positive and/or neutral as far as Angus was concerned. The one area where there was likely to be the most direct impact was housing, where the dynamics of the current Brechin and Montrose housing market area might be affected to a greater or lesser extent.

The scale of the impact would be dependent on demographic, social, economic, transportation and housing market influences. It would also be affected by the future vision and development strategy brought forward by the new Dundee, Perth, Angus and North Fife Strategic Development Plan and also a future Local Development Plan for Angus, and both would require to take account of the cross-boundary strategy of Aberdeen City and Shire. As the Development Plan and housing market needs and demand assessment processes, on either side of the North Angus Administrative Boundary, moved forward, the various matters highlighted would continue to be monitored.

Having heard from a number of members in relation to the importance of including houses for rent as part of the provision of affordable housing, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) that this matter be kept under review.

#### **15. DRAFT DEVELOPMENT BRIEF - DUBTON FARM, BRECHIN**

With reference to Article 2 of the minute of the special meeting of Angus Council of 16 November 2006, there was submitted [Report No 1147/08](#) by the Director of Infrastructure Services detailing, for consultation purposes, the draft planning requirements that would guide the development of the site B1: Housing - Dubton Farm, which was allocated in the Angus Local Plan Review, as modified, for residential development.

The Report indicated that the preparation of a development brief for Dubton Farm, Brechin would assist in the implementation of the Angus Local Plan Review proposal and would also guide developers towards a successful planning submission. Circulation of the draft brief would enable community involvement in the process and would seek endorsement of the planning principles and site specific requirements and, once finalised, the development brief would be a material consideration in the determination of planning applications for the site.

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

- (i) to approve the draft development brief, as detailed in Appendix 1 to the Report, as the basis for consultation, subject to minor amendments; and
- (ii) to note that a further Report, detailing consultation responses, together with a finalised brief, would be submitted for approval to a subsequent meeting of this Committee.

#### **16. ELECTRICITY COSTS ASSOCIATED WITH STREET LIGHTING ETC 2008/09**

With reference to Article 22 of the minute of meeting of the Corporate Services Committee of 23 October 2008, there was submitted [Report No 1148/08](#) by the Director of Infrastructure Services advising the Committee of the probable increases in the outturn costs of the electrical energy associated with the road network lighting and illuminated signs for 2008/09 and recommending an approach for meeting the increased cost.

The Report indicated that the 2008/2009 revenue budget for the associated electrical energy purchase was £620,000. However, based on the revised tariffs, the projected full year cost was £925,000 resulting in a budget shortfall of £305,000 in 2008/2009. It was proposed to transfer £305,000 of expenditure from "Capital Funded from Current Revenue" (CFCR) to the

Roads and Transport R&R Fund. The reduction in the CFCR expenditure within the mainstream revenue account from £645,000 to £340,000 would release £305,000 of revenue resources which could then be vired to the Roads Lighting revenue budget to offset the electricity energy overspend.

The Committee agreed:-

- (i) to note the increases in the tariff for the electrical energy associated with the street lighting and associated road network infrastructure in the current financial year 2008/09; and
- (ii) to approve the recommended method of meeting the anticipated outturn cost for the electrical energy in the current financial year 2008/2009.

#### **17. PROPOSED DISPOSAL OF 0.74HA OR THEREBY - LAND AT WESTER DERRY, KILRY**

There was submitted [Report No 1149/08](#) by the Director of Infrastructure Services advising the Committee that the grazing land at Wester Derry, Kilry was surplus to the requirements of the Infrastructure Services Department.

The Report indicated that the site had been acquired in 1928 to provide a Roadman's dwellinghouse. However, the property no longer existed and the site was no longer required for operational purposes by the Infrastructure Services Department.

The Committee agreed:-

- (i) to declare the 0.74ha or thereby of grazing land at Wester Derry, Kilry surplus to the requirements of the Infrastructure Services Department; and
- (ii) to note that that the subsequent checking of alternative Council use and possible sale would be reported to the Council through the Corporate Services Committee.

#### **18. TACTRAN - REGIONAL TRANSPORT STRATEGY AND DRAFT DELIVERY PLAN**

With reference to Article 13 of the minute of meeting of this Committee of 8 March 2007, there was submitted [Report No 1150/08](#) by the Director of Infrastructure Services advising the Committee that the draft Regional Transport Strategy Delivery Plan and Investment Plan issued by the Tayside and Central Scotland Transport Partnership (TACTRAN) had been published for consultation. Appended to the Report were copies of the amended draft Delivery Plan and the draft Investment Plan.

The Report indicated that the draft Delivery Plan had been amended from the original document. The amended Plan required funding of £211 million over the 15 year life of the Regional Transport Strategy, with approximately £10.5 million required in the first three years. In 2007, the capital funding previously allocated to the Regional Transport Partnership had been reallocated to the partner Councils and the total funding allocated collectively to the Councils for the next three years was £10.221 million. In light of this, an Investment Plan had been drafted which covered the first 10-15 years of the Regional Transport Strategy and which achieved a profile based on this anticipated available funding.

The Committee agreed:-

- (i) to note the draft Delivery Plan and Investment Plan prepared by TACTRAN; and
- (ii) to defer consideration of the detail within these Plans until the budget setting process could consider the proposed priorities for the funding.

#### **19. TRAFFIC REGULATION ORDERS - REMOVAL OF TRAFFIC RESTRICTIONS ADJACENT TO FORMER SCHOOL SITES**

With reference to Article 16 of the minute of meeting of this Committee of 4 March 2008, there was submitted [Report No 1151/08](#) by the Director of Infrastructure Services advising the

Committee of the making of two Traffic Orders relating to removal of traffic restrictions in roads adjacent to schools which had been closed or were due to close.

The Report indicated that as various schools in the Carnoustie and Forfar areas were closing, or about to close, the part time 20mph speed limits and/or 'School Keep Clear' markings were no longer necessary at these locations.

The Committee agreed:-

- (i) to note the making of the Angus Council (Various Roads adjacent to Schools) (20mph Variable Speed Limits) (Variation) Order 2008; and
- (ii) to note the making of the Angus Council (School Keep Clear Areas) (Variation) Order 2008.

**20. PROPOSED JUNCTION IMPROVEMENTS, A933 FORFAR ROAD/CAIRNIE ROAD/KEPTIE ROAD, ARBROATH**

There was submitted [Report No 1152/08](#) by the Director of Infrastructure Services outlining the findings of detailed investigations carried out to consider appropriate options to improve the A933 Forfar Road/Keptie Road/Cairnie Road junction in Arbroath.

The Report indicated that recent studies had shown that the A933 Forfar Road/Keptie Road/Cairnie Road priority controlled junction in Arbroath currently operated beyond practical capacity levels during the weekday evening peak period. Detailed investigations had shown that the most cost effective long term option was to implement traffic signal control at the junction which would also provide the greater benefit for pedestrians and cyclists.

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

- (I) TO NOTE THAT THE EXISTING A933 FORFAR ROAD/KEPTIE ROAD/CAIRNIE ROAD PRIORITY CONTROLLED JUNCTION CURRENTLY OPERATED BEYOND CAPACITY DURING THE WEEKDAY EVENING PEAK PERIOD;
- (II) TO NOTE THE FINDINGS OF THE DETAILED INVESTIGATIONS UNDERTAKEN TO DETERMINE THE MOST APPROPRIATE OPTION TO IMPROVE THE TRAFFIC FLOW AND THE ACCIDENT RECORD AT THE JUNCTION;
- (III) NOT TO PROCEED AT THIS STAGE WITH ANY ONE PARTICULAR OPTION; AND
- (IV) TO INSTRUCT THE DIRECTOR OF INFRASTRUCTURE SERVICES TO BRING BACK A FURTHER REPORT TO A MEETING OF THIS COMMITTEE ON PROPOSALS FOR PUBLIC CONSULTATION BASED ON THE OPTIONS OF A MINI ROUNDABOUT AND TRAFFIC SIGNALS (AS DETAILED IN THE REPORT) TO INCLUDE HOW THE COSTS OF SUCH A CONSULTATION EXERCISE COULD BE FUNDED.

Councillor Spink, seconded by Councillor King, moved as an amendment, that the Committee agrees:-

- (i) to note that the existing A933 Forfar Road/Cairnie Road/Keptie Road priority controlled junction currently operated beyond capacity during the weekday evening peak period;
- (ii) to note the findings of the detailed investigations undertaken to determine the most appropriate option to improve the traffic flow and the accident record at the junction;
- (iii) to agree that the preferred option was to implement traffic signal control at the junction; and
- (iv) to approve the recommended works, at a cost of £60,000, be funded from Traffic Calming/Road Safety capital budget for 2009/10.

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

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

**21. FLOOD RISK MANAGEMENT (SCOTLAND) BILL - FINANCIAL MEMORANDUM: A CONSULTATION BY THE SCOTTISH PARLIAMENT FINANCE COMMITTEE**

There was submitted [Report No 1153/08](#) by the Director of Infrastructure Services seeking homologation of the Director of Infrastructure Services' draft response to the Scottish Parliament's Finance Committee's consultation on the Financial Memorandum produced to accompany the Flood Risk Management (Scotland) Bill.

The Report indicated that legislation governing flood protection was about to change with a target date of 2010 for the introduction of a new Flooding Bill and this would have significant additional cost implications for the Council as a flood protection authority. A copy of the draft response to the Scottish Parliament's Finance Committee's Consultation on the Financial Memorandum produced to accompany the Flood Risk Management (Scotland) Bill was detailed in Appendix A to the Report.

The Committee agreed:-

- (i) to note that the Scottish Government had published the Flood Risk Management (Scotland) Bill following amendments to the draft Bill;
- (ii) to homologate the Director of Infrastructure Services' draft response to the Scottish Parliament's Finance Committee's consultation on the Financial Memorandum produced to accompany the Flood Risk Management (Scotland) Bill on behalf of the Council, having noted that the Council had been asked on 9 October 2008 to respond to the consultation by 3 November 2008; and
- (iii) to instruct the Director of Infrastructure Services to write to the Scottish Parliament's Finance Committee expressing concerns regarding the cost implications of the new Flooding Bill to the Council.

**22. NEW HOUSING DEVELOPMENT AT BRECHIN ROAD, MONTROSE – NEW STREET NAME**

With reference to Article 22 of the minute of meeting of this Committee of 14 October 2008, there was submitted [Report No 1154/08](#) by the Director of Infrastructure Services on a new street name for a housing development at Brechin Road, Montrose.

The Report indicated that two suggestions had been put forward by the local members, namely, "Basin View Crescent" and "Stevens Way".

Having heard that Mr Stevens had requested that his name be withdrawn as a possible suggestion, the Committee agreed that the new street name for the housing development at Brechin Road, Montrose be "Basin View Crescent".

**23. TEMPORARY TRAFFIC ORDERS**

There was submitted and noted [Report No 1155/08](#) by the Director of Corporate Services advising that, at the request of the Head of Roads, seventeen Temporary Traffic Orders had been made, as detailed in the Report.

## 24. 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 1156/08](#) by the Director of Infrastructure Services updating the Committee on the progress and cost of providing a leachate treatment system at the Council's landfill site and seeking approval for exemption from contract arrangements contained within the Council's Financial Regulations.

The Report indicated that the overall project cost at inception of the scheme had been £615,000 and, of this, £60,000 had been included for the works required to allow connection to the sewer network. However, Scottish Water had advised that the cost of the works required to the sewer network was £186,000, an increase of £126,000. The total cost of the leachate treatment scheme, mainly because of the increased cost of the Scottish Water elements, had now increased to £839,000, resulting in an anticipated overspend of £224,000.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the measures proposed at Section 5.2 of the Report, which set out how the Financial Plan should be adjusted to deal with the projected overspend;
- (iii) to authorise Scottish Water to appoint a contractor, in accordance with their procurement protocol, to carry out the works as outlined in the Report, for adapting the public sewer network to enable the Council to discharge treated leachate from the Council's landfill site at Restenneth, at a total cost of £186,000;
- (iv) to approve that the capital funding to meet the costs involved in the connection to the public sewerage system, and the cost of the provision of essential modification to the network including interceptor tanks required by Scottish Water, be met from the Infrastructure Services Environmental and Consumer Protection Financial Plan 2008/2009, at a total cost of £186,000; and
- (v) to approve that the project be exempt from the tendering process in accordance with Financial Regulations 16.22.4b(ii), by virtue of the fact that the services were of a specialist nature as required by Scottish Water, a statutory body, and that the requirements of Regulation 16.6(2) could not be met.

## 25. SERVICE LEVEL AGREEMENT - HELP FOR ABANDONED ANIMALS

With reference to Article 46 of the minute of meeting of this Committee of 28 August 2007, there was submitted [Report No 1157/08](#) by the Director of Infrastructure Services providing information on the operational performance in relation to a Service Level Agreement between the Council and Help for Abandoned Animals.

The Report indicated that a Service Level Agreement existed between the Council and Help for Abandoned Animals for a three year period from September 2007 until August 2010 for the purpose of re-homing straying or abandoned dogs caught by the Council's Dog Warden Service and not claimed by the owners. A review of the service delivery in relation to Schedule A of the Service Level Agreement was appended to the Report.

The Committee agreed:-

- (i) to note the successful progress on re-homing stray and abandoned dogs as specified in the Service Level Agreement with Help for Abandoned Animals; and
- (ii) to instruct the Head of Environmental and Consumer Protection to monitor compliance with the terms of the Agreement.

## 26. AUTOMATIC PUBLIC CONVENIENCE (APC) CARNOUSTIE

There was submitted [Report No 1158/08](#) by the Director of Infrastructure Services detailing options for the future of the Carnoustie APC at contract end.

The Report indicated that the unit in Carnoustie had been provided in the absence of a traditional build attended toilet, for which it had long been the intention of the Council to establish, when a suitable site could be found. At this stage, no suitable site was available for the construction of an attended public toilet in Carnoustie and the removal of the APC unit, following termination of the contract in November, would leave the town without a high amenity toilet facility.

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

- (i) not to extend the contract for the APC at Carnoustie when it terminated in November;
- (ii) to accept an agreement with the company leasing the three APC's in Angus to substitute the lease of the Montrose APC, which had a five year period yet to run, in favour of retaining the APC at Carnoustie; and
- (iii) to remove the APC at Montrose.

## **27. AUTHORISATION FOR ENFORCEMENT OF TRADING STANDARDS PROVISIONS IN THE HOUSING (SCOTLAND) ACT 2006**

There was submitted [Report No 1159/08](#) by the Director of Infrastructure Services seeking authority for the enforcement of new trading standards provisions in the Housing (Scotland) Act 2006.

The Committee agreed to grant authority to all Trading Standards Officers, Senior Enforcement Officers, Trading Standards Advisers, Trading Standards Technicians and Consumer Adviser within the Environmental and Consumer Protection Division to enforce Part 3 of the Housing (Scotland) Act 2006.

## **28. FEED, FOOD AND SAFETY SERVICES PLAN 2008-2009**

With reference to Article 6 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 1160/08](#) by the Director of Infrastructure Services advising the Committee that the Council was required, on an annual basis, to devise and implement a plan for the enforcement of legislation regarding the Services associated with Feeding Stuffs, Food and Health and Safety.

The Report indicated that, in accordance with the requirements of the Food Standards Agency and the Health and Safety Executive, the following elements of the service provision were contained in the Plan:-

- A description of the duties relating to the various areas of enforcement carried out by the staff of the Environmental and Consumer Protection Division;
- A brief description of the Council's Committee Structure;
- A description of the Division's Management Structure designed to deliver the Plan; and
- The resources available to deliver the work defined within the Plan.

The Committee agreed to adopt the Feed, Food and Safety Services Plan 2008-2009, as detailed in the Report.

## **29. COMMERCIAL WASTES - REVIEW OF CHARGES**

With reference to Article 21 of the minute of meeting of this Committee of 16 October 2007, there was submitted [Report No 1161/08](#) by the Director of Infrastructure Services proposing adjustment of the charges for collecting and disposal by the Council of commercial and industrial waste, proposing increases in the charges for waste glass collection and animal by-product collection and disposal.

The Report indicated that the proposed charges would operate from 1 April 2009 and the new charges reflected the full costs to the Council in collecting trade wastes and, as appropriate, the cost of disposal.

The Committee agreed:-

- (i) to approve the undernoted reviewed charges being applied from 1 April 2009 for commercial and industrial wastes uplifted and disposed of by the Council;

	£	
<b>Two wheeled 240 lt bin</b>	2.38 (plus VAT) per lift	
<b>Two wheeled 360 lt bin</b>	3.56 " "	
<b>Four wheeled 660 lt bin</b>	6.54 " "	
<b>Four wheeled 1100 lt container</b>	10.91 " "	
<b>Four wheeled 1280 lt container</b>	12.69 " "	
<b>Sack</b>	1.31 " "	

- (ii) to approve the undernoted charge for commercial premises which, in terms of the charging regulation, might only be charged for collection;

	£	
<b>Two wheeled 240 lt bin</b>	1.43 (plus VAT) per lift	
<b>Four wheeled 1100 lt container</b>	6.55 " "	
<b>Four wheeled 1280 lt container</b>	7.62 " "	
<b>Sack</b>	0.95 " "	

- (iii) that the commercial charge exempt groups, including registered charities, voluntary and youth groups, should continue to have a single bin/container uplift at no charge, in accordance with the arrangements detailed in paragraph 4 of the Report, with additional bin/containers being charged at the appropriate commercial collection rate; and

- (iv) to apply the undernoted charge, with effect from 1 April 2009, in respect of glass bottle collections from commercial services, pubs, hotels, catering etc.

	£	
<b>Two wheeled 240 lt bin</b>	22.00 (plus VAT) per bin year	

### 30. ANIMAL BY-PRODUCTS

With reference to Article 18 of the minute of meeting of the Neighbourhood Services Committee of 20 November 2008, there was submitted [Report No 1093/08](#) by the Director of Neighbourhood Services advising the Committee of his decision to utilise a specialist contractor to satisfy relevant legislative requirements in respect of a waste collection and disposal contract for animal by-products and seeking homologation of that decision. Approval was also sought for the Director's request for an exemption, in accordance with the Council's Financial Regulations, to allow the utilisation of the specialist contractor to continue until the end of the current financial year.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to homologate the decision by the Director of Neighbourhood Services to utilise Binn Skips to ensure the satisfaction of legislative requirements for the collection and disposal of animal by-products; and
- (iii) to approve the Director's request for an exemption from normal tendering requirements, in accordance with Regulation 16.22.4(b)(ii) of the Council's Financial Regulations, in order to continue to utilise Binn Skips as a specialist contractor for the collection and disposal of animal by-products from butchers' shops in Angus until the expiry of the current contract in this regard.

### 31. TENDER FOR SLAB WORK TO CREATE A RECEPTION AREA FOR IN-BAY COMPOSTING

There was submitted [Report No 1094/08](#) by the Director of Infrastructure Services detailing tenders received for the concrete slab forming in the reception area for the in-bay composting system at the Restenneth landfill site.

The Committee agreed:-

- (i) to note the contents of the Report and the tenders received; and
- (ii) to approve acceptance of the tender received from D Geddes (Contractors) Ltd, for the construction of the concrete slab and works associated with the formation of a materials reception area for the in-bay composting system, in the amount of £210,380.03.

### 32. CAIRNGORMS LEADER PROGRAMME 2007-2013

With reference to Article 19 of the minute of meeting of this Committee of 16 October 2007, there was submitted [Report No 1162/08](#) by the Director of Infrastructure Services providing details of the Cairngorms LEADER Local Action Group.

The Report indicated that the Cairngorms LEADER programme was a competently run grants programme facilitating the funding of many valuable rural projects within the Cairngorms National Park Authority boundary, including Angus. Angus Council was being asked to increase its previously approved contribution from £2,500 per annum to £3,250 per annum for three years due to higher than estimated annual running costs of the Group.

The Committee agreed:-

- (i) to note the positive start made by the Cairngorms Local Action Group towards reaching its grant giving targets; and
- (ii) to approve an increased contribution of £3,250 from the Council to the administration costs of the Cairngorms Local Action Group for each of the next three years.

### 33. WORKING FOR FAMILIES FUND

With reference to Article 14 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 1163/08](#) by the Director of Infrastructure Services informing the Committee of progress made with the Working for Families Initiative.

The Report indicated that the Working for Families Fund had continued to build on its success with a further 159 clients registered against a yearly target figure of 320 during the period 1 April-30 September 2008.

The Committee agreed:-

- (i) to note the contents of the Report and the accompanying progress report, as detailed in Appendix 1 to the Report; and
- (ii) to note the new address for the Working for Families Fund as 61 Marketgate, Arbroath.

### 34. CARNOUSTIE COUNTRY MARKETING

With reference to Article 30 of the minute of meeting of this Committee of 8 June 2006, there was submitted [Report No 1164/08](#) by the Director of Infrastructure Services detailing the progress to date in the Carnoustie Country marketing campaign and requesting approval to appoint a golf marketing contractor to provide specialist support for the period to end March 2012.

The Report indicated that progress on product development of Carnoustie Country had been significant in continuing the growth in golf visitors to Angus and Scotland, and this had been assisted in part by having a specialist golf contractor support on board to assist the Marketing Team in its long term golf marketing and promotional campaigns for Carnoustie Country.

The Committee agreed:-

- (i) to note the progress to date of the Carnoustie Golf Marketing Campaign;
- (ii) to authorise the Head of Economic Development to proceed with a tendering exercise to contract specialist support for Carnoustie Country marketing and to appoint a preferred contractor for the three year period ended 31 March 2012, as detailed in the Report; and
- (iii) to note that, in order to ensure continuity in the context of current staff vacancies within Economic Development (Marketing), the decision had been taken by the Head of Economic Development to retain the existing contractor, pending the conclusion of the ongoing tendering and appointment procedures, as detailed in the Report.

**35. SCOTTISH GOVERNMENT CONSULTATION ON THE LESS FAVOURED AREA SUPPORT SCHEME IN SCOTLAND (2010-2013)**

*Councillors Mackintosh and Myles, having declared an interest at Article 2 above, left the meeting during consideration of this item.*

With reference to Article 9 of the minute of meeting of Angus Council of 29 June 2006, there was submitted [Report No 1165/08](#) by the Director of Infrastructure Services detailing a proposed response to the consultation document issued by the Scottish Government on the Less Favoured Area Support Scheme in Scotland (2010-2013).

The Report indicated that the response to the consultation document demonstrated the Council's support for the Scottish Government in its aim of ensuring that Scottish agriculture in the 21<sup>st</sup> century sustained a dynamic and competitive industry. A review of the interim scheme would assist the Scottish Government to ascertain the long-term viability of Scotland's rural communities by enabling farmers to play their part in achieving the Scottish Government's overarching purpose of sustainable economic growth.

The Committee agreed:-

- (i) to note the Council's draft response to the Scottish Government's request for responses to the consultation document on the Less Favoured Area Support Scheme in Scotland (2010-2013); and
- (ii) to authorise the Head of Economic Development to finalise and submit the response to the Scottish Government, on behalf of the Council.

**36. ANGUS ECONOMIC DEVELOPMENT STRATEGY - ACTION PLAN**

With reference to Article 20 of the minute of meeting of this Committee of 22 April 2008, there was submitted [Report No 1166/08](#) by the Director of Infrastructure Services seeking approval to adopt the Angus Economic Development Partnership (AEDP) Strategy Action Plan for implementation of the Council's contribution.

The Report indicated that the AEDP Action Plan provided a framework for partnership activity geared towards delivery of the key strategic objectives of the Angus Economic Development Strategy 'Towards Sustainable Prosperity'.

The Committee agreed:-

- (i) to note the contents of the Report; and

- (ii) to adopt the Angus Economic Development Strategy Action Plan and to authorise officers to work with the Angus Economic Development Partnership to implement the Plan.

**37. OUTCOMES ARISING FROM ATTENDANCE OF THE NORTH SEA COMMISSION 17<sup>TH</sup> GENERAL ASSEMBLY 11-13 JUNE 2008 AND THE CONFERENCE OF PERIPHERAL MARITIME REGIONS (CPMR) GENERAL ASSEMBLY - 1-3 OCTOBER 2008**

With reference to Article 21 of the minute of meeting of this Committee of 22 April 2008 and Article 13 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 1167/08](#) by the Director of Infrastructure Services detailing the outcomes arising from attendance at the North Sea Commission and CPMR General Assemblies attended by Councillor Mark Salmond and the Head of Economic Development.

The Report indicated that attendance at the General Assemblies identified a number of initiatives and funding streams of potential interest to the Council and the events represented good value for money in terms of the information received, as well as contacts made, within secretariat officials and members from other regions.

The Committee agreed to note the outcomes arising from the attendance at the General Assemblies of the North Sea Commission held in June 2008 and the Conference of Peripheral Maritime Regions held in October 2008.

**38. PLATINUM MEMBERSHIP OF THE DUNDEE AND ANGUS CHAMBER OF COMMERCE**

With reference to Article 15 of the minute of meeting of the Strategic Policy Committee of 5 December 2006, there was submitted [Report No 1168/08](#) by the Director of Infrastructure Services seeking approval to renew the Council's Platinum Membership of the Dundee and Angus Chamber of Commerce for a further two years, at a cost of £10,000.

The Report indicated that it was important that the business community in Angus had a vehicle to enable it to participate in regional and national economic and political debates that affected business sustainability and growth. The new Chamber had made good progress in its first two years and could now be considered to be an effective voice of businesses in this region. This, together with the fact that the activities of the Chamber were complementing the work of the Economic Development Division, created a strong case for the Council to continue with its Platinum Membership of the Chamber for a further two years. This would allow the Chamber to continue its activities, increase its membership and develop additional services, and establish itself as a sustainable important business organisation and, in the process, this should help strengthen the Angus economy.

The Committee agreed:-

- (i) to note the success of the Dundee and Angus Chamber of Commerce since its establishment at the end of 2006;
- (ii) to recognise the importance of a thriving Chamber representing businesses in Angus and Dundee; and
- (iii) to approve the renewal of the Platinum Membership of the Chamber of Commerce for a further two years, at a cost of £10,000.

**39. ATTENDANCE AT OFFSHORE EUROPE 2009 OIL AND GAS EXHIBITION, ABERDEEN: 8-11 SEPTEMBER 2009**

There was submitted [Report No 1169/08](#) by the Director of Infrastructure Services seeking approval to acquire stand space on the Scottish Pavilion at the Offshore Europe 2009 Oil and Gas Exhibition, Aberdeen and seeking company participation at the major event.

The Report indicated that Offshore Europe was recognised as the premier oil and gas exhibition in Europe and a letter requesting expressions of interest in exhibiting had been sent to Angus energy-related companies, which had resulted in two-thirds of stand space being provisionally reserved. The opportunity now existed to build on the success of 2007 and

support participating Angus companies by acquiring stand space in a prestige location offered by Scottish Development International. A presence at this major international oil and gas event would not only assist companies to attend, but would have the added benefit of increasing awareness of Angus and potential inward investment opportunities within the area.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise the Head of Economic Development to participate in the Scottish Pavilion at Offshore Europe 2009 Oil and Gas Exhibition, at an estimated maximum net cost of up to £21,000.00.