

ANGUS COUNCIL

MINUTE of MEETING of the **NEIGHBOURHOOD SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Thursday 17 January 2008 at 4.00 pm.

Present: Councillors JIM MILLAR, COLIN BROWN, ALISON ANDREWS, GLENNIS MIDDLETON, MAIRI EVANS, DAVID FAIRWEATHER, DAVID MAY, RALPH PALMER, DONALD MORRISON, PETER NIELD, MARK SLAMOND, ALEX KING, MARGARET THOMSON, SHEENA WELSH AND PAUL VALENTINE.

Councillor MILLAR, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Frank Ellis, Bill Middleton, Bob Spink and Sandy West with Councillors Glennis Middleton, Ralph Palmer, Alex King and Paul Valentine substituting respectively.

2. DECLARATIONS OF INTEREST

The Committee agreed to note that no declarations of interest were made.

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 22 November 2007](#) was approved as a correct record and signed by the Convener.

(b) Executive Sub-Committee

The [minute of meeting of the Executive Sub-Committee of this Committee of 20 December 2007](#), a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

4. HOUSING CAPITAL AND PLANNED MAINTENANCE PROGRAMME - HRA BLOCK - 2007/2008

With reference to Article 7 of the minute of meeting of this Committee of 22 November 2007, there was submitted [Report No 52/08](#) by the Director of Corporate Services setting out the actual spend on the HRA Capital and Planned Maintenance Programmes for the period to 30 November 2007.

The Report advised that the actual spend achieved to 30 November 2007 on the Housing Capital Programme was £5.368million which equated to 54.5% of the original budget of £9.850million. Using this spend as a base and projecting forward, it was estimated that by the end of the 2007/2008 financial year, a spend level of £9.719million would be achieved. This would be some £0.131million (1.3%) below the original budget. This projection was based on actual spend levels for the first eight months of the financial year and would be subject to review as the year progressed. The current level of estimated spend was consistent with the work programmes devised, and being worked to, by the Property Division to achieve the latest estimated spend on the Capital Programme for the year.

With regard to the 2007/2008 Planned Maintenance Programme, the level of spend on all elements for the period to 30 November 2007 amounted to £1.132million, representing some 56% of the total available budget for the year of £2.005million. The latest estimated spend for the year amounted to £2.327million, some £0.322million above the original budget and reasons for the projected overspend were contained in Table 4 of the Report. It had been intended that the Capital Programme underspend of £0.131million would offset to some extent the Planned Maintenance projected overspend of £0.322million. This would no longer appear to be an option given the impact of the projected capital receipt shortfall. The Planned Maintenance projected overspend would therefore be met from HRA balances as previously approved in principle by this Committee on 22 November 2007 (Report No 1083/07 refers).

The Committee, for its interest, agreed:-

- (i) to note the figures presented for the Housing Capital and Planned Maintenance Programmes for the period to 30 November 2007;
- (ii) to note the capital receipt position for the period to 30 November 2007; and
- (ii) to note the projected year end expenditure and capital receipt outturn position and the proposed funding approach, as detailed in the Report.

5. IMPROVEMENT/REPAIRS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 8 of the minute of meeting of this Committee of 22 November 2007, there was submitted and noted [Report No 53/08](#) by the Director of Infrastructure Services detailing grant applications in respect of improvement, repairs, window and gutter replacement and town centre refurbishments, all of which had been approved under delegated authority for the period of 1 October to 30 November 2007.

6. SERIOUS ARREARS CASES - HOUSING REVENUE ACCOUNT TENANTS

With reference to Article 11 of the minute of meeting of this Committee of 22 November 2007, there was submitted [Report No 54/08](#) by the Director of Neighbourhood Services regarding serious rent arrears cases in respect of seven Council house tenants as detailed in Appendix A of the Report.

The Committee agreed that all the cases detailed in Appendix A be monitored and approval be given to evict if regular payments to reduce the arrears were not received.

7. ANGUS STRATEGIC HOUSING INVESTMENT PLAN 2008

With reference to Article 13 of the minute of meeting of this Committee of 22 November 2007, there was submitted [Report No 55/08](#) by the Director of Neighbourhood Services advising the Committee of the development of a first Strategic Housing Investment Plan for Angus and its submission to Communities Scotland for assessment.

The Report indicated that the Angus Strategic Housing Investment Plan (SHIP) 2008, as submitted to Communities Scotland, showed clearly how the Council's immediate affordable housing investment priorities would be delivered and set out the Council's vision for future affordable housing provision in Angus, a vision which was focused on ensuring provision of high-quality affordable housing in sufficient quantities to enable local needs to be met, including within this, the achievement of the eradication of homelessness by 2012.

The Report concluded that the Angus SHIP 2008 reinforced the Council's commitment to provide high quality affordable housing to meet the needs of the people of Angus, both now and in the future. By agreeing the Report, the Committee would signal their approval for the work to continue to ensure that the Council's commitments in relation to affordable housing were delivered, through the further development of the Angus SHIP, and the development of a 2009 Angus Local Housing Strategy.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the Angus Strategic Housing Investment Plan 2008; and
- (iii) to approve the further development of the Investment Plan and associated procedures during 2008.

8. ANGUS CREDIT UNION

With reference to Article 19 of the minute of meeting of the Housing Committee of 28 September 2006, there was submitted [Report No 57/08](#) by the Director of Neighbourhood Services advising the Committee of the assistance being sought by the Angus Credit Union with regard to cash transactions being processed through the ACCESS Offices.

The Report indicated that, originally, it had been envisaged that the Angus Credit Union would utilise the Council's Securicor Services to ensure the safe removal of cash from Credit Union premises. However, the premises now occupied by the Credit Union no longer made this

option sustainable and they had asked the Council to consider handling their cash transactions through the ACCESS Offices. Agreement had been reached on the basis of cash transactions being made available through the ACCESS Offices free of charge for the remainder of 2007/2008, free of charge for financial year 2008/2009 and thereafter on a cost recovery basis. The likely number of transactions would not cause any operational difficulties to the ACCESS business and, in support of the work done by Angus Credit Union, the Neighbourhood Services Department was willing to offer this service free of charge.

The Committee agreed:-

- (i) to note and welcome the content of the Report; and
- (ii) to approve cash transaction facilities being made available free of charge at ACCESS Offices to customers of the Angus Credit Union for the remainder of 2007/2008, for financial year 2008/2009, and thereafter to be recharged on a cost recovery basis.

9. COMMUNITY SERVICES REVENUE BUDGET ISSUES 2007/2008

With reference to Article 16 of the minute of meeting of Angus Council of 20 December 2007, there was submitted [Joint Report No 58/08](#) by the Director of Corporate Services, the Director of Neighbourhood Services and the Director of Infrastructure Services advising the Committee of the projected overspend on the 2007/2008 Community Services revenue budget (including the Waste Management Trading Account) and recommending that a number of steps be taken to correct this position.

The Report reminded members that that Waste Management Trading Account had been an area of financial difficulty for the Council in recent times as highlighted by the External Auditor (Report No 1217/07 refers) and was currently the subject of a major best value review.

Using the latest information from the Council's financial ledger as at 30 November 2007 and projecting ahead on likely income and expenditure up to 31 March 2008, a year end projected outturn for the Community Services division had been estimated. This showed a projected overspend on the mainstream Community Services revenue budget of £139,000 and a shortfall on the budgeted surplus for the Waste Management Trading Account of £100,000 for the year to 31 March 2008.

The main reasons for the project overspend position were detailed in the Report as were the measures recommended to correct the position.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the measures set out in Section 4 of the Report to correct the projected overspend position; and
- (iii) to note that close monitoring of the Community Services revenue budget would continue until the financial year end.

10. ANTI-SOCIAL BEHAVIOUR POLICY AND PROCEDURE DOCUMENTS

With reference to Article 16 of the minute of meeting of the Housing Committee of 18 November 2004, there was submitted [Report No 59/08](#) by the Director of Neighbourhood Services advising the Committee on proposed updates in the procedures for dealing with complaints of anti-social behaviour with the addition of a separate policy document.

The Report indicated that both the updated procedure document and the new Anti-Social Behaviour Policy would help to improve and consolidate the good work being undertaken by staff to tackle the problem with anti-social behaviour in Angus communities. It would also help to promote responsible behaviour and respect within the communities in Angus, raise public awareness of anti-social behaviour and encourage people to report incidences in their communities. The Report reflected upon the good work already being carried out by the Community Safety Team in the field of anti-social behaviour prevention and resolution and highlighted how improvement in the current procedures and the addition of a separate policy would increase the ability of all staff members to aid victims of anti-social behaviour as well as inform the public of Angus Council's position on the matter.

Following discussion, the Committee agreed:-

- (i) to note and welcome the contents of the Report;
- (ii) to approve the updated procedures for dealing with complaints of anti-social behaviour, as detailed in the Report;
- (iii) to approve the new Anti-Social Behaviour Policy, a copy of which was appended to the Report;
- (iv) to note the Convener's intention to write to the Minister of Community Safety inviting him to Angus to meet with the Committee and local MSPs to discuss the issue of anti-social behaviour; and
- (v) to note that a seminar on the Anti-Social Behaviour policy and procedure documents would be held at an early date for all elected members.

11. FORFAR SUB-HOUSING MARKET NEEDS ASSESSMENT

With reference to Article 11 of the minute of meeting of 11 October 2007, there was submitted [Report No 60/08](#) by the Director of Neighbourhood Services highlighting the results of the assessment of housing needs in Forfar and recommending investigation into the options available to address the housing needs identified. Full details of the methodology and information sources had been placed in the Members' Lounge.

The Report concluded that, with the completion of the exercise, the Council had updated the assessment of housing needs in Forfar. The assessment would be reviewed on a regular basis and options on how to meet the arising need would be identified. The Committee would be updated on the findings of the follow up research and the development of the local housing brief for Forfar which would outline how the housing needs identified would be addressed.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve further work being undertaken to investigate the options available to address the housing needs identified.

12. MONIFEITH SUB-HOUSING MARKET NEEDS ASSESSMENT

With reference to Article 11 above, there was submitted [Report No 61/08](#) by the Director of Neighbourhood Services highlighting the results of an assessment of housing needs in Monifieth and recommending investigation into the options available to address the housing needs identified. Full details of the methodology and information sources had been placed in the Members' Lounge.

The Report concluded that, with the completion of the exercise, the Council had updated its assessment of housing needs in Monifieth. The assessment would be reviewed on a regular basis and options on how to meet the arising need would be identified. The Committee would be updated on the findings of the follow up research and the development of the local housing brief for Monifieth which would outline how the housing needs identified would be addressed.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve further work being undertaken to investigate the options available to address the housing needs identified.

13. HILLCREST HOUSING ASSOCIATION – HOUSING DEVELOPMENT AT ALMA WORKS, ARBROATH

With reference to Article 9 of the minute of meeting of the Housing Committee of 19 January 2006, there was submitted [Report No 62/08](#) by the Director of Neighbourhood Services seeking approval to contribute a maximum of £130,000 to a housing development being undertaken by Hillcrest Housing Association.

The Report indicated that the Hillcrest Housing Association was proposing to develop two flatted blocks and comprehensive environmental improvement of the surrounding townscape of a public thoroughfare known as the "The Linnies". The first phase of the development at Alma Works, Weavers Close had been completed in 1996 and the development of eight two apartment units had been intended to follow closely on completion of Phase 1. A delay in obtaining planning approval and access issues complicating the land assembly had resulted in a substantial delay in proceeding with Phase 2.

It was now envisaged that this project would provide a small number of mainstream social rented housing for 1 or 2 person households and a maximum of four units of temporary accommodation with concierge, for one or two person households presenting as homeless to the Council, who required temporary accommodation with little or no support, with the possibility of incorporating a wheelchair adapted unit (subject to feasibility). The Council was currently developing a common allocations policy with Hillcrest Housing Association and, until this had been finalised, the Council would seek 100% nomination rights to both mainstream and homeless units.

The Report concluded that the comprehensive improvements to the Arbroath townscape would address what was currently an eyesore and the completed housing would make a small, but significant contribution, in a sympathetic location, to meeting general housing need and assisting the Council meet its statutory duties to homeless households. A project agreement would be put in place between the Council and Hillcrest Housing Association regarding the funding contributions and nomination arrangements.

Following a full discussion, the Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the payment of up to £75,000 from the Affordable Housing Revenue Account, and the payment of up to £55,000 from the homeless funding component of the 2008/2009 Finance settlement, towards the costs of development of social rented housing and temporary homeless accommodation at Alma Works, Arbroath; and
- (iii) to require Hillcrest Housing Association to install sprinkler systems in each property.

14. FIRM FOUNDATIONS – ANGUS COUNCIL'S RESPONSE

There was submitted [Report No 63/08](#) by the Director of Neighbourhood Services seeking the Committee's views on the draft Angus Council response to "Firm Foundations: The Future of Housing in Scotland", a consultation document by the Scottish Government, and authority for the Director of Neighbourhood Services in consultation with the Convener, to submit the document, subject to any amendments Members might wish to make, in time for the deadline for submissions and to forward the final response to COSLA.

The Report indicated that the consultation document provided a significant opportunity for local government to participate fully in the revitalisation of the housing sector and concluded that the new inclusive approach taken by the Scottish Government in the paper set out what appeared to be a genuine opportunity to re-shape housing policy and to take stock of the changes made by the 2001 and 2003 Housing Acts. It also offered the potential to streamline housing development and amend the national approach on housing management by making it more responsive to communities' wishes. Whilst there were some areas of concern outlined in Angus Council's response, there were just as many areas of opportunity to influence national policy and these opportunities would not be missed.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the draft response and delegate to the Director of Neighbourhood Services authority to finalise the Council's response;
- (iii) to note that further reports would be brought before the Committee as the discussion progressed; and
- (iv) to instruct the Director of Neighbourhood Services to send the response to COSLA for their information.

15. **CORRECTIVE CONVEYANCING AT 25 GUTHRIE STREET, FRIOCKHEIM**

With reference to Article 7 of the minute of meeting of the Housing Committee of 24 February 1998, there was submitted [Report No 64/08](#) by the Director of Neighbourhood Services advising the Committee of corrective conveyancing which was required in connection with the sale of 25 Guthrie Street, Friockheim.

The Report indicated that the Council had received a "Right to Buy" application in respect of the property at 25 Guthrie Street, Friockheim in July 1997. The property had been sold jointly to the sitting tenants in January 1998 and, as part of the sale process, a plan of the property had been prepared by the firm of architects used by the Council at that time. The plan, which would have been accepted as correct by the tenants' agent at the time of purchase, showed areas of garden ground to the front and rear of the property that were used exclusively by the purchasers.

Following the sale of neighbouring properties, it had been noted that the owner of number 25 Guthrie Street (who was one of the original joint owners) had occupied a plot of ground as a tenant and continued to do so as an owner. She had been, in fact, unaware that she did not own the plot of ground. As this plot of ground formed part of the tenancy of number 25 Guthrie Street, it should have been sold to the sitting tenant along with the property and other areas of garden ground. As this plot of ground formed part of the tenancy of number 25 Guthrie Street and was not sold at the time of the original purchase, ownership should now be transferred to the proprietrix at no cost.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve corrective conveyancing to allow ownership of the area of ground at 25 Guthrie Street, Friockheim to be transferred to the owner of 25 Guthrie Street, Friockheim at no cost and all legal costs being met from the Housing Revenue Account.

16. **DISPOSALS**

Prior to considering the following disposals, the Committee agreed to a suggestion by Councillor Nield that there needed to be a comprehensive policy and procedure on disposals for the Council, as a whole, and accordingly that a report be brought forward at a future date to the appropriate Committee.

(a) 2 Norries Road, Carnoustie

There was submitted [Report No 65/08](#) by the Director of Neighbourhood Services regarding the disposal of an area of ground at 2 Norries Road, Carnoustie, as outlined in the plan attached to the Report.

The Committee agreed, subject to Section 12 consent being received from the Scottish Minister and planning permission for the change of use being granted:-

- (i) that the area of ground at 2 Norries Road, Carnoustie be sold to the owners of 2 Norries Road, Carnoustie for the sum of £1,500 on appropriate terms and conditions; and

- (ii) that the purchaser be responsible for meeting all the Council's legal and survey costs.

(b) 21 Bailie Wilson Way, Montrose

There was submitted [Report No 66/08](#) by the Director of Neighbourhood Services regarding the disposal of an area of ground at 21 Bailie Wilson Way, Montrose, as outlined in the plan attached to the Report.

The Committee agreed, subject to Section 12 consent being received from the Scottish Ministers and planning permission for change of use being granted:-

- (i) that the area of ground at 21 Bailie Wilson Way, Montrose be sold to the owners of 21 Bailie Wilson Way, Montrose for the sum of £4,000 on appropriate terms and conditions; and
- (ii) that the purchasers be responsible for meeting all the Council's legal and survey costs.

(c) 132 Ravensby Road, Carnoustie

There was submitted [Report No 67/08](#) by the Director of Neighbourhood Services regarding the disposal of an area of ground at 132 Ravensby Road, Carnoustie, as outlined in the plan attached to the Report.

The Committee agreed, subject to Section 12 consent being received from the Scottish Ministers and planning permission for change of use being granted:-

- (i) that the area of ground at 132 Ravensby Road, Carnoustie be sold to the owners of 132 Ravensby Road, Carnoustie for the sum of £1,500 on appropriate terms and conditions; and
- (ii) that the purchaser be responsible for meeting all the Council's legal and survey costs.

17. CLOSURE OF PREMISES – 1 WINDYEDGE TERRACE, FORFAR

There was submitted [Report No 68/08](#) by the Director of Neighbourhood Services outlining the action carried out jointly by the Community Safety and Tayside Police in obtaining a Closure Order for the premises at 1 Windyedge Terrace, Forfar.

The Report indicated that, during April 2007, the tenancy at 1 Windyedge Terrace, Forfar had come to the attention of local housing officials as a result of complaints of consistent noise emanating from the property. During subsequent months, numerous complaints had been received by local Police and housing staff regarding anti-social behaviour experienced in and around that address. Given the range of complaints, the matter had been referred to the Community Safety Team for investigation.

On 14 November 2007, an interim Antisocial Behaviour Order had been sought and granted at Forfar Sheriff Court. Despite service of the Order, the antisocial behaviour had continued, with the conditions being breached on three separate occasions. Given the circumstances, swift action was deemed appropriate and a partnership approach had been adopted by the Community Safety Team and Tayside Police in seeking a Closure Order. Subsequent consultation with a number of departments, including Social Work in particular, found broad agreement for the action proposed.

On 29 November 2007, an application for a Closure Order had successfully been made at Forfar Sheriff Court by the Community Safety Team solicitor and immediately implemented by local Police and housing staff. The premises had been sealed and the Order prevented access to the property for a period of three months.

Following a full discussion, the Committee agreed to note the contents of the Report.

*18. SWIMMING POOL PROVISION THROUGHOUT ANGUS

With reference to Article 4 of the minute of meeting of this Committee of 23 August 2007, there was submitted [Joint Report No 72/08](#) by the Director of Neighbourhood Services and the Director of Corporate Services advising the Committee on the current condition of the seven swimming pools managed by Angus Council.

The Condition Survey had informed the priority ranking of each pool incorporating both replacement of, and improvement recommendations for the present buildings as appropriate. The Report also outlined the indicative costs of applying a replacement/improvement programme, together with funding implications.

The Report highlighted that consideration should initially be given to the replacement of Montrose Swimming Pool as opposed to refurbishment. Also, the need to replace Forfar Swimming Pool thereafter required consideration. The cost and funding impact of taking the identified work requirements forward would require to be considered as part of the 2008/2009 and beyond budget process (incorporating both Revenue and Capital budgets).

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

- (I) TO NOTE THAT THE REPLACEMENT OF MONTROSE SWIMMING POOL IS IDENTIFIED AS THE FIRST PRIORITY PROJECT MERGING FROM REPORT NO 72/08;
- (II) TO INSTRUCT THE DIRECTOR OF NEIGHBOURHOOD SERVICES, IN CONJUNCTION WITH THE DIRECTOR OF CORPORATE SERVICES, TO BRING FORWARD PROPOSALS TO INCORPORATE THIS PROJECT WITHIN THE FINALISED 2007/2011 FINANCIAL PLAN WITH CONSTRUCTION ON SITE NO LATER THAN 2012; AND
- (III) TO INSTRUCT THE DIRECTOR OF NEIGHBOURHOOD SERVICES TO THEREAFTER PRIORITISE A DELIVERY OF THE OTHER PRIORITY PROJECTS WITHIN FUTURE FINANCIAL PLANS.

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

- (i) that no decision on priorities is made until details of Report No 72/08 have been discussed by the full Council; and
- (ii) that no decision on allocation of future funding on any priorities is made until a report on the matter is debated by full Council.

On a vote being taken, the members voted:-

For the motion:-

Councillors Millar, Brown, Andrews, Fairweather, May Nield, Salmond, Thomson and Valentine (9).

For the amendment:-

Councillors Glennis Middleton, Evans, Palmer, Morrison, King and Welsh (6).

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

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

19. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2) that the public and press be excluded during consideration of the following item, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 4 and 6.

20. IMPROVEMENTS/ADAPTATIONS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 5 above, there was submitted [Report No 70/08](#) by the Director of Infrastructure Services detailing grant applications in respect of improvements and adaptations, all of which had been approved under delegated authority, for the period 1 – 30 November 2007 in respect of vulnerable people.

The Committee agreed to note the contents of the Report.