

ANGUS COUNCIL

MINUTE of MEETING of the **NEIGHBOURHOOD SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Thursday 28 February 2008 at 4.00 pm.

Present: Councillors JIM MILLAR, COLIN BROWN, JOHN RYMER, FRANK ELLIS, MAIRI EVANS, DAVID FAIRWEATHER, DAVID MAY, BILL MIDDLETON, DONALD MORRISON, PETER NIELD, MARK SALMOND, BOB SPINK, DAVID LUMGAIR, SHEENA WELSH AND SANDY WEST.

Councillor MILLAR, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Alison Andrews and Margaret Thomson with Councillors John Rymer and David Lumgair substituting respectively.

2. DECLARATIONS OF INTEREST

Councillor Salmond declared an interest in item 15 as he was a Trustee of the Montrose Air Station Heritage Trust.

3. DEPUTATIONS

Montrose Wheeled Sports Facility, Marine Avenue, Montrose

The Committee agreed, in accordance with Standing Order 12, to hear deputations from a group of objectors and the Montrose Skate Park Committee on the subject of the Montrose Wheeled Sports Facility, Marine Avenue, Montrose.

On behalf of a group of objectors, Mr Stan Wardle, accompanied by Mrs Williamson stressed their concern regarding the site of the proposed wheeled sports facility due to potential antisocial behaviour, vandalism and noise. They also pointed out that the housing nearby included people with special needs and respite care and, although of the opinion that the site was not the best option, they emphasised that they were not against the wheeled sports facility on another site which was satisfactory to all parties involved.

On behalf of the Montrose Skate Park Committee, Mr Steve Findlater, accompanied by Mrs Kathleen Ritchie emphasised their hope that the Committee would agree Report No 190/08, which recommended seeking approval to invite tenders from contractors for the construction of the skatepark in Marine Avenue for which planning permission had been approved in October 2006. They also stressed how much effort and hard work which had gone into fund raising etc for this project by the young people themselves and that it was their wish that work on the skatepark begin as soon as possible.

Following questions, the members of the deputations were thanked for their attendance and withdrew to the public benches.

4. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 17 January 2008](#) 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 5 February 2008](#), a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

***5. MONTROSE WHEELED SPORTS FACILITY, MARINE AVENUE, MONTROSE**

With reference to Article 10 of the minute of meeting of the Environmental and Leisure Services Committee of 6 June 2006, there was submitted [Joint Report No 190/08](#) by the Director of Neighbourhood Services and the Director of Corporate Services seeking approval to invite tenders for the Montrose Wheeled Sports Facility at the Marine Avenue site, Montrose. A location plan was attached to the Report.

The Report indicated that, due to the funding deadline restriction associated with an award of £24,000 from the Youth Lottery, it was imperative that the works commenced on site for this project by 29 May 2008. In order to meet the deadline, tenders would have to be sought now with a return date of the end of March to allow a tender report to be submitted to the meeting of this Committee on 17 April 2008.

Planning permission for the construction of the wheeled sports facility had been in place since 23 October 2006 and finance from external funders had been sought by Montrose Skatepark Committee.

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

- (I) THAT REPORT NO 190/08 NOT BE AGREED AND THAT THE DIRECTOR OF NEIGHBOURHOOD SERVICES BE INSTRUCTED TO BRING BACK TO THE NEXT MEETING OF THIS COMMITTEE ON 17 APRIL 2008, FOLLOWING FULL CONSULTATION WITH THE YOUNG PEOPLE INVOLVED, A REPORT ON HOW A SKATEPARK IN MONTROSE COULD BE CONSTRUCTED ON A MORE SUITABLE SITE; AND
- (II) THAT THE COMMITTEE REAFFIRM ITS SUPPORT (INCLUDING FINANCIAL SUPPORT IF REQUIRED) FOR THE PROVISION OF A WHEELED SPORTS FACILITY IN MONTROSE, AT THE EARLIEST POSSIBLE DATE.

Councillor West, seconded by Councillor Ellis, moved as an amendment, that the Committee agrees that tenders be sought from suitable contractors as detailed in Report No 190/08 and that a further report on tenders received be submitted to the April Committee meeting.

On a vote being taken, members voted:-

For the motion:

Councillors Millar, Brown, Rymer, Fairweather, May, Nield and Salmond (7).

For the amendment:

Councillors Ellis, Evans, Bill Middleton, Morrison, Spink, Welsh and West (7).

No vote:

Councillor Lumgair.

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

Councillor Bill Middleton requested that his dissent be recorded in terms of Standing Order 15(9)(ii).

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

6. MUSEUM COLLECTIONS FUND

There was submitted [Joint Report No 191/08](#) by the Director of Neighbourhood Services and the Director of Corporate Services advising the Committee of the proposal to establish a Museum Collections Fund which would attract public donations to acquire museum artefacts and paintings and assist with their conservation.

The Report indicated that, from time to time, artefacts, specimens and paintings became available, often at auction, which were of significant local interest, but revenue funds were rarely adequate and time was usually very short to fund raise. Nonetheless, there was considerable public support for establishing a fund to which the public could donate in order to be able to acquire and conserve items of significance to Angus when they became available for purchase. Such acquisitions, provided that they complied with the Museums Acquisitions Policy (Report No 71/07 refers) would still attract up to 50% grant aided funding from the National Acquisitions Fund administered by the National Museums of Scotland, as well as several other public funds. Other Scottish local authorities had such funds established which were able to be held over from year to year, accrue interest, but which could only be used for acquiring museum artefacts, specimens and paintings, or to assist in their conservation. It was therefore proposed that a Museum Collections Fund be established and that public donation facilities be made available at the registered museums in Angus.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the establishment of a Museum Collections Fund and to make donation facilities available in all six registered museums in Angus, as detailed in the Report;
- (iii) to approve a roll forward of any unused balance on the Fund at the end of any financial year to be utilised for the specified purposes in a future financial year; and
- (iv) to establish a Museums Acquisition Sub-Group comprising of the Convener and Vice Convener of Neighbourhood Services and Councillor Spink.

7. COMMUNITY SERVICES DIVISION – REVIEW OF CHARGES 2008/2009

With reference to Article 3 of the minute of the special meeting of this Committee of 27 February 2008, there was submitted [Report No 192/08](#) by the Director of Neighbourhood Services recommending approval of the individual charges in respect of the financial year 2008/2009 for services provided under the remit of the Community Services Division.

The Committee agreed:-

- (i) to note that the Report had been prepared on the basis that the proposed percentage increases for sports centres, swimming pools and cultural services had been approved at the special meeting held on 27 February 2008 and contained in Appendix 1 to the Report;
- (ii) to approve the percentage increases for burial grounds, fairgrounds and country parks as set out in paragraph 3.2 of the Report;
- (iii) to approve implementation of the pricing structure set out in Appendix 1 in accordance with the outcome of the special meeting on 27 February 2008 and recommendation (ii) above;
- (iv) to approve the implementation of the pricing policy as set out in Appendix 2 to the Report;

- (v) to approve that all charges be effective from 1 April 2008 with the exception of caravan and camping charges which would come into force at the commencement of the 2008 holiday season (Report No 193/08 refers); and
- (vi) to note that the charges for Webster Theatre for 2007/2008 and 2008/2009 had been approved by the Neighbourhood Services Committee on 22 November 2007 (Report No 1097/07 refers).

***8. CARAVAN PARK AND OUTDOOR RECREATION SEASONAL OPENING HOURS 2008**

There was submitted [Report No 193/08](#) by the Director of Neighbourhood Services advising the Committee of the proposed opening times of the Council's caravan parks and outdoor recreations during the 2008 season.

The Report indicated that as part of the 2004 Best Value Review of Leisure Services, the savings made by reducing the opening hours of the caravan parks and outdoor recreations had been approved. The reduced availability of toilet facilities outwith peak times at outdoor recreation facilities, in particular at the Blue Seaway, Monifieth and the Seafront Splash, Montrose had attracted some criticism from members of the public. In order to partly remedy the situation revenue funding had been provided by the Montrose Common Good Fund in 2005 to extend the opening hours of the toilet at Seafront Splash but due to little usage of the service provision it was discontinued in 2006.

The toilet provision at the Blue Seaway had re-opened at weekends from October 2007 and this addition to the facility service provision had been funded directly from Community Services revenue budget. The re-opening of these toilets had been taken forward on a pilot basis only, with a view to measuring actual usage. The result to date had indicated a very low usage, details of which were outlined in Appendix 1 to the Report, and it was therefore proposed to discontinue the winter opening.

The above information formed part of a more extensive review of caravan parks and outdoor recreation provisions which used 2007 as a baseline and had focussed on user numbers and the net cost of the service. The outcome of the review would inform the decision making process in respect of future service provision.

COUNCILLOR MILLAR, SECONDED BY COUNCILLOR BROWN, MOVED THAT THE COMMITTEE AGREES THAT THE PROPOSED SEASONAL OPENING HOURS AS SET OUT IN THE REPORT BE APPROVED.

Councillor Ellis, seconded by Councillor Bill Middleton, moved as an amendment, that the Committee agrees to the proposed Seasonal Opening Hours set out in Appendices B, C and D of the Report but that the toilets at the Blue Seaway remain open during weekends for another year with a view to further measuring actual usage.

On a vote being taken, the members voted:-

For the motion:

Councillors Millar, Brown, Rymer, Fairweather, May, Nield, Salmond and Lumgair (8).

For the amendment:

Councillors Ellis, Evans, Bill Middleton, Welsh and West (5).

No vote:

Councillors Morrison and Spink (2).

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

9. HOUSING CAPITAL AND PLANNED MAINTENANCE PROGRAMME – HRA BLOCK – 2007/2008

With reference to Article 4 of the minute of meeting of this Committee of 17 January 2008, there was submitted [Report No 194/08](#) by the Director of Corporate Services setting out the actual spend on the HRA Capital and Planned Maintenance Programmes for the period to 31 December 2007, together with year end spend projections and updated funding proposals. Additionally, the Report sought approval for a revised HRA Capital Monitoring Statement format.

The Report advised that the actual spend achieved to 31 December 2007 on the Housing Capital Programme was £6.083 million which equated to 61.8% of the original budget of £9.85 million. 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 £9,479 million would be achieved. This would be some £371,000 (4%) below the original budget. This projection was based on actual spend levels for nine 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. The Report set out proposals that, in line with the General Fund Monitoring arrangements, only projects with an original budget in excess of £50,000, or by exception where considered appropriate, would now be reported in detail.

With regard to the 2007/2008 Planned Maintenance Programme, the level of spend on all elements for the period to 31 December 2007 amounted to £1,424 million, representing some 71% of the total available budget for the year of £2,005 million. The latest estimated spend for the year amounted to £2.327 million, some £322,000 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 £371,000 would offset to some extent the planned maintenance projected overspend of £322,000. 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 31 December 2007;
- (ii) to note the capital receipt position for the period to 31 December 2007;
- (iii) to note the projected year end capital expenditure and receipts positions and the proposed funding approach; and
- (iv) to approve the revised format of the Housing Capital Monitoring Statement as described in Section 3 of the Report and attached as Appendix 1.

10. IMPROVEMENT/REPAIRS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 5 of the minute of meeting of this Committee of 17 January 2008, there was submitted and noted [Report No 195/08](#) 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 1 to 31 December 2007.

11. COUNCIL HOUSE SALES

With reference to Article 9 of the minute of meeting of this Committee of 22 November 2007, there was submitted and noted [Report No 196/08](#) by the Director of Corporate Services detailing individual Council House Sales for the third quarter and cumulative figures for 2007/2008 to 31 December 2007.

12. SERIOUS ARREARS CASES – HOUSING REVENUE ACCOUNT TENANTS

With reference to Article 6 of the minute of meeting of this Committee of 17 January 2008, there was submitted [Report No 197/08](#) by the Director of Neighbourhood Services regarding serious rent arrears cases in respect of sixteen 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.

13. ANGUS COUNCIL RENT ARREARS MANAGEMENT POLICY

There was submitted [Report No 198/08](#) by the Director of Neighbourhood Services seeking approval for the refreshed Rent Arrears Policy, Procedures and Strategy and updating the Committee on the current issues within rent arrears in Angus.

The Report indicated that rent arrears was a complex area in housing management. It was a particularly sensitive issue as the clients involved in rent arrears might well have multiple debts to Angus Council or to others, and might be on low incomes or in receipt of some sort of benefit. Given this, the Council was faced with the challenge of balancing its statutory and social responsibility, its business needs, whilst ensuring an acceptable level of performance in arrears management and ensuring there was a level of consistency of approach to the management of corporate debt.

Given the figures presented in the Report and a renewed awareness of rent arrears performance relative to other authorities, it was clear that the approval and implementation of a new policy and performance regime was required. The full details of the refreshed policy, procedures/service standards and strategy, copies of which were appended to the Report, were summarised in the Report.

The Report concluded that the refreshed policy, procedures/service standards and strategy set out a focussed and energised approach to the management of rent arrears as the Council worked to achieve the performance targets detailed in the Report.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the Rent Arrears Policy, Procedures and Strategy;
- (iii) to note that the focus of the policy was on the prevention of rent arrears from occurring in the first instance and the development of a culture of payment of rent; and
- (iv) to instruct the Director of Neighbourhood Services to bring forward performance reports on rent arrears on a regular basis.

14. MAYFIELD REGENERATION PROJECT

With reference to Article 3 of the minute of meeting of the Executive Sub-Committee of this Committee of 5 February 2008, there was submitted [Report No 247/08](#) by the Director of Neighbourhood Services updating the Committee on the status of the regeneration of the Mayfield shops, Arbroath and the proposed demolition of the flats above the shops and seeking approval to bring forward options for the next steps in this regeneration project.

The Report indicated that Angus Council had made every effort to try to progress this work in accordance with the original project but it had proved extremely difficult to conclude a satisfactory contract with one of the owners. The Ministerial decision to refuse to grant an extension to the timetable for the Housing Estates Regeneration Fund (HERF) project had created a time pressure which had ultimately been too tight to allow legal negotiations to be completed on time. This, coupled with the latest development in relation to the demolition element of the contract had, reluctantly, put the Council in the position that it now needed to either commit a large proportion of its HRA resources to this work or to examine alternative options.

Following a full discussion, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to seek an options paper for the next stages of the regeneration project.

15. DISPOSAL OF PARK HOMES

With reference to Article 12 of the minute of meeting of the Housing Committee of 21 April 2005, there was submitted [Report No 200/08](#) by the Director of Neighbourhood Services relating to the disposal of Park Homes in Montrose, Kirriemuir and Brechin.

The Report indicated that the last disposal of former temporary housing units, known as Park Homes, in Forfar had been agreed by the Housing Committee on 21 April 2005 (Report No 474/05 refers). All the remaining Park Homes were now surplus to requirements (except two in Montrose adjacent to the swimming pool), as they were no longer required for temporary decant accommodation for tenants. The units were all currently empty and had had their windows and doors boarded over against vandalism.

Notice that the fourteen Park Homes were now surplus to requirements had been circulated round all Council departments to ascertain if there was any interest in them for alternative uses. No such interest had been confirmed, therefore it was proposed that they be advertised in the local press for sale by open tender. The Montrose Air Station Heritage Trust had asked for a loan of two of the units currently sited at Broomfield Road, Montrose for exhibition/display purposes and additional storage. As the group was prepared to organise the uplift, transport and relocation of the units at their expense, there would be no cost to the Council.

The Committee agreed, subject to Section 12 Consent being received from Scottish Ministers:-

- (i) that two Park Homes from the site at Montrose be lent on a temporary basis, to the Montrose Air Station Heritage Trust to provide storage and exhibition space;
- (ii) that the remaining Park Homes (three in Kirriemuir, five in Brechin and six in Montrose) be advertised on the open market for sale by tender and sold to the highest bidders; and
- (iii) that all the above parties be wholly responsible for uplifting, transporting and obtaining all necessary consents for their re-use elsewhere, at no cost to the Council.

16. TRANSFER OF HOUSING SUPPORT SERVICES FROM HOUSING TO SOCIAL WORK AND HEALTH

With reference to Article 16 of the minute of meeting of the Social Work and Health Committee of 21 February 2008, there was submitted [Joint Report No 189/08](#) by the Director of Social Work and Health and the Director of Neighbourhood Services seeking approval for the Phase 2 restructuring process in relation to the transfer of Housing Support Services from Housing to Social Work and Health.

The Report indicated that 67 members of staff (55 FTE posts) would be transferred and that the appropriate trade unions had been fully consulted and involved in the proposed transfer. It was stressed that there would be a continuity of care and service provision for existing service users and that tenants would not notice any reduction in service as a result of this transfer.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the intention to transfer Housing Support Services to Social Work and Health on 1 April 2008.

17. PERFORMANCE MANAGEMENT REPORTING

With reference to Article 10 of the minute of meeting of this Committee of 22 November 2007, there was submitted [Report No 201/08](#) by the Director of Neighbourhood Services providing the Committee with an update on progress being made by the department in implementing the actions set out in the Service Plan and seeking approval for the revisions by lead officers for Service Plan actions.

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

The summary report for the Neighbourhood Services Service Plan actions was detailed in Appendix 1 to the Report. The summary report also showed the recommended course of action from the Director following discussion with his senior management team. Following agreement by the Committee to the proposed revised deadline date, the action status would be revised from "overdue" to "on target".

The Committee agreed:-

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

18. ANNUAL SERVICING AND MAINTENANCE OF GAS HEATING INSTALLATIONS CONTRACTS 1 AND 2 – EXTENSIONS TO EXISTING CONTRACTS

With reference to Article 2 of the minute of meeting of the Executive Sub-Committee of the Housing Committee of 22 November 2005, there was submitted [Report No 203/08](#) by the Director of Corporate Services advising the Committee on a proposal to negotiate and extend existing contracts for the annual servicing and maintenance of gas heating installations.

The Committee agreed:-

- (i) to approve the acceptance of the negotiated tender for annual servicing and routine maintenance of gas heating installations, extension to Contract 1, that of WRB Gas (Contracts) Limited, Dundee in the amount of £1,526,906.85;
- (ii) to approve the acceptance of the tender for annual servicing and routine maintenance of gas heating installations, extension to Contract 2, that of Saltire Facilities Management Limited, Airdrie in the amount of £218,623.95;
- (iii) to approve the estimated total cost (at out-turn prices) of £1,803,145;
- (iv) to note that allowance would be made for these extended contracts in the overall HRA Planned Maintenance Programme Budget and that the current revenue account budget for 2007/2008 would require to be adjusted (in relation to pre contract preparatory work) and provision would be required within future years HRA Planned Maintenance Programme Budgets to accommodate the annual expenditure;

- (v) to note that Report No 262/05 submitted to the Housing Committee on 3 March 2005 had approved the procurement of the annual servicing and routine maintenance of gas heating installations throughout Angus and suggested an option to negotiate extensions to the contracts from 1 April 2008 for a period of up to four years by mutual agreement; and
- (vi) to approve the exemption of the negotiation of the extension to the above existing contracts from the tendering provisions of Financial Regulation 16, in accordance with Section 16.3.4.

19. GAS HEATING REPLACEMENT PROGRAMME – CONTRACT 3 – EXTENSION TO EXISTING CONTRACT

With reference to Article 9 of the minute of meeting of the Housing Committee of 3 March 2005, there was submitted [Report No 204/08](#) by the Director of Corporate Services advising the Committee of a proposal to negotiate and extend the existing contract for the Gas Heating Replacement Programme.

The Committee agreed:-

- (i) to approve extending the scope of the current contract and the acceptance of the current contractor (CFM Building Services Limited, Carluke) for the Gas Heating Replacement Programme, extension to Contract 3, based on the revised rates submitted to further works up to a value of £1.8 million over the period 1 April 2008 to 31 March 2010;
- (ii) to approve the estimated total cost (at out-turn prices) of £2,027,000;
- (iii) to note that this project would be funded from allowances of £9.85 million and £2.5 million for the upgrading of gas and electric heating systems as contained in the HRA Capital Programme HRA Block 2007/2008 (Report No 194/08 refers); the estimated total cost, in relation to exemption on pre contract preparatory work in 2007/2008, could be contained within the overall Capital Programme and the Housing Financial Plan 2007-2011 would require to be adjusted at its next review to accommodate the annual expenditure;
- (iv) to note that Report No 262/05 submitted to the Housing Committee on 3 March 2005 had approved the procurement of a bulk Gas Heating Replacement Contract for all Angus to replace ageing systems and suggested an option to negotiate extensions to the contracts from 1 April 2008 for a period of up to four years by mutual agreement; and
- (v) to approve the exemption of the negotiation for the extension of the above existing contracts from the tendering provision of Financial Regulation 16, in accordance with section 16.3.4.

20. KITCHEN REPLACEMENT PROGRAMME 2007-2010, CLERK OF WORKS SERVICES – EXTENSION TO CONTRACT

With reference to Article 16 of the minute of meeting of the Housing Committee of 3 March 2005, there was submitted [Report No 205/08](#) by the Director of Corporate Services advising the Committee of a proposal to negotiate and extend the existing contract for the Kitchen Replacement Programme 2007-2010, Clerk of Works Services.

The Committee agreed:-

- (i) to approve the negotiation and acceptance of a one year extension from April 2008 to March 2009 for the existing Clerk of Works services contract by the Head of Property, based on the tenders previously accepted for those services, with Hays Construction and Property, Dundee;

- (ii) to approve the negotiation and acceptance, in the future, of yearly extensions for the existing Clerk of Works services contract by the Head of Property, based on the previous tenders and the current negotiations for those services with Hays Construction and Property, Dundee, subject to the negotiated rates continuing to represent value for money, these extensions to the contracts to be in operation until the end of the defects period for the bulk procurement of kitchen installation contracts in March 2012;
- (iii) to note that an allowance had been made for this extended contract in the HRA Capital Programme and that they would be contained within the overall costs for installation of kitchens for Kitchen Replacement Bulk Procurement Programme Contract 1 – Arbroath/Carnoustie; and
- (iv) to approve the exemption of the negotiation of the extension to the above existing contracts from the tendering provision of Financial Regulation 16, in accordance with section 16.3.4.

21. VEHICLE TENDERS

With reference to Article 32 of the minute of meeting of this Committee of 11 October 2007, there was submitted [Report No 206/08](#), together with an Addendum, by the Director of Neighbourhood Services seeking approval to purchase vehicles and plant equipment for replacement within the Capital Budget Programme for 2008/2009.

The Addendum made reference in particular to Tenders number 2 and 3 therein. For each of these tenders, the lowest tender submitted had been recommended for acceptance within the Report. Unfortunately, the tenderer (HN Logistics, Leicestershire) had announced to the Council the previous day that they would no longer be manufacturing refuse vehicles or gritter bodies in the UK and, as a result, they could not fulfil the requirements for refuse vehicle bodies as specified within the tender at this time. It was most unfortunate that this had happened and the Council was now left in a position where it had to consider the next preferred tenderers who were Faun in respect of Tender 2 and Zoeller in respect of Tender 3.

The Committee agreed:-

- (i) to note the contents of the Report and the Addendum to the Report; and
- (ii) to approve the acceptance of tenders for the provision of vehicles (or parts of vehicles) for the financial year 2008/2009, a summary of which was contained in the Report, the Appendices to the Report and the Addendum.

22. 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 items, 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 6, 7, 8 and 9.

23. MORTARHOLES GARAGE SITE, KIRRIEMUIR

With reference to Article 19 of the minute of meeting of the Housing Committee of 1 March 2007, there was submitted [Joint Report No 202/08](#) by the Director of Neighbourhood Services and the Director of Corporate Services advising the Committee of the outcome of negotiations to grant a Servitude Right of Access over land at Mortarholes, Kirriemuir.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the grant of a Deed of Servitude to Strathmore Developments Limited on the provisional terms and conditions contained within the Report.

24. IMPROVEMENT/ADAPTATIONS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 10 above, there was submitted [Report No 207/08](#) 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 to 31 December 2007 in respect of vulnerable people.

The Committee agreed to note the contents of the Report.