

ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 1 March 2016 at 2.00 pm.

Present: Councillors DONALD MORRISON, JEANETTE GAUL, BRIAN BOYD, BILL DUFF, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GAUL, JIM HOUSTON, DAVID MAY, IAN McLAREN, PAUL VALENTINE, ALEX KING, RONNIE PROCTOR MBE, MARK SALMOND and EWAN SMITH.

Councillor MORRISON, Convener, in the Chair.

1. **APOLOGIES/SUBSTITUTES**

Apologies for absence were intimated on behalf of Councillors Glennis Middleton and Helen Oswald, with Councillors Paul Valentine and Alex King substituting respectively.

2. **DECLARATIONS OF INTEREST**

Councillor Jeanette Gaul declared a non-financial interest in item 10 (Report No. 87/16), as she currently served as a Council appointee to the Cairngorms National Park Board which was one of the responsible authorities for the Tay Estuary and Montrose Basin Local Flood Risk Management Plan. She indicated that she would participate in any discussion and voting on the matter.

Councillor Ewan Smith declared a non-financial interest in item 11 (Report No. 89/16), as he currently served as a committee member of Arbroath Victoria Junior Football Club which was currently engaged in an application for asset transfer of Ogilvy Park. He indicated that he would not participate in any discussion and voting and that he would leave the meeting during consideration of this item.

3. **MINUTES**

(i) **Previous Meeting**

The minute of meeting of this Committee of 19 January 2016 was submitted, approved as a correct record and signed by the Convener;

(ii) **Special Meeting**

The minute of the special meeting of this Committee of 9 February 2016, was submitted, approved as a correct record and signed by the Convener;

(iii) **Arbroath Harbour Joint Consultative Committee**

The minute of meeting of the Arbroath Harbour Joint Consultative Committee of 4 December 2015, a copy of which is appended hereto, was submitted and noted (**Appendix I**).

4. **INFORMATION REPORT FOR THE PERIOD 20 JANUARY 2016 TO 1 MARCH 2016**

With reference to Article 4 of the minute of meeting of this Committee of 19 January 2016, there was submitted and noted Report No 81/16 by the Strategic Director – Communities, together with its four schedules, providing information to members with regard to services delivered in the Communities Directorate for the relevant period.

5. **VEHICLE REPLACEMENT PROGRAMME FOR 2016-2017**

With reference to Article 13 of the minute of meeting of this Committee of 14 April 2015, there was submitted Report No 82/16 by the Head of Regulatory, Protective and Preventative Services, seeking approval to procure fleet vehicles and equipment required for the 2016/2017 Capital Replacement Programmes.

The Report indicated that the Council's Vehicle Replacement Programme had been profiled for 2016/2017 to ensure that the vehicles and equipment scheduled for replacement as detailed in section 6 of the Report, represented the priority in order to maintain service provision for a number of service areas across the Council.

The Committee agreed to authorise the Strategic Director – Communities to procure fleet vehicles and equipment required for the 2016/2017 Capital Replacement Programme.

6. WEATHER AND FLOODING EVENTS, DECEMBER 2015 AND JANUARY 2016

There was submitted Report No 83/16 by the Head of Technical and Property Services, advising as to the weather and flooding events which had occurred in Angus during the period December 2015 to January 2016, and the consequential impact on services and finance. Storm Frank had been characterised by heavy and extensive rainfall across Angus which had created significant issues over a number of weeks, with saturated ground, surface water flooding and rivers reacting to the volume of water. Police Scotland had declared major incidents for the area on both 30 December and 7 January. Council resources had been deployed throughout the period to properties across Angus to provide assistance on a prioritised basis as resources permitted. Police Scotland had led a multi-disciplinary team which included SEPA, The Scottish Fire and Rescue Service and Council services.

The Committee agreed:-

- (i) to note the events and actions which had taken place across Angus;
- (ii) to note the on-going consequential impact and workload as a result of the weather and flooding events;
- (iii) to apply for funding under the Bellwin Scheme and from Scottish Government's additional allocation for flooding;
- (iv) to note the position regarding the grants available for residents and businesses impacted by the flooding; and
- (v) to commend Council staff from the resilience team, Technical and Property Services, ACCESSLine, Housing and rest centre staff, for their major efforts during the flood events.

7. SURPLUS PROPERTY – GROUND AT CATHERINE STREET, ARBROATH

There was submitted Report No 84/16 by the Head of Technical and Property Services, advising that a piece of ground at Catherine Street, Arbroath, had been identified as being surplus to the requirements of the Council, and making proposals for its disposal.

The ground, as detailed in Appendix 1 to the Report, had been informally used as a car park for many years, but had not been maintained.

The Committee agreed that the ground, extending to 158sqm or thereby at Catherine Street, Arbroath, as shown outlined on the Plan at Appendix 1 to the Report, be declared surplus to the requirements of the Council and disposed of by advertising it for sale on the open market, subject to the outcome of checks regarding any access to properties adjacent to the site.

8. PROPERTY TRANSACTIONS

With reference to Article 11 of the minute of meeting of this Committee of 17 November 2015, there was submitted Report No 85/16 by the Head of Technical and Property Services, seeking approval for one property transaction which had been provisionally agreed, and to note an acquisition of property.

The Committee agreed:-

- (i) to note the acquisition of Dummieshole Radio Station Mast, Carmyllie, from Police Scotland for £11,000 with each party meeting their own costs; the mast to be used by IT to deliver broadband to rural schools and the acquisition having been approved under the delegated authority of the Head of Technical and Property Services; and
- (ii) to approve the appropriation of land extending to 3,360.1sqm at Dundee Street, Links Avenue, Carnoustie, Angus from the People Directorate to the Economic Development Section of the Chief Executive's Unit, the site to be used for retail development.

9. PROPOSED TRAFFIC CALMING, SILVER BIRCH DRIVE, BALLUMBIE CASTLE ESTATE: RESPONSE TO PUBLIC CONSULTATION

With reference to Article 12 of the minute of meeting of this Committee of 29 September 2015, there was submitted Report No 86/16 by the Head of Technical and Property Services, presenting the results of the public consultation process regarding the proposed traffic calming installation on Silver Birch Drive, Ballumbie Castle Estate.

Consultation documents had been issued to approximately 180 residential addresses within the surrounding area of the proposed installation listed in Appendix 2 to the Report, and to all affected groups listed in Appendix 3. They had also been made available at Monifieth Access Office for the general public who might wish to comment on the proposals. The consultation questionnaire had been made available for completion online via the Council's website. 43 completed responses had been received by the closing date of 11 December 2015; of these, 17 agreed, 24 disagreed and two neither agreed nor disagreed with the proposed traffic calming measures. Comments provided through the returned questionnaires were made available to members through the Information Hub.

Having heard from Councillor Fotheringham, the Committee agreed:-

- (i) to note the comments received during the consultation process regarding the proposed traffic calming installation on Silver Birch Drive, Ballumbie Castle Estate;
- (ii) to note the range of opinions expressed by those who had responded to the consultation;
- (iii) not to proceed with the provision of traffic calming measures on Silver Birch Drive, Ballumbie Castle Estate; and
- (iv) to instruct the Head of Technical and Property Services accordingly.

10. FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 - UPDATE

With reference to Article 5 of the minute of meeting of this Committee of 19 January 2016, there was submitted Report No 87/16 by the Head of Technical and Property Services, updating the Committee on the progress of the draft Local Flood Risk Management Plans under the Flood Risk Management (Scotland) Act 2009.

The Committee had previously agreed to the further development of the Local Flood Risk Management Plans to deliver the actions in the period 2016-2022, subject to funding from Scottish Government Capital Funding Allocations and Council Revenue and Capital Budget setting.

The Committee agreed:-

- (i) to note progress of the draft Local Flood Risk Management Plans for the Tay Estuary and Montrose Basin (TEAMB) and Tay, under the Flood Risk Management (Scotland) Act 2009, as detailed in the Report;

- (ii) to approve the delivery of the actions in the period 2016-2022, detailed in the Local Flood Risk Management Plans, subject to funding from Scottish Government Capital Funding Allocations and Council Revenue and Capital Budget setting over the period 2016-2022, as detailed in the Report; and
- (iii) that the Head of Technical and Property Services proceed to develop the presentation of the Local Flood Risk Management Plans for Tay Estuary and Montrose Basin for publication in June 2016.

Having declared an interest at Article 2 above, Councillor Ewan Smith left the meeting during consideration of the following item.

11. COMMUNITY ASSET TRANSFER UPDATE

With reference to Article 7 of the minute of meeting of this Committee of 26 May 2015, there was submitted Report No 89/16 by the Head of Planning and Place, advising as to the current position in relation to applications received for Community Asset Transfer, and advising on the proposed transfer of Eastgate School, Friockheim to Friockheim Community Hub Ltd.

The Committee agreed:-

- (i) to approve the transfer of Eastgate School to Friockheim Community Hub Ltd at a discount of 100%, representing a transfer value of £1, subject to technical and legal terms and conditions; and
- (ii) to note the outcome and progress for asset transfer applications received to date, as set out in Appendix 1 to the Report.

Councillor Smith re-joined the meeting.

12. AFFORDABLE HOUSING, CHAPELPARK, FORFAR – TENDER REPORT

With reference to Article 8 of the minute of meeting of this Committee of 30 September 2014, there was submitted Report No 90/16 by the Head of Technical and Property Services, advising as to tenders received and recommendation of acceptance where the lowest acceptable tender exceeded the Chief Officer's procurement delegated authority limits as contained in section 16.8.1 of the Financial Regulations of the Council.

The Report set out details of the tenders received, and of the lowest acceptable tender. The Report also detailed the overall increases and the reasons for these increases from the original costs.

The Committee agreed:-

- (i) to approve the acceptance of the lowest acceptable tender for the construction of new houses and the conversion of former primary school buildings to form new affordable housing at Chapelpark, Forfar, from Andrew Shepherd Construction Ltd, in the amount of £4,590,116.53;
- (ii) to approve the estimated total cost of £5,608,147 (at out-turn prices);
- (iii) to note that the funding for this project amounting to £5,608,147, to comprise £1,661,000 from the latest approved Scottish Government Affordable Housing Grant subsidy levels; £300,000 from the Affordable Housing Account; and £3,647,147 from the HRA Capital Budget;
- (iv) to note that the Housing Financial Plan would be amended following the Special Rent Setting meeting of this Committee in February 2016; and
- (v) to note the financial implications included in Section 6 of the Report.

13. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved in terms of Standing Order 28(2) that the public and press be excluded from the meeting during consideration of the following item, so as to avoid the possible disclosure of information which was exempt in terms of the Local Government (Scotland) Act 1973, Part 1, Schedule 7A, Paragraphs 2, 3, 8 and 9.

14. HOUSE ADAPTATION IN MONTROSE LANDWARD AREA

There was submitted Report No 91/16 by the Head of Planning and Place, regarding a property in Montrose.

The Committee agreed that the property be altered and extended as set out in the Report.