

ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 24 May 2016 at 2.00 pm.

Present: Councillors DONALD MORRISON, JEANETTE GAUL, BRIAN BOYD, BILL DUFF, BOB MYLES, CRAIG FOTHERINGHAM, IAIN GAUL, JIM HOUSTON, DAVID MAY, IAN MCLAREN, GLENNIS MIDDLETON, HELEN OSWALD, RONNIE PROCTOR MBE, COLIN BROWN (from item 2) and EWAN SMITH.

Councillor MORRISON, Convener, in the Chair.

1. **APOLOGIES/SUBSTITUTES**

Apologies for absence were intimated on behalf of Councillors David Fairweather and Mark Salmond, Councillors Bob Myles and Colin Brown substituting respectively.

2. **DECLARATIONS OF INTEREST**

All members advised that with reference to item 5 (Report No 209/16) they had been contacted by constituents either directly, or through social media. Nine members chose to make a formal non-financial declaration of interest in this regard. Some members had made some response to these contacts; others had not. All considered any interest to be non-financial and that they intended to participate in any discussion and voting on that item.

Councillor Brown declared a non-financial interest in item 5 (Report No 209/16) as he had attended a meeting at Padanaram in which he took no active part. He indicated that he would participate in any discussion and voting on that item.

Councillors Helen Oswald, Brian Boyd and Glennis Middleton declared a non-financial interest in item 14 (Report No 218/16) as they each served as a current Director of Angus Community Care Charitable Trust. They indicated that they would participate in any discussion and voting on that item.

Councillor Houston declared an interest in item 16 (Report No 220/16) as he had held a discussion with a member of the Brechin City Hall User Group and given advice. He indicated that he would participate in any discussion and voting on this item.

Councillor Jim Houston declared a non-financial interest in item 19 (Report No 223/16) as he had spoken to his local Christmas Lights Committee and given advice. He indicated that he would participate in any discussion and voting on this item.

Councillor Jeanette Gaul declared a non-financial interest in item 19 (Report No 223/16) as she had been working with a community group in Kirriemuir which was to take over responsibility for the Christmas lights. She indicated that she would participate in any discussion and voting on this item.

Councillor Helen Oswald declared a non-financial interest in item 19 (Report No 223/16) as her husband was involved with fundraising for Carnoustie Christmas lights. She indicated that she would participate in any discussion and voting on this item.

3. **MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Committee of 12 April 2016 was submitted, approved as a correct record and signed by the Convener.

4. **INFORMATION REPORT FOR THE PERIOD 13 APRIL 2016 TO 24 MAY 2016**

With reference to Article 4 of the minute of meeting of this Committee of 12 April 2016, there was submitted and noted Report No 208/16 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. REVIEW OF WASTE MANAGEMENT SERVICES AND PUBLIC CONVENIENCES

With reference to Article 5 of the minute of meeting of this Committee of 12 April 2016, there was submitted Report No 209/16 by the Head of Regulatory and Protective Services, advising members as to the strategic review of recycling centre provision within Angus undertaken since the previous meeting. The Report made recommendations in light of the severe financial pressures facing Angus Council. It recommended the adoption of Option 2 which was identified as the preferred option as it met the agreed savings target and was more strategically aligned with the objectives of the option appraisal and the recommendation of the Scrutiny Panel.

Councillor Donald Morrison, seconded by Councillor Jeanette Gaul, moved that the Committee agree Option 5 as detailed in the Report, with an estimated saving of £253,000, and that the Committee also agree:-

- (i) to note the severe financial pressures facing Angus Council as set out in Section 6 of the Report;
- (ii) to the investment of approximately £135,000 in the existing recycling centre at Cairnie, Arbroath, to improve the layout of the facility and enhance reuse and recycling provision;
- (iii) to the investment of approximately £230,000 in the existing recycling centre at Broomfield Road, Montrose, to improve the layout of the facility and enhance reuse and recycling provision;
- (iv) to the provision of a new recycling centre to serve Forfar and Kirriemuir and remit the Head of Regulatory and Protective Services to identify a suitable location and bring forward a planning application to the Development Standards Committee;
- (v) to approve the closure of Monifieth Recycling Centre once improvement works at Arbroath Recycling Centre had been completed;
- (vi) to approve the closure of Forfar and Kirriemuir Recycling Centres upon completion of the new facility as outlined above; and
- (vii) to end the servicing of skips from the recycling centre currently managed by the Edzell Village Improvement Society (EVIS); and
- (viii) to remit to the Head of Regulatory and Protective Services, in conjunction with the Convener and Vice-Convener of this Committee, to negotiate a shared services arrangement with Dundee City Council that would allow Angus residents to access the Recycling Centre located at Baldovie, Dundee.

Councillor Oswald intimated that she had an amendment. The Convener ruled that the amendment was not competent as it could not be demonstrated that it achieved the necessary savings.

Councillor Myles intimated that he had an amendment, the terms of which were circulated.

The meeting was adjourned for five minutes to allow the Convener to discuss with the Vice-Convener, Leader of the Council, the Strategic Director – Communities and the representative of the Head of Corporate Improvement and Finance the terms of the amendment.

The meeting having reconvened, Councillor Morrison ruled that the terms of the amendment were not competent in that the necessary savings could not be achieved.

Councillor Brian Boyd intimated that he had an amendment to conjoin the Convener's motion that Carnoustie's opening hours as set out Option 5 of the Report be amended to include opening on one mid-week day, preferably Wednesday, from 12 noon to 4.00 pm, so achieving overall savings of £246,500 per annum.

Councillor Morrison, as proposer of the original motion, accepted this addition. Thereafter the Committee resolved to approve the motion as set out above, with the addition of Councillor Boyd's amendment.

In accordance with the provisions of Standing Order 16(11)(ii) Councillors Myles, Smith, Fotheringham, May, Proctor, McLaren and Brown requested that their dissent be recorded from the foregoing decision.

6. MONTROSE TO A90 ROAD LINK STUDY

There was submitted Report No 210/16 by the Head of Technical and Property Services, detailing progress made on the feasibility and options appraisal for road links from Montrose to the A90 Trunk Road, which focused on a new access to the A90 at Stracathro.

The proposals included topographical and other area surveys along the proposed route of the road and the examination of proposals for the potential option of lowering the road under the Hillside rail bridge. These works would allow development of potential road designs including feasibility and costs, with future reports coming to Committee as these progressed.

The Committee agreed:-

- (i) to approve the undertaking of a topographical survey on land adjacent to Hill of Stracathro to allow further design development, as detailed in the Report; and
- (ii) to approve the design development for lowering the A937 road at Hillside rail bridge, as detailed in the Report.

7. SURPLUS PROPERTY – FORMER CHILDREN'S HOME AT 39/41 KINNAIRD STREET, ARBROATH

There was submitted Report No 211/16 by the Head of Technical and Property Services, advising that the former children's home at 39/41 Kinnaird Street, Arbroath had been identified as being surplus to the requirements of the Council, and making proposals for its disposal.

The children's home had been closed in June 2015 and the residents moved to the new children's home at Bramble Cottages, Arbroath.

The Committee agreed that the former children's home at 39/41 Kinnaird 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 on the open market, so generating a capital receipt for the Council.

8. SURPLUS PROPERTY – DUNDEE STREET/LINKS AVENUE, CARNOUSTIE

There was submitted Report No 212/16 by the Head of Technical and Property Services, advising that a piece of ground at Dundee Street/Links Avenue, Carnoustie had been identified as being surplus to the requirements of the Council, and that officers had decided to market it for sale on the open market.

The ground had formerly been part of the playground of Kinloch School. Since the closure of the school, it had not been developed and community use, although intended, had not been progressed.

The Committee agreed to homologate the decision by the Chief Executive, in consultation with the spokesperson for Development and Enterprise, that the ground extending to 3,360.1sq m or thereby at Dundee Street/Links Avenue, Carnoustie, as shown outlined on the Plan at Appendix 1 to the Report, be declared surplus to the Council's requirements and disposed of on the open market, so generating a capital receipt for the Council.

9. URGENT REPAIR AND JOBBING TERM CONTRACTS – MAINTENANCE OF PROPERTIES (EXCLUDING COUNCIL HOUSING) 2017 TO 2021 – PROCUREMENT AUTHORITY APPROVAL REQUEST

With reference to Article 9 of the minute of meeting of the Corporate Services Committee on 9 June 2011, there was submitted Report No 213/16 by the Head of Technical and Property Services, seeking authority for the proposed procurement for term contract for urgent repair and jobbing contracts, maintenance of properties excluding Council housing, where the maximum value of the contract was above the Chief Officer's delegated authority limit.

The Report indicated that the current urgent repair and jobbing term contracts for the maintenance of properties excluding Council housing had commenced on 1 April 2012 and was due to expire on 31 March 2017. A new contract was therefore required to continue the annual repair and maintenance regime for minor works.

The Committee agreed:-

- (i) to note the indicative estimated overall cost of £16 million for urgent repair and jobbing works with a contract period of three years from April 2017 to March 2021;
- (ii) to approve the procurement authority, as contained in the Report, in accordance with the process stated in Section 16.8 of the Financial Regulations of the Council; and
- (iii) to authorise the Service Manager – Property to negotiate with and appoint contractors from other contract Lots where a deficiency of contractors arose in a given trade category and contract Lot due to circumstances outwith the control of the Council, and to empower the Head of Technical and Property Services, where appropriate, to recover all additional costs incurred as a result of such action from any terminated/defaulting contractor who had contributed towards such a deficiency on the understanding that the outcome of all such negotiations was subsequently reported to Committee in accordance with the Financial Regulations of the Council; and
- (iv) to note the financial implications included in Section 6 of the Report.

10. HRA EXTERNAL REPAINTING PROGRAMME 2017 TO 2022 – PROCUREMENT AUTHORITY APPROVAL REQUEST

With reference to Article 5 of the minute of meeting of the Executive Sub-Committee of the Neighbourhood Services Committee of 14 June 2011, there was submitted Report No 214/16 by the Head of Technical and Property Services, seeking authority for the procurement where the maximum value of the contract was above the Chief Officer's delegated authority limit, with regard to the HRA External Repainting Programme 2017 to 2022.

The Report indicated that the current Housing external repainting contracts had commenced in April 2012 and were due to expire on 31 March 2017, and that new contracts would be needed to continue with the rolling programme of housing external repainter-work. The external repainter-work programme was a continuing long-term process where all properties were repainted where required on a five-yearly cycle as part of the maintenance regime for Council housing stock.

The Committee agreed:-

- (i) to approve the indicative estimated overall cost over five years of £3,400,000 for the Council housing external repainting maintenance cycle from April 2017 to March 2022;
- (ii) to approve the procurement authority, as contained in the Report, in accordance with the process stated in Section 16.8 of the Financial Regulations of the Council; and
- (iii) to note the financial implications included in Section 6 of the Report.

11. WEIGHT LIMITS ON ROADS AND BRIDGES

There was submitted Report No 215/16 by the Head of Technical and Property Services, advising as to the necessity for weight restrictions to be placed on vehicles using North Keithock Bridge and to provide exemption to weight limit restrictions for refuse collection vehicles using the entire length of two roads in Kirriemuir.

The Committee agreed:-

- (i) to the promotion and, if no objections were received or any objections were withdrawn, the making of a traffic regulation order restricting the weight of vehicles permitted to use North Keithock Bridge which carried Keithock Road over a section of disused railway line; and
- (ii) to provide an exception to current weight limit restrictions in Tannage Brae and Knowehead, Kirriemuir, for refuse collection vehicles.

12. PROPERTY TRANSACTIONS

With reference to Article 8 of the minute of meeting of this Committee of 1 March 2016, there was submitted Report No 216/16 by the Head of Technical and Property Services, seeking approval for two property transactions.

The Committee agreed:-

- (i) to approve the open market lease of 13 Swan Street, Brechin, to a private individual on a five year lease at a rent of £9,000 per annum for use as a hairdresser's and beautician's, the property being held on Brechin Common Good Fund account; and
- (ii) to approve the disposal of 2 Kirriemuir Road, Forfar, at £140,000 to a private individual, the property having been advertised for sale on the open market with one offer at the Home Report Valuation of £140,000 having been received; the property had previously been declared surplus to the requirements of the Council.

13. ESTABLISHMENT OF EMPTY HOMES LOAN FUND USING FUNDS FROM THE AFFORDABLE HOUSING BUDGET

With reference to Article 13 of the minute of meeting of this Committee of 3 March 2015, there was submitted Report No 217/16 by the Head of Planning and Place, regarding the proposed establishment of an Empty Home Loan Fund using funding from the Affordable Housing Account. Criteria for the scheme would be extended to enable participants to sell their empty home in addition to renting it for fixed term affordable housing.

The Loan Fund provided interest free loans to owners of empty homes who were required to let the homes at an affordable rent for a minimum of five years, and was funded by a loan of £120,000 from the Scottish Government. The Council was required to repay 60% of Scottish Government funding by 2020, and the remaining 40% by 2024.

The Committee agreed:-

- (i) to note the position in relation to the existing Angus Empty Homes Loan Fund, funded by Scottish Government; and
- (ii) to approve a proposal for the Council to establish a new Empty Homes Loan Fund, using Council Tax revenue raised from additional charging levies, enabling owners of empty homes, once the property had been brought back into use, either to rent their property at an affordable rate for a minimum of five years, or sell the property within local threshold rates.

14. PROPOSED LEASE OF GARDEN GROUND AT BALMAIN COURT, MONTROSE

There was submitted Report No 218/16 by the Head of Planning and Place, relating to the proposed lease of an area of garden ground at Balmain Court, Montrose, to provide a walled external seating area for the residents of Provost Johnston Road supported housing unit.

The proposal involved an area of currently unused garden ground as detailed in Appendix 1 to the Report, which was held on the Housing Revenue Account and was not currently prioritised for development or for any other purpose in the Housing Division's Asset Management Strategy. Appendix 2 illustrated the development which would be funded and maintained by the Angus Community Care Charitable Trust which owned the unit and which had delegated its day-to-day running to the Communities Directorate of Angus Council.

The Committee agreed to approve the lease of an area of garden ground at Balmain Court, Montrose, to Angus Community Care Charitable Trust for the purpose of creating a walled external seating area for the residents of Provost Johnston Road Supported Housing Unit, on a five yearly lease basis at peppercorn rent of £1 per annum, with the option to extend thereafter for further five year periods, provided there had been no change to the ownership or use of the supported unit.

15. HOME ENERGY EFFICIENCY PROGRAMME FOR SCOTLAND – GRANT BID 2016/2017

There was submitted Report No 219/16 by the Head of Planning and Place advising as to a bid for a grant award from the Scottish Government through the Home Energy Efficiency Programme: Area Based Scheme (HEEPS:ABS) to tackle fuel poverty and increase energy efficiency in private sector homes.

Following very significant investment in the upgrading of Council and registered social landlord stock in recent years to meet the Scottish Housing Quality Standard and address issues of fuel poverty, it was now considered that fuel poverty and related issues of stock disrepair and poor housing quality were much more prevalent in relation to owner-occupied and private rented housing in Angus. This round of HEEPS grant funding would have many economic benefits for Angus in terms of employment opportunities and construction industry activity, as well as substantial numbers of Angus householders in privately owned or rented accommodation who would see their fuel bills reduced and the quality of their homes increase.

The Committee agreed:-

- (i) to note the successful outcome of the bid and the award to Angus of £1,238,054 for 2015/2016;
- (ii) to homologate and support the Angus Council bid of £1,117,600 for 2016/2017 for which confirmation of award was awaited from Scottish Government; and
- (iii) in the event that the bid was successful, to approve a mini tender under the Council's existing HEEPS:ABS Framework Agreement and to issue contract award(s) to the successful tenderer(s) as appropriate.

16. BRECHIN CITY HALLS – VOLUNTEER MANAGEMENT

There was submitted Report No 220/16 by the Strategic Director – Communities regarding a proposed lease of the Brechin City Halls for a period of five years to the Brechin City Hall User Group, to operate the Halls for community and commercial use. As part of this agreement, relevant and proportionate non-financial support and assistance would be available from Angus Council, as well as a transfer of the resources outlined in the Report.

The Brechin Hall User Group had been established for the purpose of operating and promoting the use of Brechin City Hall for community and commercial activities. While the cost of arrangements would be contained within existing budgets, the Council would continue to maintain the building and pay for the services in line with the terms contained in the Appendix to the Report and the sum of £13,000 per annum should be transferred to the Group.. Non-financial assistance would also be provided to the Group from Property and Environmental and Consumer Protection on a reasonable basis.

In welcoming this development, the Committee agreed:-

- (i) to lease the Brechin City Halls for a period of five years from 1 June 2016 to the Brechin City Hall User Group for the purposes of community and commercial use;
- (ii) to note the Heads of Terms of the lease agreed with the Head of Technical and Property Services as contained in Appendix 1 to the Report;
- (iii) to provide financial resources on a pro rata basis as outlined in the Report; and
- (iv) to commend the Group for its efforts in volunteering and entrepreneurial spirit that was driving community control at this time.

17. ROAD MAINTENANCE STRATEGY

With reference to Article 6 of the minute of meeting of this Committee on 29 September 2015, there was submitted Report No 221/16 by the Head of Technical and Property Services setting out the Council's Road Maintenance Strategy as part of the Council's Road Asset Management Plan (RAMP). The Plan was produced as a result of the Council's commitment to the Society of Chief Officers for Transport in Scotland (SCOTS).

The Committee agreed to approve the Road Maintenance Strategy as attached at Appendix 1 to the Report.

18. TAYSIDE AND FIFE ENVIRONMENTAL HEALTH AND TRADING STANDARDS RESOURCE SHARING PARTNERSHIP

There was submitted Report No 222/16 by the Head of Regulatory and Protective Services, advising as to shared services discussions which had taken place with neighbouring authorities in relation to Environmental Health and Trading Standards, and outlining the four Council Memorandum of Understanding, detailing the scope and mechanism for formally sharing resources within the Environmental Health and Trading Standards services across Tayside and Fife.

This initiative was in line with the Christie Commission Report which had promoted the idea that against a background of reduced public spending, Councils should work together to develop partnerships and closer working relationships in order to maximise the efficiencies and effectiveness of their services.

The Committee agreed:-

- (i) to note the contents of the Report and the proposed resource sharing potential between Angus, Dundee City, Fife and Perth & Kinross Councils; and
- (ii) to remit to the Head of Regulatory and Protective Services to sign the Memorandum of Understanding on behalf of Angus Council and commence the shared services arrangements as required.

19. CHRISTMAS LIGHTING

With reference to Article 23 of the minute of meeting of the Infrastructure Services Committee on 1 June 2010, there was submitted Report No 223/16 by the Head of Technical and Property Services, advising as to the discussions and opportunities for community engagement and empowerment in creating Christmas lighting displays.

Officers regularly engaged with community groups involved in Christmas lighting displays, across Angus, although community groups' interests varied from burgh to burgh, and in some areas Community Councils had not been formed. Two groups at present were in a position to take a leading role in their respective areas in forthcoming Christmas lighting displays and it was hoped that other burgh communities would follow suit.

The 2016/2017 budget allocation for Christmas lighting was £120,000; however through the empowerment of community groups to help deliver the Christmas lighting displays in partnership with the Council, the intention was to reduce this budget demand in the long term.

The Committee agreed:-

- (i) to approve the principle of continued engagement with the burgh communities to develop potential transfer of services to the community; and
- (ii) to delegate authority to the Head of Technical and Property Services, in conjunction with local elected members, to determine the support required for the community groups, including financial input, in order to promote sustainable service delivery through the community groups themselves.