

# ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 3 March 2015 at 2.10pm.

**Present:** Councillors DONALD MORRISON, JEANETTE GAUL, BRIAN BOYD, BILL DUFF, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GAUL, JIM HOUSTON, DAVID MAY, IAN MCLAREN, GLENNIS MIDDLETON, HELEN OSWALD, RONNIE PROCTOR MBE, MARTYN GEDDES and BILL BOWLES.

Councillor MORRISON, Convener, in the Chair.

## 1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Mark Salmond and Ewan Smith with Councillors Martyn Geddes and Bill Bowles substituting respectively.

## 2. DECLARATIONS OF INTEREST

Councillor Morrison declared a non-financial interest in Article 17 (Report No 107/15), as he was a Registered Private Landlord. He indicated that he would participate in any discussion and voting on that item.

Councillor Morrison also declared a non-financial interest in Article 15 (Report No 105/15), as he was a Director of Voluntary Action Angus. He indicated that he would not participate in discussion or voting, and that he would leave the meeting during that item.

Councillor Jeanette Gaul declared a non-financial interest in Article 17 (Report No 107/15) as she was a Registered Private Landlord. She indicated that she would participate in any discussion and voting on that item.

Councillor Oswald declared a non-financial interest in Article 10 (Report No 99/15) as she was a member of Tayside Contracts Joint Committee. She indicated that she would participate in any discussion and voting on that item.

Councillor Iain Gaul declared a non-financial interest in Article 17 (Report No 107/15) as he was a Registered Private Landlord. He indicated that he would participate in any discussion and voting on that item.

Councillor McLaren declared a non-financial interest in Article 4 (Report No 101/15), as he had been contacted by an objector to the proposals in that Report. He indicated that he would participate in any discussion and voting on that item.

Councillor Boyd declared a non-financial interest in Article 17 (Report No 107/15), as he was a Registered Private Landlord. He indicated that he would participate in any discussion and voting on that item.

Councillor Houston declared a non-financial interest in Article 10 (Report No 99/15) as he was Vice Convener of the Tayside Contracts Joint Committee. He indicated that he would participate in any discussion and voting on that item.

Councillor Houston also declared a non-financial interest in Article 17 (Report No 107/15) as he was a Registered Private Landlord. He indicated that he would participate in any discussion and voting on that item.

Councillor Middleton declared a non-financial interest in Article 4 (Report No 101/15), as she had been contacted by a number of local residents over recent months in regards to an objector/supporter to the proposals in that Report. She indicated that she would participate in any discussion and voting on that item.

### 3. REQUESTS FOR DEPUTATION

The Committee agreed, in accordance with Standing Order 12, to hear three deputations in relation to Report No 101/15.

Thereafter, the Committee heard from Mr Neil Turner, objecting to the making of an Order to introduce one-way traffic restrictions over a section of Canmore Street, Forfar; and Mrs Susan McDonald and Mr Brian Simpson, both in support of the recommendations.

All three deputations were thanked for their contribution, and withdrew to the public seating.

*In accordance with Standing Order 36(2), the Committee agreed that the order of business be varied from that published, and be considered in the following order.*

### 4. ANGUS COUNCIL (CANMORE STREET, FORFAR) (ONE-WAY TRAFFIC) ORDER 2015

With reference to Article 17 of the minute of meeting of this Committee of 19 August 2014, there was submitted Report No 101/15 by the Head of Technical and Property Services, relating to the Making of an Order for the purpose of introducing one-way traffic restrictions over a section of Canmore Street, Forfar.

Having heard from members, and acknowledged the contribution of the deputations, the Committee agreed to note the representations received during the consultation process, and to approve the Making of the Order as drafted.

### 5. MINUTES OF PREVIOUS MEETINGS

#### (i) Communities Committee

The minute of meeting of this Committee of 20 January 2015 was submitted, approved as a correct record and signed by the Convener.

#### (ii) Special Meeting of the Communities Committee

The minute of the special meeting of this Committee of 10 February 2015, a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

### 6. INFORMATION REPORT FOR THE PERIOD 21 JANUARY 2015 TO 3 MARCH 2015

There was submitted and noted Report No 84/15 by the Strategic Director – Communities, together with its eleven schedules, providing information to members with regard to services delivered in the Communities Directorate for the relevant period.

### 7. REVIEW OF CHARGES 2015/2016

With reference to Article 5(a) of the minute of the special meeting of Angus Council of 12 February 2015, there was submitted Report No 118/15 by the Strategic Director – Communities, to recommend approval of the amended library charges for the financial year 2015/2016, provided under the remit of Services to Communities (S2C).

The Committee agreed:-

- (i) to note that this Report had been prepared on the basis that the percentage increases for charges had, in the main, been applied at a rate of an average 5%, rounded where appropriate;
- (ii) in the light of the circumstances set out in Paragraph 3.2 of the Report, to approve the pricing structure as contained within Appendix 1 to the Report, under the heading Cultural – Webster Theatre/Libraries/Museums;
- (iii) that all charges would come into effect from 1 April 2015, or the start of any seasonal operations; and

- (iv) to approve a mid-term review of charges, to be reported to the Committee for implementation in September/October 2015.

## **8. CARBON REDUCTION MEMBER/OFFICER GROUP**

With reference to Article 14 of the minute of meeting of the Corporate Services Committee of 6 June 2013, there was submitted Report No 93/15 by the Head of Technical and Property Services, advising as to the need to review the membership of the Member/Officer Working Group to reflect changes in the Committee structure and the management structure of the Council, and to maintain progress in the work being undertaken to reduce the Council's energy use and carbon footprint.

The Committee agreed:-

- (i) to approve, in principle, continuation of the Carbon Reduction Member/Officer Working Group; and
- (ii) that the Convener and Vice-Convener of the Committee, along with one member representing the non-administration membership of this Committee, to be notified to the Head of Legal and Democratic Services as soon as possible, would form the membership of the Member/Officer Working Group.

## **9. PROPOSED APPROPRIATION OF SITE ADJACENT TO ROSEHILL ADULT RESOURCE CENTRE, FORTIES ROAD, MONTROSE**

With reference to Article 13 of the minute of meeting of the Corporate Services Committee of 28 November 2013, there was submitted Report No 98/15 by the Head of Technical and Property Services, advising as to the proposal to appropriate a site adjacent to Rosehill Adult Resource Centre, Montrose, to the Housing Revenue account for the provision of affordable housing.

The site had previously been declared surplus to the requirements of the Council; a strategic assessment had been carried out with the Head of Technical and Property Services to determine the most appropriate disposal route for the property in accordance with the Financial Regulations of the Council. The Housing Division had subsequently expressed interest in the site for the provision of affordable housing.

The Committee agreed to approve the appropriation of the site adjacent to the Rosehill Resource Centre, Forties Road, Montrose from the People Directorate – Social Work and Health Account, to the Housing Revenue Account on the basis of Report No 509/13. Policy for the appropriation of surplus general fund assets to the Housing Revenue account for affordable housing, resulting in a capital receipt for the general fund of £113,000.

## **10. LIGHTING PARTNERSHIP**

With reference to Article 16 of the Infrastructure Services Committee of 17 January 2012, there was submitted Report No 99/15 by the Head of Technical and Property Services, regarding the continuation of the lighting partnership between the Communities Directorate of the Council and Tayside Contracts for a further five years.

The Committee agreed:-

- (i) to approve, in principle, the continuation of the lighting partnership between the Council's Communities Directorate and Tayside Contracts; and
- (ii) to authorise the Head of Technical and Property Services, in consultation with the Head of Legal and Democratic Services, to extend the partnership agreement for a further five years on the basis described in Appendix 1 to the Report.

## **11. DECRIMINALISED PARKING ENFORCEMENT**

With reference to Article 23 of the minute of meeting of the Communities Committee of 21 January 2014, there was submitted Report No 102/15 by the Head of Technical and Property Services, regarding the feasibility study carried out to find a way forward following changes in on-street enforcement parking enforcement by Police Scotland, which had necessitated an examination of the potential of the Council undertaking the enforcement role.

Having heard several members expressing concerns regarding the issues arising from the withdrawal by Police Scotland from enforcing on-street parking regulations, the Committee agreed:-

- (i) to note the progress of the Improvement Service Collaborative project initiated by the Improvement Service to assist the 18 local authorities in Scotland without decriminalised parking enforcement, to develop their proposals;
- (ii) to note the outcome of the Council's feasibility study into Decriminalised Parking Enforcement (DPE) and the potential budget impact;
- (iii) to note the potential impact of charging for car parking in Angus;
- (iv) to continue the development of the proposal for DPE along with options for on-street and off-street charges to provide a funding source;
- (v) to establish a Member Officer Steering Group of five elected members, supported by officers as detailed in paragraph 4.19 of the Report, and to report back to Angus Council; and
- (vi) that Councillors Duff, Houston, Iain Gaul, McLaren and Fotheringham serve on the Member/Officer Working Group.

## **12. APPLICATION FOR ROAD CONSTRUCTION CONSENT**

With reference to Article 8 of the minute of meeting of the Development Standards Committee of 11 March 2014, there was submitted Report No 103/15 by the Head of Technical and Property Services, giving consideration to an application for Construction Consent for the extension of an existing public road associated with a flatted development at Church Street, Arbroath.

The planning application contained a proposal to form a small turning head for cars, partly within the planning permission site. The applicant had since made the requisite application to the Council for Construction Consent to extend the existing road to form the turning head.

The Committee agreed:-

- (i) to note the objection received in response to the intimation of the application for Construction Consent to extend the existing road for a new flatted development at Church Street, Arbroath; and
- (ii) to grant conditional approval for the application for Construction Consent.

## **13. EXTENSION TO CURRENT RESPONSIVE REPAIRS SERVICE FOR COUNCIL HOUSE TENANTS CONTRACTS – EXEMPTION REQUEST**

With reference to Article 11 of the minute of meeting of this Committee of 27 May 2014, there was submitted Report No 100/15 by the Head of Technical and Property Services, seeking approval of the exemption request, which was outwith the Exemption Co-ordinator's delegated authority, to extend the current Responsive Repairs Service to Council House Tenants contracts up to 30 June 2015.

The current term contracts were due to expire on 31 March 2015 with the contracts having been appointed on a trade and Community Housing Team area basis.

The application of extension periods stated in the current conditions of contract had been fully implemented; it was therefore necessary to request an exemption, to extend the current Responsive Repairs Service Term Contracts.

The Committee agreed:-

- (i) to approve the extension of the current contracts for the Responsive Repairs Service for Council House Tenants;
- (ii) to approve the exemption request in accordance with Section 16 of the Financial Regulations of the Council, based on the criteria detailed in item 16.24.10(d); and
- (iii) to authorise the Head of Technical and Property Services to negotiate with, and appoint, contractors from other contract areas, should any incumbent contractor not agree to the proposed contract extension.

#### **14. SURPLUS LAND - RESTENNETH**

There was submitted Report No 104/15 by the Head of Technical and Property Services, advising that a site at Restenneth landfill site, Forfar, was no longer required by the Council and could therefore be made available to outside parties. It was noted that the site currently housed the concrete pad used in conjunction with the Council's composting operations.

The Committee agreed:-

- (i) that the site, shown outlined in black on the plan in Appendix 1 to the Report, and measuring 0.72 ha or thereby, be declared surplus to the requirements of the Council;
- (ii) to instruct the Head of Technical and Property Services to market the surplus site on the open market, inviting offers for lease from developers interested in constructing and operating an Anaerobic Digestion Plant; and
- (iii) that as a condition of any lease, a replacement concrete pad be provided at the developer's cost, at an appropriate location on the Restenneth site, and to an agreed specification.

*Councillor Morrison, having declared an interest in the following item, left the meeting.*

*Councillor Jeanette Gaul, Vice-Convenor, took the Chair.*

#### **15. SERVICE LEVEL AGREEMENT WITH VOLUNTARY ACTION ANGUS FOR 2015/2016**

With reference to Article 12 of the minute of meeting of this Committee of 20 January 2015, there was submitted Report No 105/15 by the Head of Planning and Place, seeking approval of the proposed Service Level Agreement with Voluntary Action Angus (VAA).

The Service Level Agreement with VAA facilitated the provision of various service elements across the People and Communities Directorates, including the recruitment and training of volunteers for opportunities within Angus Council; enhancement and support work in the third sector; Kirriemuir and Forfar Friday Night Projects; and Volunteering services for children and young people.

The Committee agreed to approve the Service Level Agreement for the amount of £73,778 to Voluntary Action Angus for the financial year 2015/2016.

*Councillor Morrison re-entered the meeting and resumed the Chair.*

## **16. APPOINTMENT OF SHARED SERVICES EMPTY HOMES OFFICER**

With reference to Article 9 of the minute of meeting of the Policy and Resources Committee of 29 April 2014, there was submitted Report No 106/15 by the Head of Planning and Place, seeking approval to enter into a Shared Services Agreement with Shelter Scotland to appoint a Regional Empty Homes Officer, operating in partnership between Angus and Dundee City Councils.

The post was intended to operate as a pilot scheme for two years with funding being shared between the Scottish Government and Angus and Dundee City Councils. The cost to Angus Council would be £14,177 in the first year and £19,177 in the second year; the officer would split their time equally between Dundee and Angus. Establishment of the post would enhance the ability of the Council to work proactively with property owners to bring these properties back into use.

The Committee agreed to approve the proposal for the Council to participate in a Shared Services project to employ a Regional Empty Homes Officer to work across Angus and Dundee for a period of two years and to be funded as set out in the Report.

## **17. PROCUREMENT AUTHORITY REPORT – RESEARCH CONSULTANT TO UNDERTAKE A PRIVATE SECTOR HOUSE CONDITIONS SURVEY**

There was submitted Report No 107/15 by the Head of Planning and Place, regarding the procurement of a Consultant to undertake a Private Sector House Condition Survey.

The Housing (Scotland) Act 2001 required local authorities to prepare a Local Housing Survey (LHS) supported by an assessment of housing need and demand. A scope of the LHS had recently been broadened to address housing issues across all tenures including private sector housing. The LHS acknowledged a deficiency in knowledge and data relating to the condition of private sector housing and in particular the level of houses below the tolerable standards. The procurement of a consultant to undertake a Private Sector House Condition Survey would address this deficiency.

The Committee agreed:-

- (i) to approve funding of up to £80,000 to undertake a Private Sector House Condition Survey;
- (ii) to authorise the Head of Planning and Place to procure a consultant to undertake the research; and
- (iii) to note that the tender would be awarded on the basis of the most economically advantageous tender, using a 50/50 quality/price split as approved by the Head of Corporate Improvement and Finance in accordance with paragraph 16.14.2 of the Financial Regulations of the Council.

## **18. COMMUNITY ASSET TRANSFER UPDATE**

With reference to Article 10 of the minute of meeting of this Committee of 4 March 2014, there was submitted Report No 108/15 by the Head of Planning and Place, advising as to the current position in relation to applications received for Community Asset Transfer, and in particular, advising of the proposed transfer of land at Ogilvy Park, Arbroath.

The Committee agreed:-

- (i) to approve the transfer of land at Ogilvy Park, Arbroath to the Arbroath Victoria Junior Football Club at a discount of 50%, representing a transfer value of £10,000, subject to technical and legal terms and conditions; and
- (ii) to approve further amendments to the Community Asset Transfer Policy, as set out in section 6, and Appendix 2, of the Report.