

## ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 16 August 2016 at 2.00 pm.

**Present:** Councillors JEANETTE GAUL, BRIAN BOYD, BILL DUFF, DAVID FAIRWEATHER, IAIN GAUL, JIM HOUSTON, DAVID MAY, COLIN BROWN, GLENNIS MIDDLETON, LYNNE DEVINE, RONNIE PROCTOR MBE, MARK SALMOND and SHEENA WELSH.

Councillor JEANETTE GAUL, Vice-Convenor, in the Chair.

Prior to the commencement of the business, the Vice-Convenor paid tribute to Mr Ken Brown, Service Manager (Property) who was retiring from his post after 34 years' service and was today attending his last meeting of the Communities Committee. The Vice-Convenor, on behalf of the Committee, wished Ken a long and happy retirement.

### 1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Donald Morrison, Craig Fotheringham, Ian McLaren, Helen Oswald and Ewan Smith, with Councillor Sheena Welsh substituting for Councillor Morrison, Councillor Colin Brown substituting for Councillor McLaren and Councillor Lynne Devine substituting for Councillor Oswald.

### 2. DECLARATIONS OF INTEREST

Councillor Jeanette Gaul declared an interest in item 5 (Report No 281/16) as she was a Council appointee to the Cairngorms National Park Board and item 16 (Report No 292/16) as she was a Council appointed Director of Angus Alive. She indicated that she would take part in any discussion and voting on both these items.

Councillor Proctor declared an interest in item 11 (Report No 287/16) as his daughter was employed by Historic Environment Scotland with responsibility for Arbroath Abbey. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of the item.

Councillor Duff declared an interest in item 16 (Report No 292/16) as he was a Council appointed Director of Angus Alive. He indicated that he would take part in any discussion and voting on the item.

Councillor May declared an interest in item 4 (Report No 280/16, Schedule 8) as he was a member of the Management Committee of the YM, Montrose. He indicated that he would take part in any discussion and voting on the item.

Councillor Brown declared an interest in item 16 (Report No 292/16) as he was a Council appointed Director of Angus Alive. He indicated that he would take part in discussion and any voting on the item.

Councillors Iain Gaul, Fairweather and Welsh intimated that they had declarations of interest which related to matters which were recommended to be taken in private. Consequently they would each make a full declaration prior to the Committee considering these items of business.

### 3. MINUTES

#### (a) Previous Meeting

The minute of meeting of this Committee of 24 May 2016 was submitted, approved as a correct record and signed by the Convenor.

**(b) Executive Sub-Committee**

The minute of meeting of the Executive Sub-Committee of 17 June 2016, a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

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

The minute of meeting of the Arbroath Harbour Joint Consultative Committee of 22 April 2016, a copy of which is appended hereto, was submitted and noted (**APPENDIX II**).

**4. INFORMATION REPORT FOR THE PERIOD 25 MAY TO 16 AUGUST 2016**

With reference to Article 4 of the minute of meeting of this Committee of 24 May 2016, there was submitted and noted Report No 280/16 by the Strategic Director – Communities, together with its ten schedules, providing information to members with regard to services delivered in the Communities Directorate for the relevant period.

**5. PLANS, ACTIVITIES AND PROJECTS WITHIN THE ANGUS AREA OF THE CAIRNGORMS NATIONAL PARK 2015 TO 2017**

With reference to Article 14 of the minute of meeting of this Committee of 14 April 2015, there was submitted Report No 281/16 by the Head of the Head of Planning and Place, providing information with regard to plans, activities and projects which had taken place in the Angus area of the Cairngorms National Park within the last 18 months, as well as providing information on plans, projects and activities which were scheduled for 2016/2017.

The Committee agreed:-

- (i) to note the progress of the Cairngorms National Park Partnership Plan which, once adopted, set out how all those with a responsibility for the national park would coordinate their work to tackle the most important issues;
- (ii) to note the range of plans, activities and projects which had taken place within the Angus area of the park during 2015/2016 and those which were planned for 2016/2017; and
- (iii) to authorise officers to engage with national park staff to represent Angus interests relating to the exercise of planning and housing policy functions within and affecting the national park.

**6. CYCLING, WALKING AND SAFER STREETS FUND – PROGRAMME OF WORKS**

With reference to Article 6 of the minute of meeting of this Committee of 26 May 2015, there was submitted Report No 282/16 by the Head of Planning and Place, updating members on the delivery of the programme of projects funded in 2015/2016 through the Cycling, Walking and Safer Streets Fund, and seeking approval of the programme of projects to be funded during 2016/2017.

The Report indicated that the programme of proposed projects to be undertaken in 2016/2017, as summarised in Appendix 2 to the Report, would be contained within the ring fenced capital grant allocation for 2016/2017 of £128,000. Any additional ongoing maintenance costs associated with these projects would require to be contained within future years' revenue budgets of the responsible directorate. The Report also noted that funding of the projects contributed towards the Council meeting its aims and objectives contained in the various strategies and that full use would be made of the available allocation of funding.

The Committee agreed:-

- (i) to note the programme of projects which had been undertaken during 2015/2016; and
- (ii) to approve the programme of projects to be undertaken during financial 2016/2017.

## **7. ANGUS LOCAL ACCESS FORUM – MEMBERSHIP UPDATE**

With reference to Article 10 of the minute of meeting of this Committee of 18 November 2014, there was submitted Report No 283/16 by the Head of Planning and Place advising members of changes to the membership of the Angus Local Access Forum.

The Committee agreed to the appointment of Mr Peter Fiabane as the User Representative.

## **8. SUPPORTED HOUSING PROTOCOL REVIEW**

There was submitted Report No 284/16 by the Head of Planning and Place proposing amendments to the assessment and allocation of supported housing in Angus.

The Report indicated that the revisions to the supported housing protocol aimed to achieve a more flexible approach to the assessment and allocation of supported housing, removing barriers to accessing supported housing whilst still working in partnership with Angus Health and Social Care Partnership to ensure sustainable outcomes for applicants.

The Committee agreed:-

- (i) to approve the revisions to the eligibility criteria for supported housing; and
- (ii) to approve the revisions to the assessment process for older people's supported housing.

## **9. GARAGE SITES AT LOCHSIDE ROAD, FORFAR**

There was submitted Report No 285/16 by the Head of Planning and Place seeking approval for the proposed transfer of ground at Lochside Road Garage Sites, Forfar to the Forfar and District Men's Shed.

The Report indicated that there was low demand and the garage sites at Lochside Road were under-occupied. The land was not currently prioritised for any other purpose in the Housing Division's Asset Management Strategy.

The Committee agreed to approve the lease of the garage sites at Lochside Road, Forfar to the Forfar Men's Shed on the basis of a five year lease for £1 per annum.

## **10. ANGUS TENANT PARTICIPATION STRATEGY**

There was submitted Report No 286/16 by the Head of Planning and Place presenting members with the Angus Tenant Participation Strategy 2016 to 2019.

The Report indicated that Angus had a strong commitment and tradition of involving tenants in a variety of ways to ensure that they had a real say in decision making, influencing services and monitoring performance. This was the fourth Tenant Participation Strategy for Angus which had been developed in partnership with the Tenant Participation Steering Group.

The Committee agreed:-

- (i) to approve the Angus Tenant Participation Strategy 2016-2019, as detailed in the Appendix to the Report; and
- (ii) to receive annual progress reports on its implementation.

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

## **11. ARBROATH 2020**

There was submitted Report No 287/16 by the Strategic Director – Communities advising members of proposals by the Arbroath 2020 Community Group celebrating the 700<sup>th</sup> anniversary of the Declaration of Arbroath.

The Report indicated that Arbroath 2020 had identified the area in front of the main entrance to the Abbey as an area that could be enhanced and improved to create an appropriate legacy for Arbroath of the 700<sup>th</sup> Anniversary. It was therefore proposed that the Council give permission for Arbroath 2020 to take forward the development community led improvements in consultation with the Council and Historic Environment Scotland.

The Committee agreed:-

- (i) to approve permission for Arbroath 2020 to develop proposals in consultation with Angus Council and Historic Environment Scotland for community led improvements to the open space in front of the main entrance to Arbroath Abbey to create a civic space; and
- (ii) to approve that, should the proposals come to fruition and achieve the required external funding, the bronze sculpture of the Declaration by David Annand, currently situated on the A92 at the southern entrance to the town, be relocated to the area beside the Abbey entrance as part of the initiative on the condition that a landscaped planting bed or other suitable installation be created in its place, funded and maintained by local community groups or the Arbroath Common Good.

## **12. TAYSIDE LOCAL BIODIVERSITY ACTION PLAN 2016-2026**

With reference to Article 9 of the minute of meeting of the Policy and Resources Committee of 3 February 2015, there was submitted Report No 288/16 by the Head of Planning and Place advising members of the publication of a new 10 year Tayside Local Biodiversity Action Plan which had been developed and would aid in the delivery of Council duties and engaging local communities until 2026.

The Report indicated that the Tayside Local Biodiversity Action Plan facilitated a range of works essential to coordinate and promote the sustainable protection of Tayside's biodiversity. The first Local Biodiversity Action Plan had been launched in 2002 and as many actions in the Plan had now been completed and the challenges and opportunities for biodiversity enhancement changed so much, it was felt that it was time for a new 10 year plan running from 2016 to 2026. A copy of the Action Plan had been placed in the Members' Information Hub and was available on the Council's website.

The Committee agreed:-

- (i) to note the contents of the Action Plan;
- (ii) to approve support for Council staff in delivering actions in the Plan that contributed to the public biodiversity duty obligations; and
- (iii) to approve the publication of the Report on the Council's website.

## **13. ANGUS COUNCIL CORE PATHS PLAN – MINOR AMENDMENTS**

With reference to Article 11 of the minute of meeting of this Committee of 29 September 2015, there was submitted Report No 289/16 by the Head of Planning and Place seeking authority to make a number of minor amendments to the Angus Council Core Paths Plan.

The Report indicated that the alignment of five core paths had been reviewed as a result of changes to land management or requests from land managers. Details of the proposed amendments were outlined in Appendix 1 to the Report.

The Committee agreed to approve the amendments to the Angus Council Core Paths Plan, as detailed in the Report.

## **14. PROPERTY TRANSACTIONS**

With reference to Article 12 of the minute of meeting of this Committee of 24 May 2016, there was submitted Report No 290/16 by the Head of Technical and Property Services seeking approval for one property transaction which had been provisionally agreed.

The Committee agreed:-

- (i) to approve the two lease extensions, as detailed in the Report;
- (ii) to approve the disposal of Liff Hearse House to a private individual with each party meeting their own costs; and
- (iii) to approve the disposal of the car park at Catherine Street, Arbroath to a private individual with each party meeting their own costs.

**15. ROOF REPLACEMENT AND EXTERNAL WALL INSULATION TO DORRAN HOUSES, LANDWARD AREAS, ANGUS – TENDER REPORT FOR HOMOLOGATION**

There was submitted Report No 291/16 by the Head of Technical and Property Services advising members of tenders received, and seeking homologation of the decision and recommendation of acceptance where the lowest acceptable tender had exceeded the Chief Officers' procurement delegated authority limits as contained in Section 16.8.1 of Financial Regulations.

The Committee agreed:-

- (i) to homologate the decision taken by the Head of Technical and Property Services, in consultation with the Strategic Director – Communities and the Convener of the Communities Committee, to approve the acceptance of the lowest acceptable tender for the roof replacement and external wall insulation to Dorran Houses at various landward areas from Everwarm Ltd in the amount of £588,398.74;
- (ii) to approve the estimated total cost of £644,261 (at out-turn prices);
- (iii) to note that the total cost of the project of £644,261 would be fully funded from the HRA Capital Budget and that the Housing Financial Plan would be updated to reflect the revised costs at its next review; and
- (iv) to note the financial implications as detailed in Section 6 of the Report.

**16. ACCESS/LIBRARIES INTEGRATION PROGRAMME – PROCUREMENT AUTHORITY APPROVAL REQUEST**

With reference to Article 9 of the minute of meeting of Angus Council of 24 March 2016, there was submitted Report No 292/16 by the Head of Technical and Property Services seeking approval for the proposed procurement for a framework contract to deliver planned multi-million pound investment in the Council's ACCESS and Library facilities, where the maximum value of the contract was above the Chief Officer's delegated authority limit.

The Committee agreed:-

- (i) to approve the estimated cost of £2,385,000 for the investment in the ACCESS/Libraries Integration Programme for Carnoustie Library, part of Forfar Library and Montrose Library;
- (ii) to approve the procurement authority as detailed in the Report, in accordance with the process detailed in Section 16.8 of Financial Regulations, noting that authority was being sought to establish a procurement process for the full ACCESS/Libraries Integration Programme;
- (iii) to note that the procurement of furniture would be through existing frameworks where available or by the use of quotations to meet the programmes for the individual schemes;
- (iv) to note that the funding and financial implications related to this project were detailed in Section 6 of the Report; and
- (v) to note that the funding in 'later years' for Brechin Library, the balance of Forfar Library and Monifieth Library would be subject to further Committee consideration.

## **17. SURPLUS PROPERTIES – PUBLIC CONVENIENCES AT VARIOUS LOCATIONS IN ANGUS**

With reference to Article 5 of the minute of meeting of this Committee of 12 April 2016, there was submitted Report No 293/16 by the Head of Technical and Property Services advising members that a number of public conveniences in various locations in Angus were now surplus to Angus Council requirements.

The Report indicated that the public conveniences detailed within the Report had been circulated to all Directorates with no interest being shown. It was therefore proposed that the public conveniences be declared surplus to requirements and that the Head of Technical and Property Services market the properties for sale on the open market or make them available for Community Asset Transfer.

The Committee agreed to approve that the public conveniences detailed in the Report be declared surplus to the requirements of Angus Council and use by the Housing Revenue Account, marketed for sale on the open market or made available for Community Asset Transfer.

## **18. WATER ANNUAL REPORT 2015/2016**

With reference to Article 7 of the minute of meeting of this Committee of 18 August 2015, there was submitted Report No 294/16 by the Head of Technical and Property Services advising as to the end of year status of the water consumption and water and drainage expenditure for the Council non-housing properties for 2015/16.

The Report showed a slight year on year increase in water consumption of 1,821 cubic meters and an increase of £16,281 on the water and drainage expenditure for that year.

The Committee agreed:-

- (i) to note the contents of the end of year report;
- (ii) to note that the annual report was required to be accessible to members of the public; and
- (iii) to approve a corporate 5% water consumption reduction target based on the 2011/12 consumption levels.

## **19. WINTER SERVICE POLICY AND PROVISION FOR 2016/2017**

With reference to Article 10 of the minute of meeting of this Committee of 18 August 2015, there was submitted Report No 295/16 by the Head of Technical and Property Services setting out the proposed Winter Service Policy and detailing the proposed service provision for preventative treatment and snow clearing during the winter period 2016/17, together with contingency arrangements to cater for extreme conditions prevailing, in conjunction with the operational issues detailed in the supplement as placed in the Information Hub.

The Committee agreed:-

- (i) to approve the policy for Winter Service during the forthcoming winter, as detailed in Appendix 1 to the Report, and in conjunction with the operational details/supplement;
- (ii) to approve the arrangements proposed to meet the costs of the winter service during 2016/2017;
- (iii) to delegate authority to the Head of Technical and Property Services to temporarily increase the level of service in extreme conditions; and
- (iv) to delegate authority to the Head of Technical and Property Services to deviate from the treatment decision matrix and introduce salt conservation techniques as proposed in the Report, should difficulties be experienced or anticipated in obtaining sufficient salt supplies.

## **20. THE ANGUS COUNCIL (BEECHWOOD PLACE, KIRRIEMUIR) (STOPPING UP) ORDER 2016**

With reference to Article 13 of the minute of meeting of this Committee of 17 November 2015, there was submitted Report No 296/16 by the Head of Technical and Property Services relating to the making of an Order for the purpose of stopping up a section of Beechwood Place, Kirriemuir.

The Report indicated that the notice of proposal had been published on 31 March 2016 and public notices erected at various locations along Beechwood Place, Kirriemuir. In response to the publication of the proposals, three letters of objection had been received, with none of the objectors willing to withdraw their objections to date.

In accordance with the requirements of the Roads (Scotland) Act 1984, stopping up of roads under Section 68 of the Act in any case where an objection had not been withdrawn, then the matter must be remitted to Scottish Ministers for determination who may confirm the Order with or without modification or refuse to confirm any Order under Section 71 of the Act.

The Committee agreed:-

- (i) to note the objections received during the consultation process, as detailed in the Report;
- (ii) to approve the making of the Order as published; and
- (iii) to note that the matter must be remitted to Scottish Ministers for determination who may confirm the Order with or without modification or refuse to confirm the Order.

## **21. LOCAL BUS SERVICE CONTRACTS – PROCUREMENT AUTHORITY REQUEST**

With reference to Article 18 of the minute of meeting of this Committee of 19 August 2014, there was submitted Report No 297/16 by the Head of Technical and Property Services, seeking authority for the procurement of local bus service contracts where the maximum value of the contract was above the Chief Officer's delegated authority limit.

Local bus service contracts were renewed throughout Angus, generally on a three yearly basis, with a number of these contracts being due for renewal in May 2017. In previous years, the retendering exercises had resulted in significant budgetary implications for the Council and it was therefore proposed that these contracts should be tendered in September 2016 so that the results, should there be budget issues, could be taken into account in the 2017/2018 budget setting process.

The Committee agreed:-

- (i) to note the local bus service contracts due for renewal in May 2017, at an indicative estimated value of £1,600,000 for a full five year period of operation from May 2017 to May 2022, the contracts being awarded initially for three years with an option to extend on an annual basis up to two further years; and
- (ii) that these services be reviewed and that a contract renewal exercise be undertaken as appropriate to secure replacement service provision on the basis detailed in the Report and in accordance with the process as detailed in Section 16.8 of Financial Regulations.

## **22. REVIEW OF COMMON GOOD RENTS**

With reference to Article 10 of the minute of meeting of the Corporate Services Committee of 28 April 2011, there was submitted Report No 299/16 by the Head of Technical and Property Services detailing the outcome of the Common Good rent reviews effective from 1 April 2016.

The Report indicated that the rent review of Common Good properties occupied by Angus Council had been carried out to ensure that the Common Good accounts received the appropriate rent for the property.

The Committee agreed to approve the rent reviews of properties occupied by Angus Council, as detailed in the Appendix to the Report.

**23. EXCLUSION OF PUBLIC AND PRESS**

The Committee resolved, in terms of Standing Order 28(2), that the public and press be excluded during consideration of the following items so as to avoid the disclosure of information which is exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 2, 3, 6, 8, 9 and 12.

With reference to Article 2 above, the following declarations of interest were made:-

Councillor Iain Gaul declared an interest in item 24 (Report No 298/16) as he was a friend of one of the parties involved. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of the item.

Councillors Welsh and Fairweather each declared an interest in item 25 (Report No 300/16) as they had had discussions with the parties involved. Both indicated that they would participate in any discussion and voting on the item.

*Councillor Iain Gaul having declared an interest left the meeting during consideration of the following item.*

**24. EXCAMBION OF LAND, RESTENNETH, BY FORFAR**

There was submitted Report No 298/16 by the Head of Technical and Property Services relating to an excambion of ground at Restenneth, Forfar.

The Committee agreed to approve the recommendation, as detailed in the Report.

**25. VARIATION TO THE WEST LINKS PARTNERSHIP SERVICES AGREEMENT**

There was submitted Report No 300/16 by the Strategic Director – Communities advising members of a request to vary the services contract for the management of the operation of the West Links Receptions.

The Committee agreed to approve the variation and to note recommendation (ii), as detailed in the Report.

**26. RIGHT TO BUY APPLICATION IN NORTH ANGUS**

There was submitted Report No 301/16 by the Head of Planning and Place seeking homologation of a decision taken for the purposes for a Right to Buy application under Section 61 (10)(b)(iv) of the Housing (Scotland) Act 1987.

The Committee agreed to approve the recommendation, as detailed in the Report.