

ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 18 August 2015 at 2.00 pm.

Present: Councillors DONALD MORRISON, JEANETTE GAUL, COLIN BROWN, BILL DUFF, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GAUL, JIM HOUSTON, DAVID MAY, IAN MCLAREN, GLENNIS MIDDLETON, HELEN OSWALD and RONNIE PROCTOR MBE.

Councillor MORRISON, Convener, in the Chair.

1. **APOLOGIES/SUBSTITUTES**

Apologies for absence were intimated on behalf of Councillors Brian Boyd and Ewan Smith, with Councillor Colin Brown substituting for Councillor Boyd.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest intimated.

3. **MINUTES OF PREVIOUS MEETINGS**

(a) **Communities Committee**

The minute of meeting of this Committee of 26 May 2015 was submitted, approved as a correct record and signed by the Convener.

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

The minutes of meetings of the Arbroath Harbour Joint Consultative Committee of 17 April and 15 May 2015, copies of which are appended hereto were submitted and noted (**APPENDICES I and II** respectively).

4. **INFORMATION REPORT FOR THE PERIOD 27 MAY 2015 TO 18 AUGUST 2015**

With reference to Article 4 of the minute of meeting of this Committee on 26 May 2015, and following the well-attended briefing earlier today on The Community Empowerment (Scotland) Act 2015, there was submitted and noted Report No 289/15 by the Strategic Director – Communities, together with its six schedules, providing information to members with regard to services delivered in the Communities Directorate for the relevant period.

5. **COMMUNITIES DIRECTORATE ANNUAL PERFORMANCE REPORT 2014/2015**

With reference to Article 6 of the minute of meeting of this Committee on 30 September 2014, there was submitted Report No 290/15 by the Strategic Director – Communities, advising as to the production of the 2014/2015 Annual Performance Report for the Communities Directorate.

The Report advised that as an integral part of the Council's Performance Management arrangements, each Directorate was required to prepare an annual report for submission to their service committee in the first committee cycle following the summer recess. The Report was designed to give members, employees and the public, who would have access to the Report via the Council website, an at-a-glance picture of performance within the Directorate during the previous financial year.

Members welcomed the Report, and the Committee agreed to note the terms of the Communities Directorate Annual Performance Report for 2014/2015.

6. ENERGY ANNUAL REPORT 2014/2015

With reference to Article 21 of the minute of meeting of this Committee of 19 August 2014, there was submitted Report No 291/15 by the Head of Technical and Property Services, advising as to end of year status of the energy consumption, carbon emissions and expenditure on energy supplies for the Council non-housing properties for 2014/2015.

The Report highlighted reductions as compared with the outcomes in 2013/2014, of 5.8% in energy consumption and 5.5% in carbon emissions, as well as a £178,382 reduction in expenditure.

The Committee, welcoming the reductions, agreed to note the contents of the end of year Report, and that the Report was required to be accessible to members of the public.

7. WATER ANNUAL REPORT 2014/2015

With reference to Article 22 of the minute of meeting of this Committee of 19 August 2014, there was submitted Report No 292/15 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 2014/2015.

The Report showed a significant year-on-year reduction in water consumption of 57,314 cubic metres, and an underspend of £248,020 on the water and drainage expenditure for that year.

The Committee agreed to note the contents of the end of year Report, and that it was required to be accessible to members of the public.

8. CENTRAL EFFICIENCY FUNDS ANNUAL REPORT 2014/2015

With reference to Article 20 of the minute of meeting of this Committee of 19 August 2014, there was submitted Report No 293/15 by the Head of Technical and Property Services, advising as to the 2014/2015 end of year status of both the Central Energy Efficiency Fund (CEEF) and the Central Water Efficiency Fund (CWEF), with cash values of each fund on 31 March 2015 as being £184,998 and £40,769 respectively. CEEF and CWEF completed projects were forecast to result in savings of £17,500 and £13,414 per annum, respectively.

The Committee agreed:-

- (i) to note the content of the end of year Report, and that it was required to be accessible to members of the public; and
- (ii) to approve the transfer of both the CEEF and the CWEF into the existing Carbon Reduction Fund when the CEEF ended on 31 March 2016.

9. CORPORATE CARBON DIOXIDE AND ENERGY CONSUMPTION REDUCTION TARGETS

With reference to Article 11 of the minute of meeting of the Strategic Policy Committee of 6 September 2011, there was submitted Report No 294/15 by the Head of Technical and Property Services, advising as to the current position on the Council's carbon dioxide and energy consumption reduction targets; and changes in these targets necessary in order to meet the reduction requirement for 2020.

The Committee agreed:-

- (i) that the carbon dioxide reduction target be increased from 2.5% to 3% per annum and that the energy consumption reduction target be increased from 1.5% to 2% per annum; and
- (ii) that the new reduction targets be applied to the Corporate Energy Management Budgets from 2016/2017, subject to these targets being realistically based on the level of investment which could be afforded as determined by the Council's budget setting process.

10. WINTER SERVICE POLICY AND PROVISION FOR 2015/2016

With reference to Article 16 of the minute of meeting of this Committee of 19 August 2014, there was submitted Report No 295/15 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 2015/2016, 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 stated 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 2015/2016;
- (iii) to delegate authority to the Head of Technical and Property Services to increase temporarily 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.

11. A933 FORFAR ROAD, B961 KINGENNIE AND C37 MAIN ROAD, HILLSIDE – AMENDMENTS TO EXISTING SPEED LIMITS

There was submitted Report No 296/15 by the Head of Technical and Property Services, advising as to concerns raised by local residents over speeding on the B961 in Kingennie and the C37 main road, Hillside; and detailing the findings of engineering investigations carried out at both locations.

The Report also advised as to findings of investigations carried out for the junction of Kirkton Road with the A933 Forfar Road.

Members welcomed the Report and in particular, expressed their appreciation for the support given to affected residents after serious accidents on the Drumsturdy Road, and the speedy response to residents' concerns in Hillside.

The Committee agreed:-

- (i) to note the concerns of the local residents in Kingennie and Hillside, and the findings of the engineering investigation subsequently carried out to assess those concerns;
- (ii) to note the findings of the investigation work carried out for the A933; and
- (iii) to approve the implementation of amendments to the existing speed limits at the three locations.

12. FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009, ARBROATH FLOOD STRATEGY AND ARBROATH (BROTHOCK WATER) FLOOD PROTECTION SCHEME UPDATES

With reference to Article 5 of the minute of meeting of this Committee on 19 August 2014 (Schedule 8), there was submitted Report No 297/15 by the Head of Technical and Property Services, advising as to progress on the works associated with the Arbroath Flood Strategy, the Arbroath (Brothock Water) Flood Protection Scheme, the proposed further development of the Scheme to allow for delivery in the first cycle of the Local Flood Risk Management Plan for Tay Estuary and Montrose Basin, and the results of the consultation on the Draft Local Flood Risk Management Plan under the Flood Risk Management (Scotland) Act 2009.

The Report advised that the Arbroath Flood Strategy was being taken forward with a delivery of measures to manage river and coastal flood risk, and would be progressed when funding became available. In the meantime, several coastal flood risk measures had been delivered and were being progressed as set out in the Report.

The Flood Protection Strategy for Arbroath identified fluvial and coastal actions to reduce flood risk. The Arbroath (Brothock Water) Flood Protection Scheme had been identified and developed to address a significant element of the fluvial flood risk. The aim of the Scheme was to reduce economic damages to residential and non-residential properties in Arbroath arising from flooding from the Brothock Water.

The Committee agreed:-

- (i) to note the update on the consultation on the Draft Local Flood Risk Management Plan under the Flood Risk Management (Scotland) Act 2009;
- (ii) to note the progress of the works associated with the Arbroath Flood Strategy as detailed in the Report;
- (iii) to note the progress of the Arbroath (Brothock Water) Flood Protection Scheme as detailed in the Report;
- (iv) to approve the further development of the Arbroath (Brothock Water) Flood Protection Scheme and notification of the Scheme under the Flood Risk Management (Scotland) Act 2009 as detailed in the Report; and
- (v) to note that as set out in paragraphs 4.6.10 and 6.5, the net cost to the Council (£1.361 million) to construct the Scheme, required to be considered against all other capital priorities as part of the forthcoming budget setting process to develop the Financial Plan 2015/2020.

13. ROADS COLLABORATION PROJECT AND PROPOSAL TO FORM THE NORTHERN ROADS COLLABORATION FORUM

There was submitted Report No 298/15 by the Head of Technical and Property Services, outlining work currently being undertaken within the Scottish Roads Authority Sector to explore and develop opportunities for greater collaboration between Roads Authorities, highlighting how this was being taken forward in the north of Scotland, and giving consideration to the creation of a Northern Roads Collaboration Forum.

The Report indicated that there was increasing expectation by Scottish Government of collaboration nationally, through the outcome of the National Roads Maintenance Review. Progress was likely to be considered by Audit Scotland later in 2015 when it revisited "Maintaining Scotland's Roads", a Report in which Audit Scotland had previously recommended that Scottish Government review the national approach to roads maintenance. The ability of local authorities to work together was considered essential to deliver long-term efficiencies whilst providing resilience in what was a key frontline service.

The Committee agreed:-

- (i) to note the development of a North Area Governance First Group, involving Angus Council and neighbouring partner authorities, and a methodical approach undertaken to develop the case for creating a new governance body of elected members to oversee the development of collaborative activity within the Roads Service;
- (ii) to approve the formation of the Northern Roads Collaboration Forum to prepare for consideration of the formation of a joint committee in the future;
- (iii) to provide delegated authority to the Head of Technical and Property Services to make arrangements for the formation of the new Forum as detailed in the Report; and
- (iv) to appoint Councillors Jeanette Gaul and Ronnie Proctor to the Forum.

14. TERM CONTRACTS FOR ELECTRICAL TESTING OF COUNCIL HOUSES (INCLUDING MINOR REPAIRS) – PROCUREMENT AUTHORITY APPROVAL REQUEST

There was submitted Report No 299/15 by the Head of Technical and Property Services, seeking authority for the proposed procurement of term contracts for electrical testing of Council houses, including minor repairs, as the maximum value of each contract exceeded the delegated authority limit of the Chief Officer.

The Committee agreed:-

- (i) to note the indicative estimated overall cost of £1,100,000 electrical testing and minor repairs within Council houses, communal areas and sheltered housing schemes with a contract period of two years from 1 April 2016 to 31 March 2018, with the option to extend the contracts for a further two year period to 31 March 2020;
- (ii) to approve the procurement authority as contained in the Report, in accordance with the process set out in section 16.8 of the Financial Regulations; and
- (iii) to note the financial implications included in section 6 of this Report.

15. POLICY ON INTENTIONAL BALLOON AND CHINESE/SKY LANTERN RELEASES

There was submitted Report No 300/15 by the Head of Planning and Place, advising as to hazards posed by the mass intentional release of helium filled latex balloons and Chinese/sky lanterns, and the growing evidence of resulting damage. Other local authorities and organisations, including Keep Scotland Beautiful, the Marine Conservation Society, National Farmers Union Scotland, the Royal National Lifeboat Institution and the Royal Society for the Protection of Birds, supported calls for bans of all such releases.

The Committee agreed:-

- (i) to approve the policy statement set out in Appendix 1 to the Report, prohibiting intentional balloon and lantern releases on Council owned land and property, by Council staff, and at events endorsed by or supported by the Council, including those on non-Council land;
- (ii) that the Council would raise awareness of environmental consequences of balloon and Chinese/sky lantern releases, and promote alternatives; and
- (iii) to note that the Civic Licensing Committee had agreed to impose a standard condition on the grant of Public Entertainment Licences, prohibiting such releases. (Report 269/15 refers).

16. CONSENT TO PLACE TABLES AND CHAIRS ON THE PUBLIC ROAD ADJACENT TO LICENSED PREMISES AT 9-13 HIGH STREET, ARBROATH

There was submitted Report No 301/15 by the Head of Technical and Property Services, seeking consideration of an application for consent to place tables and chairs on the public footway at 9-13 High Street, Arbroath.

The Report advised that in cases involving licensed premises, located in designated areas, where the consumption of alcohol was prohibited in public places, the Committee required to consider applications for consent in such cases.

The Committee agreed, having considered the application set out in Appendix 1 to the Report, to approve the application subject to conditions set out in Appendix 2 to the Report.

17. RECREATION REPAIRS AND RENEWAL FUND

With reference to Article 15 of the minute of meeting of this Committee on 30 September 2014, there was submitted Report No 302/15 by the (Interim) Head of Services to Communities, seeking approval for the proposed use of the Recreation Repairs and Renewal (R&R) Fund in the current and future years.

The current balance available on the R&R Fund at 1 April 2015 was £592,118. The proposed spend in 2015/2016 was detailed in paragraph 4.1 of the Report, and totalled £298,500, which would reduce the R&R Fund balance to £293,618.

The Committee agreed:-

- (i) to note the current balance and projected spend in future years as detailed in section 3.1 of the Report; and
- (ii) to approve the expenditure as detailed in the table contained within section 4.1 of the Report.

18. PLAY AREA IMPROVEMENTS – SUPPLY OF REPLACEMENT EQUIPMENT

There was submitted Report No 303/15 by the Strategic Director – Communities, requesting an exemption to be granted from Financial Regulations to procure replacement play equipment to complete the play area improvements for the current financial year.

Scotland Excel was currently developing a new Scottish Local Authority framework for the supply and installation of play equipment and multi-use games areas. This however would not be implemented until mid-2016. Authority was requested therefore to purchase directly from a nominated list of suppliers for a period of one year or until the Scotland Excel framework was in place.

The Committee agreed to grant an exemption from the Financial Regulations, Section 16.24.10, to allow the Strategic Director – Communities to procure play equipment for the completion of the Department's 2015-2016 Programmes of Play Area Improvements across Angus, with an estimated expenditure of approximately £120,000.

19. REMOVAL OF LIBRARY OVERDUE CHARGES

There was submitted Report No 304/15 by the (Interim) Head of Services to Communities, proposing the removal of charges levied by the Council for the late return of library stock, setting out the perceived benefits and advantages of such a move.

The Committee agreed to remove charges for the late return of library stock.

20. UPDATE ON ROLL-OUT OF KERBSIDE RECYCLING SERVICES

With reference to Article 22 of the minute of meeting of the Neighbourhood Services Committee of 14 November 2013, there was submitted Report No 305/15 by the Strategic Director – Communities, updating members on the success of the roll-out of kerbside recycling services across Angus, and seeking to carry out a number of service reviews to ensure that the service continued to deliver best value.

The new service had been rolled out to approximately 55,000 households between March and November 2014. It was now essential to carry out a review to identify how the amount of waste recycled could be maximised in the most efficient way possible. Food and garden waste collection routes were suggested for prioritisation for review as they experienced the greatest fluctuation in participation rates.

The Committee noted the terms of the Report and authorised the Strategic Director – Communities to bring forward the service reviews highlighted in section 5.2 of the Report, reporting back to the Committee on the results of those reviews and making subsequent recommendations in due course.

21. UPDATE ON LITTER PREVENTION PROJECTS

With reference to Article 26 of the minute of meeting of this Committee of 19 August 2014, there was submitted Report No 306/15 by the Strategic Director – Communities, advising as to the results of two litter prevention projects carried out earlier this year involving Forfar Academy and the West Links area of Arbroath, and setting out proposals to replicate the projects elsewhere in Angus.

The projects had been developed by the Pride in Place Member Officer Working Group and funded by Zero Waste Scotland.

In noting the Report, the Committee agreed to the phased roll-out of secondary school litter prevention projects, as detailed in section 5.3 of the Report.

22. OPEN MARKET ACQUISITION SCHEME

With reference to Article 8 of the minute of meeting of this Committee of 18 November 2014, there was submitted Report No 307/15 by the Head of Planning and Place, providing an update on the Open Market Acquisition Scheme, and proposing its continuation on an ongoing basis with extended criteria.

Under the Scheme, the Council had completed five purchases, four of which were former Right-to-Buy homes, and one purchase specifically meeting the needs of a household with particular requirements. The Council had therefore been enabled to increase its housing stock and address the requirements of families in housing need.

The Committee agreed:-

- (i) to note the position in relation to activity under the Open Market Acquisition Scheme in 2014/2015;
- (ii) to the purchase of a small number of properties on an ongoing basis funded from appropriate sources within existing resources; and
- (iii) to approve the extension of the criteria under the scheme to enable the purchase of owner occupied homes where the occupant had a high medical priority for rehousing, and an alternative suitable housing solution had been identified.

23. FORMER HOMELESS UNIT AT QUEEN'S CLOSE, MONTROSE - DISPOSAL

There was submitted Report No 308/15 by the Head of Planning and Place, seeking authorisation to declare surplus to requirements the Housing Revenue Account property at Queen's Close, Montrose.

The building had been unused since 2008. Its location rendered it a difficult building for the Council to use effectively and no alternative Council uses for the building had been identified.

The Committee agreed:-

- (i) to approve the former homeless unit at Queen's Close, Montrose, being declared surplus to requirements for the reasons set out in paragraph 5.1 of the Report; and
- (ii) to authorise the Head of Technical and Property Services to dispose of the property on the open market.

24. A COMMUNITY LEARNING AND DEVELOPMENT PLAN FOR ANGUS

There was submitted Report No 309/15 by the Head of Planning and Place, advising as to the preparation of a Community Learning and Development Plan for Angus (2015/2016), produced in terms of the Scottish Government publication *Community Learning and Development; Strategic Guidance for Community Planning Partnerships*, and the requirements of the Community Learning and Development (Scotland) Regulations 2013. A plan had therefore been prepared for Angus, to be published by 1 September 2015 to cover a three year period. The plan was explicitly connected to the Angus Community Plan and Single Outcome Agreement and would contribute overtly to the Community Planning Partnership's crosscutting policy priorities, namely sustainable economy and employment; poverty and disadvantage; and shifting the balance of care.

The Committee agreed:-

- (i) to approve the Community Learning and Development Plan for Angus 2015/2018; and
- (ii) to request that an Annual Report be brought forward in due course on progress in implementing the Plan.

25. HOUSING CAPITAL AND REVENUE BUDGET PERFORMANCE REPORT 2014/2015

With reference to Article 6 of the minute of meeting of this Committee on 19 August 2014, there was submitted Report No 310/15 by the Head of Planning and Place, setting out the final unaudited Capital and Revenue spend to 31 March 2015, together with the updated capital funding arrangements.

The actual net spend achieved to 31 March 2015 on the Housing Capital Programme was £11,125,000, representing an underspend of £724,000 or 6.1% against the monitoring budget.

The Report advised that there were a number of known commitments for which the HRA balance would be utilised in Financial Year 2015/2016 and beyond, as detailed in Table 4 of the Report.

The Committee agreed:-

- (i) to note the unaudited final outturn figures presented for the Capital Housing and Revenue for the year to 31 March 2015;
- (ii) to note the unaudited final outturn capital receipts position for the year to 31 March 2015;
- (iii) to note the capital funding arrangements; and
- (iv) to note the Revenue Budget Performance statement for the year to 31 March 2015.

26. HOUSING CAPITAL MONITORING REPORT 2015/2016

With reference to Article 6 of the minute of meeting of this Committee on 14 April 2015, there was submitted Report No 311/15 by the Head of Planning and Place, setting out the actual capital spend to 30 June 2015, together with projected outturns for the year to 31 March 2016 and any required updated capital funding proposals and revised capital estimates to 2017/2018.

The Report advised that the actual spend achieved to 30 June 2015 on the Housing Capital Programme was £815,000, equating to 11.3% of the monitoring budget of £7,216,000. The Report also gave updates on Capital Receipts and Capital Funding 2015/2016, with the financial implications being summarised in Table 5 of the Report.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the projected year end positions on Capital Expenditure, and the indicative funding proposals for the programme; and
- (iii) to agree the revised Capital Estimates to 2017/2018, and in particular the revised Capital Monitoring Budget for 2014/2016, as set out in Appendix 1 to the Report.

27. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved in terms of Standing Order 27(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 6 and 8.

28. GLAMIS – AFFORDABLE HOUSING UNIT

There was submitted Report No 312/15 by the Head of Planning and Place regarding the purchase of a property in Glamis in order to proceed with an Affordable Housing requirement at the site.

The Committee agreed the recommendations as set out in the Report.