

ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday, 16 April 2019, at 2.00 pm.

Present: Councillors MARK SALMOND, TOMMY STEWART, JULIE BELL, KENNY BRAES, DAVID CHEAPE, BRADEN DAVY, LYNNE DEVINE, BILL DUFF, BRENDA DURNO, CRAIG FOTHERINGHAM, DAVID LUMGAIR, DAVID FAIRWEATHER, RICHARD MOORE, RONNIE PROCTOR MBE, and LOIS SPEED.

Councillor SALMOND, Convener, in the Chair.

1. APOLOGY/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Ian McLaren with Councillor David Fairweather substituting.

2. DECLARATIONS OF INTEREST

In relation to item 4 the Committee noted that over the past weeks, all members of the Committee had been involved in discussions with constituents and with community groups regarding car park charges. No member of the Committee had expressed a view on the subject and all members would participate in any discussion and voting on the item.

Councillors Proctor, Moore, Stewart, Speed, Lumgair and Salmond each declared a non-financial interest in Item 8 (Report No 111/19), in that they had variously been contacted by local residents and/or patronised shops in the area affected by the proposals for the crossing. All these members indicated that they would participate in any discussion and voting on the item.

Councillor Cheape declared a non-financial interest in Item 10 (Report No 113/19), in that he had received emails from constituents and attended a local site meeting, but had expressed no opinion on the subject of the Report. He indicated that he would participate in any discussion and voting on the item.

Councillor Fairweather declared a non-financial interest in Item 10 (Report No 113/19), in that he and a number of colleagues had been contacted by another elected member, but had expressed no opinion on the subject of the Report. He indicated that he would participate in any discussion and voting on the item.

3. MINUTE OF PREVIOUS MEETING

There was submitted the minute of meeting of this Committee of 26 February 2019.

The Manager – Democratic and Members Services advised that erroneous advice had been given to the Head of Infrastructure regarding Councillor Moore's ability to attend the site visit. The position had subsequently been clarified and Councillor Moore had been able to attend a site visit.

Thereafter, the Committee approved the minute as a correct record.

4. MOTION IN TERMS OF STANDING ORDER NO 25(1)

Prior to consideration of the following item, the Convener noted that the Member Officer Working Group currently deliberating on issues related to car parking was wrongly described in the Motion as an 'Administration' MOG. He pointed out that an Independent Member, Councillor Cheape, sat on the Group and participated fully; and that while two spaces had been offered to the SNP Group, they had been declined.

Councillor Devine, seconded by Councillor Bell, moved the following:-

***CHANGES TO PARKING CHARGES**

There was an assurance given that the Administration MOG looking at methods of payment would be very shortlived, but as the outcome is still in consultation mode, we now must ask that action is taken to obviate the damage being done to our town centres.

1. On the basis that it is quite legitimate to deal with different towns in different ways, taking local circumstances into consideration, it is proposed that parking charges will be stopped in Kirriemuir, Brechin and Carnoustie as soon as Orders can be progressed. The loss of income for a full year would be £141,000. Assuming introduction from the start of May post Communities approval this would equate to £129,000. There would be an impact in refunding parking permits purchased by users of these three towns' car parks. It is not possible to accurately estimate the extent of refunds that may be sought and thus a one-off provision of £20,000 in this regard is proposed.
2. All 2 hour car parks should be changed to 4 hours which will address the needs of residents, visitors and businesses. This will result in an additional one-off cost of £5,000 from May 2019, to be met from parking income, related to signage and software changes.
3. There are several small car parks which are not in the middle of towns which we consider should not have charges – they are either too small or cannot be policed because of their location. This needs to be given rapid consideration.
4. Officers to be asked to bring forward a costings report on 5 coin-operated machines: 2 in Forfar, 2 in Arbroath and 1 in Montrose.
5. The changes proposed in 1. above remove fees from 27% of the total spaces. The calculated shortfall would be £154,000 for 2019/20. This would be covered by the General Fund contingency.
6. Nos. 1 and 3 will decrease enforcement workload.
7. Once the full income and expenditure picture is clear, then it will be possible to set a realistic budget for 2020/21.

COUNCILLOR SALMOND, SECONDED BY COUNCILLOR STEWART, MOVED AS AN AMENDMENT -

1. IN RELATION TO ITEM 1, THAT NO CHANGE IS MADE TO THE AGREED POLICY, AT THIS STAGE;
2. IN RELATION TO ITEMS 2 AND 3, THAT AS AN OFFICER REPORT ON THIS ISSUE IS TO BE CONSIDERED AT THE NEXT MEETING OF THE POLICY AND RESOURCES COMMITTEE, TO TAKE NO ACTION ON THIS MATTER, AT THIS STAGE; AND
3. IN RELATION TO ITEM 4, TO TAKE NO ACTION UNTIL SUCH TIME AS THE PARKING MEMBER OFFICER GROUP HAS CONCLUDED ITS REVIEW AND A REPORT HAS COME BACK TO THE RELEVANT COMMITTEE OR FULL COUNCIL.

On a vote being taken, members voted:-

For the motion:-

Councillors Bell, Braes, Cheape, Devine, Duff and Durno (6).

For the amendment:-

Councillors Salmond, Stewart, Davy, Fotheringham, Lumgair, Fairweather, Proctor and Speed (8).

No vote:

Councillor Moore.

The amendment was declared carried and the Committee resolved accordingly.

5. INFORMATION REPORT

With reference to Article 4 of the minute of meeting of this Committee of 26 February 2019, there was submitted Report No 108/19 by the Director of Communities, together with its three schedules, namely :-

- Schedule 1 Enforcement Action – Trading Standards Age Restricted Sales;
- Schedule 2 Scottish Government – A Consultation on Local Connection and Intentionality Provisions in Homelessness Legislation; and
- Schedule 3 Angus Council's Communities Team Youth Work Report 2018.

In relation to Schedule 1, in response to queries from Councillors Bell and Moore, the Director indicated that consultation could take place with local communities on the Council Plan regarding the establishment of smoke free public spaces; and confirmed that retailers who failed or continued to fail in visits for test purchasing of tobacco and nicotine vapour products under the age of 18 years, could expect to be issued with fixed penalty notices and ultimately a Banning Order preventing the making of future sales.

In relation to Schedule 2, Councillor Speed welcomed the Report and its robust and empathetic response to the Consultation on the recommendations from the Homelessness and Rough Sleeping Action Group (HARSAG) together with the high level action plan which set out actions required to eradicate rough sleeping, transform the use of temporary accommodation in Scotland, and end homelessness.

In relation to Schedule 3, the Committee heard Councillors Devine, Davy, Fairweather and Speed, all of whom acknowledged the work undertaken by the Council's Communities Team during the Year of Young People 2018.

6. B961 ENTRANCE TO REDFORD AND C6 ENTRANCES TO TEALING – AMENDMENT TO EXISTING SPEED LIMITS

There was submitted Report No 109/19 by the Director of Infrastructure advising as to concerns raised over speeding on the B961 southbound approach into Redford; and also on the C6 eastbound and westbound approaches into Tealing. The findings of engineering investigations carried out were also detailed.

The Committee agreed:-

- (i) to note the concerns over speeding at the two locations;
- (ii) to note the findings of the engineering investigations carried out to assess those concerns;
- (iii) to implement the amendments to the existing speed limit on the B961 at Redford; and
- (iv) to implement the amendment to the existing speed limits on the C6 at Tealing.

7. THE ANGUS COUNCIL (DISABLED PERSONS' PARKING PLACES) (STREET PARKING PLACES) (No 2) ORDER 201X

There was submitted Report No 110/19 by the Director of Infrastructure, relating to the making of a Traffic Order in respect of enforcement of new Disabled Person Parking Places.

In the course of discussion members commented adversely on the content of the partially redacted Appendix 1 to the report, comprising correspondence between the Council and objectors to the Order.

Having heard Councillors Speed, Bell, Proctor and Moore, the Committee agreed:-

- (i) to note the objections received during the publication period and to approve the making of the Order as amended; and
- (ii) to request that the Director of Infrastructure review the terms of the objections to determine whether further action should be taken over the contents.

8. PROPOSED PEDESTRIAN CROSSING, KEPTIE STREET, ARBROATH: SITE VISIT UPDATE

With reference to Article 3(a)(i) of the minute of meeting of this Committee of 26 February 2019, there was submitted Report No 111/19 by the Director of Infrastructure, updating members on the outcome of the site visit held in Keptie Street, Arbroath on 7 February 2019.

Following the instruction given by the Committee at its meeting on 15 January 2019 (Article 6 refers), a site visit had been arranged, attended by members of the Committee, local Arbroath members, Council officers and directly affected businesses. The choice facing the Committee as a location for a pedestrian crossing was between Location 1 (Keptie Street between Helen Street and Garden Street) and Location 2 (Keptie Street between Garden Street and Lochlands Street).

Councillor Salmond, seconded by Councillor Fairweather moved that the pedestrian crossing be located on Keptie Street, between Garden Street and Lochlands Street.

COUNCILLOR SPEED, SECONDED BY COUNCILLOR DUFF, MOVED AS AN AMENDMENT THAT THE PEDESTRIAN CROSSING BE LOCATED BETWEEN HELEN STREET AND GARDEN STREET.

On a vote being taken, members voted:-

For the motion:

Councillors Salmond, Durno, Lumgair, Fairweather and Moore (5).

For the amendment:-

Councillors Stewart, Bell, Braes, Cheape, Devine, Duff, Fotheringham, Proctor and Speed (9).

No vote:

Councillor Davy.

The amendment was declared carried, and the Committee resolved accordingly.

Thereafter, the Committee agreed that loading bays be provided on the north side of Keptie Street, directly opposite No's 55-57 and the Chemist shop, and Helen Street, opposite properties 2 – 6, subject to legal process.

9. SPEED LIMITS AT FORFAR – KIRRIEMUIR ROAD (A926)

With reference to Article 8 of the minute of meeting of this Committee of 29 May 2018, there was submitted Report No 112/19 by the Director of Infrastructure relating to potential alterations to the agreed speed limit on a section of Forfar – Kirriemuir Road (A926).

Members generally welcomed the Report, seeing it as an improvement to road safety and simplifying the current speed limits which were regarded as confusing for road users.

The Committee, having heard from Councillors Salmond, Davy, Devine, Proctor, Braes and Stewart in consideration of the various options for the speed limit, agreed:

- (i) to adopt Option 3 as set out in the Report, to extend the 40 MPH speed limit to Padanaram Village; and
- (ii) to instruct the Director of Infrastructure to promote and make the appropriate Speed Limits Order to affect the speed limit change, subject to there being no objections.

10. VARIATION OF WAITING RESTRICTIONS AT THISTLE STREET, CARNOUSTIE

With reference to Article 5 of minute of meeting of this Committee on 13 November 2018, there was submitted Report No 113/19 by the Director of Infrastructure relating to proposed amendments to current waiting restrictions in Thistle Street, Carnoustie.

At this point, Councillor Boyd, a local member, was invited to address the Committee. He advised members that in his view there had been no material change in circumstances since a decision taken by the Infrastructure Services Committee at its meeting on 28 February 2012 (Article 20 refers), to abandon proposed waiting restrictions at Thistle Street. He urged the Committee to respect the 2012 decision. Having answered a question from Councillor Moore, Councillor Boyd then went returned to the public benches.

Having heard from Councillors Fairweather, Stewart, Bell and Cheape, and having heard the Director advise that in the absence of yellow lines, officers had no powers to act upon parking which infringed in terms of the Highway Code, the Committee agreed to the promotion and making of a Traffic Regulation Order to affect changes to current waiting restrictions in Thistle Street, Carnoustie.

11. TAYSIDE BIODIVERSITY PARTNERSHIP

With reference to Article 12 of the minute of meeting of this Committee of 16 August 2016, there was submitted Report No 114/19 by the Director of Communities, updating members on the work of the Tayside Biodiversity Partnership and the Council's financial contribution.

Members generally welcomed the Report, and having heard Councillors Bell, Proctor and Braes, the Committee agreed:-

- (i) to note the work of the Tayside Biodiversity Partnership and Council's current direct financial contribution of £26,000 per year to the Partnership;
- (ii) to reaffirm the Council's commitment to the work of the Partnership and to the delivery of the Tayside Local Biodiversity Action Plan 2016-26; and
- (iii) to authorise the Service Leader – Planning & Communities to work with colleagues at Perth and Kinross Council to investigate alternative arrangements for the resourcing of the Partnership for the period beyond March 2020.

12. VEHICLE REPLACEMENT PROGRAMME FOR 2019/20

With reference to Article 6 of the minute of meeting of this Committee of 17 April 2018, there was submitted Report No 115/19 by the Director of Communities, seeking authorisation for the procurement of fleet vehicles and equipment required for the 2019/20 Capital Replacement Programme.

The Council's vehicle replacement programme had been profiled for 2019/2020 to ensure that the vehicles and equipment scheduled for replacement, as set out in Section 6 of the Report, represented those which were the priority in order to maintain service provision in various service areas as detailed in Tables 1 and 3 in Section 6 of the Report.

The general vehicle replacement programme revised position as set out in Table 4 of the Report would be reflected within the Environmental Services Section of the Financial Plan when next updated. An additional £700,000 had been agreed for the general replacement

programme over a four year period which sum contained the increase in gross expenditure allowance detailed in Table 4 of the Report.

The Committee agreed to authorise the Director of Communities to procure vehicles and equipment required for the 2019/20 capital replacement programme.