

ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 28 February 2017 at 2.00 pm.

Present: Councillors DONALD MORRISON, JEANNETTE GAUL, BRIAN BOYD, BILL DUFF, BRENDA DURNO, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GAUL, JIM HOUSTON, DAVID MAY, IAN McLAREN, GLENNIS MIDDLETON, RONNIE PROCTOR MBE and MARK SALMOND.

In Attendance: Councillor BOB MYLES.

Councillor MORRISON, Convener, in the Chair.

Prior to the commencement of business, the Convener reflected upon the many achievements of this Committee and the Communities Directorate, paying tribute to his Vice-Convener, Councillor Jeannette Gaul; and all members of the Committee over the last five years. He also expressed his appreciation of the efforts of all staff within the Communities Directorate and associated staff from the Resources Directorate, who had supported the work of the Committee. Councillors May, Proctor and Fairweather responded in suitable terms.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Ewan Smith; there was no substitute.

2. DECLARATIONS OF INTEREST

Councillor Jeanette Gaul declared a non-financial interest in item 4 (Report No 77/17), Schedule 1; and also in item 15 (Report No 88/17) in that she was a Council appointee to Angus Care and Repair. She indicated that she would participate in any discussion and voting on the respective items.

Councillor McLaren declared a non-financial interest in item 4 (Report No 77/17), Schedule 5, in that he was a serving trustee of Strang's Mortification. He indicated that he would participate in any discussion and voting on this item.

Councillor Middleton declared a non-financial interest in item 4 (Report No 77/17), Schedule 5, in that she was a serving trustee of Strang's Mortification. She indicated that she would participate in any discussion and voting on this item.

Thereafter, the Committee agreed to hear Councillor Myles as a local member, speaking with regard to item 11 (Report No 84/17). He called for a solution which he believed would be more in keeping with the results of the public consultation; and that the car parking issue might be relieved by the use of space adjacent to the new High School Community Campus.

There were no questions put to Councillor Myles.

3. MINUTES

(a) Previous Meeting

The minute of meeting of this Committee of 17 January 2017 was submitted, approved as a correct record and signed by the Convener.

(b) Special Meeting

The minute of special meeting of this Committee of 14 February 2017, was submitted and, subject to a correction in the sederunt to indicate the attendance at the meeting of Councillor May, approved as a correct record and signed by the Convener.

4. INFORMATION REPORT FOR THE PERIOD 17 JANUARY 2017 TO 28 FEBRUARY 2017

With reference to Article 4 of the minute of meeting of this Committee of 17 January 2017, there was submitted and noted Report No 77/17 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. SOUTH MONTROSE SPINE ROAD – SECTION 1; PROCUREMENT AUTHORITY APPROVAL REQUEST

With reference to Article 6 of the minute of meeting of the Development Standards Committee of 11 March 2014, there was submitted Report No 78/17 by the Head of Technical and Property Services, seeking authority for the proposed procurement of the contract for the construction of the spine road, estimates for which had shown that the value of the works would be above the Chief Officer's delegated authority limit. These works would include demolition/alteration of four properties, various utility diversions, road construction works, drainage, landscaping, street lighting and traffic management, along with making good various adjacent properties and boundaries. Due to the nature of works, an external single main contractor would be required to carry them out, and this would also lead to reduced disturbance for local residents due to more efficient construction, time management and co-ordinated traffic management.

The Committee agreed to approve the procurement authority for the South Montrose Spine Road – Section 1 contract used for the construction of the spine road and associated construction activities, as contained in Report 78/17, in accordance with the process stated in section 16.8 of the Financial Regulations of the Council.

6. ESTATES SERVICES CONSULTANCY 2017-2022; PROCUREMENT AUTHORITY APPROVAL REQUEST

There was submitted Report No 79/17 by the Head of Technical and Property Services, advising that the current Estates Services Consultancy commission, which had commenced on 1 October 2012, was due to expire on 30 September 2017. A new commission was therefore required to continue the provision of estates services professional support to the small estates management team within Technical and Property Services. Without this support, there would be a significant reduction in the Council's ability to provide an Estates Service and effectively manage its portfolio of properties and sites.

It was considered that a three year contract with a two year extension option would be the most beneficial to the Council as it would enable a decision to be taken to invite competition or to extend the contract, taking into account contractor performance and best value.

The Committee agreed:-

- (i) to note that the indicative estimated overall cost for the Estates Services Consultancy for the period 1 October 2017 to 30 September 2020 was £350,000 to £400,000, including provision for extensions to 2022 at outturn prices;
- (ii) to approve the procurement authority, as contained in Report 79/17, in accordance with the process stated in Section 16.8 of the Financial Regulations; and
- (iii) to note the financial implications as detailed in Section 6 of the Report.

7. APPOINTMENT OF RATING REVALUATION CONSULTANTS; PROCUREMENT AUTHORITY APPROVAL REQUEST

With reference to Article 14 of the minute of meeting of the Corporate Services Committee of 7 December 2010, there was submitted Report No 80/17 by the Head of Technical and Property Services, seeking authority for the proposed procurement of a rating re-valuation consultant on a 'no win, no fee' basis. The service requirement comprised undertaking a review of the ratings assessments provided by Tayside Valuation Joint Board on approximately 350 non-domestic properties and sites held by the Council, and affected by revaluation.

The Committee agreed:-

- (i) to note the appointment of a rating re-valuation consultant on a 'no win, no fee' basis for a period of three years from 1 April 2017 to 31 March 2020, and that the value of the fee would be on a percentage basis dependent on the consultant's success on reducing the Council's rateable values;
- (ii) to note that the procurement would be led by Dundee City Council on a collaborative basis;
- (iii) to approve the procurement authority, as contained in the Report, in accordance with the process stated at Section 16.8 of the Financial Regulations and the use of the Crown Commercial Service – Estates Professional Services Contract RM928 in accordance with Financial Regulation 16.6;
- (iv) to note that the funding for this project would be available from the reduction in the rates payable by the Council based on revisions to the rateable values achieved by the consultant; and
- (v) to note the financial implications included in Section 6 of the Report.

8. B955 CORTACHY ROAD, KIRRIEMUIR; AMENDMENTS TO EXISTING SPEED LIMITS

There was submitted Report No 81/17 by the Head of Technical and Property Services, advising members of concerns raised by local residents over speeding and road traffic accidents on the B955 Cortachy Road, Kirriemuir and detailing the findings of engineering investigations subsequently carried out. In light of those findings, it was proposed that the existing 40mph speed limit between Golf Road and Woodend Drive be amended to 30mph for a length of approximately 1,000metres. It was intended that by reducing the speed limit to 30mph this in turn would reduce the speed of vehicles approaching the bend near Angle Road. The local members had been consulted and were agreeable to the proposal.

The Committee agreed:-

- (i) to note the concerns of the local residents in Kirriemuir;
- (ii) to note the findings of the engineering investigations carried out to assess the concerns; and
- (iii) to approve the implementation of amendments to the existing speed limit on the B955 Cortachy Road, Kirriemuir.

9. GALLOWDEN ROAD, ARBROATH – TRAFFIC CALMING

With reference to Article 6 of the minute of meeting of the Development Standards Committee of 1 November 2016, there was submitted Report No 82/17 by the Head of Technical and Property Services, considering that the proposed housing development at East Muirlands, Arbroath, was likely to increase significantly the traffic flow on Gallowden Road, and proposing the undertaking of formal consultation on the proposal to install physical traffic calming measures.

Letters of representation had included a significant number of objections to the proposal arising from potential traffic increases and in particular the potential increase in traffic on Gallowden Road. Local elected members had requested that consideration of the introduction of road humps to Gallowden Road be given, to discourage traffic from using the road as a short cut. The request for traffic calming measures on Gallowden Road had been discussed at the Angus Area Traffic Co-ordination Group meeting which also considered the impact on proposed housing developments on the traffic flow on Gallowden Road, recommending that consideration be given to provision of road humps on that Road.

The Committee agreed:-

- (i) to note the likely increase in traffic flow on Gallowden Road following the construction of the new housing development at East Muirlands;

- (ii) to instruct the Head of Technical and Property Services to undertake formal consultation on the proposal to install physical traffic calming measures; and
- (iii) to note that a further Report would be brought forward to this Committee following completion of the proposed consultation.

10. VARIATION OF WAITING RESTRICTIONS

With reference to Article 8 of the minute of meeting of this Committee of 19 January 2016, there was submitted Report No 83/17 by the Head of Technical and Property Services, outlining proposed amendments to current waiting restrictions to take account of the changing circumstances at the various locations listed.

Having heard the Convener, the Committee agreed to the promotion of Traffic Regulation Variation Orders to effect changes to the current waiting restrictions in Angus as set out in the Report, with the exception of the proposals detailed in Section 4.6 (Montrose Road/William Street, Forfar); and Section 4.7 (Montrose Road/Yeaman Street, Forfar), which were deferred to enable further investigations.

11. REVIEW OF TWENTY'S PLENTY SPEED LIMITS – DUKE STREET, BRECHIN

With reference to Article 15 of the minute of meeting of the Infrastructure Services Committee of 17 January 2012, there was submitted Report No 84/17 by the Head of Technical and Property Services, advising the Committee with regard to the results of the public consultation in connection with the proposed introduction of physical speed reducing measures in Duke Street, Brechin.

The consultation had taken place in terms of the Road Humps (Scotland) Regulations 1998 with the consultation letters and comments received, appended to the Report. 63% of returned consultation forms favoured the introduction of the speed cushions.

The Committee agreed:-

- (i) to note the responses to the public consultation which had been received in regards to the proposed physical traffic calming measures in Duke Street, Brechin;
- (ii) to note the range of opinions expressed by those who had responded to the consultation; and
- (iii) to instruct the Head of Technical and Property Services to proceed with the implementation of the works described for Duke Street, Brechin.

12. PROPERTY TRANSACTIONS

With reference to Article 6 of the minute of meeting of this Committee of 17 January 2017, there was submitted Report No 85/17 by the Head of Technical and Property Services, seeking approval for three property transactions which had been provisionally agreed; and the noting of one other transaction which had been approved in terms of the delegated authority of the Head of Technical and Property Services.

The Committee agreed:-

- (i) to approve the lease renewal at Unit 2, Broomfield Road, Montrose, resulting in increased lease receipts of £1,600 per annum, for three years;
- (ii) to approve the lease renewal at Unit 3, Broomfield Road, Montrose, resulting in increased lease receipts of £3,340 per annum for two years; and £4,000 per annum for the third year, with a review and mutual break option in October 2019;
- (iii) to note the lease of the shop at 7 Swan Street to Brechin Community Pantry Scottish Charitable Incorporated Organisation (SCIO) for a period of three years at a rent of £1 pa in line with the Council's *Policy for the Lease of Council Land and Buildings to Community/Voluntary Groups*.

- (iv) to approve the disposal of the former Roads Depot, Dalziel Road, Inveraldie, Tealing, extending to 1896.6sqm or thereby, realising a capital receipt of £80,000, the Council's reasonable legal fees in connection with the disposal of the property also being met by the purchaser.

13. SURPLUS PROPERTY – FORMER NURSERY, BIRKHILL PRIMARY SCHOOL

There was submitted Report No 86/17 by the Head of Technical and Property Services, advising that the former nursery at Birkhill Primary School, had been identified as being surplus to the requirements of the Council, and making proposals for its disposal. The premises as shown on the plan at Appendix 1 to the Report were no longer used by Schools and Learning, and was therefore surplus to the requirements of the service. Although the availability of the property had been circulated to all Directorates, no interest had been shown.

The Committee agreed that the former nursery at Birkhill Primary School, 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.

14. CONSULTATION ON CHANGES TO PLANNING AND BUILDING WARRANT APPLICATION FEES

There was submitted Report No 87/17 by the Head of Planning and Place, advising of the recent consultation by the Scottish Government on proposals to raise fees for Planning and Building Warrant Applications, and detailing the Council's response to these consultations.

Two consultations had been issued by the Scottish Government late in 2016, and officers had submitted responses in accordance with the required response date.

The Committee agreed:-

- (i) to note the publication of the Scottish Government's consultations on raising fees for Planning and Building Warrants Applications; and
- (ii) to note the responses to the Scottish Government's consultation as set out in Appendices 1 and 2 to the Report.

15. HOUSING ADAPTATIONS JOINT WORKING POLICY

There was submitted Report No 88/17 by the Head of Planning and Place, setting out the new Housing Adaptations and Joint Working Policy, developed to take into account the Scottish Government Guidance on the Provision of Equipment and Adaptations, and which sought to achieve three main outcomes, namely:-

- That partners worked together effectively to achieve shared outcomes for clients and minimise duplication or delay;
- That service users were given up to date and accurate information and were clear about what they could expect from the service; and
- That decisions were taken in a timely manner, the needs of clients would be at the heart of the decision, and the process would be open and transparent.

The Committee agreed to approve the Housing Adaptations Joint Working Policy.

16. LOCALITY PLANS

With reference to Article 8 of the minute of meeting of this Committee of 27 September 2016, there was submitted Report No 89/17 by the Head of Planning and Place, updating members on the development of Locality Planning arrangements and outlining the process for finalising Locality Plans by 1 October 2017.

Locality Leadership Groups had prepared draft Locality Plans for each of the four Angus Localities, namely Arbroath; Brechin and Montrose; Carnoustie and Monifieth and Sidlaw; and Forfar and Kirriemuir. The plans sought to consolidate the priorities emerging from the range of strategic locality planning and engagement activity which had taken place in each locality, into a single plan for each locality, linking priorities for social, economic and special developments and the connections between them. A further range of engagement activity

was proposed in the period between March and July 2017 to help ensure that all interested parties had the opportunity to influence and shape Locality Plans prior to final approval.

The Committee agreed:-

- (i) to note the progress to date in the development of Locality Planning; and
- (ii) to endorse the process planned for finalising Locality Plans.

17. SMOKING PROHIBITION (CHILDREN IN MOTOR VEHICLES) (SCOTLAND) ACT 2016

There was submitted Joint Report No 90/17 by the Head of Legal and Democratic Services and Head of Regulatory and Protective Services, advising members of the implementation of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016, and the actions which the Council required to take in consequence.

The Committee agreed:-

- (i) to note the implementation of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016 with effect from 5 December 2016;
- (ii) to note that, with effect from this date, it would be an offence for an adult to smoke in a private motor vehicle when there was a child in the vehicle and the vehicle was in a public place;
- (iii) that administration of the Council's functions and duties under the Act be undertaken by Regulatory and Protective Services;
- (iv) to delegate authority to the Head of Legal and Democratic Services, in consultation with the Head of Regulatory and Protective Services, to authorise suitably qualified and experienced officers to give fixed penalty notices under the Act; and
- (v) to note that requests to hold a hearing at the request by or on behalf of a person with a fixed penalty notice in relation to an offence committed under the Act would be heard and determined by the Environmental Appeals Sub-Committee of the Communities Committee.