

# ANGUS COUNCIL

MINUTE of MEETING of the **COMMUNITIES COMMITTEE** held remotely on Tuesday 22 November 2022 at 2.00 pm.

**Present:** Councillors MARK McDONALD, KENNY BRAES, BRENDA DURNO, LINDA CLARK, SERENA COWDY, CHRIS BEATTIE, BILL DUFF, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAN McLAREN, GEORGE MEECHAN, LLOYD MELVILLE, LOUISE NICOL, RONNIE PROCTOR MBE, LOIS SPEED and TOMMY STEWART.

Councillor McDONALD, Convener, in the Chair.

Prior to the commencement of business, the Convener thanked all the staff members involved in the multi-agency response follow the recent storm which had caused a considerable amount of damage and flooding across Angus.

## 1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Brian Boyd, Lynne Devine and Jill Scott with Councillors Brenda Durno, Chris Beattie and Lois Speed substituting respectively.

## 2. DECLARATIONS OF INTEREST

The Committee agreed to note that no declarations of interest were made.

## 3. MINUTES

### (a) Previous Meeting

The minute of meeting of this Committee of 27 September 2022 was approved as a correct record and signed by the Convener.

### (b) Arbroath Harbour Joint Consultative Committee

The minute of meeting of the Arbroath Harbour Joint Consultative Committee of 2 September 2022, a copy of which is appended hereto, was submitted and noted. **(APPENDIX I)**

## 4. HOUSING CAPITAL MONITORING REPORT 2022/2023

With reference to Article 6 of the minute of meeting of this Committee of 23 November 2022, there was submitted Report No 383/22 by the Director of Vibrant Communities and Sustainable Growth, relating to the Housing Revenue Account (HRA) capital performance to date in 2022/23, and setting out the actual capital spend to 30 September 2022, together with outturns as projected to 31 March 2023 and any required updated capital funding proposals.

The Report indicated that continuing volatility in world markets was still affecting the construction industry, with shortages of components and raw materials causing supply chain and logistical issues for contractors. This was compounded by the global cost of energy, the war in Ukraine, and rising interests rates in the UK and worldwide. As a result, price inflation indices across all forms of construction including new-build, were rising at a much higher rate than the consumer price index (CPI). The resultant uncertainty, increasing costs, and rising tender prices, were leading many housing organisations across the country to review their capital programmes. It was noted that officers were currently looking at ways to manage the situation and to mitigate against the risks wherever possible, but slippage in new build projects was impacting on the programme for the reasons given above and would continue to do so at least in the short term.

The Service Leader – Housing answered a number of questions from Councillors Stewart, Fairweather, Proctor, Braes and Speed and informed members that the new contractor was performing well and 686 properties had been let out this year and change of tenancy and voids were being considered as a priority. They were also taking the opportunity to carry out

planned maintenance works while certain properties were void. It was noted that debt on meters was an ongoing problem and discussions were currently ongoing with utility companies to speed up this process.

The Committee agreed:

- (i) having reviewed and scrutinised the contents of Report 383/22, to note the Report, and, in particular, the projected year end positions on capital expenditure, and the indicative funding proposals to the programme; and
- (ii) to note that the projected outturn underspend position described in Paragraph 5.1 of the Report.

## **5. STRATEGIC HOUSING INVESTMENT PLAN 2023/24 - 2027/2028**

With reference to Article 5 of the minute of meeting of this Committee of 27 September 2022, there was submitted Report No 384/22 by the Director of Vibrant Communities and Sustainable Growth, advising members on the Strategic Housing Investment Plan (SHIP) for 2023/24 – 2027/28 and making proposals for the use of resources from the Affordable Housing Revenue Account (AHRA).

The Report indicated that in 2021/22, the Council and its Registered Social Landlord (RSL) partners had delivered 148 new build affordable homes against a target of 120 which was a significant achievement for all considering the disruption caused by the pandemic and challenges faced with supply issues. The 148 new build properties were alongside eight open market acquisitions, taking the new supply affordable housing total for the year in Angus to 156.

The Service Leader – Housing advised that the Council and RSL partners had faced and continue to face a challenging operating environment due to the ongoing pandemic and supply chain issues which were having cost and time implications however, despite these challenges 78% (£8,199,542.48) of the Affordable Housing Supply Programme (AHSP) funding allocation had been spend of the total £10,491,000.

The Service Leader – Housing and the Manager – Housing Strategy Team responded to a number of questions from members.

The Committee agreed: -

- (i) to approve the content of the Strategic Housing Investment Plan (SHIP) 2023/24 – 2027/28 as detailed in Appendix 1 of the Report; and
- (ii) to approve the ongoing development of the SHIP and its associated programme plans and procedures with the Council's partners during the lifetime of the Plan.

## **6. ANGUS COUNCIL NATURE RESTORATION FUND ALLOCATION 2022/2023**

With reference to Article 6 of the minute of meeting of Angus Council of 16 December 2021, there was submitted Report No 385/22 by the Director of Vibrant Communities and Sustainable Growth, informing members on the capital grant allocation to Angus Council from the Scottish Government for the Nature Restoration Fund and recommended projects for approval to use the grant allocation for the current financial year 2022/23.

The Report indicated that officers had identified seven projects as detailed in the Report, which would meet the criteria set out in the funding allocation and could be delivered within existing resources and the Scottish Government's timeframe, and would provide the most benefits for people, nature and reaching Net Zero.

Having heard from Ms Dempsey, Team Leader – Environmental and Climate Change a number of Councillors commented on the projects and paid thanks to the Keptie Friends volunteers for their continued dedication to improve the environment.

The Committee agreed the list of the projects/proposals for use of the Nature Restoration Fund allocation of £150,000 for 2022/23.

**7. SCHOOL FRIENDLY ZONES AT MUIRFIELD PRIMARY SCHOOL, ARBROATH; FERRYDEN PRIMARY SCHOOL, MONTROSE AND LANGLANDS PRIMARY SCHOOL, FORFAR. THE ANGUS COUNCIL (SCHOOL FRIENDLY ZONES) (TRAFFIC MANAGEMENT) ORDER 202X**

With reference to Article 8 of the minute of meeting of the Communities Committee of 22 February 2022, there was submitted Report No 386/22 by the Director of Infrastructure and Environment relating to the making of a permanent traffic regulation order in connection with Phase 1 of the experimental school friendly zones which were implemented in Arbroath, Ferryden and Forfar during July 2021. The locations and extents of each restriction at the three schools were detailed in Appendices 1, 2 and 3 to the Report.

One objection had been received relating to the proposals at Ferryden Primary School and was provided in **Appendix 4** for consideration.

The Committee noted the objection received during the consultation period and agreed to the making of the titled traffic regulation order as published.

**8. ARBROATH HARBOUR - PORT MARINE SAFETY CODE – AUDIT**

There was submitted Report No 387/22 by the Director of Infrastructure and Environment which presented to members the updated version of the Marine Safety Management System for Arbroath Harbour along with the result of the 2022 Port Marine Safety Code Audit carried out by the council's Designated Person who measured performance against the Code.

The Report indicated that on 20 September 2022 Monty Smedley from APBMer visited Arbroath Harbour and spent the day with the Harbour Master to carry out the Port Marine Safety Code Audit. This was a comprehensive audit which went through every aspect of the Code and measured Arbroath Harbour's performance against it. The result of the Audit was contained in Appendix 2 to the Report.

The Committee agreed: -

- (i) to note the updated Marine Safety Management System which was in place for Arbroath Harbour and formed an integral part of the safe operation of Arbroath Harbour and the audit process;
- (ii) to note the results of the Port Marine Safety Code Audit including the observations, recommendations, and areas of good practice identified; and
- (iii) that new Communities Committee members undertake a half day Duty Holder training on a date suitable for all in early 2023 to ensure compliance with the Port Marine Safety Code.

**9. LOCAL BUS SERVICE PROVISION CONTRACTS EXTENSION AND RETENDER**

There was submitted Report No 388/22 by the Director of Infrastructure and Environment seeking authority for the Director of Infrastructure and Environment to award 8 local bus service contracts upon the conclusion, and best value analysis, of a tender process. Furthermore, the Report detailed the decision of the Director of Infrastructure and Environment to extend 10 local bus service contracts to May 2024.

The Committee agreed: -

- (i) to note the decision of the Director of Infrastructure and Environment to extend contracts A569, A578, A587, A589, A598, A600, A601, A612, A613 and A614 to May 2024;
- (ii) to note the decision of the Director of Infrastructure and Environment to undertake a tender for the replacement local bus service contracts, A508, A533, A537, A542, A543, A546, A597 and A602; and

- (iii) to authorise the Director of Infrastructure and Environment, in consultation with the Director of Legal and Democratic Services, to award the replacement local bus service contracts, A508, A533, A537, A542, A543, A546, A597 and A602 upon the conclusion of a tender and best value analysis exercise.

## 10. SCOTTISH GOVERNMENT CAPITAL GRANT ALLOCATION FOR RENEWAL OF PLAYPARKS 2022-23

With reference to Article 6 of the minute of meeting of Angus Council of 16 December 2021, there was submitted Report No 389/22 by the Director of Infrastructure and Environment which provided information on the capital grant allocation to Angus Council from the Scottish Government for Renewal of Play Parks and recommended projects for approval to use the grant allocation for the current financial year 2022/23.

The Report advised that to ensure a fair and equal distribution of funding the playpark projects proposed were the most in need for renewal. A condition survey and register of all public play areas in Angus had been compiled and was updated annually to review both play equipment and safety surfacing and ensure their ongoing suitability and usability.

Based on the playpark condition survey and prioritisation based on most need, the following projects were recommended for use of the £111,000 funding allocation for this financial year:

Friockheim Park renewal of multiunit and safety surfacing	£41,000
MacDonald Park Arbroath, installation of new multi-unit	£40,000
Spink Street Play Area Arbroath, replacement of multi-unit, slide and swings with toddler equipment	£30,000

The Director of Infrastructure and Environment advised members that prioritisation was based on most need and that other Play Parks would be looked at in the future for funding and engagement would take place with young persons and local communities.

The Committee agreed the list of the proposals as detailed in the Report for use of Renewal of Play Park Capital Allocation of £111,000 for 2022/23.

## 11. MANAGEMENT RULES FOR PARKS AND RULES AND REGULATIONS FOR BURIAL GROUNDS

*In accordance with the provisions of Standing Order 36 (1), the Committee agreed to allow Councillor Greig to address the Committee on this item. In relation to Appendix 2 of the Report (Burial Ground Regulations) he suggested that as a previous Funeral Arranger, he felt that under section 1 – Interpretation, the term “Coffin – means any box or container enclosing remains” should be amended to “Coffin - means a ridged box or material container enclosing remains” as this would then cover things like wicker, wool, cardboard water hyacinth etc type coffins. He also felt that the interpretation of the word “Lair” should be amended to include “human body” rather than “adult body” and lastly urged the Committee to increase the standard size of new lairs to be able to accommodate a maximum width of coffin from 39 inches to 40 inches.*

With reference to Article 8 of the minute of meeting of this Committee of 28 September 2021, there was submitted Report No 390/22 by the Director of Vibrant Communities and Sustainable Growth seeking approval of the updated Management Rules for Parks and Burial Grounds Rules and Regulations.

The Director of Infrastructure and Environment provided a brief overview of the Report and addressed the comments made by Councillor Greig on the burial ground regulations. He advised that the interpretation of Coffin could be amended however, he felt that the words “adult body” should remain. Regards the proposed increase in size of new lairs he advised that the current approach was found to be sufficient.

With regard to Appendix 1 of the Report, discussion took place regarding the control of dogs within cemeteries and some members felt that there was an ongoing problem with dogs not being on leads. The Director of Infrastructure and Environment advised that the current rules complied with the Scottish Outside Access Code however, he advised that this would be kept under review.

The Committee agreed: -

- (i) to authorise the implementation of the Parks Management Rules and Burial Ground Regulations as detailed in Appendices 1 and 2 to the Report;
- (ii) to instruct the Director of Legal and Democratic Services to formally execute the Management Rules and Burial Ground Regulations by signing on behalf of Angus Council; and
- (iii) to note that the revised Management Rules and Burial Ground Regulations would come into force on the date of their execution.

## **12. EXCLUSION OF PUBLIC AND PRESS**

The Committee agreed, in accordance with the provisions of Standing Order 28(2), that the public and press be excluded during consideration of the following item 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 8 & 9.

## **13. PROCUREMENT AUTHORITY REPORT – HOUSING ASSET MANAGEMENT SOFTWARE ACQUISITION**

There was submitted Report No 391/22 by the Director of Vibrant Communities and Sustainable Growth seeking delegated authority for the Housing Service to procure a Housing Asset Management System with an allocated budget as detailed in the Report.

The Committee agreed: -

- (i) to approve the procurement authority, as contained within the Report, including acceptance of the of the Most Economically Advantageous Tender (MEAT) which was within the overall allocated budget; and
- (ii) to note the future implications for the Housing Revenue Account (HRA) Business Plan (Report No.32/22).