

## ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 23 November 2010 at 4.00 pm.

**Present:** Councillors DAVID MAY, DAVID FAIRWEATHER, COLIN BROWN, IAIN GAUL, ALEX KING, JEAN LEE, DAVID LUMGAIR, IAN MACKINTOSH, PETER MURPHY, ROBERT MYLES, HELEN OSWALD, ROBERT SPINK, SANDY WEST and JOHN WHYTE.

Councillor MAY, Convener, in the Chair.

### 1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Jim Millar and Mark Salmond with Councillors David Lumgair and Colin Brown, respectively, substituting.

### 2. DECLARATIONS OF INTEREST

Councillor Fairweather declared an interest in item 21 as he had assisted with the display of the road roller at the Arbroath SEAFEST. He indicated that he would be taking part in discussion and voting.

Councillor Gaul declared an interest in item 9 as he had provided assistance and advice to Kirriemuir Community Council. He indicated that he would be taking part in discussion and voting.

Councillor Mackintosh declared an interest in item 7 as a member of the Cairngorms National Park Authority. He indicated that he would be taking part in discussion and voting.

Councillor Mackintosh declared an interest in item 12 as a member of the Local Access Forum. He indicated that he would be taking part in discussion and voting.

Councillor Myles declared an interest in item 17 as Convener of Tayside Contracts Joint Committee. He indicated that he would be taking part in discussion and voting.

Councillor Oswald declared an interest in item 21 as she knew Mr Joss and his son. She indicated that she would be taking part in discussion and voting.

Councillor Spink declared an interest in item 7 as a member of the Esk Fisheries Board. He indicated that he would be taking part in discussion and voting.

Councillor Spink declared an interest in item 14 as he had met landowners, officials and local residents with regard to issues concerning Lunan Bay, including the car park. He indicated that he would be taking part in discussion and voting.

Councillor Spink declared an interest in item 17 as he had a number of contacts and discussions with regard to pot holes. He indicated that he would be taking part in discussion and voting.

Councillor Spink declared an interest in item 19 as he had a number of contacts and meetings with local residents on the need for improvements. He indicated that he would be taking part in discussion and voting.

Councillor Whyte declared an interest in item 9 as he had discussed the issue of grant applications with Monifieth Model Group. He indicated that he would not be taking part in discussion and voting and would leave the meeting during consideration of this item.

Councillor Whyte declared an interest in item 17 as a member of Tayside Contracts Joint Committee. He indicated that he would be taking part in discussion and voting.

### 3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 12 October 2010](#) was approved as a correct record and signed by the Convener.

### 4. INFRASTRUCTURE SERVICES MID TERM SERVICE PERFORMANCE REPORT

With reference to Article 7 of the minute of meeting of this Committee of 24 November 2009, there was submitted [Report No 826/10](#) by the Director of Infrastructure Services presenting the Mid Term Service Performance Report in respect of the Infrastructure Services Department for the first six months of the 2010/2011 financial year.

The Report indicated that with regard to the actions on the Departmental service plan, one action was overdue, thirty one were on target and seven were now completed.

Having heard Councillors Gaul and Oswald, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to instruct the Director of Infrastructure Services to submit details of accident statistics on a twelve monthly basis;
- (iii) to instruct the Director of Infrastructure Services to meet with the Convener and Councillor Gaul to discuss the progress of future development of Orchardbank; and
- (iv) to instruct the Director of Infrastructure Services to include comparison figures with those of the previous year in future Reports, where appropriate.

### 5. INFRASTRUCTURE SERVICES DEPARTMENT BUDGET MONITORING FOR THE PERIOD TO 30 SEPTEMBER 2010

With reference to Article 4 of the minute of meeting of this Committee of 24 November 2009, there was submitted [Joint Report No 848/10](#) by the Director of Infrastructure Services and the Director of Corporate Services advising members of the actual expenditure compared with budget in respect of the Infrastructure Services Department for the period 1 April to 30 September 2010, together with the anticipated year end position.

The Report indicated that there was currently an underspend of £452,000.00 compared to the profiled monitoring budget at this stage of the financial year and the year end outturn for the Department was a revenue budget underspend of £68,000.00.

The Report further indicated that notwithstanding the revenue budget underspend at the year end, there were no particular concerns arising from the revenue or capital budgets at present although the position of these, together with the Renewal and Repair budget would continue to be monitored closely during the course of the financial year.

The Committee, for its interest agreed to note the contents of the Report.

### 6. CONFERENCE OF PERIPHERAL MARITIME REGIONS AND NORTH SEA COMMISSION MEMBERSHIP

With reference to Article 4 of the minute of meeting of this Committee of 20 April 2010, there was submitted [Report No 849/10](#) by the Director of Infrastructure Services containing details of the outcomes of membership of the Conference of Peripheral Maritime Regions and the North Sea Commission Membership since 2008.

The Report indicated that the benefits of membership of these bodies were wholly dependent on the active participation of elected members and officers but in the light of limited engagement and the option to use other partnerships and information sources at less cost, withdrawing from membership was considered to be appropriate.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the outcomes of membership and attendance at appropriate events of these bodies since 2008; and
- (iii) to note and approve the Council's withdrawal of membership with effect from 2012.

**7. RIVER SOUTH ESK CATCHMENT MANAGEMENT PLAN – IMPLEMENTATION PHASE 2 (APPROVAL FOR FUNDING PACKAGE SOUGHT)**

With reference to Article 6 of the minute of meeting of this Committee of 1 June 2010, there was submitted [Report No 850/10](#) by the Director of Infrastructure Services seeking approval for a contribution towards a funding application to the Rural Tayside LEADER programme for the second phase of the delivery of the River South Esk Catchment Management Plan and if successful, submission of an application in January 2011.

The Report indicated that further implementation of the South Esk Catchment Management Plan was essential for the future sustainable development of the Catchment.

The Committee agreed:-

- (i) to note the contents of the Report.
- (ii) to note the intention to submit an application for LEADER funding in January 2011;
- (iii) to approve in principle contribution of £10,000.00 towards a further year of the South Esk Catchment Management Plan implementation in order to match an application to the Rural Tayside LEADER Programme; and
- (iv) to note that regular reports would be submitted to this Committee updating members on progress and monitoring results.

**8. PROGRESS REPORT ON THE PERFORMANCE OF THE TOWARDS EMPLOYMENT TEAM FOR 1 APRIL TO 30 SEPTEMBER 2010**

With reference to Article 4 of the minute of meeting of this Committee of 1 June 2010, there was submitted [Report No 851/10](#) by the Director of Infrastructure Services advising members of the key work and outcomes achieved by the Towards Employment Team and their contribution to the delivery of employability services in Angus for the period 1 April to 30 September 2010.

The Report indicated that the team continued to provide an innovative service in Angus and it constantly reviewed, monitored and adapted its services to respond to the needs of the residents in the areas that required assistance.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the outcomes achieved by the Towards Employment Team during the first six months of the current financial year;
- (iii) to recognise the role of the Angus Employability Partnership in developing a cohesive and responsive employability framework for those organisations with an employability remit; and
- (iv) to acknowledge the role played by the Towards Employment Team and its contribution to employability in Angus.

## 9. ANGUS COUNCIL COMMUNITY GRANT SCHEME – NEW APPLICATIONS

*Having declared an interest at item 2 above, Councillor Whyte left the meeting during consideration of this item.*

With reference to Article 5 of the minute of meeting of this Committee of 12 October 2010, there was submitted [Report No 852/10](#) by the Director of Infrastructure Services detailing applications for grants of over £1,000 and advising members of applications for grants of £1,000 or less which had been approved under delegated authority since 12 October 2010.

Having heard from a number of members who commended the work undertaken by the various organisations detailed in the Report, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the following awards in respect of applications for grants of over £1,000:-
  - St Andrews Episcopal Church, Brechin - £3,000
  - Angus Toy Appeal - £2,000
  - Caledonian Railway (Brechin) Limited - £2,718
  - Patrick Alan-Fraser of Hospital Field Trust – no award
  - Phoenix (Forfar) Gymnastic Club - £4,253.50
  - Arbroath United Cricket Club - £1,500
  - Forfar Boys Football Club - £5,000
- (iii) to note the following decisions in respect of applications for grants of £1,000.00 or less:-
  - Monifieth Befriending Scheme - £980
  - Kirriemuir Community Council - £790
  - Airlie Hall Silver Surfers - £707
  - Angus Arts - £670
  - Angus Folk - £495
  - Montrose and District Athletic Club - £511
  - Monifieth Model Group - £500 on condition that the grant was subject to repayment should income from sales exceed £350; and
- (iv) to note that the Smokie Blues Organisation had repaid the grant of £3,350 awarded by this Committee on 1 June 2010, as the event planned for September 2010 did not go ahead.

## 10. CONSULTATION ON PROPOSED MONTROSE CONSERVATION AREA ANALYSIS AND DESIGN GUIDE AND BOUNDARY TREATMENT

With reference to Article 14 of the minute of meeting of this Committee of 24 August 2010, there was submitted [Report No 853/10](#) by the Director of Infrastructure Services seeking authority to undertake a public consultation on the proposed conservation area analysis and design guide for the Montrose Conservation Area and a proposed amendment to the conservation area boundary.

The Report indicated that a conservation area analysis would in due course be prepared for all nineteen conservation areas and would provide stakeholders with information to assist with managing the development process which would also help impart information on the built heritage of Angus.

Having heard Councillor Gaul, the Committee agreed:-

- (i) to note the contents of the Report;

- (ii) to authorise the Head of Planning and Transport to undertake consultation with the Montrose community including Montrose Community Council, the Montrose Society, the Montrose Heritage Trust and Montrose Natural History and Antiquarian Society, along with other stakeholders, on a conservation area analysis and design guide and proposed amendment to the boundary of the Montrose Conservation Area;
- (iii) to approve commencement of the consultation to take place on Monday 10 January 2011;
- (iv) to instruct the Head of Planning and Transport to report back to this Committee following completion of the consultation; and
- (v) to instruct that a full detailed explanation of the proposals be included in a report back to this Committee.

**11. CONSULTATION BY THE SCOTTISH GOVERNMENT ON DRAFT GUIDANCE ACQUIRED BY PART 4 OF THE CLIMATE CHANGE (SCOTLAND) ACT 2009 “PUBLIC BODIES CLIMATE CHANGE DUTIES: PUTTING THEM INTO PRACTICE” SEPTEMBER 2010**

There was submitted [Report No 854/10](#) by the Director of Infrastructure Services commenting on and providing a suggested response to the consultation draft guidance on “Public Bodies Climate Change Duties: Putting Them into Practice” which had recently been published by the Scottish Government as required by part 4 of the Climate Change (Scotland) Act 2009. The Report also suggested a way forward for the Council in meeting these new duties which would impact on virtually every aspect of Council policy development and service delivery.

The Committee agreed:-

- (i) to note publication by the Scottish Government of the draft guidance “Public Bodies Climate Change Duties: Putting Them into Practice” and the implications for the Council in meeting these duties;
- (ii) to approve a response to the consultation document as detailed in appendix 4 of the Report; and
- (iii) to approve the development of a climate change strategy using the “Next Steps” as outlined in the Report as a way forward for the Council in meeting its new climate change dues.

**12. ANGUS CORE PATHS PLAN – ADOPTION**

With reference to Article 38 of the minute of meeting of this Committee of 21 April 2009, there was submitted [Report No 855/10](#) by the Director of Infrastructure Services advising members of the direction from Scottish Ministers to adopt the Angus Core Paths Plan subject to conditions and modifications and seeking authority to undertake minor works to resolve objections which had been submitted.

The Report indicated that following the direction, the Council was now required to adopt the Core Paths Plan and to undertake minor works required by the Ministers, in addition to works previously offered to resolve objections.

The Committee agreed:-

- (i) to note that the Scottish Ministers had directed Angus Council to adopt the Core Paths Plan subject to conditions and modifications;
- (ii) to note that minor works were required to be undertaken to comply with the Minister’s direction;
- (iii) to note the updated position regarding changes to the plan as previously agreed and as outlined in the Report;

- (iv) to undertake minor works which had been previously offered in order to reserve objections which had been subsequently withdrawn;
- (v) to note that the total estimated costs of all the works was £12,000.00 which could be met from the 2010/2011 Planning and Transport Revenue Budget; and
- (vi) to note that the Strategic Environmental Assessment, Environmental report would now be finalised.

**13. ANGUS LOCAL DEVELOPMENT PLAN AND GOVERNMENT CONSULTATIONS – ESTABLISHMENT OF WORKING GROUP**

With reference to Article 16 of the minute of meeting of this Committee of 24 August 2010, there was submitted [Report No 856/10](#) by the Director of Infrastructure Services seeking approval to establish a member/officer working group to act as a sounding board for the Angus Local Development Plan process and Government consultations on planning matters.

The Report indicated that establishment of such a group would enable an early opportunity for discussion on emerging land use planning issues affecting Angus and for a cross exchange of views prior to formal submission for approval.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the establishment of a member/officer working group to act as a sounding board for the Angus Local Development Plan process.
- (iii) that the initial remit of this group be the consideration and discussion of the main issues relating to land use planning in Angus, including responses from the current awareness raising and consultation exercise;
- (iv) to the composition of the working group being the three members appointed to the SDPA Joint Committee (Councillors May, Myles and Gaul), the Convener of the Development Standards Committee, one member from the Administration and two non-Administration (being Councillors Oswald and King), together with relevant officers; and
- (v) to authorise the member/officer group also acting as a sounding board in relation to consultations from Government on planning related matters.

**\*14. LUNAN BAY CAR PARK – UPGRADING**

There was submitted [Report No 857/10](#) by the Director of Infrastructure Services seeking authority to proceed with upgrading of the car park at Lunan Bay.

The Report indicated that while Lunan Bay was one of the most attractive and popular destinations in Angus, the car park and associated facilities were in need of upgrading and the proposed works would improve the quality and appearance of the area, help address operational issues and increase overall parking capacity.

Following discussion and having heard from a number of members, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise upgrading of the car park at Lunan Bay, as outlined in the Report, at an estimated cost of £90,000.00 to be met from the Planning and Transport 2010/2011 capital budget.

*In accordance with Standing Order 39(3) Councillors Oswald and Gaul indicated that they wished the matter referred to the Council for determination.*

**15. TEMPORARY TRAFFIC ORDERS**

There was submitted and noted [Report No 858/10](#) by the Director of Corporate Services advising that, at the request of Head of Roads, fourteen temporary Traffic Orders had been made, as detailed in the Report.

**16. TRAFFIC REGULATION ORDERS – UPDATE**

With reference to Article 24(A) of the minute of meeting of this Committee of 24 August 2010, there was submitted and noted [Report No 859/10](#) by the Director of Infrastructure Services detailing the current stage of progress with regard to pending Traffic Regulation Orders.

**17. THE REPAIR OF POTHOLES ON THE ANGUS ROAD NETWORK**

With reference to Article 15 of the minute of meeting of this Committee of 24 August 2006, there was submitted [Report No 860/10](#) by the Director of Infrastructure Services identifying the nature of the road maintenance activities carried out within Angus, particularly to repair potholes which developed in road carriageways and footpaths and sought agreement to continue to pursue efficient, effective and cost effective means of repairing potholes in view of the Council's statutory duty to maintain the local public road network.

The Report indicated that maintaining the road network required a balance to be struck between expenditure of resources on proactive and reactive maintenance and that staff would continue to research all means of improving performance and/or cost effectiveness in this area.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the approaches adopted by the Roads Division to identify and remedy surface defects in the public road network; and
- (iii) to authorise the Head of Roads to continue to pursue effective, efficient and cost effective means of repairing such defects as they arose.

**18. ROADS MAINTENANCE – ROUTINE ROAD MAINTENANCE REGIME**

With reference to Article 13 of the minute of meeting of this Committee of 26 January 2006, there was submitted [Report No 861/10](#) by the Director of Infrastructure Services seeking confirmation of the Council's criteria and operating policies for undertaking routine road maintenance in respect of the local adopted road network.

The Report indicated that the regime was previously adopted to comply with the document "Best Value in Highway Maintenance, A Code of Practice for Maintenance Management" which had now been replaced by "Well Maintained Highways" – Code of Practice for Highway Maintenance Management.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the routine road maintenance regime and operational policies for the list of public roads in Angus, which updated the procedures which had been in place since 2002 in light of the new Code of Practice.

**19. A92 ARBROATH TO MONTROSE PRINCIPAL ROAD – IMPROVEMENTS AT HAWKHILL AND COURTHILL BEND**

With reference to Article 18 of the minute of meeting of this Committee of 1 June 2010, there was submitted [Report No 862/10](#) by the Director of Infrastructure Services outlining progress made on the project for road alignment improvements at Courthill and Hawkhill on the A92 Arbroath to Montrose principal road and seeking approval to proceed with the procurement of the works, namely to prepare a select list of contractors, issue tenders and award a contract to the lowest tender subject to satisfactory checks and in line with the Council's Financial Regulations.

The Committee agreed:-

- (i) to authorise the Head of Roads to procure the proposed roadworks on the basis detailed in the Report;
- (ii) to approve a list of contractors to be included on a select list to be invited to tender for the works;
- (iii) to issue invitations to tender and evaluate the tenders; and
- (iv) to authorise award of a contract for the proposed construction works in accordance with the Council's Financial Regulations following conclusion of the necessary land acquisitions.

**20. ARBROATH FLOODING STRATEGY**

With reference to Article 34 of the minute of meeting of this Committee of 24 August 2010, there was submitted [Report No 863/10](#) by the Director of Infrastructure Services seeking approval for the procurement and selection of tenderers from those responding to public advertisement, issue invitations to tender, evaluate the tenders and award a contract for the consultant services in connection with the Arbroath Flooding Strategy in line with the Council's Financial Regulations.

The Report indicated that these works were necessary in order to develop the Arbroath Flood Strategy to encompass the Harbour and "Fit of the Toon" areas.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise the Head of Roads to procure the proposed consultant services for this project as detailed in the Report.

**21. ANGUS COUNCIL "FOWLER" STEAM POWERED ROAD ROLLER**

With reference to Article 17 of the minute of meeting of the Roads Committee of 11 June 1998, there was submitted [Report No 864/10](#) by the Director of Infrastructure Services outlining the history of the Council's "Fowler" steam powered road roller, highlighting its care and maintenance and detailing its exhibition at local events.

The Report outlined options for consideration in respect of the future of the road roller.

Councillor Mackintosh, seconded by Councillor Brown moved that the Committee agrees:-

- (i) to note the Council's ownership of the "Fowler" steam powered road roller made circa 1928 which was one of four examples believed still to be in existence;
- (ii) to note the current maintenance and garaging of the vehicle at Todhills, Tealing by Mr A Joss, a former employee of the Roads Department;
- (iii) to note the four options for the future of the road roller as detailed in the Report; and

- (iv) to instruct the Director of Infrastructure Services to explore the possibility of acquiring a permanent site in Angus where the road roller could be placed on public display.

COUNCILLOR OSWALD, SECONDED BY COUNCILLOR SPINK MOVED, AS AN AMENDMENT, THAT (i) TO (iii) ABOVE BE NOTED AND THAT THE CURRENT ARRANGEMENTS FOR THE CARE AND MAINTENANCE OF THE ROAD ROLLER BY MR JOSS BE CONTINUED.

On a vote being taken, the members voted:-

For the motion:-

Councillors Mackintosh and Brown (2)

For the amendment:-

Councillors May, Fairweather, Gaul, King, Lee, Murphy, Myles, Oswald, Spink, West and Whyte (11)

No vote:-

Councillor Lumgair

The amendment was declared carried and became the finding of the meeting.

Arising therefrom, the Committee noted that Mr Joss's son had indicated that he was willing to continue maintaining the road roller in the event of his father being unable to do so at any future date.

## **22. ACCIDENT INVESTIGATION PROGRAMME UPDATE**

With reference to Article 28 of the minute of meeting of this Committee of 24 August 2010, there was submitted [Report No 865/10](#) by the Director of Infrastructure Services identifying the cluster sites which exhibited three or more injury accidents during the most recent three year period, 2007-2009, and the proposed remedial works to be undertaken during financial year 2011-2012.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the accident cluster sites with three or more injury accidents which had been identified from the 2007-2009 accident data; and
- (iii) to note the road safety works proposals detailed in Appendix 1 of the Report which were to be undertaken during financial year 2011-2012.

## **23. KIRRIEMUIR TOWN CENTRE - PEDESTRIAN CROSSING ALTERATIONS**

With reference to Article 17 of the minute of meeting of this Committee of 1 June 2010, there was submitted [Report No 866/10](#) by the Director of Infrastructure Services detailing the outcome of a public consultation undertaken in Kirriemuir with regard to difficulties experienced in the crossing of High Street and Bank Street in Kirriemuir.

The Report indicated that it was proposed that the existing carriageway surface setts at High Street and all setts up to the junction in Bank Street be removed and replaced with an asphalt surface to improve underfoot conditions for pedestrians at a total estimated cost of £30,000.

COUNCILLOR MAY, SECONDED BY COUNCILLOR MYLES MOVED THAT THE COMMITTEE AGREES:-

- (I) TO NOTE THE CONTENTS OF THE REPORT;

- (II) TO NOTE THE FINDINGS OF THE PUBLIC CONSULTATION REGARDING DIFFICULTIES BEING EXPERIENCED BY SOME PEDESTRIANS IN THE CENTRE OF KIRRIEMUIR DUE TO UNDERFOOT CONDITIONS; AND
- (III) TO APPROVE THE PROPOSAL DETAILED IN THE REPORT TO IMPROVE THE EXISTING FACILITIES.

Councillor Lee, seconded by Councillor Gaul moved, as an amendment:-

- (i) that the findings of the public consultation regarding difficulties being experienced by some pedestrians in the centre of Kirriemuir be not accepted as valid; and
- (ii) that the proposals to improve the existing facilities be not approved.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Fairweather, Mackintosh, Lumgair, Murphy, Myles, Brown and Whyte (8)

For the amendment:-

Councillors Gaul, King, Lee, Oswald, Spink and West (6)

The motion was declared carried and became the finding of the meeting.

#### **24. SALT STORAGE UPDATE**

With reference to Article 25 of the minute of meeting of this Committee of 24 November 2009, there was submitted [Report No 867/10](#) by the Director of Infrastructure Services detailing the progress made on provision of indoor salt storage facilities and, in view of tenders received, recommending revisal of the proposal for a single store based in Forfar.

The Report indicated that the erection of a single storage building at Kirriemuir Road Depot, Forfar would deliver efficiency savings in the use of salt for winter road services and contribute to the protection of the natural environment.

The Committee, for its interest, agreed:-

- (i) to note the outcome of the procurement process which had been undertaken;
- (ii) to progress a single storage building in Forfar for salt storage; and
- (iii) to increase the identified capital expenditure to be met from the Roads budget from £100,000 to £160,000 in 2011/2012.