

ANGUS COUNCIL

MINUTE of MEETING of the **NEIGHBOURHOOD SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Thursday 18 November 2010 at 4.00 pm.

Present: Councillors JIM MILLAR, COLIN BROWN, DAVID LUMGAIR, MAIRI EVANS, IAN MACKINTOSH, DAVID MAY, BILL MIDDLETON, GLENNIS MIDDLETON, DONALD MORRISON, PETER NIELD, HELEN OSWALD, MARK SALMOND, BOB SPINK, RUTH LESLIE-MELVILLE MBE and SHEENA WELSH.

Councillor MILLAR, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Alison Andrews, David Fairweather and Margaret Thomson with Councillors David Lumgair, Ian Mackintosh and Ruth Leslie-Melville substituting respectively.

2. DECLARATIONS OF INTEREST

Councillors Oswald, Bill Middleton, Morrison, Millar, Spink, Evans, Salmond, Lumgair and Mackintosh declared an interest in Items 12 and 13 as they had each been contacted by a number of interested parties on both items. They indicated that they would take part in discussion and voting on these items.

Councillors Leslie-Melville and Brown declared an interest in Item 12 having been contacted by a number of interested parties. They indicated that they would take part in discussion and voting on these items.

Councillor Glennis Middleton declared an interest in Item 12 as she had been contacted by a number of interested parties and would take part in discussion and voting on this item. Councillor Middleton also declared an interest in Item 13 as she was chair of the Forfar Resource Store. She indicated that she would participate in discussion and voting in this item as the public interest in the item outweighed any other consideration.

Councillor Welsh declared an interest in Item 12 as she was Vice-Chairman of the Angus Housing Association and would take part in discussion and voting on this item. She also declared an interest in Item 13 as she was a Director of Starter Packs. She indicated that she would leave the meeting while these matters were being considered.

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 7 October 2010](#) was approved as a correct record and signed by the Convener.

With reference to Article 8 therein, the Convener advised that he had received a personal letter from Alex Neil MSP, Minister for Housing and Communities concerning social housing allocations and in particular, homelessness. Due to the ongoing dialogue between the small group of elected members namely the Convener, Councillor Brown, Councillor Morrison, Councillor Bill Middleton and Councillor Spink, who had met the Minister on a number of occasions the Convener suggested that they could come together to look at the correspondence and formulate a reply. The Convener agreed to issue a copy of the letter to all members of the Council for their information.

With reference to Article 9 therein, the Convener advised that he was still awaiting a response from the Minister for Housing and Communities concerning the future National Housing Trust arrangements and he would update the Committee on the position as necessary.

(b) Executive Sub-Committee

The [minutes of meetings of the Executive Sub-Committee of this Committee of 24 September](#) and [26 October 2010](#), copies of which are appended hereto, were submitted and noted. (**APPENDICES I AND II**).

4. HOUSING CAPITAL AND PLANNED MAINTENANCE PROGRAMME - HRA BLOCK - 2010/2011

With reference to Article 4 of the minute of meeting of this Committee of 7 October 2010, there was submitted [Joint Report No 810/10](#) by the Director of Neighbourhood Services and the Director of Corporate Services setting out the actual Capital and Planned Maintenance spends to 30 September 2010 together with a projected outturn for the year to 31 March 2011 and updated funding proposals.

The Report advised that the actual spend achieved to 30 September 2010 on the Housing Capital Programme was £2.898 million which equated to 31.0% of the monitoring budget of £9.353 million. It was currently projected that by the end of the 2010/2011 financial year, expenditure would amount to some £9.132 million, an underspend of £221,000.

With regard to the 2010/2011 Planned Maintenance Programme, the level of spend in respect of all elements of the HRA Planned Maintenance Programme for the period to 30 September 2010 was approximately £566,000 which equated to 24.1% of the original budget of £2.348 million. It was anticipated at this time that by the end of the financial year, projected expenditure would be £240,000 lower than the originally budgeted position mainly due to the re-wiring surveys taking longer than anticipated and the extent of repaint work which was now less than was originally anticipated.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the projected year end positions on capital expenditure, planned maintenance expenditure and indicative funding proposals.

5. COUNCIL HOUSE SALES

With reference to Article 8 of the minute of meeting of this Committee of 19 August 2010, there was submitted and noted [Report No 811/10](#) by the Director of Corporate Services detailing individual Council House Sales for the second quarter of 2010/2011 to 30 September 2010.

6. IMPROVEMENT/REPAIR GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 5 of the minute of meeting of this Committee of 7 October 2010, there was submitted [Report No 812/10](#) by the Director of Infrastructure Services advising the Committee of grant applications in respect of improvements, adaptations, repairs, windows, gutter replacements and town centre refurbishment grants which had been approved under delegated authority for the period 1 to 30 September 2010, and presenting the cumulative position for the year to date and a projected year end outturn.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the position in respect of grant approvals and variations for the period 1 to 30 September 2010, as set out in section 4 to the Report; and
- (iii) to note the overall financial position of the improvement grants process to 30 September 2010 and the full year projected outturn, as detailed in the Report.

7. ARREARS UPDATE – HOUSING REVENUE ACCOUNT TENANTS

With reference to Article 6 of the minute of meeting of this Committee of 7 October 2010, there was submitted [Report No 813/10](#) by the Director of Neighbourhood Services updating the Committee on current rent arrears levels and activities being undertaken to tackle them in Angus. The tables contained within Appendix A to the Report provided details of performance at 31 October 2010 in comparison with figures previously reported to Committee.

The Report indicated that rent arrears levels had remained stationary since previously being reported to Committee with the figure now sitting at 6.94%. Historically, in previous years current arrears had increased during this period but due to the continued efforts of staff in these difficult times this had not been the case this year. The Housing Division would continue to apply the methods which had been successful in reducing the rent arrears and use innovative methods to target groups identified likely to be in arrears. Outbound calling was to be resumed using the ACCESSLine and calling customers in arrears outwith normal office hours. The Division was also exploring with the Head of Finance the possibility of payments by credit card being piloted and further discussions were being progressed with other local authorities to learn from their experience and good practice. The Division would also be seeking independent legal advice to further clarify the legal position with regard to suspending those who reapplied for housing but who had historic housing debts and to clarify the duties and responsibilities in terms of the relevant Housing Acts and the Homelessness Act and other legislation which must be considered in making homelessness and housing determinations.

The Report concluded that the Council remained committed to providing support with rent payment but ultimately where this was not utilised by tenants it must enforce the tenancy conditions agreed through the Scottish Secure Tenancy Agreement and make it clear that rent payment was a priority and the failure to keep up rent payments would result in the utilisation of the full range of sanctions available to it. The decline in rent arrears was slowing down in Angus and the future changes to housing benefit were being tracked to understand the possible impact on this area of business.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the current performance information, as detailed in Appendix A to the Report; and
- (iii) to note the progress to date in pursuing serious arrears.

8. NEIGHBOURHOOD SERVICES' DEPARTMENT MID TERM SERVICE PERFORMANCE REPORT

With reference to Article 12 of the minute of meeting of this Committee of 19 November 2009, there was submitted [Report No 814/10](#) by the Director of Neighbourhood Services presenting the mid term service performance report in respect of the Neighbourhood Services Department for the first six months of the 2010/2011 financial year.

The Report indicated that with regard to the actions in the Departmental Service Plan, seven actions were now completed, 29 were in progress and two actions were overdue.

The Committee agreed to note the contents of the Report.

9. DISPOSAL OF PARK HOMES

With reference to Article 22 of the minute of meeting of this Committee of 19 August 2010, there was submitted [Report No 815/10](#) by the Director of Neighbourhood Services relating to the disposal of 10 Park Homes.

The Report indicated that 8 Park Homes in Montrose, Brechin and Kirriemuir previously sold by tender but not removed from the site by the agreed deadline and two previously held for possible lease to charitable organisations, details of which were outlined in the Report, should once again be advertised for sale, with a target date of removal by the end of the financial year.

Having heard from a number of members in relation to the timescale for removing any sold park homes, the Committee agreed:-

- (i) that 10 Park Homes from the sites at Montrose, Kirriemuir and Brechin be advertised on the open market for sale by tender, and sold to the highest bidders, subject to them being able to remove the Park Home(s) from site by the end of the current financial year; and
- (ii) that all the above parties be wholly responsible for dismantling, uplifting, transporting and obtaining all necessary consents for their re-use elsewhere at no cost to the Council.

10. DISPOSAL OF AREA OF GROUND AT 43 WESTFIELD PLACE, CARNOUSTIE

With reference to Article 13 of the minute of meeting of this Committee of 23 January 2010, there was submitted [Report No 816/10](#) by the Director of Neighbourhood Services seeking approval for the disposal of an area of ground adjacent to 43 Westfield Place, Carnoustie.

The Report indicated that in October 2009, the Committee had approved the sale of the Council's share of an area of ground which was valued at £4,000. A condition of the sale was that the owner of 43 Westfield Place must acquire the rights in common to the area currently held by the owners of 109 Barry Road, Carnoustie. At the time the proprietors of this property had confirmed that they were willing to convey their rights to the owner of 43 Westfield Place. The property was, however, sold and the new owner was unwilling to transfer the rights forcing the owner of 43 Westfield Place to amend their application. The owner of 43 Westfield Place had now advised the Council that her neighbour at 109 Barry Road was willing to convey the common rights in the area of ground to her.

The Committee agreed, subject to Section 12 Consent being received from the Scottish Ministers and planning permission for the change of use being granted:-

- (i) that the area of ground adjacent to 43 Westfield Place, Carnoustie be sold to the owner of 43 Westfield Place, Carnoustie for the sum of £4,000 on appropriate terms and conditions;
- (ii) that the owner of 43 Westfield Place acquire the common rights to the area currently held by the proprietor of number 109 Barry Road, Carnoustie; and
- (iii) that the owner of 43 Westfield Place meet the valuation and deed plan costs in connection with the disposal.

11. CORRECTIVE CONVEYANCING AT 3 CROFT TERRACE, KIRRIEMUIR

There was submitted [Report No 817/10](#) by the Director of Neighbourhood Services relating to corrective conveyancing which was required in connection with the sale of 3 Croft Terrace, Kirriemuir.

The Report indicated that the property at 3 Croft Terrace, Kirriemuir had been sold to the sitting tenant on 4 August 1997. The properties in Croft Terrace did not have individual gardens but did have the use of a common drying area and common garden. A plan of the property had been prepared at the time of sale and would have been accepted as correct by the tenant's agent but the plan, however, did not show the drying area and garden as common. The property was sold in June 2010 and the Solicitor acting for the current owners had queried the use of the drying area and garden. It was clearly stated in the Housing (Scotland) Act 1997 that a tenant was entitled to purchase their property and any garden ground, that formed part of their tenancy. As common rights to the drying area and garden had formed part of the tenancy of 3 Croft Terrace and were not sold at the time of the original purchase, these rights should now be transferred to the current owner at no cost.

The Committee agreed:-

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

- (ii) to approve corrective conveyancing to allow common rights in the drying area adjacent to Croft Terrace, Kirriemuir to be transferred to the owner of 3 Croft Terrace, Kirriemuir at no cost, with all costs being met from the Housing Revenue Account.

12. AFFORDABLE HOUSING PROCUREMENT – SELECTION OF A PREFERRED REGISTERED SOCIAL LANDLORD DEVELOPER FOR ANGUS

Councillor Welsh, having declared an interest at Item 2 above, left the meeting during consideration of the following two items.

With reference to Article 10 of the minute of meeting of this Committee of 15 April 2010, there was submitted [Report No 818/10](#) by the Director of Neighbourhood Services updating the Committee on recent developments in relation to the procurement of new affordable housing and seeking homologation of the selection of a registered social landlord preferred developer for Angus in line with the process previously agreed and in partnership with Scottish Government.

Having heard from a number of Members, the Committee agreed to defer consideration of the report until a further briefing session for all elected members could be held on the preferred registered social landlord partners brief which was based on a set of agreed criteria and key performance indicators, following which a report would be submitted to a future meeting of this Committee.

***13. EXTENSION OF EXISTING ARRANGEMENTS FOR THE PROVISION OF RECYCLED FURNITURE AND GOODS**

With reference to Article 9 of the minute of meeting of this Committee of 25 February 2010, there was submitted [Report No 819/10](#) by the Director of Neighbourhood Services advising the Committee of the requirement to comply with Financial Regulations and introduce procurement procedures to determine the award of a contract to provide the Council with Recycled Furniture and Goods.

The Report indicated that following advice from the Council's Corporate Procurement Team, it was clear that the current un-tendered arrangement for the provision of recycled furniture and goods might be seen as anti-competitive and in breach of tendering guidelines and this advice had necessitated the proposed developments outlined in the Report. A cross party group of elected members from the Committee namely, Councillors Millar, Morrison and Spink had undergone fact finding trips within Angus to all current furniture and starter pack providers and outside Angus to companies in Dundee and Fife. In visits within and outside Angus, the members had been struck by the commitment to supporting vulnerable clients, the desire to engender a sense of self reliance and they had also listened to suggestions for improvement of the current scheme. In addition to the cross party visits, officers had also met with the furniture projects and set out the rationale behind the revision of the approach and would, following this meeting, meet with the existing providers to set out the mechanics of the procurement exercise. All existing providers would be eligible to bid for the updated approach.

Having heard from Councillors Morrison and Glennis Middleton, Councillor Glennis Middleton, having declared an interest at item 2 above, left the meeting during further consideration of this item.

COUNCILLOR MILLAR, SECONDED BY COUNCILLOR BROWN, MOVED THAT THE COMMITTEE AGREES:-

- (I) TO AUTHORISE THE DIRECTOR OF NEIGHBOURHOOD SERVICES TO PROCURE THE PROVISION OF RECYCLED FURNITURE AND GOODS ON THE BASIS SET OUT IN THE REPORT (SUBJECT TO CHANGES TO THE PROVISION OF MICROWAVES); AND
- (II) TO INSTRUCT THE DIRECTOR OF NEIGHBOURHOOD SERVICES TO INFORM ALL CURRENT PROJECTS AND SIMILAR PROVIDERS OF THE INCOME OPPORTUNITY AVAILABLE FOR FURNITURE RECYCLING AND DIVERSION FROM LANDFILL AS DETAILED IN THE REPORT.

Councillor Morrison, seconded by Councillor Oswald, moved, as an amendment, that consideration of the Report be deferred to allow further information and clarification on a number of issues to be provided.

On a vote being taken, the members voted:-

For the motion:-

Councillors Millar, Brown, Lumgair, Mackintosh, May, Nield, Salmond and Leslie-Melville (8).

For the amendment:-

Councillors Evans, Bill Middleton, Morrison, Oswald and Spink (5).

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

14. THE SHARED SERVICES AGENDA AND THE RELOCATION OF THE KIRRIEMUIR ACCESS OFFICE TO THE KIRRIEMUIR POLICE STATION AND THE ASSOCIATED DEVELOPMENT OF THE TAYSIDE POLICE MUSEUM

There was submitted [Report No 820/10](#) by the Director of Neighbourhood Services advising the Committee of proposals under the shared services, efficiency and tourism agendas for the relocation of the Kirriemuir Access Office to the refurbished Kirriemuir Police Station and the associated development of the Tayside Police Museum. The Report also considered the potential for development of the Kirriemuir Library and Tourist Information Centre and highlighted the possible opportunity to further enhance community facilities in the Kirriemuir Town Hall.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve, in principle, the relocation of the Kirriemuir Access Office to the Kirriemuir Police Station subject to a report being brought back to Committee containing the details outlined in recommendation (iii) below;
- (iii) to approve, in principle, the development, in partnership with Tayside Police, of the Tayside Police Museum in the Kirriemuir Police Station, on the basis that the ongoing revenue costs were met by Tayside Police and, subject to a report being brought back to Committee containing the details outlined in recommendation (iv) below;
- (iv) to remit to the Director of Neighbourhood Services, in consultation with the Head of Property and the Head of Finance to develop a detailed proposal (including financial implications) for the refurbishment of the ground floor of the Kirriemuir Police Station to accommodate the Access Office, Revenues and Benefits staff and the Tayside Police Museum;
- (v) to remit to the Director of Neighbourhood Services to develop, in partnership with Tayside Police, a brief for the Tayside Police Museum; and
- (vi) to remit to the Director of Neighbourhood Services, in consultation with the Head of Property and the Head of Finance, to prepare a costed feasibility study and business plan, to consider the potential for relocating the Kirriemuir Library from its current location to the current Access Office location in Bank Street, including the potential for relocating the tourist information point (TIP) at the Kirriemuir "Gateway to the Glens" Museum and its upgrade to a tourist information centre (TIC).

15. LEISURE CHARGES REVIEW

With reference to Article 13 of the minute of meeting of this Committee of 25 February 2010, there was submitted [Report No 821/10](#) by the Director of Neighbourhood Services recommending approval of the revised charges for sports facilities and town halls.

The Report indicated that the mid term review of all charges and their implementation on 1 September 2010 had been delayed to coincide with the changes to the Value Added Tax rate announced in the Chancellor's emergency budget on 22 June 2010 and details of the impact of that change together with the impact on wider charges were detailed in Appendix 1 to the Report.

The Committee agreed:-

- (i) to approve the implications on charges associated with change in VAT rate from 17.5% to 20% in the sports centres and town halls as appropriate and that the changes be effective from 4 January 2011 as detailed in Appendix 1 to the Report;
- (ii) to approve the new area charges for sporting type bookings in the town halls effective from 4 January 2011 as detailed in Appendix 1 to the Report;
- (iii) to approve the new club area charges that would apply to clubs using the town halls and leisure facilities as detailed in the Report;
- (iv) to approve the further rationalisation of charges for town halls across Angus as detailed in the Report; and
- (v) to approve the changes to the pricing and booking policies as detailed in Appendix 2 to the Report.

16. BEST VALUE REVIEW OF WASTE MANAGEMENT – PHASE 2 – ACTION PLAN UPDATE

With reference to Article 10 of the minute of meeting of Angus Council of 17 December 2009, there was submitted [Report No 822/10](#) by the Director of Neighbourhood Services advising the Committee of the various actions and recommendations that were being taken forward following the Best Value Review of Waste Management Services Phase 2.

Following questions from various members being addressed, the Committee agreed to note the actions and recommendations that were being taken forward as detailed in the Appendix to the Report.

17. COMMERCIAL WASTES – REVIEW OF CHARGES

With reference to Article 23 of the minute of meeting of this Committee of 19 November 2009, there was submitted [Report No 823/10](#) by the Director of Neighbourhood Services proposing adjustments to the charges for collecting and disposal by the Council of commercial and industrial waste and proposing increases in the charges for waste glass collection and animal bi-product collection and disposal.

The Report indicated that the proposed charges would operate from 1 April 2011 and the new charges reflected the full cost to the Council in collecting trade wastes and, as appropriate, the cost of disposal.

The Committee agreed:-

- (i) to approve the undernoted reviewed charges being applied from 1 April 2011 for commercial and industrial wastes uplifted and disposed of by the Council:

		£	
Two wheeled 240lt bin	3.26	(plus VAT)	per lift
Two wheeled 360lt bin	4.87	"	"
Four wheeled 660lt bin	8.94	"	"
Four wheeled 1100lt container	14.15	"	"
Four wheeled 1280lt container	16.46	"	"
Sack	1.80	"	"

- (ii) to approve the undernoted charges for commercial premises which, in terms of the charging regulation, may only be charged for collection:

		£	
Two wheeled 240lt bin	1.95	(plus VAT)	per lift
Four wheeled 1100lt container	8.98	"	"
Four wheeled 1280lt container	10.44	"	"
Sack	1.29	"	"

- (iii) that the commercial charge exempt groups, including registered charities, voluntary and youth groups, should continue to have a single bin/container uplift at no charge, in accordance with the arrangements detailed in paragraph 4 of the Report, with the additional bin/containers being charged at the appropriate commercial collection rate; and
- (iv) to apply the undernoted charge, with effect from 1 April 2011 in respect of glass bottle collections from commercial services, pubs, hotels, catering etc.

		£	
Two wheeled 240lt bin	25.15	(plus VAT)	per bin/year

18. WASTE MANAGEMENT SERVICE ARRANGEMENTS FOR CHRISTMAS AND NEW YEAR PERIOD

With reference to Article 24 of the minute of meeting of this Committee of 19 November 2009, there was submitted [Report No 824/10](#) by the Director of Neighbourhood Services advising the Committee that, due to statutory staff holidays over the festive period, the arrangements for various waste management services required to be altered.

The Committee agreed:-

- (i) to approve the adjusted rota for waste and recycling collections over the festive period 2010/2011; and
- (ii) to approve the arrangements for the delivery of other cleaning and waste management services over the festive period as detailed in the Report.

19. SUPPLY OF PARKS MAINTENANCE PLANT, MACHINERY AND EQUIPMENT 2011

There was submitted [Report No 825/10](#) by the Director of Neighbourhood Services seeking approval for the Director's recommendation to purchase plant, machinery and equipment for replacement within the Capital Budget programme and to authorise him in consultation with the Head of Finance to purchase additional equipment if additional revenue funding could be identified before the end of the financial year.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to authorise the Director of Neighbourhood Services to procure plant, machinery and equipment for use within Angus Council's Ground Operations Service as outlined in the Report; and
- (iii) to authorise the Director of Neighbourhood Services, in consultation with the Head of Finance, to procure additional equipment (on the basis of the tendering exercise undertaken) if additional revenue funding could be identified before the end of the financial year.

20. JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN IN ANGUS

With reference to Article 7 of the minute of meeting of the Social Work and Health Committee of 11 November 2010, there was submitted [Joint Report No 805/10](#) by the Chief Executive, the Director of Social Work and Health, the Director of Education and the Director of Neighbourhood Services advising the Committee of the forthcoming Joint Inspection of Services to Protect Children in the Angus Area.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report; and
- (ii) to instruct the relevant Directors to report to the respective Committees at a future date on the outcome of the full inspection.