

ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 2 March 2010 at 4.00 pm.

Present: Councillors DAVID MAY, DAVID FAIRWEATHER, ALEX KING, IAN MACKINTOSH, GLENNIS MIDDLETON, JIM MILLAR, DONALD MORRISON, PETER MURPHY, ROBERT MYLES, HELEN OSWALD, MARK SALMOND, ROBERT SPINK, PAUL VALENTINE, SANDY WEST and JOHN WHYTE.

Councillor MAY, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Iain Gaul, Jean Lee and Ralph Palmer with Councillors Paul Valentine, Glennis Middleton and Donald Morrison, respectively, substituting.

2. DECLARATIONS OF INTEREST

Councillor May declared an interest in item 6 as a member of the Scottish Wildlife Trust. He indicated that he would be taking part in discussion and voting.

Councillor Fairweather declared an interest in item 6 as he had given advice to Arbroath Lads Club. He indicated that he would be taking part in discussion and voting.

Councillor Mackintosh declared an interest in item 6 as he was acquainted with some members of the Kirriemuir Kist Group. He indicated that he would be taking part in discussion and voting.

Councillor Myles declared an interest in item 6 as he was acquainted with some members of the Friends of Brechin Town House Museum. 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 19 January 2010](#) was approved as a correct record and signed by the Convener.

4. AUTHORISATION FOR THE ENFORCEMENT OF THE PROVISIONS OF THE WORKING TIME REGULATIONS 1998 (AS AMENDED)

There was submitted [Report No 180/10](#) by the Director of Infrastructure Services seeking authorisation for officers to enforce the Working Time Regulations 1998 (as amended).

The Report indicated that an update had been received from the Local Authority Co-ordinators of Regulatory Services relating to the authorisation of enforcement staff in terms of the Working Time Regulations 1998 (as amended) and advising that officers of the Council enforcing this legislation required a separate instrument of appointment.

The Report also indicated that the Council's Standing Orders and associated documentation would require to be amended to incorporate the Regulations into the Scheme of Delegation as detailed in Standing Orders at paragraph 5(b)(22).

The Committee agreed:-

- (i) to authorise the Head of Law and Administration, in conjunction with the Head of Economic Development and Environmental and Consumer Protection, to appoint and authorise suitably qualified and experienced officers to enforce the provisions of the Working Time Regulations 1998 (as amended); and

- * (ii) to recommend to the Council that appropriate amendments be made to the Scheme of Delegation to Officers.

5. REVIEW OF THE HEALTH AND SAFETY LAW ENFORCEMENT POLICY

There was submitted [Report No 181/10](#) by the Director of Infrastructure Services advising members that the Council's Health and Safety Enforcement Service policy required to be renewed and updated as a consequence of introduction of the Section 18 Standard on Enforcement which had been issued by the Health and Safety Commission.

The Report indicated that the Standard on Enforcement required that enforcing authorities had an enforcement policy that required to be reviewed from time to time in consultation with stakeholders and required to be formally endorsed by the enforcing Authority. Appended to the Report was a draft updated Health and Safety Enforcement policy which covered eleven areas of the Health and Safety service provided by the Council.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to adopt the Health and Safety Enforcement policy, as appended to the Report.

6. ANGUS COUNCIL COMMUNITY GRANT SCHEME - NEW APPLICATIONS

With reference to Article 11 of the minute of meeting of this Committee of 19 January 2010, there was submitted [Report No 183/10](#) by the Director of Infrastructure Services detailing applications for grants over £1,000 and advising members of applications for grants of £1,000 or less which had been approved under delegated authority since 19 January 2010.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the following awards in respect of applications for grants over £1,000:-
 - The Friends of Brechin Town House Museum - £4,650
 - Kirriemuir Kist Group - £2,750
 - Scottish Wildlife Trust - £1,100
 - Arbroath Lads Club Under 11s - £2,633
- (iii) to note the following decisions in respect of applications for grants for £1,000 or less:-
 - Aberlemno Village Hall Management Committee - £500
 - Carnoustie and District Youth Brass Band - £500
 - Letham Village Hall - £300

7. ANGUS DEVELOPMENT PLAN SCHEME - FIRST ANNUAL REVIEW

There was submitted [Report No 184/10](#) by the Director of Infrastructure Services setting out the first annual review and roll forward of the Angus Development Plan Scheme, including revisions to the timetable, for preparation of the Angus Local Development Plan.

The Report indicated that Section 20B of the Planning Etc (Scotland) Act 2006 introduced a requirement for each planning authority to prepare a Development Plan Scheme at least on an annual basis, the purpose of which was to set out the Authority's programme for preparing and reviewing the new style Local Development Plans and what was likely to be involved at each stage.

The Committee agreed:-

- (i) to note the revision and roll forward of the timetable for preparation of the Angus Local Development Plan as a consequence of the revised timetable, for preparation of the TAYplan Strategic Development Plan;

- (ii) to approve the revised Angus Development Plan Scheme and Participation Statement as set out in Appendix I of the Report for submission to Scottish Ministers and for general publication by 31 March 2010; and
- (iii) to authorise a copy of the revised Angus Development Plan Scheme and Participation Statement to be placed in all Angus libraries and ACCESS offices and made available on the Council's website.

8. DUNDEE, PERTH, ANGUS AND NORTH FIFE STRATEGIC DEVELOPMENT PLANNING AUTHORITY TAYPLAN MAIN ISSUES REPORT: OPTIONS FOR SCOTLAND'S SUSTAINABLE REGION 2012-2032

There was submitted [Report No 185/10](#) by the Director of Infrastructure Services seeking ratification of a decision by the Joint Committee of the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority to approve the TAYplan Main Issues Report and related documents as a basis for public consultation.

The Report indicated that publication of the Main Issues Report and associated documentation was significant towards preparation of strategic planning guidance for the Dundee, Perth, Angus and North Fife areas and ratification of the decision by the Joint Committee would allow public consultation and engagement on the main issues and options to be held in May and June 2010.

The Committee, for its interest, agreed:-

- (i) to ratify the decision of the Joint Committee to approve the Main Issues Report and draft Equalities and Human Rights Impact Assessment, as a basis for consultation and delegate authority to the Strategic Development Planning Authority Manager to submit the Main Issues Report to Scottish Ministers;
- (ii) to ratify the approval of the Monitoring Statement and delegate authority to the SDPA Manager to submit the Statement to Scottish Ministers;
- (iii) to instruct the Director of Infrastructure Services to have regard to and to take account of the Environmental Report drafted by Perth and Kinross Council, as the responsible authority, and to note that Perth and Kinross Council would require to publish and submit the Environmental Report to Scottish Ministers and Constituent Authorities; and
- (iv) to establish a Member/Officer Working Group to consider the Main Issues Report, identify any issues relating to land use planning interests for Angus and report back to this Committee before 2 July 2010, being the closing date for publication of the Report, the membership of the Group to comprise the three members of the SDPA Joint Committee, being Councillors David May, Robert Myles and Iain Gaul, together with Councillor Robert Spink, one member from the Administration and one member from the SNP Group along with the relevant officers from the Planning and Transport Division.

9. DUNDEE, PERTH, ANGUS AND NORTH FIFE STRATEGIC DEVELOPMENT PLANNING AUTHORITY UPDATE – TAYPLAN CORE STAFF TEAM

There was submitted [Report No 186/10](#) by the Director of Infrastructure Services advising members that the Joint Committee of the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority had approved a change in the establishment of the TAYplan Core Team staffing and seeking ratification of this decision.

The Report indicated that the three staff members comprising the core team had been fully resourced since June 2009 and that the post of Project Support Officer had become vacant since the end of February 2010. The Strategic Development Planning Authority Manager had reviewed how this permanent post should be filled and the Joint Committee had agreed that the role of the post within the team would now be better suited to a Planning Officer recently or soon to graduate and a copy of the Report which was submitted to the Joint Committee was appended to Report No 186/10.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to ratify the decision of the Strategic Development Planning Authority Joint Committee of 16 February 2010 to change the staff resource establishment within the TAYplan Strategic Development Plan Authority Core Team, as detailed in the Report, subject to it being accommodated within the existing budget.

10. AWARD OF TENDERED LOCAL BUS SERVICE CONTRACT

There was submitted [Report No 187/10](#) by the Director of Infrastructure Services advising members of the award of a local bus service contract on an emergency basis, following the termination of the current contracted service provider.

The Report indicated that cancellation of the previous contract necessitated the award of a replacement under emergency provisions and the award of the contract to Tayside Public Transport Company Ltd had ensured that passengers retained peak local bus service provision to Forfar.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the award by the Head of Planning and Transport under delegated powers of emergency contract number EMY288 to Tayside Public Transport Co Ltd for the continuation of the morning local bus service journey operating on the Lunanhead-Westfield-Forfar (Forfar Academy-Whitehills) corridor.

11. PUBLIC TRANSPORT POLICY STATEMENT

With reference to Article 8(a) of the minute of meeting of the Planning and Transport Policy Committee of 25 April 1996, there was submitted [Report No 188/10](#) by the Director of Infrastructure Services advising members of proposed revisions to the Council's Public Transport Policy Statement and seeking authority to undertake statutory consultation prior to formal adoption of the Statement.

The Report indicated that the Council was required, in terms of the Transport Act 1985 to update its Public Transport Policy Statement, having amended its procedures for assessing and awarding contracted public passenger services.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to undertake consultation on the draft revised Public Transport Policy Statement, as appended to the Report; and
- (iii) to instruct that a further Report be submitted to this Committee detailing the outcome of the consultation process and seeking formal adoption of the revised Public Transport Policy Statement.

12. TEMPORARY TRAFFIC ORDERS

There was submitted and noted [Report No 189/10](#) by the Director of Corporate Services advising that, at the request of the Head of Roads, four Temporary Traffic Orders had been made, as detailed in the Report.

13. INTRODUCTION AND VARIATION OF WAITING RESTRICTIONS

There was submitted [Report No 190/10](#) by the Director of Infrastructure Services detailing proposed new waiting restrictions and amendments to current waiting restrictions to take account of changing circumstances at various locations within the Council area.

The Report indicated that, in the interests of pedestrian safety and free traffic flow, and in order to maintain access to premises, various alterations to waiting restrictions were considered appropriate and the variation of existing and promotion of new Traffic Regulation Orders to implement these, were therefore necessary.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve promotion of the necessary Traffic Regulation Orders and Variation Orders to effect changes to current waiting restrictions in Arbroath, Carnoustie, Kirriemuir, Monifieth, Letham and Edzell, as detailed in the Report.

14. NEW HOUSING DEVELOPMENT AT MILTON MILL, FERRY ROAD, MONIFIETH - NEW STREET NAME

With reference to Article 32 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 192/10](#) by the Director of Infrastructure Services seeking a decision on a new street name for the housing development at the former Milton Mill site, Ferry Road, Monifieth.

The Report indicated that the development included the formation of a new road to serve the area and the conversion of the former Milton Mill building but that no agreement could be reached between the elected members of the affected ward and the site developer on the new street name.

Having heard from Councillors Whyte and Oswald the Committee agreed:-

- (i) to note that the new street name suggested by the local members and the developer had not been agreed; and
- (ii) to instruct that the new road to serve this development be known as "Mortimer Drive" in memory of Ian Mortimer who was the last Provost of the Burgh of Monifieth.

15. REDUCING THE ENERGY CONSUMPTION OF STREET LIGHTING

With reference to Article 17 of the minute of meeting of this Committee of 3 March 2009, there was submitted [Report No 194/10](#) by the Director of Infrastructure Services updating members on the ongoing aim by the Council to reduce the energy consumption of street lighting, both in terms of reducing the corporate carbon footprint and its energy costs and recommending the continued use of dimming at certain times of the day in replacement schemes for street lighting.

The Report indicated that to date, seven schemes had been replaced with the new equipment for selective dimming of lights which had all been within housing developments and public opinion had been positive.

The Committee agreed:-

- (i) to note the ongoing pressures to reduce electricity costs and the Council's carbon footprint, specifically in relation to street lighting;
- (ii) to note the results of the survey carried out on previous trial sites; and
- (iii) to authorise the Head of Roads to continue with the dimming of street lighting in certain locations in order to conserve energy, as detailed in the Report.

16. FORFAR TOWN CENTRE - TRAFFIC REVIEW

With reference to Article 8 of the minute of meeting of this Committee of 14 October 2004, there was submitted [Report No 195/10](#) by the Director of Infrastructure Services reviewing the traffic management at Forfar, submitting a proposed traffic management change in Castle Street and seeking authority to undertake public consultation on the proposal.

The Report indicated that the option to introduce one-way southbound traffic in Castle Street between Victoria Street and Myre Road would be widely consulted upon and the results of the consultation would be the subject of a further Report to this Committee.

The Committee agreed:-

- (i) to note the completion of the Traffic Management Review for Forfar Town Centre;
- (ii) to approve, in principle, the proposed traffic management change in Castle Street to introduce a one-way system, southbound, between Victoria Street and Myre Road;
- (iii) to instruct the Head of Roads to undertake public consultation on the above proposal; and
- (iv) to note that a further Report would be submitted to this Committee following completion of the consultation.

17. AMENDMENT TO STANDING LISTS OF CONTRACTORS FOR CONSTRUCTION, CIVIL ENGINEERING AND ROAD MAINTENANCE CONTRACTS TO A MAXIMUM VALUE OF £500,000

With reference to Article 6 of the minute of meeting of this Committee of 25 August 2009, there was submitted [Report No 196/10](#) by the Director of Infrastructure Services recommending an addition of contractors to the standing lists of contractors for various categories of work up to a maximum value of £500,000 and to the removal of one contractor from the lists.

The Committee agreed:-

- (i) to approve the contractors as detailed in Appendix 1 of the Report for inclusion in the standing lists of contractors for various categories of work up to a maximum value of £500,000; and
- (ii) to instruct that Torith Ltd be removed from the standing lists, as this firm had now gone into administration.

18. CARRIAGEWAY RECYCLING AND SURFACING WORK - VARIOUS SITES

There was submitted [Report No 197/10](#) by the Director of Infrastructure Services with regard to the method of procurement of tenders and containing details of tenders received for carriageway recycling and surfacing work on various sites throughout Angus.

The Report indicated that the works involved a number of roads following the severe winter weather and the repair process which was proposed was considered to offer a cost effective solution to restoring a safe network in the areas concerned.

The Committee agreed:-

- (i) to note the method of open tender with conditions used in the tendering process for these works; and
- (ii) to approve acceptance of the tender submitted by Colas Ltd in the amount of £334,666.58 being the lowest offer received for carriageway recycling and surfacing works on various sites throughout Angus.

19. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2), that the public and press be excluded from the meeting during consideration of the following item so as to avoid the disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 6 and 9.

20. HARBOUR VISITOR CENTRE, ARBROATH

With reference to Article 20 of the minute of meeting of the Strategic Policy Committee of 17 March 2009, there was submitted [Report No 182/10](#) by the Director of Infrastructure Services advising members that systems which had been put in place prior to completion of the Arbroath Visitor Centre to administer the maintenance charge had proved problematic and a review of the structure and operation was now proposed with a view to placing the management of the Centre on a more solid basis.

The Committee agreed to approve the recommendations as detailed in the Report.