

## ANGUS COUNCIL

MINUTE of MEETING of the **INFRASTRUCTURE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 24 August 2010 at 4.00 pm.

**Present:** Councillors DAVID MAY, DAVID FAIRWEATHER, IAIN GAUL, ALEX KING, JEAN LEE, IAN MACKINTOSH, COLIN BROWN, PETER MURPHY, ROBERT MYLES, HELEN OSWALD, RALPH PALMER, DAVID LUMGAIR, 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 Colin Brown and David Lumgair, respectively, substituting.

### 2. **DECLARATIONS OF INTEREST**

Councillor Gaul declared an interest in item 14 as a member of Canmore Bowling Club. He indicated that he would not be taking part in discussion and voting and would leave the meeting during consideration of the item.

Councillor Lumgair declared an interest in item 11 as a farmer and user of feedstuffs. He indicated that he would be taking part in discussion and voting.

Councillor Mackintosh declared an interest in item 11 as a farmer and user of feedstuffs. He indicated that he would be taking part in discussion and voting.

Councillor Myles declared an interest in item 11 as a farmer and user of feedstuffs. He indicated that he would be taking part in discussion and voting.

Councillor Myles also declared an interest in item 20 as a Council appointee to the Brechin Town Heritage Project Support Group. He indicated that he would be taking part in discussion and voting.

Councillor Spink declared an interest in item 4 as he had discussed the issue of a pedestrian crossing with local residents. He indicated that he would be taking part in discussion and voting.

Councillor Spink also declared an interest in item 35 as a member of the Esk Fishery Board. He indicated that he would be taking part in discussion and voting.

Councillor West declared an interest in item 35 as a possible affected homeowner. He indicated that he would be taking part in discussion and voting.

Councillor Whyte declared an interest in item 10 as a member of Monifieth Dramatics. He indicated that he would be taking part in discussion and voting.

### 3. **DEPUTATION - REQUEST FOR PEDESTRIAN CROSSING AT MONTROSE ROAD, ARBROATH**

The Committee agreed, in accordance with Standing Order 12, to hear a deputation from residents in the Grampian Gardens area of Arbroath on the subject of the possible provision of a light controlled pedestrian crossing on the A92 Montrose Road, Arbroath adjacent to the Golden Lion garage and convenience store.

On behalf of the deputation, Mr Angus Copland addressed the meeting and urged members to consider the installation of a controlled pedestrian crossing at this location.

He stressed the problems faced by members of the public, especially senior citizens, disabled people and school children when crossing and advised that the lack of a pedestrian crossing in this area had caused concern to local residents for some time.

Following questions, Mr Copland and the other member of the deputation were thanked for their attendance and withdrew to the public benches.

*In accordance with Standing Order 36(2), the Committee agreed that the order of business be varied from that published and considered in the following order.*

**\*4. REQUEST FOR A LIGHT CONTROLLED PEDESTRIAN CROSSING, A92 MONTROSE ROAD, ARBROATH**

With reference to Article 5(a) of the minute of meeting of Angus Council of 5 November 2009, there was submitted [Report No 596/10](#) by the Director of Infrastructure Services advising members of the outcome of an investigation by the Head of Roads following concerns of residents that a light controlled crossing be provided at the A92 Montrose Road, Arbroath adjacent to the Red Lion garage and convenience store.

The Report indicated that following site surveys and investigations and based on the Council's established policy, it was considered that a signal controlled pedestrian crossing in this area could not be supported.

Councillor Fairweather, seconded by Councillor Myles moved that the Committee agrees:-

- (i) to note the contents of the Report; and
- (ii) that in view of the results of the site surveys and investigations, the request for a light controlled pedestrian crossing at the A92 Montrose Road, Arbroath be not supported at this time but could be supported in future.

COUNCILLOR SPINK, SECONDED BY COUNCILLOR KING MOVED, AS AN AMENDMENT, THAT THE COMMITTEE AGREES THAT THERE EXISTS A PUBLIC SAFETY RISK ON THE A92 ADJACENT TO THE RED LION GARAGE AND STORE, ARBROATH AND THAT THE HEAD OF ROADS BE INSTRUCTED TO BRING FORWARD IN EARLY COURSE A REPORT TO THIS COMMITTEE SETTING OUT A FULLY COSTED PROPOSAL FOR THE INSTALLATION OF A LIGHT CONTROLLED CROSSING AT THIS LOCATION.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Fairweather, Brown, Murphy, Myles and Whyte (6)

For the amendment:-

Councillors Gaul, King, Lee, Oswald, Palmer, Spink and West (7)

No vote:-

Councillors Mackintosh and Lumgair.

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

**5. MINUTES**

**(a) Previous Meeting**

The [minute of meeting of this Committee of 1 June 2010](#) was approved as a correct record and signed by the Convener.

**(b) Special Meeting**

The [minute of the special meeting of this Committee of 29 July 2010](#) was approved as a correct record and signed by the Convener.

**(c) Arbroath Harbour Joint Consultative Committee**

The [minute of meeting of the Arbroath Harbour Joint Consultative Committee of 21 May 2010](#), a copy of which is appended hereto, was submitted and noted **(APPENDIX I)**.

**(d) Executive Sub-Committee**

The [minute of meeting of the Executive Sub-Committee of 6 July 2010](#), a copy of which is appended hereto, was submitted and noted **(APPENDIX II)**.

**6. INFRASTRUCTURE SERVICES DEPARTMENT ANNUAL REPORT 2009/2010**

With reference to Article 5 of the minute of meeting of this Committee of 25 August 2009, there was submitted [Report No 572/10](#) by the Director of Infrastructure Services advising members of the production of the 2009/2010 Annual Report for the Infrastructure Services Department, a copy of which was appended to the Report.

The Committee agreed to note the contents of the Infrastructure Services Department Annual Report 2009/2010.

**7. EAST COAST RENEWABLES**

With reference to Article 20 of the minute of meeting of this Committee of 22 April 2008, there was submitted [Report No 573/10](#) by the Director of Infrastructure Services advising members of the proposed creation of "East Coast Renewables" which was a collaborative alliance of local authorities in the east of Scotland, higher and further education establishments, Scottish Enterprise and Scottish Development International with a view to generating economic benefit and sustainability through opportunities created by renewable energy.

The Report indicated that the need to generate power through these sources was well recognised and the creation of "East Coast Renewables" would facilitate the move towards this while at the same time ensuring that the economy of the east coast of Scotland benefited to the maximum.

The Committee, having heard Councillor Gaul who stressed the importance of the Council having an equal voice on this group and Councillor Lee with regard to the maximum use of renewable energy, the Committee agreed:-

- (i) to note the significant opportunities being created for Angus and the east coast of Scotland through the development of environmentally sustainable renewable energy;
- (ii) to note the proposal to establish "East Coast Renewables", being an alliance of local authorities, higher and further education establishments, Scottish Enterprise and Scottish Development International in the east coast of Scotland;
- (iii) to authorise the Head of Economic Development and Environmental and Consumer Protection, in conjunction with the Head of Law and Administration, to conclude and participate in an "East Coast Renewables" agreement; and
- (iv) to authorise the Convener to sign this agreement on behalf of the Council.

## 8. EUROPEAN REGIONAL DEVELOPMENT FUND AND EUROPEAN SOCIAL FUND – OUTLINE APPLICATIONS

With reference to Article 24 of the minute of meeting of this Committee of 20 January 2009, there was submitted [Report No 574/10](#) by the Director of Infrastructure Services seeking approval for two stage 1 outline funding applications to be submitted to the Lowlands and Uplands Programme (European Rural Development Fund) and, if successful, the submission of two full stage 2 applications in October 2010.

The Report indicated that in order to achieve maximum marketing and tourism impact across the east of Scotland, the undernoted work packages had been devised, most of which were of interest to rural authorities and which could be presented as a single funding bid:-

- food and drink
- golf
- ancestral tourism
- outdoor tourism.

These themes were all tourism initiatives which were central to the Council's Tourism Strategy, "a sustainable strategy for growth through tourism 2008 to 2012" and the project would augment work which was already taking place within the Marketing Team of the Economic Development and Environmental and Consumer Protection Division.

The Committee agreed:-

- (i) to homologate the submission of stage 1 outline ERDF applications for the East of Scotland Strategic Tourism Project and the Renewable Energy Project to the European Regional Development Fund Lowlands and Uplands Programme;
- (ii) to homologate the submission of a stage 1 outline Strategic Skills Pipeline Project to the European Social Fund Lowlands and Uplands Programme; and
- (iii) to authorise the Director of Infrastructure Services and the Director of Corporate Services to agree the terms of Stage 2 applications in the event of the Stage 1 applications being successful, in consultation with the Head of Finance and the Conveners of the Infrastructure Services and the Corporate Services Committees.

## 9. EUROPEAN REGIONAL DEVELOPMENT FUND - PROJECT BID SUBMISSION, ANGUS BUSINESS PARKS

With reference to Article 12 of the minute of meeting of Angus Council of 17 September 2009, there was submitted [Report No 575/10](#) by the Director of Infrastructure Services advising members of the results of the Council's bid to secure European Regional Development Fund grant funding for three proposed new business parks in Angus and updating members of the current status of the proposed developments.

The Report indicated that while details of the ERDF application had been successful, no money was actually available and, while this was disappointing, finance was currently still available to develop two major business sites in the area which, if combined, would have the capacity to accommodate a number of businesses and several hundred jobs.

The Committee agreed:-

- (i) to note with disappointment that European funding was unlikely to be available for three proposed new business parks in Angus; and
- (ii) to note that plans were still in place to develop two new business sites in the area, budgets for which were contained within the current Financial Plan.

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

With reference to Article 8 of the minute of meeting of this Committee of 1 June 2010, there was submitted [Report No 576/10](#) 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 1 June 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:-
  - Lochside Boys Football Club - £3,505.78
  - Auchterhouse Parish Hall Committee - £5,000; and
- (iii) to note the following decisions in respect of applications for grants of £1,000 or less:-
  - Angus Opera Group - £800
  - Art Moves - £1,000
  - Auchterhouse Sports/Fun Day - £200
  - Bell Rock Audio Visual Enterprise - £670
  - Brechin Mechanics Society - £1,000
  - Forfar Chabanais Twinning Association - £500
  - Forfar Horticultural Society - £402
  - Forfar and District Garden Club - £523.57
  - Monifieth Amateur Dramatics - £965.84
  - Strathmore Pipe Band - £900
  - TradAngus - £369

## 11. FEED, FOOD AND SAFETY SERVICES PLAN 2010-2011

With reference to Article 10 of the minute of meeting of this Committee of 24 November 2009, there was submitted [Report No 577/10](#) by the Director of Infrastructure Services advising members that the Council was required by statute to devise and implement a plan for the enforcement of the legislation relating to the essential Services of Feeding Stuffs, Food Safety and Health and Safety.

The plan, which was appended to the Report, would fulfil the Council's legal obligations to a number of external agencies and defined the programme of work to be undertaken in these services by operational staff.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to adopt the Feed, Food and Safety Plan 2010-2011, as appended to the Report.

## 12. TAYSIDE JOINT HEALTH PROTECTION PLAN

With reference to Article 22 of the minute of meeting of this Committee of 22 January 2008, there was submitted [Report No 578/10](#) by the Director of Infrastructure Services seeking approval to issue the Tayside Joint Health Protection Plan 2010-2012.

The Report indicated that there was a requirement for local authorities to collaborate with NHS Tayside in the production of a Joint Health Protection Plan and in terms of the Public Health (Scotland) Act 2008, there was also a duty on each Health Board to produce such a plan and to consult relevant local authorities during its preparation.

Meetings had taken place between Angus, Dundee City and Perth and Kinross Councils and NHS Tayside when comments on various drafts of the plan had been shared.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise the Head of Economic Development and Environmental and Consumer Protection to formally agree to the issue of the Tayside Joint Health Protection Plan 2010-2012, a copy of which had been placed in the Members' Lounge.

### 13. MONTROSE TO NORTHWATER VIADUCT CYCLEWAY

There was submitted [Report No 579/10](#) by the Director of Infrastructure Services seeking authority to proceed with the establishment of a combined footway/cycleway between Montrose and the Northwater Viaduct.

The Report indicated that agreement had been sought with the relevant landowners for a number of years for the establishment of a combined footway/cycleway between Montrose and St Cyrus via the Northwater Viaduct and the proposed works would provide a safe off-road link to the viaduct which would be part of the Sustrans National Cycle Route and the North Sea Cycle Route.

The provisional terms of legal agreements with the landowners had now been agreed and the project was in a position to proceed.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to authorise the Director of Infrastructure Services to proceed with the establishment of a combined footway/cycleway between Montrose and the Northwater Viaduct, as detailed in the Report, subject to the conclusion of legal agreements and receipt of planning permission;
- (iii) to note that an application for planning permission would now be submitted;
- (iv) to authorise the Head of Law and Administration, in consultation with the Head of Property, to conclude the legal agreements with the relevant landowners;
- (v) to note that the revised capital expenditure could be met from the allocations within the Infrastructure Services 2009/2013 financial plan; and
- (vi) to express thanks and appreciation to all staff concerned in satisfactorily concluding this matter

### 14. CONSULTATION ON PROPOSED FORFAR CONSERVATION AREA BOUNDARY AMENDMENT

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

With reference to Article 27 of the minute of meeting of this Committee of 25 August 2009, there was submitted [Report No 580/10](#) by the Director of Infrastructure Services seeking authority to undertake a second public consultation on the proposed amendment to the Forfar conservation area boundary.

The Report indicated that conservation area boundary reviews, including area analysis and design guidance, would in due course be prepared for all 19 conservation areas throughout Angus which would provide stakeholders with information to assist with managing the development process and would assist with information on the built heritage of Angus.

A public consultation exercise had been undertaken in early 2010 and a summary of the responses received were appended to the Report.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to authorise the Head of Planning and Transport to undertake a second consultation exercise with the Forfar community and other stakeholders on a proposed amendment to the boundary for the Forfar Conservation Area and to report back to this Committee following completion of the consultation; and
- (iii) to note the programme for future conservation area reviews.

**15. ANGUS LOCAL PLAN REVIEW - SUPPLEMENTARY PLANNING GUIDANCE IMPLEMENTATION GUIDE FOR RENEWABLE ENERGY PROPOSALS (POLICIES ER34: RENEWABLE ENERGY DEVELOPMENTS AND ER35: WIND ENERGY DEVELOPMENT) STRATEGIC ENVIRONMENTAL ASSESSMENT - SCREENING DETERMINATION**

There was submitted [Report No 581/10](#) by the Director of Infrastructure Services presenting the case for a Screening Determination arising from the response by the consultation authorities in relation to a Strategic Environmental Assessment Screening Report for an Implementation Guide for Renewable Energy proposals which were submitted to the SEA Gateway on 3 June 2010.

The Report indicated that following submission of the report and assessment of the consultation authorities' responses, it was considered that the proposed supplementary planning guidance could have significant environmental effects and that a strategic environmental assessment of the implementation guide for renewable energy proposals should be undertaken.

The Committee agreed:-

- (i) to note the responses of the Consultation Authorities to the Screening Report prepared for the Implementation Guide for Renewable Energy proposals Supplementary Planning Guidance as submitted to the SEA Gateway in June 2010 and as detailed in Appendix 1 of the Report;
- (ii) to accept the majority view of the consultation authorities that the Implementation Guide for Renewable Energy Proposals Supplementary Planning Guidance could have significant environmental effects; and
- (iii) to publish the Screening Determination and to undertake a Strategic Environmental Assessment as detailed in the Report.

**16. ANGUS LOCAL DEVELOPMENT PLAN - COMMENCEMENT**

With reference to Article 7 of the minute of meeting of this Committee of 2 March 2010, there was submitted [Report No 582/10](#) by the Director of Infrastructure Services seeking approval to commence preparation of an Angus Local Development Plan and setting out a broad project timetable, main stages and outputs associated with preparing the new Plan.

The Report indicated that commencement of preparation of the Angus Local Development Plan provided the opportunity for the Council to review its existing Land Use Planning Policy, as set out in the adopted Angus Local Plan Review and early progress on the Angus Local Development Plan would seek to maintain an up to date and robust Land Use Planning Policy framework.

The Committee agreed:-

- (i) to approve commencement of the preparation of the first Angus Local Development Plan;
- (ii) to note the indicative timetable proposed for the preparation and publication of the Main Issues Report, supporting documents and other key stages of the Plan which, where possible, would be aligned with progress against the TAYplan.

- (iii) to approve the arrangements detailed in the Report for initial awareness raising and stakeholder and community engagement, including early raising of issues and sites for consideration during preparation of the Local Development Plan Main Issues Report; and
- (iv) to note that progress reports would be submitted to this Committee at appropriate stages.

#### **17. ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2010**

With reference to Article 23 of the minute of meeting of this Committee of 26 August 2008, there was submitted [Report No 583/10](#) by the Director of Infrastructure Services commenting on and suggesting the basis for the Council's response to the proposed Aberdeenshire Local Development Plan 2010.

The Report indicated that publication of the Development Plan and associated documentation was a significant step towards preparation of replacement local planning guidance for the Aberdeenshire area. The land allocations were in line with Aberdeen City and Aberdeenshire Structure Plans and there were no significant issues for Angus Council as an adjoining local planning authority.

The Committee agreed:-

- (i) to note the publication of the proposed Aberdeenshire Local Development Plan 2010;
- (ii) to make no formal objection to the proposed Plan;
- (iii) to urge that consideration be given to upgrading the road junction at Laurencekirk on the grounds of road safety; and
- (iii) to authorise the Head of Planning and Transport and the Head of Housing to investigate opportunities for joint working in respect of delivery of housing in the North Angus and Kincardine and Mearns housing market area.

#### **18. TREE PRESERVATION ORDERS - CONSULTATION PAPER**

There was submitted [Report No 584/10](#) by the Director of Infrastructure Services advising members that the Scottish Government was undertaking a consultation exercise in relation to new Tree Preservation Order Regulations and seeking approval of a response to the consultation.

The Report indicated that part of the Planning etc (Scotland) Act 2006 had been commenced with regard to Tree Preservation Orders which extended to Scottish Ministers a duty to ensure it was appropriate that in the granting of planning permission for any development, adequate provision was made, by the imposition of conditions, for the preservation of planting of trees.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to remove the example given in response to question 7; and
- (ii) to otherwise approve the proposed response as detailed in Appendix A of the Report, as the Council's response to the Scottish Government Tree Preservation Orders Consultation Paper.



**19. RURAL SHOPS AND COMMUNITY POST OFFICE CONVERSION GRANT SCHEME - REQUEST FOR FINANCIAL ASSISTANCE - WELLBANK VILLAGE SHOP AND POST OFFICE (PART-TIME)**

With reference to Article 11 of the minute of meeting of this Committee of 24 August 2006, there was submitted [Report No 585/10](#) by the Director of Infrastructure Services advising members that the owner of Wellbank Village Shop had applied for grant assistance to undertake further internal improvements to the premises.

The Report indicated that the Rural Shops and Community Grant Scheme was designed to support a basic level of convenience shopping and facilities in rural areas as part of a strategy to maintain rural population levels.

The owner of the Wellbank Village Shop was endeavouring to maximise the facilities and range of goods for the benefit of both the local community and the wider rural area and had applied for a grant to assist with internal improvements.

Having heard Councillors Lee and Whyte welcome the Report, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to authorise grant aid in the amount of £2,639.70 to the owner of Wellbank Village Shop, being 90% of the total cost for improvements to the shop premises, in terms of the Rural Shops and Community Post Office Grant Scheme.

**20. CITY OF BRECHIN TOWNSCAPE HERITAGE INITIATIVE - UPDATE**

With reference to Article 14 of the minute of meeting of this Committee of 2 June 2009, there was submitted [Report No 586/10](#) by the Director of Infrastructure Services updating members on the progress of the City of Brechin Townscape Heritage Initiative.

The Report indicated that the Initiative was now in its third year of implementation and the partnership between Angus College and the Brechin Townscape Heritage Initiative had strengthened with a strong interest and desire being demonstrated to develop and improve traditional building skills essential for assisting in the long term sustainability of the historic buildings located in both Brechin and throughout Angus.

Having heard Councillor Myles, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note that an invitation was extended to all members of the Council to attend the official opening of Brechin Town House on 30 August 2010.

**21. MONIFIETH TOWN CENTRE ENVIRONMENTAL ENHANCEMENTS - UPDATE**

With reference to Article 8 of the minute of meeting of this Committee of 13 October 2009, there was submitted [Report No 587/10](#) by the Director of Infrastructure Services seeking authority to enter into a licence arrangement with Tesco Stores for the landscape strip along the frontage of its property in Monifieth for the purpose of incorporating the area as part of the Monifieth Town Centre Environmental Enhancements.

The Report indicated that the proposed enhancement works to this strip of ground were an important part of the overall programme of works and would help improve the appearance of Monifieth Town Centre.

Three of the four landowners had entered into legal agreements for the adoption of the land by the Council on completion of the works and the remaining owner, Tesco, had also recently agreed to the widening of the vehicular entrance/egress to its store and the installation of the refuge island with agreement that both the entrance and island were adopted by the Council.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to authorise the Head of Law and Administration to enter into a licence arrangement with Tesco for the landscape strip along the frontage of its property in Monifieth for the purposes of incorporating the area as part of the Monifieth Town Centre Environmental Enhancements; and
- (iii) to instruct the Director of Infrastructure Services to update the local members on progress.

## **22. LOCAL BUS SERVICES - REVIEW OF CONTRACT PRICES**

With reference to Article 22 of the minute of meeting of this Committee of 25 August 2009, there was submitted [Report No 588/10](#) by the Director of Infrastructure Services recommending a local bus service contract price increase of 2.89% with effect from 1 July 2010.

The Committee agreed to approve the award of a 2.89% contract price increase for eligible local bus service contracts, with effect from 1 July 2010.

## **23. RENEWAL OF LOCAL BUS SERVICE CONTRACTS**

With reference to Article 6 of the minute of meeting of this Committee of 14 June 2007, there was submitted [Report No 589/10](#) by the Director of Infrastructure Services advising members of local bus service contracts which were due for renewal in 2011 and seeking authority to procure replacement service provision.

The Report indicated that recent re-tendering had resulted in significant budgetary implications for the Council and it was considered prudent to undertake a procurement exercise to secure placement contracts for those due to terminate in 2011 to be brought forward to September 2010, to enable the results to be taken into account in the 2011/2012 budget setting process.

The Committee agreed:-

- (i) to note the local bus service contracts which were due for renewal in 2011;
- (ii) to authorise a re-tendering exercise to be undertaken to secure replacement service provision; and
- (iii) to instruct that the outcome of the re-tendering exercise be reported to a future meeting of this Committee.

## **24. TRAFFIC REGULATION ORDERS**

### **(a) Update**

With reference to Article 23 of the minute of meeting of this Committee of 24 November 2009, there was submitted and noted [Report No 590/10](#) by the Director of Infrastructure Services detailing the current stage of progress with regard to pending Traffic Regulation Orders.

### **(b) Proposed Alterations to Procedure**

There was submitted [Report No 591/10](#) by the Director of Infrastructure Services suggesting proposed amendments to the Council's current process for the promotion of Traffic Regulation Orders.

The Report indicated that in order to reduce the timescale relating to the promotion of Traffic Orders, the consultation stage within the current procedure should be reduced subject to early intimation of the proposals to members and to statutory consultees.

The Committee agreed:-

- (i) to approve the proposed changes to the Council's current process relating to Traffic Regulation Orders promoted under the Road Traffic Regulation Act 1984, as detailed in the Report;
- (ii) to authorise the alterations to the consultation stage as detailed in the Report; and
- (iii) to approve reduction of the objection period at the publication stage from twenty eight to twenty one days.

## **25. TEMPORARY TRAFFIC ORDERS**

There was submitted and noted [Report No 592/10](#) by the Director of Corporate Services advising that, at the request of the Head of Roads, nine Temporary Traffic Orders had been made as detailed in the Report.

## **26. MONIFIETH TOWN CENTRE TRAFFIC MANAGEMENT ARRANGEMENTS**

With reference to Article 8 of the minute of meeting of this Committee of 13 October 2009, there was submitted [Report No 593/10](#) by the Director of Infrastructure Services advising members that as a result of changes to the road network and in the interest of pedestrian, traffic safety and free traffic flow, alterations to traffic management arrangements in Monifieth Town Centre were considered appropriate and a variation of the current Traffic Regulation Order to implement these proposals was recommended.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to homologate the decision of the Head of Roads to initiate promotion of the variation to the Traffic Regulation Order to effect essential changes to the waiting restrictions in the High Street, Monifieth.

## **27. ALTERATIONS TO WEIGHT LIMITS ON BRIDGES**

There was submitted [Report No 594/10](#) by the Director of Infrastructure Services recommending that a permanent Traffic Order be promoted to limit the weight of vehicles using Lunan Bridge, Lunan and Westhaven Bridge, Carnoustie.

The Report indicated that in view of either structural or environmental reasons, the weight of vehicles which they were permitted to carry required to be restricted and a permanent Order was therefore required for enforcement purposes.

The Committee agreed to authorise the promotion of a Traffic Regulation Order restricting the weight of vehicles permitted to use Lunan Bridge, Lunan and Westhaven Bridge, Carnoustie as detailed in the Report.

## **28. ACCIDENT INVESTIGATION PROGRAMME UPDATE: MONITORING THE OUTCOME OF WORKS AND PREVIOUSLY IDENTIFIED ACCIDENT CLUSTER SITES AND CASUALTY REDUCTION TARGETS UPDATE**

With reference to Article 16 of the minute of meeting of this Committee of 24 November 2009, there was submitted [Report No 595/10](#) by the Director of Infrastructure Services outlining the current road traffic accident situation in Angus and the progress made towards the Government's 2010 Casualty Reduction Target. The Report also advised members of the outcome of road safety measures undertaken in recent years and identified accident cluster sites based on analysis of data for the period 2005-2007.

Having heard from a number of members who asked that more information might be made available from Tayside Police when compiling these statistics, the Committee agreed:-

- (i) to note the progress which had been made towards the National 2010 Casualty Reduction Targets; and
- (ii) to note the outcome of the Road Safety works carried out at accident cluster locations previously identified in Reports Nos 580/08 and 460/09.

**29. 20MPH SPEED LIMITS AT SCHOOLS: SCHOOLS WITH NO PROPOSALS FOR A 20MPH SPEED LIMIT**

With reference to Article 25 of the minute of meeting of this Committee of 27 November 2007, there was submitted [Report No 597/10](#) by the Director of Infrastructure Services updating members on schools within Angus where a decision had been taken not to introduce a 20mph speed limit and outlining the reasons for each decision.

The Report detailed the schools concerned and gave an explanation for the continuance of the view that 20mph limits were not considered appropriate or necessary.

Having heard from the Convener and a number of members the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to instruct the Director of Infrastructure Services to establish 20 mph speed limits for Arbirlot, Inverarity, Murroes, Stracathro, Tannadice and Tealing primary schools and Montrose Academy;
- (iii) to note that the estimated cost of these works would be £70,000; and
- (iv) to note that the estimated cost of £70,000 would be met from the Roads capital budget 2011/2012 subject to that budget being approved through the normal budget setting process.

**30. SHORT STAY CAR PARKING IN ANGUS AND TURNOVER OF PARKING IN THE BURGH CAR PARKS**

There was submitted [Report No 598/10](#) by the Director of Infrastructure Services detailing the position with regard to car parking provision in Angus, identifying current issues particularly with short stay car parking and describing options for consideration.

The Report indicated that while car parking arrangements throughout Angus worked well, there were some concerns regarding the appropriateness of current management arrangements and the capacity to provide for sufficient turnover in some of the short stay car parks.

Various alternative methods were available to improve the management of turnover in the short stay car parks but in the absence of a regime of charging, it was more difficult to achieve that improvement in a cost effective way.

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

- (i) TO NOTE THE CURRENT ARRANGEMENTS FOR MANAGING PUBLIC CAR PARKING IN ANGUS, BOTH LONG TERM AND SHORT TERM;
- (ii) TO INSTRUCT THE HEAD OF ROADS TO ARRANGE FOR A TRIAL PERIOD OF ONE YEAR, A SYSTEM OF PARKING TICKETS TO BE DISPLAYED BY INSTALLING TICKET MACHINES WHERE TICKETS MIGHT BE PURCHASED, WITHOUT CHARGE, AS EVIDENCE OF TIME OF ARRIVAL, AS DETAILED IN THE REPORT;

- (iii) TO INSTRUCT THE HEAD OF ROADS TO INTRODUCE THIS TRIAL IN ONE OF THE SHORT STAY CAR PARKS;
- (iv) TO THE LEVEL OF FINE TO BE APPLIED IN THE EVENT OF OVERSTAYING THE PRESCRIBED SHORT STAY PERIOD UP TO A FURTHER PERIOD OF ONE HOUR TO BE INCREASED FROM £6 TO £20; AND
- (v) TO INSTRUCT THE HEAD OF ROADS TO PROMOTE THE NECESSARY TRAFFIC REGULATION ORDER TO ENABLE IMPLEMENTATION OF THE ABOVE.

Councillor Gaul, seconded by Councillor Palmer moved as an amendment, that (i) (iv) and (v) above, only, be approved and that (ii) and that (iii) be discounted.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Mackintosh, Brown, Murphy, Myles, Lumgair and Whyte (7).

For the amendment:-

Councillors Gaul, King, Lee, Oswald, Palmer, Spink and West (7).

There being an equality of votes the Convener exercised his casting vote in favour of the motion.

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

### **31. DISABLED PERSONS' PARKING PLACES (SCOTLAND) ACT 2009**

With reference to Article 23 of the minute of meeting of this Committee of 2 June 2009, there was submitted [Report No 599/10](#) by the Director of Infrastructure Services advising members of the procedures and resources required to meet the Council's duties in relation to the Disabled Persons' Parking Places (Scotland) Act 2009.

The Report indicated that the Act had come into effect on 1 October 2009 and placed specific duties on Roads Authorities to make mandatory and enforceable all eligible advisory disabled persons' parking places available for use and accordingly the promotion of appropriate Traffic Regulation Orders was required.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to promote Traffic Regulation Orders to implement the requirements of the Disabled Persons' Parking Places (Scotland) Act 2009;
- (iii) to authorise promotion of further Traffic Regulation Orders on an annual basis in order to make mandatory all newly approved on street advisory disabled person parking places; and
- (iv) to instruct the Head of Roads to investigate the position in Aberdeenshire with a view to clarifying the position on the provision of dedicated disabled parking spaces for householders at their properties.

### **32. WINTER SERVICE POLICY AND PROVISION FOR 2010/2011**

With reference to Article 19 of the minute of meeting of this Committee of 1 June 2010, there was submitted [Report No 600/10](#) by the Director of Infrastructure Services setting out the proposed winter service policy and detailing the proposed service provision for preventative salting and snow clearing during the winter period 2010/2011 in conjunction with the operational issues which had been detailed in the supplement placed in the Members' Lounge.

The Report indicated that notwithstanding the difficulty in predicting the duration, severity and geographical distribution of winter conditions, it was necessary to have a policy and an agreed level of service to enable the planning and preparation necessary for delivery of a winter roads service. The Report also reminded members of the statutory duty imposed on the Council to take such steps as considered reasonable to keep public roads safe during adverse winter weather conditions.

The Committee agreed:-

- (i) to note the severity of the winter of 2009/10 and the out turn expenditure as detailed in Report No 414/10 Winter Maintenance Review 2009/10 Activity Review;
- (ii) to adopt the policy for the winter service during the forthcoming winter as stated in Appendix 1 of Report No 600/10;
- (iii) to approve the proposed arrangements for the winter 2010/11 which were broadly similar to the arrangements for 2009/2010 subject to the alterations detailed in the Report;
- (iv) to note that as winter service operations could not be easily managed within the normal constraints of a cash limited budget due to the unpredictable and variable effects of winter weather, accordingly winter service expenditure would be closely monitored with any over or under-spend projected out-turn reported to this Committee as necessary along with any recommended corrective budget adjustment options;
- (v) to delegate authority to the Head of Roads to deviate from the gritting/salting decision matrix and introduce salt conservation techniques as detailed in the Report if difficulties were experienced or anticipated in obtaining salt supplies;
- (vi) to allow a deviation of the policy to be made at the discretion of the Head of Roads where public holidays combined with weekends over the Christmas/New Year period meant that in lengthy sub zero temperatures non-priority routes would remain untreated for up to four days at a time, by allowing such treatment as would be practicably provided in between should weather conditions so justify;
- (vii) to note that a review of grit bin locations had been carried out which recommended continuing provision in accordance with the established operational practices and that greater publicity on appropriate use would be provided to the public;
- (viii) to consultation being undertaken with local members by Roads staff on appropriate locations for the deployment of grit bins in each of the wards for the forthcoming winter in accordance with the principles established in the operational practices;
- (ix) to note that greater clarity would be set out in promotional information that treatment times did not mean continuous operation over the hours of cover but rather that treatment be provided within the stated times to prevent, as far as considered reasonably practicable, snow and ice endangering the safe passage of pedestrians and vehicles over public roads and footways;
- (x) to the addition of the U338 Auchterhouse Brae to a weekend auxiliary route given the altitude of the area and the number of properties served, subject to finding a suitable turning area for the vehicle, at an additional average cost of £1,000 per annum;
- (xi) to add the short section of unadopted road between the adopted road end at Braedownie (Glen Clova) and the Rangers' Centre to the 7 day a week auxiliary route at an anticipated average yearly cost of £1,500 as detailed in the Report;
- (xii) to note the continuing use of "red" diesel for agricultural tractors for treatment subject to continued approval by Her Majesty's Revenue and Customs and payment of the relevant fuel duty; and

- (xiii) to note that expressions of interest had been received from weather forecasters and that tenders were currently being sought for the necessary weather forecasting service.

### **33. AUTUMN FLOOD EVENTS - FOLLOW UP INTERIM REPORT**

With reference to Article 18 of the minute of meeting of this Committee of 19 January 2010, there was submitted [Report No 601/10](#) by the Director of Infrastructure Services providing an update on the work undertaken on the sites listed in the Appendix to Report No 51/10 as considered by this Committee on 19 January 2010, which set out the issues following the flooding events in Angus during the autumn of 2009.

The Report indicated that works were ongoing to address routine maintenance issues and progress to date on consideration of the circumstances which resulted in flooding during the autumn of 2009 were detailed in the Appendix to the Report.

The Report also indicated that the Head of Roads would continue to review the various flood sites with a view to undertaking work of a routine or small to medium capital nature and identify actions to be recommended separately to mitigate the risk of future flooding occurrences.

In response to a question, the Head of Roads confirmed that as much preventative action as possible was being taken to clean drain pits and gullies.

The Committee agreed:-

- (i) to note the background and action taken to date with regard to those sites known to have suffered flood problems during the specific flood events which occurred during the period September to December 2009;
- (ii) to note the ongoing reviews with regard to all these flood sites as set out in the Appendix to the Report; and
- (iii) to note that a further Report would be submitted in due course on work yet to be undertaken and would make recommendations for such future action as might be identified through that work.

### **34. ARBROATH FLOODING STRATEGY**

With reference to Article 26 of the minute of meeting of this Committee of 3 June 2008, there was submitted [Report No 602/10](#) by the Director of Infrastructure Services updating members on proposals for the combination of the Brothock Water Flood Alleviation Scheme and the Victoria Park and West Links, Arbroath Sea Wall Scheme, in order that a joint strategy might be developed to deal with potential flooding within Arbroath.

The Report indicated that combination of these projects would enable the Roads Division to deliver a flooding strategy for the Arbroath area and increase the protection to current standards while also addressing the condition of the existing sea wall and parapet at Victoria Park/West Links. The Report also advised that combination of the projects would enable delivery on site to be either carried out in one project or be delivered over a number of phases which would alleviate potential flooding in Arbroath.

Having heard Councillor King who urged that discussions should take place with local people on this issue, the Committee agreed:-

- (i) to note the contents of the Report
- (ii) to authorise the Head of Roads to combine the Brothock Flood Alleviation Scheme and the Victoria Park and West Links Sea Wall projects in order that a risk based flooding strategy be developed for Arbroath;
- (iii) to authorise expansion of the scope of the strategy to encompass the harbour and "Fit of the Toon" areas and the potential for flooding within this area;

- (iv) to authorise the Head of Roads to develop a brief in order to invite expressions of interest from specialist consultants to assist in the development of a flooding strategy for Arbroath; and
- (v) to authorise the Head of Roads to carry out all the required steps of a Strategic Environmental Assessment for the Arbroath flooding strategy up to the point of its adoption by the Council to ensure compliance with the requirements of the Environmental Assessment (Scotland) Act 2005.

### **35. BRECHIN FLOOD ALLEVIATION SCHEME SOUTH ESK – UPDATED POSITION**

With reference to Article 13 of the minute of meeting of Angus Council of 5 November 2009, there was submitted [Report No 603/10](#) by the Director of Infrastructure Services providing an update on the progress being made on the proposed Flood Alleviation Scheme for the River South Esk at Brechin and making recommendations with respect to the progression of various associated matters.

The Report indicated that development of a scheme for the protection of parts of Brechin from flooding from the River South Esk had developed to a stage where the Flood Prevention Scheme required to be progressed.

COUNCILLOR MYLES, SECONDED BY COUNCILLOR WEST, MOVED THAT THIS COMMITTEE AGREES:-

- (I) TO NOTE THE CURRENT STATE OF DEVELOPMENT OF THE PROJECT, INCLUDING THE FINDINGS WITH RESPECT TO THE PRELIMINARY INVESTIGATIONS OF ALTERNATIVE DESIGNS TO OFFER PROTECTION TO ALTERNATIVE AREAS AND TO A LESSER RETURN PERIOD (LEVEL OF PROTECTION);
- (II) TO NOTE THE CURRENT POSITION WITH REGARD TO CORRESPONDENCE WITH SCOTTISH MINISTERS AND SCOTTISH WATER REGARDING THE INTERDEPENDENCY OF THE PROPOSALS FOR FLOOD ALLEVIATION, AND TO INSTRUCT THE HEAD OF ROADS TO CONTINUE TO PURSUE A DEFINITIVE POSITION STATEMENT FROM SCOTTISH WATER WITH REGARD TO THEIR APPARATUS;
- (III) TO NOTE THE FINANCIAL IMPLICATIONS AS SET OUT IN SECTION 4 OF THE REPORT AND THAT THE FUNDING OF THIS SCHEME WOULD REQUIRE FURTHER CONSIDERATION WHEN INFORMATION BECAME AVAILABLE REGARDING FUTURE FUNDING FOR FLOOD PREVENTION SCHEMES LOCATED IN ANGUS;
- (IV) TO PROMOTE A FLOOD PREVENTION SCHEME UNDER THE FLOOD PREVENTION (SCOTLAND) ACT 1961 PRIOR TO SEPTEMBER 2010 AND CONSISTENT WITH THE CURRENTLY ENVISAGED SCOPE OF THE SCHEME;
- (V) TO PROGRESS A PLANNING APPLICATION FOR THE WORKS SCHEME FOLLOWING ON FROM THE FLOOD PREVENTION SCHEME AND CONSISTENT WITH THE PROPOSED SCHEME ONLY WHEN ACCEPTABILITY OF THE SCHEME WAS AFFIRMED THROUGH THE STATUTORY PROCESS, THE AFFORDABILITY OF THE PROJECT HAD BEEN DETERMINED AND THE REQUIRED FUNDING FOR THE PROJECT HAD BEEN CONFIRMED;
- (VI) TO INSTRUCT THE HEAD OF ROADS TO COMMISSION FURTHER DETAILED HYDRAULIC MODELLING AND DRAINAGE STUDIES OF THE BRECHIN CITY DRAINAGE SYSTEM FOLLOWING ON FROM THE FLOOD PREVENTION SCHEME TO ALLOW DESIGN SOLUTIONS TO BE FULLY DEVELOPED WHICH WERE LIKELY TO AFFECT SCOTTISH WATER'S DRAINAGE SYSTEM;



- (VII) TO NOTE THE DESIGN CONSIDERATIONS COVERING FLOOD DEFENCE DESIGN, PRELIMINARY ASSESSMENT OF ALTERNATIVE APPROACHES TO THE FLOODING ISSUES AND SHORT TERM FLOOD PROTECTION MEASURES;
- (VIII) TO INSTRUCT THE HEAD OF ROADS TO GIVE CONSIDERATION TO THE PHASING OF THE WORKS TO MEET THE REQUIREMENTS OF THE PLANNING APPROVAL, AFFORDABILITY AND FUNDING, TO MAXIMISE THE LEVEL OF PROTECTION FROM EACH PHASE OF WORKS AND TO MINIMISE ANY DETRIMENTAL IMPACTS ON OTHER AREAS, WHICH HAD NOT YET AT EACH STAGE OF IMPLEMENTATION BEEN AFFORDED PROTECTION;
- (IX) TO INSTRUCT THE HEAD OF ROADS TO PROGRESS THE SHORT-TERM PROTECTION MEASURES ONCE THEIR SIGNIFICANCE HAD BEEN ASSESSED AND FUNDING AND RESOURCES WERE AVAILABLE, AS DETAILED IN THE REPORT; AND
- (X) TO INSTRUCT THE HEAD OF ROADS TO INVESTIGATE MORE EFFECTIVE AND REALISTIC OPTIONS FOR THE REMOVAL OF THE ESTABLISHED GRAVEL BANK.

Councillor Spink, seconded by Councillor Gaul moved as an amendment, that the recommendations in the Report, being (i) to (ix) above, inclusive, be approved, together with (x) being that removal of the gravel bank was not considered to be value for money or merit further progress due to the impact on the Special Area of Conservation and associated governing legislation.

On a vote being taken, the members voted:-

For the motion:-

Councillors May, Lee, Mackintosh, Brown, Murphy, Myles, Oswald, Palmer, Lumgair, West and Whyte (11).

For the amendment:-

Councillors Gaul, King and Spink (3).

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

### **36. MONTROSE BEACH STUDY - UPDATE**

With reference to Article 13 of the minute of meeting of this Committee of 16 October 2007, there was submitted [Report No 604/10](#) by the Director of Infrastructure Services updating members on the progress of research currently being undertaken by the University of Dundee on behalf of the Council and the Scottish Government into the dynamics of the beach at Montrose.

The Report indicated that increased knowledge and understanding of the coastal processes within Montrose Bay would allow the second phase of the project to be progressed in looking at possible relatively low cost interventions, including demonstration projects with a view to slowing down the rate of erosion currently being experienced at Montrose.

The Committee agreed:-

- (i) to note the findings of the Phase 1 Report entitled "Morphodynamics of Montrose Bay and Implications for Coastal Management" which had been prepared for the Council by the University of Dundee;
- (ii) to instruct the Head of Roads to enter into formal discussions with the Montrose Port Authority with regard to the findings of the Phase 1 Report; and
- (iii) to instruct the Head of Roads to re-convene the stakeholder meetings to discuss the findings of the Phase 1 Report and the proposals of the next phase of this project.