ANGUS COUNCIL

to be held on

22 JUNE 2011

MINUTES 2011

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The symbol ✽ in the margin of a minute indicates a matter which has been referred to the Council in terms of Standing Orders.
ANGUS COUNCIL

MINUTE of MEETING of ANGUS COUNCIL held in the Town and County Hall, Forfar on Thursday 12 May 2011 at 4.00pm.

Present: Provost RUTH LESLIE MELVILLE MBE, Depute Provost PETER MURPHY, Councillors ALISON ANDREWS, BRIAN BOYD, COLIN BROWN, MAIRI EVANS, DAVID FAIRWEATHER, IAIN GAUL, ALEX KING, JEAN LEE, DAVID LUMGAIR, IAN MACKINTOSH, DAVID MAY, BILL MIDDLETON, GLENNIS MIDDLETON, JIM MILLAR, DONALD MORRISON, ROB MURRAY, BOB MYLES, PETER NIELD, HELEN OSWALD, JOHN RYMER, MARK SALMOND, BOB SPINK, MARGARET THOMSON, PAUL VALENTINE, SHEENA WELSH, SANDY WEST and JOHN WHYTE.

Provost RUTH LESLIE MELVILLE, in the Chair.

1. APOLOGIES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

- Councillor Fairweather intimated that, while there had been a number of press articles in relation to the proposals for the Arbroath harbour slipway, it was his intention to speak on the matter.

- Councillor Oswald declared an interest in item 8 as she was a Director of Carnoustie Golf Links Management Committee Limited. She indicated that she enjoyed the benefit of the general dispensation issued by the Standards Commission in relation to Council appointments to outside bodies and that she would therefore participate in any discussion and voting.

- Councillor Oswald declared a further interest in item 8 as her husband was an employee of Carnoustie Golf Links Management Committee Limited. She indicated that she would participate in discussion and voting as in her view, the community interest outweighed any interest that her husband had in the matter.

- Councillor Murray declared an interest in item 5(g) Article 6(iii) as he was a member of the Monifieth Twinning Association.

- Councillor Myles declared an interest in item 8 as he was a Director of Carnoustie Golf Links Management Committee Limited. He indicated that he enjoyed the benefit of the general dispensation issued by the Standards Commission in relation to Council appointments to outside bodies and that he would therefore participate in any discussion and voting.

3. REQUESTS FOR A DEPUTATION

(i) Mr Ian Robb, Vice Chairman of Help for Abandoned Dogs

It was noted that Mr Robb was unable to attend the Council meeting.

It was agreed to defer consideration of the request to the next meeting of the Council.

(ii) Mr Harry Simpson, Mackay Boatbuilders

The Council was advised that a request for a deputation had been received from Mr Harry Simpson of Mackay Boatbuilders in relation to the proposals at Arbroath Harbour slipway.

The Council resolved to receive the deputation.
Mr Simpson made reference to a map of the boat yard and the sail cloth store at Arbroath Harbour and the Council agreed that copies of the map be circulated.

The Head of Roads indicated that he had an amended version of a map that had been circulated to members (Appendix 2 to Report No 286/11) and the Council agreed that copies of the amended map also be circulated.

Having heard from a number of members and having also heard from the Head of Roads, it was agreed to adjourn the meeting for ten minutes to allow members to consider the position.

The meeting reconvened at 4.20pm at which point Mr Simpson proceeded to address the Council.

Following a number of questions Mr Simpson withdrew to the public benches.

4. COUNCIL MEETING IN JUNE

The Council resolved to note that the Council meeting scheduled for Thursday 23 June would now take place on Wednesday 22 June.

Having heard from a number of members, the Provost, in accordance with Standing Order 8 (2) indicated that the meeting on 22 June would commence at 5.00pm.

5. MINUTES OF COUNCIL AND COMMITTEES

(a) Angus Council

The minute of meeting of Angus Council of 24 March 2011 was submitted and approved as a correct record.

(b) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 31 March 2011 was submitted and noted.

(c) Development Standards Committee

The minute of meeting of the Development Standards Committee of 5 April 2011 was submitted and noted.

(d) Social Work and Health Committee

The minute of meeting of the Social Work and Health Committee of 7 April 2011 was submitted and noted.

(e) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 12 April 2011 was submitted and noted.

(f) Neighbourhood Services Committee

The minute of meeting of the Neighbourhood Services Committee of 14 April 2011 was submitted and noted.

(g) Infrastructure Services Committee

The minute of meeting of the Infrastructure Services Committee of 19 April 2011 was submitted, and except as detailed hereunder, noted.
Arbroath Harbour Slipway Access and Miscellaneous Works

With reference to Article 17, Councillors Spink and King had referred the Committee’s decision for the determination by the Council in accordance with Standing Order 39(3).

The Provost indicated, that in light of the variances and possible inaccuracies in the submitted plans she was proposing that the Council defer consideration of recommendations (i) and (ii) of Report No 286/11 and approve recommendations (iii) and (iv) of the Report.

Having heard from a number of members, the Council resolved:-

(i) to defer consideration of recommendations (i) and (ii) of Report No 286/11;
(ii) to approve recommendations (iii) and (iv) of Report No 286/11;
(iii) that the Director of Infrastructure Services make arrangements for individual members to undertake site visits of the Arbroath Harbour slipway area;
(iv) that the proposals for public access to the slipway be considered at the forthcoming meeting of the Arbroath Harbour Joint Consultative Committee (AHJCC); and
(v) that following consideration by the AHJCC, the Director of Infrastructure Services bring back a report to the next possible Infrastructure Service Committee detailing the proposals for the slipway.

(h) Education Committee

The minute of meeting of the Education Committee of 21 April 2011 was submitted and noted.

(i) Development Standards Committee

The minute of meeting of the Development Standards Committee of 26 April 2011 was submitted and noted.

(j) Corporate Services Committee

The minute of meeting of the Corporate Services Committee of 28 April 2011 was submitted and noted.

(k) Strategic Policy Committee

The minute of meeting of the Strategic Policy Committee of 3 May 2011 was submitted and noted.

(l) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 3 May 2011 was submitted and noted.

6. MINUTES OF BOARDS AND PARTNERSHIPS

(a) Tayside Joint Police Board

The minute of meeting of the Tayside Joint Police Board of 31 January 2011 was submitted and noted.

(b) Tayside Community Justice Authority

The minute of meeting of the Tayside Community Justice Authority of 18 January 2011 was submitted and noted.
7. **MEMBERS REMUNERATION, ALLOWANCES AND EXPENSES 2010/11**

With reference to Article 11 of the minute of meeting of Angus Council of 24 March 2011, there was submitted Report No 340/11 by the Director of Corporate Services bringing to the Council’s attention the amount of remuneration, allowances and expenses paid to Councillors from the period 1 April 2010 to 31 March 2011 and also providing an update on members training.

The Council resolved:

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

(ii) to note that the information in Appendix I to the Report would be published on the Council’s website in accordance with legislative requirements.

8. **CARNoustie GOLF LINKS MANAGEMENT COMMITTEE LIMITED – POSSIBLE TEMPORARY LOAN FACILITY ARRANGEMENT**

With reference to Article 14 of the minute of meeting of Angus Council of 25 June 2009, there was submitted Report No 342/11 by the Director of Corporate Services proposing that Angus Council agree to provide possible temporary loan facility arrangements to Carnoustie Golf Links Management Committee Limited (CGLMC) for up to a maximum of £300,000 for the accounting period up to 31 March 2012 and that no later than 30 April 2012 any temporary loan facility provided by Angus Council to CGLMC Ltd would require to be fully repaid, including any interest payment accruing.

The Report indicated that the Council would effectively be acting as a “lender of last resort” without financial risk to facilitate the provision of new developments in the form of investment of the Carnoustie Golf Courses which would enhance the assets that would ultimately return to the ownership of the Council.

The Council resolved:

(i) to note that CGLMC Ltd, a new company limited by guarantee, was established with effect from 1 April 2011;

(ii) to note the Council representative Directors of the new company;

(iii) to confirm its nominated representatives on CGLMC Ltd’s Finance Sub-Committee as being Councillor Helen Oswald and the Head of Economic Development and Environmental and Consumer Protection;

(iv) to note that the company was progressing project developments which it intended to manage within its own financial resources;

(v) that in the event that the company, notwithstanding present projections to the contrary, could not wholly fund the new developments within its own resources over the financial year accounting period ending 31 March 2012, that Angus Council would provide a temporary loan facility to ensure a positive cash flow position within the company was maintained;

(vi) to authorise the Director of Corporate Services, the Head of Finance and Head of Law and Administration to agree the terms of any temporary loan arrangement facility on the strict proviso that it was not financially detrimental to Angus Council and that any loan principal outstanding and accrued interest was fully repaid to the Council by CGLMC Ltd no later than 30 April 2012; and
(vii) to note that in the event that a temporary loan facility arrangement was triggered, a report informing members of the details would be brought to the next available Council meeting.

9. KEPTIE POND, ARBROATH – ESTABLISHING A BOREHOLE

With reference to Article 17 of the minute of meeting of the Neighbourhood Services Committee of 8 October 2009, there was submitted Report No 343/11 by the Director of Neighbourhood Services advising members of the necessary arrangements required in order to maintain water levels at Keptie Pond, Arbroath.

The Report indicated that after careful consideration of a number of options as presented in Report No 711/09 and following formal consultation with the local elected members, option 3, being topping up the water level by use of a borehole, was considered the preferred methodology for delivering a practicable solution to the ongoing issue and the option which represented the most cost effective and sustainable solution to maintain water levels.

The Council resolved:-

(i) to authorise the Director of Neighbourhood Services to procure a borehole provision at Keptie Pond on the basis set out in the Report, subject to the appropriate approval from the Scottish Environmental Protection Agency (SEPA);

(ii) to authorise the Director of Neighbourhood Services to invite tenders to install a trial borehole for ground water abstraction (conditional upon a successful pump test), the installation of a water well (including pumping equipment) and underground pipe installation to top up water levels in the pond;

(iii) to note that due to the timescale for the tendering process and necessary abstraction consents being sought, the borehole would not be operational in this coming summer;

(iv) to approve funding from the Arbroath Common Good Fund in respect of the project as detailed in section 4 of the Report; and

(v) to note the Arbroath Common Good revenue account balance which had been updated to reflect the contents of the Report, as detailed in section 4.

10. WEST LINKS PARTNERSHIP AGREEMENT - ARBROATH

With reference to Article 16 of the minute of meeting of the Neighbourhood Services Committee of 27 May 2010, there was submitted Report No 344/11 by the Director of Neighbourhood Services seeking the Council’s approval for a draft partnership agreement for West Links, Arbroath and also seeking approval for the Director to enter into that partnership agreement with the private sector facility providers on West Links.

The Report indicated that the purpose of entering into such a partnership agreement was to improve services and the amenity of the area and to offer visitors and the local community a quality integrated leisure experience. To achieve this, the Council and the private sector operators/businesses needed to act together to develop the economic, social and environmental potential of West Links.

Having heard a number of members welcome the Report, the Council resolved to authorise the Director of Neighbourhood Services, in consultation with the Head of Law and Administration to enter into, on behalf of the Council, a partnership agreement with private sector facility providers who delivered services on West Links, Arbroath.
ANGUS COUNCIL

MINUTE of MEETING of the DEVELOPMENT STANDARDS COMMITTEE held in the Town and County Hall, Forfar on Tuesday 17 May 2011 at 10.00 am.

Present: Councillors DAVID LUMGAIR, JOHN RYMER, ALISON ANDREWS, COLIN BROWN, BRIAN BOYD, JEAN LEE, BOB MYLES, MARK SALMOND and BOB SPINK.

Councillor LUMGAIR, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor David Fairweather.

2. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct the following declaration of interest was made:-

- Councillor Lee declared an interest in item 10, case No 02/00149, as she was a former neighbour and friend of the individuals involved. She advised that she would be taking part in the discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 26 April 2011 was approved as a correct record and signed by the Convener.

4. BUILDING WARRANTIES

The Committee noted that during the period 18 April to 6 May 2011, a total of 27 Building Warrants, 3 Amendments to Warrants and 1 Demolition Warrant had been approved with an estimated cost of £1,266,680.

5. DELEGATED DECISIONS

The Committee noted that during the period 9 April to 7 May 2011, a total of 48 planning applications had been approved and 3 refused under the Scheme of Delegation to officers.

6. ADDITIONAL MEETING - SUMMER RECESS

The Committee noted that an additional meeting of this Committee would take place on Tuesday 5 July 2011 at 10.00 am in the Town and County Hall, Forfar.

PLANNING APPLICATIONS

7. LAND BETWEEN ZC1 SLIP ROAD AND A92 ON NORTH SIDE OF JUNCTION UPPER VICTORIA, CARNOUSTIE

There was submitted Report No 341/11 by the Director of Infrastructure Services detailing application No 11/00213/ADV by Halcrow Group Ltd for the erection of a temporary advertisement signage on land between ZC1 slip road and the A92 on north side of junction, Upper Victoria, Carnoustie. The application was recommended for approval.

The Committee agreed that the application be approved, as detailed in the Report.

8. INCHCAPE PARK, LADYLOAN, ARBROATH

There was submitted Report No 357/11 by the Director of Infrastructure Services detailing application No 11/00105/FULL by Angus Council for the extension of existing rock armour and the repair and improvement of existing beach access slipway at Inchcape Park, Ladyloan, Arbroath. The application was recommended for approval.
Slides were shown.

The Committee agreed that the application be approved, as detailed in the Report.

9. **LAND 250 METRES SOUTH EAST OF LOCHSIDE, EDZELL**

There was submitted Report No 358/11 by the Director of Infrastructure Services detailing application No 10/01318/FULL by Mr David Bruce, for the erection of a farm building on land 250 metres south east of Lochside, Edzell. The application was recommended for approval.

Slides were shown.

The Committee agreed that the application be approved, as detailed in the Report.

10. **ENFORCEMENT UPDATE**

There was submitted Report No 359/11 by the Director of Infrastructure Services on the progress of enforcement cases which had been previously agreed by this Committee.

The Committee agreed to note the contents of the Report.

11. **CERTIFICATE OF LAWFUL USE OR DEVELOPMENT AT NEILSON FARM STEADING, KIRKINCH**

There was submitted Report No 360/11 by the Director of Infrastructure Services detailing the findings of the Reporter appointed by the Scottish Ministers to determine the appeal against the refusal of Angus Council to grant a certificate of lawful use or development for the erection of a one metre high fence/wall (of any design/material) on land to the rear of 1 and 2 Nielson Farm Steading, Kirkinch, by Meigle.

The Committee noted that the Scottish Ministers had dismissed the appeal.
ANGUS COUNCIL

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT REVIEW COMMITTEE held in the Canmore Room, Municipal Buildings, Forfar on Tuesday 17 May 2011 at 11.30 am.

Present: Councillors DAVID LUMGAIR, JOHN RYMER, MARK SALMOND and BOB SPINK.

Also Present: IAN MITCHELL, Planning Adviser, DAVID THOMPSON, Legal Adviser and ELAINE WHITTET, Committee Officer.

Councillor LUMGAIR, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Alison Andrews with Councillor Mark Salmond substituting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 31 March 2011 was submitted and approved as a correct record.

4. THE BOTHY, ETHIEHAVEN, INVERKEILOR

There was submitted Report No 339/11 by the Director of Corporate Services detailing an application for a review of the decision taken by the Planning Authority in respect of the refusal for the change of use from boat store to dwellinghouse, including alterations and first floor extension at The Bothy, Ethiehaven, Inverkeilor.

The Committee gave consideration to the papers submitted by the appointed person and by the applicant and determined that they had sufficient information to consider the review but that an unaccompanied site visit should take place.

The Committee accordingly agreed that a site visit be held and that the application be discussed further at a meeting to be held on Tuesday 7 June 2011.
1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors David Fairweather, David May and Rob Murray, with Councillors Peter Nield, Peter Murphy and Sheena Welsh substituting respectively.

2. DECLARATIONS OF INTEREST

Councillors Andrews and Thomson declared an interest in item 7 as both were Council appointees on the Children’s Panel Advisory Committee. They indicated that they enjoyed the benefit of the general dispensation issued by the Standards Commission in relation to Council appointments to outside bodies and that they would therefore participate in discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 7 April 2011 was approved as a correct record and signed by the Convener.

4. THE PROVISION OF AN INTENSIVE SUPPORT AND MONITORING SERVICE

With reference to Article 8 of the minute of meeting of this Committee of 11 November 2010, there was submitted Report No 352/11 by the Director of Social Work and Health advising members of tenders received in respect of the provision of an intensive support and monitoring service for children and young people in Angus.

The Report indicated that tender documents had been issued to the four providers who had returned the pre-qualification questionnaire, and who had met all of the pre-qualification requirements. Two providers had returned the tender response which had been evaluated in respect of both quality and price.

The Committee agreed:-

(i) to note the contents of the Report;
(ii) to approve acceptance of the tender for the provision of an intensive support and monitoring service from CAIR Scotland; and
(iii) to approve award of the contract to CAIR Scotland in accordance with public procurement legislation.

5. PARTNERSHIP WORKING BETWEEN ANGUS SOCIAL WORK AND HEALTH LEARNING DISABILITY SERVICE AND CAPABILITY SCOTLAND

With reference to Article 4 of the minute of meeting of this Committee of 10 April 2008, there was submitted Report No 353/11 by the Director of Social Work and Health advising members of the outcome of a partnership project between Social Work and Health Learning Disability Service and Capability Scotland which had commenced in June 2008 and had been completed in March 2011. The project entitled “Shaping the Future” had focussed on
improving outcomes for young people with autism in transition from school to adult life and was a time limited project of three years duration, for which an exit strategy had been agreed as part of the project.

The Report indicated that the project had achieved clear and measurable outcomes towards improving the lives of young people with autism in Angus facing transition. The findings from the project would be used to inform future developments such as the redesign of the Learning Disability Service in Angus and the development of a local autism strategy.

The Committee agreed to note the contents of the Report.

6. ESTABLISHMENT OF SCOTLAND’S ADOPTION REGISTER

There was submitted Report No 354/11 by the Director of Social Work and Health advising members that the Council had agreed to participate in Scotland’s newly established Adoption Register.

The Report indicated that on 14 March 2011, the Scottish Government had announced the creation of Scotland’s Adoption Register that would hold information at a national level about children identified by local authorities who required adoption, alongside a list of people approved as prospective adoptive parents. The establishment of Scotland’s Adoption Register was a welcomed development that the Council had been supporting for some time, and which would make it easier to identify appropriate placements for children who had been identified as requiring adoption.

The Committee agreed to note the contents of the Report.

7. CHILDREN’S HEARINGS (SCOTLAND) ACT 2011

With reference to Article 6 of the minute of meeting of this Committee of 8 April 2010, there was submitted Report No 355/11 by the Director of Social Work and Health advising members that the Children’s Hearings (Scotland) Bill had been passed by the Scottish Parliament on 25 November 2010 and had received Royal Assent on 6 January 2011, and would now be known as the Children’s Hearings (Scotland) Act 2011.

The Report indicated that while the Council supported the values and principles upon which the Act was based, it was essential that the Council continued to monitor and review the impact of the Act following issue of guidance to local authorities regarding giving it effect. Implementation priorities and timescales were now being identified with the help of various working groups in order to try and achieve full implementation of the legislation by Summer 2012.

The Committee agreed:–

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

(ii) to instruct the Director of Social Work and Health to continue to monitor and review the impact of the new legislation and to bring further reports back to this Committee as required.

8. SOCIAL WORK INSPECTION AGENCY – MULTI AGENCY INSPECTION OF SERVICES FOR PEOPLE WITH A LEARNING DISABILITY IN ANGUS

With reference to Article 8 of the minute of meeting of the Strategic Policy Committee of 3 May 2011, there was submitted Joint Report No 332/11 by the Director of Social Work and Health and the Director of Education advising members of the multi agency inspection of Learning Disability services in Angus undertaken during October 2009, and informing members of the service areas for evaluation, the gradings received and recommendations contained within the Report. Attached as an Appendix to the Report was a multi agency action plan on how the recommendations would be progressed in Angus.
The Committee, for its interest, agreed:-

(i) to note the contents of the Report and the multi agency inspection Report; and

(ii) to instruct the Director of Social Work and Health and the Director of Education to bring an updated joint Report on the action plan following the Social Work Inspection Agency’s follow-up Report in December 2011.

9. JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN IN ANGUS

With reference to Article 9 of the minute of meeting of the Strategic Policy Committee of 3 May 2011, there was submitted Joint Report No 333/11 by the Director of Social Work and Health and the Director of Education advising members of the findings of the recent joint inspection of services to protect children in the Angus Council area carried out by HMIe during January 2011 and published on 21 April 2011.

The Report indicated that the inspection had identified a number of areas for improvement and it was proposed that these be addressed by the Angus Child Protection Committee. The plans for addressing these would be detailed in the Child Protection Committee Annual Report that would be presented to elected members in due course.

The Committee, for its interest, agreed:-

(i) to note the contents of the Report;

(ii) to note the outcome of the inspection of services to protect children in Angus; and

(iii) to note the key areas for improvement and that the Angus Child Protection Committee would detail how these areas would be addressed in its Annual Report which would be submitted to elected members in due course.

10. GETTING IT RIGHT FOR EVERY CHILD (GIRFEC)

With reference to Article 11 of the minute of meeting of the Education Committee of 21 April 2011, there was submitted Joint Report No 300/11 by the Director of Education and the Director of Social Work and Health providing members with an update on progress being made by Angus Council’s Children’s Services in implementing the national GIRFEC agenda.

The Report indicated that ‘Getting It Right For Every Child’ in Angus was central to the work of all partners engaged in children’s services. A GIRFEC delivery group had been established in June 2009 to support progress on key actions within the Integrated Plan for Children and Young People’s Services 2009-2012. The delivery group had been established as a short-life task group charged with supporting the four current joint action groups in taking forward the national GIRFEC approach to delivering better integrated services for children. The Angus Children’s Services GIRFEC delivery group had made very good progress in developing an Angus approach to the national ‘Getting It Right’ agenda and the commitments now planned were expected to be fully implemented during Autumn 2011.

The Committee, for its interest, agreed:-

(i) to note the contents of the Report;

(ii) to note the continuing progress in implementing the GIRFEC approach across Children’s Services;

(iii) to note and approve the commitments which had been endorsed by the Children’s Services Executive Group, and which were set out in Section 3 of the Report; and

(iv) to note the actions taken to ensure that agreed approaches were implemented without undue delay.
ANGUS COUNCIL

MINUTE of MEETING of the NEIGHBOURHOOD SERVICES COMMITTEE held in the Town and County Hall, Forfar on Thursday 26 May 2011 at 4.00 pm.

Present: Councillors JIM MILLAR, COLIN BROWN, ALISON ANDREWS, MAIRI EVANS, DAVID LUMGAIR, DAVID MAY, BILL MIDDLETON, GLENNIS MIDDLETON, DONALD MORRISON, PETER NIELD, HELEN OSWALD, MARK SALMOND, ROBERT SPINK, MARGARET THOMSON and SHEENA WELSH.

Prior to the commencement of business, Councillor Morrison, on behalf of the Committee, congratulated the Convener on his recent marriage.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor David Fairweather with Councillor David Lumgair substituting.

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(a) Previous Meeting

The minute of meeting of this Committee of 14 April 2011 was approved as a correct record and signed by the Convener.

(b) William Lamb Studio Advisory Committee

The minute of meeting of the William Lamb Studio Advisory Committee of 8 April 2011 was submitted and noted.

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 14 April 2011, there was submitted Joint Report No 361/11 by the Director of Neighbourhood Services and the Director of Corporate Services setting out the near final outturn of Capital and Planned Maintenance spends to 31 March 2011 and updated funding proposals.

The Report advised that the near final outturn position to 31 March 2011 on the Housing Capital Programme was currently £7.924 million which represented an underspend of £1.429 million. It was currently projected that this would be the final capital position for 2010/2011, however, it was noted that at the time of finalising the Report some adjustments and accruals had still to be included and processed as part of the on-going final accounts process. This therefore meant that the near final outturn figures contained within the Report might change, albeit no significant changes were currently expected.

With regard to the 2010/2011 Planned Maintenance Programme, the near final expenditure after the year end planned maintenance accruals and other accounting adjustments were processed would total £1.887 million, some £461,000 lower than the originally budgeted position. This was mainly due to rewiring surveys (£61,000) taking longer than anticipated and the expenditure programme slipping, the extent of repaint work required now being less than was originally anticipated (£232,000), the extent of gas maintenance repairs required as part of the current contract being less than previous years (£95,000) and works required on the door entry systems being identified as of a capital nature (£76,000). The underspend position would be off-set by a number of more minor net overspends across the overall programme amounting to £91,000.
The Committee agreed:-

(i) to note the near final outturn expenditure figures presented for the Housing Capital and Planned Maintenance Programmes for the period to 31 March 2011;

(ii) to note the near final capital receipts position for the period to 31 March 2011; and

(iii) to note the proposed funding approach.

5. COUNCIL HOUSE SALES

With reference to Article 4 of the minute of meeting of this Committee of 24 February 2011, there was submitted and noted Report No 362/11 by the Director of Corporate Services detailing individual Council House Sales for the fourth quarter of the financial year 2010/2011.

6. ARREARS UPDATE – HOUSING REVENUE ACCOUNT TENANTS

With reference to Article 5 of the minute of meeting of this Committee of 14 April 2011, there was submitted Report No 363/11 by the Director of Neighbourhood Services updating the Committee on current rent arrears levels and activities being undertaken to tackle them throughout Angus.

The tables contained within the Appendix to the Report provided details of performance at week number 53 which showed that rent arrears levels had increased since previously reported.

The Report concluded that the Council remained committed to providing support with rent payment but ultimately, where this was not utilised by tenants, the Council was obliged to enforce the tenancy conditions agreed through the Scottish Secure Tenancy Agreement.

The decline in rent arrears was slowing down throughout Angus and future changes to Housing Benefit were being tackled in order to understand their possible impact on this area and meantime all efforts were being made to continue the decline in arrears.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the current performance information, as detailed in the Appendix to the Report;

(iii) to note the progress to date in pursuing serious arrears; and

(iv) that future rent arrears performance be reported on a quarterly basis.

7. SUBMISSION TO SCOTTISH GOVERNMENT’S INNOVATION AND INVESTMENT FUND

With reference to Article 8 of the minute of meeting of this Committee of 14 April 2011, there was submitted Report No 364/11 by the Director of Neighbourhood Services updating the Committee on the Council’s application to the Scottish Government for funding Council led and innovative mechanisms for increasing affordable housing provision.

The Report indicated that in this application round, the Scottish Government’s fund had an innovation element which was open for application to Councils and any other party, including developers, and which to some extent might run in tandem with the Council’s Survive and Thrive Agenda. Discussions had taken place between Council officials and developers which had identified potential sites in all housing market areas of Angus and with a wide range of potential funding models that might sit equally well in either the Innovation Fund or the Survive and Thrive Agenda.

Details of the submission to the Innovation and Investment Fund were outlined in the Report and if successful, would provide additional investment into the local construction industry and at the same time was a further demonstration of the Council’s commitment to increasing the supply of affordable housing.
The Committee agreed to note the contents of the Report.

8. **SURVIVE AND THRIVE - PROGRESS ON THE NEW BUILD APPROACH TO HOUSING IN ANGUS**

With reference to Article 9 of the minute of meeting of the Strategic Policy Committee of 7 December 2010, there was submitted Report No 365/11 by the Director of Neighbourhood Services outlining the Council's progress in taking forward an innovative approach to house building in Angus through the Survive and Thrive Agenda.

The Report indicated that direct discussions on the Survive and Thrive Agenda had taken place with ten developer organisations and representatives of the Scottish Building Federation on potential sites in Angus. These had proved to be very beneficial in teasing out the wide range of delivery options, some of which might be more practical than others. The Agenda programme now required a formal submission and assessment process that conformed to the objectives of robust governance, equality of opportunity and best value and timescales and the assessment principles detailed in the Report.

The Report concluded that the funding mechanism generated by the Survive and Thrive Agenda would provide a much needed injection into the local economy in terms of construction activity and at the same time gave a clear demonstration of the Council's commitment to using innovative ways of increasing the supply of affordable housing.

The Committee agreed:

(i) to note the contents of the Report;

(ii) to approve the agenda timetable set out in Table 1 in the Report;

(iii) to approve the principles and criteria set out in Table 2 in the Report for assessing submissions from developers to help fund new affordable houses;

(iv) to delegate authority to the Director of Neighbourhood Services in conjunction with the Director of Corporate Services and the Head of Finance for assessing funding submissions and allocating funding to specific proposals; and

(v) to note that a Report would be brought back to the Neighbourhood Services Committee giving details of the successful bidders.

9. **ANGUS COUNCIL MUTUAL EXCHANGE SCHEME MODERNISATION PROPOSAL**

With reference to Article 7 of the minute of meeting of this Committee of 24 February 2011, there was submitted Report No 366/11 by the Director of Neighbourhood Services updating the Committee on proposals for improvements to the current Angus Council Mutual Exchange Scheme.

The Report indicated that a number of options for the modernisation of the current Mutual Exchange System had been identified with the option to seek the involvement of some or all of the Council’s Registered Social Landlord (RSL) Partners in the majority of instances. Aside from in-house options, a number of external web based mutual exchange systems had been considered to identify the best value option for Angus Council. Of these, the Housing Exchange and Home Swapper Systems had been selected for more in-depth consideration. Some initial discussions had also been held with the Council’s RSL Partners. A short list of options for modernisation of the current Mutual Exchange System was set out in the Report detailing the potential advantages and disadvantages of each for both tenants and the Council.

The Report concluded that a Modernised Mutual Exchange Scheme would encourage tenants to consider exchanging with another tenant when looking to move. This was a more customer focused approach and would also facilitate best use of the Council’s housing stock. It was proposed that the Modernised Mutual Exchange Scheme utilising the Housing Exchange System would be made available and actively promoted to Angus tenants during 2011/2012 as a 12 month pilot.
The Committee agreed:-

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

(ii) to approve the proposed implementation of the modernisation of the Angus Council Mutual Exchange Scheme in the form of Option A as detailed in the Report with the addition of part of Option E which referred to Angus Council Mutual Exchange lists being available in hard copy in ACCESS offices and libraries.

10. DISPOSAL OF AREA OF GROUND AT BARRY ROAD, CARNoustie

With reference to Article 10 of the minute of meeting of this Committee of 18 November 2010, there was submitted Report No 367/11 by the Director of Neighbourhood Services relating to the disposal of an area of ground adjacent to 109 Barry Road, Carnoustie.

The Report indicated that the current owners of 109 Barry Road, Carnoustie had applied to purchase part of the grassed area adjacent to 109 Barry Road with the view to extending their existing garden. The remainder of the grassed area was in the process of being sold to the proprietor of the neighbouring property at 43 Westfield Place, Carnoustie and the owners of 109 Barry Road had agreed to transfer their remaining rights in common to their neighbour (Report No 816/10 refers).

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 109 Barry Road, Carnoustie be sold to the owners of 109 Barry Road, Carnoustie for the sum of £1,500 on appropriate terms and conditions; and

(ii) that the owners of 109 Barry Road, Carnoustie be responsible for meeting all the Council’s and their own costs in connection with the matter.

11. DELEGATION TO THE EXECUTIVE SUB-COMMITTEE - PROCUREMENT AUTHORITY REPORTS

There was submitted Joint Report No 368/11 by the Director of Corporate Services and the Director of Neighbourhood Services seeking approval to the delegation of authority to a future meeting of the Neighbourhood Services Executive Sub-Committee to specifically consider the recommendations in four Procurement Authority Reports and approve as appropriate because they could not be submitted to Committee for its consideration at this meeting.

The Committee agreed:-

(i) to note the contents and exceptional circumstances detailed in the Report; and

(ii) to delegate authority to a meeting of the Neighbourhood Services Executive Sub-Committee, at a date to be agreed in June 2011, to specifically consider the recommendations in four Procurement Authority Reports and approve as appropriate.

12. ACCESS ANGUS TELEPHONE CONTACT

There was submitted Report No 369/11 by the Director of Neighbourhood Services outlining the proposed revised arrangements for telephone contact in respect of ACCESS Angus.

The Report indicated that the arrangements outlined therein would provide a more efficient and effective use of staff resources and technology in the ACCESS Business Unit as well as providing a more joined up service all of which would create benefits for both customers and the Council. This would also contribute to one of the priorities of the Customer Services Strategy.

The Committee agreed:-

(i) to note the contents of the Report;
(ii) to approve, as outlined in paragraph 3.1 of the Report that telephone contact to ACCESS offices be directed to ACCESSLine; and

(iii) to approve, as contained in paragraph 3.2 of the Report, that the ACCESSLine (0845) number be retained.

13. PIETER BREUGHEL EXHIBITION

There was submitted Report No 370/11 by the Director of Neighbourhood Services advising the Committee of a proposed exhibition of four paintings by the Flemish Old Master Pieter Breughel which would be held in Aberdeen Art Gallery and Montrose Museum.

The Report indicated that Arbroath had two oil paintings by Pieter Breughel in its collection. Aberdeen Art Gallery also had a painting by Pieter Breughel in its collections and had requested the loan of Angus Council’s two paintings in order to hold a small exhibition which would also include one other painting by this artist presently in private ownership. It was proposed therefore to agree to lend two paintings by Pieter Breughel owned by Angus Council to Aberdeen Art Gallery with the proviso that the whole exhibition return for temporary exhibition in Angus. All costs, including transport and insurance would be met by Aberdeen Art Gallery for their part in the exhibition and this would be reciprocated when their paintings were in Angus Council’s care.

The Committee agreed:-

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

(ii) to lend the Pieter Breughel paintings to Aberdeen Art Gallery on the condition that the exhibition also came to Angus.

14. FIELDS IN TRUST SCOTLAND

With reference to Article 33 of the minute of meeting of this Committee of 19 August 2010, there was submitted Report No 371/11 by the Director of Neighbourhood Services advising the Committee of the sites proposed as permanently protected outdoor spaces for sport, play and recreation in relation to an invitation from Fields in Trust Scotland to participate in the Queen Elizabeth Fields Challenge, creating a permanent, tangible and relevant legacy from the three landmark events scheduled to occur in the UK between 2012 and 2014 namely Queen Elizabeth’s Diamond Jubilee 2012, London 2012 Olympics and the Commonwealth Games 2014.

The Committee agreed:-

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

(ii) to approve the following sites as part of the Queen Elizabeth Fields Challenge project:

- Montrose - Mid Links;
- Brechin - Brechin Park;
- Carnoustie - House Grounds;
- Monifieth - Riverview Park;
- Forfar - Boyle Park/Langlands Park;
- Kirriemuir - Kirriemuir Hill; and
- Arbroath - West Links.

15. KEEP SCOTLAND BEAUTIFUL MEMBERSHIP FEES

There was submitted Report No 372/11 by the Director of Neighbourhood Services seeking approval for the membership renewal of Keep Scotland Beautiful’s People and Places partnership to be made over a three year period.

The Report indicated that the annual renewal of Keep Scotland Beautiful (KSB) membership fees were now due however there was an offer from KSB to enter into a three year agreement with a fixed annual cost which would result in a saving over that three year period.
The Committee agreed:-

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

(ii) to enter into a three year agreement with Keep Scotland Beautiful as outlined in Option 2 in Section 3 of the Report.


There was submitted Report No 373/11 by the Director of Neighbourhood Services advising the Committee of the results of the Leisure Facility and Employee of the Year Awards Ceremony which was held on 28 April 2011.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the outcome of this year’s Facility and Employee of the Year Awards as detailed in the Report; and

(iii) to congratulate all staff involved in the Awards Ceremony on their achievements.

17. BALED MIXED PLASTIC BOTTLES - CONTRACT EXTENSION AND RE-TENDER

There was submitted Report No 375/11 by the Director of Neighbourhood Services seeking authority to renegotiate and extend the existing contract for baled mixed plastic bottles until 31 March 2012 and to re-tender thereafter.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to extend the contract with A.W.S. ECO Plastics Ltd for a further period until 31 March 2012 to allow time to research the market and prepare the competitive tendering process;

(iii) to exempt the extension of the contract with A.W.S. ECO Plastics Ltd from competitive tendering in terms of the Council’s Financial Regulation 16.24.10(d); and

(iv) to the contract being re-tendered for start on 1 April 2012.

18. VEHICLE REPLACEMENT PROGRAMME FOR 2011/2012

There was submitted Report No 376/11 by the Director of Neighbourhood Services seeking approval to purchase/contract hire fleet vehicles and equipment required for the 2011/2012 capital replacement programme, including the refurbishment of two refuse collection vehicles.

The Committee agreed:-

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

(ii) to approve the purchase/contract hire of vehicles and equipment required for the 2011/2012 capital replacement programme, including procuring the refurbishment of two refuse collection vehicles as detailed in the Report.

19. HOMOLOGATION OF LEASED CAR CONTRACT

With reference to Article 32 of the minute of meeting of the Environmental and Leisure Services Committee of 29 May 2003, there was submitted Report No 377/11 by the Director of Neighbourhood Services seeking homologation for his decision to extend the current vehicle leasing contract for a further year.
The Committee agreed:-

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

(ii) to homologate the Director of Neighbourhood Services decision, in conjunction with the Convener of Neighbourhood Services, to further extend the existing vehicle leasing arrangements for the period to no later than 31 March 2012.

20. JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN IN ANGUS

With reference to Article 9 of the minute of meeting of the Social Work and Health Committee of 19 May 2011, there was submitted Joint Report No 333/11 by the Director of Social Work and Health and the Director of Education advising the Committee of the findings of the recent Joint Inspection of Services to Protect Children in the Angus Council area carried out by HMIe during January 2011 and published on 21 April 2011.

The Report indicated that the inspection had identified a number of areas for improvement and it was proposed that these be addressed by the Angus Child Protection Committee. A plan for addressing these would be detailed in the Child Protection Committee Annual Report that would be presented to elected members in due course.

The Committee, for its interest, agreed:-

(i) to note the contents of the Report;

(ii) to note the outcome of the inspection of services to protect children in Angus; and

(iii) to note the key areas for improvement and that the Angus Child Protection Committee would detail how these areas would be addressed in its Annual Report which would be submitted to elected members in due course.

21. BRECHIN HIGH SCHOOL COMMUNITY CAMPUS: CONSULTATION EXERCISE FEEDBACK

With reference to Article 5 of the minute of meeting of the Education Committee of 21 April 2011, there was submitted Joint Report No 294/11 by the Director of Education and the Director of Neighbourhood Services advising the Committee of feedback from the consultation exercise with the Brechin community to help determine the extent of services to be provided on the Brechin High School campus. The Report also identified the scope of a ‘community campus’ approach based on the outcomes of the exercise and provided an update on the Scottish Government/Scottish Futures Trust funding information for the project.

The Report indicated that the outcomes from the consultation exercise had provided a range of information which would prove very helpful in taking forward this new build project. The consultation would continue throughout the process with school pupils, staff, parent councils and potential community user groups.

Having heard from Councillors Evans and Nield, the Committee, for its interest, agreed:-

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

(ii) to approve, in principle, arrangements for the Director of Neighbourhood Services to explore the option of the Damacre Centre becoming a “community owned and managed service centre”.

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1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

Councillor May declared an interest in item 5 as the Chairman of a Sub-Committee of Montrose Golf Links Ltd. He indicated that he would not be taking part in discussion and voting so far as the proposed grant to the Royal Montrose Golf Club was concerned and would leave the meeting when this specific item was considered.

Councillor Gaul declared an interest in item 5 as the husband of the Chair of Forfar Area Partnership. He indicated that he would be taking part in discussion and voting.

Councillor Mackintosh declared an interest in item 5 as he was possibly participating in a show to be organised by the Kirriemuir District Agricultural Association. He indicated that he would not be taking part in discussion and voting.

Councillor Mackintosh declared an interest in item 10 as the member identified in the Report. He indicated that he would not be taking part in discussion and voting and would leave the meeting during consideration of the item.

Councillor Mackintosh also declared an interest in items 11 and 12 as a Board member of Cairngorms National Park Authority. He indicated that he enjoyed the benefit of a general dispensation issued by the Standards Commission in relation to Council appointments to outside bodies and that he would therefore participate in discussion and voting.

Councillor Oswald declared an interest in item 5 as a member of the Carnoustie and District Horticultural Society. She indicated that she would be taking part in discussion and voting.

Councillor Salmond declared an interest in item 5 as an Alternate Director of Montrose Golf Links Trust. He indicated that he would be taking part in discussion and voting.

Councillor West declared an interest in item 5 as a member of Montrose Golf Links Trust. He indicated that he would be taking part in discussion and voting.

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.

3. BRECHIN FLOOD PREVENTION SCHEME – SOUTH ESK UPDATED

With reference to Article 17 of the minute of meeting of this Committee of 1 March 2011, the Committee noted that in view of recent further information received, Report No 397/11 by the Director of Infrastructure Services had not been finalised and it was hoped that it would be submitted to the Strategic Policy Committee on 14 June 2011, following discussions with SEPA.
4. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 19 April 2011 was approved as a correct record and signed by the Convener.

5. ANGUS COUNCIL COMMUNITY GRANTS SCHEME - NEW APPLICATIONS

Having declared an interest at item 2 above, Councillor May left the meeting during consideration of the part of this item which related to the Royal Montrose Golf Club and Councillor Fairweather took the chair at that stage.

With reference to Article 6 of the minute of meeting of this Committee of 19 April 2011, there was submitted Report No 374/11 by the Director of Infrastructure Services advising members of applications for grants of £1,000 or less which had been approved under delegated authority since 19 April 2011 and detailing applications for grants of over £1000.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the following decisions made in respect of applications for grants of £1,000 or less:-

- Hope Paton Bowling Club, Montrose - £1,000
- Royal Scottish Pipe Band, Dundee, Perth and Angus Branch - £500
- Heritage Arts, Auchmithie Residents - £402.53
- Bell Rock Audio Visual Enterprise - £300
- Forfar and Area Partnership - No Award
- Monifieth Bowling Club - £500

(iii) to approve the following awards in respect of applications for grants over £1,000:-

- Random Recycle - £4,759.00
- Arbroath Seafest Company Ltd - £5,000
- Murton Wildlife Trust - £5,000
- Murroes Community Hall Committee - £4,750
- Kirriemuir District Agricultural Association - £3,350
- Carnoustie and District Horticultural Society - £1,042.50
- Art Moves (Angus Wide) - £3,027
- Montrose Golf Links Ltd - £1,800 on condition that there were reciprocal links on the website of Montrose Golf Links Ltd to www.carnoustiecountry.com and to www.angusahead.com.

6. BRECHIN TOWN CENTRE REGENERATION FUND

With reference to Article 10 of the minute of meeting of Angus Council of 16 December 2010, there was submitted Joint Report No 378/11 by the Director of Infrastructure Services and the Director of Corporate Services advising members on the delivery and outputs of the Brechin Town Centre Regeneration Fund Project.

The Report indicated that it had been very disappointing that it had not proved possible to draw down all the regeneration funds made available to Brechin, which was largely due to the fact that the owners of two strategic properties did not conclude the sale of these properties to the Council, despite terms having been agreed.

Notwithstanding this, the Regeneration Fund brought into Brechin had totalled almost £1 million which had benefited the town and would help to stimulate further regeneration projects going forward.
The Committee agreed:—

(i) to note the contents of the Report;

(ii) to note the summary of the delivery of the Brechin Town Centre Regeneration Fund Project and the resultant outputs and outcomes delivered by the project for the benefit of Brechin Town Centre;

(iii) to note that it had not been possible to draw down all the fund available to Brechin in accordance with the terms and conditions of the offer from the Scottish Government; and

(iv) to acknowledge the extensive work undertaken by officers across departments to successfully deliver this ambitious project and in particular, the abortive efforts undertaken to purchase the premises at 75-77 High Street for redevelopment.

7. BUSINESS SUPPORT PROVISION IN ANGUS

With reference to Article 9 of the minute of meeting of this Committee of 19 January 2010, there was submitted Report No 379/11 by the Director of Infrastructure Services updating members on the provision of business advice, counselling and support to local companies.

The Report indicated that the main concern of the Economic Development and Environmental and Consumer Protection Division was to ensure that Angus businesses continued to have full access to comprehensive professional business support to allow them to reach their full potential and to provide added support for the business base, focusing on recovery under the "survive and thrive" theme.

Previous concerns regarding the diminution of business support services as a result of the revised Business Gateway Contract had effectively been answered by the Council's introduction of its own advisory team and this had been especially important during the recent economic downturn.

The Committee agreed:—

(i) to note the contents of the Report;

(ii) to note the update on the current provision of business advice, counselling and support to local companies; and

(iii) to note that the Head of Economic Development and Environmental and Consumer Protection would report back to this Committee during 2011/2012 updating progress on the provision of services, including recommendations on the future delivery of the Business Gateway contract.

8. PROGRESS REPORT ON PERFORMANCE OF THE TOWARDS EMPLOYMENT TEAM FOR 1 APRIL 2010 TO 31 MARCH 2011

With reference to Article 13 of the minute of meeting of this Committee of 24 November 2009, there was submitted Report No 380/11 by the Director of Infrastructure Services advising members of the key achievement and outcomes delivered by the Towards Employment Team and their contribution to the delivery of employability in Angus.

The Report indicated that the Team continued to provide an innovative service and played an important role in the further development of AngusWorks while reviewing and where necessary, adapting its services to respond to the needs of the residents of Angus.

In partnership with other employability services, the Team strived to ensure that it provided the best possible range of services and continued to deliver excellent results, particularly during the current economic climate.
The Committee, having heard Councillor Lee, agreed:-

(i) to note the contents of the Report;

(ii) to note the outcomes achieved by the Towards Employment Team in 2010/2011;

(iii) to note the achievements of partners delivering services through Service Level Agreements to the overall outcomes of the Team;

(iv) to acknowledge the role to be played by the Towards Employment Team in contributing to the delivery of employability services in Angus; and

(v) to note that the Director of Infrastructure Services would give more detailed explanation of the statistics by letter to members who requested this and in future Reports.

9. SUPPLIER DEVELOPMENT PROGRAMME - PROPOSAL TO CONTINUE MEMBERSHIP

With reference to Article 29 of the minute of meeting of this Committee of 4 March 2008, there was submitted Report no 381/11 by the Director of Infrastructure Services seeking approval for the continuation of the Council Programme adopted in 2008, to assist the local business community to be better prepared for bidding for public sector contracts.

The Report indicated that, by retaining membership of the supply or development programme as the vehicle for assisting the local business community to become better prepared for bidding for public sector contracts, the Council would demonstrate its support for small and medium sized businesses in a cost efficient manner and potentially have an influence in broadening the scope of the Programme.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the progress made under the supply or development programme since its introduction in 2007;

(iii) to endorse the continuation of the supply or development programme to support the local business community on an ongoing basis; and

(iv) to note that a further Report would be submitted to this Committee containing an update on progress and monitoring of results.

10. ANGUS AND CHINA INITIATIVE - PROPOSED VISIT TO CHINA IN JULY 2011

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

With reference to Article 9 of the minute of meeting of the Strategic Policy Committee of 15 June 2010, there was submitted Report No 382/11 by the Director of Infrastructure Services updating the progress of the Angus and China initiative and seeking approval for the Council to be represented on a visit to China in July 2011.

The Report indicated that approval of the visit would strengthen efforts taken to increase the existing and extensive trade and tourism links with China and especially assist in increasing the Carnoustie brand awareness in China golfing circles.

In addition, the outcomes of the visit would generate additional tourism expenditures in Angus and help to sustain jobs in Angus based businesses who were either selling into China or manufacturing in China.
The Committee agreed:—

(i) to note the contents of the Report;

(ii) to note the recent activities associated with the Angus and China Initiative in the areas of business, culture and tourism;

(iii) to authorise the Head of Economic Development and Environmental and Consumer Protection to finalise a visit to China in July 2011, based on the draft programme outlined in the Report; and

(iv) to authorise the Depute Leader of the Administration to lead the proposed visit to take place from 1 -13 July 2011 and to be accompanied by the Head of Economic Development and Environmental and Consumer Protection.

11. RIVER SOUTH ESK CATCHMENT MANAGEMENT PLAN - IMPLEMENTATION PHASE 2 - PROPOSED FUNDING PACKAGE

With reference to Article 7 of the minute of meeting of this Committee of 23 November 2010, there was submitted Report No 383/11 by the Director of Infrastructure Services proposing a funding package for the second implementation phase of the River South Esk Catchment Management Plan to secure the continued employment of the Council's River South Esk Project Officer.

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

The Committee agreed:—

(i) to note the contents of the Report;

(ii) to note the proposed funding package secured so far for the second implementation phase of the River South Esk Catchment Management Plan;

(iii) to approve a contribution of £10,000 during 2011/2012 towards the second implementation phase of the Plan;

(iv) to authorise the Head of Economic Development and Environmental and Consumer Protection to extend the employment by the Council of the River South Esk Project Co-ordinator, as detailed in the Report; and

(v) to note that future updated progress and monitoring reports would be submitted to this Committee.

12. CAIRNGORMS LOCAL BIODIVERSITY ACTION PLAN PROJECT OFFICER

With reference to Article 10 of the minute of meeting of this Committee of 20 April 2010, there was submitted Report No 384/11 by the Director of Infrastructure Services recommending that the Council make a further contribution towards the Cairngorms Local Biodiversity Action Plan Project Officer post.

The Report indicated that the post was necessary for maintaining the Cairngorms Local Biodiversity Action Plan Partnership which, although independent of the National Park, had a key role in the delivery of both the Partnership and the National Park Plan.

The Committee agreed:—

(i) to note the contents of the Report;
(ii) to approve a contribution of £1,500 towards the cost of the Project Officer post up to 31 March 2012; and

(iii) to note that this expenditure would be met from the Planning and Transport 2011/2012 Revenue Budget.

13. CONSULTATION ON PROPOSED MONTROSE CONSERVATION AREA BOUNDARY AMENDMENT

With reference to Article 10 of the minute of meeting of this Committee of 23 November 2010, there was submitted Report No 385/11 by the Director of Infrastructure Services seeking approval to the adoption of the proposed amended Montrose Conservation Area boundary, simultaneous deletion of the existing boundary and adoption of the draft Montrose Conservation Area Analysis and Design Guide as supplementary planning guidance, as the result of a public consultation exercise.

The Report indicated that the proposed amendments to the boundary and additional supplementary guidance would ensure that any development would preserve or enhance the character and/or appearance of the area which depicted the origins of Montrose as an important market and trading town.

The Committee agreed:--

(i) to note the contents of the Report;

(ii) to approve the simultaneous deletion of the existing Montrose Conservation Area boundary and subsequent adoption of the proposed Montrose Conservation Area boundary; and

(iii) to approve and adopt the draft Montrose Conservation Area Analysis and Design Guide, as supplementary planning guidance.

14. EASTHAVEN TO ARBROATH CYCLEWAY

There was submitted Report No 386/11 by the Director of Infrastructure Services seeking authority to proceed with the establishment of a combined footway/cycleway between Easthaven and Arbroath.

The Report indicated that significant progress had been made with the creation of a coastal cycle path along the southern part of the Angus coast and this proposed project would complete the final link on the southern part of the coast, enabling a continuous coastal cycle route between Arbroath and the boundary with Dundee City Council.

Having heard from several members who expressed delight at this proposal which it was hoped would enhance local tourism, the Committee agreed:--

(i) to note the contents of the Report;

(ii) to proceed with the establishment of a combined footway/cycleway between Easthaven and Arbroath, as detailed in the Report, subject to the conclusion of legal agreements and planning permission being granted;

(iii) to note that an application for planning permission would be submitted;

(iv) to authorise the Head of Law and Administration, in consultation with the Head of Planning and Transport to enter into legal agreements with the relevant landowners;

(v) to authorise the Head of Roads, in consultation with the Head of Planning and Transport, to undertake detailed design work and procurement of the construction work; and

(vi) to note that the revised capital expenditure could be met from the allocations within the Infrastructure Services 2010/2014 Financial Plan.
15. **DRAFT ANGUS WOODLAND AND FORESTRY FRAMEWORK**

With reference to Article 11 of the minute of meeting of this Committee of 3 June 2008, there was submitted Report No 387/11 by the Director of Infrastructure Services seeking agreement to publish the draft Angus Woodland and Forestry Framework for public consultation and to submit the Environmental Report (Strategic Environmental Assessment) to the Consultation Authorities.

The Report indicated that the document would establish a framework for the next 5-10 years and put forestry into a wider context of rural development within Angus. Publication of the Framework would allow public consultation on the document and the accompanying Environmental Report.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to authorise publication of the draft Angus Woodland and Forestry Framework for public consultation purposes;

(iii) to have regard to and take account of the Environmental Report undertaken by Land Use Consultants on behalf of the Council;

(iv) to note that the Council, as the Responsible Authority, required to publish and submit the Environmental Report to the Scottish Government SEA Gateway and Consultation Authorities; and

(v) to note that a further report on the outcome of the public consultation would be submitted to a future meeting of this Committee.

16. **CONSULTATION ON IMPROVING CHOICE AND VERIFICATION OF BUILDING STANDARDS**

There was submitted Report No 388/11 by the Director of Infrastructure Services commenting on and providing a suggested response to the Government's consultation paper "Improving Choice and Verification of Building Standards" which had been considered at a meeting of the Member Officer Group on 12 May 2011.

The Report indicated that the proposals contained within the consultation document would, if adopted, change the method of verification of building standards, the previous system being based on protecting the public interest by making building regulations that dealt with mainly health and safety issues.

Having heard the Convener who expressed thanks and appreciation to the Member Officer Group on a very productive outcome to their meeting, the Committee agreed:-

(i) to note the contents of the Report;

(ii) to note that no conclusive evidence had been formulated to demonstrate that the Government's proposal would benefit users of the Building Standards Service in Angus;

(iii) to note the possibility that fee income in relation to building warrants would be reduced, thereby affecting the Council's ability to continue to provide a quality service;

(iv) to approve the details contained in the Appendix to the Report as the Council's response to the consultation document; and

(v) to instruct that a further Report be submitted to this Committee after the results of the consultation exercise were known.
17. UTILISATION OF TRANSPORT CAPITAL 2011/2012

With reference to Article 11 of the minute of meeting of this Committee of 1 June 2010, there was submitted Report No 389/11 by the Director of Infrastructure Services seeking authority to utilise the currently “not yet legally committed” 2011/2012 Transport Capital Budget to deliver infrastructure improvements of the Forfar - Brechin - Montrose/Laurencekirk corridors within Angus to improve passenger waiting facilities, speed up passenger pick-up/set-down times and improve service reliability. The Report detailed the work required at the various locations.

The Committee agreed:-

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

(ii) to approve the capital expenditure of £65,000 for these locations, as detailed in the Report.

18. TEMPORARY TRAFFIC ORDERS

There was submitted and noted Report No 390/11 by the Director of Corporate Services advising that, at the request of the Head of Roads, seven temporary traffic orders had been made, as detailed in the Report.

19. TENDERS ACCEPTED 1 APRIL 2010 - 31 MARCH 2011

There was submitted and noted Report No 391/11 by the Director of Infrastructure Services detailing tenders opened and accepted on behalf of the Council under delegated authority by the Head of Roads during the period 1 April 2010 to 31 March 2011.

20. UTILISATION OF ROADS AND TRANSPORT RENEWAL AND REPAIRS FUND FOR 2011/2012

With reference to Article 17 of the minute of meeting of this Committee of 20 April 2010, there was submitted Report No 392/11 by the Director of Infrastructure Services proposing the allocation of part of the Roads and Transport Renewal and Repairs Fund in the current financial year.

The Committee agreed:-

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

(ii) to approve the utilisation of the Roads and Transport Renewal and Repair Fund 2011/2012 in respect of:-

- carriageway and footway surfacing works to the value of £1,685,000
- street lighting upgrade/replacement works to the value of £300,000
- engineering works to the value of £266,000
- public transport provision to the value of £25,000
- traffic works to the value of £120,000
- harbour works to the value of £14,000.

21. MAJOR FOOTBALL EVENTS RELATED TRAFFIC CONTROL

There was submitted Report No 393/11 by the Director of Infrastructure Services detailing a proposal to simplify traffic management arrangements arising from major football events in Angus.

The Report indicated that at present, the senior football teams in Angus operated in the lower leagues of Scottish football and while generally there were no major traffic congestion or traffic safety issues it was always possible that one of the Angus teams could face a Premier league team at home in a cup competition.
The Committee agreed:-

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

(ii) to authorise promotion of a permanent Traffic Regulation Order prohibiting driving and waiting in certain streets when considered necessary by Tayside Police in order to manage traffic arising from a major football event at the senior football grounds in Angus.

22. DISABLED PERSONS’ PARKING PLACES (SCOTLAND) ACT 2009 - INITIAL REPORT

With reference to Article 31 of the minute of meeting of this Committee of 24 August 2010, there was submitted Report No 394/11 by the Director of Infrastructure Services advising members of the details of actions taken in fulfilment of the Council's duties in relation to the Disabled Persons' Parking Places (Scotland) Act 2009.

The Report indicated that the legislation, which came into effect on 1 April 2009, placed a duty on the Roads Authority to report annually on its performance in fulfilment of its duties in relation to the Act.

Having heard Councillor King who urged that where possible, policing of disabled parking spaces at supermarkets should take place, the Committee agreed:-

(i) to note the contents of the Report;

(ii) to approve the draft initial Report required in terms of the Act, as appended to the Report;

(iii) to authorise publication of the initial Report on the Council's website; and

(iv) to note that a copy of the initial Report would be forwarded to Scottish Ministers.

23. ROAD CASUALTY REDUCTION TARGETS UPDATE

With reference to Article 28 of the minute of meeting of this Committee of 24 August 2010, there was submitted Report No 395/11 by the Director of Infrastructure Services outlining the current road traffic accident situation in Angus and the progress made towards successfully achieving the National Government's 2010 Road Casualty Reduction Targets.

The Report indicated that the latest road casualty reductions achieved in Angus had surpassed the 2010 target reductions, as well as the reductions achieved nationally.

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

(i) to note the current road traffic accident situation in Angus; and

(ii) to note the progress made towards Angus successfully achieving the national 2010 Road Casualty Reductions Targets.

24. WINTER MAINTENANCE - 2010/2011 ACTIVITY REVIEW

With reference to Article 32 of the minute of meeting of this Committee of 24 August 2010, there was submitted Report No 396/11 by the Director of Infrastructure Services, advising members of the service delivery, weather severity and outturn expenditure on winter maintenance for 2010/2011.

The Report indicated that the winter of 2010/2011 had been widely reported as the most challenging in terms of roads maintenance for a number of years and during the severe winter in December 2010, the Council had operated its Incident Management Processes.
Having heard from several members, the Committee agreed:

(i) to note the exceptional winter conditions of the winter of 2010/11, the number of treatments undertaken and the issues faced over the winter period;

(ii) to note that the net unaudited, out-turn expenditure on winter maintenance for 2010/11 was £3,819,783 (compared to a budget of £2,090,000) for third party payments resulting in an overspend of £1,729,783 (approx+83%);

(iii) to note that this excess expenditure on winter maintenance could be accommodated from a combination of revenue, renewal and repair fund and capital resources available in the overall 2010/11 budget provision;

(iv) to authorise the Head of Roads to procure best value arrangements for the provision of de-icing salt (noting that it was proposed that the Council increases its pre-winter salt holding from 17,500 tonnes to 19,000 tonnes) through Tayside Contracts; and for the provision of weather forecast services for 2011/12;

(v) to note the continued use of “red” diesel for agricultural tractors for winter treatment as approved by Her Majesty’s Revenue and Customs and the retrospective payment of the relevant fuel duty following the winter’s operational activities;

(vi) to agree the use of salt conservation measures during the winter as recommended by the UK Roads Liaison Group and the Society of Chief Officers of Transportation in Scotland in line with other Authorities;

(vii) to note that the Council had allocated, at its meeting on 10 February 2011, an additional £400,000 to the winter maintenance budget for 2011/12 recognising that the average winter would no longer be accommodated within the previous budget. The additional budget also to accommodate the provision of an additional 100 grit bins;

(viii) to note previous discussions with members in relation to grit bin locations and to agree to maintain the current policy in relation to siting of the extra 100 grit bins and seeking new locations in discussion with members, Community Councils and Local Community Partnerships;

(ix) to note that it was not possible to sell salt for road/footway winter maintenance purposes to the general public for the reasons stated in the Report;

(x) to note that a further report will be brought forward to this Committee in August 2011 to establish the policy and operational practices for the forthcoming winter of 2011/2012;

(xi) to instruct the Head of Roads to investigate further information being made available to the public on supplies of salt; and

(xii) to instruct the Head of Roads to investigate the possibility of Community Councils securing and storing some salt supplies within their areas for local use.
ANGUS COUNCIL

MINUTE of MEETING of the EDUCATION COMMITTEE held in the Town and County Hall, Forfar on Thursday 2 June 2011 at 4pm.

Present: Councillors PETER NIELD, MARGARET THOMSON, ALISON ANDREWS, BRIAN BOYD, MAIRI EVANS, JEAN LEE, DAVID FAIRWEATHER, DAVID MAY, DONALD MORRISON, GLENNIS MIDDLETON, BOB MYLES, JOHN RYMER, MARK SALMOND, PAUL VALENTINE and SHEENA WELSH.

Also present: Councillor IAN MACKINTOSH.

Church Representatives: Mr DAVID ADAMS.

Teacher Representatives: Mr DAVID DRYSDALE and Mr PHILIP JACKSON.

Councillor NIELD, Convener, in the Chair

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors David Lumgair and Rob Murray, with Councillors David Fairweather and Glennis Middleton substituting respectively. An apology for absence was also intimated on behalf of Mr Bill Simpson.

2. DECLARATIONS OF INTEREST

Councillors Morrison, Glennis Middleton, May, Thomson, Myles, Rymer, Welsh, Valentine, Fairweather and Salmond all declared an interest in item 5 as they had been contacted by various groups and members of the public, and had received correspondence in relation to the matter. They indicated that they would take part in discussion and voting.

3. MINUTES

(a) Previous Meeting

The minute of meeting of this Committee of 21 April 2011 was approved as a correct record and signed by the Convener.

(b) School Attendance Sub-Committee

The minute of meeting of the School Attendance Sub-Committee of 23 May 2011, a copy of which is appended hereto, was submitted and noted (APPENDIX I).

4. REQUEST FOR A DEPUTATION

The Committee agreed, in accordance with Standing Order 12, to hear deputations from Mr Ewan Smith, on behalf of the Muirfield Action Group, and Mr Kevin Barthorpe, who indicated that he was representing some parents in the Timmergreens School area, in relation to the Arbroath Schools Project (Phase 1).

On behalf of the Muirfield Action Group, Mr Smith addressed the meeting. He referred to concerns which he held about the consultation process. Mr Smith also expressed concerns regarding financial aspects of the project, overcrowding and the safety of the children crossing the Westway.

On behalf of some parents in the Timmergreens school area, Mr Barthorpe addressed the meeting. He stressed that he believed that 90% of the parents were against, rather than in favour, of the new school.
Following a number of questions, Mr Smith and Mr Barthorpe were thanked for their attendance and withdrew to the public benches.

In accordance with Standing Order 36(2), the Committee agreed that, as there were a number of individual members of the public with an interest in the Arbroath School's project, the order of business be varied from that published and was considered in the following order.

5. ARBROATH SCHOOLS PROJECT (PHASE 1) - CONSULTATION REPORT

With reference to Article 13 of the minute of meeting of Angus Council of 10 February 2011, there was submitted Report No 400/11 by the Director of Education providing members with feedback on the consultation exercise recently undertaken in relation to the proposal to provide a new primary school in the west of Arbroath and presenting the consultation report which had been prepared in accordance with the Schools (Consultation) (Scotland) Act 2010 ("the 2010 Act").

The Report indicated that the consultation period had concluded on Friday 1 April 2011 and the Council had thereafter reviewed the proposal and prepared a consultation report in terms of the 2010 Act, which was detailed in Appendix 1 to the Report.

COUNCILLOR NIELD, SECONDED BY COUNCILLOR THOMSON, MOVED THAT THE COMMITTEE AGREES:-

(i) TO NOTE THE PROCEDURAL REQUIREMENTS SPECIFIED IN THE REPORT TO COMPLY WITH THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010;

(ii) TO NOTE THAT THE CONSULTATION REPORT, AS DETAILED IN APPENDIX 1 TO THE REPORT, HAD NOW BEEN PUBLISHED IN ACCORDANCE WITH THE 2010 ACT;

(iii) TO ENDORSE THE CONTENTS OF THE CONSULTATION REPORT;

(iv) TO NOTE THAT A PACKAGE OF COMPREHENSIVE INFORMATION (WHICH INCLUDED A COPY OF ALL WRITTEN COMMENTS/REPRESENTATIONS RECEIVED DURING THE STATUTORY CONSULTATION EXERCISE) WAS AVAILABLE FOR PERUSAL IN THE MEMBERS’ LOUNGE;

(v) TO NOTE THE CONCLUDED VIEW OF HMIE THAT THE PROPOSAL TO BUILD A NEW SCHOOL ADJACENT TO HOSPITALFIELD HOUSE:

   (a) “SHOULD HAVE A POSITIVE IMPACT ON CHILDREN’S EDUCATIONAL EXPERIENCES”; AND THAT

   (b) “BUILDING A NEW SCHOOL IN WEST ARBROATH WAS A SENSIBLE AND POSITIVE SOLUTION TO THE COUNCIL’S PHASED PLANS TO IMPROVE THE SCHOOL ESTATE AND MANAGE FALLING ROLLS EFFICIENTLY AND EFFECTIVELY”; AND

(vi) TO NOTE THAT THE COUNCIL’S DECISION, IN TERMS OF THE 2010 ACT, WOULD BE TAKEN AT THE FULL COUNCIL MEETING ON 22 JUNE 2011.

Councillor Welsh, seconded by Councillor Valentine, moved, as an amendment, that the Committee agrees:-

(i) to note recommendations (i), (ii), (iv) and (vi) above;

(ii) to delete recommendation (iii) above; and

(iii) to change recommendation (v) above to read “to note the contents of the HMIE Report”.
On a vote being taken, the members voted:-

For the motion:-

Councillors Nield, Thomson, Andrews, Boyd, Fairweather, May, Myles, Rymer, Salmond, Mr Adams, Mr Drysdale and Mr Jackson (12).

For the amendment:-

Councillors Evans, Lee, Morrison, Glennis Middleton, Valentine and Welsh (6).

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

6. INFORMATION AND COMMUNICATIONS TECHNOLOGY: INVESTMENT 2011/2012

There was submitted Report No 398/11 by the Director of Education advising members of proposals to enhance ICT provision in Angus schools.

The Report indicated that the Education Department had continued to support the development of ICT, taking into account the evolving nature of requirements. A significant capital investment had been committed each year to maintain progress and ensure that pupils and staff had appropriate facilities and resources. It was important to invest in new and emerging technologies to maximise learning and teaching opportunities and to integrate available ICT within the school curriculum.

At present, all schools and educational establishments had excellent ICT resources. However, it was important to continue to invest in ICT. The proposed investment for 2011/2012, detailed in the Report, would provide the basis for future procurement. It was proposed, over a period of three years, to provide wireless technology in all schools with suitable bandwidth in accordance with the refreshment of PCs and other equipment. In partnership with colleagues in the IT Division, the Director of Education would continue to investigate ways in which improved bandwidth could be cost effectively introduced to all Angus schools and Community Learning and Development establishments. A further report would be brought forward outlining specific proposals for 2012/13 and 2013/14.

Having also heard the Convener give an assurance that appropriate software and support programmes would be put in place for pupils with additional support needs, the Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the growing importance of ICT in providing appropriate learning opportunities for pupils; and

(iii) to approve the proposed investment in ICT, as detailed in Section 5 of the Report.

7. DEVOLVED SCHOOL MANAGEMENT: REVIEW OF COUNCIL SCHEME

With reference to Article 15 of the minute of meeting of this Committee of 22 February 2007, there was submitted Report No 399/11 by the Director of Education outlining recent amendments to the Angus Council Scheme of Devolved School Management (DSM) and updating the Committee on a national review of Devolved School Management.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the changes to the Scheme of DSM detailed in the Report;

(iii) to endorse the approach of continuously reviewing the scheme in consultation with school-based staff; and

(iv) to note that the recent national review was likely to lead to a detailed scrutiny of DSM schemes across Scotland.
8. **CURRICULUM FOR EXCELLENCE: PROGRESS UPDATE**

With reference to Article 6 of the minute of meeting of this Committee of 3 June 2010, there was submitted Report No 401/11 by the Director of Education providing members with a progress update in relation to the implementation of the new curriculum.

The Report indicated that Angus schools had responded well to the training, resources, networking opportunities and practical advice provided by the education authority in preparing for the introduction of Curriculum for Excellence. The development of resources, advice and guidance, detailed in the Report had, in no small measure, been the result of a mutually supportive partnership between school staff and staff in the Educational Development Service. This had allowed the professional support needs of Angus teachers to be met to an extent that was not currently apparent in all local authority areas when introducing this welcome reform of the Scottish school curriculum.

While there were continuing challenges to be addressed, Angus schools were well placed to meet those challenges and deliver the ambitions of Curriculum for Excellence. Equally, the authority was working closely, where necessary, with other authorities and with key national agencies and was well placed to respond to the support needs of schools and staff.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the continuing arrangements to provide comprehensive support to Angus schools in implementing Curriculum for Excellence; and

(iii) to note that, while there remained challenges associated with any major reform of the school curriculum, Angus schools were, overall, very well placed to meet those challenges.

9. **REVIEW OF TEACHER EMPLOYMENT IN SCOTLAND (THE MCCORMAC REVIEW): CALL FOR EVIDENCE BY THE SCOTTISH GOVERNMENT**

There was submitted Report No 402/11 by the Director of Education advising members of the terms of an Angus Council officer response to the call for evidence in relation to the McCormac Review.

The Report indicated that the 2010 Spending Review agreement between the Scottish Government and the Convention of Scottish Local Authorities, published in November 2010, included an agreement to an independent review of all aspects of the terms and conditions for Scotland’s teachers. The Cabinet Secretary for Education and Lifelong Learning had invited Professor Gerry McCormac, Principal of Stirling University, to chair the review group which had been charged with publishing, in the summer of this year, recommendations aimed at improving educational outcomes for Scotland’s children and young people.

Professor McCormac had issued a public call for evidence on 23 February 2011 inviting submissions by 21 April 2011. The call for evidence had been accompanied by a detailed questionnaire designed to gather views on key aspects of current terms and conditions for Scotland’s teachers with a specific request for comments on aspects of those terms and conditions that may require to be amended. Appended to the Report was a copy of the submission prepared by Angus Council officers.

Having heard from Mr Jackson, the Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the arrangements made by the Scottish Government to seek evidence in relation to the Review of Teacher Employment in Scotland led by Professor Gerry McCormac, Principal of Stirling University;
(iii) to note the terms of the response, detailed in the Appendix to the Report, which had been prepared by Angus Council officers and submitted to the Scottish Government to comply with the submission deadline of 21 April 2011; and

(iv) to note that the outcomes of the McCormac Review would be considered by the Scottish Negotiating Committee for Teachers with any agreed changes to the terms and conditions, beyond those recently agreed, being in place by August 2012.

10. ‘JOINING THE DOTS’ - A BETTER START FOR SCOTLAND’S CHILDREN

There was submitted Joint Report No 403/11 by the Director of Education and the Director of Social Work and Health advising members of the key messages of ‘Joining the Dots’ - a better start for Scotland’s Children, an independent report on Early Years services by Professor Susan Deacon.

The Report indicated that in June 2010, the Scottish Government had pledged to renew the national effort on early years. As part of this effort, Professor Susan Deacon had been invited to explore current year’s activity across children’s services in Scotland and to bring forward suggestions for practical actions to build consensus about the continuing importance and value of investing early. Professor Deacon’s exploration had resulted in the publication, in March 2011, of ‘Joining the Dots’ – a better start for Scotland’s children.

The findings of ‘Joining the Dots’ strengthened the case for preventative investment and enhanced action in Early Years services. This influential report reflected local thinking, and would prove helpful in emphasising the importance of partner agencies working more co-operatively and creatively than ever before. The move towards an integrated early intervention approach was not straightforward and would take long-term sustained commitment from all stakeholders. Progress in relation to Angus commitments to the Early Years Framework would enhance opportunities for all children in Angus to have the best start in life.

The Committee, for its interest, agreed:-

(i) to note the contents of the Report;

(ii) to note that the key messages and direction provided in Professor Deacon’s report would guide, support and inform local developments in respect of early years provision; and

(iii) to note that an electronic copy of the report was available on the Scottish Government website.

11. PRINCIPLES FOR EFFECTIVE ACTION: PROMOTING CHILDREN AND YOUNG PEOPLE’S SOCIAL AND EMOTIONAL WELLBEING IN EDUCATIONAL ESTABLISHMENTS

There was submitted Report No 404/11 by the Director of Education advising members of the publication, by NHS Health Scotland, of a major curriculum resource, ‘Principles for effective action: promoting children and young people’s social and emotional wellbeing in educational establishments’.

The Report indicated that the ‘Health and Wellbeing’ resource had been developed in collaboration with a network of key partners involved in the implementation and evaluation of the school curriculum: NHS Health Scotland, Learning and Teaching Scotland, HM Inspectorate of Education and the Scottish Government.

The resource was primarily a self-assessment tool which aimed to support children’s services partners in the effective delivery of the ‘Health and Wellbeing’ curriculum, and would assist schools and partner agencies in evaluating the curriculum.
The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note that this curriculum resource aimed to support children’s services partners in the effective delivery of an evidence-based approach to mental health improvements in the context of Curriculum for Excellence;

(iii) to note that electronic copies of the resource were available on the NHS Health Scotland website.

12. ‘A RIGHT BLEATHER’

With reference to Article 11 of the minute of meeting of this Committee of 20 October 2010, there was submitted Report No 405/11 by the Director of Education advising members of the outcome of the national consultation undertaken by Scotland’s Commissioner for Children and Young People in 2010.

The Report indicated that Scotland’s Commissioner for Children and Young People had written to all local authorities on 9 May 2011 advising them of the percentage of young people who had cast their votes in the ‘Big Vote’ exercise within their area. Information provided by the Commissioner about the ‘Big Vote’ exercise included a brief summary of priority issues which children and young people believed required to be addressed in order to improve their lives as young citizens.

Appended to the Report were details of the votes cast in each Scottish local authority as a percentage of the number of children and young people in public funded schools. Relative to other local authorities, a pleasingly high proportion of Angus pupils had taken part in the national exercise. Of the 32 councils, Angus participation ranked fourth highest with 30.7% of pupils taking part, compared with 10.9% of pupils nationally. The level of involvement reflected the extensive advice, information and support provided to pupils and young people by colleagues within the Community Learning and Development Service, colleagues within the Educational Development Service and teaching staff across participating schools.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the high percentage of young people who had cast their votes in the ‘Big Vote’ exercise undertaken in November 2010;

(iii) to note the priority issues which young people in Angus and young people across Scotland wished to be addressed to improve their lives as young citizens; and

(iv) to note that the full report on the Angus vote was available electronically on Scotland’s Commissioner for Children and Young People website.

13. SOCIAL WORK INSPECTION AGENCY - MULTI AGENCY INSPECTION OF SERVICES FOR PEOPLE WITH A LEARNING DISABILITY IN ANGUS

With reference to Article 8 of the minute of meeting of the Social Work and Health Committee of 19 May 2011, there was submitted Joint Report No 332/11 by the Director of Social Work and Health and the Director of Education advising members of the multi agency inspection of learning disability services in Angus undertaken during October 2009 and informing members of the service areas for evaluation, the gradings received and recommendations contained within the report. Attached as an Appendix to the Report was a multi agency action plan on how the recommendations would be progressed in Angus.

The Committee, for its interest, agreed:-

(i) to note the contents of the Report and the multi agency inspection report; and

(ii) to instruct the Director of Social Work and Health and the Director of Education to bring an updated joint report on the action plan following the Social Work Inspection Agency’s follow up report in December 2011.
14. Joint Inspection of Services to Protect Children in Angus

With reference to Article 20 of the minute of meeting of the Neighbourhood Services Committee of 26 May 2011, there was submitted Joint Report No 333/11 by the Director of Social Work and Health and the Director of Education advising members of the findings of the recent Joint Inspection of Services to Protect Children in the Angus Council area carried out by HMIe during January 2011 and published on 21 April 2011.

The Report indicated that the inspection had identified a number of areas for improvement and it was proposed that these be addressed by the Angus Child Protection Committee. The plans for addressing these would be detailed in the Child Protection Committee Annual Report which would be presented to elected members in due course.

The Committee, for its interest, agreed:

(i) to note the contents of the Report;

(ii) to note the outcome of the inspection of services to protect children in Angus; and

(iii) to note the key areas for improvement and that the Angus Child Protection Committee would detail how these areas would be addressed in its annual report which would be submitted to elected members in due course.
MINUTE of MEETING of the SCHOOL ATTENDANCE SUB-COMMITTEE of the EDUCATION COMMITTEE held in Arbroath Library, Hill Terrace, Arbroath on Monday 23 May 2011 at 4.45pm.

Present: Councillors PETER NIELD and MARGARET THOMSON and Mrs ALISON REID (Parent Council Representative).

Councillor NIELD, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

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

3. MINUTES OF PREVIOUS MEETINGS

The minutes of meetings of this Sub-Committee of 26 October and 2 November 2010 were submitted and approved as correct records.

4. EXCLUSION OF PUBLIC AND PRESS

The Sub-Committee resolved, in terms of Standing Order 27(2), that the public and press be excluded during consideration of the following item so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraph 5.

5. EDUCATION (SCOTLAND) ACT 1980 – SCHOOL ATTENDANCE DEFAULT – CASE NO SA01/11

There was submitted Report No 356/11 by the Director of Education advising members of the school attendance record of a child and seeking a decision in terms of Section 36 of the Education (Scotland) Act 1980.

The Sub-Committee considered the case and heard from the child, the child’s parents, the representative from the school and the School and Family Support worker.

Following discussion, the Sub-Committee agreed:-

(i) to confirm, by reference to the Certificate of Attendance, that the child had failed to attend school regularly;

(ii) to confirm that there was no reasonable excuse for such failure;

(iii) to make an Attendance Order in terms of Section 36(2) of the Education (Scotland) Act 1980 requiring the parents to ensure the child’s attendance at Arbroath High School; and

(iv) to postpone a decision on court action and to continue the case to 30 June 2011 to allow for an improvement in attendance.
ANGUS COUNCIL

MINUTE of MEETING of the DEVELOPMENT STANDARDS COMMITTEE held in the Town and County Hall, Forfar on Tuesday 7 June 2011 at 10.00 am.

Present: Councillors DAVID LUMGAIR, JOHN RYMER, ALISON ANDREWS, BRIAN BOYD, DAVID FAIRWEATHER, JEAN LEE, BOB MYLES, MARK SALMOND and BOB SPINK.

Councillor LUMGAIR, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Colin Brown.

2. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct the following declaration of interest was made:-

- Councillor Lee declared an interest in item 9, case No 02/00149, as she was a former neighbour and friend of the individuals involved. She advised that she would be taking part in the discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 17 May 2011 was approved as a correct record and signed by the Convener.

4. BUILDING WARRANTS

The Committee noted that during the period 9-27 May 2011, a total of 46 Building Warrants, 11 Amendments to Warrants and 1 Demolition Warrant had been approved with an estimated cost of £1,608,850.

5. DELEGATED DECISIONS

The Committee noted that during the period 7-28 May 2011, a total of 65 planning applications had been approved and 2 refused under the Scheme of Delegation to officers.

PLANNING APPLICATIONS

6. PLOT 1, PHASE 2, BRENT AVENUE, MONTROSE

There was submitted Report No 410/11 by the Director of Infrastructure Services detailing application No 11/00301/FULL by Wilco Cabs Ltd for the erection of an industrial unit/workshop at Brent Avenue Industrial Estate, Montrose. The application was recommended for approval.

The Committee agreed that the application be approved, as detailed in the Report.

7. CRAIGTON FARM, CRAIGTON, DUNDEE

There was submitted Report No 411/11 by the Director of Infrastructure Services detailing application No 11/00044/FULL by Mrs Mary Craig for the erection of four dwellinghouses at Craigton Farm, Monikie.

The Committee noted that the application had been deferred to allow further consultation with the applicant.
8. PRINCESS ALEXANDRA HOUSE, 65 DUNDEE ROAD, FORFAR

There was submitted Report No 412/11 by the Director of Infrastructure Services detailing application No 10/01280/MSCM by Guide Dogs for the Blind for the approval of matters specified in conditions attached to outline planning permission 06/01149/OUT. The application was recommended for approval.

The Committee agreed that the application be approved, as detailed in the Report.

9. ENFORCEMENT UPDATE

There was submitted Report No 413/11 by the Director of Infrastructure Services on the progress of enforcement cases which had been previously agreed by this Committee.

The Committee agreed to note the contents of the Report.

10. ENFORCEMENT REPORT - PIPERDAM GOLF AND COUNTRY CLUB

With reference to Article 14 of the minute of meeting of this Committee of 26 April 2011, there was submitted Report No 414/11 by the Director of Infrastructure Services providing an update on the outcome of further investigation of unauthorised quad biking activities operating from Piperdam Golf and Country Club and on to Blacklaw Hill.

The Committee noted that the quad biking activities at Piperdam were part of an organised commercial operation which did not fall within the limits provided by Part 3, Class 15 of the General Permitted Development (Scotland) Order 1992.

The Committee therefore noted the contents of the Report and that a Notice would be served under the terms of Section 33A of the Town and Country Planning (Scotland) Act 1997 (as amended) requiring an application for planning permission for development already carried out, if a planning application was not submitted by 1 July 2011.

11. DEVELOPMENT MANAGEMENT REVIEW COMMITTEE DECISIONS

With reference to Article 14 of the minute of meeting of this Committee of 31 August 2011, there was submitted Report No 415/11 by the Director of Infrastructure Services detailing the outcome of recent cases considered by the Development Management Review Committee.

The Committee agreed to note the outcome of the cases to date.
ANGUS COUNCIL

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT REVIEW COMMITTEE held in the Canmore Room, Municipal Buildings, Forfar on Tuesday 7 June 2011 at 11.00 am.

Present: Councillors DAVID LUMGAIR, JOHN RYMER, ALISON ANDREWS, MARK SALMOND and BOB SPINK.

Also Present: IAN MITCHELL, Planning Adviser, STEPHEN BROWN, Legal Adviser and ELAINE WHITTET, Committee Officer.

Councillor LUMGAIR, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

In respect of item 4, The Bothy, Ethiehaven, Inverkeilor, it was noted that Councillor Salmond would substitute for Councillor Andrews for that item only.

2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

In terms of the Councillors’ Code of Conduct and Good Practice Guidelines, the following undernoted declaration of interest/intimation of contact was made:-

Councillor Lumgair intimated that, in relation to item 6, DMRC-26-2011, he knew the family and advised that he would not be taking part in the discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 17 May 2011 was submitted and approved as a correct record.

4. THE BOTHY, ETHIEHAVEN, INVERKEILOR

With reference to Article 4 of the minute of meeting of this Committee of 17 May 2011, there was submitted Report No 339/11 by the Director of Corporate Services detailing an application for a review of the decision taken by the Planning Authority in respect of the refusal for the change of use from boat store to dwellinghouse, including alterations and first floor extension at The Bothy, Ethiehaven, Inverkeilor.

The Committee noted that an unaccompanied site visit had taken place on Monday 6 June 2011 at 2.00 pm.

The Committee then gave consideration to the contents of the Report and to the papers submitted by the applicant and the Planning Authority.

Detailed discussion followed on the matter and the Committee agreed that, having considered the relevant information and having given full consideration to the reasons presented by the Planning Authority to refuse the application, it was the Committee's view that the application be approved as the development, almost a mirror image of neighbouring properties, fitted with the local character and pattern of the landscape. The proposed scale of the development massing and proportions fitted well within the existing policies and the application was therefore in compliance with Policy S3, conversion of a redundant stone built non-residential building and was in accordance with Policy SC5 in that it retained architectural style whilst allowing for a sensitively designed extension.

The review was accordingly upheld and the application approved, subject to appropriate conditions to be submitted to the next meeting of the Development Management Review Committee.
5. **PITAILIE FARM, NEWBIGGING**

There was submitted Report No 406/11 by the Director of Corporate Services detailing an application for a review of the decision taken by the Planning Authority in respect of the refusal of planning permission for the erection of a dwellinghouse and garage in garden grounds at Pitairlie Farmhouse, Newbigging.

The Committee then gave consideration to the contents of the Report and to the papers submitted by the applicant and the Planning Authority. The Committee thereafter confirmed that the new information submitted by the applicant be not taken into consideration when undertaking the review.

Discussion took place and the Committee agreed that the decision to refuse the application by the Head of Planning and Transport was in accordance with the Council's Local Plan Policy. The Director's decision was endorsed and accordingly the review dismissed.

6. **CAIRN COTTAGE, KIRRIEMUIR**

There was submitted Report No 409/11 by the Director of Corporate Services detailing an application for a review of the decision taken by the Planning Authority in respect of the refusal of alterations and extension to a house at Cairn Cottage, Kirriemuir.

The Committee gave consideration to the papers submitted by the appointed person and by the applicant and determined that they had sufficient information to consider the review at this meeting.

Following discussion, the Committee agreed that the decision to refuse the application by the Head of Planning and Transport was in accordance with the Council's Local Plan Policy. The Director's decision was endorsed and accordingly the review dismissed.
ANGUS COUNCIL

MINUTE of MEETING of the CORPORATE SERVICES COMMITTEE held in the Town and County Hall, Forfar on Thursday 9 June 2011 at 4.00 pm.

Present: Councillors MARK SALMOND, JOHN WHYTE, BRIAN BOYD, IAIN GAUL, ALEX KING, IAN MACKINTOSH, DAVID MAY, BILL MIDDLETON, PETER MURPHY, ROB MURRAY, BOB MYLES, PETER NIELD, HELEN OSWALD, JOHN RYMER and SANDY WEST.

Councillor SALMOND, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

Councillor King declared an interest in item 12 as he was a member and Treasurer of Abbey Theatre Club (Arbroath). He indicated he would leave the meeting while the matter was being considered.

Councillors West, May and Salmond declared an interest in item 6 as all were members of the Montrose Golf Links Committee of Management. They indicated that they enjoyed the benefit of the general dispensation issued by the Standards Commission in relation to Council appointments to outside bodies and that they would therefore participate in any discussion.

Councillors Nield, Rymer and Boyd declared an interest in items 14 and 15 as they were all property owners and landlords. They indicated they would leave the meeting while both matters were being discussed.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 28 April 2011 was approved as a correct record and signed by the Convener.

4. DISPOSAL OF LAND AT LOCHSIDE ROAD, FORFAR

With reference to Article 5 of the minute of meeting of this Committee of 2 September 2010, there was submitted Report No 416/11 by the Director of Corporate Services providing an update on negotiations for the proposed disposal of a site at Lochside Road, Forfar.

The Report indicated that Messrs J & D Shepherd had been instructed by the Head of Property to negotiate terms for disposal of a site at Lochside Road, Forfar and they had now advised that the solicitor acting on behalf of the developer had erroneously included the Council’s site when acquiring land for the development. J & D Shepherd had submitted a valuation figure to the solicitor who had advised that he had passed this to the company holding his professional indemnity insurance. Transfer of the land to the developer would not be concluded until the value of the site had been agreed and the necessary legal conveyancing completed, with the purchase price paid. A further complication to these negotiations had arisen, with notification that the developer of the flats, FMS Properties Ltd, had gone into administration. Negotiations would now be progressed, either through the administrator or with the insurer, to reach an agreed value for the land.

The Committee agreed:-

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

(ii) to note the position in respect of negotiations for the sale of the site at Lochside Road, Forfar.
5. PROPOSED LEASE OF LAND AT MANSFIELD AND NORTH LINKS COTTAGE, BROOMFIELD ROAD, MONTROSE

There was submitted Report No 417/11 by the Director of Corporate Services advising the Committee of the proposed lease of land at Mansfield, Broomfield Road, Montrose and at nearby North Links Cottage.

The Report indicated that Angus Council (Montrose Common Good) owned an area of land at Broomfield Road, Montrose, as shown on the plan attached to the Report as Appendix 1. The owners of the houses at Mansfield and North Links Cottage, Broomfield, Montrose had encroached onto part of this ground.

With regard to the encroachment of land, it was proposed to regularise the position, as detailed in the Report, with the Head of Property negotiating the sale of identified land at Mansfield, Broomfield Road, Montrose and the lease of land at nearby North Links Cottage, until the outcome of the forthcoming Local Development Plan.

The Committee agreed:

(i) to note the contents of the Report;

(ii) to note the position with the land at Broomfield, Montrose in relation to the Local Plan Review;

(iii) that the Head of Property enter into negotiations for the lease of the site marked "B" as shown on the plan at Appendix 1 to the Report, the indicative reduced site marked "A" (revised) on the plan at Appendix 2 and the grant of a servitude right of way along the access road leading to the house, with the owner of the Mansfield property, Broomfield Road, Montrose;

(iv) that the Head of Property enter into negotiations for lease of the site marked "C" as shown on the plan at Appendix 1 to the Report, with the owner of the house at North Links Cottage, Broomfield Road, Montrose; and

(v) to note that the outcomes of the negotiations would be reported back to Committee.

6. PROPOSED AMENDMENT TO THE MANAGEMENT AGREEMENT FOR THE GOLF COURSES ETC, MONTROSE

There was submitted Report No 418/11 by the Director of Corporate Services advising the Committee of the proposal to amend the current Management Agreement for the Montrose Golf Courses, with the addition of the pitch and putt course.

The Report indicated that the operation and maintenance of the pitch and putt course at The Links, Montrose was currently managed and maintained by the Director of Neighbourhood Services. This land was also held on the Montrose Common Good account and the Neighbourhood Services Department made an annual payment of £4,400 to the Montrose Common Good account for the use of the East Links recreation area which incorporated the pitch and putt course. It was proposed that the current Management Agreement with Montrose Golf Links Ltd be amended to include the pitch and putt course, with the responsibility for the operation and maintenance transferring from Angus Council to Montrose Golf Links Ltd at no cost to Angus Council. Angus Council would continue to make the payments to the Montrose Common Good Account to prevent any non-domestic rates liability for Montrose Golf Links Ltd.

The Committee agreed:

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

(ii) to approve the amendment to the current Management Agreement with Montrose Golf Links Ltd to include the pitch and putt course located at The Links, Montrose.
7. **PROPERTY TRANSACTION**

With reference to Article 9 of this Committee of 28 April 2011, there was submitted Report No 419/11 by the Director of Corporate Services advising the Committee of the outcomes of rent reviews, lease renewals, a sub-lease and a negotiated disposal, as detailed in the appendices to the Report.

The Committee agreed to note the conclusion of these negotiations, as detailed in the appendices to the Report.

8. **PROPERTY RENEWAL AND REPAIR FUND 2011/2012 PHASE 2**

With reference to Article 10 of the minute of meeting of this Committee of 10 March 2011, there was submitted Report No 420/11 by the Director of Corporate Services advising the Committee on the next programme of urgent repairs to be undertaken utilising the Property Renewal and Repair Fund.

The Report indicated that the repairs had been discussed and agreed with the respective departments as being their highest priorities for the funding and the proposed expenditure had been agreed with the Head of Finance.

The Committee agreed:-

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

(ii) to approve the next programme of works for the execution of urgent property repairs at an estimated cost of £325,270 by utilising the Property Renewal and Repair Fund.

9. **TERM CONTRACT FOR URGENT REPAIR AND JOBING CONTRACTS - MAINTENANCE OF PROPERTIES (EXCLUDING COUNCIL HOUSING) 2012-2017 - PROCUREMENT AUTHORITY APPROVAL REQUEST**

With reference to Article 7 of the minute of meeting of the Resources and Central Services Committee of 15 March 2007, there was submitted Report No 421/11 by the Director of Corporate Services seeking authority for the proposed procurement for Term Contract for Urgent Repair and Jobbing Contracts, Maintenance of Properties (Excluding Council Housing) where the maximum value of the contract was above the Chief Officers’ delegated authority limit.

The Report indicated that the current Urgent Repair and Jobbing Term Contract for the Maintenance of Properties (Excluding Council Housing) had commenced on 1 April 2007 and was due to expire on 31 March 2012. A new contract was therefore required to continue the annual repair and maintenance regime for minor works.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the indicative estimated overall cost of £14 million for urgent repair and jobbing works for the three year period 2012-2015 with provision for extensions to 2017 (at outturn prices);

(iii) to approve the procurement authority, as contained in the Report, in accordance with the process stated in section 16.8 of the Council's Financial Regulations;

(iv) to authorise the Head of Property to negotiate with and appoint contractors from other contract areas where a deficiency of contractors arose in a given trade category and contract area, due to circumstances outwith the control of the Council, and to empower the Head of Property, where appropriate, to recover all additional costs incurred as a result of such action from any defaulting contractor who had contributed towards such a deficiency, on the understanding that the outcome of all such negotiations were subsequently reported to Committee; and

(v) to note the financial implications included in section 5 of the Report.
10. HOUSING CAPITAL AND PLANNED MAINTENANCE PROGRAMME - HRA BLOCK - 2010/2011

With reference to Article 4 of the minute of meeting of the Neighbourhood Services Committee of 26 May 2011, there was submitted Joint Report No 361/11 by the Director of Neighbourhood Services and the Director of Corporate Services setting out the near final outturn of capital and planned maintenance spends to 31 March 2011 and updated funding proposals.

The Committee, for its interest, agreed:-

(i) to note the near final outturn expenditure figures presented for the Housing Capital and Planned Maintenance Programmes for the period to 31 March 2011;

(ii) to note the near final capital receipts position for the period to 31 March 2011; and

(iii) to note the proposed funding approach.

11. CAPITAL MONITORING - GENERAL FUND CAPITAL PROGRAMME - 2010/2011

With reference to Article 17 of the minute of meeting of this Committee of 28 April 2011, there was submitted Report No 422/11 by the Director of Corporate Services advising the Committee of the capital expenditure incurred for the period from 1 April 2010 to 31 March 2011 and measuring the unaudited capital expenditure for the year against budgeted provision.

The Report indicated that, at the close of the 2010/2011 financial year, unaudited actual gross expenditure was £3.231 million more than the gross budget of £24.668 million. Unaudited actual net expenditure was lower than the revised net budget of £13.615 million by £2.904 million. The provisional budgets previously set for 2011/2012 (Report No 109/11 refers) would require to be amended to take account of 2010/2011 actual expenditure as part of the forthcoming 2011/2012 Final Capital Budget Volume process.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the unaudited actual position on the General Fund Capital Programme as at 31 March 2011, as per tables 1 and 2 in the Report and the accompanying Capital Monitoring Statement set out in Appendix 1 to the Report; and

(iii) to note that the next meeting of the Capital Projects Monitoring Group was scheduled to take place on 16 June 2011.

12. REMISSON OF RATES

Councillor King, having declared an interest at item 2 above, left the meeting during consideration of this item.

With reference to Article 19 of the minute of meeting of this Committee of 20 April 2011, there was submitted Report No 423/11 by the Director of Corporate Services advising the Committee of applications for remission of rates and recommending that they should be granted, which would result in annual cost of £570.91 to the Council.

The Committee agreed to approve the applications for remission of rates, as detailed in Appendices A and B of the Report.
13. **AUTHORITY TO WRITE OFF BAD DEBTS (COUNCIL TAX, NON DOMESTIC RATES, HOUSING BENEFIT OVERPAYMENTS AND MISCELLANEOUS ACCOUNTS) FINANCIAL YEAR 2010/2011**

With reference to Article 20 of the minute of meeting of this Committee of 10 June 2010, there was submitted Joint Report No 424/11 by the Director of Corporate Services and the Head of Finance seeking authority to write off the amounts detailed as bad debts in respect of Council Tax (including water and sewage), Non-Domestic Rates, Housing Benefit overpayments and miscellaneous accounts which had either been in the hands of Sheriff Officers and Debt Recovery Agencies, or were untraced debtors.

The Committee agreed that the amounts detailed in the Report be written off, it having been noted that the files would remain open and every effort made to collect the debts, should circumstances change.

14. **REVIEW OF COUNCIL TAX LONG TERM EMPTY PROPERTY DISCOUNTS**

*Councillors Nield, Rymer and Boyd, having declared an interest at item 2 above, left the meeting during consideration of the following two items.*

With reference to Article 36 of the minute of meeting of the Resources and Central Services Committee of 3 February 2005, there was submitted Report No 425/11 by the Director of Corporate Services recommending a reduction in the level of Council Tax discount awarded to long term empty properties.

The Report indicated that Angus Council was one of only a few Scottish local authorities who were not fully utilising the flexibility afforded by legislation to vary the level of discount on long term empty properties. Dwellings classified as second homes currently only attracted a 10% discount. If the discount on long term empty homes was also reduced to 10%, it was recognised that there would be an adverse impact on Council Tax payers who owned properties which remained empty for more than 12 months. However, the benefits of increasing the revenue available for affordable housing provision made a persuasive argument for a change in the policy. The proposed change in policy, as detailed in the Report, might also have a secondary benefit if the increased Council Tax payable on the affected properties incentivised some owners to take action to get the property occupied.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note in particular, the benefits and issues associated with a change in policy, as outlined in section 5 of the Report; and

(iii) to approve a reduction in Council Tax discount on long term empty properties from 50% to 10% effective from 1 April 2012.

15. **HOUSING BENEFIT - LOCAL HOUSING ALLOWANCE - AMENDMENT TO LANDLORD DIRECT PAYMENT SAFEGUARD POLICY**

With reference to Article 19 of the minute of meeting of this Committee of 16 December 2007, there was submitted Report No 426/11 by the Director of Corporate Services advising the Committee of a change in the Housing Benefit (Amendment) Regulations 2010 which had come into force on 1 April 2011 and introduced an additional landlord direct payment safeguard provision.

The Report indicated that the amendment to the Housing Benefit Regulations from 1 April 2010 widened the discretion for local authorities to make payment direct to the landlord where they considered that it would assist the customer in securing or retaining a tenancy. For a tenancy to be secured or retained, the rent should be affordable to the tenant which was defined by the Department of Work and Pensions Guidance as at or below the relevant Local Housing Allowance rate. Payment direct to a landlord under the safeguard provision would only apply where the Council was satisfied there was evidence to establish that a tenant had been able to retain or secure a tenancy where the rent was set at a level the customer could afford whilst in receipt of housing benefit.
Appendix 1 to the Report set out the proposed new landlord direct payment safeguard policy and by improving the proposals detailed in the Report the Council would provide further assistance and support to existing and new Housing Benefit customers in retaining or securing a tenancy at a reduced rent in return for the landlord being paid the Housing Benefit direct.

The Committee agreed:-

(i) to note the changes to the Housing Benefit Regulations as detailed in the Report;

(ii) to note the changes were discretionary; and

(iii) to approve the proposed amendment to the Landlord Direct Payment Safeguard Policy as set out in Appendix 1 to the Report.

16. COUNCIL TAX AND NON-DOMESTIC RATES COLLECTION PERFORMANCE

With reference to Article 19 of the minute of meeting of this Committee of 10 June 2010, there was submitted Joint Report No 427/11 by the Director of Corporate Services and the Head of Finance advising the Committee of the collection performance details of Council Tax and Non-Domestic Rates for the year ended 31 March 2011 and setting out comparisons with previous financial years.

Arrears figures and recovery action were also referred to and all figures stated which related to the accounts for 2010/2011 were still subject to audit.

The Report indicated that, subject to audit, the figures showed the year’s collection of both Council Tax and Non-Domestic Rates had continued to improve, which had been achieved in the difficult current economic climate.

The Committee agreed:-

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

(ii) to note that the collection performance of Council Tax and Non-Domestic Rates had continued to improve.

17. PREPARATION OF THE 2012/2013 GENERAL FUND REVENUE BUDGET

With reference to Article 18 of the minute of meeting of this Committee of 10 June 2010, there was submitted Joint Report No 428/11 by the Director of Corporate Services and the Head of Finance advising the Committee of the current position in relation to the 2012/2013 revenue budget preparation process, identifying the main stages of the budget cycle and seeking approval of the proposed approach to revenue budget preparation for the 2012/2013 financial year.

The Report indicated that the budgetary process, as described in the Report, was largely similar to that adopted for the 2011/2012 budget and was in line with the Council’s Financial Regulations. Further reports regarding the revenue budget process would be brought forward as required, as the budget cycle progressed.

The Committee agreed:-

(i) to note the contents of the Reports;

(ii) to approve the approach to the budget preparation process as set out in Section 4 to the Report; and

(iii) to note the forward financial planning work that was underway, as set out in Section 5 to the Report.
18. PROCUREMENT PROGRAMME – ANNUAL REPORT 2010/2011

With reference to Article 10 of the minute meeting of Angus Council of 26 June 2010, there was submitted Report No 429/11 by the Director of Corporate Services summarising the Procurement Programme activities for the 2010/2011 financial year and updating the Committee on actual performance against the objectives included in the Tayside Procurement Strategy 2008-2011.

The Report indicated that full achievement had been met against all five programme objectives set by Tayside Procurement Consortium Council and the Corporate Procurement Team had been very successful in establishing a recognised procurement structure within the Council. The Council had made significant progress in the last three years and had both received national commendations and local praise in terms of its approach to procurement.

The Report concluded that the progress made with the Procurement Programme in 2010/2011 had established a good footing on which to continue with the procurement improvements being made by Angus Council in collaboration with its Tayside and other partners.

The Committee agreed to note the contents of the Report.

19. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2), that the public and press be excluded during the following item, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7a to the Local Government (Scotland) Act 1973, paragraphs 6, 8, 9 and 10.

20. LANDFILL TAX OPPORTUNITY

There was submitted Joint Report No 430/11 by the Chief Executive and the Director of Corporate Services providing details of a proprietary opportunity for Landfill Tax Operators to reclaim Landfill Tax paid on active materials deposited and outlining the risk/reward scenario and exit strategy utilised to progress this exercise with KPMG.

The Committee agreed the recommendations contained in the Report.
MINUTE of MEETING of the STRATEGIC POLICY COMMITTEE held in the Town and County Hall, Forfar on Tuesday 14 June 2011 at 4.00 pm.

Present: Councillors BOB MYLES, IAN MACKINTOSH, RUTH LESLIE MELVILLE MBE, IAIN GAUL, ALEX KING, DAVID MAY, GLENNIS MIDDLETON, JIM MILLAR, DONALD MORRISON, PETER MURPHY, PAUL VALENTINE, MARK SALMOND, BOB SPINK, MAIRI EVANS and JOHN WHYTE.

Councillor MYLES, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillor Andrews, Oswald and Welsh with Councillors Leslie Melville, Valentine and Evans substituting respectively.

2. DECLARATIONS OF INTEREST

Councillor Evans declared an interest in item 22 as a relative had a financial interest. She indicated that she would not participate in discussion and voting.

3. MINUTES

(a) Previous Meeting

The minute of meeting of this Committee of 3 May 2011 was approved as a correct record and signed by the Convener.

(b) Scrutiny and Audit Sub-Committee

The minute of meeting of the Scrutiny and Audit Sub-Committee of 17 May 2011, a copy of which is appended hereto, was submitted and noted (APPENDIX I).

(c) Appeals Sub-Committee

The minute of meeting of the Appeals Sub-Committee of 26 May 2011, a copy of which is appended hereto, was submitted and noted (APPENDIX II).

4. CORPORATE IMPROVEMENT PLAN

With reference to Article 7 of the minute of meeting of the Scrutiny and Audit Sub-Committee of 17 February 2011, there was submitted Report No 345/11 by the Chief Executive, advising of progress against actions within the 2010/11 Corporate Improvement Plan.

The Report indicated that of the 47 actions within the 2010 plan, 35 had been completed. The remaining 12 had been carried forward to the 2011/12 plan, 5 of which had 2011/12 completion dates and 1 was an annual ongoing action.

The Committee, for its interest, agreed to note the progress against the Council’s Corporate Improvement Plan 2010/11, as outlined in the Appendix to the Report.

5. SHARED RISK ASSESSMENT: ASSURANCE AND IMPROVEMENT PLAN 2011-14

With reference to Article 3 of the minute of the special meeting of Angus Council of 10 June 2010, there was submitted Report No 455/11 by the Chief Executive, detailing the Shared Risk Assessment: Assurance and Improvement Plan 2011/14 for Angus Council.
The Report indicated that the Shared Risk Assessment was a joint approach using key information about local government to plan scrutiny activity that was proportionate and risk based. The Shared Risk Assessment allowed scrutiny bodies to decide the level and detail of scrutiny which each Council required and where the audit should focus over the next three years. The Assurance and Improvement Plan indicated that there were no areas of significant concern within the Council.

The Committee agreed to note the terms of the Report and the Shared Risk Assessment Assurance and Improvement Plan 2011/14, as appended to the Report.

6. COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT 2011-14

There was submitted Report No 432/11 by the Chief Executive, seeking formal adoption of a Community Plan and Single Outcome Agreement for the Council for the period 2011-14.

The Report indicated that the Community Plan and Single Outcome Agreement set out the vision, values, priorities and key areas of work in which the Angus Community Planning Partnership and Angus Council would focus on over the period. A six monthly and annual report of progress against measures and actions would continue to be submitted to the Angus Community Planning Partnership, the Strategic Policy Committee and the Scrutiny and Audit Sub-Committee detailing this further information.

The Committee, for its interest, agreed to adopt the Community Plan and Single Outcome Agreement 2011-14, as appended to the Report.

7. CORPORATE PLAN 2011-15

With reference to Article 3 of the minute of the special meeting of Angus Council of 10 June 2010, there was submitted Report No 431/11 by the Chief Executive, seeking formal adoption of a Corporate Plan for the Council for the period 2011-15.

The Report indicated that the Plan set out the vision, values, priorities and key areas of work on which the Council would focus over the period 2011-15 and provided a framework for elected members, employees, partners and the Angus community. It was also designed to reflect the Council’s lead role in the Angus Community Planning Partnership and the important contribution which the Council made as an organisation towards achievement of the outcomes agreed by the Partnership.

The Committee agreed to adopt the Corporate Plan 2011-14, as appended to the Report.

8. CORPORATE RISK REGISTER

With reference to Article 5 of the minute of meeting of this Committee of 17 March 2009, there was submitted Report No 433/11 by the Chief Executive presenting the Corporate Risk Register following its annual review.

The Report indicated that the Corporate Risk Register was an integral part of the Council’s Risk Management Strategy which was subject to annual and, to ensure ongoing accuracy and relevance, quarterly reviews. The Corporate Risk Register identified the strategic risks facing the Council and was also informed by departmental risk registers which identified operational risks facing departments with any emerging risks across departments considered for elevation to the Corporate Risk Register.

The Committee agreed:-

(i) to note the terms of the Report; and

(ii) to approve the contents of the Corporate Risk Register following its annual review.
9. RISK MANAGEMENT STRATEGY

With reference to Article 5 of the minute of meeting of this Committee of 17 March 2009, there was submitted Report No 434/11 by the Chief Executive advising on the outcome of a review of the Council’s Risk Management Strategy.

The Report indicated that the review had highlighted certain amendments that were required to be made to the Risk Management Strategy. These essentially reflected changes which had been made to the Council’s Performance Management arrangements since the Strategy had been adopted in 2009. A tracked change version was attached as Appendix 2 to the Report to enable members to readily identify where the amendments had been made.

The Committee agreed to approve the Risk Management Strategy as amended, and as appended to the Report.

10. PUBLIC PERFORMANCE REPORTING

With reference to Article 4 of the minute of meeting of this Committee of 17 March 2009, there was submitted Report No 435/11 by the Chief Executive advising on the outcome of a review of the Council’s Public Performance Reporting Framework.

The Report indicated that the review had highlighted that certain amendments would have to be made to the reporting framework, which essentially reflected changes which had been made to the Council’s Performance Management Arrangements since the framework had been adopted in 2009. A tracked change version was appended to the Report to enable members to readily identify where amendments have been made.

The Committee agreed to approve the Public Performance Reporting Framework as appended to the Report.

11. CITIZENS’ PANEL SURVEY 2010/11

With reference to Article 3 of the minute of the special meeting of Angus Council of 10 June 2010, there was submitted Report No 436/11 by the Chief Executive giving a brief overview of the key findings from the 2010/11 Citizens’ Panel Survey.

The Report indicated that the survey had given a very positive picture of life in Angus with over 9 out of 10 people stating that they were either very or fairly satisfied with the quality of life in Angus (96.9%). This was an increase of 3.9% from the Angus Citizens’ Survey in 2009. The Report gave a brief overview of the key findings from the Panel Survey with a full copy of the Citizens’ Panel Survey Report appended to the Report.

The Committee agreed to note the findings that had emerged from the 2010/11 Citizens’ Panel Survey.

12. REMOVAL OF UK DEFAULT RETIREMENT AGE: IMPLICATIONS FOR ANGUS COUNCIL

There was submitted Report No 437/11 by the Chief Executive, proposing that, in light of legislative changes, the Council no longer operate with a retirement age.

The Report indicated that the Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011 had abolished the national default retirement age of 65 with effect from 1 October 2011. From that date employers would have to operate without a retirement age or adopt an “Employer Justified Retirement Age” (EJRA). The Report proposed that the Council did not adopt an EJRA and operated without a retirement age from 1 October 2011, thereby permitting employees to continue working for as long as they wished to do so, provided they could do so effectively and to retire at a time of their choosing. This would reinforce the Council’s commitment to equal opportunities and would recognise the value of a diverse workforce.

The Committee agreed that with effect from 1 October 2011, the Council no longer operated with a retirement age.

With reference to Article 6 of the minute of meeting of this Committee of 15 June 2010, there was submitted Report No 438/11 by the Chief Executive informing members of the principal areas of work undertaken by the Civil Contingencies Service for the period April 2010 to March 2011.

The Committee agreed to note and endorse the contents of the Report.

14. **INFORMATION GOVERNANCE**

There was submitted Report No 439/11 by the Director of Corporate Services proposing a policy for adoption by the Council for Information Governance and suggesting the setting up of a group to lead Information Governance within Angus.

The Report indicated that in 2010 an internal audit had been undertaken of the Council’s Information Governance Management arrangements, with the Council being measured against the Information Governance Toolkit established by the UK Government 2006. The Report set out proposals towards achieving compliance with the Government’s Information Governance Toolkit.

The Committee agreed:

(i) to approve the Information Governance Policy, as appended to the Report;

(ii) to approve the remit of the Information Governance Group, attached as Appendix 2 to the Report; and

(iii) to develop Information Governance within Angus Council in line with the Action Plan as detailed in Appendix 3 to the Report.

15. **ANTI-MONEY LAUNDERING POLICY**

With reference to Article 14 of the minute of meeting of the Corporate Services Committee of 27 January 2011, there was submitted Joint Report No 441/11 by the Director of Corporate Services and the Head of Finance detailing the proposed Anti-Money Laundering Policy for application within the Council.

The Report indicated that the Policy would ensure that the Council met its obligations under the relevant legislation and mitigated financial and reputational loss arising from money laundering activity through the provision of a reporting framework for suspicious activity.

The Committee agreed:

(i) to approve the Anti-Money Laundering Policy attached to this Report for application within the Council from 1 July 2011;

(ii) to approve the increase in the limit for receipt of cash by the Council from £2,000 to £4,000;

(iii) to approve the introduction of a formal approval process by the Head of Finance for receipt of cash, on a case by case basis, in excess of the £4,000 limit;

(iv) to note that Council approval was necessary to facilitate revision of the Financial Regulations to reflect the additions/amendments in (i), (ii) and (iii) above; and

(v) to note the complementary activities which the Head of Finance would take forward.
16. SCOTLAND’S CLIMATE CHANGE DECLARATION ANNUAL UPDATE REPORT

With reference to Article 9 of the minute of meeting of this Committee of 27 October 2009, there was submitted Joint Report No 442/11 by the Director of Infrastructure Services and the Director of Corporate Services highlighting progress made by the Council regarding its work to reduce its climate change impact to meet its commitment to the Scottish Climate Change Declaration. Attached to the Appendix to the Report were details of the actions undertaken using a template developed by the Sustainable Scotland Network.

The Committee agreed to note the contents of the Report and the progress the Council was making in regard to climate change.

17. DUNDEE, PERTH, ANGUS AND NORTH FIFE STRATEGIC DEVELOPMENT PLANNING AUTHORITY – TAYPLAN GOVERNANCE REVIEW

With reference to Article 37 of the minute of meeting of the Infrastructure Services Committee of 21 April 2009, there was submitted Report No 443/11 by the Director of Infrastructure Services setting out for ratification, proposed amendments to the governance arrangements of the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority as it related to the Minute of Agreement, Scheme of Delegation and Financial Regulations.

The Report indicated that the proposed amendments to the current governance arrangements would give greater flexibility to both the Joint Committee and the Strategic Development Planning Manager and would assist in ensuring delivery of the new style Strategic Development Plan for the Dundee, Perth, Angus and North Fife areas.

The Committee agreed:-

(i) to note that in relation to the Minute of Agreement, the Joint Committee had agreed that the number of ordinary meetings held each year should be reduced to two from the current number of four;

(ii) to note that with the exception of the changes outlined at (i) above, the Joint Committee had agreed the changes as set out in SDPA Report 06/11 as they related to the existing Minute of Agreement, Scheme of Delegation and Financial Regulations;

(iii) to approve the amendments to the existing Minute of Agreement, Scheme of Delegation and Financial Regulations as agreed by the Joint Committee at their meeting on 24 May 2011; and

(iv) to note that a revised Minute of Agreement, Scheme of Delegation and Financial Regulations would be prepared by Dundee City Council (as Clerk of the Joint Committee) for execution by the constituent Councils on these amendments.

18. DUNDEE, PERTH, ANGUS AND NORTH FIFE STRATEGIC DEVELOPMENT PLANNING AUTHORITY – TAYPLAN – PROPOSED STRATEGIC DEVELOPMENT PLAN 2012 - 2032

With reference to Article 37 of the minute of meeting of the Infrastructure Services Committee of 19 April 2011, there was submitted Report No 444/11 by the Director of Infrastructure Services setting out a suggested response by Angus Council to the formal publication of the TAYplan Proposed Strategic Development Plan 2012 – 2032 by the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority on 6 June 2011.

The Report indicated that the TAYplan Proposed Strategic Development Plan would provide the strategic land use planning guidance for the Dundee, Perth, Angus and North Fife areas. The guidance set out in that document was broadly compatible with the vision and objectives of Angus Council and would provide a positive framework from which the Council could develop the Angus Local Development Plan.

The Committee agreed to approve the TAYplan Strategy, Policies and Actions Plans and that no modifications were being sought by Angus Council to the proposed TAYplan Strategic Development Plan related documents.
19. BRECHIN FLOOD ALLEVIATION SCHEME – SOUTH ESK UPDATED POSITION

With reference to Article 17 of the minute of meeting of the Infrastructure Services Committee of 1 March 2011, there was submitted Report No 397/11 by the Director of Infrastructure Services, providing an update on the progress made on the proposed removal of the gravel bank from the River South Esk at Brechin opposite River Street and making recommendations with respect to the progression of various associated matters. The Report also updated the Committee on recent correspondence with Scottish Ministers in relation to the funding for flood prevention schemes generally.

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

(I) TO NOTE THE CURRENT POSITION IN RESPECT OF THE PROMOTION OF THE GRAVEL BANK REMOVAL AS SET OUT IN SECTION 4.3 OF THIS REPORT;

(II) TO INSTRUCT THE HEAD OF ROADS TO PROGRESS WITH THE PROCUREMENT OF THE ADDITIONAL SPECIALIST CONSULTANCY WORK REQUIRED TO PROVIDE HYDRAULIC MODELLING INFORMATION TO FURTHER PROGRESS THE LICENCE APPLICATION UNDER CAR REGULATIONS AND THE WORKS TO REMOVE THE GRAVEL BANK, AS SET OUT IN THE REPORT;

(III) TO APPROVE THE FUNDING PROPOSAL FOR THE PROPOSED WORKS TO REMOVE THE GRAVEL BANK AS SET OUT IN SECTION 5.4 OF THE REPORT;

(IV) TO INSTRUCT THAT A FURTHER DETAILED REPORT BE BROUGHT BACK TO THE INFRASTRUCTURE SERVICES COMMITTEE AFTER THE SUMMER RECESS REGARDING THE CAPITAL FUNDING OPTIONS FOR THE MAIN FLOOD ALLEVIATION SCHEME AS PUBLISHED, ONCE THE FULL IMPLICATIONS OF THE RECENT MINISTERIAL CORRESPONDENCE AND CONTACT WITH COSLA HAD BEEN CONSIDERED COMPREHENSIVELY.

Councillor Gaul, seconded by Councillor Spink, moved as an amendment, that this Committee does not proceed with the removal of the gravel bank from the River South Esk.

On a vote being taken, the members voted:-

For the motion:

Councillors Myles, Mackintosh, Leslie Melville, May, Millar, Murphy, Evans, Salmond and Whyte (9).

For the amendment:

Councillors Gaul, King, Glennis Middleton, Morrison, Spink and Valentine (6).

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

20. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order No 27(2) that the public and press be excluded from the meeting during consideration of the following items, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraph 1.

Councillor Evans having declared an interest at item 2, left the meeting at this point.

21. APPROVAL OF APPOINTMENT UNDER STANDING ORDER 49

There was submitted Report No 440/11 by the Director of Social Work and Health, seeking the Committee’s approval in accordance with Standing Order 49, to the appointment of a relative of a Senior Officer to the position of Resource Worker within the Children’s Services Section of the Social Work and Health Department.
The Committee agreed to note the contents of the Report and to approve the appointment of the individual concerned to the post of Resource Worker within the Social Work and Health Department.

22. **APPROVAL OF APPOINTMENT UNDER STANDING ORDER 49**

There was submitted Report No 456/11 by the Director of Neighbourhood Services, seeking the Committee's approval in accordance with Standing Order 49, to the appointment of a relative of an elected member to the position of Clerical Assistant within the Support and Resources Section of the Neighbourhood Services Department.

The Committee agreed to note the contents of the Report and to approve the appointment of the individual concerned to the post of Clerical Assistant within the Neighbourhood Services Department.
Councillors BOB SPINK, JOHN WHYTE, PAUL VALENTINE, ALEX KING, RUTH LESLIE MELVILLE MBE, BOB MYLES, HELEN OSWALD and JOHN RYMER.

Councillor SPINK, Convener, in the Chair.

1. **APOLOGIES/SUBSTITUTES**

   Apologies for absence were intimated on behalf of Councillors Iain Gaul, Ian Mackintosh and Mark Salmond with Councillors Paul Valentine, Ruth Leslie Melville and John Rymer substituting, respectively.

2. **DECLARATIONS OF INTEREST**

   There were no declarations of interest intimated.

3. **MINUTE OF PREVIOUS MEETING**

   The minute of meeting of this Sub-Committee of 5 April 2011 was submitted and approved as a correct record.

4. **HMIE INSPECTION OF AIRLIE PRIMARY SCHOOL AND NURSERY CLASS**

   There were submitted:

   (i) Summary Profile of Airlie Primary School;

   (ii) HMIE Report which identified the particular strengths of the school as being:-

      • highly motivated, confident children who are keen to share their learning;

      • staff interaction with children in the nursery;

      • close links with nearby schools and the contribution of parents and the Active Schools Co-ordinator which encourage the overall achievement of all children;

      • the involvement of children, staff and parents in developing the school grounds for fun and learning.

   The Report identified the following areas for improvement with the school and education authority:-

      • continue to improve children’s writing;

      • provide parents with better information about the curriculum and how to support their children’s learning;

      • involve children and parents fully in identifying and addressing school improvement priorities; and
(iii) HMIE Inspection follow-up action plan which identified against each of the recommendations, the key actions, staff responsibility, timescales and the success criteria.

Having heard from the Headteacher, Mrs Fiona Hislop in relation to the inspection process and having heard from a number of members, the Sub-Committee agreed to note the report and action plan.

5. SOCIAL WORK INSPECTION AGENCY – MULTI AGENCY INSPECTION OF SERVICES FOR PEOPLE WITH A LEARNING DISABILITY IN ANGUS

With reference to Article 8 of the minute of meeting of the Strategic Policy Committee of 3 May 2011, there was submitted Joint Report No 332/11 by the Director of Social Work and Health and the Director of Education informing elected members of the multi agency inspection of Learning Disability Services in Angus undertaken during October 2009 and also informing members of the service areas for evaluation, the gradings received and recommendations contained within the Report. Attached as an appendix to the Report was a multi-agency action plan on how the recommendations would be progressed in Angus.

The Sub-Committee, for its interest, agreed to note the contents of the Report and the Multi-Agency Inspection Report.

6. JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN IN ANGUS

With reference to Article 9 of the minute of meeting of the Strategic Policy Committee of 3 May 2011, there was submitted Joint Report No 333/11 by the Director of Social Work and Health and the Director of Education advising members of the findings of their recent Joint Inspection of Services to Protect Children in the Angus Council area carried out by HMIE during January 2011 and published on 21 April 2011.

The Report indicated that the inspection had identified a number of areas for improvement and it was proposed that these be addressed by the Angus Child Protection Committee and plans for addressing these would be detailed in the Child Protection Committee Annual Report that would be presented to elected members in due course.

The Sub Committee, for its interest, agreed:-

(i) to note the outcome of the Inspection of Services to Protect Children in Angus; and

(ii) to note the key areas for improvement and that the Angus Child Protection Committee would detail how these areas would be addressed in its annual report which would be submitted to elected members in due course.

7. CORPORATE IMPROVEMENT PLAN

With reference to Article 8 of the minute of meeting of this Sub-Committee of 15 February 2011, there was submitted Report No 345/11 by the Chief Executive advising of progress against actions within the 2010/11 Corporate Improvement Plan. The Report indicated that out of the 47 actions within the 2010 plan, 35 had been completed. The remaining 12 had been carried forward to the 2011/12 plan, 5 of which had 2011/12 completion dates and one was an annual ongoing basis.

The Sub-Committee, for its interest, agreed to note the progress against the Council’s Corporate Improvement Plan 2010/11, as outlined in the Appendix to the Report.

8. CORPORATE RISK REGISTER

With reference to Article 9 of the minute of meeting of this Sub-Committee of 21 September 2010, there was submitted Report No 346/11 by the Chief Executive presenting the Corporate Risk Register following its most recent review.
The Report indicated that the Corporate Risk Register identified the strategic risks facing the Council. It also informed by departmental Risk Registers which identified operational risks facing departments with any emerging risks across departments considered for elevation to the Corporate Risk Register. Following the annual review, the Corporate Risk Register showed three risks which fell above the risk tolerance line, and action plans for these were outlined in Appendix 3. For those risks that fell below the tolerance line, existing controls and actions were in place which were considered to be sufficient to keep the risk below the tolerance line. Further details on the risks below the risk tolerance line were detailed in Appendix 4.

Having heard the Chief Executive and the Director of Corporate Services update members in relation to the current position at County Buildings, the Sub-Committee, for its interest, agreed to note the terms of the Report and, in particular, the contents of the Corporate Risk Register as updated by the Chief Officers Management Team.

9. **AN OVERVIEW OF LOCAL GOVERNMENT IN SCOTLAND 2010**

With reference to Article 9 of the minute of meeting of this Sub-Committee of 6 April 2010, there was submitted Report No 347/11 by the Chief Executive appending a copy of the Audit Scotland Report “An Overview of Local Government in Scotland 2010” which related to local government work carried out in 2010 and other performance information published during the year. Within the Audit Scotland Report, there was set out a checklist of points for Councils to consider with Appendix 1 to the Report providing a self commentary identifying how Angus Council was dealing with and had dealt with the points raised.

The Sub-Committee agreed:

(i) to note the terms of Audit Scotland’s Report “An Overview of Local Government in Scotland 2010” and;

(ii) to note the commentary outlining the Angus Council position in response to the checklist of issues contained in Audit Scotland’s Report.

10. **INTERNAL AUDIT ACTIVITY UPDATE**

With reference to Article 8 of the minute of meeting of this Sub-Committee of 5 April 2011, there was submitted Report No 348/11 by the Head of Finance providing the Chief Internal Auditors update on the main findings of internal audit reports issued since the date of the last meeting of the Sub-Committee.

The Report indicated that five Internal audit reports had been finalised and issued as follows:-

- Integra Application Audit
- Payroll
- Lease of Council Properties
- SEEMIS
- Monifieth High School

In addition, two follow up reports had been issued, namely Keyholder Security - Corporate Services and the Small Business Bonus Scheme.

The Sub-Committee agreed:

(i) to note the summaries of the audit reports and follow-ups; and

(ii) to note that the Chief Internal Auditor would bring back to future Sub-Committees update reports in relation to follow-up audits including any outstanding actions;

11. **EXTERNAL AUDIT REPORTS**

With reference to Article 15 of the minute of meeting of this Sub-Committee of 15 February 2011, there was submitted Report No 349/11 by the Head of Finance presenting the External Audit Reports issued since the last Scrutiny and Audit Sub-Committee these being:-
• Progress Report at May 2011
• International Financial Reporting Standards (IFRS) Report

Having heard from Mr Ian Robbie of Henderson Loggie, the Sub-Committee agreed to note the contents of the External Audit Reports, as appended to the Report.

12. STANDARDS COMMISSION FOR SCOTLAND: COMPLAINTS AGAINST ANGUS COUNCILLORS

With reference to Article 5 of the minute of meeting of the Strategic Policy Committee of 27 October 2009, there was submitted Report No 350/11 by the Director of Corporate Services advising of complaints received by the Standards Commission for Scotland against Angus Councillors in 2010/2011.

The Report indicated that in the period 1 April 2010 to 31 March 2011, Angus Councillors had been referred to the Standards Commission for investigation on two separate occasions. No action had been taken in respect of one complaint. One complaint was still currently under investigation. All complaints were dealt with in Angus on a confidential basis and only the complainer and the member complained of received details of the investigation and its outcome.

The Sub-Committee agreed to note the terms of the Report.

13. EXCLUSION OF PUBLIC AND PRESS

The Sub-Committee agreed 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 possible disclosure of information which was exempt in terms of Part 1 of Schedule 7(A) to the Local Government (Scotland) Act 1973, paragraphs 1 and 6.

14. INTERNAL AUDIT INVESTIGATION ACTIVITY UPDATE

There was submitted Report No 351/11 by the Head of Finance updating the Sub-Committee on the investigation work conducted by Internal Audit.

The Sub-Committee agreed:-

(i) to note the summaries of investigation and outcomes;

(ii) that the Chief Internal Auditor would confirm to members what procurement training staff had been given as a result of the findings of the first two audit investigations; and

(iii) to note the Chief Internal Auditor would bring back to future Sub-Committees update reports as necessary.
APPENDIX II to the minute of meeting of the Strategic Policy Committee of 14 June 2011 (Article 3(c) refers)

MINUTE of MEETING of the APPEALS SUB-COMMITTEE of the STRATEGIC POLICY COMMITTEE held in the First Floor Meeting Room, 7 The Cross, Forfar on Thursday 26 May 2011 at 10.00 am.

Present: Councillors ROBERT MYLES, IAN MACKINTOSH and HELEN OSWALD.

Councillor MYLES, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

   There were no apologies intimated.

2. DECLARATIONS OF INTEREST

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

3. MINUTE OF PREVIOUS MEETING

   The minute of meeting of this Sub-Committee of 16 September 2010 was submitted and approved as a correct record.

4. EXCLUSION OF PUBLIC AND PRESS

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

5. SOCIAL WORK AND HEALTH DEPARTMENT – APPEAL AGAINST DISMISSAL

   The Sub-Committee considered an appeal against dismissal lodged by an employee of the Social Work and Health Department.

   There were admitted to the meeting the appellant and Lorraine Young, Senior Manager, Community Care Services.

   The Sub-Committee considered written and oral submissions by the appellant and by the Senior Manager, Community Care Services, including the statement of a witness called by the appellant, following which the parties withdrew from the meeting.

   Following discussion, the Sub-Committee found that the grounds of the appeal had not been substantiated and that accordingly the appeal be not upheld.

   The parties were recalled to the meeting and advised of the foregoing decision.
ANGUS COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the Town and County Hall, Forfar on Tuesday 14 June 2011 at 6.00 pm.

Present: Councillors IAN MACKINTOSH, DAVID FAIRWEATHER, MAIRI EVANS, JIM MILLAR, ROB MURRAY, MARK SALMOND and BOB SPINK.

Councillor MACKINTOSH, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Colin Brown, David Lumgair, Helen Oswald and Margaret Thomson.

2. DECLARATIONS OF INTEREST

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

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 3 May 2011 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 450/11 by the Director of Corporate Services detailing applications for licences under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts, which had been granted/renewed by the Head of Law and Administration in accordance with the Scheme of Delegation appended to Standing Orders.

The Committee agreed to note the applications, detailed in the Appendix to the Report, granted/renewed under delegated powers during the period 15 April to 30 May 2011.

5. DESIGNATED SPORTS GROUNDS AND REGULATED STANDS IN ANGUS

With reference to Article 6 of the minute of meeting this Committee of 7 September 2010, there was submitted Report No 449/11 by the Director of Corporate Services which dealt with the annual inspection by the Tayside Sports Ground Safety Team of Gayfield Park, Arbroath, and the regulated stands at Links Park, Montrose, Glebe Park, Brechin and Station Park, Forfar.

The Committee agreed:-

(i) to note the outcome of the annual inspections of the sports ground at Gayfield Park, Arbroath and the regulated stands at Links Park, Montrose, Glebe Park, Brechin and Station Park, Forfar;

(ii) to note that the General Safety Certificates would be issued to Arbroath, Brechin, Forfar and Montrose Football Clubs covering the period 1 July 2011 to 30 June 2012, subject to the identified actions being taken by the clubs;

(iii) to remit to the Tayside Sports Ground Safety Team to follow up the various matters raised in the Inspection Reports with the clubs concerned; and

(iv) that a letter be issued to Montrose Football Club advising them of the Committee's concerns regarding the observations by members of Tayside Sports Grounds Safety Team that the Club had not taken forward recommendations from last years inspection.

With reference to Article 6 of the minute of meeting of this Committee of 23 February 2010, there was submitted Report No 451/11 by the Director of Corporate Services regarding a notification by the Wishart Arch Defenders L.O.L. 444 that they proposed to hold a public procession on Saturday 25 June 2011 at 08.15 hours, and their request to lay a wreath at The Cross, Forfar.

The Report advised that the normal consultation process had been undertaken regarding the holding of the public procession and, in the absence of any objections, the Head of Law and Administration determined that no Order be made prohibiting the holding of the procession or imposing conditions on the holding of it.

The Committee noted that on the 12 May 2011, further correspondence had been received from Wishart Arch Defenders L.O.L. 444 advising that they wished to lay a wreath at The Cross, Forfar in memory of all those who had paid the ultimate sacrifice. This being the purpose of the Report.

Chief Inspector Richard, Tayside Police, addressed the Committee, during which she advised that there were no policing objections to the procession taking place.

The Committee agreed: -

(i) to note that in the absence of objections, the Head of Law and Administration determined that no Order be made prohibiting the holding of the procession or imposing conditions on the holding of it; and

(ii) not to permit the laying of a wreath at The Cross, Forfar, in the course of the procession.

7. 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 items, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7a to the Local Government (Scotland) Act 1973, paragraphs 3 and 6 and 12.

8. NEW APPLICATIONS

There was submitted Report No 452/11 by the Director of Corporate Services on applications received for new Licences under the Civic Government (Scotland) Act 1982 which required to be determined by the Committee, as detailed in the Appendix to the Report.

(a) Window Cleaner’s Licence (WC5)

The Committee considered a letter of representation received from Tayside Police dated 17 May 2011 in relation to an application for a Window Cleaner’s Licence (WC5) received on 4 May 2011.

The applicant was present and addressed the Committee.

After hearing from Chief Inspector Richard, the Committee agreed that the application be granted for six months only, subject to the standard conditions.

(b) Street Trader’s Licence (ST1)

The Committee considered a letter of objection received from Tayside Police dated 29 March 2011 in relation to an application for a Street Trader’s Licence (ST1) received on 3 March 2011.

The applicant was present and addressed the Committee. Chief Inspector Richard then spoke in support of the objection from Tayside Police and gave details of the current conviction detailed in Appendix I to the above letter.
Chief Inspector Richard then addressed the Committee in respect of the Committee admitting details of spent convictions in respect of the applicant. Chief Inspector Richard addressed the Committee on the classes, age and seriousness of the spent convictions. The Committee determined, in all the circumstances, that justice could not be done without admitting details of the spent convictions.

The Committee then noted the outline details of the spent convictions and that no further details were available.

The applicant then summed up.

The Committee agreed that the application be refused as the applicant was not a fit and proper person to be the holder of the licence.

(c) Late Hours Catering Licence (LHC3)

The Committee considered a letter of objection received from Tayside Police dated 12 May 2011 in relation to an application for a Late Hours Catering Licence (LHC3).

The applicant was present and addressed the Committee.

Chief Inspector Richard then addressed the Committee on the terms of the objection from Tayside Police.

COUNCILLOR FAIRWEATHER, SECONDED BY COUCILLOR MILLAR, MOVED THAT THE LATE HOURS CATERING LICENCE BE GRANTED FOR THE HOURS SUNDAY TO FRIDAY 12 MIDNIGHT TO 5AM.

Councillor Spink seconded by Councillor Murray, moved as an amendment, that the late hours catering licence be granted subject to reduced hours.

On a vote being taken, the members voted:-

For the motion:-

Councillors Fairweather, Evans, Millar and Salmond (4)

For the amendment:-

Councillors Mackintosh, Murray and Spink (3)

The motion was therefore declared carried which accordingly became the finding of the meeting.

9 CURRENT LICENCE – REPRESENTATIONS/OBJECTIONS

There was submitted Report No 453/11 by the Director of Corporate Services regarding representations/objections received in connection with a current licenceholder under the Civic Government (Scotland) Act 1982 which required to be considered by the Committee, as detailed in the Appendix to the Report.

Taxi Driver’s Licence and Taxi Operator’s Licence

The Committee considered information in relation to a Taxi Driver’s Licence and a Taxi Operator’s Licence, advising that the licenceholder had a current conviction against him as detailed in the letter from Tayside Police dated 29 March 2011.

The applicant’s agent was present and addressed the Committee in respect of both licences in one submission.

The Committee agreed:-

(i) to note the representations regarding the licenceholder's taxi driver's licence and advised the licenceholder that the information may be reconsidered by the Committee should any further information be submitted; and
(ii) to take no action regarding the licenceholder's taxi operators licence.

10. RIVERVIEW CARAVAN PARK, MONIFIETH

There was submitted Report No 454/11 by the Director of Corporate Services regarding the residential occupation of a number of caravans at Riverview Caravan Park, Monifieth and noted that representations had been made on behalf of a number of residential occupiers at Riverview Caravan Park.

Following discussion, the Committee agreed to approve the recommendations as detailed in the Report.