ANGUS COUNCIL

to be held on

24 OCTOBER 2013

MINUTES 2013

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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 September 2013 at 4.00pm.

Present: Provost HELEN OSWALD, Depute Provost ALEX KING, Councillors BILL BOWLES, BRIAN BOYD, COLIN BROWN, LYNNE DEVINE, BILL DUFF, MAIRI EVANS, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GAUL, JEANETTE GAUL, MARTYN GEDDES, SHEILA HANDS, JIM HOUSTON, DAVID MAY, IAN McLAREN, GLENNIS MIDDLETON, DONALD MORRISON, ROB MURRAY, BOB MYLES, RONNIE PROCTOR, MARK SALMOND, EWAN SMITH, BOB SPINK, MARGARET THOMSON, PAUL VALENTINE and SHEENA WELSH.

PROVOST HELEN OSWALD, in the Chair.

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

Councillor Fotheringham declared a financial interest in item 4(a) as he was an employee of Royal Mail. He indicated that he would not participate in discussion and voting and would leave the meeting during consideration of this item.

Councillor Ronnie Proctor declared an interest in item 4(a) as his son was an employee of Royal Mail. He indicated that he would participate in any discussion and voting.

3. MINUTES OF THE COUNCIL AND COMMITTEES

(i) Minute of Previous Meeting

(a) Angus Council

The minute of meeting of Angus Council of 20 June 2013 was submitted and approved as a correct record.

(ii) Minutes of Council Sub-Committees

(b) Appointments Sub-Committee

The minute of meeting of the Appointments Sub-Committee of 18 April 2013 was submitted and noted.

(c) Appointments Sub-Committee

The minute of meeting of the Appointments Sub-Committee of 27 May 2013 was submitted and noted.

(d) Appointments Sub-Committee

The minute of meeting of the Appointments Sub-Committee of 14 June 2013 was submitted and noted.

(e) Appointments Sub-Committee

The minute of meeting of the Appointments Sub-Committee of 24 June 2013 was submitted and noted.
(iii) Minutes of Committees

(f) Civic Licensing Committee (Special)

The minute of the special meeting of the Civic Licensing Committee of 12 June 2013 was submitted and noted.

(g) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 13 June 2013 was submitted and noted.

(h) Strategic Policy Committee (Special)

The minute of meeting of the special Strategic Policy Committee of 25 July 2013 was submitted and noted.

(i) Development Standards Committee

The minute of meeting of the Development Standards Committee of 6 August 2013 was submitted and noted.

(j) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 6 August 2013 was submitted and noted.

(k) Social Work and Health Committee

The minute of meeting of the Social Work and Health Committee of 8 August 2013 was submitted and noted.

(l) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 13 August 2013 was submitted and noted.

(m) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 15 August 2013 was submitted and noted.

(n) Neighbourhood Services Committee

The minute of meeting of the Neighbourhood Services Committee of 15 August 2013 was submitted and noted.

(o) Infrastructure Services Committee

The minute of meeting of the Infrastructure Services Committee of 20 August 2013 was submitted and noted.

(p) Education Committee

The minute of meeting of the Education Committee of 22 August 2013 was submitted and noted.

(q) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 26 August 2013 was submitted and noted.
Development Standards Committee

The minute of meeting of the Development Standards Committee of 27 August 2013 was submitted and noted.

Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 27 August 2013 was submitted and noted.

Corporate Services Committee

The minute of meeting of the Corporate Services Committee of 29 August 2013 was submitted and noted.

Strategic Policy Committee

The minute of meeting of the Strategic Policy Committee of 3 September 2013 was submitted and noted.

Councillor Fotheringham, having declared an interest at item 2 left the meeting during consideration of the following item.

4. MOTION IN TERMS OF STANDING ORDER 24(1)

(a) Privatisation of Royal Mail

Councillor Valentine, seconded by Councillor Proctor moved that this Council:-

"(i) agrees that the privatisation of Royal Mail is a ludicrous proposal and should never be allowed to happen;

(ii) agrees that The Royal Mail service, which has been in existence for over 350 years, will be decimated if privatisation goes ahead and that such a move will have an extremely negative effect on Royal Mail customers, particularly to those living in rural areas; and

(iii) instructs the Chief Executive to write to the Right Honourable Vince Cable, demanding the withdrawal of this entirely unnecessary proposal for legislation."

The Council agreed to approve the motion.

5. CARNoustie GOLF LINKS MANAGEMENT COMMITTEE – OFFICER REPRESENTATION

The Council resolved to approve the appointment of Mr Alan McKeown, Strategic Director – Communities as a Council appointed Director to the Carnoustie Golf Links Management Committee to replace Mr Neil Prentice, Senior Service Manager, Economic Development.

In accordance with the provisions of Standing Order 25(2) the Provost ruled that in light of 19 members of the Council recording their dissent to the outcome of the decision on 20 June 2013 a material change of circumstances had occurred to the extent that it was appropriate for Report No 400/13 to be reconsidered.

6. COMMON GOOD AUDIT ARBROATH – LEGAL ADVICE

With reference to Article 19 of the minute of meeting of Angus Council of 20 June 2013 there was resubmitted Report No 400/13 by the Strategic Director – Resources providing members with Counsel’s Opinion regarding the title for Arbroath Library.

The Report indicated that the legal advice reported previously by the Head of Law and Administration following the advice of Senior Counsel was that Arbroath Library should form part of the General Fund of the Council. This remained the legal advice. The Council was therefore asked to agree that Arbroath Library should be transferred to Angus Council’s General Fund from the Arbroath Common Good and that the associated financial implications
of such transfers as stated in Report No 722/12 be applied. As agreed, a copy of the Memorial for Counsel and Counsel’s Opinion was attached as an appendix to the Report.

Councillor Iain Gaul, seconded by Councillor Murray, moved that this Council approve recommendations (i) to (iv) as detailed in Article 19 of the minute of meeting of Angus Council of 20 June 2013.

COUNCILLOR SPINK, SECONDED BY COUNCILLOR FAIRWEATHER, MOVED AS AN AMENDMENT, THAT THIS COUNCIL AGREES:-

(i) TO NOTE RECOMMENDATION (I) OF REPORT NO 400/13;

(ii) TO INSTRUCT THE CHIEF EXECUTIVE TO LIAISE WITH THE IMPROVEMENT SERVICE ON AN APPROPRIATELY WORDED PETITION THAT MAY BE LODGED WITH THE SCOTTISH PARLIAMENT PETITIONS COMMITTEE, URGING THE PARLIAMENT TO ACT ON THE SUGGESTIONS CONTAINED IN THE JUNE 2008 STUDY BY THE IMPROVEMENT SERVICE ON COMMON GOOD; AND

(iii) IN THE MEANTIME, TO RETAIN ARBROATH LIBRARY ON THE COMMON GOOD.

At this stage, in light of the terms of Councillor Spink’s amendment, Councillor Murray declared an interest as he was a non-executive director of the Improvement Service. He indicated that he would participate in any discussion and voting.

On a vote being taken, the members voted:-

For the motion:

Provost Helen Oswald, Councillors Bowles, Boyd, Devine, Duff, Iain Gaul, Jeanette Gaul, Hands, Murray (9).

For the amendment:


No vote:

Councillor Myles (1).

The amendment was declared carried and the Council resolved accordingly.

In light of the foregoing decision and in accordance with provisions of Standing Order 36(2), the Council resolved that the order of business of the meeting be amended from the published agenda, as undernoted.

7. COMMON GOOD AUDIT ARBROATH

With reference to Article 19 of the minute of meeting of Angus Council of 20 June 2013, there was submitted Report No 506/13 by the Strategic Director – Resources advising members of discussions with the Improvement Service and seeking approval for the wording of a Petition to be lodged with the Scottish Parliament Petitions Committee seeking government support for the proposals contained in the Improvement Service Report “The Management of Common Good Assets and Funds” of June 2008.

Having heard from the Head of Legal and Democratic Services, the Council resolved:-

(i) to note that the Head of Legal and Democratic Services had written to Colin Mair, Chief Executive, Improvement Service and to note the verbal update provided; and

(ii) to approve the wording of the draft Petition as detailed in paragraph four of the Report and instruct the Chief Executive to progress the Petition application with the Scottish Parliament.
8. **PUBLIC BODIES (JOINT WORKING) (SCOTLAND) BILL**

There was submitted Report No 504/13 by the Chief Executive outlining the key messages from the Public Bodies (Joint Working) (Scotland) Bill which had been published on 28 May 2013.

The Bill provided the framework which would support the improvement of the quality and consistency of health and social care services through the integration of health and social care in Scotland. The Scottish Ministers intended to use the framework to integrate adult health and social care services as a minimum and for statutory partners to decide locally whether to include other functions in their integrated arrangements.

The Council resolved:-

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

(ii) to request the Chief Executive bring an updated report on the Public Bodies (Joint Working) (Scotland) Act when it was enacted.

9. **HEALTH AND SOCIAL INTEGRATION TOWARDS EFFECTIVE GOVERNANCE**

There was submitted Report No 505/13 by the Chief Executive outlining proposals in relation to the development of shadow governance arrangements for Adult Health and Social Care Integration and the establishment of a Shadow Joint Board in Angus from 1 October 2013 to 31 March 2015.

The Report indicated that the proposed interim model for health and social care in Angus would build on the existing trust and effective working relationships with the current partnership and would not seek to develop new organisations or new structures. The focus of the Shadow Board would be on services for adults with a multiplicity and complexity of the need regardless of chronological age.

PROVOST HELEN OSWALD, SECONDED BY COUNCILLOR IAIN GAUL, MOVED THAT THIS COUNCIL:-

(I) APPROVES THE PROPOSALS IN RELATION TO HEALTH AND SOCIAL CARE GOVERNANCE OUTLINED IN THE REPORT; AND

(II) APPROVES THE ESTABLISHMENT OF A SHADOW JOINT BOARD FOR HEALTH AND SOCIAL CARE IN ANGUS FROM 1 OCTOBER 2013;

(III) REQUESTS THE CHIEF EXECUTIVE BRING A FUTURE REPORT TO COUNCIL ON PROGRESS OF THE ESTABLISHMENT OF A HEALTH AND SOCIAL CARE JOINT BOARD IN ANGUS; AND

(IV) THAT THE EXISTING MEMBERSHIP OF THE HEALTH AND SOCIAL INTEGRATION OVERSIGHT GROUP (BEING COUNCILLORS IAIN GAUL, GLENNIS MIDDLETON AND JIM HOUSTON) BE APPOINTED TO THE SHADOW BOARD.

Councillor May, seconded by Councillor Fairweather, moved as an amendment, that this Council approves recommendations (i) to (iii) in the Report and that the Shadow Board comprise one non-administration member.

On a vote being taken the members voted:-

For the motion:

Provost Helen Oswald, Depute Provost Alex King, Councillors Devine, Duff, Evans, Iain Gaul, Jeanette Gaul, Hands, Houston, Middleton, Morrison, Murray, Valentine and Morrison (14).

For the amendment:-

There being an equality of votes, the Provost exercised her casting vote in favour of the motion and the Council resolved accordingly.

10. DISSOLUTION OF MONTROSE COMMUNITY COUNCIL

There was submitted Report No 507/13 by the Strategic Director – Resources advising members that the membership numbers of Montrose Community Council had fallen below the required minimum for a period of six months and requesting approval to formally dissolve the Community Council.

The Report indicated that the dissolution of Montrose Community Council at this time did not prevent a request from 20 electors in the Community Council area to make arrangements for the re-establishment of a Community Council being submitted to the Returning Officer at any time and that should such a request be received the Returning Officer would make such arrangements as necessary to hold an election.

The Council resolved to approve the dissolution of Montrose Community Council under the terms of Section 14(b) of the Angus Scheme for the Establishment of Community Councils.

11. TREASURY MANAGEMENT ANNUAL REPORT – 2012/13

With reference to Article 7 of the minute of meeting of the Scrutiny and Audit Committee of 13 August 2013, there was submitted Report No 440/13 by the Head of Corporate Improvement and Finance detailing the Treasury Management activities in 2012/13.

The Report indicated that as a result of sound treasury management activity, the Council had been able to meet all its financial obligations and cashflow requirements throughout the financial year without encountering any liquidity problems. A higher than budgeted return on investments had been delivered in highly volatile economic conditions and in compliance with the Treasury Management policies and strategy.


12. TAYSIDE JOINT POLICE BOARD – TREASURY MANAGEMENT ANNUAL REPORT 2012/13

There was submitted Report No 508/13 by the Head of Corporate Improvement and Finance on Tayside Joint Police Board’s annual report on treasury management activities in 2012/13.

The Report indicated that as from 1 April 2013, in accordance with the provisions of the Police and Fire Reform (Scotland) Act 2012, the functions and responsibilities of Tayside Joint Police Board had transferred to the new Scottish Police Authority. Angus Council had however, been given some residual responsibilities relating to the former Board in order to ensure completion of the 2012/13 Board accounts and related governance matters. It was considered appropriate therefore for members of Angus Council to note the Treasury Management Annual Report 2012/13 on behalf of Tayside Joint Police Board.

The Council resolved to note the annual report on the 2012/13 treasury management activities on behalf of Tayside Joint Police Board, attached as Appendix 1 to the Report.

13. POLICY FOR THE APPROPRIATION OF SURPLUS GENERAL FUND ASSETS TO THE HOUSING REVENUE ACCOUNT FOR AFFORDABLE HOUSING

There was submitted Report No 509/13 by the Strategic Director – Communities setting out a policy for the appropriation of surplus Council assets to the Housing Revenue Account (HRA) to help increase the supply of land for the provision of affordable housing. In addition, there was submitted some contextual information which related to Report No 509/13.

The Report indicated that for the Council to meet its strategic aims under the Single Outcome Agreement and Local Housing Strategy, it was essential that surplus land and buildings from within the Council was available at an appropriate level to help facilitate the provision of affordable housing. The proposals contained in the Report would help the Council to take a
fully co-ordinated approach to community sustainability and housing need in the short, medium and long term.

The Council resolved:-

(i) to approve the policy and valuation methodology for the appropriation of surplus assets from the General Fund to the HRA, as set out in Sections 3 and 4 and Appendices 1 and 2 of the Report;

(ii) to agree that affordable housing could then be delivered through the most appropriate organisation, either by the Council, or through one of its Housing partners;

(iii) to note the potential financial implications arising for both the General Fund and Housing Revenue Account as set out in Section 6; and

(iv) to note that subject to approval of this policy, amendments would require to be made to Standing Orders and Financial Regulations.

14. EXCLUSION OF PUBLIC AND PRESS

Having heard from the Strategic Director – Communities, the Council resolved 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 7A of the Local Government (Scotland) Act 1973 paragraph 8.

15. PROPOSED RESIDUAL WASTE PROCUREMENT PARTNERSHIP WITH DUNDEE CITY COUNCIL

The Strategic Director – Communities advised members of proposals in relation to a residual waste procurement partnership with Dundee City Council.

Following a number of questions the Council resolved to note the position.
MINUTE of MEETING of the DEVELOPMENT STANDARDS COMMITTEE held in the Town and County Hall, Forfar on Tuesday 17 September 2013 at 10.00 am.

Present: Councillors ROB MURRAY, LYNNE DEVINE, BILL BOWLES, BILL DUFF MAIRI EVANS, DAVID FAIRWEATHER, ALEX KING, DAVID LUMGAIR, IAN McLAREN and BOB SPINK.

Councillor MURRAY, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillors Craig Fotheringham and Jeanette Gaul.

2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

In terms of the Councillors’ Code of Conduct, the following declaration of interest/intimation of contact was made:-

- Councillor Fairweather declared an interest in Item 7, Report No 513/13, as he had been contacted by a number of constituents regarding another property owned by the applicant. He had not expressed any view or opinion and indicated that he would be taking part in any discussion and voting.

3. BUILDING WARRANTS

The Committee noted that during the period 19 August to 6 September 2013, a total of 43 Building Warrants and 15 Amendments to Warrant had been approved with an estimated cost of £6,383,800.

4. DELEGATED DECISIONS

The Committee noted that during the period 20 August to 10 September 2013, a total of 69 planning applications had been approved and 3 refused under the Scheme of Delegation to Officers.

5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 27 August 2013 was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

6. 38 PRIOR ROAD, FORFAR

There was submitted Report No 512/13 by the Strategic Director – Communities detailing application No 13/00711/FULL by Angus Council for the proposed change of use from DVLA offices into a two bedroomed residential flat at 38 Prior Road, Forfar. The application was recommended for approval.

Slides were shown.

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

7. 15 OLD SHORE HEAD, ARBROATH

There was submitted Report No 513/13 by the Strategic Director – Communities detailing application No 13/00494/FULL by Mr Ashraf for the formation of an upper level above an existing extension on the north/rear elevation of a 2½ storey semi-detached dwellinghouse at 15 Old Shore Head, Arbroath. The application was recommended for approval.
Slides were shown.

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

8. **ENFORCEMENT UPDATE**

There was submitted Report No 514/13 by the Strategic Director – Communities on the progress of enforcement cases which had been agreed previously by the Development Standards Committee.
Prior to the commencement of business, the Convener welcomed the Angus members of the Tayside Team who had recently competed in the Great Britain Special Olympic National Games in Bath and had returned with an impressive achievement of 123 medals. There had been 44 athletes and 13 coaches in the Team from Angus and they had achieved an impressive 16 gold, 21 silver and 19 bronze medals. The Convener and Vice Convener, on behalf of the Committee, congratulated all those involved on their magnificent achievements.

1. REQUEST FOR A DEPUTATION

The Council agreed, in accordance with Standing Order 12, to receive a deputation from Mr Burke on behalf of South Angus Parent Carers for Adults with Learning Disabilities (SAPALD) on the subject of the Accommodation Strategy for People with a Learning Disability.

Mr Burke addressed the meeting and asked members to consider a number of statements fundamental to the value of the proposed strategy before proceeding to consider the Accommodation Strategy for People with a Learning Disability.

There being no questions, Mr Burke was thanked for his attendance and withdrew to the public benches.

2. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillor Mairi Evans with Councillor Bill Duff substituting.

3. DECLARATIONS OF INTEREST

Councillor Boyd declared a non-financial interest in item 6 as he had attended three meetings of South Angus Parent Carers for Adults with Learning Disabilities (SAPALD). He indicated that he would participate in any discussion and voting on this item.

4. MINUTES

(a) Previous Meeting

The minute of meeting of this Committee of 8 August 2013 was approved as a correct record and signed by the Convener.

With reference to Article 8 of the minute of meeting, Councillor May requested a further update in relation to Self-Directed Support. Lorraine Young, Senior Manager, advised that a members’ briefing would be arranged to take place in the near future.

(b) Executive Sub-Committee

The minute of meeting of the Executive Sub-Committee of 3 September 2013, a copy of which is appended hereto, was submitted and noted. (APPENDIX I)
5. **CONTRACT FOR THE PROVISION OF AN INDEPENDENT INTERMEDIATE CARE SERVICE AND CONTRACT FOR THE PROVISION OF A HIGH DEPENDENCY RESPITE CARE SERVICE FOR OLDER PEOPLE**

With reference to Article 5 of the minute of meeting of this Committee of 16 February 2012, there was submitted Report No 510/13 by the Strategic Director – People advising members of the current provision of the intermediate care service designed to facilitate the discharge of older people from hospital; and of a high dependency respite care service which catered for older people who had either high personal care needs or dementia in a nursing home setting, and setting out proposals for the extension of these contracts.

The Report indicated that extending the existing contracts for the independent intermediate care service and the high dependency respite care for older people service would allow Social Work and Health to fully consider the implications of the Joint Commissioning Strategy for older people arising from the integration of Health and Social Work Services, while maintaining continuity of service. If approved, a further Report would be presented to Committee for approval of a competitive tender for the provision of these services.

The Committee agreed:

(i) to note the current provision of an independent intermediate care service and a high dependency respite care service for older people, both contracts currently in place with Cairnie Lodge, Arbroath;

(ii) to approve an exemption in terms of Financial Regulations 16.24.10(d) to allow the extension until 30 September 2014 of the contracts for the provision of independent intermediate care and high dependency respite care; and

(iii) to note that the Joint Commissioning Strategy for older people would determine if these services would be required in the longer term and if so, whether a competitive tendering exercise needed to be carried out to obtain best value for the Council in the provision of these services.

6. **ACCOMMODATION STRATEGY FOR PEOPLE WITH A LEARNING DISABILITY**

The Convener referred to Item 6 on the agenda and advised members that Report No 511/13 was being withdrawn.

The Committee also heard from the Democratic Services Manager who reminded all present that the Report remained an exempt paper. The Principal Solicitor also indicated that the Report contained information, that if disclosed, could lead to a breach of the Data Protection Act 1998.
MINUTE of MEETING of the SOCIAL WORK AND HEALTH EXECUTIVE SUB-COMMITTEE held in First Floor Meeting Room, 7 The Cross, Forfar on Tuesday 3 September 2013 at 3.30 pm.

Present: Councillors GLENNIS MIDDLETON, MAIRI EVANS and DAVID MAY.

Councillor MIDDLETON, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Jim Houston with Councillor Mairi Evans substituting.

2. DECLARATIONS OF INTEREST

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

3. EXCLUSION OF PUBLIC AND PRESS

The Sub-Committee resolved, in terms of Standing Order 27(2), that the public and press be excluded from the meeting during consideration of the following item, so as to avoid the disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, Paragraphs 3 and 6.

4. SERVICES FOR PEOPLE REQUIRING RESETTLEMENT

There was submitted Report No 502/13 by the Strategic Director – People seeking to homologate the decision by the Strategic Director – People to award a contract for specialist nursing care services.

The Sub-Committee agreed to approve the recommendations as detailed in the Report.
ANGUS COUNCIL

MINUTE of MEETING of the SCRUTINY AND AUDIT COMMITTEE held in the Town and County Hall, Forfar, on Tuesday 24 September 2013 at 4.00pm.

Present: Councillors BOB SPINK, BRIAN BOYD, BILL BOWLES, LYNNE DEVINE, BILL DUFF, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, JIM HOUSTON, DAVID MAY, ROB MURRAY, BOB MYLES and RONNIE PROCTOR.

Councillor SPINK, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Jeanette Gaul.

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 13 August 2013 was approved as a correct record and signed by the Convener.

4. DEPARTMENTAL ANNUAL REPORTS 2012/2013

With reference to Article 5 of the minute of meeting of this Committee of 25 September 2012, there was submitted Report No 529/13 by the Chief Executive advising of the production of the 2012/13 Departmental Annual Reports.

The Report indicated that as an integral part of the Council’s performance management arrangements, each department prepared an Annual Report for the previous financial year reporting to their service committee in the first cycle after the recess.

The Report was designed to give members, employees and the public an update of performance within departments during the previous financial year.

The Committee then heard from the Chief Executive and respective departmental representatives in relation to their departmental Annual Reports.

Having heard from a number of members, the Committee for its interest, agreed to note the contents of the Reports.

5. CORPORATE IMPROVEMENT PLAN ANNUAL REPORT 2012/2013

With reference to Article 5 of the minute of meeting of the Strategic Policy Committee of 3 September 2013, there was submitted Report No 530/13 by the Chief Executive, advising members of the production of the 2012/2013 Corporate Improvement Plan Annual Report, a copy of which was appended to the Report.

The Report indicated that as an integral part of the Council’s performance management arrangements, the Corporate Improvement Plan Annual Report had been submitted to the Strategic Policy Committee in the first committee cycle following the summer recess.

The Report was designed to give members, employees and the public an at a glance picture of performance within the plan during the previous financial year.

The Committee, for its interest, agreed to note the terms of the 2012/2013 Corporate Improvement Plan Annual Report.
6. ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT 2011/14 – 2012/13 FULL YEAR PROGRESS REPORT

With reference to Article 5 of the minute of meeting of the Strategic Policy Committee of 5 February 2013, there was submitted Report No 531/13 by the Chief Executive, presenting the 2012/13 Full Year Progress Report on the Angus Community Plan and Single Outcome Agreement 2011/14, prior to its submission to the Scottish Government by the end of September.

The Report indicated that following consideration of the draft Full Year Progress Report at the Thematic Partnerships’ Group meeting in June 2013, a summary progress report on the five partnership priorities had been compiled for submission to the Scottish Government, which gave an overview of performance for the past year. Overall, the performance of the Angus Community Planning Partnership had been relatively positive with 65% of the indicators meeting or exceeding targets with 63% of the indicators having improved on the previous year’s performance.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the 2012/13 Full Year Performance Report for the Angus Community Plan and Single Outcome Agreement 2011/14;

(iii) to note that the Report had been submitted to the Angus Community Planning Partnership on 18 September 2013; and

(iv) to submit the 2012/13 Full Year Performance Report to the Scottish Government.

7. AUDIT SCOTLAND REPORT – MAJOR CAPITAL INVESTMENT IN COUNCILS

There was submitted Report No 532/13 by the Strategic Director – Resources, highlighting the key messages and main recommendations from Audit Scotland’s Report “Major Capital Investment in Councils” and providing commentary on how current arrangements in the Council measured up to the best practice identified in Audit Scotland’s Report.

The Audit Scotland Report provided an assessment of how well Councils in Scotland direct, manage and deliver major capital investments and highlighted a number of key recommendations. The existing procedures in place within the Council for the planning, monitoring and reporting of capital investment were reasonably robust with some areas for development identified.

The Committee agreed:-

(i) to note the contents of Audit Scotland’s Report;

(ii) to note the contents of the Report including the areas for development for the Council that Officers would take forward; and

(iii) that the Head of Corporate Improvement and Finance provide members with a further briefing on capital investment matters.

8. RESPONSE TO LOCAL AUTHORITY ACCOUNTS REGULATIONS CONSULTATION

There was submitted Joint Report No 533/13 by the Head of Corporate Improvement and Finance and the Service Manager – Governance, outlining the proposed response to the Scottish Government consultation on changes to the Local Authority Accounts Regulations.

The Report indicated that the Scottish Government had recently issued a consultation document on their proposals for a replacement of the “1985” Regulations and proposed to bring the changes into operation for 2013-2014.
This affected primarily the annual accounts process, and brought areas like arrangements for certification, public inspection and the publication of the annual accounts up-to-date with modern practice. Other areas covered included the annual governance statement, responsibility for internal audit, and the basis of valuation of pension rights in the Remuneration Report.

The main changes proposed were outlined in Section 2 of the Report and a copy of the response to the Scottish Government questionnaire and a suggested timeline were attached as Appendices to the Report.

The Committee agreed to approve the content of the response as attached to the Report and approve its submission to the Scottish Government.

9. INTERNAL AUDIT ACTIVITY UPDATE

With reference to Article 9 of the minute of meeting of this Committee of 13 August 2013, there was submitted Report No 534/13 by the Service Manager – Governance, providing the Audit Manager’s update on the main findings of the internal audit reports issued since the date of the last meeting.

Seven internal audit reports had been issued since the last Committee, these being:-

- A92 PFI Contract Management
- E-Tendering
- Contract Letting Process – Housing Responsive Repairs
- IT Data Centre
- Property Services System (Archimedes/Badger)
- Theatre Events
- Travel & Subsistence

Follow-up work had been undertaken in respect of Procurement-Off Contract Buying Follow Up and Income – Direct Debit Collections.

The Report also gave details of the Scottish Local Authority Chief Internal Auditors Group (SLACIAG) Annual Report for 2012-2013

The Committee agreed:-

(i) to note the summaries of the audit reports; and
(ii) to note that Internal Audit would bring back to future meetings update reports in relation to follow-up audits, including any outstanding actions; and
(iii) to note the Annual Report of the Scottish Local Authority Chief Internal Auditors Group (SLACIAG).

10. INTERNAL AUDIT CHARTER

There was submitted Report No 535/13 by the Service Manager – Governance, presenting the new Internal Audit Charter which replaced the current Internal Audit Terms of Reference. The Charter, as appended to the Report, had been developed to ensure compliance with the new Public Sector Internal Audit Standards (PSIAS).

The Report indicated that the current Internal Audit Terms of Reference was based on the CIPFA Code of Practice for Internal Audit in Local Government. The CIPFA code was superseded by the Public Sector Internal Audit Standards (PSIAS), with effect from 1 April 2013.

The PSIAS required that the purpose, authority and responsibility of Internal Audit must be formally defined in an Internal Audit Charter consistent with the definition of Internal Auditing, the Code of Ethics and the Standards.

The Committee agreed to approve the revised Internal Audit Charter.
11. **EXTERNAL AUDIT REPORTS**

There was submitted Report No 536/13 by the Service Manager – Governance, informing the members of Audit Scotland’s “Housing and Council Tax Risk Assessment” Report.

The Report indicated that the Council's benefits service (including benefits fraud) had delivered continuous improvement across all operational areas since the previous Risk Assessment Report in August 2008 and their 2013 risk assessment of the Council had not identified any risks to continuous improvement. This was the first time that a Council had received a “No Risks” assessment in this area.

The Committee agreed to note the very positive findings of the Report.

12. **EARLY RETIRAL/VOLUNTARY REDUNDANCY 2012/13**

With reference to Article 13 of the minute of meeting of this Committee of 25 September 2012, there was submitted Report No 537/13 by the Strategic Director – Resources advising of the number of employees released from employment early on various grounds during 2012/13.

The Report indicated that twenty employees had been released on early retiral/voluntary redundancy and that no employees had been released on ill health grounds.

The Committee agreed to note the terms of the Report.

13. **MONITORING EMPLOYEE TURNOVER 2012/13**

With reference to Article 12 of the minute of meeting of this Committee of 25 September 2012, there was submitted Report No 538/13 by the Strategic Director – Resources advising of employee turnover within the Council during the 2012/13 financial year.

The Report indicated that the Council's rate of turnover for employees who had moved between departments within the Council was 8.18% and for employees leaving the Council it was 7.99%.

The Committee agreed to note the terms of the Report.

14. **SICKNESS ABSENCE 2012/13**

With reference to Article 7 of the minute of meeting of this Committee of 25 September 2012, there was submitted Report No 539/12 by the Strategic Director – Resources analysing sickness absence within the Council during the 2012/13 financial year.

The Report indicated that the year's absence figure represented a 4% increase on the previous year's performance which had led to an increased direct cost of almost £29,000 (0.71%). The absence figures for the first quarter of the financial year 2013/14 showed a significant improvement, a 16% decrease in days lost, when compared with the corresponding quarter for the previous year. Whilst this was encouraging, at this point it was unknown whether this was an isolated occurrence or a trend, given that an HR Advisor had been appointed on a temporary basis to specifically assist manager’s address their absence management responsibilities.

Having heard from a number of members, the Committee agreed to note the terms of the Report.

15. **SICKNESS ABSENCE APRIL - JUNE 2013**

With reference to Article 8 of the minute of meeting of this Committee of 16 May 2013, there was submitted Report No 540/13 by the Strategic Director – Resources, advising on the level of sickness absence within the Council for the period 1 April to 30 June 2013.

Having heard from a number of members, the Committee agreed to note the terms of the Report.
16. CUSTOMER COMPLAINTS – UPDATE

With reference to Article 9 of the minute of meeting of the Strategic Policy Committee of 4 December 2012, there was submitted Report No 541/13 by the Chief Executive updating members on the implementation of an electronic recording system that had provided a standard approach to handling complaints following the introduction of a new national model for complaints management.

The Report indicated that during the period 1 April to 31 July 2013, 133 complaints had been recorded on the system which reflected continued encouragement to Directorates to log complaints.

It was proposed that a full report analysing the complaints in Quarters 1 and 2 be submitted to this Committee on 12 November 2013.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to remit Chief Officers to ensure that complaints were logged on the system, to analyse complaints about their service and to aim to use lessons learned from complaints to drive service improvement; and

(iii) that a detailed Report comparing Quarters 1 and 2 be submitted to this Committee on 12 November 2013.

17. 2012/13 EXTERNAL AUDIT PROCESS (ISA 260) – REPORT TO THOSE CHARGED WITH GOVERNANCE ON THE 2012/13 AUDIT (REPORT BY EXTERNAL AUDIT)

With reference to Article 4 of the minute of meeting of this Committee of 13 August 2013, there was submitted Report No 542/13 by the Head of Corporate Improvement and Finance, advising of the outcome of the External Audit Review as documented in the Auditor’s ISA 260 Report.

The Report indicated that the audit process for 2012/13 was now virtually complete and arrangements were being made for the audited accounts and audit certificate to be signed on 27 September 2013. The audited Accounts along with the Auditor’s Report to members and the Controller of Audit would be submitted to the Scrutiny and Audit Committee on 12 November 2013 and Angus Council on 12 December 2013 for further review.

The ISA 260 Report highlighted some errors and corrections which had been identified through the audit of the draft accounts and indicated these would be adjusted in the Auditor’s accounts with the exception of two items as detailed in Appendix B to the ISA 260 Report. These had been agreed with the External Auditors to leave unadjusted due to their non-material nature.

The 2012/13 External Audit Process had now been concluded and the International Standards on Auditing 260 (ISA 260) had now been made available for inspection.

The Committee agreed:-

(i) to note the contents of the ISA 260 Report from the Council’s External Auditor; and

(ii) to note that the final audited statements would be provided to this Committee in the next cycle, along with the Auditor’s formal Report to Members and the Controller of Audit.

At this stage, Councillor Myles left the meeting.
18. **TAYSIDE JOINT POLICE BOARD 2012/13 AUDITED ACCOUNTS AND REPORT TO MEMBERS**

With reference to Article 6 of the minute of meeting of this Committee of 13 August 2013, there was submitted Report No 543/13 by the Head of Corporate Improvement and Finance presenting the 2012/13 Audited Accounting Statements for Tayside Joint Police along with the External Auditor’s Report to Those Charged with Governance and their Report to members; Angus Council being the Accounting Authority for these Accounting Statements following the abolition of the Joint Board.

The Report indicated that the 2012/13 External Audit Process was now complete and the Auditor’s Report to Members and the Controller of Audit along with the Audited Accounting Statements were appended to this Report for review.

The Committee agreed:-

(i) to note the contents of Audit Scotland’s Report to those charged with Governance and their Report to Members on the 2012/13 Audit of Tayside Joint Police Board, as appended to the Report; and

(ii) to note that the Report and Appendices would be issued to Dundee City Council, Perth & Kinross Council and the Scottish Police Authority in accordance with the relevant Regulations.
MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the Town and County Hall, Forfar on Thursday 26 September 2013 at 10.35am.

Present: Councillors ALEX KING, SHEILA HANDS, BRIAN BOYD, LYNNE DEVINE, DAVID FAIRWEATHER, JIM HOUSTON, DAVID LUMGAIR, BOB SPINK and PAUL VALENTINE.

Councillor KING, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Craig Fotheringham.

2. DECLARATIONS OF INTEREST

Councillor Fairweather declared an interest in item 4 as he had helped one of the organisations detailed in the Report with fundraising events. He advised that he would be taking part in any discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee held on 15 August 2013 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 518/13 by the Strategic Director – Resources detailing applications for licences under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts which had been granted/renewed by the Head of Legal and Democratic Services 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 17 July to 5 September 2013.

5. EXTENDED HOURS OVER THE 2013 FESTIVE PERIOD – LATE HOURS CATERING PREMISES

There was submitted Report No 548/13 by the Strategic Director – Resources regarding the extension of hours for late hours catering premises over the 2013 festive period.

The Committee agreed to approve an extension of one hour at the end of trading on Christmas Eve (Tuesday), Christmas Day (Wednesday) Hogmanay (Tuesday) and New Year’s Day (Wednesday) only for all late hours catering premises in Angus, which would permit late hours catering premises to operate on Christmas Eve, Hogmanay, Christmas Day and New Year’s Day until 1.00am.

6. NEW APPLICATIONS

There was submitted Report No 549/13 by the Strategic Director – Resources 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) McDonald’s Restaurants Ltd, West Way Retail Park, Arbroath – Late Hours Catering Licence

With reference to Article 6(e) of the minute of meeting of this Committee of 16 August 2011, the Committee considered a letter of representation received from Police Scotland dated 27 August 2013 in relation to an application for a Late Hours Catering Licence received on 2 August 2013 from McDonald’s Restaurant Ltd in respect of premises at West Way Retail Park, Arbroath, for the hours Monday – Sunday
11.00pm – 5.00am for both the restaurant and drive-thru, which did not comply with the adopted policy.

Ms McLaughlin, a representative from McDonald’s was present and addressed the Committee during which she indicated that the premises had been operating without any incidents and if the new hours were granted would continue to operate without a problem.

The Committee then heard from Inspector Fiona Jarrot, Police Scotland, who advised that the police were concerned that the premises were in close proximity to Chalmers Nightclub and may have implications for police resources should 24 hours opening be granted.

Various members of the Committee expressed their concerns regarding the close proximity of the premises to the nightclub and the concerns about people making their way late evening along the busy A92 towards the premises.

Ms McLaughlin was then given the opportunity to address the comments made by the Committee and sum up.

The Committee agreed:

(i) that the application for the additional hours should be refused given that the grant of the licence would result in patrons leaving the nightclub and making their way along the A92 in the early hours of the morning, causing disruptions to neighbouring residents and possibly causing a danger to themselves and other road users given that they may be under the influence of alcohol; and

(ii) that the current hours which permitted trade on Sunday – Thursday 11.00pm - 12.00 midnight and Friday and Saturday 11.00pm – 5.00am (Drive-thru only) be granted for drive-thru customers in vehicles only, subject to the standard conditions.

(b) McDonald’s Restaurant Ltd, Halfpenny Burn, Orchardbank, Forfar – Late Hours Catering Licence

The Committee considered an application for a Late Hours Catering Licence received on 2 August 2013 from McDonald’s Restaurants Ltd in respect of premises at Halfpenny Burn, Orchardbank, Forfar for the hours Monday – Sunday 11.00pm – 5.00am for both the restaurant and drive-thru. This would allow both the restaurant and drive-thru to operate 24 hours per day, seven days per week, which did not comply with the adopted policy.

The applicant’s agent, Ms McLaughlin, was present and addressed the Committee during which she advised them that the restaurant would provide a welcome break for travellers on the busy adjacent A90.

The Committee noted that the premises were situated on the outskirts of the town and were not in close proximity to any residential properties.

The Committee agreed that the application be granted, subject to the standard conditions.

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 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 3 and 6.
8. NEW APPLICATIONS

There was submitted Report No 550/13 by the Strategic Director – Resources on applications received on 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) Street Trader’s Licence – Fixed Pitch (ST4)

The Committee considered an application for a Street Trader’s Licence (Fixed Pitch) received on 14 June 2013 in respect of a catering van providing filled rolls from James Chalmers Road, Kirkton Industrial Estate, Arbroath for the hours Monday to Saturday 8.00am – 2.00pm.

The applicant was not present and it was noted that Police Scotland had been unable to interview the applicant and was therefore unable to provide any comments in respect of the application.

The Committee agreed that the application be deferred to the Committee meeting on 14 November 2013 to allow the applicant to attend.

(b) Street Trader’s Licence – Fixed Pitch (ST5)

The Committee considered an application for a Street Trader’s Licence (Fixed Pitch) received on 5 August 2013 in respect of a proposed burger van to be located in Queen’s drive, Arbroath (opposite Jumping Joey’s and between the Pleasureland and the Waterfront Nightclub).

The applicant proposed operating the business from:-

7.00am – 12.00 midnight Monday to Friday;
7.00am – 11.00pm on Saturday; and
12.00 noon – 11.00pm on a Sunday.

The Committee considered a letter of objection received from Police Scotland dated 26 August 2013 which had been circulated to the Committee.

The Committee noted that the letter of objection referred to spent convictions and determined in all the circumstances that justice could not be done without admitting the details of these convictions. After hearing from Inspector Jarrot, Appendix 2, containing the outlined details of these spent convictions, was circulated to the Committee.

The applicant was present and addressed the Committee. Inspector Jarrot, Police Scotland, then gave details regarding the current convictions detailed in Appendix 1 of the letter dated 23 August 2013 from Police Scotland.

Discussion took place and various members asked questions of the applicant and Inspector Jarrot.

The applicant was given the opportunity to sum 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 and the fixed pitch in question was not a suitable site for the location of a burger van.

(c) Application for Window Cleaner’s Licence (WCL11)

The Committee considered an application for a Window Cleaner’s Licence (WCL11) received on 2 May 2013 and noted that the applicant had failed to provide the public liability insurance certificate.

The Committee noted that the application required to be determined before its next scheduled meeting and agreed that the application be refused on the grounds that the applicant was not a fit and proper person to hold a licence.
(d) **Taxi Driver’s Licence (TD52)**

The Committee noted that the application for a Taxi Driver’s Licence (TD52) received on 25 June 2013 had been withdrawn by the applicant.

(e) **Taxi Driver’s Licence (TD53)**

The Committee considered an application for a Taxi Driver’s Licence (TD53) received on 17 June 2013 and noted that the applicant had failed to attend for interview and knowledge test with Police Scotland.

The applicant was not present and the Committee agreed that the application be deferred until the Committee on 14 November 2013 to allow the applicant to attend.
ANGUS COUNCIL

MINUTE of MEETING of the NEIGHBOURHOOD SERVICES COMMITTEE held in the Town and County Hall, Forfar on Thursday 26 September 2013 at 4.00 pm.

Present: Councillors DONALD MORRISON, ALEX KING, BRIAN BOYD, ROB MURRAY, DAVID FAIRWEATHER, MARTYN GEDDES, MAIRI EVANS, JIM HOUSTON, BOB SPINK, IAN McLAREN, GLENNIS MIDDLETON, LYNNE DEVINE, BOB MYLES, MARK SALMOND and EWAN SMITH.

Councillor Morrison, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Jeanette Gaul, Bill Duff, Craig Fotheringham, Iain Gaul, David May, Helen Oswald and Ronnie Proctor, with Councillors Alex King, Rob Murray, Martyn Geddes, Mairi Evans, Bob Spink, Lynne Devine and Bob Myles substituting respectively.

2. DECLARATIONS OF INTEREST

Councillor Ewan Smith declared a non-financial interest in item 7 in his capacity as a member of Arbroath Victoria Football Club Committee, which was currently involved in a Community Asset Transfer process. He indicated that he would leave the meeting during consideration of this item.

Lynne Devine declared a non-financial interest in item 8 as a member of the Management Committee of The Pitstop. She indicated that she would participate in any discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 15 August 2013 was approved as a correct record and signed by the Convener.

4. HOUSING CAPITAL MONITORING REPORT 2013/2014

With reference to Article 5 of the minute of meeting of this Committee of 15 August 2013, there was submitted Report No 515/13 by the Strategic Director – Communities, detailing the actual capital position on the Housing Revenue Account (HRA) for the period to 31 August 2013; the projected outturn for the year to 31 March 2014; and updated capital funding proposals.

The Report indicated that while the net capital budget was £13,024,000, taking account of the estimated resources available, and the actual level of spend achieved in the financial year 2012/2013, the Housing Financial Plan had been updated and a 2013/2014 Capital Monitoring Budget of £10,440,000 had been established following a comprehensive review of the 2012/2016 Financial Plan, as agreed by this Committee on 15 August 2013.

The Report also set out the position of the Housing Capital Programme for 2013/2014 as at 31 August 2013 with the actual spend achieved being £3,098,000, equating to 29.7% of the Monitoring Budget of £10,440,000.

Members were asked to note:-

(1) that the commentary provided in Part 5 of the Report was on an exception basis and that where there was no narrative, there were no significant issues to report at this time; and

(2) that following receipt of tenders, development costs for flats at a site in Carnoustie were likely to increase by £36,000, and the outturn in respect of affordable housing at Lindsay Street, Sunnyside, Kirriemuir would exceed the monitoring budget by some £38,000.
Members were also asked to note in particular that, in terms of capital receipts, actual receipts to the end of August 2013 totalled £616,417, after deduction of the estimated administration costs. Eleven house sale applications were currently in progress.

The Committee, for its interest, agreed:-

(i) to note the Housing Capital Expenditure and Receipts positions for the period ended 31 August 2013;

(ii) to note the projected year end Capital Expenditure position and updated indicative funding proposals; and

(iii) to note that relevant officers would endeavour to ensure that the Capital Programme remained within overall available resources.

5. ARREARS UPDATE – HOUSING REVENUE ACCOUNT TENANTS

With reference to Article 5 of the minute of meeting of this Committee of 23 May 2013, there was submitted Report No 516/13 by the Strategic Director – Communities, updating members on rent arrears levels and write off requests. It advised that current rent arrears had reduced from 7.44% from the previous Report in May 2013 to 7.25%, a significant reduction, given the implementation of the Welfare Reform Act 2012, although the Council’s arrears increase was significantly lower in comparison to other local authorities. 34 court actions had been necessary, and decree had been awarded on 16 occasions in the last four months. Tenants who habitually failed to pay would continue to be targeted for serious action, while the Housing Authority would be supportive where possible in appropriate cases.

The Committee agreed:-

(i) to note the current performance and progress in pursuing serious arrears; and

(ii) to write off debt arrears in 11 accounts totalling £12,966.28 as a result of sequestrations.

6. ADDITIONAL VEHICLE PROCUREMENT FOR MAINTENANCE OF TRACTOR FLEET AND FOR THE ROLL OUT OF THE KERBSIDE RECYCLING IN 2014/2015

With reference to Article 9 of the minute of meeting of this Committee of 23 May 2013, there was submitted Report No 517/13 by the Strategic Director – Communities seeking authorisation to procure the supply and delivery of heavy and municipal vehicles, required for Council Departments to enable their continued provision of public services, and outlining the procurement process to be followed.

The required vehicles and bodies equipment would be expected to be delivered no later than 31 March 2014 and the procurement process would be primarily carried out through a Scotland Excel Procurement Framework Agreement as detailed in paragraph 3.4 of the Report at a total cost of £910,000.

The Committee agreed to authorise the Strategic Director – Communities to procure two tractors at a cost of £73,000; seven food waste collection diesel chassis/cab units (£180,000); one food waste collection hybrid chassis/cab unit (£34,000); eight food waste collection vehicle bodies (£203,000); and three refuse collection vehicles (£420,000).

7. UPDATE COMMUNITY ASSET TRANSFER POLICY

Councillor Ewan Smith, having declared a non-financial interest in this item, left the meeting for the duration of consideration of this item.

With reference to Article 8 of the minute of meeting of Angus Council of 1 November 2012, there was submitted Report No 525/13 by the Strategic Director – Communities, updating aspects of the policy and procedures intended to guide the promotion and implementation of Community Asset Transfer in Angus.
The Committee, for its interest, agreed:-

(i) to approve the updated policy on procedures detailed in the Report; and  
(ii) that further update reports would be provided to the relevant committees, as appropriate.

8. **DISPOSAL OF GROUND AT THE PITSTOP, ACADEMY STREET, FORFAR**

There was submitted Report No 519/13 by the Strategic Director – Communities, relating to the disposal of ground to the rear of The Pitstop, Academy Street, Forfar.

The Report indicated that The Pitstop, a charity group with premises in Academy Street, wished to purchase the area of ground detailed in the Report for use as a community garden project. The Council’s valuers had valued the area of ground involved at £2,500. The ground was not considered to have any development potential other than to the owners of the adjacent building, due to the limited access. The valuation allowed for any such development however, and therefore the ground would be sold without those restrictions.

The Committee agreed to approve the sale of ground to the rear of The Pitstop in Academy Street, Forfar, to The Pitstop Drug Initiative Group on appropriate terms and conditions, subject to:-

(i) Section 12 consent being received from the Scottish Ministers; and  
(ii) the purchaser meeting all costs in connection with the disposal.

9. **DISPOSAL OF GROUND AT UNION ROW, MONTROSE**

There was submitted Report No 520/13 by the Strategic Director – Communities relating to the disposal of ground adjacent to 35 and 37 Union Row, Montrose.

The Report indicated that the owners of numbers 35 and 37 Union Row, Montrose had applied to purchase areas of ground adjacent to their properties. Both areas of ground were not considered to serve any purpose to the Council, and were therefore surplus to requirements. The capital receipt resulting from any sale would accrue to the Housing Revenue Account Capital Account. The Council’s valuers had valued the areas to be sold at a total value of £1,850.

The Committee agreed to the sale of ground adjacent to numbers 35 and 37 Union Row, Montrose, to the owners of those properties on appropriate terms and conditions, subject to:-

(i) Section 12 consent being received from the Scottish Ministers; and  
(ii) the purchasers meeting all costs in connection with the disposal.

10. **SURVIVE AND THRIVE INITIATIVE – PHASE 2**

With reference to Article 7 of the minute of meeting of this Committee of 15 August 2013, there was submitted Report No 521/13 by the Strategic Director – Communities, updating members on progress with the Council’s Survive and Thrive Initiative and outlining proposals for a second phase. While the first phase of the Survive and Thrive Initiative had proved reasonably successful, it was now proposed that phase two of the Initiative should be focussed on securing a supply of land for the future delivery of affordable housing. To this end, a number of surplus General Fund sites had been identified which had the potential for redevelopment for affordable housing.

It was envisaged that detailed proposals would be prepared for the sites to be transferred to the Housing Revenue Account (HRA) and that detailed proposals would also be worked up for the redevelopment of each of these surplus sites. The second phase of the Initiative would also be intended to have a greater emphasis on employment and training opportunities with input from a range of partners. An element of funding from phase two of the Initiative would be ringfenced in line with the Council’s continuing commitment to support armed forces veterans in Angus.
The Committee agreed:-

(i) to the progression of a second phase of the Survive and Thrive Initiative as outlined in the Report; and

(ii) to note that further reports would be submitted to update members on progress with the Initiative.

11. **DOWNSIZING INCENTIVE SCHEME REVIEW**

With reference to Article 7 of the minute of meeting of this Committee of 24 February 2011, there was submitted Report No 522/13 by the Strategic Director – Communities, providing a review of the Downsizing Incentive Scheme.

The Scheme had been introduced in 2011 in response to the increasing demand for Council-owned homes, and was designed to help make the best use of the Housing Authority’s stock by encouraging tenants with larger properties, no longer suitable for their needs, to move to more appropriate properties.

The Scheme was also intended to give tenants practical and financial support to move to smaller Council accommodation. It had become increasingly relevant with the introduction of the Welfare Reform Act 2012 which featured a reduction in Housing Benefit for claimants deemed to have one or more spare bedrooms, and which had affected 562 Angus Council tenants.

The Review aimed to achieve better targeting and to offer more practical assistance to assist tenants affected by the Welfare Reform Act as well as help ensure that Council properties were let efficiently and effectively.

The Committee agreed:-

(i) to the continuation of the Downsizing Incentive Scheme;

(ii) to amend the scheme to target tenancies where provision of a grant might be an influencing factor in the decision to downsize; and

(iii) to amend the amount of grant awarded on a sliding scale of up to a maximum of £1,500, plus up to £500 for removals assistance.

12. **HIGH HEDGES (SCOTLAND) ACT 2013**

There was submitted Report No 523/13 by the Strategic Director – Communities advising as to the provision of the High Hedges (Scotland) Act 2013, and as to the procedures which the Council required to put in place to comply with its new statutory obligations arising from the Act.

The Act empowered Local Authorities to seek to settle disputes between neighbours relating to high hedges, defined as being a row of trees or shrubs which exceeded two metres in height, which formed a barrier to light and which was considered to have an adverse effect on the reasonable enjoyment of domestic properties. If necessary, the Local Authority could undertake work where owners failed to comply with a High Hedge Notice issued under the Act, with the cost of the work being recoverable from the hedge owner.

The Committee agreed:-

(i) to note the terms of the Act and the statutory obligations which had been imposed upon the Council;

(ii) that functional responsibility for enforcement of the legislation would be undertaken by the Strategic Director – Communities;

(iii) that the Neighbourhood Services Committee, or its successor Committee, would be responsible for supervision and implementation of the Council’s obligations in terms of the Act; and
(iv) that the matter be referred to Council for approval of (ii) and (iii) and subsequent requisite changes to Standing Orders and Related Documents.

13. SCOTTISH GOVERNMENT CONSULTATION ON THE OPERATION OF A HOUSING REVENUE ACCOUNT (HRA) IN SCOTLAND

There was submitted Report No 524/13 by the Strategic Director – Communities setting out the response of the Council to the consultation issued by the Scottish Government on the operation of a Housing Revenue Account. The consultation had closed for responses on 5 July 2013, and it had been necessary to forward a response to the Scottish Government which was now submitted to the Committee for homologation.

The broad thrust of the response was that a Local Authority had a duty to deliver a good service to all customers as well as tenants in the communities managed by that Local Authority in line with the Scottish Social Housing Charter. The Charter indicated that local standards should be agreed by the Local Authority with its customers, and, while broad additional guidance was often helpful, it could potentially lead to a centralist approach which was counter to local accountability. It was deemed essential that a Local Housing Authority should retain the ability to manage its assets and investments based on its own long term business needs.

The Committee agreed to homologate the terms of the response sent to the Scottish Government, as set out in Appendix 1 to the Report.
ANGUS COUNCIL

MINUTE of MEETING of the INFRASTRUCTURE SERVICES COMMITTEE held in the Town and County Hall, Forfar on Tuesday 1 October 2013 at 4.00 pm.

Present: Councillors MAIRI EVANS, SHEILA HANDS, BILL BOWLES, BILL DUFF, DAVID FAIRWEATHER, PAUL VALENTINE, HELEN OSWALD, MARTYN GEDDES, JIM HOUSTON, IAN McLAREN, DONALD MORRISON, BOB MYLES, RONNIE PROCTOR and BOB SPINK.

Councillor EVANS, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Iain Gaul, Jeanette Gaul, Alex King and Rob Murray, with Councillors Paul Valentine, Helen Oswald, Jim Houston and Donald Morrison substituting respectively. An apology for absence was also intimated on behalf of Councillor Mark Salmond.

2. DECLARATIONS OF INTEREST

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

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 20 August 2013 was approved as a correct record and signed by the Convener.

4. ANGUS COUNCIL COMMUNITY GRANT SCHEME – NEW APPLICATIONS

With reference to Article 5 of the minute of meeting of this Committee of 20 August 2013, there was submitted Report No 545/13 by the Chief Executive informing members of applications to Angus Council in 2013/2014 of £1,000 or less submitted and/or approved since 20 August 2013 and making recommendations on approval of grant awards of over £1,000.

Having heard from Councillors Fairweather and Evans, the Committee agreed that no award of grant be made to Arbroath and Area Partnership.

COUNCILLOR EVANS, SECONDED BY COUNCILLOR HANDS, MOVED THAT NO AWARD OF GRANT BE MADE TO HOSPITALFIELD ARTS.

Councillor Fairweather, seconded by Councillor Spink, moved as an amendment, that a grant award of £4,100 be made to Hospitalfield Arts.

On a vote being taken, the members voted:-

For the motion:
Councillors Evans, Hands, Bowles, Duff, Valentine, Oswald, Houston, McLaren (8).

For the amendment:
Councillors Fairweather, Geddes, Morrison, Myles, Proctor and Spink (6).

The motion was declared carried and the Committee resolved accordingly.

Thereafter, the Committee agreed:-

(i) to note the grant awards for 2013/2014 of £1,000 or less made since 20 August 2013 and agree the recommendation to reject the four applications; and
(ii) to approve the grant awards of over £1,000 recommended for approval since 20 August 2013 as follows:-

- Angus Young Engineers - £2,000
- Forfar and District Small Bore Rifle Club - £5,000
- DD8 Music – No Award
- Easthaven Residents Association (Easthaven 800) - £4,064.

5. **ANGUS LOCAL ACCESS FORUM – MEMBERSHIP UPDATE**

With reference to Article 12 of the minute of meeting of this Committee of 20 November 2012, there was submitted Report No 546/13 by the Strategic Director Communities, advising the Committee of changes to the membership of the Angus Local Access Forum.

The Report indicated that the Forum had a rolling programme with regard to replacement of representatives and following the resignation of two of the members, individuals whose names were held on a database and who had expressed an interest in Access issues had been contacted seeking nominations for the vacancies. Nominations had also been sought for those who had attended the Access Forum’s annual meeting in June 2013.

Following this exercise, only two persons had put themselves forward for the User Representative and Community Representative, with no applications being received for the Land Management Representative vacancy.

The Committee agreed:

(i) to the appointment of Cathy Stephenson as a Community Representative; and

(ii) to the appointment of John Hamilton as a User Representative.

6. **ANGUS COUNCIL COMMUNITY GRANT SCHEME – NEW CRITERIA**

With reference to Article 5(vi) of the minute of meeting of this Committee of 20 August 2013, there was submitted Report No 547/13 by the Chief Executive informing members of the outcome of work by the Member/Officer Group set up to consider new criteria for the Angus Council Community Grant Scheme (ACCGS) and making a recommendation for the adoption of these revisions.

The Convener referred to the discussions that had taken place at a briefing with elected members immediately prior to the meeting and the Committee were advised of proposed changes to the Scheme.

The Committee agreed to approve the introduction of the new criteria for the ACCGS as at 1 October 2013, including the amendments as orally intimated at the meeting.
ANGUS COUNCIL

MINUTE of MEETING of the EDUCATION COMMITTEE held in the Town and County Hall, Forfar on Thursday 3 October 2013 at 4.00pm.

Present: Councillors SHEENA WELSH, LYNNE DEVINE, BILL BOWLES, BOB MYLES, BILL DUFF, MARTYN GEDDES, SHEILA HANDS, JIM HOUSTON, BRIAN BOYD, GLENNIS MIDDLETON, RONNIE PROCTOR, MARK SALMOND, EWAN SMITH, MARGARET THOMSON and PAUL VALENTINE.

Church Representatives: Mrs GEORGINA MALLIE.

Teacher Representatives: Mr DAVID DRYSDALE and Mr JIM HAMMOND.

Councillor WELSH, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Colin Brown, David Fairweather, Jeanette Gaul and David May, with Councillors Bill Bowles, Bob Myles, Bill Duff and Brian Boyd substituting respectively.

2. DECLARATIONS OF INTEREST

Councillor Houston declared an interest in item 7 as his partner worked at Stracathro Primary School. He indicated that he would take part in any discussion and voting.

Councillor Smith declared an interest in items 4 and 5 as his children attended one of the Primary Schools involved. He indicated that he would participate in any discussion and voting.

At this point in the meeting, the Convener paid tribute to the 220 pupils who had received certificates at the Angus Young Achievers award ceremony.

3. MINUTES

(a) Previous Meeting

The minute of meeting of this Committee of 22 August 2013 was approved as a correct record and signed by the Convener.

(b) Special Cases Sub-Committee

The minute of meeting of the Special Cases Sub-Committee of 3 September 2013, a copy of which is appended hereto, was submitted and noted (APPENDIX I).

4. ARBROATH SCHOOLS PROJECT (PHASE 1): PROGRESS UPDATE AND PROCUREMENT AUTHORITY APPROVAL REQUEST

With reference to Article 4(ii)(k) of the minute of meeting of Angus Council of 28 March 2013, there was submitted Report No 551/13 by the Strategic Director – People providing members with an update in relation to the Council’s preferred option to replace Timmergreens and Warddykes Primary Schools with new build facilities as Phase 1 of the Arbroath Schools Project, and seeking procurement authority for the progression of this phase of the project using the appropriate East Central Territory hubco procurement arrangement.

COUNCILLOR WELSH, SECONDED BY COUNCILLOR DEVINE, MOVED THAT THIS COMMITTEE AGREES:-

(I) TO NOTE THE PROGRESS MADE WITH THE PROJECT;
TO AUTHORISE THE STRATEGIC DIRECTOR – PEOPLE TO CONSULT/ENGAGE WITH SCHOOL PUPILS, STAFF AND MEMBERS OF THE LOCAL COMMUNITIES IN RELATION TO THE EMERGING PHASE 1 PROPOSALS;

TO AUTHORISE THE STRATEGIC DIRECTOR – PEOPLE TO PROCURE THE PROJECT USING THE APPROPRIATE EAST CENTRAL TERRITORY HUBCO PROCUREMENT ARRANGEMENTS; AND

TO NOTE THE FINANCIAL IMPLICATIONS.

Councillor Smith, seconded by Councillor Bowles, moved as an amendment, that this Committee agrees:-

(i) to approve recommendations (i), (iii) and (iv) as detailed above;
(ii) to review the decant proposals for Timmergreens pupils to offer alternative options to those listed in the Report; and
(iii) to authorise the Strategic Director – People to include the alternative decant options when consulting with school pupils, staff and members of the local communities in relation to the emerging Phase 1 proposals.

On a vote being taken, the members voted:-

For the motion:-

Councillors Welsh, Devine, Myles, Duff, Geddes, Hands, Houston, Boyd, Middleton, Proctor, Salmond, Thomson, Valentine, Mrs Mallie, Mr Drysdale and Mr Hammond (16).

For the amendment:-

Councillors Bowles and Smith (2).

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

5. ARBROATH SCHOOLS PROJECT: MEDIUM TERM STRATEGY

With reference to Article 9 of the minute of meeting of this Committee of 23 August 2012, there was submitted Report No 552/13 by the Strategic Director – People outlining the medium term plans and priorities for improving the remainder of the Arbroath Primary School estate beyond Phase 1 of the project.

The Report indicated that by developing the medium term plans and priorities for improving the Arbroath Primary School estate up to financial year 2021/2022 on a holistic basis, there was a good opportunity to address a number of specific areas within the estate to improve overall service delivery.

Councillor Welsh, seconded by Councillor Devine, moved the recommendations of Report No 552/13.

Councillor Smith moved an amendment, the contents of which were circulated. The meeting then adjourned for a 5 minute recess.

Thereafter, the Convener ruled that the terms of Councillor Smith’s amendment were not competent.

Consequently, the Committee agreed:-

(i) to approve the improvements to the Arbroath Primary School estate beyond Phase 1, as detailed in the Report;
(ii) to note the indicative timetable for implementation;
(iii) to authorise the Strategic Director – People to consult/engage with school pupils, staff and members of the local communities in relation to the medium term strategy; and
(iv) to note that the medium term strategy and indicative timetable would require capital resources in addition to those currently allocated for Arbroath Schools and that the prioritisation of this vis-à-vis other capital spend would therefore need to be considered by the Council as part of the 2014/2015 budget process.

6. INFORMATION AND COMMUNICATIONS TECHNOLOGY: A POLICY STATEMENT ON THE USE OF ELECTRONIC COMMUNICATIONS, SOCIAL MEDIA AND MOBILE TECHNOLOGIES

There was submitted Report No 553/13 by the Strategic Director – People seeking approval of a policy statement and related guidelines on the use of electronic communications, social media and mobile technologies.

The Report indicated that all schools and educational establishments had access to a range of appropriate ICT resources and as an ever increasing range of new technologies continued to be introduced, numerous opportunities existed to incorporate these in to classrooms to enhance teaching and learning opportunities.

The Council fully acknowledged its duty to protect all children during the day and recognised that all staff and pupils required to have a high level of awareness of safety issues in using the resources and there was now a need to review the policies and guidance. The policy statement and related guidelines had been developed to ensure that all extant policies were incorporated in to one comprehensive and cohesive set of guidance.

The Committee agreed:-

(i) to approve the Policy Statement, as detailed in the Appendix to the Report; and

(ii) to note the contents of the Policy Guidelines.

7. INSPECTION OF EDZELL AND STRACATHRO PRIMARY SCHOOLS: PUBLICATION OF EDUCATION SCOTLAND’S REPORT

There was submitted Report No 554/13 by the Strategic Director – People advising members of the publication of Reports on the inspection of Edzell and Stracathro Primary Schools and indicating the actions taken to respond to the terms of those Reports.

The Report indicated that the Head Teacher and staff at Edzell and Stracathro Primary Schools had engaged very positively with the inspection process. Edzell and Stracathro Primary Schools provided young people with a very positive learning experience and the schools were very well led by the shared Head Teacher. There were well established self evaluation processes which were supporting the schools in taking forward agreed improvement priorities. There was also a sound evidence based understanding of the schools strengths and areas in which they needed to improve.

The schools, supported by the Quality Improvement Officer, had prepared comprehensive and well considered action plans which would ensure that the recommendations of the inspection team were addressed effectively.

The Committee agreed:-

(i) to note the contents of the Report;

(ii) to note the key findings identified in the published inspection reports;

(iii) to note that a comprehensive follow-up action plan had been prepared; and

(iv) to commend the Head Teacher, staff, parents and pupils for their continuing commitment to improve practice and to secure the best possible outcomes for pupils.
MINUTE of MEETING of the SPECIAL CASES SUB-COMMITTEE of the EDUCATION COMMITTEE held in the Committee Room, Town and County Hall, Forfar on Tuesday 3 September 2013 at 4.25 pm.

Present: Councillors SHEENA WELSH, LYNNE DEVINE and MARGARET THOMSON

Councillor WELSH, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

Councillors Welsh and Thomson declared an interest in Item 5 as they had received correspondence from the Appellant. Neither had expressed any view or opinion and both indicated that they would be taking part in any discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Sub-Committee of 8 August 2013 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 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, Paragraph 3.

5. PARENTAL REQUEST FOR SCHOOL TRANSPORT TO ARBIRLOT PRIMARY SCHOOL

There was submitted Report No 501/13 by the Strategic Director – People outlining the position of a pupil attending Arbirlot Primary School and requesting the Sub-Committee to consider whether assistance could be provided with home to school transport for this pupil.

The Sub-Committee noted that the Appellant would not be in attendance. The Sub-Committee then heard from the Senior Education Manager.

Following consideration, the Sub-Committee agreed:-

(i) to note the circumstances described in the Report;
(ii) to decline the request for free home to school transport in this case; and
(iii) to request the Strategic Director – People to keep the situation under review.

The Senior Education Manager was then advised of the foregoing decision.
ANGUS COUNCIL

MINUTE of MEETING of the DEVELOPMENT STANDARDS COMMITTEE held in the Town and County Hall, Forfar on Tuesday 8 October 2013 at 10.00 am.

Present: Councillors LYNNE DEVINE, DAVID FAIRWEATHER, ALEX KING, DAVID LUMGAIR, IAN McLAREN and BOB SPINK.

Councillor DEVINE, Vice Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillors Rob Murray, Bill Bowles, Bill Duff, Mairi Evans, Craig Fotheringham and Jeanette Gaul.

2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

In terms of the Councillors Code of Conduct the following declaration of interest / intimation of contact was made:-

Councillor Fairweather declared an interest in item 9, Report No 565/13, as he had been contacted by a constituent regarding the application. He had passed the enquiry on to the relevant officer, had not expressed any view or opinion and therefore indicated that he would be taking part in any discussion and voting.

3. BUILDING WARRANTS

The Committee noted that during the period 9 to 27 September 2013, a total of 44 Building Warrants and 8 Amendments to Warrant had been approved with an estimated cost of £2,233,981.

4. DELEGATED DECISIONS

The Committee noted that during the period 10 September to 1 October 2013, a total of 66 planning applications had been approved and 4 refused under the Scheme of Delegation to Officers.

5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 17 September 2013 was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

6. UNIT 1A AND 1B, BROOMFIELD INDUSTRIAL ESTATE, MONTROSE

There was submitted Report No 562/13 by the Strategic Director – Communities detailing application No 13/00658/FULL by Howden Joinery Properties for the change of use from Class 5 (General Industrial) to Class 6 (Storage and Distribution) with internal alterations at Unit 1B, Broomfield Industrial Estate, Montrose. The application was recommended for approval.

Slides were shown.

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

7. 3 AND 5 MONTROSE STREET, BRECHIN

There was submitted Report No 563/13 by the Strategic Director – Communities detailing application No 13/00717/FULL by Angus Council for the proposed alterations of two flats to form a single dwelling at 3 and 5 Montrose Street, Brechin. The application was recommended for approval.
Slides were shown.

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

8. EASTMILL CARAVAN SITE, EAST MILL ROAD, BRECHIN

There was submitted Report No 564/13 by the Strategic Director – Communities detailing application No 13/00516/FULL by Angus Council for the proposed temporary change of use from campsite ground to access track and foundations for five park homes at Eastmill Caravan Site, East Mill Road, Brechin. The application was recommended for approval.

Slides were shown.

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

9. LAND BETWEEN 15 AND 29 NORAN AVENUE, ARBROATH

There was submitted Report No 565/13 by the Strategic Director – Communities detailing application No 13/00788/FULL by Angus Council for the erection of 3 wheelchair accessible dwellinghouses and 4 affordable flats and associated works at land between 15 and 29 Noran Avenue, Arbroath. The application was recommended for approval.

Slides were shown.

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

10. 29 BRANDER HA, FORFAR

There was submitted Report No 566/13 by the Strategic Director – Communities detailing application No 13/00712/FULL by Angus Council for the conversion of a wardens house to two no 1 bedroom flats at 29 Brander Ha, Forfar. The application was recommended for approval.

Slides were shown.

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

11. ENFORCEMENT UPDATE

There was submitted and noted Report No 567/13 by the Strategic Director – Communities on the progress of Enforcement Cases which had been agreed previously by the Development Standards Committee.
MINUTE of MEETING of the CORPORATE SERVICES COMMITTEE held in the Town and County Hall, Forfar on Thursday 10 October 2013 at 4.00pm.

Present: Councillors ALEX KING, LYNNE DEVINE, BRIAN BOYD, SHEILA HANDS, MARTYN GEDDES, DAVID LUMGAIR, IAN McLAREN, ROB MURRAY, DAVID MAY, MARGARET THOMSON, PAUL VALENTINE and DONALD MORRISON.

COUNCILLOR KING, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Bill Duff, Iain Gaul, Bob Myles and Sheena Welsh, substituted by Councillors Lynne Devine, Sheila Hands, David May and Donald Morrison respectively; an apology for absence was also received from Councillor Mairi Evans.

2. DECLARATIONS OF INTEREST

Councillors May and Valentine each declared a non-financial interest in Report No 559/13. Both members had been contacted by bowling clubs in Montrose which were subject of the Report. Both members indicated that they would remain in the meeting and would participate in any discussion and voting.

3. REQUEST FOR DEPUTATIONS

The Committee agreed, in terms of Standing Order 12, to receive separate deputations from Mr Raymond Nicol, on behalf of Hillside Bowling Club, Mrs Cath Evans, on behalf of Inch Bowling Club, and Mrs Hazel Campbell on behalf of The Melville Bowling Club.

Each representative referred to deficiencies in the consultation process carried out by the Council over an eight month period and challenged the £15,000 maintenance costs quoted to each club as part of the proposed new lease arrangements.

Following questions from the Convener and Councillor May, each deputation was thanked for their attendance and withdrew to the public benches.

*In accordance with Standing Order 36(2), the Committee agreed that the order of business be varied from that published as there was a number of members of the public present with an interest in the proposed standardised lease agreements for bowling greens. The business was therefore considered in the following order.*

4. PROPOSED STANDARDISED LEASE AGREEMENTS FOR BOWLING GREENS - UPDATE

With reference to Article 10 of the minute of meeting of this Committee of 29 November 2012, there was submitted (revised) Report No 559/13 by the Strategic Director – Communities, advising as to the current position with regard to the occupation of Council-owned bowling greens, and the proposed move to a common policy.

The Council at present owned a number of bowling greens and land containing a bowling green and a club house, ten such provisions across the Council area in all. The arrangements in place varied, and were the result of various historic factors. Some were held on Common Good Accounts, some occupied by either Minutes of Agreements or long leases, and some were occupied without any formal agreements. This was considered to be inconsistent and unsatisfactory and, in governance terms, failed to comply with best practice under the Following the Public Pound Guidance for Local Authorities.

Meetings had been held with clubs who either had Minutes of Agreement or no occupancy agreement as part of a review of the current position and to ascertain more accurate information in respect of their financial position and number of members. The results of these meetings, and the resulting proposals for new arrangements to be put in place, were detailed in paragraph 4 of the Report.
The Convener moved that recommendations (i)-(iii) as set out in Report No 559/13 be approved.

Councillor Morrison, seconded by Councillor Valentine, moved as an amendment:

(i) to note the outcome of further meetings with clubs and the proposals from the clubs for new leases;

(ii) to approve the provisionally agreed lease terms and conditions for the Hope Paton Bowling Club, Montrose and the Boyle Park Bowling Club, Forfar; and

(iii) to defer to the next meeting of Angus Council, consideration of new leases for the Inch Bowling Club, The Melville Bowling Club, Montrose and the Hillside Bowling Club, Hillside; and of the alternative options for the properties as detailed in Report No 559/12, to allow the Convener of the Neighbourhood Services Committee, Montrose and District Elected Members and appropriate council officers to meet with the clubs concerned to discuss the options available.

In light of the terms of the amendment, the Convener withdrew his original motion. Consequently the amendment became the substantive motion.

There being no other amendment, the Committee unanimously agreed the terms of the motion, which became the finding of the meeting.

5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 29 August 2013 was approved as a correct record and signed by the Convener.

6. CAPITAL MONITORING – GENERAL FUND CAPITAL PROGRAMME – 2013/2014

With reference to Article 9 of the minute of meeting of this Committee of 29 August 2013, there was submitted Report No 556/13 by the Strategic Director – Resources, advising members of the capital expenditure incurred for the period from 1 April to 31 August 2013, and measuring projected capital expenditure for the year against budgeted provision.

The Report indicated that at this stage of the financial year, the latest year end estimate of gross expenditure was £5000 below budget and there were no significant variances to report.

The Committee agreed:

(i) to note for its interest the expenditure position on the General Fund Capital Programme as at 31 August 2013, as per Tables 1 and 2 in the Report, and the accompanying Capital Monitoring Statement, Appendix 1 to the Report; and

(ii) to note that the next meeting of the Capital Projects Monitoring Group would take place on Tuesday 29 October 2013.

7. HOUSING CAPITAL MONITORING REPORT – 2013/2014

With reference to Article 4 of the minute of meeting of the Neighbourhood Services Committee of 26 September 2013, there was submitted Report No 515/13 by the Strategic Director – Communities, detailing the actual capital position on the Housing Revenue Account (HRA) for the period to 31 August 2013, together with the projected out-turn for the year to 31 March 2014 and updated capital funding proposals.

The Report indicated that the net capital budget was £13,024,000, taking account of the estimated resources available, and the actual level of spend achieved to 31 August 2013 on the Housing Capital Programme was £3,098,000, equating to 29.7% of the Monitoring Budget of £10,440,000. It was projected at this time that by the end of the financial year 2013/2014, net expenditure would total £10,190,000.
The Committee, for its interest, agreed:-

(i) to note the Housing Capital Expenditure and Receipts positions for the period ended 31 August 2013;

(ii) to note the projected year end capital expenditure position and updated indicative funding proposals; and

(iii) to note that relevant officers would endeavour to ensure that the Capital Programme remained within overall available resources.

8. ALTERATIONS AT ARBROATH ACADEMY FOR CURRICULUM FOR EXCELLENCE – PROCUREMENT AUTHORITY APPROVAL REQUEST

With reference to Article 9 of the minute of meeting of this Committee of 29 August 2013, there was submitted Report No 557/13 by the Strategic Director – Communities, seeking authority for a proposed procurement where the maximum value of the contract was above the Chief Officer’s delegated authority limit.

The overall project comprised internal alterations to Arbroath Academy to allow for the relocation of various departments to create flexible teaching spaces, and included rewiring and the demolition of the Brunton Block. The works had been split into a number of sections to facilitate the relocation of the various departments. The objective of the project was to help the Academy to meet the teaching challenges of the Curriculum for Excellence. It was considered that a two stage restricted tender procedure was the best means of procuring the works, at an estimated total cost at out-turn prices of £850,000, as contained in the Schools and Learning Programme in the updated 2012/2017 General Fund Financial Plan.

The Committee agreed:-

(i) to approve the estimated total cost of £850,000 at out-turn prices;

(ii) to approve the procurement authority, as contained in the Report, in accordance with the process stated in Section 16.8 of the Financial Regulations of the Council;

(iii) to note that the project would be funded from a total allowance of £850,000 contained in the Schools and Learning Programme of the updated General Fund Financial Plan 2012/2017, as approved by the Corporate Services Committee on 29 August 2013 (Article 9 refers); and

(iv) to note the financial implications included in section 6 of the Report.

9. PROPERTY TRANSACTIONS

With reference to Article 11 of the minute of meeting of this Committee of 29 August 2013, there was submitted Report No 560/13 by the Strategic Director – Communities, regarding property transactions dealt with under delegated authority and seeking homologation of two property transactions previously actioned.

The Committee agreed:-

(i) to note the property transactions detailed in Appendices 1, 2 and 3 which had been completed under the delegated authority of the then Head of Property; and

(ii) to approve the transactions as detailed in Appendices 1 and 3.

10. SURPLUS PROPERTY – SITE AT SLADE ROAD, KIRRIEMUIR

With reference to Article 4 of the minute of meeting of this Committee of 20 October 2011, there was submitted Report No 561/13 by the Strategic Director – Communities, regarding the site at Slade Road, Kirriemuir, a former Roads Depot, which was now surplus to the requirements of Angus Council.

The Report proposed to utilise part of the site for car parking in association with the adjacent Martin Park, and to market the remainder of the site on the open market.
The Committee agreed:-

(i) that part of the site at Slade Road, Kirriemuir, as shown outlined on the plan in Appendix 1 of the Report, be declared surplus to Angus Council requirements and advertised for sale on the open market; and

(ii) that funding from the disposal of the surplus site be ringfenced to enable the creation of a surfaced car park to serve the adjacent Martin Park.

11. UPDATE COMMUNITY ASSET TRANSFER POLICY

With reference to Article 7 of the minute of meeting of the Neighbourhood Services Committee of 26 September 2013, there was submitted Report No 525/13 by the Strategic Director – Communities, updating aspects of the policy and procedures intended to guide the promotion and implementation of Community Asset Transfer in Angus.

The Committee, for its interest, agreed:-

(i) to approve the updated policy and procedures detailed in the Report; and

(ii) to note that the Neighbourhood Services Committee had agreed that further updated reports would be provided to the relevant Committees, as appropriate.
ANGUS COUNCIL

MINUTE of MEETING of the STRATEGIC POLICY COMMITTEE held in the Town and County Hall, Forfar on Tuesday 15 October 2013 at 4.00 pm.

Present: Councillors ROB MURRAY, PAUL VALENTINE, BILL BOWLES, MAIRI EVANS, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, MARTYN GEDDES, ALEX KING, IAN MCLAREN, DAVID MAY, GLENNIS MIDDLETON, DONALD MORRISON, BOB SPINK and SHEENA WELSH.

Councillor PAUL VALENTINE, Vice Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Iain Gaul with Councillor Rob Murray 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 3 September 2013 was submitted and approved as a correct record.

(b) Police and Fire and Rescue Sub-Committee

The minute of meeting of the Police and Fire and Rescue Sub-Committee of 26 September 2013, a copy of which is appended hereto, was submitted and noted (APPENDIX I).

(c) Executive Sub-Committee

The minutes of meetings of the Executive Sub-Committee of 29 August and 12 September 2013, copies of which are appended hereto, were submitted and noted (APPENDICES II and III).

4. MEMBERSHIP OF POLICE AND FIRE AND RESCUE SUB-COMMITTEE

Members were advised that Councillor Helen Oswald had resigned as a member of the Police and Fire and Rescue Sub-Committee.

Having heard from Councillor Fotheringham, the Committee unanimously agreed to appoint Councillor Proctor to the Police and Fire and Rescue Sub-Committee.

5. BROADBAND ROLL-OUT IN ANGUS

With reference to Article 7 of the minute of meeting of the Strategic Policy Committee of 30 April 2013, there was submitted Report No 568/13 by the Chief Executive providing members with an update on the signing of the Minute of Agreement and the Call-off Contract between Angus Council and the Scottish Government with regard to the Council’s contribution for the uplift of broadband provision across Angus.

The Report indicated that the Minute of Agreement between Angus Council and the Scottish Ministers had been signed on 26 July 2013 with a copy of the Agreement attached as Appendix 1 to the Report. As a result of this agreement, Angus Council would provide an additional local subsidy of £2 million for the project.
The Report concluded that these ambitious projects would connect communities across Angus and would provide a platform for future economic development and regeneration. They would enable businesses to compete on an international stage and have the potential to enhance education, health and social care across the County.

The Committee agreed:-

(i) to note that the Minute of Agreement between Scottish Ministers and Angus Council relating to Step Change 2015 (Rest of Scotland) Project had been duly signed, and attached as Appendix 1 to the Report;

(ii) to note the current status of the Scottish Government’s Broadband Roll-out Contract and its projected benefits to Angus; and

(iii) to note the additional information contained in the Report on complimentary communication projects.
MINUTE of MEETING of the POLICE AND FIRE AND RESCUE SUB-COMMITTEE of the STRATEGIC POLICY COMMITTEE held in the Committee Room, Town and County Hall, Forfar on Thursday 26 September 2013 at 3.00 pm.

Present: Councillors BILL BOWLES, JIM HOUSTON, ROB MURRAY, BOB MYLES and ALEX KING.

In the absence of the Convener, the Sub-Committee agreed to appoint Councillor Bowles as Chair of the meeting.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Paul Valentine, Iain Gaul and Helen Oswald with Councillors Jim Houston, Rob Murray and Alex King substituting respectively. An apology for absence was also intimated on behalf of Councillor Sheena Welsh.

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 30 May 2013 was submitted and approved as a correct record.

4. ANGUS LOCAL POLICING AREA PERFORMANCE RESULTS: 1 APRIL 2013- 31 JULY 2013

With reference to Article 4 of the minute of meeting of this Sub-Committee of 30 May 2013, there was submitted Report No 525/13 by Chief Superintendent Hamish MacPherson, which updated the Sub-Committee on the performance results for the period 1 April – 31 July 2013.

In relation to recorded crime, the Angus Local Policing Area had evidenced reductions in violent crime when compared to the average of the previous five years. Improvements in detection rates against the five year average were evidenced in relation to rape, however, detection rates for serious assault, housebreaking and shop lifting were below the five year average. In relation to speeding, seatbelt offences and mobile phone offences, significant detections were above the five year average, due to an emphasis on enforcement to influence driver behaviour to keep people safe and deny criminals use of the road network.

Following a number of questions, the Sub-Committee agreed to note the contents of the Report.

5. POLICE AND FIRE REFORM: LOCAL SCRUTINY AND ENGAGEMENT OPERATIONAL REPORT PART 1

With reference to Article 7 of the minute of meeting of this Sub-Committee of 30 May 2013, there was submitted Report No 526/13 by Chief Inspector Gordon Milne providing members with background operational information to the performance information at item 4 above.

The Report indicated that since the last meeting of the Sub-Committee one additional Inspector and two Community Policing Sergeants had transferred into the Angus Command area. The Inspector would act as a Deputy Area Commander to enhance the command resilience with the two Sergeants having already taken over responsibility for the Community Officers.
The Report summarised performance in relation to:-

- Protecting People – Keeping People Safe
- Licensed Premises
- Stop and Search
- Anti-Social Behaviour
- Road Safety and Road Crime
- Serious and Organised Crime

Following a number of questions, the Sub-Committee agreed:-

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

(ii) that elected members be provided with a diagram of responsibilities of senior police staff for the Angus area.

6. FIRE AND RESCUE QUARTERLY PERFORMANCE REPORT: 1 APRIL – 30 JUNE 2013

With reference to Article 8 of the minute of meeting of this Sub-Committee of 30 May 2013, there was submitted Report No 527/13 by the Area Manager, Scottish Fire and Rescue Service, providing members with background information on the performance of the Scottish Fire and Rescue Service against the priorities and objectives detailed within the Angus Area Fire and Rescue Plan.

The Report indicated that the priorities and outcomes detailed within the Local Angus Plan had been identified through a detailed process that involved strategic assessment and engagement with a range of stakeholders and community planning partners, with the priorities linked to a suite of 14 Local Area Performance Indicators that provided a strategic overview across the Angus Area. Supporting these were ward level performance indicators which facilitated more detailed analysis of localised issues and a greater degree of managerial accountability. Attached as an Appendix to the Report were details of the activity levels and how the service had performed across the Angus area.

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

7. 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 disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

8. POLICE AND FIRE REFORM: LOCAL SCRUTINY AND ENGAGEMENT- OPERATIONAL REPORT PART 2

Chief Inspector Gordon Milne updated members on a number of operational matters.

The Sub-Committee agreed to note the position.
MINUTE of MEETING of the EXECUTIVE SUB-COMMITTEE of the STRATEGIC POLICY COMMITTEE held in the First Floor Meeting Room, 7 The Cross, Forfar on Thursday 29 August 2013 at 3.30 pm.

Present: Councillors ALEX KING, PAUL VALENTINE and CRAIG FOTHERINGHAM.

Councillor VALENTINE, Vice-Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Iain Gaul with Councillor Alex King substituting.

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 5 July 2013 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 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 7A to the Local Government (Scotland) Act 1973 Paragraph 1.

5. PROPOSED EARLY RETIREMENT

There was submitted Joint Report No 500/13 by the Chief Executive and the Strategic Director – People seeking approval of the application for early retirement of the Senior Manager, Community Care Services as part of the implementation of the Council’s new senior management structure.

The Sub-Committee agreed to approve the early retirement of the Senior Manager, Community Care Services with the effect from 31 December 2013.
MINUTE of MEETING of the EXECUTIVE SUB-COMMITTEE of the STRATEGIC POLICY COMMITTEE held at 7 The Cross, Forfar on Thursday 12 September 2013 at 3.45 pm.

Present: Councillors IAIN GAUL, PAUL VALENTINE and CRAIG FOTHERINGHAM.

Councillor GAUL, 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 29 August 2013 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 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 7A to the Local Government (Scotland) Act 1973 Paragraph 1.

5. EARLY RETIREMENT

With reference to Article 5 of the minute of meeting of the Executive Sub-Committee of the Strategic Policy Committee of 5 June 2013, there was submitted Joint Report No 528/13 by the Chief Executive and the Strategic Director – Communities seeking homologation of the decisions by the Chief Executive and the Strategic Director – Communities taken in consultation with Leader of the Council to amend the retirement dates of the Senior Service Manager (Economic Development) and Senior Service Manager (Corporate Planning).

The Sub-Committee agreed to homologate the decisions by the Chief Executive and the Strategic Director - Communities, taken in consultation with the Leader of the Council to amend the retirement dates of the Senior Service Manager (Economic Development) from 30 September 2013 to 31 December 2013 and of the Senior Service Manager (Corporate Planning) from 30 September 2013 to 31 July 2013.