

ANGUS COUNCIL

MINUTE of HYBRID MEETING of the **COMMUNITIES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 23 May 2023 at 2.00pm.

Present: Councillors MARK McDONALD, KENNY BRAES, BRIAN BOYD, LINDA CLARK, SERENA COWDY, BRENDA DURNO, BILL DUFF, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAN McLAREN, GEORGE MEECHAN, CHRIS BEATTIE, LOUISE NICOL, IAIN GALL, JILL SCOTT and TOMMY STEWART.

Councillor McDONALD, Convener, in the Chair.

REQUEST FOR DEPUTATION

The Convener intimated that a deputation request had been received from Mr Arthur Grant in relation to Item 8 Parking Enforcement - Increase in Tariff Level of Penalty Charge Notice.

The Committee agreed to hear the deputation immediately prior to consideration of Item 8.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Lynne Devine, Lloyd Melville and Ronnie Proctor MBE with Councillors Durno, Beattie and Gall substituting, respectively.

2. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY

Councillor Duff made a statement of transparency in relation to Item 6, Report 151/23 as he had helped initiate one of the proposed routes (Hillside to Marykirk route). He indicated that he would take part in any discussion and voting on the item.

Councillors Fairweather, Cowdy and Louise Nicol each made a statement of transparency in relation to Item 7, Report 152/23 in that they had attended a stakeholder meeting for Muirfield Primary School. They all indicated that they would take part in any discussion and voting on the item.

Councillors Beattie and Scott each made a statement of transparency in relation to Item 7, Report 152/23 as they had attended a stakeholder meeting for Maisondieu Primary School. They both indicated that they would take part in any discussion and voting on the item.

Councillor Meechan made a statement of transparency in relation to Item 7, Report 152/23 as he had attended a stakeholder meeting for Newtyle Primary School. He indicated that he would take part in any discussion and voting on the item.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 18 April 2023 was approved as a correct record and signed by the Convener.

In accordance with the provisions of Standing Order 36, the Committee agreed that Councillor Speed be allowed to address the meeting on items 4 and 5.

4. LOCAL HOUSING STRATEGY 2023-28

There was submitted Report No 149/23 by the Director of Vibrant Communities and Sustainable Growth seeking approval to submit the Local Housing Strategy (LHS) 2023-28 to the Scottish Government peer review process as detailed in Appendix 1 to the Report.

The Director of Vibrant Communities and Sustainable Growth provided a brief introduction of the Report and the Service Leader – Housing responded to questions from Councillors Fotheringham, Fairweather, Louise Nicol, Gall and Scott and advised members that regular progress reports would be provided.

Councillor Speed then addressed the Committee and raised concerns in relation to a number of current issues that required to be improved and spoke of the need to control anti-social behaviour which blighted the lives of many tenants. She advised that although the strategy highlighted these current challenges, she felt that many of the solutions were merely aspirations. She also expressed her disappointment at the delay in the new build projects.

At this stage, Councillors Boyd and Gall each made a statement of transparency in relation this item (Report 149/23) as they were registered private landlords. They both indicated that they would take part in any discussion and voting on the item.

The Committee agreed:-

- (i) to approve the content of the LHS 2023-28 as detailed in Appendix 1 to the Report;
- (ii) to approve the ongoing development of the LHS and its associated initiatives and work streams during the lifetime of the Strategy; and
- (ii) to note that following Committee approval, the LHS would be submitted to the Scottish Government for peer review prior to formal sign-off and publication.

5. MARKET ACQUISITION & DISPOSAL OF PROPERTIES

With reference to Article 9 of the minute of meeting of the Policy and Resources Committee of 6 December 2022 there was submitted Report No 150/23 by the Director of Vibrant Communities and Sustainable Growth providing an update on the Open Market Acquisition (OMA) Scheme and the Disposal & Buyback for Majority Share (DBMS) programme. Approval was sought for both to be updated and expanded. The Report also set out acquisitions and disposals to date, the reasons for updating and expansion plus detail of increased grant eligibility.

The Director of Vibrant Communities and Sustainable Growth provided a brief introduction of the Report and the Service Leader – Housing responded to questions from Councillors Fotheringham and Louise Nicol and advised that she would look to inform members of properties coming into the portfolio.

Councillor Speed welcomed the Report but expressed her concerns that the grant funding was not sufficient to purchase up to 50 properties per annum and wished to see more properties used to meet identified medical needs.

The Committee agreed:-

- (i) to delegate authority to the Director of Vibrant Communities and Sustainable Growth to approve the purchase of up to 50 properties per annum which met the Council's criteria and could be accommodated within existing resources;
- (ii) that purchases and related costs would be funded from an appropriate funding source to be identified from within existing resources on an ongoing basis;
- (iii) to approve the proposed changes to the Council's criteria for both the OMA Scheme and DBMS programme; and
- (vi) to note the approved expansion of the Council's children's residential estate by two properties, (Report 409/22 refers), was part of the activity covered by the Report.

6. CYCLING WALKING AND SAFER ROUTES FUND – PROGRAMME OF WORKS

With reference to Article 7 of the minute of meeting of this Committee of 7 June 2022, there was submitted Report No 151/23 by the Director of Infrastructure and Environment updating the Committee on the delivery of the programme of projects funded in 2022/23 through the Cycling, Walking and Safer Routes ("CWSR") fund and seeking approval of the programme of projects to be funded during 2023/24.

A summary of the projects undertaken during 2022/23 was outlined in Appendix 1 of the Report and a summary of the proposed programme of projects to be undertaken in 2023/24, which were developed based on responses to the public consultation, was outlined in Appendix 2 of the Report.

Appendix 3 to the Report outlined the other active travel projects identified and assessed through CWSR consultation which would be utilised to feed into the pipeline of Active Travel projects as funding opportunities were presented and would be reassessed against the specific funding criteria on offer. These funds included Smart Choices, Smarter Places; Regional Active Travel Development Fund; Places for Everyone; Sustrans NCN Development Fund; and could also extend to Place-Based Investment Programme Fund, Participatory Budgeting, Regeneration Capital Grant Fund, Levelling Up Fund and future town centre and regional regeneration funding.

Appendix 4 to the Report provided a location plan which showed the distribution of projects across Angus from CWSR 2022/23.

The Director of Infrastructure and Environment provided an overview of the projects and the Manager – Traffic and Transport responded to a number of member's questions and comments.

The Committee agreed:-

- (i) to note the amended programme of projects undertaken during 2022/23;
- (ii) to approve the programme of projects to be undertaken during financial year 2023/24; and
- (iii) to note that a list of other projects identified through the CWSR consultation process would be utilised as substitutes, if required, for the CWSR programme of projects 2023/24 and delegated authority to the Director of Infrastructure and Environment to make substitutions and to feed the others into the pipeline of Active Travel projects as funding opportunities were presented.

7. EXPERIMENTAL TRAFFIC REGULATION ORDER FOR SCHOOL FRIENDLY ZONES – PHASE 3

There was submitted Report No 152/23 by the Director of Infrastructure and Environment, proposing the making of an Experimental Traffic Order in respect of School Exclusion Zones at Muirfield Primary School, Arbroath, Maisondieu Primary School, Brechin, Seaview Primary School, Monifieth and Newtyle Primary School. The Report identified that the orders would not continue for longer than 18 months.

The four locations which were the subject of the Report had been identified and explored by Traffic & Transport officers in consultation with a dedicated stakeholder group for each school, comprising Police Scotland, local elected members, Community Councils, school staff and members of the relevant Parent/Council/Teachers' Association.

Following a number of questions and comments, the Committee agreed:-

- (i) to approve the making of an Experimental Traffic Regulation Order to include Muirfield Primary School, Arbroath, which was in addition to the School Friendly Zone already in operation at the school;
- (ii) to approve the making of an Experimental Traffic Regulation Order to include Maisondieu Primary School, Brechin;
- (iii) to approve the making of an Experimental Traffic Regulation Order to include Seaview Primary School, Monifieth; and
- (iv) to approve the making of an Experimental Traffic Regulation Order to include Newtyle Primary School.

DEPUTATION

Mr Arthur Grant addressed the meeting regarding Report No 153/23 Parking Enforcement - Increase in Tariff Level of Penalty Charge Notice and advised the Committee that his deputation was in relation to the detail of the policy rather than the principle of the proposals. He advised that the detail of the proposals caused problems for many town residents that had no on street parking near their homes. Whilst he had no objections to the proposal to increase the penalty charge notices to £100 this would affect a number of residents who relied on using long stay council car parks which limited them to parking for no more than 72 hours without facing a fine.

He concluded by asking the members to looking into this matter for the town centre residents to avoid them moving their vehicle every 72 hours or them being forced to park in unregulated places which may cause an issue.

Following a number of questions from members, Mr Grant was thanked for the deputation.

8. PARKING ENFORCEMENT – INCREASE IN TARIFF LEVEL OF PENALTY CHARGE NOTICE

There was submitted Report No 153/23 by the Director of Infrastructure and Environment asking members to agree an increase in the rate for Penalty Charge Notices (PCN) for parking contraventions in line with recommendations from Transport Scotland and the Scottish Government as detailed in the Report.

It was proposed that Angus Council increase the rate that may be charged to a motorist parking in contravention of restrictions from £60 to £100, with a discount to £50 if paid within the first 14 days and increasing to £150 if not paid after 56 days. The target date for the change coming into effect would be 1 July 2023.

It was reported that the increase was necessary as the current rate was an insufficient deterrent to many motorists and persistent offenders. This was demonstrated by the number of PCNs that were being issued, for example 3913 PCNs were issued in Angus in 2022/23. Increasing to the higher rate would mean that there would be less need to increase the charge again in the future.

Councillor Fairweather welcomed the Report and suggested that a Short Life Working Group be set up to review the procedures and processes of Penalty Charge Notices (PCNS) including recovery of unpaid notices.

The Director of Infrastructure and Environment then responded to a number of member's questions and comments.

COUNCILLOR McDONALD, SECONDED BY COUNCILLOR BRAES, MOVED THAT THE COMMITTEE AGREES: -

- (I) TO NOTE THE CONTENTS OF THE REPORT;
- (II) TO INCREASE THE NATIONALLY PRESCRIBED RATE FOR A PCN FROM £60 TO £100 IN THE ANGUS COUNCIL AREA; AND
- (III) THAT A SHORT LIFE WORKING GROUP BE ESTABLISHED TO REVIEW THE PROCEDURES AND PROCESSES OF PENALTY CHARGE NOTICES (PCNS) INCLUDING RECOVERY OF UNPAID NOTICES.

Councillor Meechan, seconded by Councillor Scott moved as an amendment, that the Committee agree to note the contents of the Report but not to increase the nationally prescribed rate for a Penalty Charge Notice (PCNS) from £60 to £100 in the Angus Council area.

On a vote being taken, the members voted:-

For the motion: -

Councillors McDonald, Braes, Boyd, Clark, Cowdy, Duff, Fairweather, Fotheringham, McLaren, Louise Nicol, Gall, and Stewart (12).

For the amendment: -

Councillors Durno, Meechan, Beattie and Scott (4).

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

In accordance with the provisions of Standing Order 16 (11)(ii) Councillors Meechan and Scott requested that their dissent be recorded in relation to the foregoing decision.

9. APPROACH TO CLIMATE CHANGE/NET ZERO/BIODIVERSITY ONE-OFF INVESTMENT FUND

With reference to Article 6 of the minute of meeting of the Policy and Resources Committee of 2 May 2023 there was submitted Report No 154/23 by the Director of Vibrant Communities and Sustainable recommending to members the approach and criteria for the allocation of the revised figure of £0.75M for investment in climate change, net zero and biodiversity projects and initiatives.

The Service Leader – Planning & Sustainable Growth introduced the Report and responded to Councillor Cowdy's question regarding Biodiversity projects and initiatives.

The Committee agreed:-

- (i) to approve the approach to the distribution of the one off investment of £0.75 million in climate change, net zero and biodiversity projects and initiatives;
- (ii) to approve the process and scoring criteria for allocation of the one-off investment fund in climate change, net zero and biodiversity projects and initiatives; and
- (iii) to note that a further Report would be brought to Committee after the summer recess period, setting out details of all projects received, those recommended for approval and a reserve list.

10. EXCLUSION OF PUBLIC AND PRESS

The Committee agreed, in accordance with the provisions of Standing Order 28(2), that the public and press be excluded during consideration of the following items 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 4, 9 & 13.

11. NATURE RESTORATION FUND – RESTORING THE RIVER SOUTH ESK: A NATURE RICH AND CLIMATE RESILIENT CATCHMENT

There was submitted Report No 155/23 by the Director of Vibrant Communities and Sustainable Growth seeking authority for Angus Council to process a funding application to the Nature Restoration Fund (Transforming Nature). The project would deliver on a landscape scale project to increase the biodiversity value, climate resilience and ecological coherence of the River South Esk Catchment.

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

12. SERVICE OF CLOSING ORDER

There was submitted Report No 155/23 by the Director of Vibrant Communities and Sustainable Growth seeking approval to make a Closing Order in relation to part of a building which did not meet the tolerable standard.

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