

City Chambers  
DUNDEE  
DD1 3BY

3rd February, 2012

Dear Sir or Madam

You are requested to attend a MEETING of **DUNDEE CITY COUNCIL** which is to be held within the City Chambers, City Square, Dundee on Monday, 13th February, 2012 at 6.00 pm.

Yours faithfully

DAVID K DORWARD

Chief Executive

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which might be perceived as influencing your opinion/vote on any matter.

Programme of Business  
(so far as known at the time of issuing this notice)

**(a) MINUTES**

1. Minute of City Council dated 9th January, 2012, page 1.
2. Minute of Environment Committee dated 9th January, 2012, page 2.
3. Minute of Housing Committee dated 9th January, 2012, page 4.
4. Minute of Policy and Resources Committee dated 9th January, 2012, page 6.
5. Minute of Licensing Committee dated 10th January, 2012, page 13.
6. Minute of Licensing Committee dated 12th January, 2012, page 15.
7. Minute of Development Management Committee dated 16th January, 2012, page 28.
8. Minute of Licensing Board dated 19th January, 2012, page 31.
9. Minute of Education Committee dated 23rd January, 2012, page 34.
10. Minute of City Development Committee dated 23rd January, 2012, page 37.
11. Minute of Social Work and Health Committee dated 23rd January, 2012, page 42.
12. Minute of Policy and Resources dated 23rd January, 2012, page 45.
13. Minute of Housing Committee dated 23rd January, 2012, page 50.
14. Minute of Development Management Committee dated 23rd January, 2012, page 52.

At a MEETING of the **DUNDEE CITY COUNCIL** held at Dundee on 9th January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Elizabeth F FORDYCE

Mohammed ASIF

Jim BARRIE

Stewart HUNTER

Laurie BIDWELL

Jimmy BLACK

Ken LYNN

Tom FERGUSON

David BOWES

Craig MELVILLE

Brian GORDON

Andrew DAWSON

Christina ROBERTS

Richard McCREADY

Will DAWSON

Alan G ROSS

Donald HAY

Bob DUNCAN

Kevin KEENAN

Fraser MACPHERSON

Lord Provost John R LETFORD, Convener, in the Chair.

## **I MINUTES**

The undernoted minutes were submitted and noted:-

Minute of Local Review Body dated 1st November, 2011.

Minute of Licensing Committee dated 1st December, 2011.

Minute of Licensing Board dated 8th December, 2011.

Minute of City Council dated 12th December, 2011.

Minute of Education Committee dated 12th December, 2011.

Minute of Housing Committee dated 12th December, 2011.

Minute of City Development Committee dated 12th December, 2011.

Minute of Social Work Committee dated 12th December, 2011.

Minute of Policy and Resources Committee dated 12th December, 2011.

Minute of Scrutiny Committee dated 14th December, 2011.

Minute of Policy and Resources Committee dated 19th December, 2011.

Minute of Development Management Committee dated 19th December, 2011.

Minute of Licensing Committee dated 20th December, 2011.

Lord Provost John R LETFORD, Convener.

At a MEETING of the **ENVIRONMENT COMMITTEE** held at Dundee on 9th January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT

Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Jim BARRIE

Jimmy BLACK

David BOWES

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Laurie BIDWELL

Tom FERGUSON

Brian GORDON

Richard McCREADY

Donald HAY

Fraser MACPHERSON

Bob DUNCAN, Convener, in the Chair.

Unless marked thus \* all items stand delegated.

## **I CAMPERDOWN PARK DEVELOPMENT PLAN**

There was submitted Report No 13-2012 by the Director of Environment updating the Committee on the progress made to date in implementing the 2004 Camperdown Country Park Development Plan and seeking approval for proposals to refresh this plan and to undertake some early action works.

The Committee noted the progress to date in implementing the Camperdown Country Park Development Plan and agreed to:-

- (i) approve the appointment of the City Engineer to prepare a refreshed Development Plan along with a five year action plan for Camperdown Park to a maximum value of £15,000; and
- (ii) authorise the director of the Environment Department to undertake the early action works identified to the sensory garden, inclusive play area and duck pond at a total cost of £73,000.

## **II DEVELOPMENT OF RECYCLING SCHEMES**

There was submitted Report No 14-2012 by the Director of Environment advising the Committee of the requirement to work towards compliance with the Scottish Government's Zero Waste Plan and seeking approval for a number of improvement projects to improve the recycling services to our residents.

The Committee noted the content of the report and authorised the Director of Environment to implement the four projects as detailed.

### **III THE SUPPLY AND ERECTION OF SECURITY FENCING ON DUNDEE LAW ALLOTMENTS**

There was submitted Report No 4-2012 by the Director of Environment seeking approval for the supply and erection of security fencing at West Law and Stirling Park Allotments.

The Committee agreed the proposed improvements and instructed the Director of Environment to undertake these works, subject to approval of the required funding through the Community Regeneration Fund by the Policy and Resources Committee of 9th January 2012.

### **IV SUPPLY OF ELECTRIC VEHICLES 2012**

There was submitted Report No 15-2012 by Director of Environment seeking approval for the authorisation of the purchase of four electric cars as part of a continuing "car pool" initiative and two small vans to replace existing diesel vehicles required by the Environment Department.

The Committee agreed to:-

- (i) accept the tenders detailed in Appendix 1 to the report;
- (ii) authorise the expenditure of £139,488; and
- (iii) remit the Corporate Fleet Manager to provide the required six monthly performance reports to Transport Scotland.

### **V SUPPLY OF VEHICLES 2011/2012**

There was submitted Report No 16-2012 by Director of Environment seeking approval for the authorisation of the purchase of replacement vehicles as required by the Environment Department to maintain operational efficiency.

The Committee agree to accept the tenders detailed in Appendix 1 to the report, and authorised the expenditure as detailed.

### **VI BROUGHTY FERRY ESPLANADE ENVIRONMENTAL IMPROVEMENTS PHASE 2**

There was submitted Agenda Note AN1-2012 whereby the Committee was advised that as part of a programme of environmental improvements along Broughty Ferry esplanade, it was proposed to undertake further environmental improvement works comprising:-

- the continuation of the black metal trip rail from Barnhill Rock Garden to Bridge Street car park;
- provision of hard surfacing below the existing park benches adjacent to the pavilion;
- installation of bollards adjacent to the Windmill toilets and beach steps opposite the rock garden; and
- installation of tree guards to new tree planting.

The above works would reduce the likelihood of damage to the existing grass surfaces caused by vehicles, improve road safety adjacent to the Windmill toilets and improve operational efficiency. The cost of undertaking these works would be £20,816.54 and the Director of Finance advised that this could be met from allowances within the Environment Department's capital budget for 2011/12. The cost of tree guards, which was estimated at approximately £2,500, would be met through the Department's Revenue Budget.

The Committee agreed that the proposed improvements be approved and the Director of Environment was instructed to undertake these works.

Bob DUNCAN, Convener.

At a MEETING of the **HOUSING COMMITTEE** held at Dundee on 9th January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Derek J SCOTT

Roderick A J WALLACE

COUNCILLORS

Ken GUILD

Elizabeth F FORDYCE

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Jim BARRIE

Stewart HUNTER

Laurie BIDWELL

Jimmy BLACK

Ken LYNN

Tom FERGUSON

David BOWES

Craig MELVILLE

Brian GORDON

Andrew DAWSON

Christina ROBERTS

Richard McCREADY

Will DAWSON

Alan G ROSS

Donald HAY

Bob DUNCAN

Kevin KEENAN

Fraser MACPHERSON

Jimmy BLACK, Convener, in the Chair.

The minute of meeting of this Committee of 12 December, 2011 was held as read.

Unless marked thus \* all items stand delegated.

## **I PROPERTIES AT 12-39 CLEPINGTON STREET**

There was submitted Agenda Note AN2-2012 reporting that eight flats at 12 Clepington Street and sixteen flats at 39 Clepington Street had previously been leased to Dundee College to provide accommodation for students. Dundee College no longer required these flats and had terminated the lease; all twenty four flats were currently void.

These were very small one room bed-sit flats with small kitchens (no provision for a washing machine) and shower rooms. The kitchens and shower rooms had been replaced. There were communal heating boilers serving the flats. The flats did not currently meet SHQS standards and would be uneconomic to upgrade.

These flats were unsuitable for main stream letting to provide sustainable tenancies as they did not meet the expectations of current applicants for housing. The Council had been unable to find any voluntary agency within Dundee which would partner with the Council to provide supported accommodation.

Marketing the properties for sale as a portfolio of twenty four rented flats had been determined as the best option since this would gain a capital receipt; any sale would be subject to the consent of the Scottish Ministers.

The Committee agreed to accept the recommendation that the flats be removed from the allocations and rent accounting systems and marketed by City Development. It was further agreed in this instance that the advice of the District Valuer be sought with regard to determining the market value of these properties.

## **II TENDERS RECEIVED**

There was submitted Report No 9-2012 by the City Architect detailing tenders received and requesting a decision thereon:-

(a) LORNE STREET DEVELOPMENT - KITCHENS AND BATHROOMS

The Committee agreed to a partnering project with McGill Electrical Ltd., Dundee, amounting to £66,177 together with allowances of £3,520 for decoration and carpet allowances and £6,426 for professional services, making a total expenditure of £76,123.

**III INSTALLATION OF HEATING, KITCHENS AND BATHROOMS TO COUNCIL PROPERTIES 2012/2015**

There was submitted Report No 10-2012 by the City Architect detailing tenders received for the installation of Heating, Kitchens, and Bathrooms to Council Properties for years 2012 to 2015 and requesting approval to accept the Most Economical Advantageous Tender and enter in negotiations for project Housing Contracts, to be reported at a later date, following approval of the Housing Capital Estimates.

The Committee:-

- (a) approved that the Director of Housing enter into a Framework Agreement with McGill Electrical Ltd., Dundee and;
- (b) noted that Environment Department (Construction Services) had carried out a shadow process and would carry out an agreed proportion of the Programme at similar quality and cost to the Framework Contractor.

Jimmy BLACK, Convener.

At a MEETING of the **POLICY AND RESOURCES COMMITTEE** held at Dundee on 9th January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Jim BARRIE

Jimmy BLACK

David BOWES

Andrew DAWSON

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Ken LYNN

Craig MELVILLE

Christina ROBERTS

Alan G ROSS

Kevin KEENAN

Mohammed ASIF

Laurie BIDWELL

Tom FERGUSON

Brian GORDON

Richard McCREADY

Donald HAY

Fraser MACPHERSON

Councillor Ken GUILD, Convener, in the Chair.

The minute of meeting of this Committee of 12th December, 2011 was held as read.

Unless marked thus \* all items stand delegated.

**I MINUTE - SUPERANNUATION INVESTMENT SUB-COMMITTEE -  
28TH NOVEMBER, 2011**

The minute of meeting of the above Sub-Committee, a copy of which is appended hereto, was submitted for information and record purposes (Appendix I).

**II REVENUE MONITORING**

There was submitted Report No 554-2011 by the Director of Finance providing the Committee with an analysis of the 2011/2012 Projected Revenue Outturn as at 30th November, 2011.

The Committee:-

- (i) noted that the overall General Fund 2011/2012 Projected Revenue Outturn as at 30th November, 2011 showed an underspend of £80,000 against the adjusted 2011/2012 Revenue Budget;
- (ii) noted that the Housing Revenue Account as at 30th November, 2011 was projecting a breakeven position against the adjusted HRA 2011/2012 Revenue Budget;
- (iii) instructed the Director of Finance to take every reasonable action to ensure that the 2011/2012 revenue expenditure was below or in line with the adjusted Revenue Budget; and
- (iv) instructed the Director of Finance, in conjunction with all Chief Officers of the Council, to continue to monitor the Council's 2011/2012 Projected Revenue Outturn.

### **III CAPITAL MONITORING**

There was submitted Report No 556-2011 by the Director of Finance appraising members of the latest position regarding the Council's Capital Expenditure Programme for 2011/2012.

The Committee noted the contents of the report.

### **IV DUNDEE COMMUNITY REGENERATION FUND 2011/2012**

There was submitted Report No 5-2012 by the Chief Executive relative to the above.

The Committee approved the funding process and the proposals contained in Section 5.2 of the report appended hereto (Appendix II).

### **V SINGLE OUTCOME AGREEMENT - ANNUAL REPORT 2011/2012**

After considering Report No 11-2012 by the Chief Executive relative to the above, the Committee endorsed the Single Outcome Agreement Annual Report 2010/2011 appended thereto.

### **VI PROGRESS WITH PROGRAMMES AND INDICATORS IN THE COUNCIL PLAN 2010/2012**

There was submitted Report No 555-2011 by the Chief Executive relative to the above.

The Committee:-

- (i) noted the progress which had been made so far on the programmes and indicators included in the Council Plan 2010/2012; and
- (ii) remitted to the Chief Executive to provide a full annual report to the June 2012 meeting of this Committee.

### **VII COUNTER-FRAUD REPORT - AS AT 30TH SEPTEMBER, 2011**

There was submitted Report No 557-2011 by the Director of Finance informing elected members on the Revenue Division's Housing Benefit and Council Tax Benefit counter-fraud activity as at 30th September, 2011.

The Committee approved the report.

### **VIII LOCAL GOVERNMENT FINANCE SETTLEMENT 2012/2015 FINANCIAL IMPLICATIONS FOR THE CITY COUNCIL AND REVENUE BUDGET/COUNCIL TAX SETTING PROCEDURE**

There was submitted Report No 22-2012 by the Director of Finance advising elected members of the announcement made by the Cabinet Secretary for Finance, Employment and Sustainable Growth on 8th December, 2011 in respect of the Local Government Finance Settlement for the three year period 2012/2015.

The Committee:-

- (i) noted the contents of the report;
- (ii) noted the Council's Revenue Funding Allocation for the three year period 2012/2015, as announced by the Cabinet Secretary for Finance, Employment and Sustainable Growth on 8th December, 2011, and the associated implications;

- (iii) noted that the Leader of the Council had written to the Cabinet Secretary for Finance, Employment and Sustainable Growth on 20th December, 2011 to advise that the City Council agreed, in principle, to the terms set out in the letters of 21st September and 8th November, 2011 (and as detailed in Section 4 of the report);
- (iv) noted the current position on the Council's Provisional 2012/2013 Revenue Budget;
- (v) noted that the financial information included in the report would be updated, as necessary, and included in the Council Tax proposals to be submitted to the Special Policy and Resources Committee on 9th February, 2012; and
- (vi) agreed the procedures to be followed for setting the 2012/2013 Revenue Budget and Council Tax level, as set out in Section 8 and Appendix 2 of the report.

**IX TAYSIDE SUPERANNUATION FUNDS ACCOUNTS 2010/2011**

(a) AUDITED STATEMENT OF ACCOUNTS - TAYSIDE SUPERANNUATION FUNDS

The above report was submitted and noted (Report No 8-2012).

(b) EXTERNAL AUDITOR'S REPORT

The above report was submitted and noted (Report No 6-2012).

(c) EXTERNAL AUDITOR'S REPORT - RESPONSE FROM DUNDEE CITY COUNCIL

There was submitted Report No 7-2012 by the Director of Finance in response to a report by the Council's External Auditor on the audit of Tayside Superannuation Funds for the year to 31st March, 2011.

The Committee endorsed the report as the Fund's formal response to the External Auditor's report and noted the completed Action Plan appended to the report.

Ken GUILD, Convener.

## APPENDIX I

At a MEETING of the **SUPERANNUATION INVESTMENT SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE** held at Dundee on 28th November, 2011.

Present:-

Bailie Willie SAWERS

COUNCILLORS

Jimmy BLACK

Kevin KEENAN

Elizabeth F FORDYCE

Bailie Willie SAWERS, Convener, in the Chair.

Unless marked thus \* all items stand delegated.

### I PROPOSED TIMETABLE OF MEETINGS FOR 2012

There was submitted Report No 526-2011 by the Director of Finance proposing a suggested programme of meetings of the Superannuation Investment Sub-Committee to cover investment performance and issues arising in 2012.

The Sub-Committee agreed the proposed programme of meetings as detailed.

### II SOCIALLY RESPONSIBLE INVESTMENT - SIX MONTHLY REPORT

There was submitted Report No 527-2011 by the Director of Finance reviewing the progress by the Fund Managers regarding the positive engagement policy on Environmental, Social and Corporate Governance approved by the Sub-Committee on 17th November, 2008.

The Sub-Committee noted the information contained within the report with regard to the activities of the Fund Managers during the six month period ended 30th September, 2011, and agreed that a follow-up report be submitted to ensure all outstanding issues were resolved.

### III PERMITTED COUNTERPARTIES FOR INVESTMENT TRANSACTIONS

There was submitted Agenda Note AN183-2011, whereby reference was made to Article VII of the minute of meeting of the Superannuation Investment Sub-Committee of 29th August, 2011, wherein approval was given to Report No 117-2011 "Treasury Management Strategy". Appendix 1 of the report detailed the credit ratings and maximum deposits to be placed with approved ending bodies. To reflect the downgrading of two approved lending bodies from F1+ to F1 on 14th October, 2011, reduced maximum deposit limits have been operated with effect from 1st November, 2011. On five occasions between 18th October, 2011 and 27th October, 2011, sums which exceeded the F1 (but not F1+) maximum deposit limits were held. Recommended revised limited are detailed below:-

<u>Approved Lending Bodies</u>	<u>Short-Term Credit Rating</u>	<u>Maximum Deposits</u> <u>£m</u>
<u>Banks</u>		
Royal Bank of Scotland plc	F1	5*
Lloyds Banking Group (inc HBOS)	F1	5
Santander Corporate Banking	F1	5
<u>Money Market Funds</u>		

\* This £5m limit applies to the call account. Additional smaller balances (less than £1m) may also be held in the current account.

Any institution whose credit rating fell below the limits set above would no longer be a permitted counterparty for further transactions.

The Sub-Committee approved this recommendation.

**The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they were likely to involve disclosure of exempt information as defined in paragraphs 4, 6 and 11 of Part I of Schedule 7A of the Act.**

#### **IV TAYSIDE SUPERANNUATION FUNDS**

##### **(a) PERFORMANCE SUMMARIES**

There was submitted Report No 525-2011 by the Director of Finance reviewing the investment performance of the Main Fund's four Fund Managers (excluding Property) and the Financing Fund for the quarter to 30th September, 2011. It also considered the performance of the Transport Fund which shared two of these managers.

The report compared investment performances of the Funds with the Funds' specific benchmarks which consisted of various stock market indices.

The Sub-Committee noted the information contained therein with regard to the performance of the Tayside Superannuation Fund and Tayside Transport Superannuation Fund and their Fund Managers.

##### **(b) PERFORMANCE SUMMARY (PROPERTY PORTFOLIO)**

There was submitted Report No 524-2011 by the Director of Finance reviewing the investment performance of the Property Portfolio for the periods to 30th September, 2011.

The report compared investment performances with an appropriate benchmark, the IPD Pooled Property All Balanced Funds Median.

The Sub-Committee noted the information contained therein with regard to the performance of the Property Portfolio.

##### **(c) SUMMARIES OF INVESTMENTS AND TRANSACTIONS**

There was submitted Report No 513-2011 by the Director of Finance reviewing the investment activities of the Main Fund's six Fund Managers for the quarter to 30th September, 2011. The Transport Fund shared three of these managers and their transactions were included.

The report summarised the transactions of each Fund Manager and showed the market values of the Main and Transport Fund.

The Sub-Committee noted the information contained therein with regard to the activities of the Tayside Superannuation Fund and Tayside Transport Superannuation Fund and their Fund Managers.

#### **V REVIEW OF PERFORMANCE**

Allison Galbraith of Hymans Robertson reviewed the performance of the Fund and the individual managers over the year.

The Sub-Committee noted the content of the Hymans Robertson report.

**VI FUND MANAGER REVIEW**

There was submitted Report No 529-2011 by the Director of Finance reviewing the position of a Fund Manager given the recent performance which had continued to be significantly below benchmark.

The Sub-Committee agreed that no action be taken at the current time but that the performance of the Fund Manager be kept under review. It was further agreed that a presentation be given to members to fully explore the future investment relationship with the fund manager.

**VII PRESENTATION**

Gillian Evans and Anna Troup of Goldman Sachs Asset Management gave a short presentation.

A summary of the performance of the Portfolio was given, noting the key performance drivers, and comparing this to benchmark figures. Market performance over Quarter Three was given and consideration given for the future.

After they had answered questions from members, the Convener thanked Gillian and Anna for their interesting and informative presentation.

Willie SAWERS, Convener.

## APPENDIX II

Applicant	Description of Project	Forum Decision Amount
Stirling Park and West Law Allotments	To enable the installation of secure fencing on two of the allotment sites on The Law enabling the allotment holders to work in safety. The increased security will also reduce the number of calls to the police and free up officers to respond to the needs of the wider community.	£31,113
City Development	To enable a number of improvements at the Dundee Law Entrance. These include the design and installation of a new 'whale bone' sculpture, restoration of the footpath, new signage, additional litter bins and lighting to provide a safer walking environment. In addition, replacing sections of the timber allotment fencing with paladin fencing to allow a clearer view over the city.	£24,775
Claverhouse - Target Hardening Project	Assisting vulnerable people who have been the victim of crime by fitting a variety of home security measures such as locks, slip bolts, chains, view-com systems, keepers, etc.	£2,250
Claverhouse - Target Hardening Project	Assisting vulnerable people who have been the victim of crime by fitting a variety of home security measures such as locks, slip bolts, chains, view-com systems, keepers, etc.	£1,303
Claverhouse - Target Hardening Project	Assisting vulnerable people who have been the victim of crime by fitting a variety of home security measures such as locks, slip bolts, chains, view-com systems, keepers, etc.	£2,500
St John's Boomerang	To employ a youth worker for eight hours a week to develop new programmes and enhance current youth provision at Boomerang.	£1,664
St John's Boomerang	To repaint the frontage of Youth Cafe situated at 1 Pitkerro Road.	£405
Claverhouse - Target Hardening Project	Assisting vulnerable people who have been the victim of crime by fitting a variety of home security measures such as locks, slip bolts, chains, view-com systems, keepers, etc.	£2,500
Claverhouse - Target Hardening Project	Assisting vulnerable people who have been the victim of crime by fitting a variety of home security measures such as locks, slip bolts, chains, view-com systems, keepers, etc.	£1,500
Dundee West Youth Team	To engage young people from the North West of Dundee at St Paul's RC Academy to work on an interactive media project. A total of 12 sessions will be held for 13 young people. The resulting media will help support personal and social development classes and be available to the wider community.	£2,750 (2011/2012) £1,120 (2012/2013)

At a MEETING of the **LICENSING COMMITTEE** held at Dundee on 10th January, 2012.

Present:-

Bailie Roderick A J WALLACE

COUNCILLORS

David BOWES

Stewart HUNTER  
Alan G ROSS

Tom FERGUSON

Bailie Roderick A J WALLACE, Convener, in the Chair.

The minute of meeting of this Committee of 20th December 2011 was held as read.

Unless marked thus \* all items stand delegated.

**The Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3, 6, 9 of Part I of Schedule 7A of the Act.**

**I CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

(a) TAXI DRIVER'S LICENCE - SUSPENSION HEARINGS

- (i) Reference was made to Article 1(a) of the minute of meeting of the Licensing Sub Committee held on 29th November, 2011 wherein the Taxi Driver's Licence held by Mr F A was suspended with immediate effect.

The Committee noted that the licence holder was not present and agreed that the matter be considered in their absence. There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr F A during the currency of his Taxi Driver's Licence. The Committee gave consideration to the content of the letter. Thereafter, having heard a representative of the Chief Constable, the Clerk and consideration of the advice of the Legal Officer, the Committee agreed to adjourn the hearing to the meeting of the Licensing Committee to be held on 29th March, 2012 and to continue the suspension of the Taxi Driver's Licence held by Mr F A with immediate effect during the intervening period.

- (ii) Reference was made to Article 1(a) of the minute of meeting of the Licensing Sub Committee held on 19th December 2011 wherein the Taxi Driver's Licence held by Mr G S was suspended with immediate effect.

The Committee noted that the licence holder was not present and agreed that the matter be considered in their absence. There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr G S during the currency of his taxi driver's licence. The Committee gave consideration to the content of the letter. Thereafter, having heard a representative of the Chief Constable and consideration of the advice of the Legal Officer, the Committee noted that no further action was required as the Driver's Licence held by Mr G S was now forfeit following court proceedings. Therefore, the Taxi Driver's Licence held by Mr G S ceased to have effect.

(b) TAXI DRIVER/TAXI OPERATORS LICENCE - SUSPENSION HEARING

Reference was made to Article 1(a) of the minute of meeting of Licensing Sub Committee held on 15th December, 2011 wherein the Taxi Driver's Licence held by Mr D M was suspended with immediate effect.

There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr D M during the currency of his Taxi Driver's and Taxi Operator's Licences. The Committee gave consideration to the content of the letter. Thereafter, having heard a representative of the Chief Constable, consideration of the advice of the Legal Officer and consideration of the content of the letter of support which had been tabled by the licence holder the Committee agreed to adjourn the hearing to the meeting of the Licensing Committee to be held in June, 2012 and to recall the immediate suspension of the Taxi Driver's Licence held by Mr D M during the intervening period.

**The Convener agreed that the undernoted item of business be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales.**

(c) TAXI DRIVER'S LICENCE - NEW APPLICATION

There was submitted an application by Mr M K for a Taxi Driver's Licence.

There was submitted a letter of information from the Principal General Services Officer relevant to this application. The Committee gave consideration to the content of the letter. Thereafter, having heard the applicant on their own behalf, the Committee agreed to grant a temporary licence, subject to the applicant submitting details of his Unique Tax Reference Number (UTRN) to the satisfaction of the Licensing Department.

Roderick A J WALLACE, Convener.

At a MEETING of the **LICENSING COMMITTEE** held at Dundee on 12th January, 2012.

Present:-

Bailie Roderick A J WALLACE

COUNCILLORS

David BOWES

Elizabeth F FORDYCE

Stewart HUNTER

Craig MELVILLE

Laurie BIDWELL

Tom FERGUSON

Bailie Roderick A J WALLACE, Convener, in the Chair.

The minute of meeting of this Committee of 10th January, 2012 was held as read.

Unless marked thus \* all items stand delegated.

## **I MINUTES OF MEETINGS OF LICENSING SUB-COMMITTEE**

The minutes of meetings of Licensing Sub-Committee held on 29th November, 2011, 5th December, 2011, 15th December, 2011 and 19th December, 2011 were submitted and noted for information and record purposes, the copies of which are attached to this minute as appendices I, II, III, and IV.

## **II CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

### **(a) NEW APPLICATIONS GRANTED UNDER DELEGATED POWERS**

The Committee noted that the undernoted applications had been granted under delegated powers.

#### **GAME DEALER - NEW APPLICATION**

<b>No</b>	<b>Name</b>	<b>Address</b>
1	Tesco Stores Ltd	Kingsway

#### **PUBLIC ENTERTAINMENT - NEW APPLICATIONS**

<b>No</b>	<b>Name</b>	<b>Address</b>
1	Henry Horne	High Street (31/12/2011 - 2/1/2012)
2	Kirkton Community Centre Local Management Group	Kirkton Community Centre, Derwent Avenue (date of event - 13/12/2011)
3	Leisure and Culture Dundee	Douglas Sports Centre, Baldovie Terrace
4	Leisure and Culture Dundee	Dundee International Sports Complex Mains Loan
5	Leisure and Culture Dundee	Grove Academy, 24 Claypotts Road
6	Leisure and Culture Dundee	Lochee Swimming and Leisure Centre St Mary's Lane
7	Leisure and Culture Dundee	Lynch Sports Centre, South Road
8	Leisure and Culture Dundee	Olympia, Earl Grey Place
9	Leisure and Culture Dundee	St Paul's Academy, 90 Gillburn Road

#### **STREET TRADER - NEW APPLICATIONS**

<b>No</b>	<b>Name</b>
1	Bisma Farooq
2	Angela Foreman
3	John Kettles

- 4 Steven Mitchell
- 5 Julie Thomson
- 6 Claire Whyte
- 7 Moira Whyte

TAXI DRIVER - NEW APPLICATIONS

**No Name**

- 1 Ryan Burke
- 2 Rinold P Joseph
- 3 Patrick MacMillan
- 4 Grant Walker

TAXI OPERATOR - NEW APPLICATIONS

**No Name**

- 1 Philip Dowden
- 2 Paul D Downie

WINDOW CLEANER - NEW APPLICATIONS

**No Name**

- 1 William Ewan
- 2 Mark Gow
- 3 Stephen Lawson
- 4 Sean Roger

(b) SECOND HAND DEALER - NEW APPLICATION

There was submitted the undernoted application.

<b>No</b>	<b>Name</b>	<b>Address of Premises</b>
1	Genio Tech	67 High Street, Lochee

In the case of this application, the Committee noted that the applicant was not present and agreed that the matter be considered in their absence. Thereafter, having heard the Legal Officer and noting that the applicant had failed to produce their unique tax reference number, the Committee agreed that the application be considered incompetent and not be considered.

(c) TAXI OPERATOR - REQUEST FOR VARIATION

There was submitted the undernoted request for variation.

**No Name**

- 1 George Scullion

In the case of this application, the Committee gave consideration to the content of a letter of application submitted by the licence holder. Thereafter, having heard from the licence holder on their own behalf and the Plant and Vehicle Officer, the Committee agreed that the application be refused.

## (d) PRIVATE HIRE CAR LICENCE - VARIATION

It was reported that a request for variation to allow tinted windows had been received from David Leith, Private Hire Car licence holder. The Committee gave consideration to the content of the application submitted by the licence holder and there being no objections, agreed that the application be granted.

## (e) TAXI DRIVER'S - CHANGE TO GROUP 2 MEDICAL STANDARDS

It was reported, for information, that the Group 2 Standards as they applied to insulin dependent diabetics had changed. The most recent guidelines indicated that subject to certain criteria, insulin dependent diabetics could now be considered for Group 2 licences. The driver would have to carry out regular blood glucose monitoring using a memory chip and be seen annually by an independent consultant diabetologist.

The Committee agreed to note the change and agreed that any drivers who become insulin dependent continued to be referred to OHSAS and that any assessment thereafter be carried out by an independent diabetologist rather than the driver's treating diabetologist.

## (f) HOUSES IN MULTIPLE OCCUPATION - NEW APPLICATIONS

There were submitted the undernoted applications.

No	Name	Person Responsible	Address
1	Redgrave Properties Ltd	Redgrave Properties Ltd	4/2, 19 Bank Street
2	Robin Taylor	Rossclare Lettings/Neil Thomson	23 Pleasance Court
3	Chris Santilhano	Grant Management/Peter Grant	89 Albert Street
4	Laura Rosbottom	2 Rent Me Property Management/ Richie Hawkins	3/2, 7 Roseangle
5	Laura Rosbottom	2 Rent Me Property Management/ Richie Hawkins	3/1, 7 Roseangle
6	Laura Rosbottom	2 Rent Me Property Management/ Richie Hawkins	3/1, 5 Roseangle
7	Laura Rosbottom	2 Rent Me Property Management/ Richie Hawkins	3/2, 5 Roseangle
8	Neil and Jacqueline Goodley	Grant Management/Peter Grant	2/1, 38 Whitehall Street
9	Carol Jamieson and Lauren Bulter	Allen Smith/ 9% Property Management	2/1, 2 Forebank Terrace
10	Linda and Emma Gardiner	West One Properties (UK) Ltd/ Lee Chadwick	Campus Apartments, 14 Horsewater Wynd
11	Graeme Reid	Alistair Reid	2/1, 10 Panmure Street
12	Hannah McDowell	Easylets Ltd/Jack Reavley	16A Taylor's Lane
13	Nicole Boland	Marc Fitzpatrick	2/2, 5 Hilltown Terrace
14	John Aird		54 Ladywell Avenue
15	Simon Seymour		1/2, 15 Forebank Road
16	Graeme and Anne Turnbull		43C Benzie Road
17	Lynne Finnerty		4/1, 12 Whitehall Crescent
18	Colette Figes		Flat B, 69 Constitution Road

In the case of Application No 1, the Committee, having heard a representative of the Housing Department and a representative on behalf of the applicant, agreed that the application be granted.

In the case of Application No 2, the Committee noted that this application had been withdrawn from consideration.

In the case of Application Nos 3 to 8, the Committee, having heard a representative of the Housing Department, agreed that the applications be granted.

In the case of Application No 9, the Committee, having heard a representative of the Housing Department and a representative on behalf of the applicant, agreed that the application be granted.

In the case of Application No 10, the Committee, having heard a representative of the Housing Department and an agent on behalf of the applicant, agreed that the application be granted.

In the case of Application No 11, the Committee, having heard a representative of the Housing Department, a representative on behalf of the applicant and consideration of the advice of the Legal Officer, agreed the application be granted, subject to the appointment of a suitable day to day manager, and that confirmation of this appointment be reported to the meeting of the Licensing Committee to held on 2nd February, 2012.

In the case of Application No 12, the Committee noted that the certificate of compliance had now been submitted, and having heard a representative of the Housing Department, the Committee agreed that the application be granted.

In the case of Application No 13, the Committee noted that in relation to the two letters of objection which had been submitted by members of the public, that Mr Macdonald had now withdrawn his objection, and that Mrs Hipson was not present to speak to her objection. The Committee gave consideration to the letter of objection which had been submitted by Mrs Hipson, and the letter of support which had been submitted by the applicant, and having heard a representative of the Housing Department, a representative on behalf of the applicant, and consideration of the advice of the Legal Officer, the Committee agreed that the application be granted subject to an update report being submitted to the meeting of the Licensing Committee to be held in six months time.

In the case of Application Nos 14 to 18, the Committee agreed that consideration of these applications be deferred to a future meeting of the Committee.

(g) HOUSES IN MULTIPLE OCCUPATION - VARIATIONS

There were submitted the undernoted requests for variation.

No	Address	Nature of Variation
(1)	3/2, 4 Baxter Park Terrace	To change the day to day manager to Direct Letting/Paul Staley.
(2)	2/2, 32 Seagate	To change the day to day manager to Direct Letting/Paul Staley.
(3)	17 Osborne Place	To change the day to day manager to Easylets Ltd/Jack Reavley.
(4)	3C Victoria Road	To change the day to day manager to Direct Letting/Paul Staley.
(5)	East Port House, 65 King Street	To change the day to day manager to John Cooper.
(6)	39 Larch Street	To change the day to day manager to Direct Letting/Paul Staley.
(7)	41C Tullideph Place	To change the day to day manager to Irene Duff.
(8)	7E Court Street	To change the day to day manager to Easylets Ltd/Jack Reavley.
(9)	1/0, 4 Laurelbank	To appoint the day to day manager of Easylets Ltd/Jack Reavley.

- (10) 2/2, 35 Blackness Avenue, To change the day to day managers to  
1FL, 93 Nethergate, 1/1, 28 Clepington Grainger Ramp Ltd/Ian Lawson.  
Road, 2/0, 2 North George Street, Flat 2,  
100 Victoria Road, 1/R, 89 Arbroath  
Road, 14D Thomson Street, G/L,  
1 Rustic Place, 2/R, 89 Arbroath Road,  
39 St Andrews Street, G/L,  
261 Blackness Road, 2/0, 18 City Road,  
1/R, 1 Fyffe Street, G/1, 49 Lyon Street,  
1st Floor, 19 Milnbank Road, 3/1,  
44 Scott Street and 3/L, 2 Hepburn  
Street

In the case of Request Nos 1, 2, 4, and 6, the Committee, having heard a representative of the Housing Department and a representative on behalf of the applicant, agreed that the variations be granted.

In the case of Request Nos 3, 5, 7, 8 and 9, the Committee, having heard a representative of the Housing Department, agreed that the variations be granted.

In the case of Application No 10, reference was made to the Article II(f) of the minute of meeting of the Licensing Committee held on the 1st December, 2011, wherein the applicant was to submit details on how the premises referred to would be managed. The Committee gave consideration to the report submitted by the applicants. Thereafter, having heard a representative of the Housing Department, the Committee agreed that the variations be granted.

(h) HOUSES IN MULTIPLE OCCUPATION - UPDATE

Reference was made to Articles II(d) and II(e) of the minute of meeting of the Licensing Committee held on 30th June, 2011, wherein the Committee agreed to grant the applications listed below, but to request an update from the Private Sector Services Unit at the January 2012 meeting of the Committee.

1	Anne McDonald	Esme McDonald	3/2, 43 Union Street
2	Strachmor Ltd	Kyle Moir	29 Larch Street
3	Strachmor Ltd	Kyle Moir	5 Daniel Place

In the case of Application Nos 1 to 3, the Committee noted that there were no matters which the Private Sector Services Unit required to bring to the attention of the Committee and that, as such, there was no further action required.

**The Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.**

**III CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

(a) REQUEST FOR EXTENSION OF TIME TO WIND-UP ESTATE

It was reported that a request had been received from the Executor of the late Mr G S for an extension to the three month period to wind-up the estate.

There being no objections, the Committee agreed to grant the extension until 7th June, 2012.

## (b) SKIN PIERCER AND TATTOOIST LICENCE - NEW APPLICATION

There was submitted an application by Ms B V for a Skin Piercing and Tattooist Licence. The Committee having heard the Clerk, and consideration of the advice of the Legal Officer, agreed that the application be declared incompetent and not be considered.

## (c) TAXI DRIVER'S LICENCE - NEW APPLICATIONS

(i) There was submitted an application by Mr D M for a Taxi Driver's Licence.

The Committee gave consideration to a letter of objection which had been submitted by the Chief Constable relevant to this application. Thereafter, having heard a representative of Tayside Police, a representative on behalf of the applicant and the Clerk, the Committee agreed to grant a temporary licence, subject to the applicant submitting supporting information in relation to his unique tax reference number and that confirmation of such be reported to the Licensing Committee to be held in March, 2012.

(ii) There was submitted an application by Mr B McG for a Taxi Driver's Licence.

The Committee gave consideration to a letter of objection which had been submitted by the Chief Constable relevant to this application. Thereafter, having heard a representative of the Chief Constable, a representative on behalf of the applicant, the applicant on their own behalf, and consideration of a letter of support which was tabled by the applicant, the Committee agreed to grant a temporary licence, subject to the applicant submitting supporting information in relation to his unique tax reference number and thereafter the completion of a medical examination, and confirmation of this be submitted to the Licensing Committee to be held in March, 2012 at which time the prospective employers of the licence holder would be asked to attend.

(iii) Reference was made to Article III(a)(i) of the minute of meeting of the Licensing Committee held on 1st December, 2011, wherein the Committee agreed to grant a Temporary Taxi Driver's Licence to Mr D B, subject to the submission of information in relation to the unique tax reference number being submitted.

The Committee noted that the information requested had been submitted and agreed to grant the licence.

(iv) Reference was made to Article III(a)(ii) of the minute of meeting of the Licensing Committee held on 1st December, 2011, wherein the Committee agreed to grant a Temporary Taxi Driver's Licence to Mr S B, subject to receiving information in relation to the unique tax reference number being submitted.

The Committee noted that the information requested had been submitted and agreed to grant the licence.

(v) Reference was made to Article III(a)(iii) of the minute of meeting of the Licensing Committee held on 1st December, 2011, wherein the Committee agreed to grant a Temporary Taxi Driver's Licence to Mr R P, subject to receiving information in relation to the unique tax reference number being submitted.

The Committee noted that the information requested had been submitted and agreed to grant the licence.

(vi) Reference was made to Article III(a)(iv) of the minute of meeting of the Licensing Committee held on 1st December, 2011, wherein the Committee agreed to grant a Temporary Taxi Driver's Licence to Mr J W, subject to receiving information in relation to the unique tax reference number being submitted.

The Committee noted that the information requested had been submitted and agreed to grant the licence.

## (d) TAXI OPERATOR'S - REQUEST FOR VARIATION

Reference was made to Article III(b) of the minute of meeting of the Licensing Committee held on 3rd November, 2011, wherein consideration of the request for variation to Taxi Operator's Licence held by Mr B M was deferred to allow OHSAS to submit a report. The Committee noted the content of the report submitted by OHSAS, and having noted that the licence holder would be required to attend a further occupational health assessment on 31st January, 2012 and after the consideration of advice from the Legal Officer, the Committee agreed that consideration of the matter would be deferred to the meeting of the Licensing Committee to be held on 1st March, 2012 to allow the completion of the medical assessment.

## (e) TAXI DRIVER'S LICENCE - SUSPENSION HEARING

- (i) Reference was made to Article III(c)(i) of the minute of meeting of this Committee held on 1st December, 2011, wherein the Committee agreed to defer consideration of the hearing in relation to the alleged conduct of Mr L C during the currency of his Taxi Driver's Licence to await the outcome of the trial.

The Committee noted that the licence holder was not present and agreed that the matter be considered in their absence.

There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr L C during the currency of his Taxi Driver's Licence.

The Committee having heard the Legal Officer, agreed that consideration of the matter be deferred to the meeting of the Licensing Committee to be held on 2nd February, 2012 to allow the outcome of court proceedings.

- (ii) Reference was made to Article III(c)(ii) of the minute of meeting of this Committee held on 3rd November, 2011, wherein the Committee agreed to defer consideration of the complaint received from the Chief Constable relevant to the alleged conduct of Mr T H during the currency of his Taxi Driver's Licence, and to allow the licence holder to be given an the opportunity to pay the outstanding monies in relation to a fixed penalty notice which had been accrued by the licence holder.

There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr T H during the currency of his Taxi Driver's Licence.

The Committee gave consideration to the content of the letter. Thereafter, having heard a representative of the Chief Constable, and a first hand account from a witness to the substance of the complaint, and an agent on behalf of the licence holder, the Committee agreed that the complaint had been substantiated. There was also submitted a complaint by the Environmental Compliance Manager in relation to the alleged conduct of Mr T H during the currency of his Taxi Driver's Licence.

The Committee gave consideration to the content of the complaint. Thereafter, having heard from the Environmental Compliance Manager, an agent on behalf of the licence holder, and noting that payment in relation to the fixed penalty notice was outstanding, and consideration of the advice of the Legal Officer, the Committee agreed that the licence holder be required to make payment of the outstanding monies within 14 days, and that payment of such be notified to the next meeting of the Committee, and in relation to the complaint from the Chief Constable and that the Taxi Driver's Licence held by Mr T H be suspended for a period of three months.

- (iii) Reference was made to Article III(c)(iii) of the minute of meeting of this Committee held on 1st December, 2011, wherein consideration of the suitability of Mr D K to be the holder of a Taxi Driver's Licence was deferred to allow a report to be submitted by OHSAS. The Committee noted that the licence holder was not present and agreed that the matter be considered in their absence. Thereafter, the Committee having considered the advice of the Legal Officer, agreed to note that no further action was required.

- (iv) There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr B McL during the currency of his Taxi Driver's Licence.

The Committee noted that the licence holder was not present and that the Convener had agreed to use his delegated authority to defer consideration of the matter to the next meeting of the Committee.

- (v) There was submitted a letter of information from the Environmental Compliance Manager relevant to the alleged conduct of Mr D S during the currency of his Taxi Driver's Licence.

The Committee gave consideration to the content of the letter. Thereafter, having heard from the Environmental Compliance Manager, and receiving confirmation that the fixed penalty notice had now been paid in full, the Committee agreed to note that no further action was required.

- (vi) Reference was made to Article III(c)(vii) of the minute of meeting of this Committee held on 1st December, 2011, wherein the Committee agreed to recall the immediate suspension of the Taxi Driver's Licence held by Mr S W and to defer consideration of the matter to allow the outcome of the court proceedings. The Committee noted that the Convener had agreed to use his delegated authority to further defer consideration of the matter until the meeting of the Committee to be held on 29th March, 2012 at which time it was anticipated that Court proceedings would be finalised.

(f) TAXI DRIVER'S/TAXI OPERATOR'S LICENCE - SUSPENSION HEARING

- (i) Reference was made to Article I(a) of the minute of meeting of the Licensing Sub-Committee held on 5th December, 2011, wherein the Taxi Driver's Licence held by Mr M A was suspended with immediate effect.

There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr M A during the currency of his Taxi Driver's and Taxi Operator's Licences.

The Committee gave consideration to the content of the letters, and thereafter having considered the advice of the Legal Officer, the Committee agreed to adjourn the hearings until a meeting of the Committee to be held on 29th March, 2012 to allow the outcome of court proceedings. The Committee noted that the Sheriff had recalled the immediate suspension of the Taxi Drivers Licence previously imposed by the Sub-Committee.

- (ii) There was submitted a letter of information from the Chief Constable relevant to the alleged conduct of Mr B A during the currency of his Taxi Driver's and Taxi Operator's Licences.

The Committee gave consideration to the content of the letter. Thereafter, having heard a representative of the Chief Constable, the licence holder on their own behalf and consideration of the advice of the Legal Officer, the Committee agreed to note that the complaint contained in the letter of information could not be substantiated at this time, and that no further action would be taken.

- (iii) Reference was made to Article III(f) of the minute of meeting of this Committee held on 3rd November, 2011, wherein the Committee agreed to recall the immediate suspension of the Taxi Driver's Licence held by Mr A L, and to adjourn the hearing to allow the outcome of court proceedings.

There was submitted letters of information from the Chief Constable relevant to the alleged conduct of Mr A L during the currency of his Taxi Driver's and Taxi Operator's Licences. There was also submitted a letter of support on behalf of the Licence holder. The Committee gave consideration to the content of the letters. Thereafter, having heard an agent on behalf of the licence holder, the Committee agreed to note that no further action was required as confirmation had been obtained that the Procurator Fiscal would not be proceeding with the matter.

(g) TAXI OPERATOR'S LICENCE - SUSPENSION HEARING

Reference was made to Article III(g) of the minute of meeting of this Committee held on 3rd November, 2011, wherein the Committee agreed to adjourn the hearing in relation to the alleged conduct of Mr J McG during the currency of his Taxi Operator's Licence to allow him to meet with the Finance Department to allow them to progress their investigation.

There was submitted a letter of information from the Finance Department relevant to the alleged conduct of Mr J McG during the currency of his Taxi Operator's Licence.

The Committee gave consideration to the content of the letter. Thereafter, having heard a representative of the Finance Department, the Committee agreed to note that no further action was required, as Licence Holder had cooperated with the investigation.

(h) WINDOW CLEANER'S LICENCE - NEW APPLICATION

There was submitted an application by Mr S R for a Window Cleaner's Licence.

The Committee gave consideration of the content of a letter of representation which had been submitted by the Chief Constable relevant to this application. Part of the representation referred to convictions which were spent in terms of the Rehabilitation of Offenders' Act and after hearing the Chief Constable's representative as to their age and nature, the Committee agreed that they be considered since justice could not otherwise be done.

Thereafter, having heard a representative of the Chief Constable, the applicant on their own behalf, and consideration of the advice of the Legal Officer, the Committee agreed to grant the application for a period of six months subject to a report being submitted to the meeting of the Licensing Committee on the conduct of the Licence holder over the period of the Licence.

Roderick A J WALLACE, Convener.

**APPENDIX I**

At a MEETING of the **LICENSING SUB-COMMITTEE** held at Dundee on 29th November, 2011.

Present:-

Bailie Roderick A J WALLACE  
Councillor Stewart HUNTER  
Councillor Tom FERGUSON

Bailie Roderick A J WALLACE, Convener, in the Chair.

Unless marked thus \* all items stand delegated.

**The Convener agreed that the undernoted item of business be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.**

**The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.**

**I CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

(a) TAXI DRIVER'S LICENCE - REQUEST FOR SUSPENSION

There was tabled a letter of information from the Chief Constable relative to the alleged conduct of Mr F A during the currency of his Taxi Driver's Licence.

The Sub-Committee gave consideration to the content of the letter submitted by the Chief Constable.

Thereafter, having heard a representative of the Chief Constable and consideration of the advice of the Legal Officer, the Sub-Committee agreed that the Taxi Driver's Licence held by Mr F A be suspended with immediate effect and that a hearing be convened in due course in relation to the fitness of Mr F A to be the holder of a Taxi Driver's Licence.

Roderick A J WALLACE, Convener.

**APPENDIX II**

At a MEETING of the **LICENSING SUB-COMMITTEE** held at Dundee on 5th December, 2011.

Present:-

Bailie Roderick A J WALLACE  
Councillor David BOWES  
Councillor Tom FERGUSON

Bailie Roderick A J WALLACE, Convener, in the Chair.

Unless marked thus \* all items stand delegated.

**The Convener agreed that the undernoted item of business be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.**

**The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.**

**I CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

- (a) TAXI DRIVER'S LICENCE AND TAXI OPERATOR'S LICENCE - REQUEST FOR SUSPENSION

There was tabled a letter of information from the Chief Constable relative to the alleged conduct of Mr M A during the currency of his Taxi Driver's Licence and Taxi Operator's Licence.

The Sub-Committee gave consideration to the content of the letter submitted by the Chief Constable.

Thereafter, having heard a representative of the Chief Constable and consideration of the advice of the Legal Officer, the Sub-Committee agreed that the Taxi Driver's Licence held by Mr M A be suspended with immediate effect and that a hearing be convened in due course in relation to the fitness of Mr M A to be the holder of a Taxi Driver's Licence and that no action be taken in relation to the Taxi Operator's Licence held by Mr M A during the intervening period.

Roderick A J WALLACE, Convener.

**APPENDIX III**

At a MEETING of the **LICENSING SUB-COMMITTEE** held at Dundee on 15th December, 2011.

Present:-

Bailie Roderick A J WALLACE  
Councillor Stewart HUNTER  
Councillor Richard McCREADY

Bailie Roderick A J WALLACE, Convener, in the Chair.

Unless marked thus \* all items stand delegated.

**The Convener agreed that the undernoted item of business be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.**

**The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.**

**I CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

(a) TAXI DRIVER'S LICENCE AND TAXI OPERATOR'S LICENCE - REQUEST FOR SUSPENSION

There was tabled a letter of information from the Chief Constable relative to the alleged conduct of Mr D M during the currency of his Taxi Driver's Licence.

The Sub-Committee gave consideration to the content of the letter submitted by the Chief Constable.

Thereafter, having heard a representative of the Chief Constable and consideration of the advice of the Legal Officer, the Sub-Committee agreed that the Taxi Driver's Licence held by Mr D M be suspended with immediate effect and that a hearing be convened in due course in relation to the fitness of Mr D M to be the holder of a Taxi Driver's Licence and Taxi Operator's Licence. No action would be taken in relation to the Taxi Operator's Licence held by Mr D M in the intervening period.

Roderick A J WALLACE, Convener.

#### APPENDIX IV

At a MEETING of the **LICENSING SUB-COMMITTEE** held at Dundee on 19th December, 2011.

Present:-

Bailie Roderick A J WALLACE  
Councillor Stewart HUNTER  
Councillor Tom FERGUSON

Bailie Roderick A J WALLACE, Convener, in the Chair.

Unless marked thus \* all items stand delegated.

**The Convener agreed that the undernoted item of business be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.**

**The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.**

#### **I CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

##### **(a) TAXI DRIVER'S LICENCE - REQUEST FOR SUSPENSION**

There was tabled a letter of information from the Chief Constable relative to the alleged conduct of Mr G S during the currency of his Taxi Driver's Licence.

The Sub-Committee gave consideration to the content of the letter submitted by the Chief Constable.

Thereafter, having heard a representative of the Chief Constable and consideration of the advice of the Legal Officer, the Sub-Committee agreed that the Taxi Driver's Licence held by Mr G S be suspended with immediate effect and that a hearing be convened in due course in relation to the fitness of Mr G S to be the holder of a Taxi Driver's Licence.

Roderick A J WALLACE, Convener.

At a MEETING of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Dundee on 16th January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Stewart HUNTER

Mohammed ASIF

Jim BARRIE

Ken LYNN

Laurie BIDWELL

Jimmy BLACK

Craig MELVILLE

Tom FERGUSON

David BOWES

Christina ROBERTS

Brian GORDON

Andrew DAWSON

Alan G ROSS

Richard McCREADY

Bob DUNCAN

Kevin KEENAN

Donald HAY

Bailie Roderick A J WALLACE, Convener, in the Chair.

The minute of meeting of this Committee of 19th December, 2011 was held as read.

Unless marked thus \* all items stand delegated.

## **I PLANNING APPLICATIONS**

- (a) 11-00601-FULL - PUBLIC HOUSE, 1 TO 5 SEAGATE, DUNDEE - PART CHANGE OF USE FROM PUBLIC HOUSE AND NIGHT CLUB TO PUBLIC HOUSE AND ADULT ENTERTAINMENT VENUE - FOR STARTS SPORTS BAR LTD

The Committee acceded to requests which had been received for deputations to address the Committee both in support of and relative to objections to the above application. After the deputations had stated their cases and answered questions from members of the Committee, they were thanked for their attendance and withdrew.

Thereafter, having considered objections and representations received, the Committee refused the application on the grounds that the proposed adult entertainment venue shall result in concentrations of people congregating outside the application site late at night, generating instances of significant noise disturbance and anti-social behaviour leading to a fear of crime in the surrounding area. The proposed adult entertainment venue shall therefore adversely affect the level of amenity afforded to neighbouring residential properties.

- (b) 11-00599-FULL - 122 TO 124 BROWN STREET, BROUGHTY FERRY, DUNDEE - CHANGE OF USE FROM TWO GROUND FLOOR OFFICES TO LICENSED RESTAURANT - FOR MR AND MRS COLLINSON AND MR EMSLIE

The Committee acceded to requests which had been received for deputations to address the Committee both in support of and relative to objections to the above application. After the deputations had stated their cases and answered questions from member of the Committee, they were thanked for their attendance and withdrew.

Thereafter, having considered objections and representations received, the Committee approved the application subject to the conditions recommended by the Director of City Development.

- (c) 11-00606-FULL - LAND WEST OF CLINTON TERRACE, CAENLOCHAN ROAD, BROUGHTY FERRY, DUNDEE - ERECTION OF 14.8M MONOPOLE TO ACCOMMODATE ANTENNA, PLUS GROUND LEVEL CABINET - FOR VODAFONE/TELEFONICA

It was reported that a request had been received for a deputation to address the Committee relative to objections to the above application.

Thereafter, having considered objections and representations received, the Committee refused the application on the grounds that:-

- (i) the proposed development is contrary to Policy 1 - "Vibrant and Sustainable Communities" of the Dundee Local Plan Review 2005 as it is considered that the design and location of this proposed mast would have an adverse impact on the environmental quality enjoyed by local residents and there is no mitigation which will minimise this impact. There are no material considerations of sufficient strength to justify the granting of planning permission contrary to the policy;
- (ii) the proposed development is contrary to Policy 1 of Dundee City Council's adopted Non-Statutory Planning Policies in relation to Telecommunications Masts and Other Apparatus as the justification for the location and design against alternative locations is not accepted;
- (iii) the proposed development is contrary to Policy 2 "Residential Areas" of Dundee City Council's adopted Non-Statutory Planning Policies in relation to Telecommunications Masts and Other Apparatus as there is a general presumption against the siting of free standing masts in residential areas and the proposal is not considered to be an exception to that policy as it is not sensitively located and designed; and
- (iv) the proposed development is contrary to Policy 15 "Mast Sharing and Design Issues" of Dundee City Council's adopted Non-Statutory Planning Policies in relation to Telecommunications Masts and Other Apparatus as the proposal for mast sharing apparatus on the application site is not considered appropriate by reason of location and design.

In the circumstances, the Committee declined to hear the deputation.

- (d) SITE OF LOCK-UPS, CHURCHILL PLACE, BROUGHTY FERRY, DUNDEE - PROPOSED HOUSING DEVELOPMENT (18 FLATS) - FOR FERRIER HOLDINGS LTD

The Committee acceded to a request for a deputation to address the Committee in support of the above application.

After the deputation had stated its case and answered questions from members of the Committee, it was thanked for its attendance and withdrew.

Thereafter, after considering objections received, Councillor Keenan, seconded by Councillor Guild, moved deferral of the application for a period of two months.

As an amendment, the Convener, seconded by Councillor Hay, moved that the application not be deferred.

On a division, there voted for the motion - Lord Provost Letford, Depute Lord Provost Borthwick, Bailies Sawers and Wright and Councillors Guild, Barrie, Black, Andy Dawson, Duncan, Hunter, Lynn, Melville, Roberts, Ross, Keenan, Asif, Bidwell, Ferguson, Gordon and McCready (20); and for the amendment - the Convener, Bailie Scott and Councillors Bowes and Hay (4) - whereupon the motion was declared carried.

- (e) 11-06652-FULL - GARDEN GROUND TO EAST OF 141 BALGILLO ROAD,  
BROUGHTY FERRY, DUNDEE

The Committee acceded to a request which had been received for a deputation to address the Committee relative to objections to the above application.

After the deputation had stated its case and answered questions from members of the Committee, it was thanked for its attendance and withdrew.

Thereafter, after considering objections received, the Committee approved the application subject to the conditions recommended by the Director of City Development.

## **II DELEGATED APPLICATIONS**

There was submitted Agenda Note AN10-2012, advising that from 22nd November, 2011 to 21st December, 2011, 48 applications had been decided under delegated powers. Six of these applications had attracted objections and of these, five were approved, and one refused.

The Committee noted accordingly.

Roderick A J WALLACE, Convener.

At a MEETING of the **DUNDEE CITY LICENSING BOARD** held at Dundee on 19th January, 2012.

Present:-

Bailie Roderick A J WALLACE

COUNCILLORS

Ken GUILD  
David BOWES

Stewart HUNTER  
Christina ROBERTS

Brian GORDON  
Kevin KEENAN

Bailie Roderick A J WALLACE, Convener, in the Chair.

The minute of meeting of this Board of 8th December, 2011 was held as read.

**I LICENSING (SCOTLAND) ACT 2005**

(i) VARIATIONS (MAJOR)

	<b>Premises</b>	<b>Applicant</b>
1	Capitol (Lloyds No 1) 7/9 Seagate Dundee DD1 2EG	J D Wetherspoon (Scot) Ltd c/o Brunton Miller Solicitors

The Board, having heard from an officer from the Environment Department and an agent on behalf of the applicant, agreed to a variation to change local condition 1 musical entertainment to remove the word 'occasional' thus allowing a DJ during core hours and an amendment to layout to include a squared off dance floor. Thereafter, the Board refused the remainder of the application but agreed to grant a direction in terms of Section 32(3)(a).

2	Charleston Bar 83 Charleston Drive Dundee DD2 2HB	Margaret Dodds
---	--	----------------

The Board agreed to a variation to Change of Premises Manager. Variation to provide bar meals within and outwith core hours. Variation to allow children and young persons access to the upstairs lounge when accompanied by an adult for the purpose of consuming a bar meal. Access will be allowed from opening time until 8 pm.

3	Le Gourmet 36 Commercial Street Dundee DD1 3EJ	St Paul's Cathedral Restaurants Ltd
---	---	-------------------------------------

Variation to vary opening hours for on-consumption to 11 am on Sundays. To vary terminal hour to 1 am Mondays to Sundays. To allow club/group meetings outwith core hours and allow live performances during core hours (guitarists/violinists non amplified). To allow a takeaway service prior to and during on-consumption hours. Children permitted during operating hours when accompanied by an adult. Young persons to be permitted during operating hours without an adult, however, this will be at the discretion of the manager/supervisor. To change the name of the premises to Bellini.

The Board noted that the above application had been withdrawn from the agenda.

- |   |  |  |
|---|--|--|
| 4 | Marks and Spencer Simply Food<br>114 Brook Street<br>Broughty Ferry<br>Dundee<br>DD1 1DS | Marks and Spencer plc<br>c/o Bond Pearce LLP<br>Solicitors |
|---|--|--|

The Board agreed to a variation to an increase in alcohol display area from 36.65m<sup>2</sup> to 42.97m<sup>2</sup> and consequential alteration to the layout plan.

- |   |   |   |
|---|---|---|
| 5 | The Gaiety/Malloys<br>Balgarnho Road<br>Dundee<br>DD2 4QN | Oxford Hotels and Inns Management Ltd<br>c/o Inn Business (Scotland) Ltd<br>50 Albany Street<br>Edinburgh |
|---|---|---|

Variation to core hours to open for an on and off-sales at 11 am on Sundays.

The Board agreed to defer the above application.

- |   |   |                |
|---|---|----------------|
| 6 | The Parlour Cafe<br>58 West Port<br>Dundee<br>DD1 5ER | Gillian M Veal |
|---|---|----------------|

The Board, having heard from the applicant on their own behalf, agreed to a variation to change local condition 1 musical entertainment to 'background music' by way of automatic music system/radio prior to and within core hours'. Variation to allow off-sales from 10 am until 10 pm Mondays to Sundays to allow outside catering and on-sales from 11 am Sundays. Variation to allow restaurant facilities prior to core hours, to allow takeaway food during opening hours and to allow outside catering. Variation to allow access to accompanied children and unaccompanied young persons during core hours, and to allow access to unaccompanied children aged 12-15 until 8 pm.

## **II PERSONAL LICENCE**

- (a) NEW APPLICATION

- (i) **Kathleen McAfee**

The Board, having heard from the Chief Constable's representative and the applicant on their own behalf, agreed to grant the above application.

- (b) REQUEST FOR REVIEW OF PERSONAL LICENCES

The Board agreed to a review of personal licences in respect of Henry Bradley, Elaine Bradley and Hassan Khalid.

## **III PREMISES LICENCE**

- (a) REQUEST FOR REVIEW OF PREMISES LICENCE

The Board agreed to a review of the premises licence in respect of The Bush Bar, 30 Seagate.

(b) REVIEW HEARING - TALLY'S, 11-13 OLD HAWKHILL

The Board, having heard from an officer from the Environment Department and an agent on behalf of the licensee, agreed to defer the hearing to the April meeting of the Board.

Roderick A J WALLACE, Convener.

At a MEETING of the **EDUCATION COMMITTEE** held at Dundee on 23rd January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Derek J SCOTT

Roderick A J WALLACE

COUNCILLORS

Ken GUILD

Jim BARRIE

Jimmy BLACK

David BOWES

Andrew DAWSON

Will DAWSON

Bob DUNCAN

Elizabeth F FORDYCE

Stewart HUNTER

Ken LYNN

Craig MELVILLE

Christina ROBERTS

Alan G ROSS

Kevin KEENAN

Mohammed ASIF

Laurie BIDWELL

Tom FERGUSON

Brian GORDON

Richard McCREADY

Donald HAY

Fraser MACPHERSON

Rev J WILSON

Monsignor K McCAFFREY

Mr M CHOHAN

Mr A FORREST

Mrs H MILLAR

Councillor Elizabeth F FORDYCE, Convener, in the Chair.

The minute of meeting of this Committee of 12th December, 2011 was held as read.

Unless marked thus \* all items stand delegated.

## I SCHOOL TERMS AND HOLIDAYS 2013/2014

There was submitted Report No 23-2012 by the Director of Education seeking approval of the scheme for school terms and holidays for session 2013/2014.

The Committee noted and approved the scheme of school terms and holidays for session 2013/2014 noted below:-

SCHOOL TERMS AND HOLIDAYS 2013/2014				IN SERVICE DAYS	PUPIL SCHOOL DAYS
Autumn	Start	Staff	Monday, 12 August, 2013	Day 1	
Term	Start	Pupils	Tuesday, 13 August 2013		
	End		Friday, 4 October 2013		39
Autumn	Start		Monday, 7 October 2013		
Holiday	End		Friday, 18 October 2013		
			(10 school days)		
Winter	Start		Monday, 21 October 2013		
Term			Thursday, 14 November 2013	Day 2	
			Friday, 15 November 2013	Day 3	
	End		Friday, 20 December 2013		43
Christmas	Start		Monday, 23 December 2013		
Holiday	End		Friday, 3 January 2014		
			(10 school days)		

Spring	Start		Monday, 6 January 2014		
Term			Thursday, 13 February 2014	Day 4	
			Fri/Mon, 14/17 February 2014 (Mid Term)		
	End		Friday, 28 March 2014		57
Spring	Start		Monday, 31 March 2014		
Holiday	End		Friday, 11 April 2014		
			(10 school days)		
Summer	Start		Monday, 14 April 2014		
Term			Friday, 18 April 2014 (Good Friday)		
			Monday, 5 May 2014 May Day		
			Friday 23 May 2014	Day 5	
			Monday, 26 May 2014 Victoria Day		
	End		Friday, 27 June 2014		51
			TOTAL		190
Total Number of School Days for Pupils					190
Total Number of Working Days for Staff					195
Session 2014/2015	Start	Staff	Monday 18 August 2014		
		Pupils	Tuesday 19 August 2014		
Notes: Easter Sunday, 20 April 2014					
Induction Days for Primary 7 children will be agreed by clusters in June 2014					
Commencement of SQA Examination (subject to confirmation)					

### **Closure Days 2013/2014**

Closure Day 1	Monday, 12 August 2013	Citywide
Closure Day 2	Thursday, 14 November 2013	Citywide
Closure Day 3	Friday, 15 November 2013	Citywide
Closure Day 4	Thursday, 13 February 2014	Citywide
Closure Day 5	Friday, 23 May 2014	Citywide

## **II CLASSROOM EXTENSION TO KINGSPARK SCHOOL**

There was submitted Report No 39-2012 by the Director of City Development and Director of Education examining the viability and financial implications of providing a two or four classroom extension to Kingspark School.

The Committee:-

- (i) noted the contents of the Option Appraisal; and
- (ii) approved the recommended option to provide a four classroom extension to Kingspark School.

It was remitted to the Policy and Resources Committee to:-

- (i) approve the additional capital expenditure to be included within the next update of the Council's Financial Plan for 2012-16; and

- (ii) approve the partnering contract offer from Environment Department (Construction Service).

**III CONSULTATION OUTCOME ON PROPOSALS FOR THE IMPLEMENTATION OF THE THIRTY THREE PERIOD MODEL IN SECONDARY SCHOOLS**

There was submitted Report No 20-2012 by the Director of Education informing the Committee of the outcome of consultation relative to the above.

The Committee noted the contents of the report and the outcome of the consultation.

Elizabeth F FORDYCE, Convener.

At a MEETING of the **CITY DEVELOPMENT COMMITTEE** held at Dundee on 23rd January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Elizabeth F FORDYCE

Mohammed ASIF

Jim BARRIE

Stewart HUNTER

Laurie BIDWELL

Jimmy BLACK

Ken LYNN

Tom FERGUSON

David BOWES

Craig MELVILLE

Brian GORDON

Andrew DAWSON

Christina ROBERTS

Richard McCREADY

Will DAWSON

Alan G ROSS

Donald HAY

Bob DUNCAN

Kevin KEENAN

Fraser MACPHERSON

Councillor Will DAWSON, Convener, in the Chair.

The minute of meeting of this Committee of 12th December, 2011 was held as read.

Unless marked thus \* all items stand delegated.

## **I TREE PRESERVATION ORDERS**

There was submitted Agenda Note AN4-2012 detailing the undernoted proposed Tree Preservation Orders.

(a) 02/2011 - 37A Mains Loan, Dundee

The Committee acceded to a request for a deputation to address the Committee relative to objections to the above-mentioned Tree Preservation Order. After the deputation had stated its case and answered questions from members of the Committee, it was thanked for its attendance and withdrew.

The Committee agreed to defer consideration of this item.

(b) 03/2011 - 73 Camphill Road, Broughty Ferry, Dundee

It was reported that on 10th November, 2011 the Council had made a Tree Preservation Order on the above-mentioned site, within Reres Hill Conservation Area, in order to protect the arboreal amenity of the area, and no objections had been received thereto.

The Committee therefore authorised the Depute Chief Executive (Support Services) and the Director of City Development to undertake the necessary procedures and confirm the above Tree Preservation Order.

## **II REDEVELOPMENT PLAN FOR THE HIGHGATE AND ADJACENT SITES, LOCHEE**

There was submitted Report No 25-2012 by the Director of City Development seeking approval of the redevelopment plan for the Highgate and adjacent sites, Lochee, in order to engage with the communities of Lochee and other interested parties, and to start the process of demolishing the majority of the Highgate Centre.

The Committee agreed to:-

- (a) approve the redevelopment plan attached to the report for further discussion;
- (b) remit the Director of City Development to engage with the communities of Lochee and interested parties on the redevelopment plan;
- (c) remit the Director of City Development to start the process of demolishing the majority of the Highgate Centre; and
- (d) remit the Director of City Development to determine the need for a Health Services and Community Building on the High Street.

### **III UPDATE ON SITE PLANING BRIEFS 2012**

There was submitted Report No 18-2012 by the Director of City Development advising the Committee of the Site Planning Briefs that remained valid as material considerations in making planning decisions.

The Committee agreed:-

- (a) to reaffirm the status of the Site Planning Briefs listed in Appendix 1 to the reports as material considerations in dealing with planning applications for the sites as appropriate; and
- (b) that the Site Planning Briefs detailed in Appendix 2 to the report be withdrawn.

### **IV PROPOSED LOCAL DEVELOPMENT PLAN - MAIN ISSUES REPORT AND ENVIRONMENTAL REPORT CONSULTATION 2011**

There was submitted Report No 12-2012 by the Director of City Development giving the Committee an overview of the responses to the public consultation exercise on the Main Issues Report and Environment Report relating to the production of a proposed Local Development Plan for Dundee.

The Committee noted the overview of the consultation responses to the Main Issues Report and Environment Report consultation exercise, as detailed in the report.

### **V CENTRAL WATERFRONT - WHITEHALL CRESCENT AREA - VARIATION OF WAITING RESTRICTIONS**

There was submitted Report No 2-2012 by the Director of City Development relative to the requirement to promote various Traffic Regulation Orders to facilitate a phase of the Central Waterfront Development in the Whitehall Crescent area.

The Committee approved:-

- (a) the preparation of the necessary Traffic Regulation Order to effect the changes of the traffic regulations on Whitehall Crescent, Dock Street and Dock Street slip road to South Marketgait which would vary the Tayside Regional (Dundee) (One-Way Traffic (Consolidation) Order 1987;
- (b) the preparation of the necessary Traffic Regulation Order to effect the changes to the traffic regulations on Dock Street which would vary the Tayside Regional Council (City of Dundee) (Traffic Management Scheme) (Review) Order 1994; and
- (c) the preparation of necessary Traffic Regulation Order to effect the changes to the waiting restrictions on Crichton Street, Whitehall Crescent and Dock Street which would vary the Dundee City Council (Central Area, Dundee) (Controlled Parking Zone) Order 2010.

## **VI DUNDONALD STREET ENVIRONMENTAL IMPROVEMENTS - WOLSELEY STREET CAR PARK**

There was submitted Agenda Note AN5-2012, making reference to Article VI of the minute of meeting of this Committee of 25th October, 2010 wherein the City Engineer was authorised to appoint Tayside Contracts to carry out works at Dundonald Street.

It was reported that additional works to provide a further 18 space off-street car park required to be carried out in this area, and the City Engineer had obtained a quotation from the same contractor which demonstrated favourable rates for carrying out these works under the above contract.

The overall costs amounted to £65,000, including £5,500 for professional fees, and the Committee authorised the City Engineer to instruct these works.

## **VII CHRISTMAS LIGHTS**

There was submitted Agenda Note AN7-2012 detailing costs associated with the erection and connection of the Christmas Lighting equipment and features at Dundee City Centre, Westport, Seabraes, Stobswell, Lochee High Street and bypass roundabout. Whitfield Police Station, Broughty Ferry Library and Brook Street.

Due to the urgency of the contract, it had been agreed with the Chief Executive that Environment Department (Construction Services) would carry out the works and report retrospectively to Committee, the total project cost as follows:-

Environment Department (Construction Services)	£127,983
Contingencies	£5,000
Tayside Contracts Work	£750
Professional Services	<u>£14,000</u>
Total cost of Project	<u>£147,733</u>

The Committee noted accordingly.

## **VIII DUNDEE CITY COUNCIL (DISABLED PERSONS PARKING PLACES) (OFF-STREET) ORDER 2012**

There was submitted Agenda Note AN11-2012, making reference to Article II of the minute of meeting of this Committee of 28th September, 2009 wherein the Committee authorised the preparation of an Order to promote proper use of parking spaces that were designated or provided for use only by disabled persons' vehicles.

It was reported that the proposed Order was duly drafted and during the statutory consultation period no adverse comments were received.

The Committee therefore authorised formal publication of the Order.

## **IX REVIEW OF ROAD SAFETY - A92, CLAYPOTTS TO GRANGE ROAD**

There was submitted Agenda Note AN12-2012 advising that this item had been placed on the agenda at the request of Bailie Wallace. The Committee remitted to officers of the City Development Department to prepare, in conjunction with other agencies, including Tayside Camera Partnership, a report looking at road safety issues on the A92 from Claypotts to Grange Road.

The report should include a full review of road safety with recommendations to ensure fuller pedestrian safety and to combat the known evidence of drivers exceeding the legal speed limit on this stretch of road.

## **X TENDERS RECEIVED BY CITY ARCHITECTURAL SERVICES OFFICER**

There was submitted Report No 33-2012 by the Director of City Development detailing tenders received in respect of the undernoted projects:-

- (a) Various Council Properties - Service and Maintenance of Air Handling and Air Conditioning Units

This item was deferred.

- (b) Balgay Cemetery - Roof Renewal and Alteration Works

The Committee agreed to accept a negotiated contract from the Environment Department (Construction Services) in the sum of £55,003.20, to which required to be added allowances amounting to £12,651, giving a total of £67,654.20.

- (c) Roof Repairs, 15 Shore Terrace and 18 Dock Street

The Committee agreed to accept a negotiated contract from the Environment Department (Construction Services) in the sum of £29,397.50, to which required to be added allowances amounting to £9,254, giving a total of £38,651.50.

## **XI TENDERS RECEIVED BY CITY ENGINEER**

There was submitted Report No 1-2012 advising the Committee of tenders received in respect of the demolition of Cotton Road Nursery School.

The Committee agreed to accept the lowest offer from Safedem Ltd, in the sum of £29,292, to which required to be added allowances amounting to £30,670, giving a total of £59,962.

**The Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act.**

## **XII COMMERCIAL LEASES**

There was submitted Report No 27-2012 by the City Development advising of commercial leases agreed in respect of the undernoted properties:-

Room 1, Floor 3, 11 Castle Street, Dundee  
 Site at 67 Broughty Ferry Road, Dundee  
 18-20 Dryburgh Street, Dundee  
 58-60 South Tay Street, Dundee  
 19 Dock Street, Dundee  
 8-10 Beaully Avenue, Dundee  
 28 St Giles Terrace, Dundee  
 17 Dock Street, Dundee

The Committee approved accordingly.

## **XIII RENT REVIEWS**

There was submitted Report No 26-2012 by the Director of City Development advising of rent reviews in respect of the undernoted properties:-

Mains Castle, Mains Loan, Dundee  
 2-4 Huntly Square, Dundee  
 0.94 Ha ground, south side of Longhaugh Terrace, Dundee  
 24-26 Victoria Street, Dundee

35 Castle Street, Dundee  
72-74 Ballindean Road, Dundee  
5-11 Mauchline Avenue, Dundee  
Site at Broughty Ferry Pier, Dundee

The Committee approved accordingly.

**XIV EAST OF SCOTLAND INVESTMENT FUND LOAN**

There was submitted Report No 21-2012 by the Director of City Development seeking approval to allocate a loan from the East of Scotland Investment Fund (ESIF).

The Committee approved the loan on the terms and conditions detailed in the report.

**XV 13 SPRINGHILL, DUNDEE**

There was submitted Agenda Note AN9-2012 making reference to Article X of the minute of meeting of this Committee of 24th January, 2011 wherein the Committee agreed to accept the highest offer in respect of the sale of the above property.

It was reported that the highest bidder subsequently was unwilling to proceed, and the Committee therefore agreed to the sale of the property to the next highest bidder

Will DAWSON, Convener.

At a MEETING of the **SOCIAL WORK AND HEALTH COMMITTEE** held at Dundee on 23rd January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT

Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Jim BARRIE

Jimmy BLACK

David BOWES

Andrew DAWSON

Will DAWSON

Bob DUNCAN

Elizabeth F FORDYCE

Stewart HUNTER

Ken LYNN

Craig MELVILLE

Christina ROBERTS

Alan G ROSS

Kevin KEENAN

Mohammed ASIF

Laurie BIDWELL

Tom FERGUSON

Brian GORDON

Richard McCREADY

Donald HAY

Fraser MACPHERSON

Councillor Jim BARRIE, Convener, in the Chair.

The minute of meeting of this Committee of 12th December, 2011 was held as read.

Unless marked thus \* all items stand delegated.

## **I MINUTE OF MEETING OF CASES SUB-COMMITTEE**

The minute of meeting of Cases Sub-Committee held on 22nd December, 2011 was submitted and noted for information and record purposes, a copy of which is attached to this minute as an Appendix.

## **II FUTURE SUPPORTS FOR ADULTS WITH A LEARNING DISABILITY IN DUNDEE**

There was submitted Report No 28-2012 by the Director of Social Work describing proposed revised arrangements for arranging, delivering and managing learning disability services in Dundee

The proposals and recommendations represented a revised approach to the organisation and delivery of learning disability services. In the process of development, account had been taken of demographic shifts in the population of Dundee, patterns of supply and demand, service performance, the balance between external and internal service deliver, partnership working including service integration and significant policy drivers like personalisation.

The Committee agreed:-

- (i) the proposed policy direction outlined within the report;
- (ii) to remit to the Director of Social Work to take forward proposals for changes to models of support services for adults with a learning disability that would ensure increased personalisation, flexibility and equity of access to and delivery of supports;
- (iii) to note the developing Outcomes Framework for People in Dundee who had a Learning Disability (Community Care) as detailed in Appendix 1 of the report;

- (iv) to instruct the Director of Social Work to submit detailed reports on planned developments as outlined in paragraph 4.2.11 of the report.

Jim BARRIE, Convener.

**APPENDIX**

At a MEETING of the **CASES SUB-COMMITTEE OF THE SOCIAL WORK AND HEALTH COMMITTEE** held at Dundee on 22nd December, 2011.

Present:-

Councillor Jim BARRIE  
Bailie Helen WRIGHT  
Councillor Donald HAY

Councillor Jim BARRIE, Convener, in the Chair.

Unless marked thus \* all items stand delegated.

**The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 7A of the Act.**

**I PURCHASE OF CARE PACKAGE WHICH EXCEEDS THE APPROVED NATIONAL CARE HOME RATE**

There was submitted Report No 560-2011 by the Director of Social Work requesting authorisation for increased care provision within supported accommodation for one service user that exceeded agreed authorised limits.

The Cases-Sub Committee agreed that Mr R remained in his current placement and that additional funding for his care needs to ensure his residency was secure as attained in the report.

**II PURCHASE OF PLACEMENT WHICH EXCEEDS THE APPROVED NATIONAL CARE HOME RATE**

There was submitted Report No 561-2011 by the Director of Social Work requesting approval of funding for additional services required to support SF at her present care home setting in Dundee.

The Sub-Committee agreed that an additional 20 hours per week be funded on a permanent basis, to maintain SF's current placement, on her return from an acute hospital setting located within Dundee as outlined in the report.

**III PURCHASE OF PLACEMENT WHICH EXCEEDS THE APPROVED NATIONAL CARE HOME RATE**

There was submitted Report No 562-2011 by the Director of Social Work requesting approval of funding for NM to move to a residential accommodation located in Perthshire.

The Sub-Committee agreed that a placement be funded, on a permanent basis, to facilitate NM moving to residential accommodation, from an acute hospital setting as attained in the report.

The placement will require £2200 per week to be committed by the Social Work Department. The total cost of the placement will be £114,4000 per annum. The care and support for NM will be subject to a minimum of one annual review.

Jim BARRIE, Convener.

At a MEETING of the **POLICY AND RESOURCES COMMITTEE** held at Dundee on 23rd January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Elizabeth F FORDYCE

Mohammed ASIF

Jim BARRIE

Stewart HUNTER

Laurie BIDWELL

Jimmy BLACK

Ken LYNN

Tom FERGUSON

David BOWES

Craig MELVILLE

Brian GORDON

Andrew DAWSON

Christina ROBERTS

Richard McCREADY

Will DAWSON

Alan G ROSS

Donald HAY

Bob DUNCAN

Kevin KEENAN

Fraser MACPHERSON

Councillor Ken GUILD, Convener, in the Chair.

The minute of meeting of this Committee of 9th January, 2012 was held as read.

Unless marked thus \* all items stand delegated.

## **I EMPLOYABILITY SERVICES WITHIN DUNDEE CITY COUNCIL**

There was submitted Report No 31-2012 by the Director of City Development regarding the operating model for the employability services within Dundee City Council.

The Committee approved the undernoted:-

- (i) that the current Personnel Employment Unit and Social Work Supported Employment Team be merged into one new employment service delivery model for people with health problems and disabilities. This service would be part of the Social Work Adult Service;
- (ii) that the new service be physically located at the present Employment Unit offices;
- (iii) it be remitted to City Development to monitor the Council's asset portfolio for appropriate offices to accommodate both the new employment service and Discover Opportunities Centre in one building in the future;
- (iv) that the project would now move to an implementation phase where Social Work and Personnel would organise the transition to the proposed new operating model by April 2012;
- (v) that the new Social Work Employment Service and the City Development Employability Programme Team would continue the work started in this project to further strengthen their working relationship and explore opportunities to gain further service improvements/integration of service for clients and the Council; and

- (vi) that after six months of operating the new delivery model (ie October 2012), the Strategic Management Team be advised of the final savings achieved plus any additional opportunities identified for greater service integration between the Social Work Employment Service and the City Development Employability Programme Team.

## **II OPERATING MODEL REDESIGN PROJECT - MAIL HANDLING AND DISTRIBUTION/COURIER SERVICE**

There was submitted Report No 30-2012 by the Depute Chief Executive (Support Services), outlining a proposed centralised mail handling distribution/courier service to manage incoming mail more efficiently across the Council.

The Committee approved the undernoted:-

- (i) Two courier posts (one in the Social Work Department, the other in the Communities Division) be transferred into the Support Services Division to work together with the mail room operatives in a new team to provide a centralised mail handling and distribution service under the management of the Principal Administration Officer - effective from 1st February, 2012;
- (ii) Two courier posts be deleted from the establishment (one in the Housing Department (vacant post), the other in the Education Department (temporary employee));
- (iii) An implementation plan be drawn up by the CeRDMS Project Team in conjunction with individual departments for the scanning and routing of all incoming mail (with agreed exceptions) to Dundee House and it be subsequently rolled out to all other Council locations;
- (iv) Departments continue to make efforts to further reduce incoming paper and inter-departmental paper mail; and
- (v) Directors instruct their staff to use CeRDMS, email and multi-functional devices, where possible, for scanning/e-mailing internally to minimise paper mail between departments/locations.

## **III OPERATING MODEL REDESIGN - REVIEW OF PERSONNEL FUNCTION**

There was submitted Report No 29-2012 by the Depute Chief Executive (Support Services) summarising the findings from the review of the personnel function within the Council.

The Committee approved the undernoted:-

- (i) a move towards a fully centralised HR business partnering operating model;
- (ii) the renaming of the function from Personnel to Human Resources (HR) and the re-designation of the staff accordingly, eg from Personnel Officer to Human Resources (HR) Officer;
- (iii) the transfer-in to the central HR function of four departmental staff who were identified as in the main carrying out professional personnel activities and who were CIPD (Chartered Institute of Personnel and Development) qualified;
- (iv) the transfer of the post of Organisational Development Assistant to the Information and Research Team based in the Corporate Planning Section - the post was currently on loan to that section; and
- (v) the formal review of the model 12 months after implementation - around April 2013.

#### **IV OPERATING MODEL REDESIGN - REVIEW OF FINANCIAL SERVICES**

There was submitted Report No 34-2012 by the Depute Chief Executive (Support Services) summarising the findings from a review of the accounting services function, both central and departmental, within the Council.

The Team agreed:-

- (i) that each Service Department would have a suitable person responsible for financial, budgetary and accounting matters on its Senior Management Team;
- (ii) that each Service Department would have a suitably qualified member of staff responsible for liaising with central Finance and supporting their own Department on financial, budgetary and accounting issues;
- (iii) that all other staff in Service Departments whose main duties fell into categories of Final Accounts preparation, Revenue Budget preparation and Revenue Monitoring be transferred to the central Finance Division within the Corporate Services Department. It was expected that most staff would require to spend a portion of their time located within Central Finance and a portion within the Service Department.
- (iv) that the structure within central Finance to accommodate this transfer would be part of the forthcoming Corporate Services restructure report; and
- (v) that staff who remained in Departments would be professional accountability to the Director of Finance for the financial, budgetary and accounting information they provided.

#### **V FIVE YEAR HOUSING CAPITAL BUDGET FROM 2012/2013 TO 2016/2017**

There was submitted Report No 32-2012 by the Director of Finance and Director of Housing, setting out the revised Five Year Housing Capital Estimates which would allow the Council to achieve the Scottish Housing Quality Standard by 2015 and maintain it thereafter.

The Committee:-

- (i) approved the Housing Capital Budget for 2012/2012 and the budget for the four years from 2013/2014 to 2016/2017;
- (ii) approved the action as detailed in paragraph 4 of the report;
- (iii) instructed the Director of City Development, in conjunction with the Director of Housing, to invite offers for the projects included in these capital estimates and authorised the Director of Housing, and the Director of City Development to continue with established alternative methods of procurement with contractors and develop new initiatives where these were necessary to achieve the value for money that would be required to meet with Scottish Housing Quality Standard (including partnering arrangements with contractors, where appropriate); and
- (iv) authorised the Director of Housing to accept offers as detailed in paragraph 4.3 of the report.

In addition, it was remitted to the Director of Finance to incorporate the information relating to spending on Disabled Adaptations into the monthly report submitted to the Policy and Resources Committee.

#### **VI REVENUE BUDGET 2012/2013 - HOUSING REVENUE ACCOUNT**

There was submitted Report No 42-2012 by the Director of Finance relative to the above.

The Committee approved the 2012/2013 Revenue Budget for the Housing Revenue Account appended to the report and agreed that it be remitted to the Housing Committee in order that it may set the 2012/2013 rent levels.

## **VII APPOINTMENT OF SUPPLIERS OF SMARTCARDS**

There was submitted Agenda Note AN14-2012 intimating that Dundee City Council provided the 'lead authority' role for administering the National Entitlement Card (NEC) scheme on behalf of the Scottish Government and all 32 Scottish local authorities. The Council received an additional grant from the Improvement Service to deliver a managed service to support Council users and Council developments, other potential users/developments, and to manage the third party contractors who provided goods and services to the NEC scheme.

Following a comprehensive tender evaluation involving officers of the Council and the Improvement Service, the Committee was asked to note the appointment of Novacard Informationssysteme GmbH as the supplier of smartcards to the National Entitlement Card Programme for the next four years with the option to extend for a further one year.

External funding awarded to Dundee City Council to manage the NEC scheme would be used for the purchase of the smartcards, which was estimated to be £2,209,750 over the four year period.

The Committee noted accordingly.

## **VIII PROVISION OF OCCUPATIONAL HEALTH SERVICES**

There was submitted Report No 45-2012 by the Head of Personnel seeking approval for the appointment of SERCO to provide occupational health services to the Council from 2nd April, 2012 until 31st March, 2017.

The Committee approved the appointment of SERCO which had successfully come through the Council's corporate procurement process and would enable the Council to effectively manage occupational health responsibilities.

## **IX COSLA AND IMPROVEMENT SERVICE ANNUAL CONFERENCE**

It was reported that the above conference would be held in St Andrews on 16th and 17th February, 2012 at an estimated cost of £395 per delegate.

As the conference was not linked to the convention this year, the Administration proposed that no delegates attend.

The Committee approved accordingly.

## **X CLASSROOM EXTENSION TO KINGSPARK SCHOOL**

On a reference to Article II of the minute of meeting of the Education Committee of 23rd January, 2012, there was submitted Report No 39-2012 by the Director of City Development and Director of Education.

The Team approved the additional capital expenditure to be included within the next update of the Council's Financial Plan for 2012/2016 and approved the partnering contract offer from the Environment Department (Construction Service).

**The Convener agreed that the undernoted item be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.**

**XI POLICE AND FIRE REFORM - LOCAL SCRUTINY AND ENGAGEMENT IMPLEMENTATION NETWORK**

After considering Agenda Note AN17-2012 relative to the above, the Committee agreed:-

- (i) that Dundee City Council register its interest in joining the Network as a Pathfinder for new local scrutiny and engagement arrangements with the Police, and a Networker for new arrangements being trialled elsewhere for scrutiny and engagement arrangements with the Fire and Rescue Services. It was noted that expressions of interest would be reviewed by the project board in February 2012, following which the Scottish Government would contact the Council for an introductory meeting; and
- (ii) that it be remitted to the Chief Executive to bring forward proposals for local scrutiny and engagement arrangements with the Police, which would be trialled and evaluated.

Ken GUILD, Convener.

At a MEETING of the **HOUSING COMMITTEE** held at Dundee on 23rd January, 2012

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Jim BARRIE

Jimmy BLACK

David BOWES

Andrew DAWSON

Will DAWSON

Bob DUNCAN

Elizabeth F FORDYCE

Stewart HUNTER

Ken LYNN

Craig MELVILLE

Christina ROBERTS

Alan G ROSS

Kevin KEENAN

Mohammed ASIF

Laurie BIDWELL

Tom FERGUSON

Brian GORDON

Richard McCREADY

Donald HAY

Fraser MACPHERSON

Helen DICK

Councillor Jimmy BLACK, Convener, in the Chair.

The minute of meeting of this Committee of 9th January, 2012 was held as read.

Unless marked thus \* all items stand delegated.

## **I REVIEW OF RENTS AND OTHER HOUSING CHARGES**

There was submitted Report No 40-2012 by the Director of Housing setting out the proposed rent and other charges for the financial year 2012/2013.

The Committee agreed that:-

- (i) rents be increased by 4.75% equal to £2.86 per week (£3.10 - 48 week basis) on average, subject to maximum increase of £3.50 from 2nd April, 2012;
- (ii) charges for car parking facilities remained unchanged as follows from 2nd April, 2012:
  - Garage Lock Ups £8.77 per week (£9.50 - 48 week basis)
  - Underground Parking Bays £2.54 per week (£2.75 - 48 week basis)
  - Garage Sites £2.54 per week (£2.75 - 48 week basis);
- (iii) heating charges for the sheltered housing accommodation remained unchanged for Brington Place at £6.75 per week and Baluniefield at £7.45 per week from 2nd April, 2012;
- (iv) the sheltered housing service charge remained unchanged for the financial year 2012/2013 at £26.94 per week (£29.19 - 48 week basis);
- (v) charges for the provision of Homeless Temporary Accommodation be increased by 4.75% for the financial year 2012/2013);
- (vi) the level of rents held on the Housing Revenue Account be similarly applied to miscellaneous houses i.e. the properties which were leased to the Richmond Fellowship and garage sites, subject to categorisation where appropriate.;

- (vii) the rent for the Travelling People's Site be increased by 2.9% equal to £1.75 per week to £60.13 (£1.90 to £65.14 - 48 week basis) for the financial year 2012/2013; and
- (viii) Other Charges be maintained at current rates from April, 2012 as detailed in the report.

Jimmy BLACK, Convener.

At a MEETING of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Dundee on 23rd January, 2012.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

Helen WRIGHT  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Jim BARRIE

Jimmy BLACK

David BOWES

Andrew DAWSON

Will DAWSON

Bob DUNCAN

Elizabeth F FORDYCE

Stewart HUNTER

Ken LYNN

Craig MELVILLE

Christina ROBERTS

Alan G ROSS

Kevin KEENAN

Mohammed ASIF

Laurie BIDWELL

Tom FERGUSON

Brian GORDON

Richard McCREADY

Donald HAY

Fraser MACPHERSON

Bailie Roderick A J WALLACE, Convener, in the Chair.

The minute of meeting of this Committee of 16th January, 2012 was held as read.

Unless marked thus \* all items stand delegated.

**I LARCH STREET (FORMERLY LARCHFIELD WORKS) - APPLICATION TO DISCHARGE SECTION 75 AGREEMENT**

There was submitted Report No 44-2012 by the Director of City Development advising the Committee of an application under S75A(2) of the Town and Country Planning (Scotland) Act 1997 to discharge the terms of a Section 75 Agreement relating to the prohibition of the use of new dwellinghouses in Larch Street, Dundee as Houses in Multiple Occupation and seeking the views of Committee as to how the application should be considered.

The Committee acceded to a request which had been received for a deputation to address the Committee in support of the application.

After the deputation had stated its case and answered questions from members of the Committee, it was thanked for its attendance and withdrew.

The Committee refused the application on the basis of and for the reasons set out in the report.

Roderick A J WALLACE, Convener.