

City Chambers
DUNDEE
DD1 3BY

4th November 2011

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 14th November 2011 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 Local Review Body dated 27th September 2011 page 1
2. Minute of Licensing Committee dated 24th October 2011, page 4
3. Minute of Development Management Committee dated 24th October 2011, page 7
4. Minute of Scrutiny Committee dated 26th October 2011, page 11
5. Minute of Licensing Board dated 27th October 2011, page 13
6. Minute of City Council dated 31st October 2011, page 19
7. Minute of Environment Committee dated 31st October 2011, page 20
8. Minute of Housing Committee dated 31st October 2011, page 22
9. Minute of City Development Committee dated 31st October 2011, page 27
10. Minute of Social Work and Health Committee dated 31st October, 2011, page 33
11. Minute of Policy and Resources Committee dated 31st October, 2011, page 36

(b) GENERAL

1 SIXTH PERIODICAL REVIEW OF UK PARLIAMENTARY CONSTITUENCY BOUNDARIES

(Report No 489-2011 enclosed).

2 CHRISTMAS WALK - ALEXANDRIA

It is reported that the Lord Provost, Chief Executive and the Council Officer have been invited to attend the Christmas Walk in Alexandria on 2nd and 3rd December 2011.

The Council's instructions are requested.

At a MEETING of the **LOCAL REVIEW BODY** held at Dundee on 27th September, 2011.

Present:-

Councillor David BOWES
Councillor Tom FERGUSON
Councillor Christina ROBERTS

Councillor David BOWES, in the Chair.

The Chairman welcomed those present to the meeting and briefly outlined the role of the Local Review Body and officers, in particular advising that, although the Planning Adviser was an employee of the Planning Authority, he had not been involved in the determination of the case under review and was present to provide factual information and guidance only.

I MINUTE OF MEETING OF LOCAL REVIEW BODY OF 23RD AUGUST, 2011

The minute of the above meeting was submitted and noted.

II LOCAL PLANNING REVIEW LR8/11

There was submitted Agenda Note AN149-2011, giving details of a request for a review of the refusal of planning permission for the erection of a 18.9m Tall Monopole supporting six Vodafone and 02 Antenna within a GRP Shroud and one Transmission Dish with Ground Level Cabinet at land to the south of 4 Explorer Road, Dundee Technology Park, Dundee.

The Planning Adviser gave a brief outline of the application and the reasons for refusal.

Thereafter, the Legal Adviser advised of the undernoted procedural/legal issues which required to be considered by the Local Review Body.

The applicant had intimated in the Notice of Review that new material not before the Appointed Officer at the time of reaching his decision had been submitted with the application. The Applicant had not provided any reason why the material was not presented to the Appointed Officer but simply made a comment concerning the coverage plots in the area. The new material consisted of Coverage Plot Analysis, Photomontages and an Extract of Cushman Wakefield European Cities Report 2010.

In terms of 43B(1) of the T & C Planning (Scotland) Act 1997 as amended, in a review, a party to the proceedings was not to raise any matter which was not before the appointed person at the time the determination reviewed was made unless that party could demonstrate:-

- (a) that the matter could not have been raised before that time, or
- (b) that its not being raised before that time was a consequence of exceptional circumstances.

If either of these tests was met then the Local Review Body should take the new information into consideration in reaching its decision.

In any event, in terms of Section 43B(2) of the 1997 Act as amended, the Local Review Body was required, in reaching its decision, to have regard to the provisions of the development plan and any other material considerations. Therefore, if the Local Review Body considered that the new information contained material considerations, it was required to take this into account. If not, and if neither of the criteria in terms of sub-section (1) was met, the new information should not be considered.

The Local Review Body agreed with the view of the Legal Adviser, that the new material referred to in the application for review should be taken into consideration and should not be ruled out at this stage.

It was also reported that the Report of Handling had indicated that the application did not require to be advertised. In terms of the Development Management Procedure (Scotland) Regulations 2008, Regulation 20(1)(d), where the application related to development which did not accord with the provisions of the development plan, the planning authority must publish a notice in the form set out in Schedule 4 to the regulations, in a newspaper circulating in the locality in which the neighbouring land is situated. The Appointed Officer had concluded that the development was contrary to the development plan.

Regulation 19 of the Schemes of Delegation and Local Review Procedure (Scotland) Regulations 2008 required that the Local Review Body must, to the extent not already done so, comply with Regulation 20 of the Management regulations. This had not been done.

The Local Review Body therefore agreed to publish a notice in the form set out in Schedule 4 to the Development Management Procedure (Scotland) Regulations 2008.

Thereafter, the Local Review Body considered whether it felt that it had sufficient information before it to determine the review at that time, or whether it required any further information. Members noted that the applicant had requested that the review be undertaken on the basis of the review documents and a site visit.

The Local Review Body considered the documentation submitted and, after discussion, agreed to request further written submissions from the applicant in respect of the undernoted matter under the provisions of Regulations 13 and 15 of the Town and Country Planning (Schemes of Delegation and Local Review) Procedure (Scotland) Regulations 2008:-

further evidence of the efforts made with Arquiva regarding the prospects for mast sharing with Telefonica at Sidlaw House and an explanation of the reasons why an agreement had not been reached.

The Local Review Body also agreed to hold an accompanied site visit.

III LOCAL PLANNING REVIEW LR7/11

There was submitted Agenda Note AN150-2011, making reference to Article II of the minute of meeting of the Local Review Body of 23rd August, 2011, wherein details had been submitted of an application for a review of the refusal of planning permission for Change of Use from Industrial Unit to Indoor Football Centre at Unit 1, Forties Road, Baldovie Industrial Estate, Dundee.

The Local Review Body had requested further written submissions which had been provided and circulated. It had also requested an accompanied site visit, which had taken place on 13th September, 2011.

On 24th August, the Local Review Body had requested that the Head of Economic Development provide certain information concerning available units of like type and size to those of the application in the city. This information had been provided and a copy forwarded to the Applicant's agent for comment. In his response to these comments the Applicant raised further matters concerning traffic at the application site. A response to this was obtained from the Council's Transportation Department. This was new evidence and in terms of Regulation 17 of the Town and Country Planning (Schemes of Delegation and Local Review Procedures (Scotland) Regulations 2008 an opportunity should be given to the Applicant and any relevant party to comment on them before the Local Review Body reached a decision.

Also on 24th August, the Local Review Body had sought information from the Applicant concerning the availability of sites within or on the edge of the City Centre or District Centres or in the designated Leisure Parks in terms of Policy 18 of the Dundee Local Plan Review 2005. The Applicant responded, and this response was forwarded to the Appointed Officer and the Head of City Development for their comments. Again, these responses provided what may be considered new evidence in terms of Regulation 17 and the Applicant and any relevant party should be afforded the opportunity to make further comments before the Local Review Body reach its decision.

The Local Review Body considered the documentation submitted and after discussion agreed to defer consideration of the application to the next meeting to allow the Applicant and any relevant party to make further comments on the new evidence submitted. It also requested further written submissions in respect of the undernoted matters under the provisions of Regulations 13 and 15 of the Town and County Planning (Schemes of Delegation and Local Review) Procedure (Scotland) Regulations from the Applicant:-

- (i) Alternative Sites - evidence demonstrating that, within the context of Policy 18 of the Dundee Local Plan Review 2005, no suitable site was available within or on the edge of the City Centre or District Centres or in the designated Leisure Parks. This was additional to the information that has been provided by the Applicant in respect of the alternative buildings that were considered for the proposal.
- (ii) Transportation - information, in addition to the Transport Statement Form submitted as part of the planning application, regarding:-
 - (a) the proposed number of people, including staff and visitors, that would be coming to and leaving from the development during the morning peak of 0800 and 0900 and evening peak of 1630 and 1730. The number of cars and the number of vans/deliveries arriving and leaving during these periods should also be provided;
 - (b) details of the pedestrian routes to the development and an assessment of any improvements that might be required;
 - (c) details of the location of nearby bus stops and the bus services that use these stops; and
 - (d) a justification for the level of car and cycle parking provision proposed.

David BOWES, Chairman.

At a MEETING of the **LICENSING COMMITTEE** held at Dundee on 24th October, 2011.

Present:-

Bailie Roderick A J WALLACE

COUNCILLORS

David BOWES

Stewart HUNTER

Tom FERGUSON

Craig MELVILLE

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

The minute of meeting of this Committee of 29th September, 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 and 9 of Part I of Schedule 7A of the Act.

The Committee is reminded of the quasi-judicial nature of the meeting and that in accordance with Standing Order 34(4) only those members who are present during the whole of the proceedings may take part in the deliberation.

I CIVIC GOVERNMENT (SCOTLAND) ACT, 1982

(a) SECOND HAND DEALER'S LICENCE - RENEWALS

- (i) There was submitted an application by Mr R McC for renewal of his second hand dealer's licence.

The Committee having heard the licence holder on their own behalf, and consideration of documentary evidence tabled by the licence holder, and having given consideration of the advice of the Clerk, agreed that the application be granted.

- (ii) There was submitted an application by Mr B S for renewal of his second hand dealer's licence.

The Committee noted that the applicant was not present and agreed that the application be considered in their absence.

Thereafter, having heard the Clerk and consideration of the advice of the Legal Officer, the Committee agreed that the application be considered incompetent.

(b) SKIN PIERCING & TATTOOING LICENCE - RENEWAL

There was submitted an application by Organisation NHC Limited for renewal of their skin piercing and tattooing licence.

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

Thereafter, the Committee having considered the advice of the Clerk, agreed that the application be considered incompetent.

(c) STREET TRADER'S LICENCE - RENEWAL

There was submitted an application by Miss W G for renewal of her street traders licence.

The Committee noted that the applicant was not present and agreed that the application be considered in their absence.

Thereafter, the Committee having considered the advice of the Clerk, agreed that the application be considered incompetent.

(d) TAXI DRIVER'S LICENCE - RENEWALS

(i) There was submitted an application by Mr A A for a renewal of his taxi driver's licence.

The Committee noted that the applicant was not present and agreed that the application be considered in their absence.

Thereafter, the Committee having considered the advice of the Clerk, agreed that the application be considered incompetent.

(ii) There was submitted an application by Mr M C for renewal of his taxi driver's licence.

The Committee noted that the applicant was not present and agreed that the application be considered in their absence.

Thereafter, the Committee having considered the advice of the Clerk, agreed that the application be considered incompetent.

(iii) There was submitted an application by Mr A C for renewal of his taxi driver's licence.

The Committee noted that the applicant was not present and agreed that the application be considered in their absence.

Thereafter, the Committee having considered the advice of the Clerk, agreed that the application be considered incompetent.

(iv) There was submitted an application by Mr D L for renewal of his taxi driver's licence.

The Committee having heard the Clerk, the licence holder on their own behalf, and consideration of the advice of the Legal Officer, agreed that the application be considered incompetent.

(v) There was submitted an application by Mr S P for renewal of his taxi driver's licence.

The Committee noted that the applicant was not present and agreed that the application be considered in their absence.

Thereafter, the Committee having considered the advice of the Clerk, agreed that the application be considered incompetent.

(e) WINDOW CLEANER'S LICENCE - RENEWALS

There was submitted an application by Mr K S for renewal of his window cleaner's licence.

The Committee having heard the Clerk, and receiving confirmation that supporting documentation had now been received to the satisfaction of the Licensing Department, agreed that the application be granted.

(f) TAXI DRIVER'S LICENCE - SUSPENSION HEARING

Reference was made to Article (l) of minute of meeting of Licensing Sub-Committee held on 19th September, 2011, wherein the taxi driver's licence held by Mr S W was suspended with immediate effect.

There was submitted a letter of information from Tayside Police in relation to the alleged conduct of Mr S W during the currency of his taxi driver's licence.

Thereafter, having heard a representative of the Chief Constable, an agent on behalf of the licence holder, and consideration of the advice of the Legal Officer, the Committee agreed to adjourn the hearing until the meeting of the Licensing Committee to be held on 1st December, 2011 and that the suspension of the taxi driver's licence held by Mr S W be continued with immediate effect.

Roderick A J WALLACE, Convener.

At a MEETING of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Dundee on 24th October 2011.

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

Elizabeth F FORDYCE

Fraser MACPHERSON

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

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

Unless marked thus * all items stand delegated.

I PLANNING APPLICATIONS

- (a) 11-00249-FULL - LAND TO THE SOUTH OF FAIRMUIR ROAD, DUNDEE - ERECTION OF A CHEMIST BUILDING WITH DISPENSARY AND CONSULTATION ROOMS (CLASS 1) AND STORAGE AND DISTRIBUTION FACILITIES (CLASS 6) AND FORMATION OF ASSOCIATED VEHICLE ACCESS AND CAR PARKING - FOR CLEPINGTON ROAD LLP

The Committee acceded to a request 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.

Thereafter, having considered objections received, Baillie Wright, seconded by Councillor Asif, moved refusal of the application on the grounds that the Retailing Element of the Proposed Development is contrary to Policy 45 of the adopted Dundee Local Plan Review 2005 and there are no material considerations that would justify approving this application contrary to the provisions of the Development Plan.

As an amendment, the Convener, seconded by Councillor Duncan moved approval of the application subject to the conditions recommended by the Director of City Development.

On a division, there voted for the motion - Bailies Wright and Scott, Depute Lord Provost Borthwick, Councillors Keenan, Asif, and Hay (6); and for the amendment the Convener, Lord Provost Letford, Bailie Sawers and Councillors Guild, Barrie, Black, Bowes, Andy Dawson, Duncan Fordyce, Hunter, Lynn, Melville, Roberts, Ross, Bidwell, Ferguson, Gordon, McCreedy and MacPherson (23) - whereupon the amendment was declared carried.

- (b) 11-00395-FULL - DUDHOPE BOWLING CLUB, ADELAIDE PLACE, DUNDEE - ERECTION OF A 15M TALL REPLICA FLAG POLE TO ACCOMMODATE VODAFONE AND TELEFONICA ANTENNA AND 2 GROUND LEVEL CABINETS AND ANCILLARY WORKS 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.

After considering objections 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 the scale, design, massing and location of the proposed telecommunications mast will have an incongruous appearance that will adversely affect the environmental quality enjoyed by local residents. There are no material considerations of sufficient strength to justify the granting of planning permission contrary to 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 supporting statement fails to adequately justify why alternative sites are not suitable and hence justify the site selection process.
- (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 unless the proposal is sensitively sited and designed. By reason of the scale, design, massing and location the proposed Telecommunications mast will have an incongruous appearance and fails to comply with this requirement.
- (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 fails to meet the location and design controls exercised by the Council by reason of the scale, design, massing, and location the proposed telecommunications mast will have an incongruous appearance in relation to the surrounding area and it is not considered appropriate for the application site.

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

- (iii) 11-00392-FULL - NETHERGATE BUSINESS CENTRE, 80 NETHERGATE, DUNDEE (CHANGE OF USE FROM CLASS 4 BUSINESS FOR AVIVA INVESTORS)

It was reported that a request had been received for a deputation to address the Committee in support of the above application.

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

In the circumstances the Committee declined to hear the deputation.

- (d) 11-00572-FULL - 7 DUNDARROCH GARDENS, BROUGHTY FERRY, DUNDEE - EXTENSION TO HOUSE FOR MR & MRS AL-SAFFAR

The Committee acceded to a request for a deputation to address the Committee in support of and relative to objections to the application.

After the deputations had stated their cases and answered questions from members of the Committee, they were thanked for their attendance and withdrew.

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

- (e) 11-00546-FULL - 108 SEAGATE, DUNDEE - ERECTION OF NINE FLATS OVER EXISTING SHOP UNIT - FOR VALMARSHI PROPERTIES LTD.

It was reported that a request had been received for a deputation to address the Committee in support of the above application.

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

In the circumstances the Committee declined to hear the deputation.

- (vi) 11-00446-FULL - 8 SMITH STREET, DUNDEE - CHANGE OF USE FROM OFFICE/STORAGE/CAR PARK TO VEHICLE REPAIRS WITH OFFICE/STORAGE (RETROSPECTIVE) - FOR BAKER BARDLEY LIMITED

After considering objections received the Committee approved the application subject to conditions recommended by the Director of City Development, and also subject to the addition condition:-

"The car parking area to the south of the building shall be kept at all times for the parking of vehicles associated with the proposed development and all staff vehicles and vehicles being serviced shall be parked in this area and not on Smith Street, to ensure that vehicles do not park on Smith Street in the interests of residential amenity."

- (vii) 11-00336-PPPL - 22 Albany Road, Broughty Ferry, Dundee - Proposed Dwellinghouse in Garden Ground - for Mr and Mrs DMH Mitchell

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

- (viii) 11-00425-FULL - Football Ground - North Side of Street, Arbroath, Dundee - Formation of astro turf training pitch with associated fencing and 12m high floodlights - for Dundee East Community Sports Club.

The Convener and Councillors Duncan, Hunter and Gordon declared a non-financial interest in the above application, by virtue of their positions on the Leisure and Culture Dundee Board. Councillor McCready declared a non-financial interest in the above application by virtue of his former role as Convener of Leisure, Arts and Communities Committee.

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

II PLANNING APPEAL DECISION

There was submitted Agenda Note AN152-2011 advising of the undernoted planning appeal decision.

- (i) 224-232 Hilltown, Dundee - Planning Permission in Principle for the Erection of 12 Flats and one Shop

Reference was made to Article 1 (b) of the Minutes of the Development Management Committee of 16 May 2011 wherein the above proposal was refused planning permission contrary to the Director's recommendation. The Council considered that the proposal was contrary to Policy 4 and Appendix 1 (Design of New Housing) of the Dundee Local Plan Review 2005, as no off-street parking was provided for the proposed dwellings and that there were no material considerations that would justify a decision contrary to this.

The decision was appealed by the applicant under the provisions of Section 47 and Schedule 4 of the Town and Country Planning (Scotland) Act 1997.

The appeal was determined by written representations and the decision was received by the Council on 29 August, 2011. Copies of the Reporter's decision letter have already been circulated to Members by email.

The Reporter **ALLOWED** the appeal and granted planning permission in principle subject to conditions.

In reaching his decision the Reporter noted that although there was insufficient space to provide the proposed flats with garden ground in accordance with Local Plan standards, this situation would not be much different from some of the existing flatted tenemental property in the area.

In terms of the lack of car parking, the Reporter accepted the applicants case that it would not be economically viable to sacrifice the ground floor shop and flat to provide undercroft parking. Whilst the provision of parking would be beneficial, he did not consider that the absence of such provision would create any significant difficulties in terms of local availability of parking or any road safety problems.

He felt the site was unlikely to be redeveloped if it had to meet Local Plan parking and open space standards. He also considered that the proposed infill development would be appropriate and would fit in well with adjoining development, helping to re-establish the building fabric and urban form.

He considered that the proposal's positive contribution to the wider objectives of the Hilltown Regeneration Framework was an important material consideration that outweighed the failure to meet the Local Plan amenity space and parking requirements and that in any event the failure to meet those standards would have no significant adverse impact.

The conditions he imposed were broadly similar to those recommended by the Director of City Development.

III DELEGATED APPLICATIONS

There was submitted Agenda Note AN153-2011 reporting that, for the information of the Committee, that from 22 August, 2011 to 21 September, 2011, 50 applications were decided under delegated powers. 8 of those applications attracted objections and 7 of these were approved and one was refused.

Roderick A J WALLACE, Convener.

At a MEETING of the **SCRUTINY COMMITTEE** held at Dundee on 26th October, 2011.

Present:-

BAILIES

Derek SCOTT

Willie SAWERS

COUNCILLORS

Kevin KEENAN

Fraser MACPHERSON

Craig MELVILLE

Richard McCREADY

Bob DUNCAN

Stewart HUNTER

Councillor Kevin KEENAN, in the Chair.

The minute of meeting of this Committee of 24th August, 2011 was held as read.

Unless marked thus * all items stand delegated.

I INTERNAL AUDIT REPORTS

There was submitted Report No 479-2011 by the Chief Internal Auditor providing the Committee with a summary of the Internal Audit Reports finalised since the last meeting of this Committee.

The Committee agreed to note the information contained within the report.

II INTERNAL AUDIT REPORTS - SUMMARY OF PROGRESS ON THE IMPLEMENTATION OF RECOMMENDATIONS

There was submitted Report No 480-2011 by the Chief Internal Auditor providing the Committee with an update on the progress in implementing internal audit recommendations previously reported to and agreed by Management.

The Committee agreed to note the information contained within the report.

III EXTERNAL AUDIT REPORT - CORPORATE GOVERNANCE ARRANGEMENTS

There was submitted Report No 485-2011 by Alasdair Craik, Senior Audit Manager regarding the External Audit Report on Corporate Governance arrangements.

The Committee agreed to note the Action Plan.

IV PERFORMANCE REPORT 2011

On a reference to Article III of the minute of meeting of the Policy and Resources Committee of 26th September, 2011, there was submitted Report No 427-2011 by the Director of Finance informing elected members of the Council's performance for the financial year 2010/2011.

The Committee:-

- (i) noted the Council's performance for 2010/2011 as set out in the Performance Report; and
- (ii) noted that the Council was required to report performance by 30th September, 2010 and this had been done through the Annual Performance Report which had also been published on the intranet. Excerpts from the report had also appeared in the Evening Telegraph and had been distributed throughout the Council to the main customer contact points.

V SCOTLAND'S PUBLIC FINANCES - ADDRESSING THE CHALLENGES

There was submitted Report No 457-2011 by the Director of Finance providing elected members with a summary of the above national study that had been recently issued by Audit Scotland on behalf of the Auditor General for Scotland and the Accounts Commission.

The Committee agreed to note the information contained within this report and the national study including the self-assessment checklist appended thereto.

Kevin KEENAN, Convener.

At a MEETING of the **DUNDEE CITY LICENSING BOARD** held at Dundee on 26th October, 2011.

Present:-

Bailie Roderick A J WALLACE

COUNCILLORS

David BOWES
Stewart HUNTER

Christina ROBERTS

Kevin KEENAN
Brian GORDON

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

The minute of meeting of this Board of 22nd September, 2011 was held as read.

I MINUTE OF MEETING OF DUNDEE LICENSING FORUM HELD ON 6TH SEPTEMBER, 2011 (APPENDIX)

The above was noted for information.

II LICENSING (SCOTLAND) ACT 2005

(i) NEW GRANTS

	Premises	Applicant
1	Bar Leo 3-5 Erskine Lane Broughty Ferry Dundee DD5 1DG	Andrew Hendry

The Board agreed to grant the above application.

2	Henry's Coffee House 22-24 Seagate Dundee DD1 2EQ	Henry's Coffee House
---	--	----------------------

The Board, having heard from the applicants on their own behalf, agreed to grant the above application.

3	Marks & Spencer Simply Food Unit 7 East Dock Street Gallagher Retail Park Dundee DD1 3JS	Marks & Spencer Simply Food Ltd c/o Bond Pearce LLP Solicitors
---	---	--

The Board agreed to grant the above application.

- | | | |
|---|--|-------------|
| 4 | Rachi's
86 Victoria Road
Dundee
DD1 2NY | Cilmi Eldho |
|---|--|-------------|

The Board, having heard from an objector and the applicant on their own behalf, agreed to grant the above application.

- | | | |
|---|---|------------------------|
| 5 | St Francis Hall
The Friary
8-18 Tullideph Road
Dundee
DD2 2PN | JF Kegs (Scotland) Ltd |
|---|---|------------------------|

The Board having heard from the applicants on their own behalf agreed to grant the above application.

(ii) VARIATIONS (MAJOR)

- | | Premises | Applicant |
|---|--|---|
| 1 | Asda Stores
7-9 Derwent Avenue
Dundee
DD3 0SZ | Asda Stores Ltd
c/o Gosschalks
Solicitors |

The Board agreed to grant a variation to a layout plan reducing the floor area for beers, wines and spirits to 178.8^m².

- | | | |
|---|---|---------------|
| 2 | Brambles
173-175 Brook Street
Broughty Ferry
Dundee
DD5 1DJ | Martin Cannon |
|---|---|---------------|

The Board, having heard from the applicant on their own behalf, agreed to grant a variation for provision of Restaurant facilities prior to on consumption hours, facilities for receptions/clubs/and group meetings, play live recorded music, live acoustic music, children permitted on premises accompanied by an adult and young persons permitted at the discretion of the manager/supervisor and change terminal hour of core times to midnight.

- | | | |
|---|--|-----------------|
| 3 | Clarks on Lindsay Street
80 North Lindsay Street
Dundee
DD1 1PS | RLS Trading Ltd |
|---|--|-----------------|

The Board, having heard from the applicant on their own behalf, agreed to a variation to allow; instrumental groups and vocalists during core hours Monday to Sunday, TV, CD player and background music during and outwith core hours Monday to Sunday, DJ/Disco karaoke Monday to Sunday during core hours, automatic music playback system during and outwith core hours, vary on/off sales from 11am on a Sunday; vary terminal consumption for on sales to 2.30am Monday to Sunday, with minimum entrance charge at midnight and 14 days notice of events; allow conference facilities, receptions, group/club meetings, films, gaming and indoor sports during and outwith core hours; add quiz events, casino nights, horse racing nights and charity events to the operating plan, allow access to children when accompanied for the purpose of having a meal until 8pm and for the duration of a private function. Young persons will be permitted access until 8pm Monday to Sunday unaccompanied for the purpose of having a non-alcoholic drink and/or having a meal at the discretion of the management and for the duration of a live performance or televised event. When the premises

are operating as a pub/late night opening venue young persons will not be permitted access after 8pm, and allow bar meals, recorded and televised sport outwith core hours

- | | | |
|---|--|--|
| 4 | Coyle's Bar
21-23 Old Hawkhill
Dundee
DD1 5EU | LT Management Services Ltd
c/o Poppleston Allen
Solicitors |
|---|--|--|

The Board agreed to grant a variation to bring forward the hours for the sale of alcohol for consumption on the premises on Sundays to 11.00 am; permit the premises to open for the provision of breakfast and early morning meetings etc from 7 am each day; permit private bookings/group meetings and receptions prior to the hours for the consumption of alcohol; allow low level background music prior to the hours for the consumption of alcohol; allow the showing of televised sport prior to the hours for the consumption of alcohol; allow the use of AWP machines prior to the hours for the consumption of alcohol; and allow access to children and young persons to the premises to enable them to take a table meal and permit the sale and service of food and soft drinks on the premises prior to the hours for the consumption of alcohol.

- | | | |
|---|---|---------------|
| 5 | Ferraris
3-5 Ogilvie Street
Dundee
DD4 6SB | Charles Smith |
|---|---|---------------|

The Board, having heard from a representative of the applicant, agreed to refuse the above application.

- | | | |
|---|--|--------------------------|
| 6 | News Station
20-22 Arbroath Road
Dundee
DD4 6EP | News Station Tayside Ltd |
|---|--|--------------------------|

The Board agreed to grant a variation for alterations to layout plan. Alcohol area increased from 9.1^{m2} to 22.58^{m2}.

III PERSONAL LICENCES

- | | |
|---|-----------------------|
| 1 | Jacqueline MacFarlane |
|---|-----------------------|

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

IV PREMISES LICENCE

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

The Board agreed to defer the above hearing to the meeting of the Board on 17th November 2011.

Roderick A J WALLACE, Convener.

APPENDIX I

At a MEETING of the **DUNDEE LICENSING FORUM** held at Dundee on 6th September, 2011.

Present:-

Dundee Licensing Forum

Mr Chris SLOAN
Ms Morag BEATTIE
Mr Graeme PETRIE

Mr Eric KNOX
Mr Craig SOMERS

Mr Johnathan STEWART
Ms Liz KAY
Ms Vered HOPKINS

Dundee Licensing Board

Councillor

Christina ROBERTS

Chris SLOAN, Convener, in the Chair.

I APOLOGIES

Apologies were intimated from Councillors Guild, Bowes, Fordyce and Gordon and Mr Simon Goulding.

II MINUTE OF MEETING OF DUNDEE LICENSING FORUM OF 6TH JULY, 2011

The minute of the above meeting was submitted and approved.

III MEMBERSHIP

(a) REPRESENTATION FROM YOUNG PEOPLE

The Forum formally appointed Matt Landsburgh, Chair of Dundee Youth Council.

(b) REPRESENTATION FROM OFF-SALES LICENCE HOLDERS

The Forum formally appointed Paul Howie of C J Lang.

IV ALCOHOL ETC (SCOTLAND) ACT 2010 - GUIDANCE FOR LICENSING BOARDS

Reference was made to paragraph IV of the minute of meeting of 6th July, 2011 wherein the Forum remitted the Secretary to forward the Forum's comments to the Scottish Government. The Forum noted the final approved guidance for Licensing Boards relative to the Alcohol etc (Scotland) Act 2010.

V BOTTLE MARKING SCHEME

On a reference to paragraph V of the minute of meeting of 6th July, 2011, there was submitted, for information, Report No 380-2011 which was approved by the Licensing Board on 18th August, 2011.

The Forum noted the current voluntary nature of the scheme and the role of the Police, Community Wardens and Licensing Standards Officers in identification of premises. The scheme would be monitored and evaluated by the Board with regular updates submitted to the Forum; evaluation results from a similar scheme introduced in Newcastle would be circulated.

The Forum further noted the forthcoming Focus on Alcohol poster campaign by the Dundee Focus on Alcohol Project.

VI BEST BAR NONE 2011

Morag Beattie updated the Forum on Best Bar None 2011. Numbers remained lower than in previous years and efforts to encourage participation were ongoing with the development of new initiatives such as community pubwatch schemes. Tickets for the annual awards ceremony on 25th September, 2011 had sold out.

The role played by Police and Fire Services in promoting membership of the scheme was acknowledged.

VII LICENSING FORUM REVIEW

The Convener confirmed that the draft questionnaire would be circulated for comments prior to issue later in September.

NHS Scotland's recent report evaluating the implementation of Licensing (Scotland) Act 2005 would also be circulated for information.

VIII STATEMENT OF LICENSING POLICY 2011/2014

Reference was made to Article VIII of the minute of meeting of the Forum of 6th July, 2011 wherein it was agreed that full consideration be given to

- possible mandatory condition on "on-sales" premises regarding the upkeep and condition of fixtures and fittings; and
- possible mandatory conditions on premises for occasional licences, including training of staff and the number of permissions for a single premise; with a view to making a recommendation to the Licensing Board.

It was reported that the Licensing Board was empowered to impose conditions on new licences provided such conditions were not of a more onerous nature than existing mandatory conditions and were not inconsistent with existing legislation. Variations to existing licences were not currently possible. The Forum could therefore make recommendations to the Board to attach local mandatory conditions, both general and specific, to new licenses, within specific limits.

With regards to occasional licences, it was noted that it was not possible to recommend reductions in the numbers granted but, as training issues were not covered by guidance, it would be possible to recommend mandatory training to the Licensing Board.

Following discussion it was agreed to defer the final decision on any proposals to impose local conditions to the next meeting of the Forum to allow consideration of recommendations drafted by Senior Solicitor (Licensing) relative to the imposition of conditions.

IX A O C B

(a) AGENDA ITEMS

The Convener requested that, where possible, any items for inclusion on agenda be submitted in advance of meetings.

(b) QUORUM

The Convener made reference to occasional difficulties in obtaining a quorum and confirmed that substitutes were permitted.

(c) FORTHCOMING EVENTS

- Focus on Alcohol project to be launched 26th September, 2011
- Alcohol Awareness Week - commences 14th November, 2011

(d) OVERPROVISION

It was noted that a report on this topic would be submitted to the next meeting.

X DATE OF NEXT MEETING

Tuesday, 6th December, 2011 at 2 p.m.

At a MEETING of the **DUNDEE CITY COUNCIL** held at Dundee on 31st October, 2011.

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

Elizabeth F FORDYCE

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 23rd August, 2011.

Minute of Licensing Committee dated 1st September, 2011.

Minute of City Council dated 12th September, 2011.

Minute of Environment Committee dated 12th September, 2011.

Minute of Housing Committee dated 12th September, 2011.

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

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

Minute of Licensing Board dated 22nd September 2011.

Minute of Education Committee dated 26th September, 2011.

Minute of City Development Committee dated 26th September, 2011.

Minute of Social Work and Health Committee dated 26th September, 2011.

Minute of Policy and Resources Committee dated 26th September, 2011.

Minute of Licensing Committee dated 29th September, 2011.

II SECOND STATUTORY REVIEW OF POLLING PLACES AND POLLING DISTRICTS

There was submitted Report No 434-2011 by the Depute Chief Executive (Support Services) outlining proposals for polling places and polling districts in terms of the Electoral Administration Act 2006.

The Council agreed that the changes outlined in Section 5 of the report be adopted.

Lord Provost John R LETFORD, Convener.

At a MEETING of the **ENVIRONMENT COMMITTEE** held at Dundee on 31st October, 2011.

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

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 Bob DUNCAN, Convener, in the Chair.

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

Unless marked thus * all items stand delegated.

I CONTROL OF DOGS (SCOTLAND) ACT 2010

There was submitted Report No 469-2011 by the Director of Environment informing the Committee of the implications of the new Control of Dogs (Scotland) Act 2010 which came into force on 26th February, 2011 and making recommendations for the implementation of this new statutory responsibility and the promotion of responsible dog ownership.

The Committee agreed that:-

- (i) the scheme of delegation be amended to allow the Director of Environment or appropriate nominated officer to authorise appropriate officers within the department to enforce the relevant sections of the Control of Dogs (Scotland) Act 2010; and
- (ii) the proposal be approved so that the enforcement of the legislation be undertaken as a direct function of the Senior Environmental Service Officer and Environmental Service Officers duties following appropriate training and authorisation.

II TENDERS RECEIVED BY CITY ENGINEER

The Convener, Councillors Hunter, Gordon and Bailie Wallace declared a non-financial interest in this item by virtue of their council appointments to the board of Leisure and Culture Dundee.

There was received Report No 448-2011 by the City Engineer detailing tenders received in respect of replacement and upgrading of pitches at DISC.

The Committee agreed to accept the lowest offer from Sport in Scotland in the sum of Four Hundred and Sixty Five Thousand, Four Hundred and Forty Seven Pounds and Seven Pence (£465,447.07) Sterling, together with the undernoted allowances:-

Contingencies	£38,552.93
Land and Drainage Surveys	£5,000.00
Professional Fees	£40,000.00
CDM Co-ordinator	£1,000.00

making a total expenditure of Five Hundred and Fifty Thousand Pounds (£550,000) Sterling.

III TENDERS RECEIVED

There was submitted by the Director of Environment detailing tenders received in respect of improvement works to the Green Circular.

The Committee agreed to accept the lowest offer from T & N Gilmartin (Contractors) Ltd in the sum of Twenty Three Thousand, Eight Hundred and Twenty Four Pounds and Twenty Four Pence (£23,824.24) Sterling.

Bob DUNCAN, Convener.

At a MEETING of the **HOUSING COMMITTEE** held at Dundee on 31st October, 2011.

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

Elizabeth F FORDYCE

Fraser MACPHERSON

Councillor Jimmy BLACK, Convener, in the Chair.

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

Unless marked thus * all items stand delegated.

I RESPONSE TO SCOTTISH GOVERNMENT TO CONSULTATION ON THE SCOTTISH SOCIAL HOUSING CHARTER

There was submitted Report No 474-2011 by the Director of Housing containing the Council's response to the Scottish Government's most recent consultation paper issued in August on the Scottish Social Housing Charter.

The Committee approved the response to the consultation, as appended to the report, for submission to the Scottish Government.

II VOID MANAGEMENT POLICY

There was submitted Report No 454-2011 by the Director of Housing seeking approval of the Void Management Policy. The policy set the context for the Council's approach to re-letting empty houses in light of the work of the Void Review Group. The associated procedure had been developed and had been implemented with the relevant staff.

The Committee:-

- (i) approved the Void Management Policy; and
- (ii) approved the measurement of the performance of the Policy against SHR Performance Standards after one year and thereafter as part of regular programme.

III REVIEW OF RENTS AND OTHER CHARGES 2012/2013

There was submitted Report No 465-2011 by the Director of Housing seeking approval to consult with tenants on the proposed rent increase and other related charges for 2012/2013.

The Committee:-

- (i) approved the Director of Housing consulting for a two month period with tenants on the proposed options for the rent increase and other charges for 2012/2013 which were discussed with the Dundee Federation of Tenants Association on Thursday, 22nd September, 2011; and
- (ii) noted that estimated rent increases for 2012/2014 and 2014/2015 would be included in the consultation document to tenants to provide an indication of future rent levels.

IV LOCHEE COMMUNITY ENERGY SAVING (CESP)

There was submitted Report No 466-2011 by the Director of Housing seeking approval for two further Community Energy Savings Projects (CESPs) at Whorterbank and Lansdowne/Pitalpin multi-storey developments (MSDs); referred to together as the Lochee CESP. In management, content and funding these would be operated along similar lines to the Dallfield CESP currently on site at the four blocks making up the Dallfield MSD.

The Committee:-

- (i) agreed the contents of the report;
- (ii) agreed to the funding by Scottish Gas of an additional staff resource for a period of 18 months and noted that the Director of Housing and Head of Personnel would progress this via the establishment change process; and
- (iii) authorised the Director of Housing to enter into an agreement with Scottish Gas to secure the project

V DEMOLITION OF 53 - 76 ORMISTON CRESCENT, WHITFIELD

There was submitted Report No 478-2011 by the Director of Housing seeking approval for the demolition of 24 properties at 53 - 76 Ormiston Crescent, Whitfield, Dundee.

The Committee:-

- (i) agreed to declare surplus and demolish 24 flats at 53 - 76 Ormiston Crescent, Whitfield.
- (ii) remitted the Director of Housing to award priority rehousing status to the remaining tenants together with the statutory Home Loss payment of £1,500.
- (iii) remitted the Director of City Development to prepare tenders and seek offers for demolition and post demolition treatment at the appropriate time.
- (iv) remitted the Director of Housing to bring forward proposals for redevelopment at the appropriate time.

VI EVALUATION OF LOCAL LETTING INITIATIVE AND INTRODUCTION OF AMENITY HOUSING

There was submitted Report No 475-2011 by the Director of Housing describing the evaluation of a Local Letting Initiative where sheltered properties which proved hard to let were targeted at applicants aged over 45. The rationale behind this being to attempt to minimise disturbance and clashes of lifestyle between existing and future residents. Learning from the positive outcome of the letting initiative the Housing Department proposed to formalise this approach by introducing a new category of "Amenity Housing" to the Letting Policy.

The Committee:-

- (i) agreed in principle to the introduction of Amenity Housing;
- (ii) instructed the Director of Housing to develop a policy for letting Amenity Housing and advertising this to applicants; and
- (iii) noted that the policy for letting Amenity Housing would be submitted to a future Housing Committee.

The Committee further noted that the sheltered housing service remained unaffected and that the warden service remained available and that provision should be considered for inclusion in the policy for letting Amenity Housing to allow the tenant of an amenity house the opportunity for that property to be accepted back as sheltered housing, allowing individuals, should they become frail in later years, to remain in their home and to receive the warden service.

VII TENDERS RECEIVED

There was submitted Report No 486-2011 by the City Architectural Services Officer detailing tenders received and requesting decisions therein:-

- (a) VARIOUS COUNCIL PROPERTIES - INSTALLATION OF CONTROLLED ENTRIES
2011/2012 - PHASE 2B

The Committee agreed to accept a partnering project with McGill Electrical Ltd, Dundee amounting to £372,339.39 together with the undernoted allowances:-

CDM Co-ordinator	£2,189
Professional Services	£24,980

making a total expenditure of £399,508.39.

- (b) ST MARY'S 10TH DEVELOPMENT (FLATS) - HEATING, KITCHENS AND
BATHROOMS

The Committee agreed to accept the lowest tender from McGill Electrical Ltd, Dundee amounting to £493,864.82 together with the undernoted allowances:-

Decoration and Carpet Allowances	£46,031
Decanting of Tenants	£1,000
Gas Connection Charges	£23,843
CDM Co-ordinator	£2,712
Professional Services	£28,627

making a total expenditure of £596,077.82

- (c) ELDERS COURT MSD - FIRE DAMAGE REPAIRS

The Committee agreed to accept the lowest tender from Muirfield (Contracts) Ltd, Dundee amounting to £25,162.63, amended after checking to £25,162.62, together with an allowance of £4,031 for professional services, making a total expenditure of £29,193.62

The Committee also noted the undernoted sub-contractors had been listed by Muirfield (Contracts) Ltd:-

RG Painters, Dundee	Paintwork
CARE Electrical, Dundee	Electrical Work
NEC, Friockheim	Cladding
Skyform Specialist Contracts Ltd., Glasgow	Platforms

VIII SCOTTISH GOVERNMENT INNOVATION AND INVESTMENT FUND 2011/2012

There was submitted Agenda Note AN154-2011 advising the Committee that in 2011/2012 the Scottish Government had set up a challenge funding mechanism - the Innovation and Investment Fund (IIF) - for the delivery of all new social rented housing. Initially £50M was made available, £20M for RSLs, £20M for councils and £10M for providers of all forms of affordable housing tenure. The objectives of the IIF were to ensure innovation, collaborative working and to provide value for money.

For Dundee bids to the Fund for 2011/2012 were:-

- Mill O' Mains Regeneration Phase 2 - HOME Scotland. This was continuing to deliver the approved Masterplan agreed with the community.
- Ardler Phase 6 - Sanctuary
- Angus Housing Association - redevelopment of the Skarne Blocks at 53-64 Ormiston Crescent and 65 - 76 Ormiston Crescent.

The Scottish Government announced the outcomes from the IIF bidding process in September. From the first and second tranches awarded totalling £111M nationally, Dundee had been successful in attracting £5M grant to provide affordable housing in the City.

In Dundee, HOME Scotland had received £3M grant funding towards financing the £8.4M development of 70 houses in Mill O' Mains Phase 2, continuing the commitment provided to tenants on the regeneration of Mill O' Mains.

Sanctuary had received £2M grant funding towards financing the £6.2M development of 60 houses at the undeveloped Site 6A in Ardler.

Therefore, the provision of £5M Scottish Government Grant would provide 130 new affordable homes within Dundee and construction to the value of £14.6M.

The Committee noted accordingly.

IX REGISTERED TENANT ORGANISATIONS - RTO REGISTRATION

There was submitted Agenda Note AN155-2011 reporting that a request for registration as a Registered Tenant's Organisation had been received from the Phoenix Association.

The Committee approved the application.

X REGISTERED TENANT ORGANISATIONS - ADMINISTRATION GRANTS

There was submitted Agenda Note AN156-2011 requesting grant assistance towards administrative costs for 2011/2012 from the undernoted organisations at the levels outlined:-

The Phoenix Association	£225
Menziesshill North Tenants' and Residents' Association	£270

The Committee agreed to grant assistance as required.

XI UNIVERSAL HOME INSULATION SCHEME

There was submitted Agenda Note AN157-2011 asking the Committee to note the allocation of £360,000 which had been secured from the Scottish Government's Universal Home Insulation Scheme (UHIS) for carrying out free insulation measures in 1,365 privately owned dwellings in Dundee. An additional £216,000 of CERT (Carbon Emissions Reduction Target) was being supplied by Scottish and Southern Energy (SSE - known locally as Scottish Hydro Electric) to make the project viable.

As all Council stock had previously benefited from insulation measures, the funding obtained was for non-flatted properties in the private sector across the City. As the insulation would be offered free to householders, it had been decided that it should be targeted at owners in the lowest cost properties as evidenced by Council Tax band. Only after demand had been satisfied in Band A properties would it be offered to Band B properties and so on until the funding was exhausted.

The funding would cover main measures of cavity wall and loft insulation in 1,365 properties with radiator panels and tank jackets fitted, as required. The work would be carried out between now and the end of March 2012. The contractor, Scottish Hydro Electric (Housing Department's Preferred Energy Supplier) had chosen to carry out this work was Everwarm Ltd. Scottish Hydro provided suitable qualified contractors to carry out all of the surveying, installation, contract management and quality control elements of the project. Everwarm Ltd had been appointed by Scottish Hydro after an in-house tender process that ensured competitive pricing and suitably qualified and experienced contractors. The reporting and financial mechanisms were already in place and had been proven over many similar projects; this would ensure a swift start to the project providing the best opportunity to deliver the proposed number of measures within the contract period.

In addition to insulation which would make it cheaper and easier for residents to keep their homes warm, a package of energy and income-maximisation advice would be provided by the local Energy Saving Scotland Advice Centre. Any resident found eligible for further measures (such as central heating) would be referred to the relevant schemes and agencies.

The Committee agreed:-

- (i) to note the allocation of £360,000 had been secured from the Scottish Government's Universal Home Insulation Scheme (UHS) for carrying out free insulation measures in 1,365 privately owned dwellings in Dundee; and
- (ii) to note that an additional £216,000 of CERT (Carbon Emissions Reduction Target) was being supplied by Scottish and Southern Energy (SSE - known locally as Scottish Hydro Electric) to make the project viable.

The Committee noted that the target group would be householders in Council Tax Bands A and B but that applicants in other Council Tax Bands would be assessed by SCARF for alternative schemes currently available to address fuel poverty. The Committee also agreed that officers consider how best to deal with fuel poverty in higher Council Tax Bands when designing future applications for UHS funding.

Jimmy BLACK, Convener.

At a MEETING of the **CITY DEVELOPMENT COMMITTEE** held at Dundee on 31st October, 2011.

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

Elizabeth F FORDYCE

Fraser MACPHERSON

Councillor David BOWES, in the Chair.

The minute of meeting of this Committee of 26th September, 2011 was held as read.

Unless marked thus * all items stand delegated.

I TAYPLAN STRATEGIC DEVELOPMENT PLAN - HABITAT REGULATION APPRAISAL

There was submitted Report No 467-2011 by the Director of City Development relative to the above.

The Committee approved and adopted the Record of Habitats Regulations Appraisals (including the Appropriate Assessment) which accompanied the TAYplan Proposed Strategic Development Plan.

II TENDERS RECEIVED BY CITY ENGINEER

There was submitted Report No 410-2011 by the City Engineer detailing offers received in respect of the undernoted:-

(a) FORMER SCIENTIFIC SERVICES BUILDING - DEMOLITION

The Committee agreed to accept the lowest offer received being that from Gowrie Contracts Ltd in the sum of £59,800, to which required to be added the undernoted allowances amounting to £23,150, giving a total of £82,950.

Post Demolition Treatment	£5,000
Contingencies	£6,000
Public Utilities	£5,000
Professional Fees	£6,500
CDM Co-Ordinator	£650

(b) 5 AND 6 DUNSINANE AVENUE - REINSTATEMENT WORKS

The Committee agreed to accept the lowest offer received being that from Dundee Plant Co Ltd in the sum of £5,985, to which required to be added the undernoted allowances amounting to £5,000, giving a total of £10,985.

Contingencies	£1,500
Public Utilities	£2,000
Professional Fees	£1,500

III ST COLUMBA GARDENS ONE-WAY ORDER 2011

There was submitted Report No 429-2011 by the Director of City Development seeking approval for the implementation of a Traffic Regulation Order to introduce a one-way traffic restriction in St Columba Gardens.

The Committee approved the preparation of the necessary Traffic Regulation Order to introduce a one-way traffic restriction in St Columba Gardens by varying the Tayside Region (Dundee) (One-Way Traffic) (Consolidation) Order 1987.

IV CIVICA ENFORCEMENT UPGRADE

Councillor Macpherson declared a non-financial interest in this item by virtue of his employment with an organisation which has a business relationship with the Civica Group.

There was submitted Agenda Note AN158-2011 indicating that as part of the continuous process to improve customer service experience and maximise receipt of outstanding payments, the introduction of online viewing of parking enforcement photographs, challenges (appeals), and back office data processing had been planned. The availability of such 24/7 access was expected by the customer and brings significant efficiency savings to the Parking Office processes.

A discounted (but time limited to 30th September, 2011) offer was made to Dundee City Council by Civica Enforcement, the Decriminalised Parking enforcement software supplier to provide this upgrade. This offer amounted to £27,000, which represented a 50% discount on the previous quotation. Given the time limitations, the Head of Transportation received authorisation from the Chief Executive to accept this offer.

The Committee noted accordingly.

V STATUTORY UNDERTAKERS REINSTATEMENT PERFORMANCE IN DUNDEE 2010/2011

There was submitted Report No 433-2011 by the Director of City Development providing a summary of the performance of Statutory Undertakers operating in Dundee during 2010/2011, based on inspections and coring of their reinstatements under the New Roads and Street Works Act 1991 and updating the Committee on the status of the Transport (Scotland) Act 2005, Part 2 - Road Works.

The Committee:-

- (i) noted the performance of Statutory Undertakers reinstatements in Dundee based on the visual sample inspection regime and the local coring results for the last year;
- (ii) approved the continuation of the annual local coring programme and participation in the bi-annual national coring programme; and
- (iii) noted the status of the Transport (Scotland) Act 2005, Part 2 - Road Works, different parts of which came into force on 1st April, 2008 and 1st October, 2008.

VI CENTRAL WATERFRONT - SOUTH MARKETGAIT AREA - VARIATION OF TRAFFIC REGULATIONS

There was submitted Report No 446-2011 by the Director of City Development regarding the requirement to promote the various Traffic Regulation Orders to facilitate a phase of the Central Waterfront development in the South Marketgait area.

The Committee:-

- (i) approved the preparation of the necessary Traffic Regulation Order to affect the changes of the traffic regulations on South Marketgait which would add both the eastbound and westbound carriageway realignments to the Tayside Region (Dundee) (One-Way Traffic) (Consolidation) Order 1987;
- (ii) approved the preparation of the necessary Traffic Regulation Order to add a short section of South Marketgait to the Tayside Region (Various Roads, Dundee) (Dual Carriageways) (One-Way Traffic) Order 1985; and
- (iii) approved the preparation of the necessary Traffic Regulation Order to affect the changes of the traffic regulations on South Marketgait which would incorporate the east and west carriageway realignments into the Tayside Region (Marketgait, Dundee) (Clearway) Order 1983.

VII WHITFIELD TRAFFIC REGULATION ORDERS 2012 - VARIATION OF WAITING RESTRICTIONS AND VARIATION OF SPEED RESTRICTIONS

There was submitted Report No 451-2011 by the Director of City Development seeking authority to promote a Parking Restriction Order and Speed Restriction Order on Lothian Crescent in the area of the central facility and the entrance to the school.

The Committee:-

- (i) noted the terms of this report;
- (ii) approved the terms of the proposed Traffic Regulation Order in terms of waiting restrictions and speed limits;
- (iii) approved the addition of Lothian Crescent in the Dundee City Bus Clearway Order; and
- (iv) remitted to the Director of City Development to report back the findings of the formal consultation prior to consulting the general public.

VIII LOCHEE HIGH STREET - VARIATION OF WAITING RESTRICTIONS AND TRAFFIC REGULATION ORDERS 2010

There was submitted Report No 452-2011 by the Director of City Development informing the Committee of the findings of the review of the monitoring exercise following the implementation of the revised Traffic Management Scheme.

The Committee:-

- (i) noted the conclusions of the monitoring exercise;
- (ii) noted the suggested amendments to the parking arrangements;
- (iii) approved the proposed amendments to the Traffic Regulation for the purposes of formal consultation; and

- (iv) remitted to the Director of City Development to report back on the findings of the formal consultation prior to consulting the general public.

IX TREE PRESERVATION ORDER 01/2011 - 114 CAMPHILL ROAD, BROUGHTY FERRY, DUNDEE

There was submitted Agenda Note AN159-2011, whereby members were asked to note on 27th May, 2011, the Council made a provisional Tree Preservation Order on the above mentioned site. The site was not located within a Conservation Area. This was done to protect to arboreal amenity of the area.

No objections were received to this Tree Preservation Order. However, an amendment was made to the schedule due to an incorrect tree species.

The Committee were asked to authorise the Depute Chief Executive (Support Services) and the Director of City Development to undertake the necessary procedure and confirm the above Tree Preservation Order.

The Committee approved accordingly.

X TENDERS RECEIVED

There was submitted Report No 481-2011 by the Director of City Development detailing offers received in respect of the undernoted projects:-

(a) **INDUSTRIAL UNITS, STRATHMARTINE ROAD - NEW ROOF COVERING**

The Committee agreed to accept the offer from Raynor Roofing Ltd, Dundee, in the sum of £68,000, to which required to be added the undernoted allowances amounting to £3,400, giving a total of £71,400.

Professional Services	£3,400
-----------------------	--------

(b) **RETAIL UNIT, CITY SQUARE - BELOW GROUND WATERPROOFING**

The Committee agreed to accept the offer from Peter Cox Ltd, Dundee, amounting to £38,849, together with the undernoted allowances amounting to £1,942, giving a total of £40,791.

Professional Services	£1,942
-----------------------	--------

XI CHRISTMAS TREE AND CHRISTMAS LIGHTS 2011

There was submitted Report No 461-2011 by the City Architectural Services Officer indicating that in view of the timescales involved, the City Architectural Services Officer, in consultation with the Convener of the City Development Committee and spokespersons from the other political groups, had approved the entering into a contract with Blanchere Illumination UK for the supply and installation of a Christmas tree and the supply of Christmas lighting equipment for the sum of £57,458.93.

The Committee noted accordingly.

XII DUNDEE CITY COUNCIL (CENTRAL WATERFRONT PHASE 2) (YEAMAN SHORE, DUNDEE) (REVOCATION OF ONE-WAY) ORDER 2011

Reference was made to Article V of the minute of meeting of this Committee of 28th February, 2011, which instructed and authorised the preparation of an Order to allow for the Waterfront Masterplan to be implemented facilitating the next stage of the redevelopment of Dundee Central Waterfront.

There was submitted Agenda Note AN165-2011 intimating that the proposed Order was duly drafted and, during the statutory consultation period, no adverse comments were received. The Order was duly advertised and there were no objections.

The Committee agreed to make the Order as advertised.

XIII REGISTERED BUS SERVICES BUDGET

It was reported that this item had been placed on the agenda at the request of Councillor Macpherson. The item was withdrawn.

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 I of Schedule 7A of the Act.

XIV 123 WHITFIELD AVENUE, DUNDEE

On a reference to Article I of the minute of meeting of the Housing Committee of 14th June, 2010, there was submitted Agenda Note AN160-2011 advising that following consultation with the Convener and spokespersons for the other Groups, the Director of City Development had approved the acquisition of the above property on the terms and conditions detailed in the note.

The Committee noted accordingly.

XV 140 AND 141 WHITFIELD AVENUE, DUNDEE

On a reference to Article I of the minute of meeting of the Housing Committee of 14th June, 2010, there was submitted Agenda Note AN161-2011 advising that following consultation with the Convener and spokespersons for the other Groups, the Director of City Development had approved the acquisition of the above properties on the terms and conditions detailed in the note.

The Committee noted accordingly.

XVI 0.32 HA SITE, BERYL STREET, DUNDEE

On a reference to Article X of the minute of meeting of this Committee of 11th January, 2010, there was submitted Agenda Note AN162-2011 advising that following consultation with the Convener and spokespersons for the other Groups, the Director of City Development had approved the relaxation of a burden restricting the use of the above site on the terms and conditions detailed in the note.

The Committee noted accordingly.

XVII 38 CRAIGHILL COURT, DUNDEE

There was submitted Agenda Note AN163-2011 advising of a provisional agreement reached for the lease of ground at the above location.

The Committee noted that following consultation with the Convener and spokespersons from the other Groups, the Director of City Development had approved the agreement on the terms and conditions detailed in the note.

XVIII COMMERCIAL LEASES

There was submitted Report No 460-2011 by the Director of City Development detailing commercial leases in respect of the undernoted properties:-

Site at The Esplanade, Broughty Ferry
Unit 4, Alexander Street
2 Marshall Street, Lochee
Yard 5, Annfield Row
Unit 5, Mid Wynd
14 Beaully Avenue
Advance Factory Unit 6, Old Glamis Road
83 Meadowside
Office Premises, East Wing, City Square Complex

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

XIX SALE OF SITE AT FORTIES ROAD, BALDOVIE INDUSTRIAL ESTATE, DUNDEE

On a reference to Article IV of the minute of meeting of the Economic Development Committee of 23rd June, 2008, there was submitted Report No 456-2011 recommending the proposed sale of the site at the above location.

The Committee approved the sale on the terms and conditions detailed in the note.

XX RENT REVIEWS

There was submitted Report No 459-2011 by the Director of City Development detailing rent reviews in respect of the undernoted properties:-

58-60 South Tay Street and 2 West Port
Advance Factory Unit 11, Alexander Street
Unit 12A, Peddie Street
507 Teviotdale Avenue
84 Ballindean Road
88 Dunholm Road

The Committee noted and approved the rent reviews on the terms and conditions detailed in the report.

David BOWES, Convener.

At a MEETING of the **SOCIAL WORK AND HEALTH COMMITTEE** held at Dundee on 31st October, 2011.

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
Elizabeth F FORDYCE		Fraser MACPHERSON

Councillor Jim BARRIE, Convener, in the Chair.

The minute of meeting of this Committee of 26th September, 2011 was held as read.

Unless marked thus * all items stand delegated.

I CASES SUB-COMMITTEE - MINUTE OF PREVIOUS MEETING

The minute of meeting of the Cases Sub-Committee held on 6th October 2011 was submitted and noted for information and record purposes, a copy of which is attached to this minute as an appendix.

II THE CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2011

There was submitted Report No 363-2011 by the Director of Social Work informing on the role and function of the Chief Social Work Officer (CSWO). The national report - Changing Lives which examined the fitness for purpose of Social Work in the 21st century recommended that CSWO prepared an annual report.

The Committee agreed:-

- (i) to note the annual report for 2011 which was attached to the report; and
- (ii) to remit the Chief Social Work Officer to provide further reports on an annual basis.

III REGISTERED CARE SERVICES

There was submitted Report No 468-2011 by the Director of Social Work summarising the gradings awarded by the Care Inspectorate for the registered care services within Dundee City Council Social Work Department in the period 1 April 2010 to 31 March 2011.

The Committee agreed:-

- (i) to note the high quality of gradings awarded, as detailed in the Performance Report attached to the report;

- (ii) to remit to the Director to determine the approaches necessary to achieve continuous improvement both within and across the Department's registered services.

IV THE ANNOUNCED INSPECTION OF DUNDEE COMMUNITY LIVING - HOUSING SUPPORT SERVICE AND SUPPORT SERVICE: CARE AT HOME BY THE CARE INSPECTORATE ON 13 JUNE, 16 JUNE, 22 JUNE AND CONCLUDED ON 29 JUNE 2011

There was submitted Report No 742-2011 by the Director of Social Work on the findings of the announced inspection by the Care Inspectorate of Dundee Community Living.

The Committee agreed to note the contents 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 6th October, 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 Convener agreed that the undernoted items of business be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales.

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 HEALTH AND SOCIAL CARE SERVICES WHICH EXCEEDS THE APPROVED NATIONAL CARE HOME RATE

There was submitted Report No 463-2011 by the Director of Social Work requesting approval for funding for a service user to receive a 24/7 specialised health and social care provision for up to 4 weeks within his own home following discharge from an acute hospital setting.

The Sub-Committee agreed:-

- (i) that this funding be approved as an interim measure in order to support the service user's discharge from hospital;
- (ii) to note that an ongoing review would take place between Health and Social Work colleagues in order to ensure the transition and balance of support was managed efficiently and in line with the service user's identified health and social care needs;
- (iii) to note that a further report would be brought back to a meeting of this Sub-Committee during week 4 of the care package outlining the service user's longer term care requirements and associated financial implications.

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

There was submitted Report No 464-2011 by the Director of Social Work requesting approval of funding for services required to support a service user at The Dalguise Centre, The Grange, Balbeggie. The Dalguise Centre provided residential care for individuals who displayed challenging behaviours.

The Sub-Committee agreed that funding be secured for the service user to be placed at The Dalguise Centre, Balbeggie on a permanent basis.

Jim BARRIE, Convener.

At a MEETING of the **POLICY AND RESOURCES COMMITTEE** held at Dundee on 31st October, 2011.

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

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 Ken GUILD, Convener, in the Chair.

The minute of meeting of this Committee of 26th September, 2011 was held as read.

Unless marked thus * all items stand delegated.

I MINUTES

(a) SUPERANNUATION INVESTMENT SUB-COMMITTEE OF 29TH AUGUST, 2011

(b) PERSONNEL APPEALS SUB-COMMITTEE OF 5TH SEPTEMBER, 2011

The minutes of meetings of the above Sub-Committees, copies of which are appended hereto, were submitted for information and record purposes (Appendices I and II).

II REVENUE MONITORING

There was submitted Report No 444-2011 by the Director of Finance providing the Committee with analysis of the 2011/2012 Project Revenue Outturn as at 31st August, 2011 against the 2011/2012 Revenue Budget.

The Committee:-

- (i) noted that the overall General Fund 2011/2012 Projected Revenue Outturn as at 31st August, 2011 showed an overspend of £44,000 against the adjusted 2011/2012 Revenue Budget;
- (ii) noted that the Housing Revenue Account as at 31st August, 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 440-2011 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 RELIEF OF RATES - CHARITY RELIEF

There was submitted Report No 483-2011 by the Director of Finance seeking authorisation to grant charity relief on the undernoted non-domestic properties:-

Applicant	Subjects
WASPS Ltd The Briggait 141 Bridgegate Glasgow	Office Meadow Mill West Henderson's Wynd Dundee
Nilupul Foundation 11 The Square Letham Angus	Meeting Room 51 Reform Street Dundee
Tin Roof c/o Thorntons Whitehall House 33 Yeaman Shore Dundee	Warehouse 38-40 Bellfield Street Dundee

The Committee authorised accordingly.

V DUNDEE COMMUNITY REGENERATION FUND 2011/2012

There was submitted Report No 453-2011 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 III).

VI CITY DEVELOPMENT DEPARTMENT - REVIEW OF ORGANISATIONAL STRUCTURE

There was submitted Report No 402-2011 by the Director of City Development proposing changes to the organisational structure of the City Development Department following a review of the Director of City Development and the Head of Personnel.

The Committee approved the organisational structure outlined in Appendix 1 of the report.

VII APPOINTMENT OF PROJECT MANAGERS FOR V & A AT DUNDEE

There was submitted Agenda Note AN170-2011 indicating that in order to assist in the management of the V & A at Dundee Project, Turner & Townsend Project Management Ltd were appointed as project managers following a competitive tender process undertaken by the University of Dundee on behalf of Design Dundee Ltd. It was now proposed that responsibility for Turner & Townsend's contact be transferred to the City Council given that the Council would be the formal client for the construction contract.

All costs associated with the project management contract would be covered by revenue funds allocated to the project by the Scottish Government.

The Committee agreed to the novation of the contract to the City Council.

VIII GP SERVICES IN ARDLER

Councillor Lynn declared a non-financial interest in this item by virtue of being the Council's representative on NHS Tayside Board. Councillor Hay declared a non-financial interest in this item by virtue of being an employee of NHS Tayside. Both left the meeting and returned after a decision had been reached.

It was reported that this item had been placed on the agenda at the request of Councillor Keenan.

After considering Agenda Note AN171-2011, the Committee remitted to the Chief Executive to write to the Chief Executive of NHS Tayside asking for an assurance that the NHS and its partners would deliver a complete wrap-around healthcare package that would improve and deliver better health outcomes for the local community.

It was also agreed that NHS be asked to deliver the service locally and it be spear-headed by a General Practitioner.

IX DUDHOPE CENTRE - DEVELOPMENT OFFICER

There was submitted Report No 447-2011 by the Director, Leisure and Communities, seeking agreement from the City Council that it would part fund a Development Officer for the Dudhope Centre for a three year period.

The Committee:-

- (i) agreed to a contribution of £15,000 per year in each of the next three financial years commencing 2011/2012, as its contribution to the establishment of a post of Development Officer for the Dudhope Centre, subject to the conditions that their Management Committee:-
 - secures funding to match the City Council's offer of grant;
 - works towards promoting the sustainability of the Centre as a social enterprise over the three year period for which financial support is being offered;
 - actively encourages use of the Centre by the local community for adult learning, community groups, tenants' associations/residents' groups, and youth activities.

X OLYMPIA ANNUAL MAINTENANCE CLOSURE

Councillors Duncan, Hunter, Gordon and Bailie Wallace declared non-financial interests in this item by virtue of being the Council representatives on Leisure and Culture, Dundee.

There was submitted Agenda Note AN172-2011 advising that, to enable boiler testing, essential maintenance and a programme of deep cleaning to take place, Leisure and Culture Dundee had requested approval to close Olympia for the period from 5th December to 11th December, 2011, both dates inclusive.

The Committee approved accordingly, it being noted that alternative facilities were available at Lochee Swimming and Leisure Centre during the closure period.

XI COMMUNITY LEARNING AND DEVELOPMENT ANNUAL REPORT 2010/2011

There was submitted Report 441-2011 by the Director, Leisure and Communities, bringing the Committee's attention to the key achievements of the Community Learning and Development Service for the period 2010/2011 and illustrating the contribution the service made to local inclusion and improvements in the quality of life for the citizens of Dundee.

The Committee:-

- (i) noted the key achievements of the Community Learning and Development Service for the period 2010/2011;
- (ii) acknowledged the positive contribution that the Community Learning and Development Service made to improving the quality of life for individuals and communities in Dundee; and
- (iii) recognised that early intervention had been embedded in the work of the Community Learning and Development Service, an approach which focused on trying to prevent social problems arising rather than dealing with their consequences, a priority identified by the Christie Commission Report on the Future Delivery of Public Services.

XII ANNUAL HEALTH AND SAFETY REPORT 2010/2011

There was submitted Report No 419-2011 by the Head of Personnel relative to the above.

The Committee approved the Annual Health and Safety Report, appended thereto, which helped to promote the management of health and safety across the Council and provided information regarding the further development of health and safety management throughout the Council.

XIII CORPORATE HEALTH AND SAFETY PLAN

There was submitted Report No 445-2011 by the Head of Personnel relative to the above.

The Committee approved the Council's Corporate Health and Safety Plan for 2011/2015, appended thereto, which would ensure the continuous improvement of health and safety management within the Council.

XIV QUEEN'S DIAMOND JUBILEE

There was submitted Agenda Note AN173-2011 intimating that, having considered advice from COSLA on the options available, it was recommended that the Committee grant an additional day of annual leave to celebrate the Queen's Diamond Jubilee on 5th June, 2012. It was proposed that offices would remain open to the public on 5th June, 2012 and employees were required to apply, should they wish to take leave on this day. Applications for leave would be subject to the exigencies of the service. Schools, subject to the approval of an application to Scottish Ministers for exceptional school closure, would close on this day.

Employees who worked on 5th June, 2012 would be entitled to take up an annual leave day at a later date.

The Committee approved accordingly.

XV SUPPLY OF IT EQUIPMENT

There was submitted Report No 455-2011 by the Head of Information Technology relative to the above.

The Committee:-

- (i) noted the IT purchases amounting to £647,007 detailed in Appendix 1 of the report. This covered the period from 1st April to 30th September of financial year 2011/2012; and
- (ii) approved ongoing engineering maintenance costs of £31,113 per annum for the above purchases.

XVI INFORMATION TECHNOLOGY DIVISION SERVICE PLAN REVIEW

There was submitted Report No 476-2011 by the Head of Information Technology relative to the above.

The Committee:-

- (i) approved the Information Technology Division Service Review and instructed the Head of Information Technology to continue to seek improved levels of performance; and
- (ii) approved the actions identified in the Review to be included in the Division's Service Plan.

XVII SERVICE FEE TO LEISURE AND CULTURE DUNDEE

Councillors Duncan, Hunter, Gordon and Bailie Wallace declared non-financial interests in this item by virtue of being the Council representatives on Leisure and Culture Dundee.

There was submitted Report No 482-2011 by the Chief Executive relative to the above.

The Committee:-

- (i) approved the proposed release of the Service Fee to Leisure and Culture Dundee for the remainder of 2011/2012; and
- (ii) approved the payment of the Service Fee, on the basis of quarterly in advance.

XVIII DUNDEE ALCOHOL AND DRUG PARTNERSHIP - ANNUAL REPORT 2010/2011

There was submitted Report No 462-2011 by the Chief Executive presenting an update on the progress and performance of the Dundee Alcohol and Drug Partnership.

The Committee noted the Dundee Alcohol and Drug Partnership Annual Report and endorsed the way forward set out in Section 4 of the report.

XIX CHILDREN'S SERVICES PRESSURES

There was submitted Report No 495-2011 by the Director of Social Work and Director of Finance advising elected members of the continuing increased pressures being experienced by Children's Services within the Social Work Department and outlining some of the steps being taken as a response to these.

The Committee:-

- (i) noted the projected overspend within Children's Services for the current financial year and the reasons identified for these increases;
- (ii) approved the recommended actions proposed within the report; and

- (iii) agreed to establish a Best Value Review of Children's Services to follow the current review of child protection services.

XX LANDLORD REGISTRATION - ISSUE OF RENT PENALTY NOTICES

Councillor Guild declared a non-financial interest in this item by virtue of being a registered landlord.

There was submitted Agenda Note AN174-2011 intimating that, under Part 8 of the Anti-Social Behaviour etc (Scotland) Act 2004, it was a requirement for all persons leasing residential property in Scotland to be registered with the local authority and for those properties to be included on the register. It was a criminal offence to let the property without being so registered. In addition, the local authority had the power to issue a "Rent Penalty Notice" under Section 94 of the 2004 Act, the effect of which was to prevent the landlord collecting rent from any residential properties whilst s/he was unregistered.

The Committee approved the recommendation that the Director of Housing as the appropriate officer of the Council authorised to issue Rent Penalty Notices under Section 94 of the said 2004 Act on its behalf and to decide upon any applications under Section 95 of the 2004 Act for the revocation of such notices and for the Scheme of Delegation to be amended accordingly.

Ken GUILD, Convener.

APPENDIX I

At a MEETING of the **SUPERANNUATION INVESTMENT SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE** held at Dundee on 29th August, 2011.

Present:-

BAILIES

Willie SAWERS

Rod WALLACE

COUNCILLORS

Jimmy BLACK

Kevin KEENAN

Richard McCREADY

Also in attendance, Rod McKAY, UNISON.

Bailie Willie SAWERS, Convener, in the Chair.

Unless marked thus * all items stand delegated.

I APOLOGIES AND SUBSTITUTES

Apologies had been submitted by Bailie George Regan and Councillor Andrew Dawson.

II GOVERNANCE COMPLIANCE STATEMENT

There was submitted Report No 401-2011 by the Director of Finance seeking approval for a Governance Compliance Statement for Tayside Superannuation Funds.

The Sub-Committee approved the Governance Compliance Statement as detailed in the report.

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

III TAYSIDE SUPERANNUATION FUNDS

(a) PERFORMANCE SUMMARIES

There was submitted Report No 395-2011 by the Director of Finance relating to Performance Summaries for the quarter, twelve months and three years to 30th June, 2011 and reviewing the investment performance of the Main Fund's four Fund Managers (excluding Property) for the quarter to 30th June, 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 396-2011 by the Director of Finance relating the Property Portfolio performance for the quarter, twelve months and three years to June 2011 and reviewing the investment performance of the Property Portfolio for the periods to 30th June, 2011.

The report compared investment performances with an appropriate benchmark.

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 378-2011 by the Director of Finance summarising investments and transactions during the period 1st April to 30th June, 2011 and reviewing the investment activities of the Main Fund's six Fund Managers for the quarter to 30th June, 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.

(d) **QUARTERLY FUNDING REPORT**

There was submitted Report No 394-2011 by the Director of Finance which reviewed the current funding level of the Funds as assessed by the Fund Actuary.

The Sub-Committee noted the report.

IV PRESENTATION - REVIEW OF ALLIANCE BERNSTEIN

Sharon Fay and Frances Smyth, of Alliance and Bernstein gave a short presentation reviewing its performance for 2011 in respect of the Tayside Superannuation Fund, and outlining a review of its portfolio strategy for the future.

It was noted that this strategy sought to minimise areas of high risk whilst retaining opportunities for the future, and they were confident of the Fund's performance in the longer term.

After Ms Fay and Ms Smyth had made their presentation and answered questions from members of the Sub-Committee, they were thanked for their presentation by the Convener.

Willie SAWERS, Convener.

APPENDIX II

At a MEETING of the **PERSONNEL APPEALS SUB-COMMITTEE** held at Dundee on 5th September, 2011.

Present:-

Councillor Alan ROSS
Bailie Derek J SCOTT
Councillor Mohammed ASIF

Councillor Alan ROSS, Convener, in the Chair.

The minute of meeting of this Committee of 23rd August, 2011 was held as read.

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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 7A of the Act.

APPEAL AGAINST DISMISSAL (PA7/11)

It was reported that an appeal against dismissal from an employee of the Social Work Department had been submitted.

The Sub-Committee heard the Council's representative and witnesses and thereafter, the Appellant, and her representative.

After questions had been put and answers given by both parties to each other and the witnesses, and by members of the Sub-Committee, the parties withdrew.

Thereafter, following careful consideration of all the information, the Sub-Committee agreed that the grounds of the appeal had not been substantiated and that the appeal be not upheld.

Alan ROSS, Convener.

APPENDIX II

At a MEETING of the **PERSONNEL APPEALS SUB-COMMITTEE** held at Dundee on 5th September, 2011.

Present:-

Councillor Alan ROSS
Bailie Derek J SCOTT
Councillor Mohammed ASIF

Councillor Alan ROSS, Convener, in the Chair.

The minute of meeting of this Committee of 23rd August, 2011 was held as read.

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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 7A of the Act.

APPEAL AGAINST DISMISSAL (PA7/11)

It was reported that an appeal against dismissal from an employee of the Social Work Department had been submitted.

The Sub-Committee heard the Council's representative and witnesses and thereafter, the Appellant, and her representative.

After questions had been put and answers given by both parties to each other and the witnesses, and by members of the Sub-Committee, the parties withdrew.

Thereafter, following careful consideration of all the information, the Sub-Committee agreed that the grounds of the appeal had not been substantiated and that the appeal be not upheld.

Alan ROSS, Convener.

APPENDIX III

Applicant	Description of Project	Forum Decision Amount
St John's High School	To engage a sessional art worker to work with vulnerable first year pupils at St John's High School on a community art project. This activity will increase the young people's confidence and their participation in education. Delivery will be 2 x 2 hour sessions per week for seven weeks and end with a project exhibition.	£1,000
Douglas Community Centre Local Management Group	To purchase a cooker suitable for use in cookery classes within the community centre and to purchase additional bridge tables.	£1,193
Douglas Community Centre Local Management Group	To replace chairs and coffee tables for general use within the community centre.	£3,840
Douglas Jolly Walkers and Communities Division	To develop work with the Douglas Jolly Walkers group to produce a community resource promoting walking as a healthy community activity.	£1,150
Craigiebank Association	To contribute to the cost of replacing cast iron roof rhones for the main and small halls at Craigiebank Church. These halls are used by several community groups.	£5,000
Leisure and Culture Dundee Sports Development	To enable a trampoline coach to deliver 30 weekly classes to encourage physical activity for sixteen S1/S2 girls.	£406
Tayside Fire and Rescue	To part fund the purchase of fire prevention kitchen equipment. These will be issued to those at greatest risk within the regeneration area of the Maryfield Ward in exchange for existing (more dangerous) equipment.	£500
St Leonard's and St Fergus Social Committee	To bring together approximately 100 elderly and vulnerable members of the community for a social event.	£650
Kirkton Digital Photography Group	To purchase supplies for the Digital Photography Group, which meets one night per week throughout the year.	£862
Leisure and Culture Dundee Sports Development	To enable a trampoline coach to deliver 29 weekly classes to encourage physical activity for sixteen S1/S2 girls.	£392
Leisure and Culture Dundee Sports Development	To enable Sports Development sessional staff to deliver a free weekly basketball session for 30 young people within Baldragon Academy over a 30 week period.	£857
Leisure and Culture Dundee Sports Development	To enable Sports Development sessional staff to deliver a free weekly basketball session for 30 young people within Craigowl PS over a 30 week period.	£857

REPORT TO: CITY COUNCIL - 14TH NOVEMBER, 2011

REPORT ON: SIXTH PERIODICAL REVIEW OF UK PARLIAMENT CONSTITUENCY BOUNDARIES

REPORT BY: CHIEF EXECUTIVE

REPORT NO 489-2011

1.0 PURPOSE OF REPORT

1.1 To outline the proposals by the Boundary Commission for Scotland and to make any representations to the Commission thereon.

2.0 RECOMMENDATION

2.1 It is recommended that the Council note the proposals and that political parties or individuals make their own representations to the Boundary Commission for Scotland if so desired.

3.0 FINANCIAL IMPLICATIONS

3.1 None.

4.0 MAIN TEXT

4.1 This Review was announced in March 2011 and is governed by the Parliamentary Constituencies Act 1986.

4.2 The UK Parliament decided to reduce the number of UK Parliamentary Constituencies from 650 to 600 (Parliamentary Voting System and Constituencies Act 2011 refers). In Scotland this means there will be 52 constituencies - a reduction of 7. Of these 2 are defined in legislation namely the Western Isles and Orkney and Shetland. The remaining 50 constituencies must have between 72,810 and 80,473 electors. This is plus or minus 5% of the UK quota figure of 76,641.2 - the quota being the total UK electorate divided by the number of constituencies.

4.3 The legislation sets specific requirements for the design of constituencies and the Commission has endeavoured to:-

- design as many constituencies as practicable that do not cross a Council area boundary
- recognise existing community ties
- take into consideration local geography (eg transport links, other electoral boundaries, administrative boundaries and natural features)
- consider special geographical considerations where appropriate

4.4 Due to the reduction in the number of constituencies and the requirement of nearly equal numbers of electors in each constituency it is not possible to leave constituencies as they currently are. In developing its initial proposals across Scotland the Commission has tried to minimise the number of constituencies which combine parts of different Council areas and in this regard the Commission has had to divide 29 local government wards, each between two constituencies and when dividing wards the Commissioners followed community council boundaries or other recognisable boundaries.

4.5 As far as the Commission's proposals for the area of the City Council are concerned the current boundary between the two existing constituencies has been altered to follow Forfar Road and Claverhouse Road instead of Mains Loan, Kingsway and Old Glamis Road. In the region of 1,000 electors will therefore be in a different successor constituency.

4.6 This means that only Ward 5 (Maryfield) will be split between two constituencies with wards 1 to 4 in the proposed Dundee East and the Glens constituency and Wards 6 and 8 entirely within the proposed Dundee West and Gowrie constituency.

- 4.7 The proposed Dundee East and the Glens constituency will also comprise Wards 1, 4 and 5 from Angus Council and will have an electorate of 76,953.
- 4.8 The proposed Dundee West and Gowrie constituency will also contain Wards 1 and 2 from Perth and Kinross Council with an electorate of 79,159.
- 4.9 The electorates used in the review are based on the electorate as at 1st December, 2010.
- 4.10 A public hearing is to be held in the City Chambers on Tuesday, 29th November in respect of Angus, Clackmannanshire, Dundee City, Fife, Perth and Kinross and Stirling Council areas.
- 4.11 Comments on the proposals themselves must be sent to the Boundary Commission for Scotland by 4th January, 2012.
- 4.12 Maps will be on display at the meeting. For further information the Commissions initial proposals can be found on their website - www.bcomm-scotland.gov.uk/6th_westminster.

5.0 POLICY IMPLICATIONS

- 5.1 This report has been screened for any policy implications in respect of sustainability, strategic environmental assessment, anti poverty, equality impact assessment and risk management and there are no major issues.

6.0 CONSULTATION

- 6.1 The Chief Executive, Depute Chief Executive (Support Services) and the Director of Finance have been consulted.

7.0 BACKGROUND PAPERS

Boundary Commission for Scotland - Review of UK Parliament Constituencies Summary of Initial proposals (October 2011) and Policies and Procedures Document (May 2011)

David Dorward
Chief Executive

DATE: 18th October, 2011