

**Argyll and Bute Council**  
**Comhairle Earra Ghaidheal agus Bhoid**

**Customer Services**  
**Executive Director: Douglas Hendry**



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25 January 2011

## **NOTICE OF MEETING**

A meeting of the **BUTE AND COWAL AREA COMMITTEE** will be held in the **CASTLE HOUSE, CASTLE GARDENS, DUNOON** on **TUESDAY, 1 FEBRUARY 2011** at **10:00 AM**, which you are requested to attend.

Douglas Hendry  
Executive Director - Customer Services

## **BUSINESS**

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. MINUTES**
  - (a) Minutes of Meeting of 7th December 2010 (Pages 1 - 6)
- 4. CUSTOMER SERVICES**
  - (a) Verbal Report on Dunoon - Gourock Ferry Service
  - (b) Capital Receipts (Pages 7 - 8)
- 5. COMMUNITY SERVICES**
  - (a) Dunoon Grammar School Achievement Report - Report to follow
  - (b) Adult Care Performance (Pages 9 - 14)
- 6. PUBLIC AND COUNCILLOR QUESTION TIME**
- 7. DEVELOPMENT & INFRASTRUCTURE SERVICES**

(a) Milton Burn Flood Prevention Scheme (Pages 15 - 16)

(b) Management Rules for Bishops Glen (Pages 17 - 22)

**8. CHIEF EXECUTIVE**

(a) Area Plan Scorecard

**BUTE & COWAL AREA COMMITTEE**

Councillor Robert Macintyre  
Councillor Alister McAlister  
Councillor James McQueen  
Councillor Ron Simon  
Councillor Dick Walsh

Councillor Bruce Marshall (Chair)  
Councillor Alex McNaughton  
Councillor Len Scoullar (Vice-Chair)  
Councillor Isobel Strong

Contact: Shirley MacLeod, Area Manager, Customer Services

**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the EAGLESHAM HOUSE, MOUNTPLEASANT ROAD, ROTHESAY on TUESDAY, 7 DECEMBER 2010**

**Present:** Councillor B Marshall (Chair)

Councillor A MacAlister  
Councillor A McNaughton  
Councillor R Macintyre

Councillor L Scoullar  
Councillor I Strong

**Attending:** Shirley MacLeod, Area Manager, Customer Services  
John Duncan, Area Children's Manager  
Roy Alexander, Estates Surveyor  
Wendy Brownlie, Principal of Rothesay Joint Campus

Inspector Gordon Anderson, Strathclyde Police

**1. APOLOGIES**

Apologies for absence were intimated on behalf of the following:-

Councillor J McQueen  
Councillor R Simon  
Councillor D Walsh  
Alison Jardine, Architect  
Roanna Taylor, Young Scot Co-ordinator  
Liz Marion, Senior Community Learning and Development Worker  
Mike Johnston, Best Value Officer  
Area Commander, Andrew Mosley, Strathclyde Police  
Inspector Hugh O'Neil, Strathclyde Police

The Chairman ruled and the Committee agreed, in terms of Standing Order 3.2.2 that a report regarding proposed public realm works at Ardbeg and Port Bannatyne by Scottish Water, dealt with at item 9c of this minute, be taken as a matter of urgency, due to the need for the work to commence in January 2011.

**2. DECLARATIONS OF INTEREST**

Councillor Marshall declared a non financial interest in item 9 (a) by reason of having formed an opinion on the matter and took no part in the discussion of that item.

**3. MINUTES**

**(a) MINUTE OF MEETING OF 5TH OCTOBER 2010**

The Minutes of the Area Committee of the 5<sup>th</sup> October 2010 were approved as a correct record.

#### 4. CUSTOMER SERVICES

(a) **YOUNG SCOT PRESENTATION BY ROANNA TAYLOR**

Due to apologies being submitted from the Officer this item was continued to the Area Committee in February 2011.

(b) **VERBAL REPORT ON DUNOON - GOUROCK FERRY SERVICE**

The Committee head a verbal update from the Area Manager, Customer Services on the Gourock/Dunoon Ferry Service. She advised that the Head of Economic Development had contacted Scottish Government Officials who could not give him any additional information at this time, but had given reassurance that updates would be provided to the Council when available.

Decision

The Committee noted the details provided on this matter.

(c) **MARQUIS OF BUTE SILVER WEDDING DOWRY FUND**

Members heard from the Area Manager, Customer Services on an application to the Silver Wedding Dowry Fund.

Decision

The Committee agreed to grant £400 from the Silver Wedding Dowry Fund to the applicants, to be presented to the couple on their wedding day by Councillor Robert Macintyre.

(Reference: Report by the Area Manager, Customer Services dated 26<sup>th</sup> November 2010 – submitted)

(d) **THE PROVOST'S FUND, ISLE OF BUTE**

Members heard from the Area Manager, Customer Services on the applications to the Provost's Fund.

Decision

The Committee agreed to grant £20 from the Provost's Fund to both applicants.

(Reference: Report by the Area Manager, Customer Services dated 26<sup>th</sup> November 2010 – submitted)

(e) **DUNOON PRIMARY CAMPUS UPDATE**

Members heard from the Area Manager, Customer Services on the update on progress that is being achieved with respect to the development of the Outline Business Case for the Joint Primary Campus for Dunoon.

Decision

The Committee noted the information provided.

(Reference: Report by the Head of Facility Services dated 11<sup>th</sup> November 2011 – submitted)

**5. COMMUNITY SERVICES**

(a) **ROTHESAY JOINT CAMPUS ACHIEVEMENT REPORT**

Members heard an informative presentation from Wendy Brownlie, Principal of Rothesay Joint Campus on the major achievements of the school in 2009/10 including the SQA examination results for pupils who sat examinations in May/June 2010.

Decision

The Committee noted the strong performance of pupils and the commitment of staff in their examination successes and in many other aspects of achievement across the school and expressed their thanks and congratulations to both staff and pupils of the campus.

(Reference: Report by the Principal, Rothesay Joint Campus – submitted)

(b) **SCHOOL HOLIDAY DATES FOR 2011/12**

The Committee heard from the Area Manager, Customer Services on the School Holidays and In Service Days for 2011/2012.

Decision

The Committee agreed:-

- i. To endorse the final patterns of school holidays and in-service days for all schools in Bute & Cowal as outlined in Appendices 1 and 2 of the report.
- ii. Agreed that the details of school holidays and in-service days for 2011/2012 should now be circulated to schools and all relevant organisations.

(Reference: Report by the Executive Director of Community Services dated October 2010 – submitted)

(c) **GRANTS TO THIRD SECTOR 2010/11**

The Committee considered Third Sector Grants and agreed as follows:-

<b>Third Sector Grants</b>	<b>Project Costs</b>	<b>Grant Awarded</b>
Innellan Public Hall	£2,633	£500

(Reference: Report by Community Development Manager – submitted)

**6. PUBLIC AND COUNCILLOR QUESTION TIME**

Councillor Marshall asked John Duncan about how the proposed savings within the Service Review would affect his Department and John explained that the frontline staff have been protected and they have been looking at ways of making the proposed savings. John spoke on the cost of residential care for children, and the Dunclutha site.

Councillor Marshall asked Inspector Anderson about the crime rate in Bute and the intentions of Strathclyde Police in making redundancy in civilian staff. Inspector Anderson said that crime on the Island was very low and spoke on the public perception consultation which is due out soon, and proposed redundancies in staff.

Councillor Scoullar asked about the future of the road policing unit and Inspector Anderson advised this was still under discussion.

Councillor MacAlister asked about confiscating cars from drink drivers and Inspector Anderson explained this was only on second offences.

**7. DEVELOPMENT & INFRASTRUCTURE SERVICES**

(a) **LANDSCAPE CAPACITY STUDIES**

Members heard from the Planning Officer, Development Policy on the Landscape Capacity Studies for all Rural Opportunity Areas located within National Scenic Areas and Areas of Panoramic Quality as defined by the Argyll and Bute Local Plan.

Decision

The Committee agreed:-

- i. To approve the Landscape Capacity Study for Bute and Cowal.
- ii. To approve the relevant section of the Landscape Capacity Study for Mid Argyll and Inveraray.

(Reference: Report by the Development Policy Manager – submitted)

(b) **MILTON BURN FLOOD PREVENTION SCHEME**

Members heard from the Area Manager, Customer Services on the status of the Milton Burn Flood Prevention Scheme. She advised that the timetable was on track and the Principal Engineer was optimistic the tenders would be on cost.

Decision

The Committee noted the contents of the report by the Principal Engineer.

(Reference: Report by the Principal Engineer dated 10<sup>th</sup> November 2010 – submitted)

**8. CHIEF EXECUTIVE**

(a) **AREA PLAN SCORECARD**

Due to apologies being submitted from the Officer this item was continued to the Area Committee in February 2011.

**9. EXEMPT ITEMS**

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public for the following items of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

(a) **MIDGE LANE, KILMUN, FORESTRY COMMISSION - SERVITUDE FOR NEW ACCESS ROAD**

Councillor B Marshall, having declared a non financial interest in this item, left the meeting and took no part in the discussion, Councillor L Scoullar took over the Chair.

Members heard from the Estates Surveyor on the request from Forestry Commission Scotland for a servitude over ground adjacent to the A880.

Decision

The Committee:-

- i. Agreed to authorise the Executive Director of Customer Services to negotiate and conclude suitable terms and conditions in respect of the grant of a formal servitude in favour of Forestry Commission Scotland to allow road construction and the subsequent use of the access for forest traffic subject to the granting of planning permission by the Loch Lomond and Trossachs National Park.
- ii. Agreed to suitable terms and conditions in respect of temporary working areas and granting of early entry consent as appropriate.

(Reference: Report by the Executive Director, Customer Services dated 7<sup>th</sup> December 2010 – submitted)

(b) **STEAMER ENQUIRY OFFICE, DUNOON PIERHEAD**

Members heard from the Estates Surveyor on the current position in respect of the tenancy of the former Steamer Enquiry Office.

Decision

The Committee:-

- i. Noted the contents of the report by the Executive Director, Customer Services.
- ii. Agreed an update report should come to a Special Area Committee to be convened in March 2011.

(Reference: Report by the Executive Director, Customer Services dated 7<sup>th</sup> December 2010 – submitted)

**10. SCOTTISH WATER - ARDBEG AND PORT BANNATYNE SEWERAGE SCHEME PROPOSED PUBLIC REALM WORKS**

Members heard from the Estates Surveyor on the request that the rental income from the proposed contractor's compound at Ardbeg Point is used for public realm works to be agreed upon by the local community.

Decision

The Committee:-

- iii. Agreed to authorise the Executive Director of Customer Services to facilitate this course of action.
- iv. Agreed the public realm works agreed by the local community be brought back to the Area Committee for agreement.

(Reference: Report by the Executive Director, Customer Services dated 7<sup>th</sup> December 2010 – tabled)



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**ARGYLL AND BUTE COUNCIL  
CUSTOMER SERVICES**

**BUTE AND COWAL  
AREA COMMITTEE  
1<sup>st</sup> FEBRUARY 2011**

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**USABLE CAPITAL RECEIPTS**

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**1.0 SUMMARY**

- 1.1 A sum of £1000 from previous Capital Receipts has been unspent for a considerable period of time, and Members are asked in this report to consider reallocation of the sum to enable it to be used in the near future.

**2.0 RECOMMENDATION**

- 2.1 Members are asked to consider reallocation of the available sum.

**3.0 DETAIL**

- 3.1 As agreed by the Council, Capital funds allocations must be utilised in terms of the following criteria:-

Area Committees must use funds in a way that contributes to the Corporate Plan and Statement of Intent. Funding can be used as a contribution to projects in either the revenue or capital budget.

Where funding is being used for a capital project then the criteria for capital expenditure are as follows:

- The expenditure must result in the creation of an asset owned by the Council.
- The expenditure must be in respect of an asset already owned by the Council and must significantly.
- Increase the value of the asset.
- Extend the useful life of the asset.
- Enhance the operating capability of the asset.

Where funding is being used for revenue expenditure then the expenditure, in addition to contributing to the Corporate Plan and Statement of Interest, must relate to:

- Repair & maintenance of public sector infrastructure.
- A one off contribution to an external body towards the capital cost of a community asset or a contribution to an event.
- A one off contribution towards the cost of an event that has a significant impact on the corporate objectives of the Council.

Payments must not be made to support ongoing revenue costs and must not create an ongoing commitment on the Council's revenue budget.

- 3.2 Members will recall that allocation of capital spend across the Bute and Cowal area is generally 40% to Bute, and 60% to Cowal. In June 2009, Members agreed to support funding for pitch improvements at Dunoon Stadium, and further agreed that future allocations of Capital Receipt Funds for Cowal go first and foremost towards repairs to the Dunoon town centre Christmas Lights fittings until such time as that matter is fully funded. The amount required to fund this work was £30,000.
- 3.3 In September 2009, Members agreed that a previously unspent sum of £2000 should be allocated to Pedestrian Crossings and Ramps, to allow Operational Services to carry out additional work on these. Much of the work was completed in that year, but there remains an outstanding sum of £1000 which has not been utilised.
- 3.4 Given the pressure which Roads and Amenity services are facing in carrying out road repairs and dealing with weather damage to the road infrastructure, they have intimated that it is not likely that they will be able to carry out work on dropped kerbs at any time in the near future.
- 3.5 Given the likelihood of this Capital Receipt remaining unspent for some considerable time, Members are asked to consider reallocation of it to the outstaying balance required to fund the Dunoon Christmas Light Infrastructure, ie to reduce the balance by £1000 to £29,000.

#### 4.0 IMPLICATIONS

Policy:	None
Financial:	None – within appropriate financial capital allocation.
Personnel:	None
Equal Opportunities:	None

For further information contact: Shirley MacLeod, Area Customer Services Manager 01369 707130

Date: 12<sup>th</sup> January 2011

**Argyll and Bute Council- report on Adult Care in Bute and Cowal****Julie Hempleman Area manager for Operations**

**We are continuing to make positive changes in adult care. This is reflected in the Pyramid Figures which will be available at the Area meeting in February. These changes are due to a number of factors which I will explain more fully. I think you will agree however that these figures demonstrate our commitment to Argyll and Bute's vision which is to**

**“Work with communities and improve quality of life and opportunity”**

**Also we are mindful of the values set out in the Social work service plan are to:**

**Put the needs of the service user at the centre.**

**Protect the most Vulnerable from harm.**

**Respect and uphold the rights of service user.**

**Listen to what people say about the service we deliver.**

**Build partnerships with our communities and other agencies.**

**Respect the contribution of staff and carers.**

**Ensure services are fair equitable and based on clear priorities.**

**Constantly strive to improve the way we meet people's needs.**

**Ensure everything we do represents best value for the citizens of Argyll and Bute.**

**Putting service user's at the centre**

**Social workers in Cowal and Bute are mindful of listening to the needs of the service user and ensure that our assessments reflect this. The new assessment called the Personal Outcome Plan or POPS ensures that from the start the service user states what they wish the outcome of the assessment to be. It ensures that we are able to ascertain their needs in terms of ability**

to live independently. The extent of their physical health and mobility and also if they have concerns as to their mental health or dependency on alcohol or drugs. It also indicates if they are worried about their ability to cope financially or with elements of their personal care. The committee will see from Pyramid that referrals to the service are quickly assessed with unallocated work both in Cowal and Bute remaining low. This ensures that public confidence in us remains high and that they are re-assured we will respond quickly to their concerns.

In both Cowal and Bute we have increased our staffing levels to reflect the increasing number of referrals to our team. We have recently appointed a social worker who will cover Bute and Cowal. This has boosted the team's ability to complete assessments on time and ensure that we can respond effectively in terms of crisis intervention. In terms of our staff compliment we have 2.5 Social workers in Cowal and a community care assistant. Bute now has a half time social worker and two community care assistants.

#### **Protect the most vulnerable from harm**

Adult protection has remained a high priority in Bute and Cowal. Although there has been a slight increase in the number of referrals we have continued to ensure we use the appropriate criteria and where there is an adult protection concern we respond appropriately. We have an adult protection officer covering Bute and Cowal and recently all staff were involved in an evaluation day so that we could review our progress alongside our partners such as police and health. Joint working has helped us share common goals and refine our working practice.

#### **Respect and uphold rights of the service user**

We have continued to use the advocacy service to help uphold the rights of the service user. This has been particularly successful in helping the older service user to express their views in meetings where their future care needs are being discussed.

**Listen to what the service user has to say and the service we deliver**

As Area manager I have been keen to listen to the views of the service user. Last year I took part in two mapping events organised by the Justice Of the Peace group in Cowal. The events which were directed by Jim Mather MSP gave the local community a chance to discuss their concerns with local managers from health and social work. This mapping event involved community groups such as the Cowal public partnership forum as well as individuals concerned with local issues.

**Build partnerships in communities and with other agencies**

In the last year we have encouraged community involvement particularly when planning new service delivery. One of the most significant developments has been the ongoing development of the Bute and Cowal Plan which in conjunction with health looks at how we can jointly use resources to provide patients with a seamless service both in hospital and on discharge. This in response to the National Policy by Scottish Government to reduce continuing care beds and develop community based alternatives. In particular a joint admission, transfer and discharge policy has been agreed involving NHS Highland, Highland council and Argyll and Bute council using the principles of the community care pathway. This will ensure that patients are able to receive services in the community once they are ready for discharge. In addition the appointment of the new delayed discharge co-ordinator in Cowal will ensure that these numbers of people in hospital remain low. Again the pyramid figures demonstrate that we have achieved a zero in terms of delays in both Bute and Cowal for 8 months and this is reflected in the hard work of the staff in ensuring that patients receive an appropriate service in the community if required.

**Ensure services are fair and equitable and based on clear priorities**

In terms of the services we provide we have worked hard to explain how the services we offer are reflected in our prioritisation framework. We also ensure that our assessment process looks at all aspects of need and that the tools we use ensure that service users receive an equal level of care according to that need. We continue to monitor the service we provide by

ensuring it is reviewed regardless whether the service is provided by the council or a private provider.

**Respect the contribution of staff and carers**

We are continuing to offer carers assessments in Bute and Cowal and help signpost carers who can support them in caring for a family member. We help carers forge links with voluntary agencies such as crossroads and the befrienders who offer the carer valuable respite from their caring role. We are also able to provide periods of respite for the service user and the development of the new respite bureau will offer more choice for those requiring short breaks.

In addition we recognise that staff also need their views heard and to be allowed an opportunity to discuss developments within the service. With this in mind Bute and Cowal community care teams joined together for a team building day in December which allowed staff the opportunity to identify their strengths but also where they might improve both individually and as a group. In addition staff are also able to discuss their role in monthly practice forums offered by the learning network and in monthly team meetings.

**Constantly strive to improve the way we meet people's needs**

The most recent example of how we are beginning to change the way we meet a service users needs is to recognise that many service users particularly the elderly would prefer to stay at home rather than receive intuitional care. The development of an overnight team in Cowal and Bute will allow more people to remain at home. This service in conjunction with the use of Tele Health Care will also ensure people are safe and can be monitored at regular intervals, particularly those with early onset dementia.

**Ensure everything we do represents best value for the citizens of Argyll and Bute**

Finally in the current climate we must ensure that the services we provide within the council or through a private provider offer best value to the

**service user. In Cowal and Bute we have achieved this by ensuring we use the resources we have well but also ensure that services are not duplicated or remain in place if the service user no longer requires them. Our system of review allows us to reduce care packages where necessary allowing others who fall within our prioritisation service to receive the care they need.**

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ARGYLL &amp; BUTE COUNCIL

BUTE &amp; COWAL AREA COMMITTEE

DEVELOPMENT & INFRASTRUCTURE  
SERVICES

1 February 2011

**MILTON BURN FLOOD PREVENTION SCHEME****1. SUMMARY**

The purpose of this report is to advise on the status of the project.

**2. RECOMMENDATIONS**

That the contents of the report are noted.

**3. DETAILS**

Tenders for the proposed works were received on 1 December 2010. After consideration of the returned tenders, it was determined that acceptance of any of the tenders would leave the Council and wider public with a considerable risk were the appointed contractor to run into construction or financial difficulties. As a result it was decided that none of the returned tenders should be accepted and it is now proposed to proceed with the works in two separate contracts.

The first tender will be for the works in John Street which can be done at a time of the Council's choosing i.e. as soon as due process will allow, and this to be followed by a tender for the walls in the burn itself and the chamber below the supermarket car park. The various details and permissions that were agreed for the combined scheme will need to be checked for the new timescale associated with the separate contracts.

Assuming that there are no issues from any of the affected parties, the project will now proceed on the basis of two contracts and the initial timescale as shown below:-

Item	John Street Pipe	Milton Burn Works
PQQ issued	Jan 2011	Aug 2011 but depends on Morrisons' response
PQQ returned	Feb	Sept
Tenders Issued	Feb	Oct
Tenders returned	April	Nov
Standstill letter issued	April	Nov
Award Contract	April	Dec
Start on site	May	Jan 2012
Completion	Dec 2011	Sept 2012

It has been assumed that the supermarket will sign up for the same deal but 12 months on i.e. entry for January 2012. To date there has been no indication from them yet on this and how this deal is concluded will have a big impact on when the scheme will be completed.

The cost is expected to be at the limit of the existing (£2.3m) budget.

For further information, please contact:-

Arthur McCulloch (01546 604632)

Principal Engineer

11 January 2011

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**ARGYLL & BUTE COUNCIL****BUTE AND COWAL AREA COMMITTEE****DEVELOPMENT &  
INFRASTRUCTURE****1st February 2011**

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**REVIEW OF MANAGEMENT RULES FOR PARKS AND OPEN SPACES**

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**1. SUMMARY**

Following the August 2010 business day elected members in Bute and Cowal have indicated they wish to reinstate management rules for parks and open spaces.

**2. RECOMMENDATIONS**

- 2.1 Members consider the rules in Appendix 1 currently used by Angus Council, for which we have approval to adopt, as being particularly suitable to our service requirements.
- 2.2 Members note the byelaws and legislation currently in place to advise on behaviour, for example, legislation relating to dog fouling and existing byelaws regarding drinking in public places.
- 2.3 Members note the availability of supplementary voluntary schemes, mainly regarding responsible dog ownership, which could be promoted locally to support the aims of formal Management Rules .

**3. BACKGROUND**

- 3.1 Management rules have traditionally been in place to allow wardens, police and council officers to advise those using parks and open spaces on acceptable behaviour within these areas.  
Byelaws have been used to control drinking in public in specific problem areas but other issues have been dealt with either by advisory signage e.g. No Ball Games or existing relevant legislation, for example, dog fouling, littering and fly tipping.
- 3.2 Any guidance for use of open space and parks should take cognisance of the Argyll and Bute Council Open Space Strategy currently under preparation by Planning and Regulatory Services.

**4. DETAILS**

- 4.1 A report was presented, at all 4 area business days regarding the reintroduction of management rules in Parks and Open spaces owned by Argyll and Bute Council. The elected members in each area

considered there was some merit in rules. Most were in favour and agreement that any rules must be concise and relevant. The copy of previous rules appended to the report was felt to be cumbersome and unnecessary particularly in light of current legislation covering such issues as dog fouling, littering, on street carparking and fly tipping.

4.2 It is felt the rules now presented in Appendix 1 address this in a clearer manner.

## **5. IMPLICATIONS**

- |     |                               |   |
|-----|-------------------------------|---|
| 5.1 | Policy :                      | New rules or guidance to be introduced .  |
| 5.2 | Financial :                   | Resource to police any new prescriptive rules   |
| 5.3 | Personnel:                    | Resource to police any new prescriptive rules   |
| 5.4 | Equalities Impact Assessment: | None  |
| 5.5 | Legal:                        | Powers under the Local Authorities Scotland Act allow by Argyll and Bute Council to approve new rules . |

For further information, please contact: Alison M McIlroy, Service Officer,  
Grounds and Horticulture

SANDY MACTAGGART  
EXECUTIVE DIRECTOR  
January 2011

## **Appendix One**

### **MANAGEMENT RULES PUBLIC PARKS, GARDENS & RECREATION GROUNDS**

Angus Council in exercise of the powers conferred on it by Section 112 of the Civic Government (Scotland) Act 1982 ("the Act") has made the following Management Rules, which shall apply to all Public Parks, Gardens and Recreation Grounds, under its control.

An Authorised Officer of Angus Council may require someone whom they reasonably believe to have contravened/be contravening/appears about to contravene a rule, to leave a Park. Failure to leave is then an offence under Section 118 of the above Act with a penalty of up to £200 Persistent contravention or attempted contravention of these rules may lead to exclusion from these areas by means of an order under Section 117 of the Act.

A copy of these Rules may be obtained from the Council's Head of Law and Administration, Angus House, Forfar DD8 1AN

#### **Definitions**

"Authorised Officer" means an Angus Council employee working under the authority of the Director of Neighbourhood Services.

"Council" means Angus Council as constituted by the Local Government etc. (Scotland) Act 1994.

"Gardens" means all smaller garden areas and sites.

"Park" or a "part of a Park" means any of the above, for the purposes of these Rules.

"Public Parks" means all parks typically with a defined boundary.

"Recreation Grounds" means all playing fields and play areas.

#### **1. Access**

All persons

(a) Must enter and leave by the entrance and exit provided.

(b) Must leave at closing time or when requested to do so by an Authorised Officer.

An Authorised Officer may temporarily close a Park or part of a Park and will post notices clearly indicating that the area is closed and the reason for the temporary closure.

#### **2. Use of Parks**

No person may:-

(a) behave so as to cause nuisance or disturbance to other park users or in a manner that will interfere with the safety or enjoyment of others.

- (b) disregard any instruction whether displayed or given by an Authorised Officer.
- (c) play music on any device at a level to be heard beyond a person in close proximity.
- (d) post or display any posters or promotional material; paint, chalk or draw, on any part of the Park, etc.
- (e) sell or hire any articles or animal.
- (f) set off any fireworks or light fires.
- (g) collect money
- (h) carry or discharge a firearm or other instrument designed to propel missiles
- (i) interfere in any work, grass sowing or other planting, or remove any wild plant

#### All Persons

- (j) Must pre-book pitches at the current charges for organised football matches.
- (k) Must obtain and retain for inspection by and Authorised Officer, the appropriate ticket prior to using a recreation facility
- (l) Must act responsibly with regard to others and younger users when using play equipment, paddling pools and other recreation facilities provided for children under the age of 16.
- (m) Must not engage in or practice golf or any other type of sport, except on ground set aside specifically for the purpose.
- (n) Must not in any loch, pond or water course within a Park, swim, sail or use any type of boat or craft, fish with any type of tackle or deposit any type of material or liquid which will create pollution and disturbance.
- (o) Must either remove their litter from the area or deposit in any provided litter bin.

#### 3. Animals

No Person may:

- (a) Bring any animal, other than a dog under proper control, into any park
- (b) Allow a dog in their care to foul without immediately uplifting the fouling for disposal in a bin.
- (c) Take a dog into a part of a Park where dogs are specifically prohibited.
- (d) wilfully or negligently, disturb, harm or displace any animal, bird, nest or habitat.

#### 4. Vehicles and other Wheeled Vehicles

Persons:

- (a) Must not bring or drive any motor vehicle including go-karts, quad bikes or any other wind, electrical or mechanically propelled vehicle to include radio controlled craft or apparatus; motorhome, including associated caravans or trailers into a Park without the prior consent of Angus Council.
- (b) Must at all times, where vehicles are allowed into a park drive at no more than 10mph. Parking or passing on the grass is not permitted.
- (c) Must, if riding a bicycle, keep to the carriageways and tracks taking particular care when approaching other users of the area.
- (d) Must not, within a Park or associated designated parking areas, stay overnight or allow a vehicle to remain parked overnight.

5. Outdoor Facilities

Persons:

(a) Must, when using facilities such as open shelters, seating, picnic units, use these facilities responsibly.

6. Park Lets

Within a Park

(a) All organised events must be authorised by the Council and shall be subject to completion of the Council's Safe Event Pack.

(b) No one may hold any public meetings, gatherings, promotions or performances without written authorisation by the Council.

(c) For the purpose of giving instruction in sport or other activity, authorisation must be obtained in advance from the Council.

