

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 27 March 2003 at 4.00 pm.

Present: Provost Mrs FRANCES E DUNCAN OBE, Councillors IAN ANGUS, BILL CROWE, FRANK ELLIS, JACK GIBB, ALISTAIR GRAY, JOHN HENDERSON, ALEX KING, The Hon R J LESLIE MELVILLE, DAVID LUMGAIR, STEWART McGLYNN, IAN MACKINTOSH, GLENNIS MIDDLETON, BRIAN MILNE, JOY MOWATT, PETER MURPHY, ROB MURRAY, ROBERT MYLES, PETER NIELD, GEORGE NORRIE MBE, HELEN OSWALD, KITTY RITCHIE, BILL ROBERTON, RON SCRIMGEOUR, DAVID SELFRIDGE, RICHARD SPEIRS, SHEENA WELSH and SANDY WEST.

Apology: An apology for absence was intimated on behalf of Councillor BILL MIDDLETON.

Provost Mrs FRANCES E DUNCAN OBE, in the Chair.

1. DECLARATIONS OF INTEREST

Councillor Mowatt declared an interest in Article 16 of the minute of meeting of the Policy and Resources Committee of 18 March 2003.

Councillor Gray declared an interest in Article 11 of the minute of meeting of the Social Work Committee of 25 February 2003.

Councillors Ritchie, West and Norrie declared an interest in Article 14 of the minute of meeting of the Policy and Resources Committee of 18 March 2003.

Councillor Angus declared an interest in Article 3(b) below.

2. MINUTES OF COUNCIL AND COMMITTEES

(a) Housing Committee (Special)

The [minute of the special meeting of the Housing Committee of 11 February 2003](#) was submitted and approved.

(b) Angus Council (Special)

The [minute of the special meeting of Angus Council of 13 February 2003](#) was submitted, approved as a correct record and signed by the Provost.

(c) Angus Council

The [minute of meeting of Angus Council of 13 February 2003](#) was submitted, approved as a correct record and signed by the Provost.

(d) Environmental and Consumer Protection Committee

The [minute of meeting of the Environmental and Consumer Protection Committee of 18 February 2003](#) was submitted and approved.

(e) Housing Committee

The [minute of meeting of the Housing Committee of 18 February 2003](#) was submitted and approved.

(f) Civic Licensing Committee

The [minute of meeting of the Civic Licensing Committee of 18 February 2003](#) was submitted and approved.

(g) Angus Council (Special)

The [minute of the special meeting of Angus Council of 20 February 2003](#) was submitted, approved as a correct record and signed by the Provost.

(h) Development Control Committee

The [minute of meeting of the Development Control Committee of 20 February 2003](#) was submitted and approved.

(i) Contract Services Committee

The [minute of meeting of the Contract Services Committee of 25 February 2003](#) was submitted and approved.

(j) Social Work Committee

The [minute of meeting of the Social Work Committee of 25 February 2003](#) was submitted and approved.

(k) Recreation and Cultural Services Committee

The [minute of meeting of the Recreation and Cultural Services Committee of 27 February 2003](#) was submitted and approved.

(l) Economic Development Committee

The [minute of meeting of the Economic Development Committee of 27 February 2003](#) was submitted and approved.

(m) Education Committee

The [minute of meeting of the Education Committee of 4 March 2003](#) was submitted and approved.

(n) Planning and Transport Policy Committee

The [minute of meeting of the Planning and Transport Policy Committee of 6 March 2003](#) was submitted and approved.

(o) Roads Committee

The [minute of meeting of the Roads Committee of 6 March 2003](#) was submitted and approved.

(p) Personnel and Property Services Committee

The [minute of meeting of the Personnel and Property Services Committee of 11 March 2003](#) was submitted and approved.

(q) Finance and Information Technology Committee

The [minute of meeting of the Finance and Information Technology Committee of 11 March 2003](#) was submitted and approved.

(r) Civic Licensing Committee

The [minute of meeting of the Civic Licensing Committee of 11 March 2003](#) was submitted and approved.

(s) Development Control Committee

The [minute of meeting of the Development Control Committee of 13 March 2003](#) was submitted and approved.

Proposed Retail Development on Land at Westway Retail Warehouse Park, Westview, Arbroath

With reference to Article 2(a) of the minute of meeting, Councillor McGlynn advised members that the Scottish Ministers had decided, in view of the proposed development's possible implications for policies contained within the National Planning Policy Guideline 8 "Town Centres and Retailing" and for policies within the Dundee and Angus Structure Plan 2002, to require the application to be referred to them for determination in terms of Section 46 of the Town and Country Planning (Scotland) Act 1997. The Scottish Ministers had also decided that, in view of the nature of the proposal and its possible implications, the matter should be considered at a Public Local Inquiry, together with the two planning appeals for similar retail developments in Arbroath at Dens Road/Wardmill Road and the former Foundry Site. Arrangements for the conjoined Public Local Inquiry, including the date would be advised in due course by the Scottish Executive Inquiry Reporters Unit. The Development Control Committee had already agreed to authorise the appointment of planning and legal representation at the forthcoming inquiry and arrangements would now be made.

Having heard Councillors Gray, King, Nield and Milne express their disappointment at the announcement, the Council resolved to note the position.

(t) Policy and Resources Committee

The minute of meeting of the Policy and Resources Committee of 18 March 2003 was submitted and approved.

3. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 24(1)

(a) EU Fisheries Compensation Package

Following notice given by Councillor Murray in terms of Standing Order 24, Councillor Murray, seconded by Councillor King, moved that:

"THIS COUNCIL:-

- (I) ACKNOWLEDGES THE RECENT SUCCESS OF IAN HUDGHTON, MEP IN THE EUROPEAN PARLIAMENT'S FISHERIES COMMITTEE IN GAINING APPROVAL FOR AN EU FISHERIES COMPENSATION PACKAGE OF €150 MILLION FOR SCOTLAND'S FISHING COMMUNITIES;
- (II) CALLS ON MINISTERS ROSS FINNIE, MSP AND ELLIOT MORLEY, MP TO ENSURE THAT THE UK GOVERNMENT SUPPORTS THIS PACKAGE; AND
- (III) INSTRUCTS THE CHIEF EXECUTIVE TO WRITE, AS A MATTER OF URGENCY, TO THE MINISTERS IN THESE TERMS."

Councillor Mackintosh, seconded by Councillor Speirs, moved as an amendment, that this Council welcomes the recent success of the European Parliament's Fisheries Committee under the presidency of Struan Stevenson in gaining approval for an EU fisheries compensation package of €150 million for Scotland's fishing communities and acknowledges the efforts of Ian Hudghton, MEP within that Committee.

On a vote being taken, the members voted:-

For the motion:

Provost Duncan, Councillors Angus, Crowe, Ellis, Gibb, Gray, Henderson, King, McGlynn, Glennis Middleton, Milne, Mowatt, Murray, Oswald, Ritchie, Robertson, Scrimgeour, Selfridge, Welsh and West. (20)

For the amendment:-

Councillors Leslie Melville, Lumgair, Mackintosh, Murphy, Myles, Nield, Norrie and Speirs (8)

The motion was thereupon declared carried and the Council resolved accordingly.

(b) Local Post Offices

Following notice given by Councillor Mowatt in terms of Standing Order 24, Councillor Mowatt, seconded by Councillor Scrimgeour moved that:-

"This Council:-

- (i) is concerned that our post offices are being put at risk by Government initiatives to coerce pensioners and benefit recipients away from post offices into banks;
- (ii) condemns this initiative as yet another threat to the viability of our post offices and the sustainability of the rural communities they serve;
- (iii) recognises that in many rural areas the only form of banking service available is that provided by the local post office;
- (iv) insists that the Government ensures a level playing field for the post offices alongside the banks to ensure that individuals retain their right of free choice of service provider; and
- (v) instructs the Chief Executive to write as a matter of urgency to the appropriate Minister to this effect."

The Council resolved unanimously to approve the motion.

(c) Independent Pharmacies

Following notice given by Councillor Angus in terms of Standing Order 24, Councillor Angus seconded by Councillor Glennis Middleton moved that:-

"This Council:-

- (i) acknowledges the valuable and unique services provided by the independent pharmacies to the residents of Angus;
- (ii) supports the retention of these services within our communities;
- (iii) upholds the rights of our citizens to have a choice of services as close to their homes as possible;
- (iv) expresses concern that the Government's initiative to deregulate pharmaceutical services will threaten seriously the sustainability of independent pharmacies in the rural areas, thereby risking the loss of these unique services to our communities;
- (v) urges the Government to consider the harmful effect of its policy in excluding our most vulnerable citizens; and
- (vi) instructs the Chief Executive to write to the appropriate Minister in these terms."

The Council resolved unanimously to approve the motion.

The following matter was, on the determination of the Provost, dealt with as a matter of urgency in light of the announcement made by AKZO Nobel.

Councillor Ritchie declared an interest in this item.

4. WITHDRAWAL OF AKZO NOBEL – MONTROSE MANUFACTURING SITE

The Provost reported that AKZO Nobel had announced today its withdrawal from negotiations to acquire the GlaxoSmithKline manufacturing site at Montrose. GlaxoSmithKline had however confirmed that it remained committed to continue to work hard to secure a long-term future for the site.

Having heard Councillors Crowe, Ritchie, Norrie and West express their disappointment regarding the announcement, the Council resolved to note that the Provost would be contacting GlaxoSmithKline immediately after the meeting, offering the Council's full support in seeking a solution for the long-term future of the Montrose site.

5. EXCLUSION OF PUBLIC AND PRESS

The Council resolved, in terms of Standing Order 27(2), that the public and press be excluded during consideration of the following item, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973, paragraphs 6, 8 and 9.

6. FORFAR AND KIRRIEMUIR COMMUNITY RESOURCE CENTRE – APPROVAL TO PROCEED WITH PROJECT

With reference to Article 21 of the minute of meeting of the Policy and Resources Committee of 18 March 2003, there was submitted [Joint Report No 393/03](#) by the Director of Finance and the Acting Director of Social Work updating the Council on the latest position with regard to the procurement of the Forfar and Kirriemuir Community Resource Centre Project, and seeking approval to proceed with the project and authority for the relevant officers to sign the necessary contractual and legal documentation on the Council's behalf.

The Council resolved:-

- (i) to note the latest position on the Forfar and Kirriemuir Community Resource Centre project, as outlined in the Report;
- (ii) to proceed with the project based on the latest value for money and affordability position and in the context of the other key financial issues outlined in the Report;
- (iii) to authorise the Chief Executive and/or the Director of Law and Administration in consultation with the Acting Director of Social Work and the Director of Finance to sign the necessary contractual and legal documentation associated with the project on the Council's behalf, subject to satisfactory conclusion of the collateral agreement between the Council and the Trust;
- (iv) to confirm that authority in terms of (iii) above was on the basis that the final figure for the additional investment required by Angus Council was within 10% of the estimates shown in Appendix C to this Report;
- (v) to note that, in the event of the additional investment required by Angus Council exceeding the terms of (iv) above, a further Report would be submitted to the appropriate Committee for consideration; and
- (vi) to note that, subject to (v) above, a further Report would be submitted to the appropriate Committee in due course, outlining the financial position on the project.