

ANGUS COUNCIL

MINUTE of SPECIAL MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 20 February 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, STEWART McGLYNN, GLENNIS MIDDLETON, BILL MIDDLETON, JOY MOWATT, BRIAN MILNE, PETER MURPHY, ROBERT MYLES, PETER NIELD, GEORGE NORRIE MBE, HELEN OSWALD, KITTY RITCHIE, BILL ROBERTON, RON SCRIMGEOUR, DAVID SELFRIDGE, SHEENA WELSH and SANDY WEST.

Apologies: Apologies for absence were intimated on behalf of Councillors DAVID LUMGAIR and ROB MURRAY.

Provost Mrs FRANCES E DUNCAN OBE, in the Chair.

1. 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 to the Local Government (Scotland) Act 1973, paragraphs 6, 8 and 9.

2. A92 PROJECT - FORMAL ENDURING LEGAL AGREEMENT BETWEEN ANGUS COUNCIL AND DUNDEE CITY COUNCIL

With reference to Article 1(r) of the minute of meeting of Angus Council of 13 February 2003, there was submitted [Joint Report No 260/03](#) by the Chief Executive, the Director of Law and Administration, the Director of Roads and the Director of Finance advising the Council on the terms of the formal enduring legal Agreement proposed between Angus Council and Dundee City Council cementing the relationship between them in respect of the A92 upgrading project and seeking the Council's approval of the Agreement, on the terms set out therein.

The Council resolved:-

- (i) to note that the Scottish Executive had confirmed that it was not prepared to increase the amount of Level Playing Field Support on offer to the Project;
- (ii) to note the outcome of negotiations with Dundee City Council and the position finally adopted by the City Council on the required enduring Agreement between the authorities over the A92 project;
- (iii) to approve the terms of the Agreement, including the Dundee City Council annual financial contribution, which had been negotiated between Angus Council and Dundee City Council for the purposes of the A92 project with reference to that part of the road within Dundee City Council's administrative boundaries;
- (iv) to authorise the Director of Law and Administration to formally execute the Agreement with Dundee City Council on the terms set out and described in the Report; and
- (v) to note that the ultimate delivery of the project and therefore the implementation of the Agreement was subject to securing Scottish Executive approval regarding overall project value for money, as evidenced by the Public Sector Comparator mechanism.