

# ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 6 November 2008 at 4.00 pm.

**Present:** Provost RUTH LESLIE MELVILLE MBE, Depute Provost PETER MURPHY, Councillors ALISON ANDREWS, COLIN BROWN, FRANK ELLIS, MAIRI EVANS, DAVID FAIRWEATHER, IAIN GAUL, ALEX KING, DAVID LUMGAIR, IAN MACKINTOSH, DAVID MAY, GLENNIS MIDDLETON, BILL MIDDLETON, JIM MILLAR, DONALD MORRISON, ROB MURRAY, ROBERT MYLES, PETER NIELD, HELEN OSWALD, RALPH PALMER, JOHN RYMER, MARK SALMOND, ROBERT SPINK, MARGARET THOMSON, PAUL VALENTINE, SHEENA WELSH, SANDY WEST and JOHN WHYTE.

Provost RUTH LESLIE MELVILLE, in the Chair.

## 1. APOLOGIES

No apologies for absence were intimated.

## 2. DECLARATIONS OF INTEREST

Councillor Fairweather declared a non-financial interest in item 3(g)(ii) as his cohabitee leased a business in Keptie Street, Arbroath. He indicated that he would be taking part in any discussion or voting on the matter.

## 3. MINUTES OF COUNCIL AND COMMITTEES

### (a) Angus Council

The [minute of meeting of Angus Council of 18 September 2008](#) was submitted, approved as a correct record, and signed by the Provost.

### (b) Development Standards Committee

The [minute of meeting of the Development Standards Committee of 23 September 2008](#) was submitted and noted.

### (c) Development Standards Committee

The [minute of meeting of the Development Standards Committee of 25 September 2008](#) was submitted and noted.

### (d) Social Work and Health Committee

The [minute of meeting of the Social Work and Health Committee of 25 September 2008](#) was submitted and noted.

### (e) Civic Licensing Committee

The [minute of meeting of the Civic Licensing Committee of 30 September 2008](#) was submitted and noted.

### (f) Neighbourhood Services Committee

The [minute of meeting of the Neighbourhood Services Committee of 9 October 2008](#) was submitted and, except as detailed hereunder, noted:

#### (i) Serious Rent Arrears – Delegation to Head of Housing

With reference to Article 6(iv), the Council resolved to approve the amendment to section 7(b) (10) of the Scheme of Delegation to Officers appended to Standing Orders as recorded in the minute.

**(ii) Recreational Seasonal Extended Toilet Opening Hours 2008-11-27**

With reference to Article 18, Councillors Oswald and Palmer had referred the Committee's determination by the Council in accordance with Standing Order 39 (3).

COUNCILLOR MILLAR, SECONDED BY COUNCILLOR MACKINTOSH, MOVED THAT THE COUNCIL APPROVES THE DECISION OF THE COMMITTEE AS RECORDED IN THE MINUTE OF THE MEETING.

An amendment by Councillor Oswald was ruled incompetent by the Provost and the Council resolved in terms of the motion by Councillor Millar.

**(g) Infrastructure Services Committee**

The [minute of meeting of the Infrastructure Services Committee of 14 October 2008](#) was submitted and except as detailed hereunder, noted:

**(i) Arrangements for Transfer of Responsibilities Between the Health and Safety Executive and the Council**

With reference to Article 5, the Council resolved to approve the delegation to officers as recorded in the minute.

**(ii) Removal of Pedestrian Crossing in Keptie Street, Arbroath**

With reference to Article 23, Councillors King and Palmer had referred the Committee's decision for determination by the Council in accordance with Standing Order 39(3).

COUNCILLOR MAY, SECONDED BY COUNCILLOR BROWN, MOVED THAT THE COUNCIL APPROVES THE DECISION OF THE COMMITTEE AS RECORDED IN THE MINUTE OF THE MEETING.

Councillor King, seconded by Councillor Spink, moved, as an amendment, that the Council resolves:

- (i) not to remove the existing partial pedestrian crossing;
- (ii) not to remove the red coloured tactile paving surface associated with the signalled crossings and not to replace it with buff coloured tactile paving surface associated with uncontrolled crossing;
- (iii) to note the previous comments of both the Chief Constable of Tayside Police and the Director of Infrastructure Services regarding the greater need for a pedestrian crossing in Keptie Street/West Port, Arbroath, near to the junction with Catherine Street which have not changed since August 2006;
- (iv) to now agree to ratify the previous unanimous decision of the meeting of the Infrastructure Services Committee of 26 August 2006, at item 22, to fully implement the recommendations of Report No 1014/06 and install a Puffin style pedestrian crossing on Keptie Street, Arbroath between Catherine Street and the Station;
- (v) to note that a significant amount of the physical works necessary for the installation of a pedestrian crossing at this location have already been completed; and
- (vi) to instruct the Director of Infrastructure Services to now take prompt action to complete the installation and early commissioning of the existing, partially completed Puffin style pedestrian crossing at Keptie Street, Arbroath, between Catherine Street and the Station, as detailed in Report No 1014/06.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Thomson and Whyte (15).

For the amendment:

Councillors Ellis, Evans, Gaul, King, Glennis Middleton, Bill Middleton, Morrison, Murray, Oswald, Palmer, Spink, Valentine, Welsh and West (14).

The motion was declared carried and the Council resolved accordingly.

**(iii) Arbroath Harbour – Consideration of Provision of a Public Slipway**

With reference to Article 26, Councillors Spink and King had referred the Committee's decision for determination by the Council in accordance with Standing Order 39(3).

COUNCILLOR MAY, SECONDED BY COUNCILLOR BROWN, MOVED THAT THE COUNCIL APPROVES THE DECISION OF THE COMMITTEE AS RECORDED IN THE MINUTE OF THE MEETING.

Councillor Spink, seconded by Councillor King, moved as an amendment that the Council agrees to support the principle of the need for a slipway at Arbroath Harbour and to widen the scope of the search for a suitable site and to investigate the funding options available for its provision.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Thomson and Whyte (15).

For the amendment:

Councillors Ellis, Evans, Gaul, King, Glennis Middleton, Bill Middleton, Morrison, Murray, Oswald, Palmer, Spink, Valentine, Welsh and West (14).

The motion was declared carried and the Council resolved accordingly.

**(h) Development Standards Committee**

The [minute of meeting of the Development Standards Committee of 21 October 2008](#) was submitted and noted.

**(i) Education Committee**

The [minute of meeting of the Education Committee of 22 October 2008](#) was submitted and noted.

**(j) Corporate Services Committee**

The [minute of meeting of the Corporate Services Committee of 23 October 2008](#) was submitted and except as detailed hereunder, noted:

**(i) Pitkenney Primary School – Disposal of Building**

With reference to Article 4, Councillors Gaul and Morrison had referred the Committee's decision for determination by the Council in accordance with Standing Order 39(3).

COUNCILLOR SALMOND, SECONDED BY COUNCILLOR WHYTE, MOVED THAT THE COUNCIL APPROVES THE DECISION OF THE COMMITTEE AS RECORDED IN THE MINUTE OF THE MEETING.

Councillor Gaul, seconded by Councillor Morrison, moved as an amendment that consideration of this matter be deferred to enable the Director of Neighbourhood Services to consider the possibility of retaining these subjects as part of a potential land bank for socially affordable housing in the countryside.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Spink, Thomson and Whyte (16).

For the amendment:

Councillors Ellis, Evans, Gaul, King, Glennis Middleton, Bill Middleton, Morrison, Murray, Oswald, Palmer, Valentine, Welsh and West (13).

The motion was declared carried and became the substantive motion.

Councillor Ellis, seconded by Councillor Morrison, moved as a further amendment, that there be added to the motion:

- (iii) in future, Reports should contain alternative options for surplus property including use by housing associations.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Spink, Thomson and Whyte (16).

For the amendment:

Councillors Ellis, Evans, Gaul, King, Glennis Middleton, Bill Middleton, Morrison, Murray, Oswald, Palmer, Valentine, Welsh and West (13).

The substantive motion was declared carried.

Councillor Palmer, seconded by Councillor Ellis, moved as a further amendment that the proceeds of sale go towards the provision of affordable housing.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Spink, Thomson and Whyte (16).

For the amendment:

Councillors Ellis, Evans, Gaul, King, Glennis Middleton, Bill Middleton, Morrison, Murray, Oswald, Palmer, Valentine, Welsh and West (13).

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

**(k) Strategic Policy Committee**

The [minute of meeting of the Strategic Policy Committee of 28 October 2008](#) was submitted and noted.

**(l) Civic Licensing Committee**

The [minute of meeting of the Civic Licensing Committee of 28 October 2008](#) was submitted and noted.

**4. MINUTES OF JOINT BOARDS AND PARTNERSHIPS**

**(a) Tay Road Bridge Joint Board**

The minute of meeting of the Tay Road Bridge Joint Board of 16 June 2008 was submitted and noted.

**(b) Tayside and Central Scotland Transport Partnership**

The minute of meeting of the Tayside and Central Scotland Transport Partnership of 24 June 2008 was submitted and noted.

**(c) Tayside Community Justice Authority**

The minute of meeting of the Tayside Community Justice Authority of 18 June 2008 was submitted and noted.

**(d) Angus Licensing Board**

The minute of meeting of the Licensing Board of 10 September 2008 was submitted and noted.

**5. MOTION IN TERMS OF STANDING ORDER 24(1)**

**Post Office Card Account**

Councillor Morrison had given notice of the following motion:

“That this Council:

- (i) notes that the Post Office Card Account is very popular with many Angus citizens and is an essential element in ensuring that many of our local Post Offices remain open;
- (ii) expresses concern that the successor account to POCA has been put out to competitive tender and it has been strongly rumoured that the contract will be given to an alternative provider;
- (iii) believes that such an outcome will be a serious blow to the future of Post Offices throughout Angus and calls upon the Council to contact the UK Government to express its support for local post offices and its concern that the POCA will not remain with the Post Office.”

The motion was seconded by Councillor Palmer.

After discussion, the Council unanimously approved the motion, subject to the amendment to (ii) to read:

- “(ii) expresses concern that the successor account to POCA has been put out to competitive tender and this contract is given to an alternative provider;”

## 6. AMALGAMATION OF LLOYDS TSB AND HBOS

With reference to Article 6(b) of the minute of meeting of the Council held on 18 September 2008, there were submitted letters dated 23 September and 6 October 2008 from the Chief Executive and Lloyds TSB Group plc respectively.

Councillor Murray, seconded by Councillor Oswald, moved that the Council:

- expresses disappointment at the response received;
- is concerned that it does not reflect the views expressed in recent press statements by a cross party group of MSPs; and
- is further concerned that the proposed merger will lead to job losses in Scotland both nationally and locally.

COUNCILLOR NIELD, SECONDED BY COUNCILLOR MACKINTOSH, MOVED AS AN AMENDMENT THAT BULLET POINTS ONE AND TWO BE DELETED AND THAT THE WORD "FURTHER" BE REMOVED FROM THE THIRD BULLET POINT.

On a vote being taken, the members voted:

For the motion:

Councillors Ellis, Evans, Gaul, King, Bill Middleton, Morrison, Murray, Oswald, Palmer, Spink, Valentine, Welsh and West (13).

For the amendment:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Thomson and Whyte (15).

Councillor Glennis Middleton was absent when the vote was taken.

The amendment was declared carried and the Council resolved accordingly.

## 7. FUEL PRICE INCREASES

With reference to Article 8 of the minute of meeting of the Council of 18 September 2008, there was submitted letter dated 16 October 2008 from HM Treasury.

Councillor Murray, seconded by Councillor Oswald, moved that the Council:

- notes the response received from HM Treasury;
- expresses disappointment that the concerns raised by this Council have not been properly addressed; and
- agrees in principle to support the introduction of a fuel price regulator.

COUNCILLOR MYLES, SECONDED BY COUNCILLOR NIELD, MOVED AS AN AMENDMENT, THAT BULLET POINT THREE BE DELETED FROM THE MOTION.

On a vote being taken, the members voted:

For the motion:

Councillors Ellis, Evans, Gaul, King, Bill Middleton, Morrison, Murray, Oswald, Palmer, Valentine, Welsh and West (12).

For the amendment:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Spink, Thomson and Whyte (16).

Councillor Glennis Middleton was absent when the vote was taken.

The amendment was declared carried and the Council resolved accordingly in terms of the amendment.

## **8. ANGUS COUNCIL ANNUAL REPORT AND ACCOUNTS 2007/2008 AND THE REPORT TO MEMBERS ON 2007/2008 AUDIT OF ANGUS COUNCIL**

With reference to Article 10 of the minute of meeting of the Council of 26 June 2008, there was submitted [Joint Report No 1078/08](#) by the Chief Executive, the Director of Corporate Services and the Head of Finance covering the external auditor's (Henderson Loggie) Report to Members on the 2007/2008 Audit of Angus Council and asking the Council to note formally the 2007/2008 Annual Report and Accounts, including the audited accounting statements for Angus Council. The Report also advised members of the intention to publish a summarised version of the Accounts.

Mrs Cathie Wyllie, representing the external auditor, was invited by the Provost to address the meeting, and indicated that the Council had met the deadline of submitting its Accounts by the due date of 30 June 2008. Thereafter, she had completed the audit work and issued her Audit Certificate and Report to Members as outlined in the Report.

The Council resolved:-

- (i) to note the content of Henderson Loggie's Report to Members on the 2007/08 Audit of Angus Council (Appendix 1);
- (ii) to note and accept the comments by the Chief Executive, Director of Corporate Services and Head of Finance in relation to the Report to Members;
- (iii) to refer this Report to the Monitoring Group for its interest;
- (iv) to note the 2007/08 Annual Report and Accounts for Angus Council which would be published shortly after the Council meeting;
- (v) to note that a summarised version of the 2007/08 Annual Accounts would be published for circulation throughout the county;
- (vi) to note that the £2.901 million of 100% carry forwards approved through Reports 148/08, 640/08 and 343/08 had been reduced by £0.735 million to £2.166 million to reflect annual 2007/08 departmental outturns (£1.713 million for revenue budget 100% carry forwards and £0.453 million for transfers to Special Funds);
- (vii) to approve a further 100% carry forward request of £0.206 million in respect of ring fenced monies for Other Housing; and
- (viii) to approve £0.375 million of 50% being carried forward by departments from 2007/08 to 2008/09 under the terms of the budget virement flexibility scheme.

## **9. FINANCIAL REGULATIONS - UPDATE**

There was submitted [Joint Report No 1079/08](#) by the Director of Corporate Services and the Head of Finance updating members in respect of the ongoing review and monitoring of the Council's Financial Regulations to reflect the approved policies of the Council and seeking approval of proposed amendments arising from the latest full review of these Regulations.

The Provost reminded members that the Financial Regulations were at the heart of the Council's financial administration and the authors of the Report had sought to determine the appropriate balance between financial and asset control safeguards and retaining operational flexibility. Accordingly, the Report sought approval of the amendments and also, subject to such approval, the complete revised Financial Regulations for operation within the Council. Each officer was responsible for ensuring that all appropriate members of staff were aware of, had access to an up to date copy of; and complied with, the Financial Regulations. Additionally, it was the responsibility of each member of the Council to ensure that they too were aware of and complied with the Financial Regulations.

The Council resolved:

- (i) to note that Report No 355/02 approved a requirement to conduct periodic full reviews of the Financial Regulations and submit these for members' approval;
- (ii) to note that Report No 1079/08 satisfied this requirement and brought before members, amendments made to the Financial Regulations during the latest full review carried out during 2008;
- (iii) to note that the review of the Financial Regulations had been prepared in parallel with the revisions to the Council's Standing Orders to ensure consistency between them;
- (iv) to approve the proposed revisions to the Financial Regulations as described in Section 3 and Appendix 1 to the Report; and
- (v) consequently, to approve the complete revised Financial Regulations for operation within the Council, subject to approval of the revised Standing Orders in so far as they related to Financial Regulations.

## 10. STANDING ORDERS AND RELATED DOCUMENTS

There was submitted [Report No 1077/08](#) by the Director of Corporate Services seeking approval of revisions to Standing Orders the Order of Reference of Committees and the Scheme of Delegation to Officers, which reflected changes previously approved as a result of Committee decisions, and which were intended to ensure that the way in which the Council conducts its business, at both political and officer level, remains fit for purpose.

The Report also gave guidance to elected members on procedural motions, points of order, asking a question and making a point of clarification.

If accepted, the proposals in the Report would ensure that the Council's Standing Orders, Order of Reference of Committees and Scheme of Delegation to Officers were up to date. The provisions of these documents would continue to be monitored and further reports brought forward as necessary.

COUNCILLOR MYLES, SECONDED BY COUNCILLOR FAIRWEATHER, MOVED THAT THE COUNCIL:

- (I) APPROVES THE RECOMMENDATIONS IN REPORT NO 1077/08, SUBJECT TO THE AMENDMENT OF STANDING ORDER 31(1) ADJUSTING THE MEMBERSHIP OF THE CIVIC LICENSING AND DEVELOPMENT STANDARDS COMMITTEE AS SET OUT BELOW;
- (II) AGREES THAT AT LEAST ONE MEMBER FROM EACH WARD BE APPOINTED TO THE CIVIC LICENSING AND DEVELOPMENT STANDARDS COMMITTEES;
- (III) NOTES THAT THIS COULD BE ACHIEVED EITHER –
  - (A) BY INCREASING THE MEMBERSHIP OF THESE COMMITTEES TO 14 AND APPOINTING ONE ADDITIONAL MEMBER FROM THE MONTROSE AND DISTRICT WARD TO CIVIC LICENSING AND ONE MEMBER FROM THE BRECHIN AND EDZELL WARD TO DEVELOPMENT STANDARDS;
  - OR
  - (B) RETAINING THE MEMBERSHIP OF EACH OF THESE COMMITTEES AT 13 AND FIXING THE COMPOSITION AS 2 MEMBERS FROM EACH 4 MEMBER WARD AND 1 MEMBER FROM EACH 3 MEMBER WARD; AND
- (IV) AGREES TO SUPPORT OPTION (A) IN (III) HAVING REGARD TO THE NEED TO ENSURE PROPER GEOGRAPHICAL BALANCE AND TO RETAIN THE EXPERTISE OF PRESENT MEMBERS OF THE COMMITTEES.

As an amendment, Councillor Murray, seconded by Councillor King, moved that the Council supports Option (b) in (iii) of the motion; and in addition approves the following relatively minor amendments:

Standing Order 15(6) Line 4 delete a “maximum of two”

Standing Order 15(6) at the end insert “prior to the vote being taken”

Standing Order 15(9) Line 3 delete from “accompanied by information provided by the Head of Finance on the costs and benefits thereof, unless the Council in an emergency specifically resolves otherwise.” and insert “an appropriate source of finance is identified.”

Standing Order 15(10) delete and renumber thereafter.

Standing Order 48(2) Line 1 delete “by the Council or”.

*At this point, the Council unanimously agreed to adjourn for 15 minutes to allow the respective Groups to consider each other’s proposals.*

*Councillor Ellis left the meeting at this point.*

*On resuming, the Provost ruled that the meeting should first consider the relatively minor amendments put forward by Councillor Murray which did not deal with the composition of the Civic Licensing and Development Standards Committees.*

#### **Standing Order 15(6) Line 4**

Councillor Myles indicated that he did not accept this amendment and therefore the Council would require to vote on it.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Thomson and Whyte (15).

For the amendment:

Councillors Evans, Gaul, King, Bill Middleton, Morrison, Murray, Oswald, Palmer, Spink, Valentine, Welsh and West (12).

Councillors Ellis and Glennis Middleton were absent when the vote was taken.

The motion was declared carried, resulting in the Council resolving not to amend Standing Order 15(6) as proposed by Councillor Murray.

#### **Standing Order 15(6) at the end**

The Council unanimously resolved that the qualification at the end should read “subject to the member proposing to move such an amendment giving notice of it prior to the vote being taken.”

#### **Standing Order 15(9)**

Having heard from the Head of Finance, the Council unanimously resolved that the Standing Order be amended to read “a motion (which has not been the subject of a report or recommendation to the Council) which would involve expenditure not provided for, or reduce income provided for, in the Capital or Revenue Budgets shall not be competent unless accompanied by information provided by the Head of Finance on the costs and **funding options**, unless the Council in an emergency specifically resolves otherwise.”

**Standing Order 15(10)**

The Council unanimously resolved to accept Standing Order 15(10) as proposed in Report No 1077/08, on the understanding that any motion by a member challenging the accuracy of a minute intimated in writing to the Head of Law and Administration at least two working days prior to the meeting at which the minute is being submitted for approval as a correct record,

unless the said minute has not been circulated with the papers for the meeting, would remain confidential between the member and the Head of Law and Administration until the relevant meeting.

**Standing Order 48 (Appointment of Staff) Line 1**

Councillor Myles indicated that he did not accept the deletion of the words "by the Council or," on the basis that the Council could appoint a special committee if it so wished.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Spink, Thomson and Whyte (16).

For the amendment:

Councillors Evans, Gaul, King, Bill Middleton, Morrison, Murray, Oswald, Palmer, Valentine, Welsh and West (11).

Councillors Ellis and Glennis Middleton were absent when the vote was taken.

The motion was declared carried resulting in the Council resolving not to amend Standing Order 48 as proposed by Councillor Murray.

AT THIS POINT, COUNCILLOR MYLES, SECONDED BY COUNCILLOR MACKINTOSH MOVED IN ACCORDANCE WITH STANDING ORDER 20(2) THAT THE MEETING BE ADJOURNED FOR A PERIOD OF 20 MINUTES.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Thomson and Whyte (15).

Against the motion:

Councillors Evans, Gaul, King, Bill Middleton, Morrison, Murray, Oswald, Palmer, Spink, Valentine, Welsh and West (12).

Councillors Ellis and Glennis Middleton were absent when the vote was taken.

The motion was declared carried and the Council resolved to adjourn for 20 minutes.

THEREAFTER, BEFORE ADJOURNING, IT BEING 6.50PM, COUNCILLOR MYLES SECONDED BY COUNCILLOR MACKINTOSH MOVED THAT, IN ACCORDANCE WITH STANDING ORDER 20(8), THE MEETING BE CONTINUED AFTER THE ADJOURNMENT UNTIL THE BUSINESS HAD BEEN CONCLUDED.

As an amendment, Councillor Oswald, seconded by Councillor Murray moved that the meeting be adjourned until a different date and time to be fixed by the Provost.

On a vote being taken, the members voted:

For the motion:

Provost Leslie Melville, Councillors Murphy, Andrews, Brown, Fairweather, Lumgair, Mackintosh, May, Millar, Myles, Nield, Rymer, Salmond, Thomson and Whyte (15).

For the amendment:

Councillors Evans, Gaul, King, Bill Middleton, Morrison, Murray, Oswald, Palmer, Spink, Valentine, Welsh and West (12).

Councillors Ellis and Glennis Middleton were absent when the vote was taken.

The motion was declared carried and the Council resolved accordingly.

ON RESUMING, COUNCILLOR MYLES INDICATED THAT THE ANGUS ALLIANCE WAS PREPARED TO ACCEPT THE PROPOSAL BY COUNCILLOR MURRAY THAT THE COUNCIL ACCEPT OPTION (B) IN (III) OF HIS ORIGINAL MOTION AND ACCORDINGLY THE COUNCIL RESOLVED UNANIMOUSLY THAT THE MEMBERSHIP OF THE CIVIC LICENSING AND DEVELOPMENT STANDARDS COMMITTEES BE RETAINED AT 13 AND THAT THE COMPOSITION BE FIXED AS TWO MEMBERS FROM EACH FOUR MEMBER WARD AND ONE MEMBER FROM EACH THREE MEMBER WARD.

Thereafter, Councillor Murray proposed that the appointment of members to these Committees be deferred to the next Council meeting. However, Councillor Myles indicated that he did not favour such delay and proposed that the Council appoint members to these Committees at this meeting.

*At this point, the Council agreed unanimously to adjourn for 20 minutes to allow the Groups to consider their respective positions.*

*Councillor Spink left the meeting at this point.*

On resuming, Councillor Palmer asked, as a point of order, why the appointment of members to these Committees was not deemed to be a separate item requiring notice to be given on the agenda.

In response, the Head of Law and Administration explained that, in her view, the Provost was entitled to consider the appointment of members to be a natural consequence of the Council's decision to amend Standing Orders in the way which it had unanimously done.

Councillor King requested a secret ballot be held and was advised that this was contrary to Standing Orders.

The Provost then ruled that the meeting should consider the appointment of members to both Civic Licensing and the Development Standards Committees on a ward by ward basis.

## **CIVIC LICENSING COMMITTEE**

### **Ward 1 Kirriemuir and Dean (one member from three)**

The Council agreed to appoint Councillor Mackintosh.

### **Ward 2 Brechin and Edzell (one member from three)**

The Council agreed to appoint Councillor Evans.

### **Ward 3 Forfar and District (two members from four)**

The Council agreed to appoint Councillor Brown and one other member from the SNP Group. There being no nominations from the SNP Group, the second place was left vacant.

### **Ward 4 Monifieth and Sidlaw (two members from four)**

The Council agreed to appoint Councillors Thomson and Murray.

**Ward 5 Carnoustie and District (one member from three)**

There were no nominations for this Ward.

**Ward 6 Arbroath West and Lunan (two members from four)**

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MACKINTOSH NOMINATED COUNCILLORS FAIRWEATHER AND LUMGAIR.

Councillor Murray, seconded by Councillor Oswald nominated Councillor King,

On a vote being taken, the votes cast were as follows:

Councillor King	11 votes
Councillor Lumgair	15 votes
Councillor Fairweather	15 votes

In accordance with Standing Order 19(1), Councillors Lumgair and Fairweather were duly appointed as members of the Committee.

**Ward 7 Arbroath East and Lunan (two members from four)**

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MACKINTOSH, NOMINATED COUNCILLORS MILLAR AND SPINK.

Councillor Murray, seconded by Councillor Oswald nominated Councillor Morrison.

On a vote being taken, the votes cast were as follows:

Councillor Millar	15 votes
Councillor Morrison	11 votes
Councillor Spink	24 votes

In accordance with Standing Order 19(1), Councillors Millar and Spink were duly appointed as members of the Committee.

**Ward 8 Montrose and District (two members from four)**

The Council resolved to appoint Councillor Salmond and one other member from the SNP Group. There being no nominations from the SNP Group, the second place was left vacant.

**DEVELOPMENT STANDARDS COMMITTEE****Ward 1 Kirriemuir and Dean (one member from three)**

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MACKINTOSH, NOMINATED COUNCILLOR ANDREWS.

Councillor Murray, seconded by Councillor Oswald, nominated Councillor Gaul.

On a vote being taken, the votes cast were as follows:

Councillor Andrews	15 votes
Councillor Gaul	11 votes

In accordance with Standing Order 19(1), Councillor Andrews was duly appointed as a member of the Committee.

**Ward 2 Brechin and Edzell (one member from three)**

The Council agreed to appoint Councillor Myles.

**Ward 3 Forfar and District (two members from four)**

The Council agreed to appoint Councillors Brown and Rymer.

**Ward 4 Monifieth and Sidlaw (two members from four)**

The Council agreed to appoint Councillor Ellis and one other member. There being no nominations from the SNP Group, the second place was left vacant.

**Ward 5 Carnoustie and District (one member from three)**

The SNP Group nominated Councillor Murphy who declined the nomination and there being no nominations for SNP members, the place was left vacant.

**Ward 6 Arbroath West and Lunan (two members from four)**

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MACKINTOSH NOMINATED COUNCILLORS FAIRWEATHER AND LUMGAIR.

Councillor Murray, seconded by Councillor Oswald, nominated Councillor King.

On a vote being taken, the votes cast were as follows:

Councillor King	11 votes
Councillor Lumgair	15 votes
Councillor Fairweather	15 votes

In accordance with Standing Order 19(1), Councillors Lumgair and Fairweather were duly appointed as members of the Committee.

**Ward 7 Arbroath East and Lunan (two members from four)**

The Council resolved to appoint Councillor Spink and one other member. There being no nominations from either the SNP Group or the Angus Alliance Group, the second place was left vacant.

Councillor Morrison indicated that he did not wish to be appointed as a member of this Committee in view of his family's interest as a developer throughout Angus.

**Ward 8 Montrose and District (two members from four)**

The Council resolved to appoint Councillor Salmond and one other member. There being no nominations from the SNP Group, the second place was left vacant.

**CONVENERS AND VICE-CONVENERS**

The Council unanimously resolved to confirm Councillors Mackintosh and Fairweather as Convener and Vice-Convener respectively of the Civic Licensing Committee; and Councillors Lumgair and Rymer as Convener and Vice-Convener respectively of the Development Standards Committee.

The meeting closed at 9.15pm.