

ANGUS COUNCIL

MINUTE of Special MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Wednesday 26 November 2008 at 7.00 pm.

Present: Provost RUTH LESLIE MELVILLE MBE, Depute Provost PETER MURPHY, Councillors ALISON ANDREWS, COLIN BROWN, 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.

Prior to the start of the meeting, the Provost referred to the death of Marine Alex Lucas, a member of Arbroath's 45 Commando, who had been killed following an explosion in Helmand Province, Afghanistan on 24 November while on active duty.

The Council members and officers present observed a minute's silence as a mark of respect for Marine Lucas.

1. APOLOGIES

An apology for absence was intimated on behalf of Councillor Frank Ellis.

2. DECLARATIONS OF INTEREST

The Council noted that no declarations of interest were made.

3. PROPOSED REVISIONS TO STANDING ORDERS

This special meeting had been called by the Provost in response to a requisition by eight members of the SNP Group. The purpose of the meeting was to reconsider the Council's decision of 6 November 2008 in relation to Article 10. To assist members, there was re-submitted [Report No 1077/08](#) by the Director of Corporate Services and the draft minute in relation to Article 10 of the meeting of the Council of 6 November 2008.

The Provost reminded members that the Council could not reconsider any of its decision of 6 November 2008 for a period of six months, unless Standing Order 25(1) was suspended. To suspend this Standing Order a two thirds majority of members present and voting was required.

The Provost then invited Councillor Murray, as leader of the SNP Group and one of the signatories to the requisition, to address the meeting on:-

- (i) whether the requisitioners wished the Council to reconsider **all** of its decisions in relation to Article 10 or whether it was one particular decision they wished to have reconsidered; and
- (ii) whether the requisitioners could explain to the meeting what had changed since 6 November 2008 which would justify the Council reconsidering its decisions.

Councillor Murray indicated that it was not all of Article 10 which the SNP Group wished to be reconsidered. Rather, it was only Standing Order 31(1) and the decision regarding the composition of the Civic Licensing and Development Standards Committees.

He also said that the subsequent voting on who should be a member of the Committee was discriminatory and against the human rights of the SNP Councillors. No member could be forced to serve on any Committee against their wishes and, therefore, for these reasons, he wished the Council to reconsider its decision and he indicated that he had a proposal to make

on the matter. In support of Councillor Murray, Councillor Oswald indicated that a number of representations had been received from developers about the vacancies on the Development Standards Committee.

Councillor Murray, seconded by Councillor Oswald, moved that Standing Order 25(1) be suspended to enable the Council to reconsider its decision of 6 November 2008 (Article 10) to amend Standing Order 31(1).

On a vote being taken the members voted as follows:-

For suspension:-

Councillor Evans, Gaul, King, Bill Middleton, Glennis Middleton, Murray, Morrison, Palmer, Oswald, Spink, Valentine, Welsh and West (13)

Against suspension:-

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

As the motion did not receive the required two thirds majority of 19 (28 members being present and voting), the Provost indicated that the decision of 6 November 2008 stood and the matter would not be reconsidered.

4. VACANCIES ON CIVIC LICENSING AND DEVELOPMENT STANDARDS COMMITTEES

At this point, Councillor Murray indicated that, in light of the decision in item 3, the SNP Group did not wish to make any nominations. Councillors Evans, Gaul, King, Bill Middleton, Glennis Middleton, Murray, Morrison, Palmer, Oswald, Valentine, Welsh and West then proceeded to leave the meeting.

Councillor Nield, seconded by Councillor Fairweather nominated the undernoted members to fill the vacancies on the development Standards and Civic Licensing Committees.

DEVELOPMENT STANDARDS COMMITTEE

Ward 7 Arbroath East and Lunan

Councillor Welsh (declined nomination as she was leaving the chamber)

Ward 5 Carnoustie and District

Councillor Palmer.

Ward 4 Monifieth and Sidlaw

Councillor Murray.

Ward 8 Montrose and District

Councillor Valentine.

CIVIC LICENSING COMMITTEE

Ward 8 Montrose and District

Councillor West.

Ward 5 Carnoustie and District

Councillor Oswald.

Ward 3 Forfar and District

Councillor Bill Middleton.

There being no other nominations, the Council noted that, in view of the absence of the nominated members, the Head of Law and Administration intended to intimate the nominations to the absent Councillors.

The meeting ended at 7.20pm.

Post meeting note:

Councillors Bill Middleton, Oswald, Murray, Palmer, Valentine and West subsequently declined to accept the nominations.