

## ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 10 December 2015 at 2.00pm.

**Present:** Depute Provost ALEX KING, Councillors BILL BOWLES, BRIAN BOYD, COLIN BROWN, LYNNE DEVINE, BILL DUFF, MAIRI EVANS, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GAUL, JEANETTE GAUL, MARTYN GEDDES, SHEILA HANDS, JIM HOUSTON, DAVID LUMGAIR, DAVID MAY, IAN McLAREN, GLENNIS MIDDLETON, DONALD MORRISON, ROB MURRAY, BOB MYLES, RONNIE PROCTOR MBE, MARK SALMOND, EWAN SMITH, BOB SPINK, PAUL VALENTINE and SHEENA WELSH.

DEPUTE PROVOST ALEX KING, in the Chair.

The Depute Provost indicated that Provost Helen Oswald was unwell and could not attend the Council meeting today and that the thoughts of all members were with her and her family at this difficult time.

### 1. APOLOGIES

Apologies for absence were intimated on behalf of Provost Helen Oswald and Councillor Margaret Thomson.

### 2. DECLARATIONS OF INTEREST

Depute Provost Alex King, Councillors Martyn Geddes, Ewan Smith and David Fairweather each declared an interest in item 11 as they were Council appointed members of the Arbroath Golf Links Committee of Management. All members indicated that they would participate in any discussion and voting on this item.

Councillor David Fairweather also declared an interest in item 4(ii)(k) (Decriminalised Parking Enforcement) as he had been contacted by the press. He indicated that he would participate in any discussion and voting on this item.

Councillor Ewan Smith also declared an interest in item 7 as he had been contacted by members of the Welfare Rights Team. He indicated that he would participate in any discussion and voting on this item.

### 3. REQUESTS FOR A DEPUTATION

#### (i) Miss Beatrice Gerrard and Mr Tom Fowler

The Council resolved to receive a deputation from Miss Beatrice Gerrard and Mr Tom Fowler in connection with the motion at item 5.

Miss Gerrard and Mr Fowler spoke in support of retaining existing sheltered housing services.

Following the deputation, Miss Gerrard and Mr Fowler withdrew to the public benches.

#### (ii) Dr Alastair Crozier

The Depute Provost indicated that a request for a deputation had been received from Dr Alastair Crozier, Chair of Carnoustie High School Parent Council in connection with item 4(ii)(e) (Secondary School Week).

The Council resolved to receive the deputation.

Dr Crozier urged the Council to ensure that there was as wide a consultation exercise as possible prior to any decision being taken with regard to a revised school week.

Following the deputation, Dr Crozier withdrew to the public benches.

**(iii) Mr Geoff Hobson and Miss Laura Cuthill**

The Depute Provost indicated that a request for a deputation had been received from Mr Geoff Hobson, Chair of Webster's High School Parent Council and Laura Cuthill, Head Girl, Webster's High School in connection with item 4(ii)(e) (Secondary School Week).

The Council resolved to receive the deputation.

Mr Hobson urged the Council to ensure that there was as wide a consultation exercise as possible prior to any decision being taken. Miss Cuthill gave her personal experience of the benefits of the existing timetable and of the need to ensure that pupils were consulted on any proposed changes.

Following the deputation, Mr Hobson and Miss Cuthill withdrew to the public benches.

**4. MINUTES OF COUNCIL AND COMMITTEES**

**(i) Minute of Previous Meeting**

**(a) Angus Council**

The minute of meeting of Angus Council of 22 October 2015 was submitted and approved as a correct record.

**(ii) Minutes of Committees**

**(b) Development Standards Committee**

The minute of meeting of the Development Standards Committee of 3 November 2015 was submitted and noted.

**(c) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 3 November 2015 was submitted and noted.

**(d) Civic Licensing Committee**

The minute of meeting of the Civic Licensing Committee of 5 November 2015 was submitted and noted.

**(e) Children and Learning Committee**

The minute of meeting of the Children and Learning Committee of 10 November 2015 was submitted and except as detailed hereunder, noted:-

**Consultation on the Secondary School Week**

COUNCILLOR WELSH, SECONDED BY COUNCILLOR DEVINE, MOVED THAT THIS COUNCIL:

- (I) NOTES THE FINDINGS OF THE CONSULTATION ON THE SECONDARY SCHOOL WEEK WITH SCHOOLS AND LEARNING SECONDARY STAFF AND PARENTS THROUGH PARENT COUNCILS;
- (II) AGREES IN PRINCIPLE THAT THERE COULD BE A CHANGE TO THE STRUCTURE OF THE SECONDARY SCHOOL WEEK FROM THE CURRENT THIRTY FIVE PERIOD STRUCTURE;
- (III) AGREES THAT THE PREFERRED MODEL FOR ANGUS WOULD BE SUBJECT TO FURTHER DETAILED CONSULTATION;

- (IV) AGREES THAT THIS CHANGE should TAKE PLACE AFTER AN APPROPRIATE TRANSITION AND PREPARATION PHASE WITH AN IMPLEMENTATION DATE OF AUGUST 2017;
- (V) AGREES TO FURTHER DETAILED CONSULTATION WITH ALL STAKEHOLDERS (AS OUTLINED IN APPENDIX 1 TO THE REPORT); AND
- (VI) REQUESTS A FURTHER REPORT IN MAY 2016 OUTLINING PROGRESS.

Councillor May, seconded by Councillor Proctor, moved as an amendment, that this Council:

- (i) notes the findings of the consultation on the secondary school week with Schools and Learning secondary staff and parents through Parent Councils; and
- (ii) agrees that there should be no change to the structure of the secondary school week from the current 35 period structure to a 33 period structure until such time as a full consultation with all stakeholders had been undertaken together with fully costed proposals on the options
  - (a) no change from the present structure
  - (b) the model of the thirty three period week of
    - (i) three longer days and 2 shorter days
    - (ii) 4 longer days and one short day
- (iii) requests a further report in May 2016 outlining progress.

Prior to the vote being taken, Councillors Welsh and Devine as the mover and seconder of the motion respectively, agreed that the terms of the motion at recommendation (iv) be revised with the word "should" replaced by the word "could".

Thereafter, on a vote being taken the members voted:-

For the (revised) motion:

Depute Provost Alex King, Councillors Boyd, Devine, Duff, Evans, Iain Gaul, Jeanette Gaul, Hands, Houston, Middleton, Morrison, Murray, Valentine and Welsh (14).

For the amendment:

Councillors Bowles, Brown, Fairweather, Fotheringham, Geddes, Lumgair, May, McLaren, Myles, Proctor, Salmond, Smith and Spink (13).

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

**(f) Social Work and Health Committee**

The minute of meeting of the Social Work and Health Committee of 10 November 2015 was submitted and noted.

**(g) Communities Committee**

The minute of meeting of the Communities Committee of 17 November 2015 was submitted and noted.

**(h) Development Standards Committee**

The minute of meeting of the Development Standards Committee of 24 November 2015 was submitted and noted.

**(i) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 24 November 2015 was submitted and noted.

**(j) Scrutiny and Audit Committee**

The minute of meeting of the Scrutiny and Audit Committee of 24 November 2015 was submitted and noted.

**(k) Policy and Resources Committee**

The minute of meeting of the Policy and Resources Committee of 1 December 2015 was submitted and except as detailed hereunder, noted:-

**Revenue Monitoring 2015/16 Budget Carry Forwards**

The Council resolved to delegate to the Head of Corporate Improvement and Finance (in consultation with the Executive Management Team) authority to approve 100% carry forwards of a minor nature and that the consequential changes be made to Financial Regulations.

**Decriminalised Parking Enforcement**

COUNCILLOR IAIN GAUL, SECONDED BY COUNCILLOR VALENTINE, MOVED THAT THIS COUNCIL:-

- (I) NOTES THE SURVEY AND SAMPLE INSPECTION RESULTS;
- (II) NOTES THE MEMBER OFFICER GROUP OUTCOMES;
- (III) APPROVES THE ESTABLISHMENT OF AN ADDITIONAL TWO FULL TIME EMPLOYEES TO PROVIDE THE PARKING ENFORCEMENT SERVICE AND THE CONSEQUENTIAL FINANCIAL IMPLICATIONS AS DETAILED IN THE REPORT;
- (IV) APPROVES THE SUBMISSION OF THE BUSINESS CASE TO SCOTTISH MINISTERS;
- (V) THAT THE SUBMISSION SHOULD ALLOW FOR ANY POTENTIAL FUTURE INTRODUCTION OF CHARGING, NOTING THAT NO CHARGING WAS PROPOSED AT THIS TIME;
- (VI) THAT THE BUSINESS CASE INCLUDES THE PENALTY CHARGE PAYABLE TO BE SET AT £60;
- (VII) DELEGATES AUTHORITY TO THE HEAD OF TECHNICAL AND PROPERTY SERVICES TO DECIDE UPON APPEALS AND INFORMAL REPRESENTATIONS MADE TO THE COUNCIL;
- (VIII) DELEGATES AUTHORITY TO THE HEAD OF TECHNICAL AND PROPERTY SERVICES TO DECIDE ON THE MOST APPROPRIATE APPROACH FOR PENALTY CHARGE NOTICE PAYMENT PROCESSING TAKING COGNISANCE OF VALUE FOR MONEY;
- (IX) APPROVES THE CARRY FORWARD OF TECHNICAL AND PROPERTY SERVICES REVENUE BUDGET UNDERSPEND UP TO £135,000 TO FUND THE SET UP COSTS; AND

- (X) NOTES THAT THE REVENUE BUDGET SUBMISSION FOR THE ANNUAL RUNNING COSTS FOR THE SERVICE WOULD REQUIRE TO BE CONSIDERED AS PART OF THE COUNCIL'S REVENUE BUDGET PROCESS.

Councillor Bowles, seconded by Councillor Fairweather, moved as an amendment, that the Council approves the recommendations as set out in Report No 471/15 but that recommendation (v) be deleted.

On a vote being taken, the members voted:-

For the motion;

Depute Provost Alex King, Councillors Boyd, Brown, Devine, Duff, Evans, Fotheringham, Iain Gaul, Jeanette Gaul, Hands, Houston, Lumgair, May, McLaren, Middleton, Morrison, Murray, Proctor, Spink, Valentine and Welsh (21).

For the amendment:

Councillors Bowles, Fairweather, Geddes, Myles, Salmond and Smith (6).

The motion was declared carried and the Council resolved accordingly.

## 5. MOTION IN TERMS OF STANDING ORDER 25(1)

Councillor Myles, seconded by Councillor Fairweather, moved that this Council:-

- (i) provides reassurance to sheltered housing tenants and their families that we are listening to what they have said and recognise the importance of the sheltered housing provisions to them; and
- (ii) that detailed reports are brought forward at the next meetings of the Communities and Social Work and Health Committees setting out what is being proposed so that members can make a decision about future provision of sheltered housing and that of the care and support available.

The Council resolved to approve the motion.

## 6. APPOINTMENTS

### (i) Civic Licensing Committee and Angus Licensing Board

The Council noted that Councillor Sheila Hands had resigned as a member of both the Civic Licensing Committee and Angus Licensing Board.

The Council resolved to note that Councillor Iain Gaul would take up the resultant vacant places.

### (ii) Angus Shared Apprenticeship Scheme

The Council noted that Councillor Margaret Thomson had resigned as a Board member of the Angus Shared Apprenticeship Scheme Board.

The Council resolved to appoint Councillor Bill Bowles to fill the vacancy.

## 7. DEVELOPMENT OF THE COUNCIL MANAGEMENT STRUCTURE

With reference to Article 10 of the minute of meeting of Angus Council of 13 September 2012, there was submitted Report No 473/15 by the Chief Executive proposing developments to the management structure of the Council to reflect the changes to Services to Adults and Older People coming under the delegated authority of the Angus Integrated Joint Board and also proposing changes and structures required as a result of the creation of Angus Alive, the

decriminalisation of parking and of the need to review the remuneration associated with a number of current posts.

Having heard from the Chief Executive in relation to the proposals for the Welfare Rights Service, the Council resolved:-

- (i) to approve the changes to management and responsibility structures;
- (ii) to approve the changes to remuneration and additional responsibility payments to particular posts;
- (iii) to approve the changes to the People Directorate to reflect the Children & Learning portfolio;
- (iv) that a further report be brought forward to recommend a way forward for the location of the Welfare Rights Service in the Council structure after consultation with staff in the context of the Council's overarching financial inclusion strategy and response to the welfare reform agenda;
- (v) to approve the changes to the Communities Directorate, Regulatory and Preventative Services portfolio;
- (vi) to note/approve the changes to management arrangements as a result of the creation of the Health and Social Care Integration Joint Board; and
- (vii) to instruct the Strategic Director - Resources to review management structures further to reflect a leaner hierarchy and bring back a further report.

## **8. CITY DEAL**

With reference to Article 8 of the minute of meeting of the Policy and Resources Committee of 17 March 2015, there was submitted Report No 474/15 by the Chief Executive updating members on the development of a proposed City Deal for the Tayside and North Fife area.

The Report indicated that since March 2015 officers of Dundee City Council, Perth and Kinross Council, Angus Council and Fife Council, supported from EY, commissioned by Dundee City Council had worked to create the outline of a case for a Tay Cities Deal which had identified a number of potential benefits of investment.

Should the City Deal be approved the Council would be required to review present and future capital plans to align planned investment in the bid area with the aims and objectives agreed between the participating Councils and the UK and/or Scottish Governments.

The Council resolved:-

- (i) to note the contents of the Report and the work of the project team to date;
- (ii) to confirm the Council's willingness to continue to participate in the project;
- (iii) to authorise the Chief Executive and other relevant officers to continue to engage with colleagues in neighbouring local authorities, and the UK and Scottish Governments as required, in the development of a City Deal proposal;
- (iv) to note the establishment of a revised governance structure involving the Leaders and Chief Executives of the participating local authorities;
- (v) to agree that a sum of £125,000 in total be set aside from the 2015/16 Provision for Additional Burdens revenue budget to fund the development costs in 2015/16 and 2016/17;
- (vi) to agree that further Reports were provided at key stages in its development; and
- (vii) to note that no financial commitment from Angus Council beyond the £125,000 development costs outlined in the Report would be made without approval by the relevant Committee or Council.

## **9. ANGUS COUNCIL CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT FOR 2014-2015**

With reference to Article 6 of the minute of meeting of the Scrutiny and Audit Committee of 29 September 2015, there was submitted Report No 475/15 by the Head of Children and Young People's Services/Chief Social Work Officer appending a copy of the Chief Social Work Officer's Annual Report for 2014 -15.

The Annual Report provided details for elected members as to how the Chief Social Work Officer for Angus discharged the specific statutory elements of the role and outlined the important contribution the social work services made to the wellbeing and safety of the people of Angus. The Report also detailed key developments across the range of services and highlighted the challenges for the year ahead.

The Council resolved to note the contents of the Angus Council Chief Social Work Officer's Annual Report for 2014-2015.

## **10. ANGUS COUNCIL YOUTH EMPLOYMENT POLICY**

There was submitted Report No 476/15 by the Strategic Director – People proposing a range of approaches for developing and retaining employability skills in young people aged 14-25.

Attached as an Appendix to the Report was the Youth Employment Framework Policy Statement and Guidance for 2015/2020 which would inform, direct and align the internal approach of Angus Council with regard to its responsibility as a large employer in supporting young people into employment.

The Council resolved:-

- (i) to approve the Angus Council Youth Employment Framework;
- (ii) to accept the need for and provide vocational pathways in the Council which articulated with the Senior Phase Curriculum for Excellence (S4-S6) and the requirements of Developing Scotland's Young Workforce;
- (iii) to agree the spending plan for the Government resource allocated for Developing Scotland's Young Workforce (£294,107);
- (iv) to approve an Angus Works Programme for young people in Senior Phase (S4-S6);
- (v) to agree that officers examine how best to identify ongoing funding to support work places for young people beyond the resources provided by Government;
- (vi) to increase the total number of young people getting a workplace opportunity and employment with Angus Council; and
- (vii) to request that the Strategic Director - People submit an annual progress report.

## **11. ARBROATH GOLF LINKS**

With reference to Article 12 of the minute of meeting of Angus Council of 27 March 2014, there was submitted Report No 477/15 by the Strategic Director – Resources seeking endorsement of the proposed Articles of Association of a company limited by Guarantee called "Arbroath Golf Links Limited" which would replace the current management committee and the appointment of the Council Directors to the company.

The Council resolved:-

- (i) to agree the principal terms of the Articles of Association of a new company to be known as Arbroath Golf Links Limited which would take over responsibility for the future management of Arbroath Golf Links;
- (ii) to approve the appointment of Councillor Alex King and Councillor Martyn Geddes as Directors of Arbroath Golf Links Limited; and

- (iii) to note that the current management agreement between the council and the Arbroath Golf Course Committee would be assigned to Arbroath Golf Links Limited as at the date of incorporation.

## **12. S36 CONSULTATION – LAND AT MACRITCH HILL GLEN ISLA**

With reference to Article 8 of the minute of meeting of Angus Council of 22 October 2015, there was submitted Report No 478/15 by the Head of Planning and Place seeking approval for amendment to the Council's response to the consultation.

The Report indicated that since the Council's objection had been issued, additional information had been submitted in respect of the points of objection relating to Private Water Supplies and Operational Noise and it was now proposed the Angus Council withdraw its objection in respect of Operational Noise.

The Council resolved to withdraw its objection in respect of Operational Noise in relation to the proposed wind energy development on Land at Macritch Hill, Glen Isla.

## **13. TREASURY MANAGEMENT 2015/16 MID YEAR REVIEW REPORT**

With reference to Article 12 of the minute of meeting of 11 December 2014, there was submitted Report No 479/15 by the Head of Corporate Improvement and Finance detailing the mid year review of treasury management activities for the period 1 April to 30 September 2015.

The Report indicated that during the first six months of the 2015/16 financial year the Council had operated within the treasury limits and prudential indicators set out in the Council's 2015/16 Treasury Management Strategy Statement and in compliance with the Council's Treasury Management Practices.

The Council resolved to note the Angus Council Mid Year Review Report on Treasury Management Activities for the period 1 April to 30 September 2015, attached as Appendix 1 to the Report.

## **14. TRANSFORMING ANGUS: AGILE WORKING AND ESTATES REVIEW**

With reference to Article 8 of the minute of meeting of the Policy and Resources Committee of 3 February 2015, there was submitted Report No 480/15 by the Strategic Director – Resources seeking approval for the proposals which formed key components of the Outline Business Case in relation to the Agile Working and Estates Review Programme.

The Report indicated that in relation to its property estate ten properties had been identified as most suited for retention to deliver service functions with corporate back office staff being located at either Angus House or Bruce House, shared locality hubs located within Arbroath Access Offices, Bruce House, Brechin Municipal Buildings, Montrose Access Office, Montrose Road, Forfar, County Buildings, Kinloch Care Centre and Carnoustie Access Office with the democratic functions located within Municipal Buildings, Forfar. Thirty two properties had been identified as being surplus to the Council requirements these being detailed in para 5.5 of the Report.

The Outline Business Case had been developed on the basis of a five year implementation period and a further Report would be brought back to the Council in the first half of 2016 providing full details of the five year term including specifics for each service area.

The Council resolved:-

- (i) to note the progress that had been made in relation to the development and implementation of Agile Angus;
- (ii) to agree that improved business process/ new ways of working were an essential element of this Agile programme, and that a 'transition to Agile' lead-in period had been included as part of the implementation planning, and prior to the physical property move to adopting Agile working;

- (iii) to note the potential benefits this Agile programme offered in relation to workforce, property portfolio, productivity/ efficiency and environmental improvements;
- (iv) to note the 'key enablers' to support the implementation of this Agile programme;
- (v) to agree the buildings that should be retained to meet the needs of the Council's Back-Office, Locality Hub and Democratic functions;
- (vi) to agree the buildings identified as surplus to the Council's needs, together with the options regarding the exit strategy from these buildings;
- (vii) to agree the implementation plan up to November 2017, and note that a further Report would be brought back to the Council in the first half of 2016 setting out the full implementation plan; and
- (viii) to note that full approval of the Report was subject to the approval of Report No 481/15, which was also to be considered at this meeting.

#### **15. EXCLUSION OF PUBLIC AND PRESS**

The Council resolved in terms of Standing Order 28(2) that the public and press be excluded during consideration of the following item so as to avoid the disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act paragraphs 6, 8, 9 and 11.

#### **16. TRANSFORMING ANGUS: AGILE WORKING AND ESTATES REVIEW – BUSINESS CASE**

With reference to Article 14 above, there was submitted Report No 481/15 by the Strategic Director – Resources seeking approval for the Outline Business Case in relation to the Agile Working and Estates Review Programme.

The Council resolved:

- (i) to note that full approval of Report No 480/15 was subject to the approval of this Report;
- (ii) to agree the Outline Business Case for the Agile Working and Estates Review Programme;
- (iii) to note the financial implications, including the investment costs required to realise the projected benefits/ savings;
- (iv) to note the position on the integration of libraries and ACCESS Offices as set out in paragraph 6.3 of the Report; and
- (v) to agree that capital receipts generated through the proposed spend to save investment outlined in this report be ring-fenced to help fund part of the upfront capital costs.

*In accordance with the provision of Standing Orders 11 (2)(ii) and 28 (2) respectively, the Depute Provost ruled that the following matter be considered as an urgent exempt item in order that members were apprised of the current position.*

#### **17. RESIDUAL WASTE PROJECT - UPDATE**

With reference to Article 15 of the minute of meeting of Angus Council of 11 December 2014, the Strategic Director – Communities updated members in relation to the Residual Waste Project.