

## ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 27 October 2016 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, IAN McLAREN, GLENNIS MIDDLETON, DONALD MORRISON, ROB MURRAY, BOB MYLES, RONNIE PROCTOR MBE, MARK SALMOND, EWAN SMITH, MARGARET THOMSON, PAUL VALENTINE and SHEENA WELSH.

DEPUTE PROVOST ALEX KING, in the Chair.

### TRIBUTE

The Council held a one minute silence as a mark of respect for the late Provost Helen Oswald.

Thereafter, Depute Provost Alex King and many members of the Council paid tribute to the late Provost who had first been elected to Angus Council in 1999 and elected Provost of Angus in May 2012. Throughout that time she had been a passionate advocate for Angus and had used every opportunity to promote the county at home and abroad. The Council extended condolences to Ed Oswald and the Oswald family.

A message of thanks was intimated on behalf of Ed Oswald and the Oswald family.

### COSLA GOLD AWARD

The Depute Provost intimated that on 6 October 2016 the Funding Policy & Projects Team of Economic Development had become COSLA Gold Award winners in the category of "Strong and Sustainable Communities". This was in recognition of their work in launching the Angus Crowd Fund online portal in August 2015.

The Council congratulated the team including Alison Smith, Service Manager and Anne Petrie, Funding Policy and Projects Officer who were in attendance at the meeting.

### 1. APOLOGIES

An apology for absence was intimated on behalf of Councillor David May.

### 2. DECLARATIONS OF INTEREST

Councillors Brown, Duff, Jeanette Gaul and Valentine each declared an interest in item 7 as Directors of Angus Alive. All indicated that they would participate in any discussion and voting on this item.

Councillors Jeanette Gaul, Myles, Bowles and Welsh each declared an interest in item 7 as a member of Tayside Contracts Joint Committee. All indicated that they would participate in any discussion and voting on this item.

Councillor Houston declared an interest in item 7 as Vice Convener of Tayside Contracts Joint Committee. He indicated that he would participate in any discussion and voting on this item.

### 3. MINUTES OF COUNCIL AND COMMITTEES

#### (i) Minute of Previous Meeting

##### (a) Angus Council

The minute of meeting of Angus Council of 8 September 2016 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 13 September 2016 was submitted and noted.

**(c) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 13 September 2016 was submitted and noted.

**(d) Civic Licensing Committee**

The minute of meeting of the Civic Licensing Committee of 15 September 2016 was submitted and noted.

**(e) Children and Learning Committee**

The minute of meeting of the Children and Learning Committee of 20 September 2016 was submitted and noted.

**(f) Scrutiny and Audit Committee**

The minute of meeting of the Scrutiny and Audit Committee of 27 September 2016 was submitted and noted.

**(g) Communities Committee**

The minute of meeting of the Communities Committee of 27 September 2016 was submitted and noted.

**(h) Development Standards Committee**

The minute of meeting of the Development Standards Committee of 4 October 2016 was submitted and noted.

**(i) Policy and Resources Committee**

The minute of meeting of the Policy and Resources Committee of 11 October 2016 was submitted and noted.

**4. APPOINTMENTS: MONTROSE GOLF LINKS COMMITTEE OF MANAGEMENT**

The Council resolved to approve the appointment of Walter Scott, Interim Service Manager (Roads) to replace Alastair Wilson former Head of Services to Communities to the Montrose Golf Links Committee of Management.

**5. MOTIONS IN TERMS OF STANDING ORDER 25(1)****Brechin and Edzell Ward**

Councillor Fairweather had submitted the following motion:-

“This Council calls on the Chief Executive Richard Stiff to write to Councillor Mairi Evans (MSP) requesting that she considers her position as a representative for the constituents of the Council’s Brechin and Edzell Ward.”

The Council resolved to approve the motion.

### **Provost of Angus**

Councillor Fairweather had submitted the following motion:-

- “1. This Council recognises the immense contribution of Provost Helen Oswald and the importance of the position held for Angus Council;
2. Due to the pivotal role the Provost of Angus plays and its wider role it is important that an appointment is made to this civic role as soon as possible; and
3. Agrees that the position be filled at the Council meeting on 8<sup>th</sup> December 2016.”

Councillor Fairweather intimated that he was withdrawing his motion.

### **6. ACCOUNTS COMMISSION FINDINGS – BEST VALUE AUDIT REPORT 2016**

With reference to Article 7 of the minute of meeting of Angus Council of 8 September 2016, there was submitted Report No 369/16 by the Chief Executive informing the Council of the Accounts Commission’s findings in relation to the 2016 Best Value Audit of Angus Council and inviting the Council to consider and comment on the findings set out in the Report.

The Council resolved to note the Accounts Commission’s findings on the 2016 Best Value Audit, attached as Appendix 1 to the Report.

### **7. ANGUS COUNCIL ANNUAL ACCOUNTS 2015/16 AND ANNUAL AUDIT REPORT TO MEMBERS**

With reference to Article 7 of the minute of meeting of the Scrutiny and Audit Committee of 27 September 2016, there was submitted Joint Report No 354/16 by the Chief Executive, Strategic Director – Resources and the Head of Corporate Improvement and Finance, providing Audit Scotland’s Annual Audit Report to Members on the 2015/2016 Audit of Angus Council, Strang’s Mortification and Angus Council’s Charitable Trust.

The Council resolved:-

- (i) to note the contents of Audit Scotland’s Annual Audit Report to Members, attached as Appendices 1A and 1B to the Report; and
- (ii) to note the 2015/2016 Audited Annual Accounts of Angus Council.

### **8. TREASURY MANAGEMENT ANNUAL REPORT**

With reference to Article 6 of the minute of meeting of Angus Council of 22 October 2015, there was submitted Report No 370/16 by the Head of Corporate Improvement and Finance presenting Angus Council’s Annual Report on treasury management activities in 2015/16.

The Report indicated that as a result of sound treasury management activity, the Council had been able to meet all its financial obligations and cash flow requirements throughout the financial year without encountering any liquidity problems. Additionally, a higher than budgeted return on investments had been delivered in compliance with the Treasury Management Policies and Strategies set by the Council.

The Council resolved to note the annual report on the 2015/16 treasury management activities for Angus Council, attached as Appendix 1 to the Report.

### **9. MEDIUM TERM FINANCIAL STRATEGY 2017/18 TO 2020/21**

With reference to Article 7 of the minute of meeting of Angus Council of 24 March 2016, there was submitted Report No 371/16 by the Head of Corporate Improvement and Finance setting out the updated medium term financial strategy for Angus Council’s General Fund Services incorporating the projected shortfall for the period 2017/18 to 2020/21.

The Report highlighted that Angus Council faced enormous service and financial challenges over the next few years. The strategy provided a firm basis upon which to take forward future service budget planning and beginning to meet the challenges ahead. Whilst Angus Council could not directly influence much of the financial pressures and grant restrictions which were expected to affect the Council's finances over the next few years, the Council could however, be proactive in anticipating the problems ahead and begin planning for how those problems may be addressed on a basis which protected service levels to the public, as far as was possible.

The Council resolved:

- (i) to note the contents of the Report and in particular the need to continue to plan over the medium term to meet the significant financial challenges which the Council would face in the next few years;
- (ii) to approve the updated medium term financial strategy for the period 2017/18 to 2020/21, attached as Appendix A to the Report as a basis upon which to continue to take forward service planning and priority based budget setting for the period covered by the strategy;
- (iii) to note the risks and uncertainties in the assumptions underpinning the strategy as set out in Section 5 of the Report which may require adjustment to the strategy to cope with changing circumstances;
- (iv) to note in particular that the projections of government grant contained a very high degree of uncertainty and may require to be revisited once the outcome of the Spending Review was known; and
- (v) to note the intention to update the strategy on an annual basis so that the Council had a rolling 4 year financial strategy in place.

#### **10. ANGUS LICENSING BOARD – BOARD MEMBER VACANCY**

There was submitted Report No 375/16 by the Head of Legal and Democratic Services advising the Council of a vacancy in the membership of Angus Licensing Board and seeking agreement not to fill the vacancy until the new Council in May 2017.

The Report indicated that any new member of the Licensing Board must, by law, attend and pass a one day training course within three months of being appointed and could not participate in Board business until the training course was passed. In addition, all Board members had to complete the same training when they were appointed after the Local Government Election in May 2017. It was submitted therefore that it would be more effective and more efficient to agree that between now and May 2017 Angus Licensing Board and the Civic Licensing Committee comprise nine members until May 2017 and thereafter revert to ten members.

The Council resolved:

- (i) to note the vacancy in the membership of Angus Licensing Board and the Civic Licensing Committee following the retirement of Councillor Bob Spink;
- (ii) to note the training requirements imposed by legislation on new members to the Licensing Board; and
- (iii) to agree that until May 2017, Angus Licensing Board and the Civic Licensing Committee comprise nine members.

#### **11. REVISIONS TO STANDING ORDERS AND RELATED DOCUMENTS**

With reference to Article 8 of the minute of meeting of Angus Council of 10 September 2015, there was submitted Report No 372/16 by the Head of Legal and Democratic Services detailing revisions to the Standing Orders, the Order of Reference of Committees and the Scheme of Delegation to Officers.

The Report indicated that the changes proposed reflected the management and responsibility structures that had been approved by the Council on 10 December 2015 and the governance arrangements with regard to the integration of Health and Social Care approved by the Council on 12 May 2016. The Report also proposed further revisions to Standing Orders and to the Scheme of Delegation to Officers.

The Council resolved:-

- (i) to note the contents of the Report;
- (ii) to note the changes to the Standing Orders, the Order of Reference of Committees and the Scheme of Delegation to Officers, which were as a consequence of the changes to the Council's management and responsibility structures and the integration of Health and Social Care Services, as detailed in Appendix 1 to the Report;
- (iii) to note the further revisions to the Scheme of Delegation to Officers which were as a consequence of legislative changes or previously approved Council decisions; and
- (iv) to approve those changes to Standing Orders etc which were asterisked.

## **12. TIMETABLE OF COUNCIL MEETINGS FOR THE PERIOD AUGUST 2017 – JUNE 2018**

With reference to Article 8 of the minute of meeting of Angus Council of 11 February 2016, there was submitted Report No 373/16 by the Head of Legal and Democratic Services setting out a proposed timetable of meetings from August 2017 to June 2018.

The Report indicated that whilst it would be for the new Council to determine the way it wished to carry out its political decision making, both in terms of the structure and frequency of such meetings, in advance of any decision being taken, a platform should exist for the Council's business agenda to be formulated around. It was therefore proposed that the Council approve the timetable of meetings for the period August 2017 – June 2018, attached as an Appendix to the Report.

## **13. ANGUS LOCAL DEVELOPMENT PLAN DRAFT SUPPLEMENTARY GUIDANCE**

With reference to Article 3 of the minute of meeting of the special meeting of Angus Council of 4 August 2016, there was submitted Report No 374/16 by the Head of Planning and Place seeking approval of the Draft Supplementary Guidance on Renewable and Low Carbon Energy Development and accompanying Environmental Report as a basis for a six week period for consultation. The document would support Policy PV9 of the Angus Local Development Plan and when adopted, would form part of the Development Plan.

The Council resolved:-

- (i) to approve the Draft Supplementary Guidance on Renewable and Low Carbon Energy Development (Appendix 1) and accompanying Environmental Report (Appendix 2) as a basis for a six week period of consultation and representation;
- (ii) to authorise the Head of Planning and Place to make the changes to the format, appearance, illustrations and technical details of the draft document prior to its publication;
- (iii) to approve the consultation arrangements; and
- (iv) to instruct the Head of Planning and Place to report the consultation responses received on the draft documents and any modifications back to the Council.

*Prior to consideration of the following item the Depute Provost indicated that any Chief Officer, who even at this early stage may be considering submitting an application, should leave the meeting.*

#### **14. SENIOR MANAGEMENT STRUCTURE – POST OF CHIEF EXECUTIVE**

With reference to Article 4 of the minute of meeting of the Executive Sub-Committee of the Policy and Resources Committee of 11 October 2016, there was submitted Joint Report No 377/16 by the Head of Corporate Improvement and Finance, the Head of Legal and Democratic Services and the Head of HR, IT and Organisational Development setting out options for the future development of the Council's executive management structure, following the decision of the Executive Sub-Committee to agree to the early retirement of the current post holder with effect from 31 May 2017.

The Report detailed five options for consideration and proposed the adoption of Option 2 (internal appointment restricted to the current Strategic Directors and a reduction in the top tier posts from four to three). This option also negated the risk of significant severance costs being incurred in moving from four top posts to three.

It was recommended that the internal selection process be initiated as soon as possible to facilitate an appropriate transition period prior to the departure of the current post holder and the streamlining of the Executive Management Team from four to three would deliver financial savings to the Council on an indicative annual basis assuming no restructure below Strategic Director level of £139,679.

Having heard from Councillor Iain Gaul, the Council resolved:-

- (i) to note the contents of the Report;
- (ii) to note the options proposed in section 5 of the Report;
- (iii) to note the potential financial and non-financial benefits from the adoption of Option 2 as set out in Sections 5 and 6 of the Report; and
- (iv) to approve Option 3, that being an internal appointment open to Strategic Directors and current Heads of Service and a reduction in top tier posts from four to three.

#### **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 2 and 5.

#### **16. HUMANITARIAN AID UPDATE**

There was submitted Report No 376/16 by the Strategic Director – Communities updating members on the various UK initiatives to accommodate refugees and asylum seekers and how they impacted on Angus.

The Council resolved to approve the recommendations, as detailed in the Report.