

## ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 7 September 2017 at 2.00pm.

**Present:** Provost RONNIE PROCTOR MBE, Councillors JULIE BELL, BRIAN BOYD, KENNY BRAES, DAVID CHEAPE, BRADEN DAVY, LYNNE DEVINE, BILL DUFF, BRENDA DURNO, CRAIG FOTHERINGAM, SHEILA HANDS, ALEX KING, BEN LAWRIE, DAVID LUMGAIR, ANGUS MACMILLAN DOUGLAS OBE, MARK McDONALD, IAN McLAREN, RICHARD MOORE, BOB MYLES, MARK SALMOND, LOIS SPEED, TOMMY STEWART, RON STURROCK and DEREK WANN.

PROVOST RONNIE PROCTOR, in the Chair

Prior to the commencement of business the Provost referred to the announcement by the First Minister to pledge to implement "Franks Law". He indicated Mr Kapel's wife Amanda had been campaigning for a change in the law since 2013 after her husband who had died in 2014, had been diagnosed with dementia.

### 1. APOLOGIES

Apologies for absence were intimated on behalf of Depute Provost Colin Brown, Councillors David Fairweather, Gavin Nicol and Beth Whiteside.

### 2. RECEPTION OF DEPUTATION

The Provost intimated that a request for a deputation had been received from Monifieth Community Council in relation to the Strategic Review on Recycling Centres.

The Council resolved to receive the deputation following which the Chair of Monifieth Community Council, Sheena Cochrane and Rev Kenneth Gibson spoke in support of the retention of the Recycling Centre at Monifieth.

Following a number of questions, both withdrew to the public benches.

### 3. DECLARATIONS OF INTEREST

Provost Ronnie Proctor declared an interest in item 10 as he had attended meetings on the subject. He indicated that he would participate in any discussion and voting on the item.

Councillor Myles declared an interest in item 10 as he had attended public meetings where recycling issues had been discussed. He indicated that he would participate in any discussion and voting on this item.

Councillor Cheape declared an interest in item 10 as he had been contacted by constituents. He indicated that he would participate in any discussion and voting on this item.

Councillor Macmillan Douglas declared an interest in item 10 as he had been contacted by constituents. He indicated that he would participate in any discussion and voting on this item.

Councillor McLaren declared an interest in item 10 as he had been contacted by constituents and attended public Community Council meetings. He indicated that he would participate in any discussion and voting on this item.

Councillor Hands declared an interest in item 10 as she had been approached by constituents and had also attended public meetings and been contacted by the media. She indicated that she would participate in any discussion and voting on this item.

Councillor Braes declared an interest in item 10 as he had been contacted by residents. He indicated that he would participate in any discussion and voting on this item.

Councillor McDonald declared an interest in item 10 as he had listened to the recycling discussion at a Community Council meeting. He indicated that he would participate in any discussion and voting on this item.

Councillor Devine declared an interest in item 10 as she had heard a Community Council discussion and had also attended public meetings. She indicated that she would participate in any discussion and voting on this item.

Councillor Bell declared an interest in item 10 as she had attended Community Council meetings and had been contacted by constituents who had raised the issue. She indicated that she would participate in any discussion and voting on this item.

Councillor Fotheringham declared an interest in item 10 as he had been contacted by constituents and the press. He indicated that he would participate in any discussion and voting on this item.

Councillor Davy declared an interest in item 10 as he had been contacted by constituents and the press. He indicated that he would participate in any discussion and voting on this item.

Councillor Boyd declared an interest in item 10 as he had been contacted by constituents and the press. He indicated that he would participate in any discussion and voting on this item.

Councillor Lawrie declared an interest in item 10 as he had attended a meeting on the Monifieth Recycling Centre. He indicated that he would participate in any discussion and voting on this item.

#### **4. MINUTES OF COUNCIL AND COMMITTEES**

##### **(i) Minutes of Previous Meeting**

###### **(a) Angus Council**

The minute of meeting of Angus Council of 29 June 2017 was submitted and approved as a correct record.

##### **(ii) Minutes of Committees**

###### **(b) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 3 July 2017 was submitted and noted.

###### **(c) (Special) Civic Licensing Committee**

The minute of meeting of the (Special) Civic Licensing Committee of 18 July 2017 was submitted and noted.

###### **(d) Development Standards Committee**

The minute of meeting of the Development Standards Committee of 8 August 2017 was submitted and noted.

###### **(e) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 8 August 2017 was submitted and noted.

###### **(f) Civic Licensing Committee**

The minute of meeting of the Civic Licensing Committee of 10 August 2017 was submitted and except as hereunder, noted:-

###### **(i) The Licensing of Residential Caravan Sites**

With reference to Article 7 of the minute, the Council resolved to amend the Scheme of Delegation to Officers to delegate authority to the Head of Legal and Democratic Services to require an applicant, or any person involved in the day to day management of a site, to provide the Council with a criminal conviction certificate in connection

with the applications for caravan site licenses for residential occupation or for the transfer or renewal or such licences.

**(ii) Public Entertainment Licences – Major Sporting Events**

With reference to Article 8 of the minute, the Council resolved to approve the resolution as contained in Appendix 1 to Report No 241/17.

**(g) Communities Committee**

The minute of meeting of the Communities Committee of 15 August 2017 was submitted and noted.

**(h) Children and Learning Committee**

The minute of meeting of the Children and Learning Committee of 17 August 2017 was submitted and noted.

**(i) Scrutiny and Audit Committee**

The minute of meeting of the Scrutiny and Audit Committee of 22 August 2017 was submitted and noted.

**(j) Development Standards Committee**

The minute of meeting of the Development Standards Committee of 29 August 2017 was submitted and noted.

**(k) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 29 August 2017 was submitted and noted.

**(l) Policy and Resources Committee**

The minute of meeting of the Policy and Resources Committee of 29 August 2017 was submitted and noted.

**5. MOTIONS IN TERMS OF STANDING ORDER 25 (1)**

**(i) WASPI (Women Against Pension Inequality)**

COUNCILLOR DEVINE, SECONDED BY COUNCILLOR BELL, MOVED THAT THIS COUNCIL CALLS UPON THE UK GOVERNMENT TO RECONSIDER MAKING APPROPRIATE TRANSITIONAL STATE PENSION ARRANGEMENTS FOR ALL WOMEN BORN ON OR AFTER 6 APRIL 1951, WHO HAD UNFAIRLY BORNE THE BURDEN OF THE INCREASED STATE PENSION AGE (SPA) WITH LACK OF APPROPRIATE NOTIFICATION. WHILE IT WAS AGREED THAT THERE SHOULD BE EQUITY IN THE RETIREMENT AGE, THERE WERE OVER 1 MILLION WOMEN ACROSS THE UK (APPROXIMATELY 1800 IN ANGUS) WHO HAD NEVER GOT THE OPPORTUNITY TO PREPARE FOR THEIR LATER DATE OF RETIREMENT AND NEEDED THIS TRANSITIONAL FINANCIAL HELP TO ENABLE THEM TO LIVE OUT THEIR RETIREMENT WITHOUT SUFFERING AS THEY WERE AT PRESENT.

Councillor Davy, seconded by Councillor Lawrie, moved as an amendment, that this Council:-

- (i) believes that the Scottish Government's plans for independence would mean an end to the UK state pension, replacing it with a costly, unreliable Scottish pension and adversely impacting all Scottish pensioners in addition to the Scottish women affected by increases to the state pension age;

- (ii) notes the Scottish Government's continued underfunding of local authorities was causing a reduction in local services pensioners rely on;
- (iii) notes that the Scottish Government had the power to adopt, change, or top up benefits including a transitional welfare payment for women in Scotland affected by increases to the state pension age, should they so wish; and
- (iv) instructs the Chief Executive to write to the Scottish Minister, Jeane Freeman, asking how they planned to use the powers of the Scottish Parliament to provide transitional relief.

On a vote being taken, members voted:-

For the motion:

Councillors Bell, Braes, Devine, Duff, Durno, Hands, King, McDonald (8).

For the amendment:

Councillors Davy, Lawrie, Moore and Sturrock (4).

No votes:

Provost Ronnie Proctor, Councillors Boyd, Cheape, Fotheringham, Lumgair, MacMillan Douglas, McLaren, Myles, Salmond, Speed, Stewart and Wann (12).

The motion was declared carried and the Council resolved accordingly.

**(ii) Freedom of Angus – No2 Squadron, Royal Air Force**

Provost Ronnie Proctor, seconded by Councillor King, moved that this Council, in recognition of the continued service since 1913 throughout the world of No2 Squadron, Royal Air Force resolves: -

- (1) in terms of Section 206 of the Local Government (Scotland) Act 1973, to admit as Honorary Freeman No2 Squadron, Royal Air Force; and
- (2) instructs the Chief Executive to make the necessary procedural arrangements

The Council unanimously resolved to approve the motion.

**6. APPOINTMENTS**

**(i) Tayplan Joint Committee: Appointment of Convener**

The Council resolved to appoint Councillor Sturrock as Convener of the Joint Committee for the remainder of the year.

**(ii) COSLA Policy Boards**

The Council noted that following the 2017 COSLA Strategic Review, Convention in June 2017 had agreed to the formation of four Policy Boards. Each Board was chaired by a Spokesperson appointed by Convention and comprised a representative from each member Council. The four Boards being: Health and Social Care, Community Wellbeing, Children and Young People and Environment and Economy. As the Council were required to submit nominations to COSLA and due to the summer recess, the Leader of Council had nominated the following members:-

Health and Social Care Board – Councillor Speed  
 Community Wellbeing Board – Councillor Brown  
 Children and Young People Board – Councillor Salmond  
 Environment and Economy Board – Councillor Sturrock

The Council resolved to homologate the nominations.

**(iii) Short Term Member/Officer Group on Timings of Council/Committee meetings**

With reference to Article 11 of the minute of meeting of Angus Council of 16 May 2017, the Council resolved to appoint the Leader, Councillor Cheape, and the Leader of the Opposition to the Member Officer Group and to report back to the Council in October 2017.

**7. PREPARATION OF 2018/19 GENERAL FUND REVENUE AND CAPITAL BUDGETS**

There was submitted Report No 273/17 by the Head of Corporate Finance apprising members of the current position in relation to the 2018/19 Revenue and Capital Budget preparation, identifying the main stages of the budget timeline and seeking approval of the proposed strategy approach for the 2018/19 process.

Subject to the Council's agreement, the strategy would be used to guide the preparation of an overall package of budget proposals for members to consider at an all Council budget strategy meeting in mid January. The budget strategy meeting and any changes arising from it would then be used to prepare a final set of budget proposals for formal consultation by the Council in February 2018.

The Council resolved:-

- (i) to approve the broad strategy and approach to the budget preparation, as set out in section 5 of the Report;
- (ii) to approve the budget timeline, as set out in Appendix A to the Report;
- (iii) to note that final sign-off of the Council's 2018/19 revenue and capital budgets would take place in February 2018 in line with previous practice; and
- (iv) to note the intention to work on a high level budget and savings plan covering 2019/20 and 2020/21 with this also being presented to Council in February 2018.

**8. MEDIUM TERM BUDGET STRATEGY 2018/19 – 2020/21**

With reference to Article 9 of the minute of meeting of Angus Council of 27 October 2016, there was submitted Report No 274/17 by the Head of Corporate Finance setting out an updated Medium Term Budget Strategy (MTBS) for Angus Council's General Fund Services incorporating the projected funding shortfall over the period 2018/19 to 2020/21, the Strategy being critical to the Council's Medium Term Financial Planning arrangements and in the context of the on-going constraints on public spending.

The Report indicated that it was vital the Council took a strategic and measured approach to bridging the projected funding gap, the intention was to do that almost entirely through the Change Programme. The percentage reductions to budgets approach used by the Council in the past would accordingly only be considered as a last resort measure should the savings identified through the Change Programme be insufficient to achieve a balanced budget. At this stage savings options of up to £14.95m had been identified for bridging the funding gap. This highlighted the serious financial challenges which Angus Council faced over the next three years and that further work was required to identify additional savings and funding options. It was clear from the Strategy that significant changes to services would be required for the Council to live within the resources expected to be available.

The Council resolved:-

- (i) to note the contents of the Report and in particular the need to continue to plan over the medium to long term to meet the significant financial challenges which the Council would face in the next few years;
- (ii) to approve the updated Medium Term Budget Strategy for the period 2018/19 to 2020/21, attached as Appendix A to the Report;
- (iii) to note the central role of the Council's Change Programme in addressing the projected funding gap outlined in the Report;

- (iv) to note the severity of the challenge that the Council faced to remain financially sustainable and the significant unavoidable impact this would have on services to the public;
- (v) to note the intention to update the Strategy annually to ensure the Council had a rolling three year strategy for the Revenue Budget and a rolling four year strategy for the Capital Budget; and
- (vi) to note the intention to bring a Longer Term Strategic Financial Plan to the next Council meeting in October.

## **9. CHANGE PROGRAMME: NEXT PHASE**

With reference to Article 7 of the minute of meeting of Angus Council of 29 June 2017, there was submitted Report No 278/17 by the Head of Strategic Policy, Transformation and Public Sector Reform setting out proposals in relation to the next phase of the Council's Change Programme.

The Report indicated that the Change Programme was focused on changing how the Council operated to ensure it could achieve better outcomes for Angus citizens and deliver a balanced budget year on year. The next phase of the Change Programme would have a greater focus on achieving sustainable outcomes linked to Angus's strategic priorities.

Attached as Appendix 1 to the Report was the Change Programme Delivery Framework which estimated that the change projects identified to date would achieve overall savings of circa £14.951m over the next three years. Savings set against each project in Appendix 1 were only best estimates at this stage to provide members with an indication of the likely scale of each initiative. Based on the Council's medium term budget strategy, it was estimated that further savings of circa £24.3m remained to be identified to meet the projected shortfall over the three year period and work continued at pace to develop further phases of the programme to address this. However, it was clear that there would be no easy decisions for members and these would undoubtedly become more challenging over time.

The Council resolved:-

- (i) to approve the proposals in relation to the Change Programme Delivery Framework, aligned with the strategic priorities of Economy, People and Place;
- (ii) to approve the proposals in relation to the Change Programme governance arrangements including:
  - that the Policy and Resources Committee would be the principal committee, providing strategic and policy decisions for the next phase of the Change Programme
  - authority for the determination of any funding allocation for the Council's Change Fund would be delegated to the Head of Strategic Policy, Transformation and Public Sector Reform.

## **10. STRATEGIC REVIEW OF RECYCLING CENTRES**

With reference to Article 5 of the minute of meeting of Angus Council of 29 June 2017, there was submitted Report No 275/17 by the Strategic Director - Place reporting on the findings of the Member Officer Group established to review the proposals as contained in Report No 209/16 and as agreed and amended at the Communities Committee on 24 May 2016.

The Report indicated that the Member/Officer Group had investigated a range of possible scenarios from reversal of the proposals to variations of the option presented in Report No 209/16. The Group had also examined the role and costs of capital and whole cost models. After careful examination of the facts and figures and impacts of alternative proposals, and having regard to the site visits, the Member Officer Group had concluded that there would be no changes proposed to the outcome of that reached by the Communities Committee on 24 May 2016.

COUNCILLOR MYLES, SECONDED BY COUNCILLOR FOTHERINGHAM, MOVED THAT THE COUNCIL:-

- (I) NOTES THE HEALTH AND SAFETY ISSUES IDENTIFIED BY THE MOG AND AGREES THAT THE CONTROL MEASURES IDENTIFIED IN THIS REPORT WERE IMPLEMENTED IMMEDIATELY.
- (II) AGREES THAT IN THE LIGHT OF THE MAJOR COUNCIL REVIEW COMING FORWARD ON RESIDUAL WASTE DISPOSAL, TO DELAY ANY CLOSURES OF RECYCLING CENTRES FOR TWELVE MONTHS UNTIL IT WAS CLEAR HOW ALL WASTE WAS TO BE PROCESSED;
- (III) AGREES THAT CENTRE OPENING HOURS WOULD BE AS DESCRIBED IN THE PAPER CIRCULATED, FOR IMPLEMENTATION FROM WEEK COMMENCING 30 OCTOBER 2017/1 FEBRUARY 2018;
- (IV) MONITORS THE USAGE AT ALL RECYCLING CENTRES AND ALLOWS OPENING TIMES TO BE ADJUSTED TO OPTIMISE USAGE; AND
- (V) NOTES THE FINANCIAL IMPLICATIONS ARISING AND THE PROPOSED MEANS OF FUNDING THE ADDITIONAL COSTS STATED THEREIN.

*At this stage in the meeting, it was agreed to adjourn for fifteen minutes to afford all members the opportunity to give consideration to the terms of the motion and the associated financial implications.*

The meeting reconvened at 15:38pm.

Having heard from a number of members in relation to the tabled motion, Councillor Hands, seconded by Councillor McDonald, moved as an amendment, that this Council:-

- (i) notes the health and safety issues identified by the MOG and agrees that the control measures identified in the Report were implemented immediately;
- (ii) notes the health and safety and access issues with the current Kirriemuir and Forfar Recycling Centres and agrees that these sites were not sustainable in the medium to long term and should be replaced with a modern centre that addressed the operational shortcomings of both sites and increased the range of materials that could be recycled;
- (iii) acknowledges the severe and enduring revenue budget challenges the Council was facing and the importance of this strategic review getting Recycling Centre provision right for all four Council locality areas; and
- (iv) asks the Strategic Director - Place to bring back a Report to full Council investigating the options of land availability/purchase for a joint centre in South Angus and the cost implications including the potential of using capital receipts for both Monifieth and Carnoustie Recycling Centres and recent capital receipts to fund a new centre in the locality based on the Forfar/Kirriemuir model.

Prior to the vote being taken, Councillor Myles, with the consent of Councillor Fotheringham as the seconder of the motion, agreed that recommendation (iii) from Councillor Hands' amendment be added to his original motion.

On a vote being taken, members voted:-:-

For the (amended) motion:-

Provost Ronnie Proctor, Councillors Boyd, Cheape, Davy, Fotheringham, Lawrie, Lumgair, MacMillan Douglas, McLaren, Muir, Myles, Sturrock and Wann (13)

For the amendment:-

Councillors Bell, Braes, Devine, Duff, Durno, Hands, King, McDonald (8)

No votes:-

Councillors Salmond, Speed and Stewart (3).

The (amended) motion was declared carried and the Council resolved accordingly.

#### **11. DEVELOPING THE ANGUS COUNCIL PLAN 2017 – 2022**

There was submitted Report No 276/17 by the Chief Executive presenting the Angus Council Plan for 2017 – 2022, along with a Workforce Plan for 2018 – 2021.

The Report indicated that the Council Plan would govern the Council's decision-making, service planning and resource allocation, with the activities being based on priorities around Economy, People and Place. The Plan would also set strategic direction for the Council over the next 5 years; describe the commitments and the outcomes that the Council intended to deliver; describe how the Council would achieve these outcomes and outlined how the Council would measure success in these areas.

Attached as Appendix 2 to the Report was the Workforce Plan which highlighted that in order to continue to deliver quality services, the Council would need to focus on different forms of delivery whilst meeting financial contraction. This could reduce the Council's workforce by an additional 800 FTE's over this period. A number of significant workforce changes were already underway or were being planned over the period up to 2021, these initiatives would change the shape of and reduce the numbers in the Council's workforce. In terms of the future, the Council's workforce would be leaner and focused on delivering services in partnership with other agencies and the people of Angus.

The Council resolved:-

- (i) to approve the Angus Council Plan for 2017 – 2020, as appended to the Report; and
- (ii) to approve the Workforce Plan 2018 – 2021, as appended to the Report.

#### **12. PROPOSED CHANGES TO THE REMIT OF THE SCRUTINY AND AUDIT COMMITTEE**

With reference to Article 4 of the minute of meeting of the Scrutiny and Audit Committee of 22 June 2017, there was submitted Report No 277/17 by the Head of Legal and Democratic Services proposing changes to the remit of the Scrutiny and Audit Committee to now include the scrutiny of Angus Alive and Angus Health and Social Care Integration Joint Board.

The Council resolved to approve the undernoted additions to the remit of the Scrutiny and Audit Committee :-

- (i) "to consider the progress of the Integration Joint Board in the delivery of the Strategic Plan biannually"; and  
 "without prejudice to the duties and responsibilities of the Communities Committee, to have oversight of the contract for the delivery of services by Angus Alive"
- (ii) to authorise the Head of Legal and Democratic Services to make the consequential changes to the Order of Reference of Committees.

#### **13. ANGUS LOCAL OUTCOMES IMPROVEMENT PLANS**

There was submitted Report No 279/17 by the Head of Strategic Policy, Transformation and Public Sector Reform, presenting the final drafts of the Angus Local Outcomes Improvement Plan and four Locality Plans, as required under the Community Empowerment (Scotland) Act 2015.

The Report indicated that under the Community Empowerment (Scotland) Act 2015 the Council was required to develop Locality Plans and agree the priorities for places where people experienced inequalities. In Angus this had been agreed on the basis of four Locality Plans to cover the whole county (Arbroath, Brechin/Montrose, Carnoustie/Monifieth/Sidlaw, Forfar/Kirriemuir) so that everyone had the opportunity to get involved in shaping their own community. Consultation engagement over the past few years and a review of data available at a local level had identified areas for action in each locality, these being detailed in the Appendices to the Report.



The Council resolved:-

- (i) to endorse the vision, priorities, cross-cutting themes and local outcomes for Angus as set out in these plans.
- (ii) to note that the plans would be submitted to the Angus Community Planning Partnership Board on the 20 September 2017 for approval.
- (iii) to note that the plans have been screened in terms of the Strategic Environmental Appraisal and Habitats Regulations Appraisal process and had been submitted for consideration to the SEA Consultation Authorities (Historic Environment Scotland, Scottish Environment Protection Agency & Scottish Natural Heritage); and.
- (iv) to note that the plans would be published by the end of September 2017.

#### **14. TAY CITIES DEAL – INTERIM MINUTE OF AGREEMENT**

There was submitted Report No 280/17 by the Chief Executive, proposing a new Interim Minute of Agreement between Angus Council, Dundee City Council, Fife Council and Perth & Kinross Council to allow the establishment of a Joint Committee to progress the Tay City Deal. This document would be strengthened by a further Agreement setting out the specific governance arrangements.

The Council resolved:-

- (i) to delegate authority to the Head of Legal & Democratic Services to finalise and thereafter enter into a Minute of Agreement establishing the Tay Cities Joint Committee to discharge a range of statutory and non-statutory functions as set out in the proposed agreement appended to the Report;
- (ii) to appoint the Leader (Councillor Myles) Depute Leader (Councillor Fairweather) and Councillor Duff to the Tay Cities Joint Committee; and
- (iii) to note that a further detailed Report would be brought back to Council before the end of 2017 regarding the subsequent agreement which would detail the governance arrangements of the Joint Committee.