

ANGUS COUNCIL

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

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

PROVOST RONNIE PROCTOR, in the Chair

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors David Lumbair and Mark Salmond.

2. DECLARATIONS OF INTEREST

Councillors Myles, MacMillan Douglas, Devine, Durno and Nicol each declared an interest in item 9 as they were Council appointees on Tayside Contracts Joint Committee. They indicated that they were in receipt of a General Dispensation from the Standards Commission and would therefore participate in any discussion and voting on this matter.

3. MINUTES OF COUNCIL AND COMMITTEES

(i) Minutes of Council Meetings

(a) Angus Council

The minute of meeting of Angus Council of 19 October 2017 was submitted and approved as a correct record.

(b) (Special) Angus Council

The minute of the special meeting of Angus Council of 31 October 2017 was submitted and approved as a correct record.

(It was, however, noted that Councillor Bell had intimated that her name had been omitted from the list of members voting for a representative to NHS Tayside Board, but that in terms of Standing Order 16(10), the required notice had not been given for any challenge to be made to the accuracy of the minute).

(ii) Minutes of Committees

(c) Development Standards Committee

The minute of meeting of the Development Standards Committee of 31 October 2017 was submitted and noted.

(d) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 31 October 2017 was submitted and noted.

(e) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 2 November 2017 was submitted and noted.

(f) Children and Learning Committee

The minute of meeting of the Children and Learning Committee of 7 November 2017 was submitted and noted.

(g) (Special) Civic Licensing Committee

The minute of the special meeting of the Civic Licensing Committee of 8 November 2017 was submitted and noted.

(h) Communities Committee

The minute of meeting of the Communities Committee of 14 November 2017 was submitted and noted.

(i) Development Standards Committee

The minute of meeting of the Development Standards Committee of 21 November 2017 was submitted and noted.

(j) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 21 November 2017 was submitted and noted.

(k) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 21 November 2017 was submitted and noted.

(l) Policy and Resources Committee

The minute of meeting of the Policy and Resources Committee of 28 November 2017 was submitted and noted.

4. MINUTES OF JOINT BOARD AND COMMITTEES**(i) Angus Health and Social Care Integration Joint Board**

The minute of meeting of the Angus Health and Social Care Integration Joint Board of 30 August 2017 was submitted and noted.

With reference to Article 6 of the minute, Councillor MacMillan Douglas noted with concern the £2.6million overspend within the financial position for 2017/2018 of the Integration Joint Board.

5. MOTIONS IN TERMS OF STANDING ORDER 25(1)**(i) Council Representation on Carnoustie Golf Links Management Committee**

Councillor Cheape, seconded by Councillor McDonald, moved:

- (i) that the Directors appointed by Angus Council to Carnoustie Golf Links Management Committee be drawn solely from Ward 5 (excluding the one officer appointment; and
- (ii) consequently, this Council revisits the appointments made to Carnoustie Golf Links Management Committee at the statutory meeting of Angus Council on 16 May 2017.

COUNCILLOR BROWN, SECONDED BY COUNCILLOR MACMILLAN DOUGLAS, MOVED AS AN AMENDMENT, THAT THE REPRESENTATION ON CARNOUSTIE GOLF LINKS MANAGEMENT COMMITTEE REMAINS AS IT IS.

On a vote being taken, members voted:-

For the motion:

Councillors Bell, Boyd, Braes, Cheape, Devine, Duff, Durno, Fairweather, Hands, King, McDonald and Whiteside (12)

For the amendment:

Provost Ronnie Proctor, Depute Provost Colin Brown, Councillors Davy, Fotheringham, Lawrie, MacMillan Douglas, McLaren, Moore, Myles, Nicol, Speed, Sturrock and Wann (13)

No vote:

Councillor Stewart

The amendment was declared carried and the Council resolved accordingly.

(ii) OFFICER GROUP ON THE EFFECTS OF BREXIT

Councillor Devine, seconded by Councillor Lawrie, moved that:

Council believes that it would be sensible and timely to set up an officer group to consider the effects which BREXIT was likely to have on Angus Council and the economy of Angus. Several other councils had already taken this step in order to be prepared to take decisions based on up-to-date information, as it became available, rather than wait until the last minute. It would be expected that reports would be brought forward to appropriate committees and/or Council.

Issues to be addressed should include:

Availability of European funding
Changes in regulations e.g: procurement
Employee availability in public sector e.g.: care homes, NHS, IT
Employee availability in private sector e.g.: agriculture, care homes, college, hospitality and construction industries
The above list being not exclusive."

The Council unanimously resolved to approve the motion.

(iii) Female Genital Mutilation

The Council noted that Councillor Sturrock had submitted the following motion:

"This Council forwards written communication to the Scottish Government requesting that the current laws as applicable to Scottish Law in this area are strengthened to reflect the recent measures as introduced in England and Wales."

The Provost intimated that Councillor Sturrock was withdrawing his motion.

6. APPOINTMENTS

(i) Scrutiny and Audit Committee

The Council noted that as Councillor MacMillan Douglas had been appointed Depute Leader, in terms of Standing Order 32(4) the Leader and Depute Leader of the Council were precluded from being members of the Scrutiny and Audit Committee. Consequently, the Council was required to fill the vacancy on the Committee.

The Council resolved to appoint Councillor Brown to the Scrutiny and Audit Committee.

(ii) Procurement Sounding Board

The Council noted that Councillor Cheape had intimated his resignation from the Procurement Sounding Board. Consequently, the Council was required to fill the vacancy.

The Council resolved to appoint Councillor Sturrock to the Procurement Sounding Board.

(iii) Angus Community Care Charitable Trust

The Council noted that Councillor Durno had intimated her resignation from Angus Community Care Charitable Trust. Consequently, the Council was required to fill the vacancy.

The Council resolved to appoint Councillor Braes to Angus Community Care Charitable Trust.

(iv) Voluntary Action Angus

The Council noted that Voluntary Action Angus (an Independent Charity), was looking to appoint 2 elected members to the Board and had also requested that 1 member be from the Administration and 1 from the Opposition.

The Council resolved to nominate Councillors Brown and Bell to the Board of Voluntary Action Angus.

7. FINANCIAL REGULATIONS (PROCUREMENT ARRANGEMENTS) REVIEW - 2017

There was submitted Report No 404/17 by the Head of Corporate Finance setting out proposed changes to Angus Council's Financial Regulation Section 16 (Procurement Arrangements) and Appendix 1 (Delegations and Thresholds) along with some consequential changes to Section 1 following a review.

The Report indicated that the proposals as set out in full in Annexe 1 to the Report were not fundamental, however the changes, if approved, would have benefit for officers in terms of more efficient working and were therefore supportive of the Council's Change Programme and the vision to be better, stronger, more sustainable and smaller by 2020.

The Council resolved:

- (i) to approve the changes proposed to Angus Council Financial Regulations Section 16 and Appendix 1 (along with some consequential changes to Section 1) following a review as summarised and explained in the explanatory document forming Annex 1 to the Report;
- (ii) to note that revised draft copies of Financial Regulations Sections 1 and 16 and Appendix 1 with the proposed changes shown tracked on them were available to members in the Information Hub; and
- (ii) to authorise the Head of Corporate Finance to give effect to these changes with effect from 3 January 2018 (the first business day for the Council in the New Year), with the exception of the changes to Section 1 which were to be given backdated effect to 28 July 2017.

8. TREASURY MANAGEMENT 2017/2018 MID-YEAR REVIEW REPORT

With reference to Article 10 of the minute of meeting of Angus Council of 23 March 2017, there was submitted Report No 422/17 by the Head of Corporate Finance in relation to Angus Council's Mid-Year Review of Treasury Management activities for the period 1 April 2017 to 30 September 2017.

The Report indicated that the Treasury Management of Public Services Code of Practice required that elected members be kept informed of Treasury Management activities at least twice a year in the form of an annual report after each financial year and a mid-year report half way through each year.

The Report concluded that during the first 6 months of the 2017/2018 financial year, the Council had operated within the treasury limits and prudential indicators set out in the Council's 2017/2018 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 and Treasury Management Activities for the period 1 April 2017 to 30 September 2017, attached as Appendix 1 to the Report.

9. TAYSIDE CONTRACTS REVISED MINUTE OF AGREEMENT

The was submitted Report No 423/17 by the Head of Legal and Democratic Services advising members that the Minute of Agreement between Angus Council, Dundee City Council and Perth and Kinross Council had now been agreed and that in terms of the amended minute of agreement, an additional member was required to be appointed.

The Report indicated that Tayside Contracts had been established in 1995 as a Joint Committee under Section 57(1) of the Local Government (Scotland) Act 1973 by Angus Council, Dundee City Council and Perth and Kinross Council to carry out functions on behalf of the 3 Councils. As a result of audit reports, each Council had been asked to carry out a review of the Minute of Agreement, which governed the operations of Tayside Contracts, to ensure it was still fit for purpose and adequately reflected the current operational arrangement.

The review had now been carried out and the amended minute of agreement was attached for information to the Report. As a result of the discussions amongst officers, it had also been agreed that each authority should appoint 6 members to the Joint Committee. Angus currently appointed 5 and therefore the Council was requested to appoint a sixth member.

Having heard Councillor Devine request that in appointing a sixth member, the costs incurred by members attending these meetings be kept under review, the Council resolved:

- (i) to note the revised Minute of Agreement between Angus Council, Dundee City Council and Perth and Kinross Council in respect of the continued operation of Tayside Contracts; and
- (ii) to nominate Councillor Moore as an additional sixth member from Angus Council to sit on Tayside Contracts Joint Committee.

10. TIMETABLE OF MEETINGS FOR THE PERIOD AUGUST 2018 – JUNE 2019

With reference to Article 11 of the minute of meeting of Angus Council of 16 May 2017, there was submitted Report No 424/17 by the Head of Legal and Democratic Services setting out a Timetable of Meetings from August 2018 to June 2019.

The Council resolved to approve the Timetable of Meetings covering the period August 2018 to June 2019, attached as Appendix 1 to the Report.

11. THE YEAR OF YOUNG PEOPLE 2018

There was submitted Report No 427/17 by the Strategic Director – People detailing the aims and objectives of The Year of Young People 2018 and recommending that the Council use The Year of Young People 2018 to celebrate, engage and empower Angus's Young People.

The Report indicated that The Year of Young People 2018 was aimed to inspire Scotland through its young people, celebrating their achievements, valuing their contribution to communities and creating new opportunities for them to shine locally, nationally and globally. It was proposed that Angus Council work with young people to co-design new mechanisms to effectively engage and involve young people in the improvement of Angus and our communities.

Having heard from a number of members who commended the Report, the Council resolved:

- (i) to endorse and support The Year of Young People 2018;
- (ii) to work with partners and use the Year of Young People 2018 to celebrate, engage and empower Angus's young people;
- (iii) to focus on co-design work with young people, as outlined in section 5 of the Report; and
- (iv) to request that the Strategic Director – People reports local progress to the Children and Learning Committee.

12. 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 and 9.

13. PROPERTY TRANSACTION

There was submitted Report No 425/17 by the Head of Technical and Property Services seeking approval for a potential property sale and also seeking authority for the relevant officers to conclude the detail of design, cost and funding package associated with the relocation proposal.

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