

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 22 March 2018 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, ANGUS MACMILLAN DOUGLAS OBE, BILL DUFF, BRENDA DURNO, DAVID FAIRWEATHER, CRAIG FOTHERINGAM, ALEX KING, DAVID LUMGAIR, MARK McDONALD, IAN McLAREN, RICHARD MOORE, BOB MYLES, GAVIN NICOL, MARK SALMOND, LOIS SPEED, TOMMY STEWART, RON STURROCK and BETH WHITESIDE.

PROVOST RONNIE PROCTOR, in the Chair

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Sheila Hands, Ben Lawrie and Derek Wann.

2. DECLARATIONS OF INTEREST

Councillor Tommy Stewart declared a financial interest in Item 3(ii)(j) and Article 12(iii) therein as he was a Taxi Licence Holder. He indicated that he would not participate in any discussion or voting and would leave the meeting during consideration of this item.

3. MINUTES OF COUNCIL AND COMMITTEES

(i) Minutes of Council Meetings

(a) Angus Council

The minute of meeting of Angus Council of 8 February 2018 was submitted.

PROVOST RONNIE PROCTOR, SECONDED BY COUNCILLOR MYLES, MOVED THAT THE MINUTE BE APPROVED AS A CORRECT RECORD.

Having given notice in terms of Standing Order 16(10), Councillor Devine, seconded by Councillor Duff, moved as amendment, that the minute be approved as a correct record, subject to the deletion of the words "as it did not comply with the principles of maintaining political balance" as detailed at Article 4(i).

On a vote being taken, members voted:

For the motion:

Provost Ronnie Proctor, Depute Provost Colin Brown, Councillors Davy, Fairweather, Fotheringham, Lumgair, MacMillan Douglas, McLaren, Moore, Myles, Nicol, Salmond, Speed, Stewart and Sturrock (15).

For the amendment:

Councillors Bell, Boyd, Braes, Cheape, Devine, Duff, Durno, King, McDonald and Whiteside (10).

The motion was declared carried and the Council resolved accordingly.

(b) (Special) Angus Council

The minute of the special meeting of Angus Council of 15 February 2018 was submitted and approved as a correct record.

(c) (Special) Angus Council

The minute of the special meeting of Angus Council of 20 February 2018 was submitted and approved as a correct record.

(ii) Minutes of Committees**(d) (Special) Communities Committee**

The minute of the special meeting of the Communities Committee of 6 February 2018 was submitted and noted.

(e) Development Standards Committee

The minute of meeting of the Development Standards Committee of 13 February 2018 was submitted and noted.

(f) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 13 February 2018 was submitted and noted.

(g) (Special) Children and Learning Committee

The minute of the special meeting of the Children and Learning Committee of 15 February 2018 was submitted and noted.

(h) (Special) Scrutiny and Audit Committee

The minute of the special meeting of the Scrutiny and Audit Committee of 20 February 2018 was submitted and noted.

(i) Children and Learning Committee

The minute of meeting of the Children and Learning Committee of 20 February 2018 was submitted and noted.

Councillor Stewart, having declared a financial interest at Article 2 above, left the meeting during consideration of the following item.

(j) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 22 February 2018 was submitted and noted, with the exception of the undernoted:-

COUNCILLOR FAIRWEATHER, SECONDED BY COUNCILLOR MOORE, MOVED THAT THIS COUNCIL DOES NOT AGREE TO DELEGATE AUTHORITY TO THE HEAD OF LEGAL AND DEMOCRATIC SERVICES (AND HER SUCCESSORS IN OFFICE) AS MONITORING OFFICER OF ANGUS COUNCIL IN TERMS OF SECTION 5 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989, IN CONSULTATION WITH THE CONVENER AND VICE CONVENER (IF AVAILABLE) TO ORDER THE IMMEDIATE SUSPENSION OF A LICENCE IN TERMS OF SECTION 12 OF SCHEDULE 1 TO THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982.

Councillor Duff, seconded by Councillor Whiteside, moved as an amendment, that this Council agrees to delegate authority to the Head of Legal and Democratic Services (and her successors in office) as Monitoring Officer of Angus Council in terms of Section 5 of the Local Government and Housing Act 1989, in consultation with the Convener and Vice-Convener (if available) to order the immediate suspension of a licence in terms of Section 12 of Schedule 1 to the Civic Government (Scotland) Act 1982, given the need to deal with these issues as a matter of urgency.

On a vote being taken, members voted:

For the motion:

Provost Ronnie Proctor, Depute Provost Colin Brown, Councillors Boyd, Cheape, Fairweather, Fotheringham, Lumgair, MacMillan Douglas, McLaren, Moore, Myles, Nicol, Salmond (13).

For the amendment:

Councillors Bell, Braes, Davy, Devine, Duff, King, McDonald, Speed, Sturrock and Whiteside (10).

No vote:

Councillor Durno.

The motion was declared carried and the Council resolved accordingly.

(k) Communities Committee

The minute of meeting of the Communities Committee of 27 February 2018 was submitted and noted.

(l) Development Standards Committee

The minute of meeting of the Development Standards Committee of 6 March 2018 was submitted and noted.

(m) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 6 March 2018 was submitted and noted.

(n) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 6 March 2018 was submitted and noted.

(o) Policy and Resources Committee

The minute of meeting of the Policy & Resources Committee of 13 March 2018 was submitted and noted, with the exception of the undernoted:-

The Council resolved to delegate authority to the Chief Integration Officer to require reviews of the Integration Scheme solely for the purposes of amending the Integration Scheme to incorporate statutory amendments to the functions that required to be delegated by NHS Tayside, or the Council, to the Angus Integration Joint Board.

4. TREASURY MANAGEMENT STRATEGY STATEMENT 2018/2019

With reference to Article 10 of the minute of meeting of the Scrutiny & Audit Committee of 6 March 2018, there was submitted Report No 87/18 by the Head of Corporate Finance seeking approval of the proposed Treasury Management Strategy for Angus Council in 2018/19.

The Report indicated that the Council's suggested strategy for 2018/19 was based upon the Treasury Management's Officer's views on future interest rates, supplemented with leading market forecasts supplied by the Council's Treasury Adviser. The Strategy had been prepared in accordance with the Local Government (Scotland) Act 2003, Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code 2017, CIPFA Treasury Management Code of Practice 2017, and the Scottish Government Investment Regulations.

The Council resolved:-

- (i) to approve the proposed Treasury Management Strategy Statement and Annual Investment Strategy for 2018/19, attached as Appendix A to the Report; and

- (ii) to approve the Treasury Indicators in Appendix A – Annex D (tables 2 and 3).

5. COMMUNITY ASSET TRANSFER – POLICY DEVELOPMENT AND APPLICATIONS UPDATE

With reference to Article 22 of the minute of meeting of the Communities Committee of 6 June 2017, there was submitted Report No 105/18 by the Head of Corporate Finance seeking approval for changes to existing Council policies for Community Asset Transfer to ensure compliance with legislation and associated guidance. The Report also advised members of the current position in relation to applications received for Community Asset Transfer and sought approval for two applications which had been fully assessed.

The Council resolved:

- (i) to note the key points from Scottish Government guidance relating to the evaluation of Community Asset Transfer applications set out in Section 4 of the Report;
- (ii) to approve for immediate application the refinements and clarifications to the existing Council guidance on Community Asset Transfer set out in Section 5 of the Report;
- (iii) to approve the Community Asset Transfer assessment model set out in Section 6 and Appendix 1 of the Report for use in assessing all existing and future applications;
- (iv) to note the latest position (at 28 February) in relation to Community Asset Transfer applications received (Appendix 2) and concluded (Appendix 3);
- (v) to approve the Community Asset Transfer applications from Brechin City Band and Arbroath Allotments Association as described in Section 8; and
- (vi) to note the intention to provide additional training for members and officers in Community Asset Transfer legislation and processes.

6. REVISIONS TO STANDING ORDERS AND RELATED DOCUMENTS

With reference to Article 11 of the minute of meeting of Angus Council of 27 October 2016, there was submitted Report No 106/18 by the Head of Legal & Democratic Services detailing revisions to Standing Orders, the Order of Reference of Committees and the Scheme of Delegation to Officers to reflect the changes to the senior management and responsibility structures that were due to take effect from 1 April 2018, along with a number of other miscellaneous changes.

The Report indicated that following discussion with officers, further work was required to clarify a number of issues that had arisen which were not time critical. It was therefore proposed that officers continued to work on those areas which would then be reported for information to members.

Having heard from Councillor Myles, who welcomed the proposals detailed at recommendation (vii) with any such Report to come back to the Council after the summer recess, the Council resolved:-

- (i) 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, which had been identified at this stage, as detailed in Appendix 1 to the Report;
- (ii) to note the further revisions to the Scheme of Delegation to Officers which were as a consequence of legislative changes;
- (iii) to note the changes to the Council's Financial Regulations which took into account the new management structures and responsibilities;

- (iv) to approve the designation of the Service Leader – Legal and Democratic as the Monitoring Officer and the Legal Manager (Team 1) as Clerk to the Angus Licensing Board;
- (v) to delegate authority to the Service Leader – Legal and Democratic to make any further changes to the Standing Orders and Related Documents which were as a consequence of the changes to the Council's management and responsibility structures, all of which would be reported for information to members following conclusion of an officer review;
- (vi) to delegate authority to the Head of Finance and Legal to make any further changes to the Financial Regulations which were as a consequence of the changes to the Council's management and responsibility structures, all of which would be reported for information to members; and
- (vii) to note that, if as a result of further discussions regarding either the Standing Orders and Related Documents or the Financial Regulations changes were proposed or required that fell outwith the scope of the changes arising from the management review, these would be submitted to members for their consideration.

7. **ANGUS DEVELOPMENT PLAN SCHEME (2018/2019)**

With reference to Article 14 of the minute of meeting of Angus Council of 23 March 2017, there was submitted Report No 107/18 by the Head of Housing, Regulatory and Protective Services seeking approval for the Angus Development Plan Scheme which included the timetable for the next Angus Local Development Plan to replace the current Plan adopted on 23 September 2016.

Having heard from Councillor Devine request that the wording at page 211 be revised to make reference to "parents and carers", and having also heard that these revisions would be incorporated in the Scheme, the Council resolved:-

- (i) to note the timetable for preparing the next Angus Local Development Plan;
- (ii) to agree the 2018/19 Angus Development Plan Scheme and Participation Statement set out in Appendix (with changes at page 211) for submission to Scottish Ministers and general publication by 31 March 2018; and
- (iii) to note that a copy of the revised Angus Development Plan Scheme and Participation Statement would be placed in all Angus Libraries and ACCESS offices and made available on the Council's website.

VALEDICTORY

The Provost intimated that Sheona Hunter, Head of Legal and Democratic Services, Les Hutchinson, Head of Quality and Performance and Moira Naulty, Service Manager-Communications would shortly be retiring. The Provost paid tribute to each in turn and referred to their professionalism and dedication. On behalf of the Council he wished them all a long and happy retirement. Several other members also paid tribute to them and commended them for the support they had provided in their different capacities over many years.