

# ANGUS COUNCIL

MINUTE of MEETING of the **POLICY AND RESOURCES COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 28 January 2020 at 2.00 pm.

**Present:** Councillors DAVID FAIRWEATHER, ANGUS MACMILLAN DOUGLAS OBE, BRIAN BOYD, BRADEN DAVY, LYNNE DEVINE, BILL DUFF, SHEILA HANDS, ALEX KING, BEN LAWRIE, IAN McLAREN, CRAIG FOTHERINGHAM, RONNIE PROCTOR MBE, COLIN BROWN BEM, DEREK WANN and BETH WHITESIDE.

Councillor FAIRWEATHER, Convener, in the Chair.

## 1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Bob Myles, Mark Salmond and Ron Sturrock with Councillors Craig Fotheringham, Ronnie Proctor and Colin Brown substituting respectively.

## 2. DECLARATIONS OF INTEREST

Councillors Ronnie Proctor and Angus Macmillan Douglas declared an interest in item 5 as they had both attended meetings in Kirriemuir regarding this matter. They indicated that they would participate in any discussion and voting on this item.

Councillors Lynne Devine and Ben Lawrie declared an interest in item 5 as members of the Board of Shared Apprenticeship Ltd. They indicated that they would participate in any discussion and voting on this item.

Councillor David Fairweather declared an interest in item 11 as he had been approached by an interested party. He had not discussed the matter with the individual and had passed it on to a Council officer. He indicated that he would participate in any discussion and voting on this item.

## 3. MINUTES

### (i) Previous Meeting

The minute of meeting of this Committee of 27 November 2019 was submitted and approved as a correct record, subject to the following correction: Change at list of members present from "Ronnie Proctor OBE" to Ronnie Proctor MBE".

### (ii) Special Sub Committee

The minute of meeting of the Special Sub Committee of 26 November 2019, a copy of which is appended hereto, was submitted and noted (**Appendix I**).

## 4. INFORMATION REPORT FOR THE PERIOD 2015 TO 10 JANUARY 2020

There was submitted Report No 20/20 by the Depute Chief Executive providing an overview of the Like! Interreg North Sea Region (NSR) Project which had been initiated to support the delivery of public sector digital transformation through transnational collaboration. The programme had provided an opportunity to progress the council's digital aspirations and objectives and supported the Scottish Government Digital Strategy.

Anna Hondzio, Like! Project Manager, followed by Jennifer McKay, Patrick Watson, Holly Ewans, Graeme Hodge and Paul Feltham gave a detailed presentation to members on the project's main activities.

The Convener on behalf of the Committee thanked all the officers for their informative presentation and thereafter the Committee agreed to note the contents of the Report.

## **5. INFORMATION REPORT FOR THE PERIOD 14 NOVEMBER 2019 TO 20 JANUARY 2020**

With reference to Article 6 of the minute of meeting of this Committee of 26 November 2019, there was submitted Report No 21/20 by the Director of Strategic Policy, Transformation and Public Sector Reform providing information to members with regard to services in the Strategic Policy and Transformation Service and specifically in relation to an overview of Economic Development, Business Support and Investment activities.

Having heard from a number of members and having also heard Councillor Devine commend the work of Kevin Murphy of Dundee and Angus College and Krystian Kolaczyk of Angus Council Economic Development Service, the Committee agreed to note the contents of the Report.

## **6. REVENUE MONITORING 2019/20 AND RENEWAL AND REPAIR FUND 2019/20**

With reference to Article 7 of the minute of meeting of this Committee of 27 November 2019, there was submitted Report No 22/20 by the Director of Finance (along with Addendum) providing revenue budget information and detailing the latest projected year end position for each main Council service; giving a brief explanation of significant variances and providing an update of expenditure funded through the Council's Renewal and Repair Fund.

The Report indicated that a surplus compared to budget of £8.787 million was projected at this point in the financial year in respect of the General Fund services net adjusted budget (excluding the Angus Health & Social Care Partnership budget) of £224.613 million, i.e. 3.91%. Adjustments were required to this total to reflect previously approved policy along with previously explained funding within Schools and Learning which due to accounting treatment would be carried forward into 2020/21, leaving an adjusted projected surplus of £0.694 million

The Committee agreed:

- i) to note the contents of the Report (and Addendum), in particular the comments on the Financial Implications section regarding the projected year end position;
- ii) to approve the virements noted at paragraph 4.17 in the Report; and
- iii) to note the Renewal and Repair Fund position.

## **7. CAPITAL MONITORING – GENERAL FUND CAPITAL PROGRAMME – 2019/20**

With reference to Article 8 of the minute of meeting of this Committee of 27 November 2019, there was submitted Report No 23/20 by the Director of Finance providing members with details of the capital expenditure incurred for the period 1 April to 30 November 2019 and measuring projected capital expenditure for the year against budgeted provision.

The Report indicated that with 8 months (66.67%) of the financial year gone the actual spend levels presented in Tables 1 and 2 could be considered low, although historically around 10% of capital spend came through as accruals at the year end. Work was ongoing on a number of significant projects for which no payment had yet been made by virtue of the phasing of such projects. Furthermore, the value of work completed up to 31 March 2020 would be assessed as part of the year end process and expenditure accrued accordingly.

The Committee agreed to note the expenditure to date and projected outturn position on the General Fund Capital Programme as per Tables 1 and 2 and the capital monitoring statement attached as Appendix 1 to the Report.

## **8. APPROVAL OF LEASE – STRATHMORE RUGBY CLUB**

With reference to Article 5 of the minute of the special meeting of this Committee of 26 September 2019, there was submitted Report No 24/20 by the Director of Finance advising members of a procedural issue regarding a Community Asset Transfer (CAT) application and recommending the granting of a lease on the same terms as would have applied to the

proposed CAT lease agreed by the Committee in September 2019.

The Committee agreed:

- (i) to note the procedural issue which had now come to light as detailed in the Report and that the proposed Community Asset Transfer (CAT) lease agreed by the Committee in September 2019 could not now be legally achieved;
- (ii) to confirm that a material change of circumstances had occurred to such an extent that it was appropriate for the issue to be reconsidered in terms of Standing Orders;
- (iii) to note that the same end outcome could be achieved by putting in place a conventional (non-CAT) lease on the same terms;
- (iv) to revoke the previous decision of the Committee on this matter on 26 September 2019 (Report 327/19) which was to put in place a CAT lease for a duration of 99 years subject to conditions;
- (v) to note that the proposed lease as set out in the Report constituted a disposal under the Disposal of Land by Local Authorities (Scotland) Regulations 2010 as explained in paragraph 3.6 of the Report; and
- (vi) to approve the proposed lease, as set out in the Report.

## **9. TOWN CENTRE FUNDS 2019/20 – PROGRESS UPDATE**

With reference to Article 10 of the minute of meeting of Angus Council of 5 September 2019, there was submitted Joint Report No 25/20 by the Director of Communities and the Director of Finance providing an update on delivery of the projects agreed for funding from the Scottish Government's Town Centre Fund allocation for 2019/20. The Report also sought delegated authority for officers to agree with local members any further changes to ensure delivery of the projects and use of all the funds available.

The Committee agreed:

- (i) to note the contents of the Report and the progress being made to deliver the agreed projects;
- (ii) to note the challenges and risks associated with utilisation of the full funding awarded, as set out in the Report;
- (iii) that in order to best ensure full utilisation of the Town Centre Fund monies allocated to the Council the budget flexibility arrangements set out in paragraph 4.3 of the Report be implemented;
- (iv) to delegate to the Director of Communities authority, following consultation with the Director of Finance and local ward members, to make any further changes to the Town Centre Fund projects (including the addition of new projects if funds allowed) to ensure delivery of the agreed projects and use of all of the funds available, as set out in Section 5 of the Report;
- (v) that should it be required, funding of up to £27,000 from the Council's uncommitted General Fund Balance be provided as part of the budget flexibility arrangements, set out in Section 4 of the Report; and
- (iv) to note that another update Report would be provided to this Committee by the Director of Finance later in 2020.

## **10. MAY DAY PUBLIC HOLIDAY**

There was submitted Joint Report No 26/20 by the Director of HR, Digital Enablement, IT and Business Support and the Director of Education and Lifelong Learning seeking approval to move the May Day public holiday in 2020 for Local Government Employees and for schools

from Monday 4 May to Friday 8 May (VE Day) (subject to approval also by the Children and Learning Committee on 20 February 2020.)

The Committee agreed:

- (i) that the May Day public holiday in 2020 be changed from Monday 4 May to Friday 8 May (VE Day); and
- (ii) to approve the change to the May Day school holiday for 2020 to align this with the Council date.

#### **11. SURPLUS PROPERTY – LAND AT WALLACE STREET, ARBROATH**

There was submitted Report No 27/20 by the Director of Infrastructure seeking to declare land at Wallace Street, Arbroath surplus to the requirements of Angus Council and to now take forward the sale of the land on the open market.

The Committee agreed that the 2 parcels of land shown outlined on the plan at Appendix 1 at Wallace Street, Arbroath be declared surplus to Angus Council and be sold on the open market.

#### **12. THE GABLES CARE HOME, FORFAR**

There was submitted Report No 28/20 by the Director of Infrastructure updating members of plans for the replacement of The Gables Care Home in Forfar for adults with a learning disability and seeking approval to transfer the land to the preferred registered social landlord, Caledonia Housing Association.

The Committee agreed to approve that the transfer of land (detailed in Appendix 1 Site Plan) to the appointed registered social landlord takes place earlier than originally planned as detailed in the Report and upon terms and conditions to be agreed by the Director of Infrastructure following consultation with the Director of Legal & Democratic Services.

#### **13. PROPERTY TRANSACTION – FORFAR SWIMMING POOL, THE VENNEL, FORFAR**

There was submitted Report No 29/20 by the Director of Infrastructure seeking approval of the property transaction in relation to the former Forfar Swimming Pool, The Vennel, Forfar.

The Committee agreed to approve the property transaction, as detailed at Appendix 2.

#### **14. PROPERTY TRANSACTION – ST MARGARET’S HOUSE, FORFAR**

There was submitted Report No 30/20 by the Director of Infrastructure seeking approval of the property transaction in relation to the former Council offices at St Margaret’s House, Forfar.

The Committee agreed:

- (i) to approve the property transaction as detailed at Appendix 2; and
- (ii) in accordance with Financial Regulations 17.2.3 to delegate to the Director of Infrastructure to complete the transaction.

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

The Committee resolved, in terms of Standing Order 28(2) that the public and press be excluded from the meeting during consideration of the following items so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 6, 8 and 9.

**16. PROPERTY TRANSACTION – FORFAR SWIMMING POOL, THE VENNEL, FORFAR**

There was submitted and noted Appendix 2 to Report No 29/20 by the Director of Infrastructure.

**17. PROPERTY TRANSACTION – ST MARGARET’S HOUSE, FORFAR**

There was submitted and noted Appendix 2 to Report No 30/20 by the Director of Infrastructure.

**18. TERM CONTRACTS FOR A RESPONSIVE REPAIRS AND CHANGE OF TENANCY SERVICE TO COUNCIL HOUSING 2020/21 TO 2022/23 – TENDER**

There was submitted Report No 31/20 by the Director of Infrastructure seeking authority for the acceptance of tenders where the estimated costs exceeded the amount previously approved by Committee.

The Committee agreed to approve the recommendations, as detailed in the Report

**19. RETENTION OF LAND AT FORMER LANDFILL SITE, RESTENNETH, FORFAR**

There was submitted Report No 32/20 by the Director of Infrastructure in relation to Land at Former Landfill Site, Restenneth, Forfar.

The Committee agreed to approve the recommendation, as detailed in the Report.

**20. PROCUREMENT OF SPECIALIST ADVISERS**

There was submitted Joint Report No 33/20 by the Director of Finance and the Director of Legal and Democratic Service seeking delegated authority to undertake a procurement exercise and award a contract for the provision of specialist adviser services to support the Council with due diligence and commercial assessment work.

The Committee agreed to approve the recommendations, as detailed in the Report.