

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** hosted at Angus House, Orchardbank Business Park, Forfar and held remotely on Thursday 10 September 2020 at 2.00 pm.

Present: 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, DAVID LUMGAIR, ANGUS MACMILLAN DOUGLAS OBE, MARK McDONALD, IAN McLAREN, RICHARD MOORE, BOB MYLES, GAVIN NICOL, MARK SALMOND, LOIS SPEED, TOMMY STEWART, RON STURROCK, DEREK WANN and BETH WHITESIDE.

In the absence of both the Provost and Depute Provost, and in accordance with the provisions of Standing Order 7(1), the Chief Executive called for nominations for Chair of the meeting.

Councillor MacMillan Douglas, seconded by Councillor Wann, moved the appointment of Councillor Fairweather as Chair of the meeting.

There being no further nominations, Councillor Fairweather took the Chair.

At this stage in the meeting, the Council resolved to adjourn the meeting to allow officers to apprise the Chair of the business to be considered.

The meeting resumed at 2.23pm.

1. APOLOGIES

Apologies for absence were intimated on behalf of Provost Ronnie Proctor MBE and Depute Provost Colin Brown BEM.

2. DECLARATIONS OF INTEREST

Councillor Myles declared an interest in items 6, 7 and 22, Report Nos 211/20, 212/20 and 225/20, as a Council appointed member on Tayside Contracts Joint Committee. He indicated that he would take part in any discussion and voting on these items.

Councillor Myles also declared an interest in items 6, 7, 8 and 15, Report Nos 211/20, 212/20, 213/20 and 220/20, as a Council appointed member on the Angus Health and Social Care Integration Joint Board. He indicated that he would take part in any discussion and voting on these items.

Councillor Myles also declared an interest in item 21, Report No 223/20, as he had received correspondence in relation to the matter. He indicated that he would take part in any discussion and voting on the item.

Councillor Bell declared an interest in items 8, 9 and 11, Report Nos 213/20, 214/20 and 216/20, as she was a Council appointed Board member of Voluntary Action Angus and also a Council appointed member of the Angus Health and Social Care Integration Joint Board. She indicated that she would participate in any discussion and voting on these items.

Councillors Devine and Duff each declared an interest in items 6, 17 and 19 Report Nos 211/20 and 224/20, as Council appointed directors of ANGUSALive. Each indicated that they had an exclusion in terms of item 6 and would therefore participate in any discussion and voting on this item. However, in relation to items 17 and 19, both indicated that they would not participate in any discussion and voting and would leave the meeting during consideration of the items.

Councillor Nicol declared an interest in item 22, Report No 225/20, as the Convener of Tayside Contracts Joint Committee. He indicated that he would participate in any discussion and voting on the item.

Councillor Speed declared an interest in items 8 and 15, Report Nos 213/20 and 220/20, as a Council appointed member on the Angus Health and Social Care Integration Joint Board. She indicated that she would take part in any discussion and voting on these items.

Councillor Cheape declared an interest in item 21, Report No 223/20, as he had engaged in communication in relation to the matter. He indicated that he would take part in any discussion and voting on the item.

Councillor Moore declared an interest in items 6, 7 and 22, Report Nos 211/20, 212/20 and 225/20, as a Council appointed member on Tayside Contracts Joint Committee. He indicated that he would take part in any discussion and voting on these items.

Councillor Moore also declared an interest in item 21, Report No 223/20, as he had engaged in correspondence in relation to Lochside Leisure Centre but not the current legal proceedings. He indicated that he would take part in any discussion and voting on the item.

Councillor Whiteside declared an interest in items 6, 7 and 22, Report Nos 211/20, 212/20 and 225/20, as a Council appointed member on Tayside Contracts Joint Committee. She indicated that she would take part in any discussion and voting on these items.

Councillor Durno declared an interest in items 6, 7 and 22, Report Nos 211/20, 212/20 and 225/20, as a Council appointed member on Tayside Contracts Joint Committee. She indicated that she would take part in any discussion and voting on these items.

Councillor Fairweather declared an interest in item 21, Report No 223/20, as he had received correspondence in relation to the matter. He indicated that he would take part in any discussion and voting on the item.

At this stage in the meeting the Convener intimated that as members would be aware, Report No 223/20 had not been issued to members in line with the required "3 clear days" before the meeting.

However, he had determined that in accordance with the provisions of Standing Order 11(1)(vii) the matter could be considered at this meeting as a matter of urgency by reason of special circumstances as the Report concerned the outcome of a court case brought against Angus Council, which outcome had significant implications for the Council. The Council's consideration of the matter could not be delayed until a later meeting due to the time critical nature of the decision making required in terms of the Report.

3. REQUEST FOR A DEPUTATION

The Convener indicated that a request for a deputation had been received from Mr Mark Guild in relation to Lochside Leisure Centre (Item 21). Prior to debating and determining the request, the Director of Legal and Democratic Services advised members that she would wish to provide them with legal advice on this matter and requested that this advice be given in private.

The Council resolved, in terms of Standing Order 28(2), that the public and press be excluded to allow the Director of Legal and Democratic Services to provide them with legal advice 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 1973, Paragraph 12.

The meeting resumed in public at 2.53pm and all members of the public and press were re-admitted to the meeting.

The Convener advised Mr Guild that the Council had resolved not to hear the deputation as Report 223/20, Lochside Leisure Centre, was an exempt item of business which contained legal information and potential implications for the Council. He also advised that members had considered that as Mr Guild was part of the legal process, this may prejudice members' position in any future court case.

Mr Guild was advised that he would be welcome to address the Council at a future date once the court case had been concluded.

4. MINUTES OF COUNCIL AND COMMITTEES

(i) Minutes of Council Meetings

(a) Angus Council

The minute of meeting of Angus Council of 12 August 2020 was submitted and approved as a correct record.

(ii) Minutes of Committees

(b) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 13 August 2020 was submitted and noted.

(c) Communities Committee

The minute of meeting of the Communities Committee of 18 August 2020 was submitted and noted.

(d) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 25 August 2020 was submitted and noted.

(e) Policy and Resources Committee

The minute of meeting of the Policy and Resources Committee of 1 September 2020 was submitted and noted.

(f) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 3 September 2020 was submitted and noted.

5. APPOINTMENTS

(i) Communities Committee

The Council resolved to note that Councillor McDonald would replace Councillor Bell as a member of the Communities Committee and consequently, Councillor McDonald would replace Councillor Bell on the Road Safety Member/Officer Group.

(ii) Angus Integration Joint Board

The Council resolved to approve the appointment of Councillor Speed as the Vice-Chair of the Angus Integration Joint Board.

In light of Covid-19 and the proposed revisions to the budget, the Council resolved to suspend Standing Order 17(2) for the following item to allow members additional time to speak on the matter.

6. PROPOSED REVISIONS TO THE COUNCIL'S 2020/21 GENERAL FUND REVENUE BUDGET AND FINAL REVENUE BUDGET DOCUMENTS

With reference to Article 3 of the minute of meeting of Angus Council of 27 February 2020, there was submitted Report No 211/20 by the Director of Finance seeking approval of proposed adjustments to the Council's 2020/21 General Fund Revenue Budget from that set in February 2020 to take account of the impact of the COVID-19 pandemic. The Report also advised of the intention to publish the 2020/21 Final Revenue Budget Volume on the Council's website to provide clarity on the revised budget the Council would be working to.

Councillor MacMillan Douglas, seconded by Councillor Fairweather, moved that this Council:-

- (i) notes the contents of the report and that the proposed budget revisions were a best estimate in a fast changing environment;

- (ii) notes the significant risks and uncertainties which remained for the Council's finances and the need to retain flexibility and options to respond to these;
- (iii) notes the budget assumptions affecting key partners as outlined in the report;
- (iv) notes the updated Fairer Scotland Duty Assessment at Appendix 13 and Equality Impact Assessment at Appendix 14;
- (v) approves the key principles to proposed budget revisions set out in Section 3.3 of the report;
- (vi) approves the proposed amendments to the 2020/21 Service revenue budgets, corporate and other budgets and the assumptions these were based on as detailed in sections 4 & 5 of the report;
- (vii) approves the proposed approach to funding the remaining budget gap as detailed in section 6 of the report including the proposal to earmark a proportion of uncommitted General Fund Reserves as a specific COVID-19 contingency;
- (viii) approves the Net Expenditure Summary at Appendix 12 as the Council's revised 2020/21 General Fund Revenue Budget;
- (ix) approves the 2019/20 year-end 100% carry forward requests set out in section 4.5 and Appendix 1 of the report, in accordance with the Council's budget carry forward scheme, subject to none of those being affected by changes arising from the external audit process; and
- (x) notes that the revised budgets set out in Appendix 12 would, where applicable, form the monitoring budget for the purposes of reporting throughout the remainder of the year to the Policy & Resources Committee.

Thereafter, Councillors Salmond and Duff, having previously given notice of two further amendments, circulated the contents of both amendments.

The Council resolved to adjourn for 10 minutes to allow the opportunity for members to consider the contents of the further amendments.

The meeting resumed at 3.27pm.

At this stage, Councillor McLaren indicated that he had lost connection and had only now re-joined the meeting. He thereafter declared an interest in item 6, Report No 211/20, as he owned a business on the High Street. He indicated that he would not participate in any discussion and voting and would leave the meeting during consideration of the item.

Councillor McLaren then left the meeting.

Thereafter, Councillor Salmond, seconded by Councillor Duff (who having noted that the terms of the two amendments were very similar, withdrew his own amendment), moved as an amendment, that this Council: -

- (i) approves the recommendations (i)-(x) as detailed above;
- (ii) agrees that charges in Angus Council Pay to Park Carparks remain suspended until the end of this financial year (31st March 2021);
- (iii) agrees that: -
 - (a) the Parking Member Officer/ Working Group's remit be extended to review On and Off Street Parking in Angus; and
 - (b) that the Findings of the Scrutiny and Audit Committee Review into Parking be applied in respect of that review;
- (iv) agrees that the Director of Infrastructure brings a Report to the next Communities Committee asking for any vacancies on the Parking MOWG to be filled, noting the

new extended remit of the Parking MOWG and providing a time-frame for implementation of the review of On and Off Street Parking in Angus; and

- (v) agrees that all Pay to Park Permit Holders be refunded any credit balance on their Permit.

Having heard from a number of members, and having heard Councillor MacMillan Douglas intimate that he was happy to accept the contents of the amendment, the Council resolved accordingly.

Councillor McLaren was then readmitted to the meeting.

7. 2020/21 FINAL CAPITAL BUDGET – GENERAL FUND

With reference to Article 3 of the minute of meeting of Angus Council of 27 February 2020, there was submitted Report No 212/20 by the Director of Finance presenting the updated 2019/2024 General Fund Capital Plan, incorporating the 2020/21 capital monitoring budget, including the proposed approach for dealing with the financial impact of the COVID-19 pandemic on the capital programme.

The Council resolved: -

- (i) to note the contents of the Report and that there remained a degree of uncertainty around the financial impact the COVID-19 pandemic was having on the capital programme which may yet continue for some time to come;
- (ii) to approve the proposed approach to funding the financial impact of the COVID-19 pandemic as detailed in paragraph 5.2 of the Report;
- (iii) to approve the contents of the updated 2019/2024 General Fund Capital Plan, as detailed in Appendix 1 to the Report;
- (iv) to approve the requests for additional funding totalling £997,000, as detailed in paragraph 6.2 of the Report; and
- (v) to note that the 2020/21 capital budget represented the Council's approved budget for General Fund capital monitoring purposes.

8. ANNUAL CHIEF SOCIAL WORK OFFICER REPORT 2019/2020

With reference to Article 6 of the minute of meeting of Angus Council of 17 October 2019, there was submitted Report No 213/20 by the Chief Social Work Officer, Angus Council, presenting the Annual Chief Social Work Officer Report 2019 to 2020, being an annual evaluation report of Social Work Services, including Commissioned Services during the period 1 April 2019 to 31 March 2020; detailing how the service had performed in a wide range of social work and social care services and reporting on a range of performance information including Service Quality and Performance which included delivery of statutory functions; Finance; Workforce; early impact of COVID-19 and current priorities for recovery in response to Covid-19.

The Report indicated that the Council continued to provide high quality, flexible services to children, young people and adults who required additional support. The Report detailed numerous examples of innovative practice and developments to improve outcomes for people using the services, and also detailed the challenges faced by the citizens of Angus and staff across all services as a result of COVID-19.

Having heard from a number of members who commented on the Report, and congratulated the officers on a number of achievements, the Council resolved: -

- (i) to note and endorse the contents of the Chief Social Work Officer Annual Report 2019 to 2020, as appended to Report No 213/20;
- (ii) to acknowledge the significant efforts of social work and social care staff across all sectors, as well as unpaid carers, in continuing to support the people of Angus;
- (iii) to approve the publication of the Report; and

(iv) to note that the approved Report would now be submitted to Scottish Government.

9. COUNCIL PLAN AND WORKFORCE PLAN - UPDATE

With reference to Article 3 of the minute of meeting of Angus Council of 27 February 2020, there was submitted Report No 214/20 by the Chief Executive presenting an updated position on the Council's strategic direction, vision, priorities and actions in the Council Plan and the Workforce Plan as a result of the impact of the COVID-19 pandemic.

At this point in the meeting, (the time being 4.53 pm) the Council resolved, in accordance with the provisions of Standing Order 21(8), that the meeting continue to the conclusion of the business. In addition, the Council resolved to have a 10 minute "comfort break" following conclusion of the item of business (item 9).

Having heard a number of members comment on the exciting projects detailed, the Council resolved: -

- (i) to approve the updated Council Plan; and
- (ii) to approve the updated Strategic Workforce Action Plan.

At this stage in the meeting, and having agreed previously, the meeting adjourned for 10 minutes.

The meeting resumed at 5.25pm.

10. 'OUR TURN' INITIATIVE AND REFUGEE RESETTLEMENT PROGRAMMES

With reference to Article 6(i) of the minute of meeting of Angus Council of 5 December 2019, there was submitted Report No 215/20 by the Depute Chief Executive outlining the position with regards to the 'Our Turn' campaign, led by the child refugee charity 'Safe Passage International', which asked the UK Government to welcome 10,000 at-risk child refugees over the next 10 years as part of a new child resettlement scheme. The Report also referred to the wider range of schemes in operation and outlined the Council's current participation arrangements.

Having heard from the Depute Chief Executive in relation to the Scottish Government consultation, and from a number of members who welcomed the Report, the Council resolved:-

- (i) to note the position regarding the Council's current participation in resettlement activity;
- (ii) to note the anticipated resource implications relating to any further resettlement scheme referenced throughout the report;
- (iii) to agree the policy position proposed at section 5.2 in the Report to continue with participation in existing resettlement schemes; and
- (iv) to authorise the Depute Chief Executive to write to the Scottish Government and Home Office to seek the development of a national strategy and framework, and accompanying clarification regarding the long-term funding in place to support the resettlement of refugees and UASC in Scotland, once the outcome of the consultation response was known.

11. SCRUTINY AND AUDIT COMMITTEE 2019/20 ANNUAL REPORT

With reference to Article 8 of the minute of meeting of Angus Council of 5 September 2019, there was submitted Report No 216/20 by the Chief Executive presenting the Scrutiny and Audit Committee 2019/2020 Annual Report for comment and approval.

The Annual Report had been prepared to inform Angus Council of the work undertaken by the Committee and included an action plan for 2020/21 and an update on the actions identified in last year's Annual Report.

The Report concluded that the Convener of the Scrutiny and Audit Committee was satisfied that the work undertaken by the Committee during 2019/20 provided reasonable assurance that the Council's control environment and governance framework operated effectively and efficiently during 2019/20 and that actions had been put in place to address any weaknesses identified, which the Committee would continue to monitor completion of these actions.

The Council resolved to approve the Scrutiny and Audit Committee 2019/20 Annual Report, attached as Appendix 1 to the Report.

12. COVID-19 – RESPONSE, RECOVERY AND RENEWAL

With reference to Article 11 of the minute of meeting of Angus Council of 12 August 2020, there was submitted Report No 217/20 by the Chief Executive providing members with an overview on Angus Council's response to the COVID-19 pandemic, including its impact, and outlining proposals in terms of recovery and renewal as well as providing a route map for Angus Council in line with 'Scotland's route map through and out of the crisis'.

The Report detailed the successes and challenges as well as opportunities and lessons learned to inform future service delivery and ways of working. The recovery and renewal proposals initiatives would continue to be developed taking on board the impact of COVID, including on the whole way in which we now live and work.

Having heard a number of members welcome this Council's response, and having also heard a number of members particularly in relation to Angus' vulnerable residents, the Council resolved:-

- (i) to note Angus Council's response to the COVID-19 pandemic including its successes, challenges and opportunities to inform future service delivery and ways of working;
- (ii) to approve Angus Council's Route Map, as attached as Appendix 1 to the Report, and;
- (iii) to note the Recovery and Renewal proposals and initiatives.

13. RECOVERY AND RESILIENCE – UPDATE ON EDUCATION RECOVERY

With reference to Article 3 of the minute of special meeting of Angus Council of 16 July 2020, there was submitted Report No 218/20 by the Director of Education and Lifelong Learning providing an update on the financial implications associated with the re-opening of Angus Schools and Early Learning settings, and of the indicative financial implications should schools be required to continue to provide a similar level of resource to meet hygiene and safety guidelines for the entire school year.

Having heard both Councillor Wann and the Director of Education and Lifelong Learning pay tribute to the Head Teachers, teachers, pupils, central team and partner providers, the Council resolved: -

- (i) to note the update on how the revenue from the Connecting Scotland Fund had been utilised to enable digital inclusion for children and young people, as outlined in section 4.2 of the Report;
- (ii) to note the allocation of £1.698m of Scottish Government funding to offset some of the costs of the recruitment of up to 40 additional teachers and 21 additional support staff for one year, as further described in section 4.3 of the Report;
- (iii) to note the updated position on the additional expenditure being incurred to enable the arrangement of school transport for session 2020-21 as outlined in section 4.4 of the Report;
- (iv) to note the re-purposing of Education and Lifelong budgets to meet the initial costs of the provision of personal protective equipment and essential hygiene and safety items in accordance with public health guidance, as outlined in section 4.5 of the Report;
- (v) to note the projected ongoing costs of the enhanced cleaning regime, provision of PPE and other hygiene and safety items to support full-time attendance at

school and the likely allocation of Scottish Government funding to off-set these costs, as outlined in section 4.5 of the Report; and

- (vi) to note the update and indicative cost of the provision of critical childcare until 5 August, as outlined in section 4.6 of the Report.

14. ADDITIONAL DAY OF LEAVE FOR COUNCIL EMPLOYEES

With reference to Article 5 of the minute of meeting of the Special Arrangements Committee of 23 June 2020, there was submitted Report No 219/20 by the Director of HR, Digital Enablement, IT and Business Support providing an implementation plan for an additional day of leave for all council staff in recognition of the response to COVID-19.

The Council resolved to approve the proposed implementation plan for the award of an additional day of leave subject to subsequent approval by Angus Joint Negotiating Committee for Teachers and the Children & Learning Committee in relation to teachers and schools.

15. ANGUS INTEGRATION JOINT BOARD – REVIEW OF INTEGRATION SCHEME

There was submitted Report No 220/20 by the Interim Chief Integration Officer advising the Council of the legal requirement for Angus Council and NHS Tayside to review the Integration Scheme between them, and also updated members on the terms of correspondence received from the Scottish Government confirming that, for the time being, an initial review could be undertaken due to the impact of Coronavirus with a more comprehensive review to follow.

The Report indicated that the Chief Integration Officer, in conjunction with NHS Tayside, had now undertaken an initial review, identifying some areas, topics and issues for further review and sought approval of the areas identified which, along with any other areas identified as part of the consultation, would form part of the further review. The Report also sought approval for a more comprehensive review to be undertaken, including consultation with interested parties, with a view to arriving at recommendations for a successor scheme.

Having heard from the Interim Chief Integration Officer, and a number of members, the Council resolved: -

- (i) to note the requirements imposed by the Public Bodies (Joint Working) (Scotland) Act 2014 on local authorities and Health Boards in relation to the review of integration schemes between them;
- (ii) to note the terms of the correspondence received from the Scottish Government in relation to the duty on local authorities and Health Boards to review their integration schemes confirming that, for the time being, an initial review could be undertaken due to the impact of Coronavirus with a more comprehensive review to follow;
- (iii) to note that the Chief Integration Officer, in conjunction with NHS Tayside, had undertaken an initial review identifying some areas, topics and issues for further review with a timescale for completion and approves the areas identified in the initial review which, along with any other areas identified as part of the consultation, would form part of the further comprehensive review;
- (iv) to authorise the Chief Integration Officer, in conjunction with NHS Tayside, to undertake a more comprehensive review including consultation with interested parties;
- (v) to note that, for the time being, the existing Integration Scheme will remain in place until the more comprehensive review had been undertaken; and
- (vi) to note that further reports in respect of this matter would be submitted to the Council as the review of the Integration Scheme between Angus Council and NHS Tayside progressed.

16. ANGUS DEVELOPMENT PLAN SCHEME 2020

With reference to Article 8 of the minute of meeting of Angus Council of 21 March 2019, there was submitted Report No 221/20 by the Director of Communities setting out, for approval, the

Angus Development Plan Scheme which included the timetable and work programme for the next Local Development Plan for Angus to replace the current Plan adopted on 23 September 2016. The new Local Development Plan (AngusPlan) would be prepared under the new legislative requirements of the Planning (Scotland) Act 2019.

The Angus Development Plan Scheme 2020 set out the indicative timetable and stages for preparing the next Local Development Plan (AngusPlan) in the context of the new legislative framework which would see a new Development Plan adopted in late 2023/early 2024. The Participation Statement, which was included in the Scheme, would normally have set out how, when and with whom engagement opportunities would be developed. As the publication of seconding legislation was awaited, officers were not yet able to develop the fully the participation statement but would work with stakeholders over the coming months to start and develop this.

The Council resolved: -

- (i) to note the update on preparation of the next Local Development Plan, current work programme and revised timetable for preparation under the new legislative requirements of the Planning (Scotland) Act 2019 and the associated delay in replacing the Angus Local Development Plan (2016); and
- (ii) to approve the 2020 Angus Development Plan Scheme and Participation Statement set out in Appendix 1 to the Report for submission to Scottish Ministers and general publication by 30 September 2020.

Having declared an interest at Article 2 above, Councillors Devine and Duff left the meeting during consideration of the following item.

17. ANGUS ALIVE UPDATE

There was submitted Report No 224/20 by the Director of Strategic Policy, Transformation and Public Sector Reform providing an update in relation to ANGUSalive, the Council's Arms-Length External Organisation (ALEO), following the suspension of the delivery of the services specification during the COVID-19 pandemic. It also set out the emerging issues as a result of the pandemic on the ANGUSalive business model and outlined the next steps as the organisation moved through the recovery phases and, in partnership with the Council, progressed to develop proposals for transformational change required to achieve a sustainable future.

The response also aligned with the significant savings which were already committed to be delivered by ANGUSalive over the current 3-year Finance & Change Plan period and COVID-19 had accelerated the requirement to commence that transformational change process.

The Council resolved: -

- (i) to note the background to ANGUSalive and its establishment in December 2015, with the relationship being based on the delivery of a services specification commissioned by the Council;
- (ii) to note that ANGUSalive suspended delivery of the service specification on 18 March 2020, which was required to comply with the national lock-down and subsequently ratified in law through the Coronavirus Act;
- (iii) to note the operating position update, as detailed in section 4 of the Report, and the issues and risks emerging in relation to the ANGUSalive business model as a direct result of the COVID-19 pandemic;
- (iv) to note the emerging recovery plans, as detailed in section 5 of the Report, and that, while it was understood that ANGUSalive would make every effort to align the time-frame for re-opening services with the phases provided for in the guidance emerging from the Scottish Government's 'route map through and out of the crisis', there would inevitably be deviation from this due to the prevailing local circumstances, risks and issues outlined in the report;

- (v) to approve that from lock-down, through the current recovery phases and up to 31 March 2021, the Council would not reduce the Council management fee agreed in Report No 81/20;
- (vi) to note that the details of the necessary interim operational changes to the services specification through the current recovery phases and up to 31 March 2021, informed by the decisions of the ANGUSalve Board, would be subject to any further report to Council along with any proposed permanent changes to the services specification;
- (vii) to approve the proposed changes to the ANGUSalve bACTIVE membership fees as set out in the ANGUSalve Board paper included in **Appendix 1** of the Report;
- (viii) to approve the progression of the 'ANGUSalve Transformation Project', as outlined in section 6 of the Report, which would develop proposals for transformational change required to achieve a sustainable future for ANGUSalve to deliver culture, sport and leisure services, while working in partnership with the Council in its capacity as commissioning body and sole member of the organisation and to request that a project update be provided to each Council meeting up to 31 March 2021;
- (ix) to approve to partially fund a decision by ANGUSalve's Board regarding severance costs up to £364,000 as outlined in Section 7 of the report;
- (x) to approve the support measures set out in Section 8 of the report, including the stated delegation to officers, which were required to allow ANGUSalve to continue operating as a going concern;
- (xi) to note the significant additional support from the Council being provided to assist ANGUSalve during this challenging period; and
- (xii) to note the intention to provide regular reports to Council on ANGUSalve's financial position and the transformation work proposed in the report.

Councillors Devine and Duff were re-admitted to the meeting.

Prior to consideration of the following item, Councillor Davy indicated that he would wish the Council to consider that Item 21 – Lochside Leisure Centre be taken in public.

18. 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 items 19, 20 and 22 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 1973, Paragraph 6.

Having declared an interest at Article 2 above, Councillors Devine and Duff left the meeting during consideration of the following item.

19. ANGUS ALIVE UPDATE

With reference to Article 17 detailed above, there was submitted Appendix and associated EIA and Fairer Scotland Assessment.

The Council resolved to note the position.

Councillors Devine and Duff were re-admitted to the meeting.

Prior to consideration of Councillor Davy's request that item 21 – Lochside Leisure Centre be considered in public, the Director of Legal and Democratic Services indicated that she would wish to provide members with legal advice in private in relation to that request. The Council resolved in terms of Standing Order 28(2), that the public and press be excluded to allow the Director of Legal and Democratic Services to provide them with legal advice 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 1973, Paragraph 12.

The meeting resumed in public at 7.35pm and the Council resolved, in terms of Standing Order 28(2), that the public and press be excluded during consideration of item 21 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 1973, Paragraph 12.

Councillor Moore left the meeting at this stage.

20. MVV ENVIRONMENT BALDOVIE – EXISTING FACILITY OPERATIONAL LIFE EXTENSION PROJECT PROPOSAL

With reference to Article 10 of the minute of meeting of this Council of 7 February 2019, there was submitted Report No 222/20 by the Director of Communities detailing a proposal from contractor MVV Environment Baldovie Ltd (MEB) to extend the operational life of the existing Energy from Waste (EfW) facility at Baldovie in Dundee and to continue to work in partnership with Dundee City Council and Angus Council on this additional project.

Having heard a number of members welcome the project, the Council resolved to approve the recommendations as detailed in the Report.

21. LOCHSIDE LEISURE CENTRE – UPDATE

With reference to Article 15 of the minute of meeting of this Council of 20 June 2019, there was submitted Report No 223/20 by the Director of Legal and Democratic Services advising members of the judgement of the Inner House of the Court of Session in the appeal against the decision of Lady Carmichael in the judicial review relating to the former Lochside Leisure Centre, Forfar, advising on the implications of the decision and to ask if Council wished to seek permission to appeal the decision.

Councillor Lawrie left the meeting at this stage.

Having heard from the Director of Legal and Democratic Services, the Director Finance and a number of members regarding the implications of the decision, the Council resolved: -

- (i) to note recommendations (i)-(iv) as detailed in the Report;
- (ii) to determine not to seek permission to appeal to the Supreme Court and that further reports be brought back to this Council in respect of options for the former Lochside Leisure Centre, an outline of how public consultation would be carried out, and the wider ramifications of the decision; and
- (iii) to note that a Council press statement would be issued detailing the decision reached by Council on this matter.

22. THE DEVELOPMENT AND IMPLEMENTATION OF TAYSIDE MEALS CENTRE (TAY CUISINE)

With reference to Article 12 of the minute of meeting of the Policy and Resources Committee of 8 October 2019, there was submitted Report No 225/20 providing an update on the work to implement the Tayside Meals Centre (Tay Cuisine) which, following delays resulting from the Coronavirus pandemic, would now be operational in January 2021. The Report also detailed the recently clarified workforce implications and the requirement for severance costs to be met to conclude the implementation of Tay Cuisine.

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