

# ANGUS COUNCIL

MINUTE of SPECIAL MEETING of **ANGUS COUNCIL** hosted at Angus House, Orchardbank Business Park, Forfar and held remotely on Monday 19 October 2020 at 2.30 pm.

**Present:** Provost RONNIE PROCTOR MBE, Depute Provost COLIN BROWN BEM, Councillors 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.

Prior to the commencement of the meeting, the Provost thanked everyone for their best wishes which had been conveyed in relation to the health of his wife.

## 1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Julie Bell and Brian Boyd.

At this stage in the meeting, the Provost intimated that a deputation request had been received from Mr Mark Guild in relation to the Procedural Motion and the Notice of Motion.

## 2. DECLARATIONS OF INTEREST

Depute Provost Colin Brown declared an interest in items 3 and 5 due to his involvement in the potential sale of Lochside Leisure Centre, Forfar; and or the potential demolition of same. He indicated that he would leave the meeting during consideration of these matters and also for the consideration of the Deputation Request

*Depute Provost Brown left the meeting at this point.*

## 3. PROCEDURAL MOTION

Councillor Davy, seconded by Councillor Macmillan Douglas, moved as a procedural motion to request that Council suspend in part Standing Order 25 (1) to remove the word "ordinary" from the first line thereof and to suspend in part Standing Order 25 (2) to remove the word "ordinary" from the second line thereof, solely for the purpose of allowing the Notice of Motion at Item 5 to be considered by Council at this Special Meeting of Council on 19 October 2020.

Members voted:

To Suspend:

Provost Ronnie Proctor, Councillors Braes, Cheape, Davy, Devine, Duff, Durno, Fairweather, Fotheringham, Hands, King, Lawrie, Lumgair, Macmillan Douglas, McDonald, McLaren, Moore, Myles, Nicol, Salmond, Speed, Stewart, Sturrock, Wann and Whiteside. (25)

Not to Suspend:

No Votes

The procedural motion was carried

## 4. REQUEST FOR A DEPUTATION

Thereafter, the Council resolved to receive a deputation from Mr Guild in relation to the Notice of Motion at Item 5 below.

Mr Guild outlined his involvement in Lochside Leisure Centre and urged that members agree the Notice of Motion. He outlined the background to his involvement in the campaign to save Lochside Leisure Centre and to save the public £500k in demolition costs and for the public benefit. He also referred to the estimated legal costs incurred by Angus Council in the Court of

Session rather than consult the public. Mr Guild was also critical of the role of some Council officers in this matter.

Members then asked Mr Guild a number of questions, to which Mr Guild responded to.

Thereafter, the Chief Executive clarified a number of statements that had been made by Mr Guild. She referred to the Internal Audit investigation which she had requested into the process and of the evidence that had led to the recommendations in Report No 151/18, which had concluded that whilst there were a number of areas of improvement required in how we record and report certain aspects of our work, based on the evidence available there were no concerns regarding the recommendations from officers to members. She also referred to Lady Carmichael's findings, the Outer House judgement and her email to all elected members of 21<sup>st</sup> September 2020.

## **5. NOTICE OF MOTION**

Councillor Davy, seconded by Councillor Macmillan Douglas, moved that this Council:

- 1) Asks that the Chief Executive bring a report to Council with a proposed remit, timescale, cost, funding and procurement options in terms of an independent external review of all evidence and decisions taken from 2013 to present in determining the decision to demolish Lochside Leisure Centre.
- 2) Believes that where decisions relate to Common Good Buildings, or buildings on Common Good land, that members of the area should be consulted beforehand and their views taken into consideration and asks that this is reflected in Standing Orders.
- 3) Records that the majority of Forfar Councillors (Davy, McLaren, and Brown) did not support the demolition of Lochside Leisure Centre.
- 4) Notes that by not demolishing the building, £454,000 in demolition and other costs have been saved.
- 5) Commits to a full public consultation about the future of Lochside Leisure Centre, involving local members in the design of the consultation.
- 6) Asks that this Council devise a new way of accounting to ensure a fair treatment for both Common Good Fund and General Fund within Council remit.

Having heard from a number of members, the Council resolved to approve the motion.

*Depute Provost Brown returned to the meeting at this point.*

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

The Council resolved, in terms of Standing Order 27(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 1973, Paragraph 6.

## **7. TAY CITIES REGION DEAL**

With reference to Article 6 of the minute of meeting of Angus Council of 21 March 2019 there was submitted Report No 249/20 by the Director of Strategic Policy, Transformation and Public Sector Reform presenting the Tay Cities Region Deal document and asking the Council to approve the Deal and delegate authority to the Chief Executive, or nominee, to sign it; and to note the implementation and governance arrangements.

Having heard from a number of members who commended the officers involved and having heard the Director of Strategic Policy, Transformation and Public Sector Reform respond in

detail to various questions from members, the Council resolved to approve the recommendations, as detailed in the Report.