

ANGUS COUNCIL

MINUTE of MEETING of the **SPECIAL ARRANGEMENTS COMMITTEE** hosted at Angus House, Orchardbank Business Park, Forfar on Tuesday 26 May 2020 at 2.00 pm.

Present: Councillors DAVID FAIRWEATHER, LYNNE DEVINE, BILL DUFF, ANGUS MACMILLAN DOUGLAS OBE, RICHARD MOORE, MARK SALMOND and DEREK WANN.

Councillor FAIRWEATHER, Convener, in the Chair.

1. APOLOGIES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

Councillor Duff declared a non-financial interest in Item 8 (Report No 143/20) in that he was a Council appointed Director of ANGUSalive. He indicated that he would participate in any discussion and voting on this item. He also advised that he was to have declared an interest in Item 15 (Report 151/20) but noted that the applicant had requested a deferral of the matter.

Councillors Fairweather, Moore and Wann declared an interest in Report No 150/20, as following an invitation, they had visited the Men's Shed but had provided no advice to them. They indicated that they would participate in any discussion and voting on the item.

Councillor Devine declared a non-financial interest in Item 8 (Report No 143/20) in that she was a Council-appointed Director of ANGUSalive. She indicated that she had a general dispensation which allowed her to participate in any discussion and voting on this item.

At this point in the meeting, Mr Sinclair, Mr Charleton and Mr Schroeder were admitted to the meeting by the ICT host.

3. REQUEST FOR A DEPUTATION

The Council resolved to receive a deputation from Mr George Sinclair on behalf of the Arbroath Men's Shed in relation to a Community Asset transfer application (CAT) (Report 150/20) which was to be considered by the Committee.

The Committee heard from Mr Steve Charleton, Treasurer who advised that they wished to offer a rent of £500 per year for the premises.

Mr Sinclair then addressed the Committee and spoke on the good work of the Arbroath Men's Shed and how vital this facility was for the health and wellbeing of its members.

Following questions from Councillor Wann, Mr Sinclair thanked the Committee for hearing the deputation.

4. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 28 April 2020 was submitted and approved as a correct record and signed by the Convener.

In accordance with the provisions of Standing Order 11(1) the Committee resolved that the order of business proceed in the following order.

5. CAT DECISION - ARBROATH MEN'S SHED, UNITS 14, 16/17 ARBROATH BUSINESS CENTRE, DENS ROAD, ARBROATH

There was submitted Report No 150/20 which sought the Committee's views on a Community Asset Transfer (CAT) application for units 14, 16/17 Arbroath Business Centre, Dens Road, Arbroath which had been submitted on behalf of the Arbroath Men's Shed.

Discussion took place and a number of suggestions on the length of the lease and rental costs were put forward from members. The Committee also heard from Mr Cochrane, Director of Infrastructure and Mr Lorimer, Director of Finance.

The Committee agreed: -

- (i) to note the background to Community Asset Transfer (CAT) and the Council's policy and method of assessing applications as set out in Report No105/18;
- (ii) to note the summary information on the CAT application and the outcome of the assessment process contained in Appendix 1 to the Report;
- (iii) to note the summary information on the alternative use of the asset and the outcome of the assessment process as contained in Appendix 2 to the Report;
- (iv) to note the other factors relevant to the CAT application including the financial implications and risks outlined in the report;
- (v) to note the views, recommendations and suggested options from the Community Asset Transfer Officer Group (CATG) as outlined in Section 7 of the report regarding the CAT application;
- (vi) that the application be approved for a maximum period of 25 years with both parties having the right to terminate the lease on giving 12 months written notice and for a reduced rental of £1,000 p.a; and
- (vii) that the necessary formal legal agreement be concluded before the transfer formally takes place and that terms and conditions are in line with the Council's agreed policy.

At this point in the meeting, the deputation left the meeting.

6. INTERIM TIMETABLE OF MEETINGS

With reference to Article 3 of the minute of the special meeting of Angus Council of 3 April 2020, there was submitted Report No 141/20 by the Director of Legal and Democratic Services which set out proposals to extend the current interim arrangements for Council committee meetings in light of the COVID-19 pandemic.

Following a number of questions from members, the Committee agreed: -

- (i) that the timetable of Council and Committee meetings from 2 June 2020 up to 30 June 2020 be cancelled;
- (ii) to note the dates of the scheduled meetings of this Committee and the Scrutiny and Audit Committee in June; and
- (ii) to note that a meeting of this Committee may require to be called over the "summer recess".

7. REVIEW OF GOVERNANCE ARRANGEMENTS

There was submitted Report No 142/20 by the Director of Legal and Democratic Services which detailed proposals to establish a short-life Member/Officer Group to review the current governance arrangements in relation to the Council's Standing Orders, the Order of Reference of Committees and the Scheme of Delegation to Officers.

The Committee agreed to establish a short-life Member/Officer Group and at this point in the meeting Councillor Devine advised that the SNP party wished to nominate Councillors Hands and King and proposed that the independent member be Councillor Boyd.

Councillor Fairweather advised that the Administration Group wished to nominate Councillors McLaren, Salmond and Sturrock and proposed that the independent member be Councillor Moore.

THEREAFTER, COUNCILLOR FAIRWEATHER, SECONDED BY COUNCILLOR MACMILLIAN DOUGLAS, MOVED THAT COUNCILLOR MOORE BE APPOINTED TO THE MEMBER/OFFICER GROUP.

Councillor Devine, seconded by Councillor Duff moved as an amendment, that Councillor Boyd be appointed to the Member/Officer Group.

On a vote being taken, the members voted: -

For Councillor Moore (motion): -

Councillors Fairweather, MacMillan Douglas, Salmond and Wann (4).

For Councillor Boyd (amendment): -

No Votes

(No vote from Councillors Devine, Duff and Moore for either the motion or amendment.)

The motion was declared carried and Councillor Moore was appointed to the Member/Officer Group.

COUNCILLOR FAIRWEATHER, SECONDED BY COUNCILLOR WANN, MOVED THAT COUNCILLOR MOORE BE APPOINTED AS THE CHAIR OF THE MEMBER/OFFICER GROUP.

Councillor Duff, seconded by Councillor Devine, moved as an amendment, that Councillor King be appointed as the Chair of the Member/Officer Group.

On a vote being taken, the members voted: -

For Councillor Moore (motion): -

Councillors Fairweather, MacMillan Douglas, Salmond and Wann (4).

For Councillor King (amendment): -

Councillors Devine and Duff (2).

No Vote: -

Councillor Moore.

The motion was declared carried and Councillor Moore was appointed as the Chair of the Member/Officer Group.

In accordance with the provisions of Standing Order 16(11)(1) Councillor Devine requested that her dissent be recorded from the foregoing decision.

The Committee also agreed: -

- (i) to delegate authority to the Director of Legal and Democratic Services to identify the most appropriate officers who would support the work of the Member/Officer Group; and
- (ii) to note that the outcome of the review would be reported to full Council for consideration.

8. COVID-19 – UPDATE ON IMPLICATIONS FOR COUNCIL PLANS AND BUDGETS

There was submitted joint Report No 143/20 by the Chief Executive and the Director of Finance advising the Committee of initial work carried out by officers to assess the implications for the Council's plans and budgets and those of key partners arising from COVID-19 and the Council's response to this emergency.

The Committee noted that this report was provided at this point in time to inform and reassure Councillors that work was ongoing to manage the Council's priorities and finances through these very challenging times while acknowledging that COVID-19 had and would continue to have a significant impact on the Council and its services.

Following some discussion, the Committee agreed: -

- (i) to note the initial nature and estimated scale of disruption arising from the early assessment outlined in the report;
- (ii) to note that COVID-19 was expected to have consequences for the Council's services and finances over an extended period;
- (iii) to note the contents of the report;
- (iv) to note that based on this early assessment work potentially significant revisions to the Council's Plans and budgets would be required; and
- (v) to note the intention to bring further reports with proposed changes to Plans and budgets as set out in paragraph 4.3 of the Report.

9. SUPPORT ARRANGEMENTS FOR KEY SUPPLIERS

With reference to Article 6 of the minute of the special meeting of Angus Council of 3 April 2020, there was submitted Report No 144/20 by the Director of Finance advising the Committee of the support arrangements put in place for key suppliers and service providers as part of the Council's COVID-19 response. The report explained the reasons for doing so and how the Council was seeking to manage risk with these arrangements at a very challenging time for all concerned.

Discussion took place on the contents of the report and Councillor Devine expressed concern at the lack of transparency and their involvement with the Economic Recovery Group. It was noted that this group was not an official body of the Council and had been set up by the Administration members to look at various issues.

The Committee agreed: -

- (i) to note the content of the report for its information and interest;
- (ii) to note the risks and the approach to management of those risks as outlined in Section 7 of the Report; and
- (iii) to note the intention to keep the Council's key supplier support arrangements under regular review and to bring any significant issues or amendments to members for consideration, if required.

10. MONIFIETH RESOURCE CENTRE GROUP – UPDATE AND FUNDING CONSIDERATIONS

With reference to Article 3 of the minute of the special meeting of Angus Council of 27 February 2020 and to Appendix 2 of Report No 88/20, there was submitted Report No 145/20 by the Director of Finance advising the Committee of the latest position on the provision of a community facility in Monifieth being pursued by Monifieth Community Resource Group and seeking agreement to the Council's funding contribution, subject to conditions, and the release of part of the funding to cover development costs.

The Director of Finance addressed the Committee and advised that in regard to the rent, the Council was under an obligation to achieve best value but could agree to rent or sell an asset at less than the best price if it met the following two tests: -

- (i) that the Council has carried out an appraisal to consider the financial implications, benefits and disbenefits of the disposal; and
- (ii) that the disposal was reasonable and likely to contribute to the promotion or improvement of economic development or regeneration; health; social well-being or environmental well-being.

He advised that regarding the MCRG project, an assessment had been made and he was satisfied that the test had been met and that it would be competent for members to agree a peppercorn rent if they wished to do so.

Following discussion, the Committee agreed: -

- (i) to note the latest update on the project as set out in the report, including the estimated costs and funding package;
- (ii) to confirm that the Council would, subject to fulfilment of the conditions set out in paragraph 4.5 of the report, provide funding support of £692,000 towards the project (which included S75 developer contribution monies earmarked for this purpose);
- (iii) that up to £60,000 from the £692,000 total funding be advanced now to cover the actual design costs already incurred on the project to reach the stage of being ready to procure the project;
- (iv) to the request for a peppercorn rental to apply to the lease of the land the community facility would sit on; and
- (v) that a further Report by the Director of infrastructure be brought outlining current peppercorn rents, what benefit they bring for the community and Council and review options as to policy on such rents all for future considerations.

11. SUPPLUS PROPERTY – LAND AT MARINE AVENUE, MONTROSE

There was submitted Report No 146/20 by the Director of Infrastructure seeking approval to declare land at Marine Avenue, Montrose surplus to the requirements of Angus Council and Montrose Common Good and to take forward the sale of the land to Hillcrest Housing Association on terms to be approved by the Director of Infrastructure.

The Committee agreed: -

- (i) to undertaking an eight-week Common Good Consultation on the sale of the triangular parcel of land at Marine Avenue, Montrose, as shown on the plan in Appendix 1 to the Report;
- (ii) that subject to the results of the consultation, the land be declared surplus to Angus Council and Montrose Common Good and be sold to Hillcrest Housing Association; and
- (iii) that subject to agreement by Hillcrest Housing Association on the purchase price and meeting the associated costs, seek a court decision to confirm that the Common Good land be sold.

12. U329 WOODSIDE ROAD, LIFF – AMENDMENTS TO EXISTING SPEED LIMITS

With reference to Article 15 of the minute of meeting of the Communities Committee of 21 January 2014, there was submitted Report No 147/20 by the Director of Infrastructure informing members of concerns raised over speeding on the U329 Woodside Road, Liff, and a request to reduce the existing speed limits and detail the findings of the engineering investigations carried out.

Having heard Councillor Duff, who sought clarification on the safety of the junction to the school, the Committee agreed: -

- (i) to note the concerns of the local residents;
- (ii) to note the findings of the engineering investigations carried out to assess the concerns; and
- (iii) to the implementation of the amendments to the existing speed limits on the U329, Woodside Road, Liff, as detailed within the Report and shown in Appendix 1 to the Report.

13. CASTLE STREET & WEST HIGH STREET, FORFAR: ON-STREET PARKING

There was submitted Report No 148/20 by the Director of Infrastructure informing members of requests received to amend the existing on-street parking facilities on Castle Street and West High Street, Forfar and seeking authority to undertake formal consultation on the proposals.

The Committee agreed: -

- (i) to note the request received from a local ward member to investigate the feasibility of increasing the on-street parking facilities on Castle Street, Forfar;
- (ii) to note the request received from a local resident for the provision of an on-street disabled parking bay in the vicinity of the ACCESS Office/library;
- (iii) to note the request received from local businesses for the provision of loading bays on Castle Street;
- (iv) that the Director of Infrastructure undertake public consultation on the proposals to amend the existing on-street parking facilities on Castle Street and West High Street, Forfar; and
- (v) to note that a further report would be brought forward to the relevant Committee following completion of the proposed consultation.

14. LIGHTING PARTNERSHIP

With reference to Article 10 of the minute of meeting of the Communities Committee of 3 March 2015, there was submitted Report No 149/20 by the Director of Infrastructure seeking approval to extend the existing Street Lighting Partnership with Tayside Contracts through a joint Partnership Agreement for the shared service delivery of street lighting with Dundee City Council and Perth & Kinross Council. The agreement would run for the period to 31 March 2023. Reports were approved by Perth & Kinross Council on 22 January 2020 and Dundee City Council on 27 January 2020 seeking to work to the same Partnership Agreement.

The Committee agreed: -

- (i) to approve the new Street Lighting Partnership with Tayside Contracts, Dundee City Council and Perth & Kinross Council through a 3-year Partnering Agreement to 31 March 2023; and
- (ii) to authorise the Director of Infrastructure, in consultation with the Director of Legal and Democratic Services to sign the partnership agreement for the 3-year period to 31 March 2023, on the basis described in Appendix 1 to the Report.

15. CAT DECISION – SKILZ ACADEMY, ASTROTURF PITCH AND GROUND, ARBROATH SPORTS CENTRE, KEPTIE ROAD, ARBROATH

There was submitted joint Report No 151/20 by the Director of Legal and Democratic Services and the Director of Finance regarding an application for a Community Asset Transfer.

It was noted that the applicant had requested that consideration of the application be deferred.

The Committee agreed to defer consideration of the application.

16. EXCLUSION OF PUBLIC AND PRESS

The Committee agreed that the public and press be excluded during consideration of item 17 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, paragraphs 6, 8 & 9

Thereafter, the Committee agreed to a five minute adjournment.

The meeting resumed at 3.55pm in private.

17. PROCUREMENT AUTHORITY REPORT – MENTAL HEALTH PEER WORKERS IN GENERAL PRACTICES

There was submitted joint Report No 152/20 by the Interim Chief Officer, Angus Health and Social Care Partnership and the Director of Finance seeking approval to procure contracts for 3 years with the option to extend for a further 12 months, for the Provision of Mental Health and Wellbeing Peer workers Within General Practices, in line with the Angus Health and Social Care Partnership (AHSCP)'s Strategic Commissioning Plan.

The Committee agreed to authorise the Interim Chief Officer to procure contracts on behalf of the AHSCP for the Provision of Mental Health and Wellbeing Peer Workers Within General Practices for the period 1 July 2020 to 30 June 2023 as set out in Section 5 of the report.