

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** hosted at Angus House, Orchardbank Business Park, Forfar and held remotely on Thursday 11 February 2021 at 2.00 pm.

Present: Depute Provost CRAIG FOTHERINGHAM, Councillors JULIE BELL, BRIAN BOYD, KENNY BRAES, COLIN BROWN BEM, DAVID CHEAPE, BRADEN DAVY, LYNNE DEVINE, BILL DUFF, BRENDA DURNO, 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.

Depute Provost FOTHERINGHAM, in the Chair.

1. APOLOGIES

An apology for absence was intimated on behalf of Provost Ronnie Proctor MBE. Councillor David Fairweather had intimated that he was attending a funeral but did hope to be able to attend the later part of the meeting.

2. DECLARATIONS OF INTEREST

Councillors Devine and Duff each declared an interest in item 11 as Council appointed directors of ANGUSAlive. Each indicated that they had a specific exclusion in terms of the Code of Conduct and that they would therefore participate in any discussion and voting on that item.

3. MINUTES OF COUNCIL AND COMMITTEES

(i) Minutes of Council Meetings

(a) (Special) Angus Council

The minute of meeting of Angus Council of 15 December 2020 was submitted and approved as a correct record.

(b) Angus Council

The minute of Special meeting of Angus Council of 17 December 2020 was submitted and approved as a correct record.

(ii) Minutes of Committees

(c) Development Standards Committee

The minute of meeting of the Development Standards Committee of 15 December 2020 was submitted and noted.

(d) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 16 December 2020 was submitted and noted.

(e) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 14 January 2021 was submitted and noted.

(f) Communities Committee

The minute of meeting of the Communities Committee of 19 January 2021 was submitted and noted.

(g) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 26 January 2021 was submitted and noted.

4. APPOINTMENTS

(i) Tayside Contracts Joint Committee

The Council noted that Councillor Macmillan Douglas had resigned as a member of Tayside Contracts Joint Committee.

The Council resolved to appoint Councillor Tommy Stewart to fill the vacancy.

(ii) AngusAlive

The Council noted that Councillor Colin Brown had resigned as a Director of AngusAlive.

The Council resolved to appoint Councillor Derek Wann to fill the vacancy.

Thereafter, Councillor Wann declared an interest in item 11 as he had just been Council appointed a director of ANGUSAlive. He indicated that he had a specific exclusion in terms of the Code of Conduct and that he would therefore participate in any discussion and voting on that item.

5. ANGUS ADULT PROTECTION COMMITTEE BIENNIAL REPORT 2018- 2020

With reference to Article 4 of the minute of the Scrutiny and Audit Committee of 26 January 2021, there was submitted Report No 9/21 by the Chief Executive and Chair of Angus Chief Officer's Group presenting the Angus Adult Protection Committee Biennial Report for 2018 to 2020, which had been approved by the Angus Adult Protection Committee and the Angus Chief Officer's Group.

The Report indicated that it had been a busy period for the Angus Adult Protection Committee with a number of priority areas identified for development over the next two years, as detailed within the Strategic Plan for 2020-2023. The plan had identified areas for future development as well as monitoring and oversight of ongoing work. The plan would also be regularly updated to include any new national or local priorities that had been identified and would also be updated to include actions related to the recent adult protection inspections. The new plan remained flexible to take into account any impact from the Covid-19 pandemic.

The Council resolved to approve the contents of the Angus Adult Protection Committee (AAPC) Biennial Report 2018 to 2020.

6. SUPPORT TO VULNERABLE PERSONS IN CONNECTION WITH CRIMINAL INVESTIGATIONS/PROCEEDINGS

There was submitted Report No 31/21 by the Director of Legal and Democratic Services, advising the Council of the legal duties on it in respect of providing support to vulnerable persons in connection with criminal investigations/proceedings and seeking authority to delegate the discharge of these functions to an officer of the Council

The Report indicated that due to changes in legislation in 2019, Police Scotland could no longer provide lead agency status for this service. It had been agreed in June 2020 by the Health and Social Care Partnership leads to jointly commission and procure one Tayside-wide service. Perth and Kinross agreed to progress this on behalf of the partners. There has been delays in progressing this due to other commissioning priorities but discussions had recommenced to move this forward as a matter of urgency.

Given the above and the statutory duties incumbent upon the Council in terms of the Act and the Regulations, it was submitted that it was necessary to delegate authority to an officer to discharge the functions of the Council in terms of the Act and the Regulations. It was considered that the most appropriate officer to be delegated this authority is the Chief Integration Officer.

Having heard from the Director of Legal and Democratic Services, the Council resolved:

- (i) to note the legal duties on it in respect of providing support to vulnerable persons in connection with criminal investigations/proceedings; and
- (ii) to delegate authority to the Chief Integration Officer and the Interim Chief Integration Officer to discharge the functions of the Council in terms of the Criminal Justice (Scotland) Act 2016 and the Criminal Justice (Scotland) Act 2016 (Support for Vulnerable Persons) Regulations 2019.

7. RECOMMENDATION TO PASS BYELAWS: THE ANGUS COUNCIL PROHIBITION OF CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC PLACES BYELAWS 2021

With reference to Article 6 of the minute of meeting of the Angus Licensing Board of 26 November 2020, there was submitted Report No 32/21 by the Director of Legal and Democratic Services advising that a review had been carried out of the Angus Council Prohibition of Consumption of Alcohol in Designated Public Places Byelaws 2011.

Angus Licensing Boards had determined to recommend to Angus Council that the draft Byelaws for 2021 be approved.

The Council resolved:

- (i) to note Article 6 of the minute of the Angus Licensing Board meeting which took place on 26 November 2020, contained within Appendix 1 to the Report; and
- (ii) to approve the draft byelaws contained within Appendix 2 to the Report and determine that these should be sent to the Scottish Government for final approval prior to being signed and coming into effect.

8. TIMETABLE OF MEETINGS 2021/22

The Council resolved to note that Report No 33/21 by the Director of Legal and Democratic Services was being withdrawn and that a revised Report would be submitted to the next meeting of Angus Council which would take into account the May 2022 Local Government elections.

9. REVIEW OF REMOTE MEETINGS ARRANGEMENTS

With reference to Article 10 of the minute of the Special Arrangements Committee of 23 June 2020 there was submitted Report No 34/21 by the Director of Legal and Democratic Services advising members of the outcome of a review of remote meetings arrangements and recommending that remote meetings continue.

Since that original decision was taken significant steps have been taken to embed the remote meetings as part of the political decision-making processes of the Council and it now works well. As the Council's technology and know-how had developed, all public sessions of council and committee meetings were live streamed, with any exempt items being considered by members in private using Microsoft Teams. This had ensured that the public had access to Council meetings both in real time and as recordings, providing a greater awareness of the decision-making process. This was very much a positive step both in terms of the Council's Digital Strategy and wider public engagement.

Work was being carried out by officers with IT to move away from the Zoom platform and a full roll out of Microsoft Teams which will then be the sole platform to be used for all meetings. It is proposed that recordings of meetings would be available only until the final minute of the meeting is agreed and published. Thereafter, recordings will be removed from YouTube and deleted from our records. This would ensure compliance with the data protection principle that information, including recordings, should not be kept for any longer than is necessary.

Having heard from a number of members who questioned the rationale for moving away from a digital meetings platform that members were familiar with and also the proposal that recordings of meetings would not be available online after the minute of that meeting had been approved as a correct record, the Council resolved to defer consideration of the Report and

that officers Report back to the next ordinary meeting of Angus Council in relation to GDPR retention periods for the recorded meetings and further information regarding the rollout of Teams as the default platform for all Council meetings.

10. TOWN CENTRE FUND – PROGRESS UPDATE

There was submitted Report No 35/21 by the Director of Finance advising members of the latest progress on delivering the projects funded through the Town Centre Fund, including identifying a small number of reserve project options in some of the burghs as a safeguard to ensure these ring-fenced funds are utilised in full.

The Report indicated that the Council's original funding allocation for Town Centre Fund (£1.080m) and the recent additional funding (£387,000) both had to be legally committed by 31 March 2021 and fully spent by 30 September 2021. These timescales remained very challenging especially with the recent further tightening of restrictions due to COVID-19.

Attached as Appendix A to the Report was a summary update of the current status of all projects which had been previously approved by Committee/Full Council or approved under delegated authority following consultation with local members. Appendix A provided the most up to date list of projects in all burghs along with comments on delivery progress. The Council was asked to note the latest position per Appendix A.

While the current expectation was that all planned projects as set out in Appendix A would be delivered within the required timescales there remained a risk with a small number of these which could mean they might not be delivered as planned. Some of these projects were being managed by others so were not within the Council's direct control. Officers had therefore identified a small number of potential reserve project options, mainly utilising the skills and expertise of the Parks Service, which could be implemented at short notice to deliver alternative projects should this become necessary to avoid any of the Council's Town Centre Fund allocation having to be returned to the Scottish Government. These reserve project options would still meet the Fund criteria and would in line with existing delegations to officers involve consultation with local members before being implemented. Some reserve projects were intended to use uncommitted Town Centre Fund monies.

Having heard from a number of members, and having noted that a further meeting would take place with Arbroath members in relation to the West Links Crazy Golf proposal, the Council resolved:

- (a) to note the latest update on Town Centre Fund projects as set out in the Report and in Appendix A to the Report;
- (b) to note that in some burghs a small number of reserve project options had been identified by officers which could be implemented should any planned projects be unable to use the funding allocated within the required timescales or where not all funding had been committed to date;
- (c) to note that conclusion of the Town Centre Fund programme could be completed using the existing delegation and flexibility arrangements already approved by members as set out in Section 4 of the Report; and
- (d) to note that a final update on all projects being delivered using the Town Centre Fund would be brought to the Committee later in 2021 once all monies had been expended by the 30 September 2021 deadline.

11. ANGUS ALIVE UPDATE

With reference to Article 15 of the minute of meeting of Angus Council of 18 December 2020, there was submitted Report No 36/21 by the Director of Strategic Policy, Transformation and Public Sector Reform providing an update in relation to ANGUSalive, including the latest impact of COVID-19 on the temporary operating plans and the ongoing development of the transformation project previously agreed by the Council.

Having heard from both the Director of Strategic Policy, Transformation and Public Sector Reform and the Chief Executive, ANGUSAlive, the Council resolved:

- (i) to note the recent impact of COVID-19 on ANGUSalve which had resulted in their main operations being suspended to comply with Level 4 legislation of the Scottish Government Protection Levels Framework on 26 December 2020 and the new lockdown announced from 5 January 2021 for a four week period, subject to review;
- (ii) to agree the interim changes to the Services Specification which would form the content of a formal change notice between the Council and ANGUSalve which would reflect the current temporary operating position;
- (iii) to note the current 'going-concern' update reflecting ANGUSalve's latest financial position;
- (iv) to note that ANGUSalve had continued to make successful applications for external grant funding, including government support schemes, to contribute to the charity's short term business viability, amounting to £2,023,412.35 (up to 31 December 2020), with details included in Appendix 1 of the Report;
- (v) to note the progress with the ongoing development of the transformation project, including the key actions emerging from the Rapid Improvement Events involving ANGUSalve, a range of Council services and key partners;
- (vi) to agree the approach to developing ANGUSalve's Business Plan; and
- (vii) to agree the updated timetable and approach for the transformation project, reflecting the impact of the emerging circumstances surrounding the COVID-19 pandemic.