

## ANGUS COUNCIL

MINUTE of SPECIAL MEETING of **ANGUS COUNCIL** held remotely on Thursday 4 March 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, DAVID FAIRWEATHER, 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.

Prior to the commencement of the business, Councillor Fairweather, as Leader of the Council, took the opportunity to reflect on the past year and to outline to colleagues and the public the pride which he had in the work that the Council had done to continue to deliver services and to support the communities that Angus Council served, the effect of which could not be underestimated. Staff had shown resilience and adaptability, responding to the challenges as required, and on behalf of the Council, Councillor Fairweather thanked all members of staff for all they had done.

### 1. **APOLOGIES**

An apology for absence was intimated on behalf of Provost Ronnie Proctor MBE.

### 2. **DECLARATIONS OF INTEREST**

Councillors Wann, Devine and Duff each declared an interest in item 5(f) 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.

Councillors Myles, Bell and Speed each declared an interest in items 5(d) and 5(e) as members of the Angus Health and Social Care Integration Joint Board. 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 the items.

Councillor Bell also declared an interest in item 5 as a Board member of Voluntary Action Angus. She indicated that she would take part in any discussion and voting on this item.

*Prior to consideration of Item 3, the Directors of Communities, Infrastructure and Legal and Democratic provided clarification and identified corrections with regard to the figures contained in Report Nos 62/21, 63/21 and 64/21.*

### 3. **REVENUE AND CAPITAL BUDGET 2021/22 AND BEYOND AND SETTING OF THE 2021/22 COUNCIL TAX AND RELATED ISSUES**

At this point in the meeting, the Committee Officer reported on the discussions that had taken place at the meeting of the Central Consultative Committee held earlier in the day.

This was noted.

The Director of Education and Lifelong Learning then advised members that at a Special meeting of the Children and Learning Committee held earlier that day had considered Report No 79/21 summarising the progress of the implementation of efficiencies to the school staffing budget and detailing an amendment to savings as currently detailed in the change programme. The recommendations of the Report had been agreed.

The Council resolved to note the position.

Thereafter, there was submitted the following:-

- (i) Report No 61/21 by the Chief Executive being the Council Plan, Finance & Change Plan and Workforce Plan setting out the Council's strategic direction, vision, refreshed priorities and planned actions;
- (ii) Report No 62/21 by the Director of Communities being a review of charges within the Communities Service and setting out proposals for the charges to be levied by service areas for the financial year 2021/22;
- (iii) Report No 63/21 by the Director of Infrastructure being a review of charges within the Infrastructure Service and setting out proposals for the charges to be levied by service areas for the financial year 2021/22;
- (iv) Report No 64/21 by the Director of Legal and Democratic Services being a review of charges within Legal and Democratic Services and setting out proposals for the charges to be levied by the service for the financial year 2021/22;
- (v) Report No 65/21 by the Interim Chief Officer, Angus Integration Joint Board setting out proposals to revise Support and Care and Residential fees for services provided by Angus Health and Social Care Partnership through Angus Council with effect from April 2021;
- (vi) Report No 66/21 by the Director of Finance summarising the proposed revenue budget being devolved to the Angus Health and Social Care Integration Joint Board for 2021/22 which had responsibility for the delivery of Adult Care Services;
- (vii) Joint Report No 67/21 by the Director of Finance and the Director of Strategic Policy, Transformation and Public Sector Reform being a review of charges for services delivered by ANGUSalve and summarising the proposed 2021/22 budget settlement between Angus Council and ANGUSalve;
- (viii) Report No 68/21 by the Director of Finance apprising members of the provisional revenue budget submissions of each Council service and the budget savings considered necessary to allow the Council to deliver a sustainable revenue budget within the resources expected to be available and setting out the provisional capital budget submissions for those services with capital expenditure;
- (ix) Report No 69/21 by the Chief Executive and the Director of Finance presenting the equality impact assessment and fairer Scotland duty assessments which had been undertaken while considering the various changes required to support the Council setting a balanced budget for the financial year 2021/22;
- (x) Report No 70/21 by the Director of Finance being the provisional revenue budget for 2021/22 (including budget issues for 2021/22);
- (xi) Report No 71/21 by the Director of Finance being the 2020/2025 Capital Plan and provisional capital budget for 2021/22;
- (xii) Report No 72/21 by the Director of Finance advising members of the potential budget implications arising from the COVID-19 pandemic and recommending an approach to dealing with those for 2021/22 budgeting setting process;
- (xiii) Report No 73/21 by the Director of Finance being the Capital Strategy for the financial year 2021/22;
- (xiv) Report No 74/21 by the Director of Finance setting out an updated Medium Term Budget Strategy for Angus Council's General Fund Services;
- (xv) Report No 75/21 by the Director of Finance setting out the further steps that required to be taken with regard to the setting of the Council Tax charge for Angus Council in respect of the financial year 2021/22;

- (xvi) Report No 76/21 by the Director of Finance summarising the outcome from an assessment of the long-term affordability of the Council's 2020/2025 Capital Plan carried out as part of the Council's longer term financial management strategy; and
- (xvii) Report No 77/21 by the Director of Finance advising members of the prudential indicators which the Council was required to consider and approve as part of the Budgets setting process.

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

- (1) notes the views of the Trade Union representatives on the Central Consultative Committee arising from their meeting earlier today;
- (2) notes the views of the Special Children & Learning Committee arising from their meeting earlier today;
- (3) notes the corrections and clarifications to Report Nos 62/21, 63/21 and 64/21 as verbally intimated at this meeting;
- (4) notes the latest 2020/21 Revenue and Capital monitoring position as reported to the Policy & Resources Committee on 2 February 2021 as set out in Reports 16/21 and 17/21;
- (5) approves the Council Plan, Finance and Change Plan and Workforce Plan as set out in Report 61/21 as submitted by the Chief Executive;
- (6) approves the recommendations as set out in Report 62/21 as submitted by the Director of Communities relating to the 2021/22 review of charges for the Communities Service, subject to the corrections and clarifications as verbally intimated at this meeting;
- (7) approves the recommendations as set out in Report 63/21 as submitted by the Director of Infrastructure relating to the 2021/22 review of charges for the Infrastructure Service, subject to the corrections and clarifications as verbally intimated at this meeting;
- (8) approves the recommendations as set out in Report 64/21 as submitted by the Director of Legal & Democratic Services relating to the 2021/22 review of charges for Legal and Democratic Services, subject to the corrections and clarifications as verbally intimated at this meeting;
- (9) approves the recommendations as set out in Report 65/21 as submitted by the Interim Chief Officer, Angus Health & Social Care Partnership relating to the review of Angus Council charges for Support and Care Services and Residential Fees 2021/22;
- (10) approves the recommendations as set out in Report 66/21 as submitted by the Director of Finance relating to the devolved budget to Angus Health and Social Care Partnership/Integration Joint Board for 2021/22;
- (11) approves the recommendations as set out in Report 67/21 as submitted by the Director of Finance and the Director of Strategic Policy, Transformation and Public Sector Reform relating to the Anguslive budget settlement 2021/22;
- (12) approves the recommendations as set out in Report 68/21 as submitted by the Director of Finance relating to the Provisional Revenue and Capital budgets 2021/22 background report;
- (13) notes Report 69/21 as submitted by the Director of Finance relating to the Equality Impact Assessment and Fairer Scotland Duty Assessment that have been prepared as part of the 2021/22 Revenue and Capital budgets;
- (14) notes the total net revenue expenditure for 2021/22 of £288.552 million as set out in Report 70/21, the provisional revenue budget volume;
- (15) notes the total net capital expenditure for 2021/22 of £26.321 million as set out in Report 71/21, the provisional capital budget volume;

- (16) approves the recommendations as set out in Report 70/21 as submitted by the Director of Finance relating to the provisional revenue budget volume 2021/22;
- (17) approves the recommendations as set out in Report 71/21 as submitted by the Director of Finance relating to the provisional capital budget volume 2021/22;
- (18) approves the recommendations as set out in Report 72/21 as submitted by the Director of Finance relating to the Covid-19 budget implications and potential use of Scottish Government fiscal flexibilities;
- (19) approves the recommendations as set out in Report 73/21 as submitted by the Director of Finance relating to the provisional capital strategy 2021/22;
- (20) approves the recommendations as set out in Report 74/21 as submitted by the Director of Finance relating to the medium term budget strategy 2022/23 to 2023/24 & development of longer term financial strategy;
- (21) notes the proposed 1.75% level for Council Tax non-collection in 2021/22. this would result in a band d equivalent tax base of 47,103 as set out in **Statement 1**;
- (22) approves the recommendations of Report 75/21 as submitted by the Director of Finance relating to Revenue & Capital budgets 2021/22 - Setting of the Council Tax;
- (23) approves the drawdown of £0.175 million from the General Fund Corporate Contingency earmarked in the council's reserves for investment proposals as set out in **Statement 2**, noting that this reduced the corporate contingency from £4.880 million to £4.705 million;
- (24) approves the drawdown of £1.000 million from council reserves for investment proposals as set out in **Statement 2** noting that this would be funded from uncommitted general fund reserves (£0.909 million) and the car parking reserve (£0.091 million);
- (25) approves the drawdown of £0.981 million from council reserves for one off budget issues as set out in **Statement 2**;
- (26) approves the drawdown of a further £3.001 million from council reserves which is required to deliver a balanced budget in 2021/22 as set out in **Statement 2**;
- (27) approves the Council Tax calculation statement, which encompasses all of the appropriate elements of this motion as set out in **Statement 2**;
- (28) agrees that the Angus Council Band D Council Tax charge for 2021/22 be as follows:-
 

**Council Tax (Band D) - £1,206.54 (as set out in Statement 2)**
- (29) notes the impact of the Zero% increase in Council Tax for 2021/22, as set out in **Statement 3**;
- (30) notes the impact on the level of earmarked reserves of the proposals detailed in this motion, as detailed in **Statement 4**;
- (31) agrees that the additional commitments of £1.000 million for the proposed reserve strategy for financial year 2022/23 remains committed against the projected uncommitted general fund balance at 1 April 2022 as shown in **Statement 4**;
- (32) approves the recommendations of Report 76/21 regarding the long term affordability of the General Fund Capital Plan; and
- (33) approves the recommendations of Report 77/21 regarding the setting of Prudential Indicators for the 2021/22 budget process.

Councillor Duff, seconded by Councillor Whiteside, moved as an amendment, that this Council:-

- (1) notes the views of the Trade Union representatives on the Central Consultative Committee arising from their meeting earlier today;
- (2) notes the views of the Special Children & Learning Committee arising from their meeting earlier today;
- (3) notes the corrections and clarifications to Reports 62/21, 63/21 and 64/21 as verbally intimated at this meeting;
- (4) notes the latest 2020/21 revenue and capital monitoring position as reported to the Policy & Resources Committee on 2 February 2021 as set out in Reports 16/21 and 17/21;
- (5) approves the Council Plan, Finance and Change Plan and Workforce Plan as set out in Report 61/21 as submitted by the Chief Executive;
- (6) approves the recommendations as set out in Report 62/21 as submitted by the Director of Communities relating to the 2021/22 review of charges for the Communities Service, subject to the corrections and clarifications as verbally intimated at this meeting;
- (7) approves the recommendations as set out in Report 63/21 as submitted by the Director of Infrastructure relating to the 2021/22 review of charges for the Infrastructure Service, subject to the corrections and clarifications as verbally intimated at this meeting;
- (8) approves the recommendations as set out in Report 64/21 as submitted by the Director of Legal & Democratic services relating to the 2021/22 review of charges for Legal and Democratic Services, subject to the corrections and clarifications as verbally intimated at this meeting;
- (9) approves the recommendations as set out in Report 65/21 as submitted by the Interim Chief Officer, Angus Health & Social Care Partnership relating to the review of Angus Council Charges for Support and Care Services and Residential Fees 2021/22;
- (10) approves the recommendations as set out in Report 66/21 as submitted by the Director of Finance relating to the Devolved Budget to Angus Health and Social Care Partnership/Integration Joint Board for 2021/22;
- (11) approves the recommendation as set out in Report 67/21 as submitted by the Director of Finance and the Director of Strategic Policy, Transformation and Public Sector Reform relating to the ANGUSalve budget settlement 2021/22;
- (12) approves the recommendations as set out in Report 68/21 as submitted by the Director of Finance relating to the provisional revenue and capital budgets 2021/22 Background Report **as amended by Report 78/21, the Alternative Budget Proposal by the Scottish National Party;**
- (13) approves the recommendations of Report 69/21 as submitted by the Director of Finance relating to the Equality Impact Assessment and Fairer Scotland Duty Assessment that have been prepared as part of the 2021/22 Revenue and Capital Budgets;
- (14) notes the total net revenue expenditure for 2021/22 of £288.917 million **as set out in Report 78/21, the Alternative Budget Proposal by the Scottish National Party;**
- (15) notes the total net capital expenditure for 2021/22 of £27.471 million **as set out in Report 78/21, the Alternative Budget Proposal by the Scottish National Party;**
- (16) approves the recommendations as set out in Report 70/21 as submitted by the Director of Finance relating to the Provisional Revenue Budget Volume 2021/22 **as amended by Report 78/21, the Alternative Budget Proposal by the Scottish National Party;**

- (17) approves the recommendations as set out in Report 71/21 as submitted by the Director of Finance relating to the Provisional Capital Budget Volume 2021/22 **as amended by Report 78/21, the Alternative Budget Proposal by the Scottish National Party**;
- (18) approves the recommendations as set out in Report 72/21 as submitted by the Director of Finance relating to the Covid-19 Budget Implications and Potential Use of Scottish Government Fiscal Flexibilities;
- (19) approves the recommendations as set out in Report 73/21 as submitted by the Director of Finance relating to the Capital Strategy 2021/22;
- (20) approves the recommendations as set out in Report 74/21 as submitted by the Director of Finance relating to the Medium Term Budget Strategy 2022/23 to 2023/24 & Development of Longer Term Financial Strategy;
- (21) notes the proposed 1.75% level for council tax non-collection in 2021/22. This would result in a Band D equivalent Tax Base of 47,103 as set out in **Statement 1**;
- (22) approves the recommendations of Report 75/21 as submitted by the Director of Finance relating to Revenue & Capital Budgets 2021/22 - Setting of the Council Tax **amended as set out in Report 78/21, the Alternative Budget Proposal by the Scottish National Party**;
- (23) approves the drawdown of £0.981 million from Council Reserves for One-Off Budget Issues, as set out in **Statement 2**;
- (24) approves the drawdown of a further £3.366 million from Council Reserves which is required to deliver a balanced budget in 2021/22 as set out in **Statement 2**, noting this will leave an uncommitted General Fund Balance of £0.544 remaining;
- (25) approves the Council Tax Calculation Statement, which encompasses all of the appropriate elements of this motion as set out in **Statement 2**;
- (26) agrees that the Angus Council Band D Council Tax Charge for 2021/22 be as follows:-  

**Council Tax (Band D) - £1,206.54 (as set out in Statement 2)**
- (27) notes the impact of the Zero% increase in Council Tax for 2021/22, as set out in **Statement 3**;
- (28) notes the impact on the level of earmarked reserves of the proposals detailed in this motion, as detailed in **Statement 4**;
- (29) agrees that the additional commitments of £1.000 million for the proposed reserve strategy for financial year 2022/23 remains committed against the projected uncommitted general fund balance at 1 April 2022 as shown in **Statement 4**;
- (30) approves the recommendations of Report 76/21 regarding the Long Term Affordability of the General Fund Capital Plan; and
- (31) approves the recommendations of Report 77/21 regarding the setting of Prudential Indicators for the 2021/22 budget process **amended as set out in Report 78/21, the Alternative Budget Proposal by the Scottish National Party**.

*The Council resolved to adjourn for 20 minutes to allow the opportunity for members to consider the contents of both the motion and the amendment.*

*The meeting resumed at 16.02pm.*

Members took the opportunity to ask questions in relation to both the motion and the amendment.

*At this point in the meeting (the time being 16.53pm), the Council resolved, in accordance with the provisions of Standing Order 21(8), that the meeting continue to the conclusion of the business.*

Having heard from a number of members, the members voted:-

For the motion:-

Depute Provost Craig Fotheringham, Councillors Brown, Davy, Fairweather, Lawrie, Lumgair, MacMillian Douglas, McLaren, Myles, Nicol, Salmond, Speed, Stewart, Sturrock and Wann (15).

For the amendment:-

Councillors Bell, Boyd, Braes, Cheape, Devine, Duff, Durno, Hands, King, McDonald, Moore and Whiteside (12).

**The motion was declared carried.**

Thereafter, Councillor Hands having previously given notice of a further amendment, circulated the contents of the amendment.

*The Council resolved to adjourn for 15 minutes to allow the opportunity for members to consider the contents of the further amendment.*

*The meeting resumed at 18.21pm.*

Councillor Hands, having given notice of a further amendment, seconded by Councillor Whiteside, moved that this Council, in addition, in relation to Revenue and Capital Budgets 2021/22 - Setting of the Council Tax (Report 75/1):-

- (1) approves a one-off allocation of £200,000 in the 2021/22 revenue budget to address some of the inequities and additional harms highlighted by COVID-19 whilst at the same time building on the amazing community spirit the pandemic also generated throughout Angus during the last year. This would provide a fund for the purpose of facilitating and resourcing local communities across Angus to develop and deliver localised community resilience plans that could quickly respond to local conditions / emergencies including flooding, winter maintenance and improving local accessibility and health and wellbeing;
- (2) notes that as this was revenue funding this would allow for both revenue and capital proposals to be supported including but not exclusively, more grit bins and local supplies of grit, salt spreaders, local snow-clearing provisions and defibrillators and cabinets etc. Once the local areas have developed resilience plans and identified any resource requirements, it was hoped that the items will be available before winter 2021/22;
- (3) agrees that the Director of Infrastructure be delegated to determine the allocation of funds up to the value of £5,000 following consultation with Ward members. Any application larger than this would go to Policy & Resources Committee for approval, similar to Common Good Fund applications. Only constituted community groups could apply for funding using a, yet to be agreed, pre-determined set of criteria to rank projects;
- (4) agrees that a report be brought to a future meeting of Policy & Resources Committee setting out the detail of how the fund would operate and the criteria for considering applications for approval by elected members;
- (5) approves a one-off allocation of £300,000 in the 2021/22 revenue budget to support the work of the corporate parenting board to improve outcomes for Looked After and other disadvantaged children, to engage with education;
- (6) notes that the above group of children and young people have had their education disrupted the most as a result of the pandemic;

(7) agrees that the total funding provision of £500,000 in relation to the above proposals is met from the Covid-19 Contingency Reserve, which per Appendix 2 (Annex A) of Report 75/21 is currently £2.057 million.

At this stage in the meeting, Councillor Fairweather gave notice of a further amendment.

Following a number of questions, and having heard from a number of members, the members voted:-

For the motion:-

Depute Provost Craig Fotheringham, Councillors Brown, Davy, Fairweather, Lawrie, Lumgair, MacMillian Douglas, McLaren, Myles, Nicol, Salmond, Stewart, Sturrock and Wann (14).

For the (further) amendment:-

Councillors Bell, Boyd, Braes, Cheape, Devine, Duff, Durno, Hands, King, McDonald, Moore, Speed and Whiteside (13).

**The motion was declared carried and the Council resolved accordingly.**

*At this stage in the meeting, the Council resolved to adjourn for 10 minutes to allow officers the opportunity to provide advice to Councillor Fairweather on the terms on the possible further amendment.*

*The meeting resumed at 19.43pm.*

Councillor Fairweather intimated that having received advice from the appropriate officers, he would no longer be seeking to move a further amendment.

The meeting concluded at 19.50pm.