

## **ANGUS COUNCIL**

MINUTE of MEETING of the **POLICY AND RESOURCES COMMITTEE** held remotely on Tuesday 26 October 2021 at 2.00 pm.

**Present:** Councillors DAVID FAIRWEATHER, IAN MCLAREN, BRIAN BOYD, LYNNE DEVINE, BILL DUFF, CRAIG FOTHERINGHAM, SHEILA HANDS, KENNY BRAES, BEN LAWRIE, BOB MYLES, MARK SALMOND, LOIS SPEED, COLIN BROWN BEM, RON STURROCK, DEREK WANN and BETH WHITESIDE.

Councillor FAIRWEATHER, Convener, in the Chair.

### **1. APOLOGIES/SUBSTITUTES**

Apologies for absence were intimated on behalf of Councillors Angus Macmillan Douglas OBE, Alex King and Tommy Stewart, substituted by Councillors Ian McLaren, Kenny Braes and Colin Brown BEM, respectively.

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

Councillor Devine declared a non financial interest in Item 8 Report No. 325/21 as a Council appointed Board member of the Shared Apprenticeship Limited. She indicated that she had a specific exclusion and would participate in any discussion and voting on the item.

Councillor Salmond declared a non financial interest in Item 8 Report No. 325/21 related to Lunan Bay Communities Partnership - Project GSG.20, in that he had met members of the partnership socially and had also met those members at a meeting held with Council officers to discuss the project. He indicated that he would participate in any discussion and voting on the item.

Councillor Speed declared a non financial interest in Items 8 and 15, Report Nos. 325/21 and 328/21 as a Trustee of HOPE Garden, and also Council appointed IJB member and carer for family members respectively. She indicated that she had a specific exclusion in relation to Item 15 as an IJB member and would participate in any discussion and voting on the item.

Councillor Myles declared a non financial interest in Item 15 Report No. 328/21 as a Council appointed IJB member. He indicated that he had a specific exclusion and would participate in any discussion and voting on the item.

### **3. MINUTES**

#### **(a) Previous Meeting**

The minute of meeting of this Committee of 31 August 2021 was submitted and approved as a correct record.

#### **(b) Special Meeting**

The minute of special meeting of this Committee of 29 September 2021 was submitted and approved as a correct record.

### **4. INFORMATION REPORT FOR THE PERIOD 1 APRIL 2020 TO 31 MARCH 2021**

There was submitted Report No 321/21 by the Interim Director of Vibrant Communities and Sustainable Growth, presenting the Angus Council Annual Report on Community Asset Transfer activities in Angus covering the 2020/21 financial year.

Having heard from the Interim Director of Vibrant Communities and Sustainable Growth, the Committee agreed to note the contents of the Report.

### **5. CAPITAL MONITORING – GENERAL FUND CAPITAL PROGRAMME 2021/22**

With reference to Article 5 of the minute of this Committee of 31 August 2021, there was submitted Report No 322/21 by the Director of Finance, apprising members of the capital

expenditure incurred for the period 1 April 2021 to 31 August 2021 and measured projected capital expenditure for the year against budgeted provision.

The Report indicated that with five months (41.7 per cent) of the financial year gone the actual spend levels presented in Tables 1 and 2 were extremely low, at 21.8 per cent on a gross basis and 24.0 per cent on a net basis respectively.

Furthermore around 10 per cent of capital spend would come through as accruals at the year end. The value of work completed up to 31 March 2022 would be assessed as part of the year end process and expenditure accrued accordingly, hence the reason why spend could increase significantly in the final month of the year. It should also be noted that work was ongoing on a number of significant projects for which no payment had yet been made by virtue of the phasing of such projects. For information purposes, the 2020/21 actual spend outturn was 67.2 per cent (gross) and 56.4 per cent (net), noting that number must be taken within the context of the disruption to the capital programmes caused by the COVID-19 pandemic.

The Committee agreed to note the expenditure to date and projected outturn position on the General Fund Capital Programme as per Tables 1 and 2 in the Report and the accompanying capital monitoring statement.

## **6. REVENUE MONITORING 2021/22 AND RENEWAL AND REPAIR FUND POSITION 2021/22**

With reference to Article 5 of the minute of meeting of this Committee of 4 May 2021, there was submitted Report No 323/21 by the Director of Finance detailing the latest projected year-end position for each main Council service area, giving a brief explanation of significant variances and providing an update on expenditure funded through the Council's Renewal and Repair Funds. The position within the Report was based upon actual spend and income information at 31 August 2021.

The Report indicated that an overall surplus compared to budget of £3.491 million was projected at this point in the financial year in respect of the General Fund services net adjusted budget (excluding the Angus Health & Social Care Partnership budget) of £247.211 million, i.e. 1.41%. There were adjustments required to this total to reflect funding within Education and Lifelong Learning, Children, Families & Justice, Strategic Policy, Transformation & Public Sector Reform and Facilities Management (paragraphs 4.2 and 4.4 of the Report respectively) which due to accounting treatment would be carried forward into 2022/23, as detailed in Section 6.2 of the Report.

The Committee agreed:-

- (i) to note the contents of the Report, in particular the comments on the Financial Implications section regarding the projected year end position; and
- (ii) to note the Renewal and Repair fund position.

## **7. PREPARATION OF THE 2022/23 GENERAL FUND REVENUE AND CAPITAL BUDGETS**

There was submitted Report No 324/21 by the Director of Finance informing members of the current position in relation to the 2022/23 Revenue and Capital Budget preparation process, identifying the main stages of the budget timeline and seeking approval of the proposed strategy/approach for the 2022/23 budget process.

The Report indicated that as part of the Council's financial planning arrangements, a Medium Term Budget Strategy (MTBS) covering the period 2022/23 to 2024/25 had been prepared and would be reported to Angus Council on 4 November 2021. The medium term financial planning work was complementary to the budget setting process and helped ensure the Council was best placed to deal with the ongoing financial constraints facing local government, which was likely to continue for the foreseeable future.

The general process for the preparation of the 2022/23 revenue and capital budgets would ultimately lead to the setting of the Budget and Council Tax in February 2022. Appendix A detailed the indicative timeline for the 2022/23 revenue and capital budget process. Section 5 of the Report detailed the strategy and approach proposed, which was mainly consistent with the approach taken in previous years, with a few additional proposals.

The Committee agreed:-

- (i) to approve the broad strategy and approach to the budget preparation as set out in Section 5 of the Report;
- (ii) to approve the budget timeline as set out in Appendix A to the Report; and
- (iii) to note the final sign off of the Council's Revenue and Capital Budgets would take place in February 2022, in line with previous practice.

## **8. COVID-19 FUNDING – DISCRETIONARY FUNDING PROJECT APPROVALS**

With reference to Article 7 of the minute of meeting of this Committee of 31 August 2021, there was submitted Report No 325/21 by the Director of Finance seeking members agreement to use Scottish Government COVID-19 funding provided to the Council to help support local people and communities where the Council had a degree of discretion over the use of the funding.

The Report detailed the request for approval in terms of individual projects and increase in funding requests in relation to the use of Level 4 Flexible Fund COVID-19, also a request for approval in terms of the use of Local Authority Top Up Administration Grant Tranche 1.

Following discussion, where questions and comments were raised by some members in relation to the Angus Council Education Welfare Rights project and also the Santa Claus in Montrose project, and having heard from the Director of Finance, Acting Grants Officer, Depute Chief Executive and Director of Education and Lifelong Learning in response, the Committee agreed:-

- (i) to approve the proposed use of Level 4 Flexible Fund COVID-19 funding as set out in the Report and Appendix 1 to the Report;
- (ii) to approve the additional allocation to a previous Level 4 Flexible Fund COVID-19 Funding award as set out in Appendix 2 to the Report; and
- (iii) to approve the proposed use of Local Authority Top Up Administration Grant COVID-19 funding as set out in the Report and Appendix 3 to the Report.

## **9. CHANGE PROGRAMME UPDATE**

With reference to Article 12 of the minute of meeting of the Scrutiny and Audit Committee of 1 June 2021, there was submitted Report No 326/21 by the Director of Strategic Policy, Transformation and Public Sector Reform providing a progress update in relation to the Council's Change Programme, related to the 3-year planning period (2021/22 to 2023/24).

The Report indicated that that there had been good progress with the various projects in the Change Programme required to achieve the £5.161m savings target used in setting the 2021/22 balanced budget position. During the reporting period, there had been some minor adjustments and re-profiling of savings resulting in an updated target position of £5.133m for 2021/22 (a reduction of £28k), whilst the 3-year period total had increased slightly to £23.937m (plus £37k).

Appendix 1 to the Report detailed the latest summary of the Change Programme and highlighted that a number of projects had been completed. The 'locked-down' position for 2021/22 at this stage of the financial year, meant the value of completed projects amounted to £4,407,000 which equated to 86% of the updated target savings of £5,133,000.

Three projects totalling £726,000 remained to be finalised for 2021/22 savings, with planned "one off" funding to be used to address the shortfall. There continued to be work in progress on the various initiatives to improve the position over the next few months and updates on the respective projects were outlined in Section 4.5 of the Report.

The Change Programme was in the process of being refreshed and transitioned to ensure that a number of strands of work which had been evolving were fully co-ordinated and formed part of a re-energised approach.

Councillor Duff requested further information in terms of the high risk evaluation in respect of Tayside Contracts and also in terms of the Tay Cities Deal Fund, particularly in relation to the re-alignment of bids amounting to £49,600, and in response the Director of Strategic Policy, Transformation and Public Sector Reform provided an update.

The Depute Chief Executive also provided an update and assured the Committee that work was in progress in terms of Tayside Contact's change programme and that reports on this particular matter were being considered in detail by the Tayside Contracts Joint Committee.

The Committee agreed to note the progress update in relation to the Council's current Change Programme (2021/22 to 2023/24), along with the summary included in Appendix 1 to the Report.

#### **10. COVID RECOVERY – A CONSULTATION ON PUBLIC SERVICES, JUSTICE SYSTEM AND OTHER REFORMS**

There was submitted Report No 330/21 by the Director of Legal and Democratic Services advising members of the Scottish Government Consultation on "Covid Recovery – A Consultation on Public Services, Justice System and Other Reforms".

The Report indicated that the deadline for responses to the consultation was 9 November 2021 and that services across the Council had been consulted and had provided input on a range of matters within the Consultation. The draft response was detailed in Appendix 1 to the Report.

The Committee agreed:-

- (i) to note the Scottish Government Consultation on "Covid Recovery – A Consultation on Public Services, Justice System and Other Reforms" as detailed in the Report;
- (ii) to note the Council's draft response to the consultation attached as Appendix 1 to the Report; there being no further comments for inclusion, agreed the response should be taken as final; and
- (iii) to approve the Director of Legal and Democratic Services' submission of the Council's final response to the Scottish Government.

#### **11. 2023 REVIEW OF UK PARLIAMENT CONSTITUENCIES**

There was submitted Report No 331/21 by the Chief Executive advising members that the Boundary Commission for Scotland (Commission) had carried out an initial review of the UK Parliament Constituencies in Scotland and sought approval to re-establish a Special Sub-Committee of the Policy and Resources Committee to respond to the Commission's consultation on the review with delegated powers to submit a response by the deadline date of 8 December 2021.

The Report indicated that the Boundary Commission for Scotland commenced its 2023 Review of UK Parliament constituencies in Scotland in January 2021.

Initial proposals for the 2023 Review of UK Parliament Constituencies in Scotland were outlined in Section 4 of the Report. In terms of the current Angus constituency, the initial proposals were:- a larger "Angus and Strathmore" constituency which would see Angus administering part of the Perth and Kinross Local Government Area, as outlined in Appendix 3 to the Report; and a new "Dundee East and Arbroath" to be administered by Dundee City Council, as outlined in Appendix 4 to the Report.

The Committee agreed:-

- (i) to note that the Commission had carried out an initial review of the UK Parliament Constituencies in Scotland;
- (ii) to note the details provided in the Report on the Initial Proposals for UK Parliamentary Boundaries from 2023 (Initial Proposals) including the impact of the Angus area as provided by the Commission following the review of the UK Parliament Constituencies; and

- (iii) to re-establish the Special Sub-Committee of the Policy and Resources Committee with the membership being made up of the Leader, Depute Leader as Convener and Vice Convener ex officio, Councillors Bob Myles (Administration); Bill Duff, Beth Whiteside (SNP Group) and Brian Boyd (Non-Aligned).

## **12. UNIT 4, BROOMFIELD INDUSTRIAL ESTATE, MONTROSE**

With reference to Article 12 of the minute of meeting of Angus Council of 18 March 2021, there was submitted Report No 327/21 by the Interim Director of Vibrant Communities and Sustainable Growth relating to the sale of a vacant commercial property at Unit 4, Broomfield Industrial Estate, Montrose which comprised a 18,622 sq ft industrial building.

The Report indicated that the property was category A listed and would require substantial refurbishment and maintenance in the medium term. The property together with Angus Council's other commercial property holdings were identified in the Land and Property Report 2021-2030, which was approved by Angus Council on 18 March 2021, as being suitable for freehold disposal. The property was formally declared surplus with the sale of any property asset governed by Angus Council's Financial Regulations, Section 17.

The Committee agreed:-

- (i) to approve the sale of the vacant property at Unit 4, Broomfield Industrial Estate; and
- (ii) to note that the transaction would be conditional upon the following:-
  - (a) detailed legal terms and conditions being agreed by Angus Council; and
  - (b) a detailed legal contract for the sale of the property being negotiated and documented.

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

The Committee resolved, in terms of Standing Order 28(2) that the public and press be excluded from the meeting during consideration of the following items, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 6 and 8.

## **14. UNIT 4, BROOMFIELD INDUSTRIAL ESTATE, MONTROSE**

The Committee noted the Appendix 1 to Report 327/21.

*At this stage in the meeting, the Committee agreed that the meeting resume in public.*

*Thereafter, the Convener ruled that the following item of business be considered as a matter of urgency as Councillor Boyd had advised that having been appointed to the Special Sub-Committee of the Policy and Resources Committee at Agenda Item 11, Report 331/21 above, he subsequently intimated his resignation. In accordance with the provisions of Standing Order 11 (1) (vii) the Committee considered this matter as an urgent item of business as the Special Sub Committee had been established in order to respond to the Commission by the deadline date of 8 December 2021.*

Subsequently, with reference to Agenda Item 11, Report 331/21, the Committee agreed to accept the resignation of Councillor Boyd and to appoint Councillor Ben Lawrie to the Special Sub-Committee of the Policy and Resources Committee.

*Having agreed previously at Item 13 above, the meeting resumed in private.*

## **15. EXTENSION OF THE FRAMEWORK AGREEMENT FOR THE PROVISION OF HOME AND COMMUNITY BASED CARE AND SUPPORT SERVICES UNDER SDS OPTION 3; AND THE EXTENSION OF THE CONTRACT FOR THE PROVISION AND MAINTENANCE OF AN ELECTRONIC CARE MONITORING SYSTEM**

With reference to Article 11 of the minute of meeting of this Committee of 10 October 2017, there was submitted Report No 328/21 by the Chief Integration Officer seeking authority to extend the existing framework agreement for the provision of home and community-based

care and support services under SDS Option 3; and to extend the contract for the provision and maintenance of an electronic care monitoring system.

The Head of Community Health and Care Services, AHSCP provided a brief overview of the Report.

The Committee agreed to approve the recommendations as detailed in the Report.

**16. DIGITAL FORMS AND CUSTOMER SERVICE PLATFORM**

There was submitted Report No 329/21 by the Director of HR, Digital Enablement, IT and Business Support seeking approval for the award of a contract for the Council's digital forms and customer service platform following negotiation without prior publication of a contract notice, as permitted by procurement legislation.

The Committee agreed to approve the recommendations as detailed in the Report.