

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 7 JUNE 2022**

**APPOINTMENT OF SUB-COMMITTEES AND MEMBER/OFFICER WORKING GROUPS  
OF THE COMMUNITIES COMMITTEE**

**REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT**

This report deals with the appointment of elected members to Sub-Committees and Member/Officer Working Groups of the Communities Committee.

**1. RECOMMENDATIONS**

It is recommended that Communities Committee agrees: -

- (i) to appoint, in terms of Standing Orders 33 and 34, elected members to the undernoted Sub-Committees, and where appropriate, to appoint a Convener and Vice-Convener of the Sub-Committees: -
  - Executive Sub-Committee – 3 elected members
  - Land Reform Sub-Committee – 2 elected members + members of the ward affected
  - Environmental Appeals Committee – 3 elected members
- (ii) to note that the remit of each of these Sub-Committees is as detailed below and that they all act with full delegated powers;
- (iii) to appoint elected members and, where appropriate, a Chairperson to the undernoted Working Groups;
- (iv) to note that the remit of each of the Working Groups is as detailed below;
- (v) to appoint elected members to the Arbroath Harbour Joint Consultative Committee 6 elected members (minimum four from the two Arbroath Wards and at least two members of the Communities Committee); and
- (vi) to note the remit of the Arbroath Harbour Joint Consultative Committee is as detailed below.

**2. ALIGNMENT TO THE COUNCIL PLAN**

This report contributes to the achievement of our priority that the council is efficient and effective as detailed in our Council Plan for 2022-2025.

**3. BACKGROUND**

The Council's Standing Orders and Order of Reference of Committees provide that the Communities Committee shall appoint the following Standing Sub-Committees to act with full delegated powers:-

Executive Sub-Committee  
Land Reform Sub-Committee  
Environmental Appeals Committee

#### 4. **STANDING SUB-COMMITTEES**

The remits and compositions of the Standing Sub-Committees of the Communities Committee are set out below. The Committee is asked to appoint elected members to each Sub-Committee, and where appropriate, to appoint a Convener and Vice-Convener of the Sub-Committees.

##### **(a) Executive Sub-Committee**

Composition: The Sub-Committee comprises three elected members who are entitled to appoint substitute elected members (who need not be members of the Communities Committee). All three persons must be present to form a quorum.

Remit: To decide any matter (other than a matter affecting Council policy):-

- (i) which would normally be decided by the Standing Committee but which, by reason of its urgency, requires to be decided upon during the annual recess of the Council or, in the case of acceptance of tenders, outwith the approved timetable of meetings and the delegated powers contained in Section 16.8 and Appendix 1 of Financial Regulations; and
- (ii) which has been specifically referred by the Committee for consideration, at other times of the year.

##### **(b) Land Reform Sub-Committee**

Composition: The Convener and Vice Convener of the Communities Committee, together with the members of each ward affected by the business to be transacted.

Remit: To consider reports regarding individual enforcement cases under Part 1 of the Land Reform (Scotland Act 2003).

##### **(c) Environmental Appeals Committee**

Composition: 3 Members, being the Convener, Vice Convener and one other Member of the Communities Committee.

Remit:

- (i) To consider any representation made by or on behalf of a person served with a fixed penalty notice served in relation to an offence committed in no smoking premises under the Smoking, Health and Social Care (Scotland) Act 2005.
- (ii) To hold a hearing at the request by or on behalf of a person served with a fixed penalty notice served in relation to an offence committed in respect of dog fouling under the Dog Fouling (Scotland) Act 2003.
- (iii) To consider any representation made by or on behalf of a person given a penalty charge notice in relation to an offence committed in respect of failing to make available energy performance certificates to prospective buyers or tenants under the Energy Performance of Buildings (Scotland) Regulations 2008, as amended.
- (iv) To consider any representation made by or on behalf of a person served with a fixed penalty notice served in relation to an offence committed in respect of sunbeds under the Public Health etc. (Scotland) Act 2008.
- (v) To consider any representation made by or on behalf of a person served with a fixed penalty notice served in relation to an offence committed in respect of the provision of information on the sale of a house under the Housing (Scotland) Act 2006.
- (vi) To consider any representation made by or on behalf of a person served with a fixed penalty notice served in relation to an offence committed in respect of

engaging in estate agency work whilst not being a member of an approved redress scheme under the Estate Agency Act 1979.

- (vii) To consider any representation or hold any hearing in respect of any fixed penalty or similar notice that the Council is entitled, or may become entitled, to serve, give or issue by or under any enactment, insofar as they relate to the functions within the remit of the Communities Committee.
- (viii) To consider any representation or hold any hearing in respect of any fixed penalty or similar notice served in relation to an offence under the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016.

## **5. MEMBER OFFICER WORKING GROUPS**

The remits and compositions of the Member/Officer Working Groups of the Communities Committee are set out below. The Committee is asked to appoint elected members to each Group, and where appropriate, appoint a Chairman of the Working Group.

### **(a) Flood Risk Management**

Composition: 6 elected members, appointed so far as is possible, in accordance with the principles regarding political balance.

Remit: To act as a political sounding panel for the progression of the Local Flood Risk Management Plan (LFRMP) and to review certain issues in more detail through to the publication of the first LFRMP in 2016, which has been extended to the development of the second LFRMP.

### **(b) Road Safety**

Composition: 6 elected members, appointed so far as is possible, in accordance with the principles regarding political balance.

Remit: To advise directly on the development a new Road Safety Plan for Angus, which will take cognisance of the new national road casualty reduction targets and identify and prioritise action points to be taken forward to assist with achieving the reduction targets to 2030; which was extended to reviewing associated policies, plans and strategies including Active and Sustainable Travel; bus transport and winter road service.

## **6. ARBROATH HARBOUR JOINT CONSULTATIVE COMMITTEE**

The Committee is asked to appoint elected members to the Arbroath Harbour Joint Consultative Committee as detailed below.

### **Remit**

To act in an advisory and consultative role on the routine management and operational considerations for the Harbour and such other issues as may be remitted to it from time to time by the Communities Committee.

### **Composition**

Composition of Council Representation: Six members of the Council, being a minimum of four from the two Arbroath Wards, and at least two members of the Communities Committee. The Communities Committee shall elect the Convener of the Arbroath Harbour Joint Consultative Committee.

## **7. FINANCIAL IMPLICATIONS**

There are no financial implications arising from this Report.

## **8. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment is not required.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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