

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held remotely on Thursday 10 March 2022 at 2.00 pm.

Present: Provost RONNIE PROCTOR MBE, Depute Provost CRAIG FOTHERINGHAM, Councillors JULIE BELL, BRIAN BOYD, KENNY BRAES, DAVID CHEAPE, 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, DEREK WANN and BETH WHITESIDE.

Provost PROCTOR, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Colin Brown BEM, Braden Davy and Ron Sturrock.

2. DECLARATIONS OF INTEREST

Councillor McMillan Douglas declared an interest in Item 11, Report No 106/22, as he was about to submit a planning application and was unsure if the planning framework would have an impact on his application. He indicated that he would not participate in any discussion and voting and would leave the meeting during consideration of the item.

3. MINUTES OF COUNCIL AND COMMITTEES

(i) Minute of Council Meeting

(a) Angus Council

The minute of meeting of Angus Council of 10 February 2022 was submitted and approved as a correct record.

(ii) Minutes of Committees

(b) Policy and Resources Committee

The minute of meeting of the Policy and Resources Committee of 1 February 2022 was submitted and noted.

(c) Communities Committee (Special)

The minute of Special meeting of the Communities Committee of 8 February 2022 was submitted and noted.

(d) Development Standards Committee

The minute of meeting of the Development Standards Committee of 8 February 2022 was submitted and noted.

(e) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 9 February 2022 was submitted and noted.

(f) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 17 February 2022 was submitted and noted.

(g) Communities Committee

The minute of meeting of the Communities Committee of 22 February 2022 was submitted and noted.

(h) Children and Learning Committee

The minute of meeting of the Children and Learning Committee of 24 February 2022 was submitted and noted.

4. MOTION – FRIOCKHEIM HEALTH CENTRE

Councillor Moore, seconded by Councillor Lumgair, moved the following motion: -

Angus Council notes:

- The current situation regarding Friockheim Health Centre;
- The dedication of the health professionals who have been delivering a first-class service from the location;
- The challenging circumstances regarding GP recruitment in Scotland; and
- The efforts of the Member of Parliament and Member of the Scottish Parliament for Angus to assist in addressing the situation at Friockheim Health Centre.

Angus Council resolves to request the Chief Executive to:

Convey to the Chair of NHS Tayside the concerns of Councillors about the potential loss of health facilities in Friockheim and express the Council's support for an early resolution to the situation regarding health provision in Friockheim and to seek views from NHS Tayside as to how they intend to obtain that resolution.

The Council resolved to approve the motion.

5. ANGUS ADULT PROTECTION COMMITTEE ANNUAL REPORT 2020 TO 2021

With reference to Article 6 of the minute of meeting of the Scrutiny and Audit Committee of 1 March 2022, there was submitted Report No 74/22 by the Chief Executive presenting the Angus Adult Protection Committee (AAPC) Annual Report for 2020/21 along with an Addendum.

The Report indicated that AAPC had continued to work together to improve adult protection practice in Angus throughout the reporting period and highlighted that the Annual Report predated the recent update provided to members on the publication of the P19 Significant Case Review.

The new AAPC Strategic Plan 2020-2023 was based around the statutory functions of an Adult Protection Committee as set out in legislation. The plan would be regularly updated to include any emerging national or local priorities and remained flexible to take into account any future impact arising from the COVID pandemic. Section 4.5 of the Report detailed the areas identified for development and progression.

The Chief Executive provided a brief overview and highlighted that there had been a significant increase in adult protection activity during the period April 2020 to March 2021.

Mr Ewen West, Independent Chair of the Angus Adult Protection Committee also reiterated the significant increase in referrals, from 400 reported in the previous year to 728 to March 2021; and thereafter provided an informative summary of the referral pathways, multi-agency response; P19 Significant Case Review and the identified key priorities of the Strategic Plan 2020-23 including Service User Involvement and Participation, Self-Evaluation and Continuous Improvement and Transitions.

The Council, having welcomed the Report and the work of the Angus Adult Protection Committee, resolved: -

- (i) to note the contents of the Angus Adult Protection Committee Annual Report 2020 to 2021, outlined as an Appendix to the Report; and
- (ii) to note the Council's cross departmental responsibilities in relation to Adult Protection.

6. ANGUS VIOLENCE AGAINST WOMEN PARTNERSHIP ANNUAL REPORT 2020 TO 2021

With reference to Article 7 of the minute of meeting of the Scrutiny and Audit Committee of 1 March 2022, there was submitted Report No 75/22 by the Chief Executive presenting the first Angus Violence Against Women Partnership (AVAWP) Annual Report for March 2020 to April 2021. Equally Safe was Scotland's national strategy for preventing and eradicating violence against women and girls, with local Violence Against Women partnerships providing the multi-agency forum to deliver this. Chief Officers across Angus individually and collectively had responsibility to ensure that there were clear reporting processes in place between AVAWP and the Chief Officers Group.

The Report presented the work undertaken in Angus by individual agencies and in partnership to delivery national, Tayside-wide and local outcomes to prevent and eradicate all forms of violence against women and girls. The Annual Report had been approved by AVAWP and the Angus Chief Officer Group, the multi-agency governance group with operational accountability for protecting people arrangements in Angus.

The AVAWP continued to work together to promote awareness of and improve practice in relation to all forms of gender-based violence. Section 4 of the Report outlined progress during the reporting period and areas for development and progression.

Mr Ewen West, Independent Chair of the Angus Violence Against Women Partnership highlighted that this was the first Annual Report presented to members and emphasised the collective partnership commitment to delivering the key services across Angus.

A progress update was provided in terms of data set and future comparative data, training, implementation of the multi-agency good practice guidance, the continued promotion of Safe and Together and intervention and prevention measures. In terms of gender based violence, he stressed that one of the main key areas was online abuse, and that the extent and impact of such abuse in Angus was unclear and, as the Chair, he had requested further work be undertaken to ascertain the position and the preventative measures required.

The Council, having welcomed the Report, resolved: -

- (i) to note the contents of the Angus Violence Against Women Partnership Annual Report 2020 to 2021, attached as an Appendix to the Report; and
- (ii) to note the Council's cross departmental responsibilities in relation to addressing violence against women and girls.

7. ARBROATH A PLACE FOR EVERYONE – UPDATE AND PROCUREMENT AUTHORITY

With reference to Article 8 of the minute of meeting of the Special Arrangements Committee of 28 April 2020, there was submitted Report No 102/22 by the Director of Infrastructure which provided an update on the progress of the Arbroath A Place for Everyone project since last reported to committee and seeking procurement authority to progress the design and construction of the project as the maximum value exceeded the Chief Officer's procurement delegated authority limits contained in Section 16.8.1 of the Financial Regulations.

The Report indicated that the funding agreement between Angus Council and Sustrans had been signed on 25 June 2021. This had been delayed due to both parties needing to finalise details and seek sign off however, the project delivery continued unhindered by the late signing of the agreement. The only impact was the delay in initiating the formal Steering Group and Advisory Board meetings, which commenced in September and October 2021 respectively. The start and finish dates for the project stages were shown in Table 1 of the Report and were based on the dates proposed at the award of the Places for Everyone funding in the second half of 2019.

The agreement included details of the financial commitment to match funding from Angus Council towards the project costs. The agreement also detailed 'the aim of Places for

Everyone was to create safer, more attractive, healthier places by increasing the number of trips made by walking, cycling and wheeling for everyday journeys.'

It was noted that positive progress had been made with the Developed Design Stage 3B. This had involved a widespread and significant amount of engagement with elected members and the public on the need for the project and the detail of the designs for the road, path and cycle way alignments and landscaped areas. Appendix 1 to the Report showed details and images of the current developed design, and Appendix 2 to the Report detailed the Project Engagement Plan.

The Director of Infrastructure provided an overview of the Report and, following a number of questions from members, the Service Leader – Roads and Transportation addressed the meeting. A number of members welcomed the Arbroath A Place for Everyone project however, Councillors Durno and King expressed their concerns regarding the proposals.

The Council resolved: -

- (i) to note the progress of the Arbroath A Place for Everyone project since last reported to Committee;
- (ii) to authorise the further continued use of the SCAPE Framework for Civil Engineering to inform the design and progress the construction of the Arbroath A Place for Everyone project as detailed in the Report;
- (iii) to delegate authority to the Director of Infrastructure, following consultation with the Director of Legal and Democratic Services and the Director of Finance or their respective nominees, to determine whether to proceed through future phases of the SCAPE framework or revert to a traditional restricted - competitive tender route; and
- (iv) to note that a further report would be brought to the Communities Committee to seek approval to move to the award of a construction contract for the Arbroath A Place for Everyone project.

In accordance with the provisions of Standing Order 16 (11)(ii) Councillors Durno and King requested that their dissent be recorded in relation to the foregoing decision.

8. TREASURY MANAGEMENT STRATEGY STATEMENT 2022/23

There was submitted Report No 103/22 by the Director of Finance seeking members approval of the proposed Treasury Management Strategy for Angus Council in 2022/23. The production of a Treasury Management Strategy Statement for the forthcoming financial year was a requirement of the Treasury Management in the Public Services Code of Practice issued by the Chartered Institute of Public Finance and Accountancy.

Following questions from members, and having heard from the Director of Finance, the Council resolved:-

- (i) to approve the proposed Treasury Management Strategy Statement and Annual Investment Strategy for 2022/23, attached as Appendix A to the Report; and
- (ii) to approve the Treasury Indicators detailed in Appendix A – Annex D (Tables 2 and 3) to the Report.

9. REVIEW OF LOANS FUND POLICY

There was submitted Report No 104/22 by the Director of Finance detailing a revised policy on Loans Fund debt charge repayment profiling following a review of the current repayment profiling methodology. The objective of the revised policy was to support a sustainable and deliverable longer-term revenue budget strategy, whilst ensuring that provision remained prudent and appropriate to the benefits that were provided from the associated capital expenditure.

Having heard from the Director of Finance, the Council resolved: -

- (i) to approve the amended Loans Fund repayment policy from 2021/22 onwards that incorporated the changes outlined in the report as summarised in Section 5 of the Report;
- (ii) to approve the amended loans fund advances repayment mechanism and resultant debt charges profile for current and future loan repayments as summarised in Section 6 of the Report; and
- (iii) to note that this would generate the £2m target of savings within the capital financing costs budget from 2021/22 as provided for in the Council's Change Programme.

10. COUNCIL MEETINGS – INTERIM ARRANGEMENTS AND FUTURE PLANS

With reference to Article 15 of the minute of meeting of Angus Council of 16 December 2021, there was submitted Joint Report No 105/22 by the Director of Legal and Democratic Services and the Director of HR, Digital Enablement, IT and Business Support providing an update and seeking approval of the plans for meetings of Council in May and June 2022.

The Report proposed that the meetings of full Council in May and June take place in person in the Council Chambers. It was also proposed that specialist IT equipment be hired to allow these meetings to be live streamed on the Council's YouTube channel and recorded enabling the public to continue to view Council meetings with a recommendation that the recordings be retained in the same way as for remote meetings.

The Chief Executive provided an overview of the proposals and a number of members were heard in relation to the use of the Council Chamber, hybrid meetings and online meetings.

At this stage in the meeting the Council resolved to adjourn for a 15 minute period to allow officers to consider various proposals.

The meeting resumed at 4.38 pm.

Having heard from the Chief Executive, the Council resolved: -

- (i) to note that a "material change of circumstances" had arisen to the extent that the decision taken at Full Council on 16 December 2021 could be re-visited, due to changes in relation to COVID-19 restrictions; and
- (iii) to agree that the Chief Executive be requested to consider alternative venues for the holding of in person meetings for full Council in May (the statutory meeting) and in June and that a Report on the findings, together with costs, be brought back to the Special meeting of Angus Council on 24 March 2022.

Having declared an interest at Article 2 above, Councillor MacMillan Douglas left the meeting prior to consideration of the following item.

11. DRAFT NATIONAL PLANNING FRAMEWORK 4: SCOTLAND TO 2045 – CONSULTATION RESPONSE

There was submitted Report No 106/22 by the Director of Vibrant Communities and Sustainable Growth advising of the Scottish Government's current consultation on Draft National Planning Framework 4 (NPF4), providing an overview of the main implications for Angus and the key matters that were recommended for inclusion in the Council's response to the consultation.

The Council resolved: -

- (i) to agree that the matters set out in **Appendix 1** form the basis of the Council's response to the consultation on draft NPF4 for submission to Scottish Government by 31 March 2022; and
- (ii) to delegate authority to the Service Leader Planning and Sustainable Growth to finalise and submit the consultation response to draft NPF4, to include detailed comment on policies in Part 3.

12. PLACE-BASED INVESTMENT PROGRAMME AND PLACE STRATEGY 2022

With reference to Article 6 of the minute of meeting of Angus Council of 16 December 2021, there was submitted Report No 107/22 by the Director of Vibrant Communities and Sustainable Growth providing details on the financial allocation of the 2022/23 Scottish Government Place-Based Investment Programme (PBIP) for distribution in Angus and recommending an approach for the distribution of these funds and a proposal for aligning future spend.

Having heard from a number of members in relation to engagement with community groups and the impact of projects delivered, the Council resolved:-

- (i) to agree the process for the distribution of funds as detailed in Section 5 of the Report;
- (ii) to agree the scoring criteria for the distribution of the Scottish Government Place-Based Investment Programme 2022/2023 as detailed in Section 5.3 of the Report;
- (iv) to delegate authority to the Director of Vibrant Communities and Sustainable Growth to approve any necessary emergency decisions for funding from the Scottish Government Place-Based Investment Programme 2022/23 following consultation with the Leader of the Council, Convener and Vice-Convener of the Communities Committee and the Leader of the Non-Administration; and
- (iv) to agree to instruct officers to collate the relevant data and evidence of need and to begin a consultation process with the communities of Angus, reporting back to Angus Council Committee in October with a Place Strategy proposal and Locality Place-Based Plans, which would align to the PBIP as noted in Section 5.6 of the Report.

At this stage in the meeting, the time being 4.55pm, the Council resolved, in accordance with the provisions of Standing Order 21(8), that the meeting continue to the conclusion of the business.

13. ANGUSALIVE UPDATE

With reference to Article 6 of the minute of meeting of Angus Council of 10 February 2022, there was submitted Report No 108/22 by the Director of Strategic Policy, Transformation & Public Sector Reform which sought approval of minor changes to increase opening hours at three sports centres during 2022/23, which were additional to those agreed by Council at its meeting on 10 February 2022.

Having heard from the Director of Strategic Policy, Transformation & Public Sector Reform in terms of the changes, the Council resolved: -

- (i) to note that on 10 February 2022 Council agreed that any changes to ANGUSalive's opening hours would be brought back to members for consideration (paragraph 6.4 of Report 38/22 refers); and
- (ii) to agree to the minor changes to increase opening hours at three sports centres during 2022/23, as set out in the report; and that these could also be included in the formal change notice between the Council and ANGUSalive.

14. EXCLUSION OF PUBLIC AND PRESS

The Council resolved, in terms of Standing Order 28(2), that the public and press be excluded during consideration of the following items 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 1,8 & 9.

15. VEHICLE REPLACEMENT PROGRAMME FOR 2022/23

There was submitted Report No 109/22 by the Director of Vibrant Communities and Sustainable Growth regarding the Council's Vehicle replacement programme for 2022/23.

The Committee agreed to authorise the Director of Vibrant Communities and Sustainable Growth to procure vehicles and equipment required for the 2022/23 capital replacement programme on the basis set out in the Report.

16. APPROVAL OF APPOINTMENT OF OFFICER (RELATIVE OF A CHIEF OFFICER)

There was submitted Report No 110/22 by the Director of Legal and Democratic Services seeking approval of the appointment of a Business Support Officer, following a recruitment process in which she declared on her application that she was a relative of a Chief Officer.

The Council resolved to approve the recommendations, as detailed in the Report.