

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in Angus House, Forfar on Thursday 30 June 2022 at 2.00 pm.

Present: PROVOST BRIAN BOYD, DEPUTE PROVOST LINDA CLARK, Councillors CHRIS BEATTIE, JULIE BELL, DAVID CHEAPE, SERENA COWDY, HEATHER DORAN, BILL DUFF, BRENDA DURNO, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GALL, ROSS GREIG, MARK MCDONALD, IAN MCLAREN, GEORGE MEECHAN, GAVIN NICOL, LOUISE NICOL, LOIS SPEED, JILL SCOTT, MARTIN SHEPHERD, TOMMY STEWART, DEREK WANN and BETH WHITESIDE.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Kenny Braes, Lynne Devine, Lloyd Melville and Ronnie Proctor MBE.

The Provost indicated that in accordance with the provisions of Section 34 of the Local Government in Scotland Act 2003 and at his direction, Councillor Shepherd was participating in this meeting remotely.

2. DECLARATIONS OF INTEREST

Councillor Cheape declared an interest in items 3(ii), 3(iii), 16, 17, 18 and 19 as a Council appointed Director of Carnoustie Golf Links Management Committee Ltd. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of all these items.

3. REQUESTS FOR A DEPUTATION

- (I) The Council noted that a deputation request had been received from Mr Jon Gill, Chairman of Caledonian Railway Brechin Ltd, in relation to item 8.

The deputation was to outline the Caledonian Railway Brechin's proposal for Levelling Up Funding Support as part of an Angus Council application to UK Government in support of a paper being put before the Council.

The Council agreed to hear the deputation.

Councillor Cheape, having declared an interest at Item 2 above, left the meeting during consideration of items 3(ii) and 3 (iii) below.

- (II) The Council noted that a deputation request had been received from Mr Michael Wells, Chief Executive of CGLMC Ltd and Mr Adair Simpson, Deputy Chief Executive in relation to Item 16.

The deputation wished to be available to give additional context around the future provisions of golf in Carnoustie.

The Council agreed to hear the deputation.

- (III) The Council noted that a deputation request had been received from Mr Michael Wells, Chief Executive of CGLMC Ltd and Mr Adair Simpson, Deputy Chief Executive in relation to Item 17.

The deputation asked Angus Council to agree that CGLMC had taken a fair and reasonable approach when determining season ticket holder prices for the 2022/23 season.

The Council agreed to hear the deputation.

4. MINUTES OF COUNCIL AND COMMITTEES

(i) Minutes of Council Meetings

(a) (Special) Angus Council

The minute of the special meeting of Angus Council of 3 March 2022, was submitted and approved as a correct record

(b) Angus Council

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

(c) (Special) Angus Council

The minute of the special meeting of Angus Council of 24 March 2022 was submitted and approved as a correct record

(d) Statutory meeting of Angus Council

The minute of the statutory meeting of Angus Council of 26 May 2022 was submitted and approved as a correct record

Matter arising from Article 9 of Council meeting of 26 May 2022

It had been highlighted that from the recording of the meeting, no seconder appeared to have been put forward for the nominations of Cllrs Braes and Cheape to CGLMC Ltd.

As there was no legal requirement for a seconder and a valid vote for the places subsequently had taken place with more than two votes for each candidate, the appointments were competent.

The Council agreed to note the position.

(ii) Minutes of Committees

(e) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 1 March 2022 was submitted and noted.

(f) (Special) Children and Learning Committee

The minute of the special meeting of the Children and Learning Committee of 3 March 2022 was submitted and noted.

(g) Development Standards Committee

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

(h) Policy and Resources Committee

The minute of meeting of the Policy and Resources Committee of 8 March 2022 was submitted and noted.

(i) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 21 March 2022 was submitted and noted.

(j) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 24 March 2022 was submitted and noted.

(k) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 28 March 2022 was submitted and noted.

(l) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 5 April 2022 was submitted and noted.

(m) Development Standards Committee

The minute of meeting of the Development Standards Committee of 5 April 2022 was submitted and noted.

(n) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 19 April 2022 was submitted and noted.

(o) Communities Committee

The minute of meeting of the Communities Committee of 7 June 2022 was submitted and noted.

(p) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 9 June 2022 was submitted and noted.

(q) Children and Learning Committee of 14 June 2022

The minute of meeting of the Children and Learning Committee of 14 June 2022 was submitted and noted.

The Council agreed in accordance with the provisions of Standing Order 11 that the business shown on the agenda would proceed in the following order.

5. ANGUS CHILD PROTECTION COMMITTEE ANNUAL REPORT 2020 - 2021

There was submitted Report No 155/22 by the Chief Executive, Angus Council and Member of Angus Chief Officers' Group. presenting the Angus Child Protection Committee Annual Report for August 2020 to July 2021.

The Report indicated that Chief Officers across Scotland were individually and collectively responsible for the leadership, direction and scrutiny of their respective child protection services and their Child Protection Committees. In Angus, the Child Protection Committee reported directly to the Chief Officers' Group. A number of Angus Council services were members of the Child Protection Committee reflecting both the multi-faceted nature of risk and the whole system responsibility to support its mitigation.

Alison Todd, Chair of the Child Protection Committee introduced the Report and responded to a number of questions from members.

The Council agreed:

- (i) to note the content of the Angus Child Protection Committee (ACPC) Annual Report 2020 to 2021, attached as an Appendix to the Report; and
- (ii) to note the Council's cross department responsibilities in relation to Child Protection.

6. MOTIONS IN TERMS OF STANDING ORDER 25(1)

(i) Workplace Parking Levy

Councillor Fairweather, seconded by Councillor Greig, moved the following motion:-

Due to the Cost of Living Crisis this council considers not implementing any Work Place Parking Levy to safeguard hard pressed employees and Angus citizens already being squeezed into money poverty, and officers bring forward a report with advantages and disadvantages so Council can decide its policy.

The Council agreed to approve the motion.

(ii) Climate Emergency

Councillor Stewart, seconded by Councillor McLaren, moved the following motion:-

The Scottish Government have declared a Climate Emergency and as such this council continues to explore its efforts to reduce general waste at all its award winning recycling centres.

The Council agreed to approve the motion.

(iii) Rural Schools

Councillor Louise Nicol, seconded by Councillor Greig, moved the following motion:-

This council re-affirms the last Administration's commitment that no rural schools will close in this term of council ensuring stability for parents and their children.

Director of Finance Commentary

The Motion would represent a significant policy commitment for the Council which, given the enormity of the financial challenges facing the Council in the short and medium term, it may be difficult to sustain or could mean other less palatable budget choices having to be made at some point in the future. If the Council was minded to support this motion then given the significance of the policy commitment proposed it should, in accordance with the Council's Options Appraisal Guidance (Report 338/21 to Angus Council on 4 November 2021 refers), be subject to an options appraisal prior to being adopted as Council policy.

Councillor Whiteside, seconded by Councillor Duff, moved as an amendment, that the Council takes no action in relation to the stated motion.

On a vote being taken, members voted:-

For the motion:

Councillors Fairweather, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Stewart and Wann (9).

For the amendment:-

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Cheape, Cowdy, Doran, Duff, Durno, McDonald, Meechan, Scott, Shepherd, Speed and Whiteside (15).

The amendment was declared carried and the Council resolved accordingly.

7. APPOINTMENTS TO COMMITTEES

(i) Scrutiny and Audit Committee

The Council noted that one place allocated to the non Administration remained unfilled.

The Council agreed to appoint Councillor Wann to the Scrutiny and Audit Committee.

(ii) Civic Licensing Committee

The Council noted that Councillors Clark and Fairweather had resigned from the Civic Licensing Committee.

The Council agreed to appoint Councillor Meechan to the Civic Licensing Committee (to replace Councilor Clark).

The Council noted that one vacancy remained on the Committee.

Thereafter, the Council agreed to appoint Councillor Meechan as Vice Convener of the Civic Licensing Committee.

(iii) Angus Licensing Board

The Council noted that Councillors Clark and Fairweather had resigned from the Angus Licensing Board.

The Council agreed to appoint Councillor Meechan to the Angus Licensing Board (to replace Councillor Clark).

The Council noted that one vacancy remained on the Board.

8. APPOINTMENTS TO OUTSIDE BODIES

(i) Glen Esk Trust

The Council noted that confirmation had been received that the Glen Esk Trust remained active. Accordingly, the appointments made at the statutory meeting remained in place.

(ii) Patrick Allan - Fraser of Hospitalfield Trust

The Council noted that confirmation had been received that no Council appointments were required on the Trust, therefore the appointments made at the statutory meeting no longer stood.

(iii) Voluntary Action Angus

The Council noted that Voluntary Action Angus had approached the Council and asked if consideration be given to appoint a further Council representative. VAA had also asked that this representative be a non Administration member.

Councillor Wann, seconded by Councillor Fotheringham, moved the appointment of Councillor Proctor.

Councillor Scott, seconded by Councillor Speed, moved the appointment of Councillor Scott.

On a vote being taken, members voted:-

For Councillor Proctor:-

Councillors Fairweather, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Stewart and Wann (9).

For Councillor Scott:-

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Cheape, Cowdy, Doran, Duff, Durno, McDonald, Meechan, Scott, Shepherd, Speed and Whiteside (15).

Councillor Scott was therefore appointed to Voluntary Action Angus.

(iv) Monifieth Golf Links

The Council noted that one place remained vacant.

The Council agreed to appoint Councillor Doran.

(v) Tayside Area Support Team

The Council noted that one place remained vacant.

The Council agreed to appoint Councillor Meechan.

(vi) Scottish Joint Council (SJC)

The SJC was Scotland's largest council in terms of both employer representation and the number of employees covered. The full SJC council contained:

- 32 Councillors (and the COSLA resources spokesperson)
- 33 union representatives.

A request from CoSLA for a Council nominee had been received on 9th June 2022, with a deadline of 16th June for a response.

The Leader of the Council, Councillor Beth Whiteside, had indicated that she would be the Council's representative, with Councillor Duff as substitute.

Given there was insufficient time to submit this matter to full Council, the Depute Chief Executive had consulted with Councillor Wann, Leader of the Opposition who had no objections to Councillor Whiteside's nomination.

The Council agreed to note and endorse the appointment.

(vii) Angus Integrated Children's Services Group

Angus Integrated Children's Services Group provided a forum to support partnership working with a focus on improving outcomes for children and young people.

The membership from Angus Council was:

- Convener of Children and Learning Committee
- Vice Convener of Children and Learning Committee
- One Non-administration member of Children and Learning Committee

The Council was asked to note the membership and to appoint a non administration member.

Councillor Wann, seconded by Councillor Greig, moved the appointment of Councillor Louise Nicol.

Councillor Speed, seconded by Councillor Doran, moved the appointment of Councillor Speed.

On a vote being taken, members voted:-

For Councillor Louise Nicol:

Councillors Fairweather, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Stewart and Wann (9).

For Councillor Speed:-

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Cheape, Cowdy, Doran, Duff, Durno, McDonald, Meechan, Scott, Shepherd, Speed and Whiteside (15).

Councillor Speed was therefore appointed to the Angus Integrated Children's Services Group

(viii) Angus Corporate Parenting Board

The Angus Corporate Parenting Board was a forum to support partnership working with a focus on improving outcomes for care experienced children and young people.

The membership from Angus Council was:

- Convener of Children and Learning Committee
- Vice Convener of Children and Learning Committee
- One Non-administration member of Children and Learning Committee

The Council was asked to note the membership and to appoint a non administration member.

The Council agreed to appoint Councillor Speed to the Angus Corporate Parenting Board.

At this point in the meeting, Mr Gill, Chairman of Caledonian Railway Brechin Ltd addressed the meeting in support of the application for Levelling Up Fund and gave details on what the proposals would involve and how some of the identified risks would be dealt with.

Following a number of questions from members, Mr Gill was thanked for his deputation.

9. LEVELLING UP FUND FOR BRECHIN CALEDONIAN RAILWAY

There was submitted Joint Report No 175/22 by the Director of Strategic Policy, Transformation and Public Sector Reform and the Director of Finance giving details of a proposal received from Brechin Caledonian Railway for Council's consideration in respect of submitting a Levelling Up Fund application to UK Government and asking members to determine Angus Council's position in relation to the application.

The Director of Finance, Mr Ian Lorimer, then updated members indicating that in relation to the application form an updated application form had been received yesterday from Mr Gill on behalf of the Brechin Caledonian Railway. The application was partially complete but remained a work in progress with a fair amount of work to be done. It was a very extensive piece of work to apply for the levelling up funding with quite a bit of work still to be done on that.

The process of completing the application form had been made more difficult because of the unavailability of the updated form on the UK Government website. Mr Lorimer advised that he had received an e-mail just this morning from the UK Government officials advising that the portal for submitting applications "will be open as soon as possible and once open will be live for two weeks for applicants to put forward their bids, we will update the gov.uk website with the planned date for the portal launch at the earliest opportunity". What that in effect meant was that the deadline, which was understood to be 6 July, was now effectively indeterminate. There was no firm date although it is known that the deadline would extend to at least mid July even if the portal opened tomorrow which would take us to the 15 July.

In relation to the application form, part 5 which was the economic case and part 6 which was the deliverability, those were the sections as of today that still needed the most work. There had been a cost benefit assessment part of the economic case which had largely been completed that had been received yesterday. The application also required quite a bit of additional material and information had to go along with it. One of the main parts of that was a costings and planning workbook had to be submitted. That workbook had just been received that morning so there had been very little time to go through that prior to the meeting today.

Mr Lorimer also advised members that two further letters of support had been received just in recent days. One from Liam Kerr, MSP and one from Michael Marra, MSP, which had been circulated separately to members by e-mail.

The Director of Finance and the Director of Vibrant Communities and Sustainable Growth responded to a number of questions from members.

The Council agreed to have a 20 minute adjournment.

The meeting re-convened at 4.10pm

The Director of Finance responded to further questions from members.

Councillor Whiteside, seconded by Councillor Beattie, moved that the Council:-

- (i) notes the background to the Levelling Up Fund and the specific opportunities and risks which arise from participation in the programmes as set out in the Report;
- (ii) notes the position on the application covered by this report and the specific benefits and potential risks associated with this;
- (iii) notes the letter of support from Mercedes Villalba, Scottish Labour Shadow Minister for Environment and Biodiversity at appendix A to the Report and that two further letters of support had been received, one from Liam Kerr, MSP and one from Michael Marra, MSP;
- (iv) notes the commentary in Section 6 regarding the main issues for the Council to consider and in particular the terms and conditions which the Council must accept if it wished to support the application;
- (v) notes the concerns of officers outlined in Conclusions, Section 9 of the Report, that while the Brechin Caledonian Railway presented a good project which showed great ambition, the scale of the project, the lack of detail currently available to assess the risks, the terms and conditions of the funding, the current volatile market conditions for construction projects and the Council's existing financial challenges meant regrettably that a Levelling Up Fund application for this project could not be recommended by officers at this time; and
- (vi) determines not to support the application at this time, noting that there may be an opportunity to support the project with a future application to the Levelling Up Fund or support some of the planned developments through other external funding opportunities.

Councillor Wann, seconded by Councillor Greig, moved as an amendment, that the Council:

- (i) notes recommendations (i) – (v); and
- (ii) determines to support the application and authorise the Director of Finance to accept the terms and conditions, this support being subject to receipt of all of the information required to complete the application from Brechin Caledonian Railway and, in line with the terms and conditions of the funding, the Director of Finance being satisfied "that the scheme cost estimates quoted in this bid were accurate" to the best of his knowledge.

On a vote being taken, members voted:-

For the motion:

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Cheape, Cowdy, Duff, Durno, McDonald, Meechan, Shepherd and Whiteside (12).

For the amendment:

Councillors Doran, Fairweather, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Scott, Speed, Stewart and Wann (12).

There being an equality of votes, the Provost exercised his casting vote in favour of the motion.

As Councillor Speed had intimated that she wished to propose an amendment, the Council adjourned for 5 minutes to allow officers to consider some procedural matters.

The meeting re-convened at 4.55pm

The Council agreed, in accordance with the provisions Standing Order 21(8), that the meeting continue to the conclusion of the business.

Councillor Speed, seconded by Councillor Doran, moved as an amendment, that the Council defers consideration of the Report and that a special council meeting be called once we were aware of the timescales with regard to the funding application and also to gather more information.

On a vote being taken, members voted:

For the motion:

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Cheape, Cowdy, Duff, Durno, McDonald, Meechan, Shepherd and Whiteside (12).

For the amendment:

Councillors Doran, Fairweather, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Scott, Speed, Stewart and Wann (12).

There being an equality of votes, the Provost exercised his casting vote in favour of the motion resulting in the motion being agreed.

10. REVIEW OF SCHEME OF ESTABLISHMENT OF COMMUNITY COUNCILS

There was submitted Joint Report No176/22 by the Director of Legal and Democratic Services and the Director of Vibrant Communities and Sustainable Growth proposing minor amendments to the current Scheme for the Establishment of Community Councils. A copy of the updated draft scheme was annexed at Appendix 1 to the Report, with the table of amendments incorporated into the draft scheme attached at Appendix 2 to the Report.

The Council agreed:

- (i) to approve the draft revised Scheme attached as Appendix 1 to the Report; and.
- (ii) to note that the revised Scheme would come into effect on 1 August 2022.

11. HYBRID MODEL OPTIONS FOR FUTURE COMMITTEE MEETINGS

With reference to Article 4 of the minute of the special meeting of Angus Council of 24 March 2022, there was submitted Joint Report No 177/22 by the Director of HR, Digital Enablement, IT and Business Support and the Director of Infrastructure providing members with options, costs and risks of delivering future council and committee meetings through either a remote or hybrid model and considered locations which could host the equipment and facilities required to hold hybrid meetings.

Councillor Whiteside intimated that she would wish to move a motion.

Councillor Wann intimated that he would wish to move an amendment.

The Council agreed to adjourn for 10 minutes to allow the precise terms of the motion to be formulated.

The meeting re-convened at 6.00pm.

Councillor Whiteside, seconded by Councillor McDonald, moved that the Council defer consideration of the Report and to delegate authority to the Director of HR, Digital Enablement, IT and Business Support, following consultation with the Leader of the Administration, the Leader of the Opposition and a non aligned representative to consult on

the costs of less expensive hybrid systems, including the costs of associated equipment and report back to full Council in September 2022.

Councillor Wann, seconded by Councillor Gavin Nicol, moved as an amendment, that the Council agrees to option 2 in the Report (Chamber in Town & County Hall, using new technology fully managed by third party provider (this would include new slimline chairs and tables to accommodate better design & layout)).

On a vote being taken, members voted:

For the motion:

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Cheape, Cowdy, Duff, Durno, McDonald, Meechan, Speed and Whiteside (12).

For the amendment:

Councillors Doran, Fairweather, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Scott, Stewart and Wann (11).

(Councillor Shepherd had left the meeting prior to the vote).

The motion was declared carried and the Council resolved accordingly.

Thereafter, Councillor Whiteside, seconded by Councillor McDonald, moved that in relation to the options for delivery of council meetings between August 2022 and February 2023, the Council agrees Option 1 (Continue with fully remote meetings for council and committee meetings).

Councillor Wann, seconded by Councillor Fotheringham, moved as an amendment, that the Council agrees Option 2 (Full Council meetings to be in-person in Angus House with all other committee meetings held remotely. The costs for the 3 Full Council meetings would be approximately £7.5K).

On a vote being taken, members voted:

For the motion:

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Cheape, Cowdy, Duff, Durno, McDonald, Meechan, and Whiteside (11).

For the amendment:

Councillors Doran, Fairweather, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Scott, Speed, Stewart and Wann (12).

The amendment was declared carried and the Council resolved accordingly.

12. REVENUE AND CAPITAL BUDGETS - UPDATE ON BUDGET RISKS AND ACTION

There was submitted Report No 178/22 by the Director of Finance updating members on a number of concerns and risks regarding the Council's 2022/23 revenue and 2021 to 2026 capital budgets and outlining the actions being taken to try to manage those risks.

The Report focussed on the Council's General Fund revenue and capital budgets and also some of the risks which would affect the Council's Housing Service. The Report also set out the concerns arising from current levels of inflation and the direction of travel in the Resource Spending Review which seemed likely to require reductions in the level of services the Council could provide on a scale not previously seen.

The Council agreed:

- a) to note the contents of the Report and the actions being taken by officers to try to manage the effects of inflation and other risks on the Council's budgets;

- b) to note that further action and revisions to the Council's 2022/23 revenue and 2021 to 2026 capital budgets seemed likely to be required and that proposals in this regard, should they prove necessary, would come to members for approval after the recess;
- c) to note the summary of key points and implications for the Council from the Scottish Government's recently published Resource Spending Review covering the period 2022/23 to 2026/27; and
- d) to note the concerns set out in the Report arising from current levels of inflation and the direction of travel in the Resource Spending Review which seemed likely to require reductions in the level of services the Council could provide on a scale not previously seen.

13. 2021/22 FINANCIAL OUTTURN AND DRAFT ANNUAL ACCOUNTS

There was submitted Report No 179/22 by the Director of Finance providing details of the unaudited financial outturn position on both a revenue and capital basis for 2021/22 for Angus Council and an update regarding preparation of the 2021/22 Annual Accounts.

The Council agreed:-

- a) to note the update regarding preparation of the 2021/22 Annual Accounts and that, in accordance with statutory requirements, they would be submitted to Audit Scotland by the 30 June 2022 deadline;
- b) to note that the Council's Annual Accounts would be published on the Council's website on or around the 30 June 2022;
- c) to note the revenue budget performance and associated commentary as set out in Section 4 and Appendices A, B & D of the Report;
- d) to note the capital budget performance and associated commentary as set out in Section 4 and Appendix C of the Report;
- e) to approve the 2021/22 100% budget carry forwards totalling £0.907 million as set out in Section 4 and Appendix E of the Report in accordance with the Council's 100% budget carry forward scheme, subject to none of these being affected by changes arising from the audit process;
- f) to note that further carry forward requests were being evaluated and would be the subject of a further report seeking approval;
- g) to approve that £0.857 million of prior year 100% carry forwards not utilised in 2021/22 due to delays in projects and plans be carried forward to 2022/23 as set out in Section 4 and Appendix E of the Report; and
- h) to approve the amendment of the Loans Fund repayment policy from that initially agreed in the Review of Loans Fund Policy Report No 104/22 to alternatively achieve a one-off saving of £4 million in 2021/22, as set out in Section 4.15 in the Report.

14. LOCAL AUTHORITY COVID-19 ECONOMIC RECOVERY (LACER) FUNDING

There was submitted Joint Report No 180/22 by the Director of Finance and the Director of Vibrant Communities and Sustainable Growth seeking member agreement on the use of a recently announced source of funding where Councils had discretion as to its use in order to support businesses and communities recover from the pandemic. The Report also proposed a number of interventions by the Council working with partners and other organisations which were intended to support Angus citizens and businesses using one-off funding provided by the Scottish Government.

The Council agreed:

- a. to note the background to this additional funding and associated guiding principles as set out in the Report and Appendix A;

- b. to approve the proposed use of the funding based on the key themes and specific proposals set out in Section 5 of the Report noting that the proposal to offer free public transport on a targeted basis would be the subject of a further report to members for consideration in August; and
- c. to note the intention to report back to members with an evaluation of the impact of all of the proposed projects and interventions once these had been implemented.

15. ANGUS ALIVE - UPDATE

There was submitted Report No 181/22 by the Director of Strategic Policy, Transformation & Public Sector Reform providing an update in relation to the use of ANGUSalve facilities as temporary vaccination centres in Arbroath, Forfar and Montrose, along with a brief update on progress with the development of ANGUSalve's Transformation Programme

The Council agreed:

- (i) to note the latest position with the temporary vaccination centres, as set out in section 4.1 of the Report; and
- (ii) to note the progress with the development of ANGUSalve's Transformation Programme, and that a report with a full update on the various projects included in the programme would be brought to the first full Council meeting after the summer recess.

Councillor Cheape, having declared an interest at Item 2 above, left the meeting.

16. CARNOUSTIE GOLF PROVISION – FUTURE ARRANGEMENTS - UPDATE

Mr Michael Wells, Chief Executive of CGLMC Ltd addressed the meeting and highlighted that Carnoustie was a leader in the world of golf. The staff and Board members were looking to Angus Council and its members to help them achieve their vision on behalf of the people of Angus to deliver a nationally significant destination that had the potential to deliver hundreds of millions of pounds into the regional and national economy.

Following a number of questions from members, Mr Wells was thanked for his deputation

There was submitted Joint Report No 183/22 by the Director of Finance updating members on progress with the detailed investigation of options which the Council agreed be undertaken at a Special Council meeting on 20 January 2022. The Report sought authority to increase the funding for specialist advisors to support this work following a tendering process.

The Report also highlighted to members important information concerning a potential planning application which CGLMC Ltd were considering submitting to the Council which if made would require a separate and distinct public consultation in line with planning legislation.

The Director of Finance responded to a number of questions from members.

The Council agreed:

- a) to note the update on progress with the development of the options, the updated action plan and timetable set out in Section 4 of the Report;
- b) to note the update and proposals for resourcing the work required and approve the increase in the funding for this work as set out in Section 5 of the Report;
- c) to note the revised estimated timeline for a public consultation on the options as set out in Section 4 of the Report;
- d) to note that Council officers had been made aware of the potential for a planning application being made to the Council for the redevelopment of the Carnoustie Golf Hotel and surrounding area. This would be deemed a major application which would

give rise to a separate process of pre-application public consultation under planning legislation; and

- e) to note for the avoidance of doubt that any public consultation/engagement for planning purposes was a completely separate process and therefore any such public consultation/engagement in this context would have no bearing or influence on the public consultation regarding future options for golf at Carnoustie as outlined in the Council Report in January 2022 or any future Council decisions on the options.

17. CGLMC LTD - PROPOSED FEE CHANGES

Mr Adair Simpson, Deputy Chief Executive addressed the meeting and indicated that CGLMC would never intentionally act in a manner that seemed to be in contravention of the Agreement or their relationship with Angus Council. He indicated that over the years, custom and practice had diluted the ratio and referred to the significant movement of the ratio over the years.

Mr Simpson responded to a number of questions from members, following which he was thanked for his deputation.

There was submitted Joint Report No 182/22 by the Director of Vibrant Communities and Sustainable Growth and the Director of Legal and Democratic Services informing members of changes to the fee structure made by CGLMC Ltd. for playing golf at Carnoustie Golf Links. The Report also explained the requirement for CGLMC Ltd. not to materially alter the ratio between charges for yearly tickets and visitor tickets (daily round) without first consulting the Council in accordance with the Management Agreement between the parties.

The Report asked the Council to note that material changes had been implemented by CGLMC Ltd without consulting the Council and therefore members were asked to determine which option to proceed with, in accordance with the Management Agreement, as detailed in the Report.

18. 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 item 19 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, Paragraph 12.

19. CGLMC LTD - PROPOSED FEE CHANGES - LEGAL ADVICE

The Council noted the legal advice provided in relation to the options set out in Report No 182/22, as detailed in the exempt Appendix.

The meeting re-convened in public.

In relation to Report No 182/22, the Council agreed: -

- (i) to note the requirement for CGLMC Ltd. to consult with the Council on any proposed changes to fees for playing golf at Carnoustie Golf Links in accordance with the Management Agreement between the parties;
- (ii) to note the changes to the fee structure made by CGLMC Ltd., including materially altering the ratio between charges for yearly tickets and visitor tickets (daily round), which had been implemented without consultation with the Council;
- (iii) that the Council was content with the changes with no further action required but wished to send a response to CGLMC Ltd in respect of the changes in terms of the Management Agreement:
 - (i) the Council is disappointed that CGLMC Ltd did not comply with the terms of the Agreement in reviewing the charges; and
 - (ii) that CGLMC Ltd confirm that they would do so in the future including consulting with the Council, as and when required, in terms of the Management Agreement.

- (iv) to delegate authority to the Director of Legal and Democratic Services to intimate the decision of Angus Council to CGLMC Ltd. and ask that they take all necessary steps to implement it; and
- (v) to delegate authority to the Director of Vibrant Communities and Sustainable Growth to appoint a council officer to act as a liaison officer between CGLMC Ltd and the Council.