

ANGUS COUNCIL

MINUTE of MEETING of **ANGUS COUNCIL** held in Angus House, Forfar on Thursday 8 September 2022 at 12.30pm.

Present: PROVOST BRIAN BOYD, DEPUTE PROVOST LINDA CLARK, Councillors JULIE BELL, KENNY BRAES, DAVID CHEAPE, SERENA COWDY, LYNNE DEVINE, HEATHER DORAN, BILL DUFF, BRENDA DURNO, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, IAIN GALL, ROSS GREIG, MARK MCDONALD, IAN MCLAREN, GEORGE MEECHAN, LLOYD MELVILLE, GAVIN NICOL, RONNIE PROCTOR MBE, LOIS SPEED, JILL SCOTT, TOMMY STEWART, DEREK WANN and BETH WHITESIDE.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Chris Beattie, Louise Nicol and Martin Shepherd.

2. DECLARATIONS OF INTEREST

Provost Brian Boyd made a statement of transparency in relation to Item 8 in that he was the owner of a private gym.

3. MINUTES OF COUNCIL AND COMMITTEES

(i) Minutes of Council Meetings

(a) Angus Council

The minute of the special meeting of Angus Council of 30 June 2022, was submitted and approved as a correct record

(b) Angus Council

The minute of the requisitioned meeting of Angus Council of 21 July 2022 was submitted and approved as a correct record.

(ii) Minutes of Committees

(c) Development Standards Committee

The minute of meeting of the Development Standards Committee of 21 June 2022 was submitted and noted.

(d) Policy and Resources Committee

The minute of the meeting of the Policy and Resources Committee of 21 June 2022 was submitted and noted.

(e) Scrutiny and Audit Committee

The minute of meeting of the Scrutiny and Audit Committee of 23 June 2022 was submitted and noted.

(f) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 7 July 2022 was submitted and noted.

(g) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 10 August 2022 was submitted and noted.

(h) Development Standards Committee

The minute of meeting of the Development Standards Committee of 16 August 2022 was submitted and noted.

(i) Communities Committee

The minute of meeting of the Communities Committee of 16 August 2022 was submitted and noted.

(j) Civic Licensing Committee

The minute of meeting of the Civic Licensing Committee of 18 August 2022 was submitted and noted.

4. MOTION IN TERMS OF STANDING ORDER 25 (1)

Councillor Proctor, seconded by Councillor McLaren, moved the following motion:

(i) The Scottish Outdoor Access Code (SOAC)

The Scottish Outdoor Access Code gives detailed guidance for universal access to land.

Nature Scotland (formerly Scottish Natural Heritage) were tasked with producing the code when formal rights of access were legislated via the Land Reform (Scotland) Act 2003 to provide guidance for both Access Takers and Land Managers on what would be considered as responsible behaviour.

Other than some minor technical changes incorporated in 2016, the SOAC has not been reviewed despite the ever-changing conditions, attitudes, and sometimes challenging behaviour by some visitors.

The code is therefore in need of updating to ensure that it is fit for purpose for both Access Takers and Land Managers.

We are privileged to call Scotland our home and it is fast becoming a destination of choice by many citizens across the UK, who choose to take their holidays at home rather than abroad. It is becoming a victim of its own popularity and appeal.

The influx of visitors to our lochs, parks and iconic and idyllic countryside is placing a strain on our resources, wildlife, natural habitat and infrastructure. Many of the rules laid down in 2003 are no longer as relevant as they were, and many conditions are not catered for at all.

The SOAC is based on the following three principles:

Respect the interests of other people.

Care for the environment

Take responsibility for your own actions.

Unfortunately, we are currently witnessing unprecedented incidents of vandalism and anti-social behaviour in our countryside both in our local area and elsewhere the country.

If we do not act now to safeguard our future and that of the natural environment, it may be too late. Once damage is done it is often too late to rectify.

I urge Council Colleagues to support this motion to ask the Chief Executive to write to the Scottish Government to request that they instruct Nature Scotland to carry out an urgent review of the Scottish Outdoor Access Code, to make it relevant and future proof with assessments for further reviews, timetabled for periods not exceeding five years in order to protect our beautiful countryside and all the flora and fauna with which we are privileged to live.

Councillor Bell., seconded by Councillor Meechan, moved as an amendment that legislation existed to deal with the issues to which the motion refers and we need to consider the concept of proportionality. There is already a route to contribute to NatureScot's ongoing duty to review the Code and people are encouraged to use it* (see below.) This amendment recognises the issues being experienced and seeks to deliver action now in Angus within the existing Code, the existing legislative framework and the existing curriculum.

We ask that the Chief Executive works with the local division of Police Scotland, traffic enforcement colleagues, and the Scottish Fire and Rescue Service to engage fully with communities, partners such as Scottish Water, private landowners, and individuals, working within the existing Code and the law; that our approach to visitor management supports local communities; that this Council raises the need and commitment for the expansion for outdoor education within the curriculum at appropriate forums nationally and with our MSPs; and we seek to enhance the importance of Nature and our natural environments within our own learning spaces, for children and adults alike, for the benefits of our public health, our landscape and our communities.

<https://www.outdooraccess-scotland.scot/doc/scottish-outdoor-access-code-review-form?fbclid=IwAR1niK8h5GHekdlxSidHNkdaTYm1UEfpzblhlaviy-jhhf-bFTucKI-CNAo>

Thereafter, the Council agreed to adjourn for 5 minutes to allow members to consider the terms of the amendment.

The meeting re-convened at 12.40pm

Councillor Proctor, indicated that he would be willing to include the terms of Councillor Bell's amendment in his motion and the Council agreed accordingly.

5. APPOINTMENTS

(i) Angus Health and Social Care Partnership Integration Joint Board

With reference to Article 9 of the minute of the statutory meeting of Angus Council of 26th May 2022, when Councillor Speed was appointed to the Angus Health and Social Care Partnership Integration Joint Board, Councillor Speed intimated that she wished to nominate Councillor Doran as her proxy.

The Council agreed to approve the appointment.

6. ANGUS COUNCIL PLAN ANNUAL PERFORMANCE REPORT 2021/22

With reference to Article 10 of the minute of meeting of Angus Council of 9 September 2021, there was submitted Report No 302/22 by the Chief Executive presenting the Angus Council Plan Annual Performance Report for 2021-2022 covering the period 1st April 2021 to 31st March 2022.

The annual performance report for 2021/22 focused on what had been done for the previous 12 months, key statistics, improvements and how they were progressing. The performance report was designed to show how the Council was delivering on the Council's vision to make Angus a great place to Live, Work and Visit. The report built on the work undertaken on the Strategy on a Page (SoaP) and the Best Value Audit which was shown highlighted throughout the document and would be the focus on the performance reporting moving forward.

The Council, having reviewed the Report, agreed to approve the 2021/22 Angus Council Plan Annual Performance Report (appended to the report).

7. ANGUS COMMUNITY PLANNING PARTNERSHIP ANNUAL REPORT 2021/22

With reference to Article 7 of the minute of meeting of Angus Council of 4 November 2021, there was submitted Report No 303/22 by the Chief Executive presenting the Angus Community Planning Partnership Annual Performance Report 2021/22 and the work delivered by the Angus Community Planning Partnership for the period 1 April 2021 to 31 March 2022.

The Annual Performance Report for 2021 – 2022 included: -

- Our Partnership Summary
- Legislative Context
- Our Performance – key areas of work
- 2030 Aspirations – Update.
- Sections on each priority including case studies: Reducing Child Poverty, Improving Mental Health & Wellbeing, Improving Accessibility and Connectivity
- 2022 Review of Community Plan

The performance report was designed to show how the partnership was delivering on our vision to make Angus a great place to live, work and visit and set the scene for the proposed Community Plan Review which would be tabled in November 2022. This review was aligned to the requirements in the Community Empowerment Act and would present a lot of opportunities for our communities to help shape the future direction of Community Planning in Angus 2022 – 2030.

The Council agreed to approve and note the 2021/22 Annual Performance Report (appended to the report).

8. ANGUSALIVE: TRANSFORMATION PROGRAMME UPDATE

With reference to Article 2 of the minute of the adjourned meeting of Angus Council of 17 September, there was submitted Report No 312/22 by the Chief Executive presenting an update in relation to ANGUSalive's Transformation Programme which was being progressed in partnership with the Council to support the organisation in working towards a sustainable long-term future.

The Report included details of the range of proposals which, in some cases, were now at a stage in their development that required Council consideration/approval to proceed. It also set out the principles of the Council's strategic direction for ANGUSalive, which would assist the organisation progress in a way that was closely aligned to the Council's needs going forward.

The Report recommended that the Council:

- (i) Notes the overall scope and content that was emerging as part of the ANGUSalive Transformation Programme, as outlined in section 5 of the Report;
- (ii) Agrees the principles for the future strategic direction of ANGUSalive as set out in section 5.1.1 of the Report, to ensure that ANGUSalive's forthcoming business plan and update to the services specification were aligned with the Council's latest requirements;
- (iii) Agrees to the initial proposals that currently required Council consideration/ approval, as set out in section 5.2.2 in the Report, which required interim changes to the services specification and agree they could form the content of a formal change notice between the Council and ANGUSalive, summarised as follows:
 - Permanent integration of Arbroath Library/ ACCESS Services, and removal of the existing ACCESS office building from ANGUSalive's license to occupy agreement;
 - New approach to Digital Training Services;
 - Updated Venue Operating Hours (Appendix 2 refers);
- (iv) Agrees to the initial proposals that currently required Council consideration/ approval, as set out in section 5.2.3 of the Report (without requirement for interim changes to service specification), summarised as follows:

- Engage Communities to explore opportunities for involvement in service delivery;
- (v) Notes the progress with the Monifieth Community Hub & Library integration project (Report 313/22 also refers);
- (vi) Agrees to delegate authority to the Director of Strategic Policy, Transformation & Public Sector Reform to approve any non-material changes to venue opening hours set out in Appendix 2, in order to expedite minor operational changes requested by ANGUSalive;
- (vii) Agrees the procurement authority for the supply and installation of equipment, following the sourcing strategies as set out in section 5.3 in the Report, with an estimated total value of £898,000, to be funded from ANGUSalive's Renewal & Repair Fund;
- (viii) Agrees to extend some of the support package measures to 31 March 2024 as well as the delegated authority of the Director of Finance to implement them as necessary, all as set out in section 5.4 of the Report; and
- (ix) Notes that further ANGUSalive reports would be brought to the Communities Committee, unless there was a specific requirement for consideration of a report by either the Policy & Resources Committee or full Council.

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

- (i) considers and approves recommendations (vii) and (viii) of the Report, given their time-critical nature as detailed in paragraphs 5.3 and 5.4 of the Report; and
- (ii) defers consideration of recommendations (i) – (vi) and (ix) of the Report so that officers could work together with Angus Alive to ensure that the services currently provided by Angus Alive could be transformed in order to continue to be sustainable.

In deferring these recommendations, Council requests that an updated report is presented to the next meeting of Council on 3 November 2022.

The Council agreed to a 5 minute adjournment to allow members to read the terms of the motion.

The meeting re-convened at 1.20pm

The Council then heard from the Director of Strategic Policy, Transformation and Public Sector Reform and the Chief Executive of AngusAlive.

Councillor Scott, seconded by Councillor Speed moved as an amendment that the Council also defers consideration of recommendation (vii).

On a vote being taken, members voted:

For the motion:

Provost Boyd, Depute Provost Clark, Councillors Bell, Braes, Cheape, Cowdy, Devine, Duff, Durno Fairweather, McDonald, Meechan, Melville, Proctor and Whiteside (15).

For the amendment:

Councillors Doran, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Scott, Speed, Stewart and Wann (10).

The motion was agreed and the Council resolved accordingly.

9. REVIEW OF INFORMATION REPORTS

With reference to Article 14 of the minute of meeting of Angus Council of 16 December 2021, there was submitted Report No 304/22 by the Director of Legal and Democratic Services providing details of the review of Information reports in accordance with the decision of the Council in December 2021. These interim arrangements were aimed at ensuring the Council could manage the committee business and reduce the number of reports coming before members.

The Council agreed:

- (i) to note the contents of the Report: and
- (ii) to continue with the current practice with regard to Information Reports.

10. STANDARDS COMMISSION DECISION

There was submitted Report No 305/22 by the Director of Legal and Democratic Services in relation to a Standards Commission Decision.

The Report indicated that in terms of Section 18 of the Ethical Standards in Public Life Etc (Scotland) Act 2000 the Council required to consider, within three months, the terms of a written decision issued by the Standards Commission.

A Hearing of the Standards Commission had taken place on 15 June 2022 in Angus House, Forfar in relation to complaint reference LA/AN/3561, concerning an alleged contravention of the Councillors' Code of Conduct dated July 2018 by Councillor Derek Wann (the Respondent).

The Hearing Panel had considered the submissions made both in writing and orally at the Hearing and concluded that:

1. The Councillors' Code of Conduct applied to the Respondent, Councillor Wann
2. There had, on the face of it, been a breach of paragraph 3.2 of the Councillors' Code of Conduct by the Respondent. However, when the Respondent's right to freedom of expression under Article 10 of the ECHR was taken into account, a finding of breach, and the consequent imposition of a sanction, was not justified.

The Council having considered the decision in relation to complaint reference LA/AN/3561, agreed to note the Report.

11. APPOINTMENTS TO OUTSIDE BODIES – UPDATE

With reference to Article 9 of the minute of the statutory meeting of Angus Council of 26 May 2022, there was submitted Report No 306/22 by the Director of Legal and Democratic Services, providing an update to members in relation to the decisions taken at the statutory meeting of Angus Council on appointments to Outside Bodies.

The Council agreed:

- (i) to note the update, as detailed in the Appendix to the Report;
- (ii) to note that further updates would be provided to members when officers had the requisite updated information on the remaining organisations, as detailed in the Appendix;
- (iii) to note the position regarding Montrose Basin Local Nature Reserve Management Committee and the William Lamb Studio Advisory Committee and that officers would now issue the questionnaire to these bodies seeking further information in accordance with the approved policy;
- (iv) to note the position regarding Scottish Amateur Music Association and the Sharp Fund (now The Annie McLean Trust for the Elderly) and that further information was

being sought by officers; and

- (v) that officers would seek to obtain information with regard to the status of the Arbroath Improvement Trust.

9. HYBRID COUNCIL AND COMMITTEE MEETINGS OPTIONS FOR TOWN AND COUNTY HALL

With reference to Article 11 of the minute of meeting of Angus Council of 30 June 2022, there was submitted Joint Report No 307/22 by the Director of HR,OD, Digital Enablement, IT and Business Support providing members with updated options, costs and risks for delivering future council and committee meetings through a hybrid model in the existing chamber in Town and County Hall.

The Council agreed:

- (i) to note the revised options highlighted in the report for the delivery of future hybrid council and committee meetings;
- (ii) to note the financial implications and risks of each option; and
- (iii) to approve the furniture solution and Option 3 (the recommended technical solution option as detailed in the report) to be progressed and implemented, to be operational for the February 2023 council meeting.

13. ACCOUNTS COMMISSION BEST VALUE AUDIT REPORT 2022

There was submitted Report No 301/22 by the Chief Executive presenting the Accounts Commission report on the Best Value Audit of Angus Council undertaken and concluded during the period between November 2021 and July 2022. It covered the period 2016 – 2022. The Council was invited to consider and comment on the findings set out in the report.

The key messages from the report were as follows:

- 1 The council has demonstrated a good pace of improvement since the last Best Value report in 2016. It has reshaped services and is an organisation that is focused on its priorities, working well with partners and keen to learn from good practice.
- 2 The council and its partners have a clear vision for Angus. There is strong partnership working and collaboration. Partners across Angus worked well together to deliver services to those most in need during the Covid-19 pandemic. The council is looking to learn from others how to engage effectively with communities on the service redesign required.
- 3 The pandemic has increased existing inequalities, hitting the most disadvantaged groups hardest. Reducing inequality is a priority for the council and it is engaged in a range of local projects to provide support and increase opportunities for its most disadvantaged citizens.
- 4 The Leader of the Council and Chief Executive provide effective leadership. Officers and members have constructive working relationships. Effective arrangements are in place to support decision-making and public scrutiny. Elected members have worked together to make difficult decisions to deliver financial sustainability.
- 5 Angus Council has effective financial management and medium-term financial planning but has yet to fully develop its long-term financial plan. The council has delivered significant financial savings in recent years through its Change Programme, including comprehensive service reviews. Now increasing financial pressures mean even more radical change is required to the range and scale of services and how they are delivered.
- 6 Annual performance reports are used to inform elected members and the public of progress against council priorities. These reports are improving year on year, but performance reporting needs to be more frequent to help drive improvement. Clearer

links between performance data and the impact of improvement actions is also necessary.

- 7 Progress in embedding a council-wide performance management framework to drive improvement activity has been slow. Covid-19 disrupted progress. Further change is needed if the council is to realise its ambition to be a performance led council.
- 8 The council's performance has improved or been maintained across three of the four key priority areas within its Council Plan. But in its priority area of the local economy, where many indicators do not have performance information available, there were already challenging performance issues before March 2020.
- 9 The Local Government Benchmarking Framework indicators for 2021/22 show a mixed picture, with good performance in areas such as waste management alongside the need for improvement in the key area of housing. The proportion of indicators in the top quartile is the highest since 2016/17.
- 10 Across the majority of areas the people of Angus are more satisfied with their council services than the Scottish average.
- 11 The Angus Health and Social Care Partnership is a key partner for the delivery of health and social care services. Good progress has been made in shifting care from hospitals to community and home-based care settings, but changes in the demand for care and recruitment challenges are resulting in unmet need. New models of service delivery are being introduced, but further change is needed to ensure services remain financially sustainable.

The Council agreed:

- (i) to formally receive and note the publication of the 2022 Best Value Audit;
- (ii) to accept the findings and recommendations set out in the Best Value Assurance Report published by the Accounts Commission;
- (iii) to acknowledge the significant progress made by Angus Council since 2016 as outlined in the report; and
- (iv) to note the draft Action Plan to address the recommendations as part of our continuous improvement work.

14. ANGUS DEVELOPMENT PLAN SCHEME 2022

With reference to Article 5 of the minute of the adjourned meeting of Angus Council of 24 September 2021, there was submitted Report No 308/22 by the Director of Vibrant Communities and Sustainable Growth setting out for approval the Angus Development Plan Scheme 2022 which included an updated position on the work programme for initial preparatory work on the next local development plan for Angus to replace the Angus Local Development Plan (2016).

The Council agreed:

- (i) to note the update on preparation of the next local development plan, immediate work programme, the implications of the new legislative requirements of the Planning (Scotland) Act 2019 and the associated delay in replacing the Angus Local Development Plan (2016);
- (ii) to approve the 2022 Angus Development Plan Scheme set out in Appendix 1 for submission to Scottish Ministers and general publication by 30 September 2022; and
- (iii) to note that a more detailed new style Development Plan Scheme would be reported to Angus Council in 2023, prepared under the provisions of the Planning (Scotland) Act 2019 which was yet to come into force.

15. ANGUS COUNCIL TRANSITION TO NET ZERO ACTION PLAN: 2022 TO 2030

There was submitted Report No 309/22 by the Director of Vibrant Communities and Sustainable Growth providing details of the Transition to Net Zero Action Plan.

The purpose of the Transition to Net Zero Action Plan 2022 to 2030 was to ensure Angus Council met the 2030 Scottish Government interim emissions reduction target of a 75% reduction in emissions, enroute to the Net Zero target by 2045. From the base year of 2012/13 to the end of the financial year 2020/21, Angus Council had reduced its emissions by 52.5%. Going forward to 2030, Angus Council must reduce its operational emissions by 5% each year to meet the 75% reduction target.

The Council agreed:

- (i) to approve the Angus Council Transition to Net Zero Action Plan 2022 to 2030 and adopts this as policy for Angus Council;
- (ii) to approve the carbon emission reduction targets within the document; and
- (iv) to approve the projects and initiatives within the Action Plan noting that those which could not be met from existing budgets would need to secure funding either through the Council's annual budget setting process or from external funding to enable them to go ahead.

At this point in the meeting, the Council agreed to a 20 minute recess.

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

The meeting re-convened at 3.25pm

16. ANGUS JOINT CHILD POVERTY LOCAL ACTION REPORT: OUR BRIGHT FUTURES

There was submitted Report No 310/22 by the Depute Chief Executive presenting to Council for approval the Angus Community Planning Partnership's (ACPP's) Child Poverty Local Action Report 2021/22 and Action Plan 2022/23.

The Angus Community Planning Partnership had committed to put addressing poverty and wellbeing at the heart of all their strategic work.

The Child Poverty (Scotland) Act 2017 had introduced the requirement for local authorities and each relevant Health Board to jointly prepare an annual Child Poverty Local Action Report. The report set out the measures taken in the area of the local authority during the reporting year for the purpose of contributing to the meeting of the child poverty targets. The report, alongside the action plan, set out the background and current picture in Angus, what actions were being taken to tackle each of the three drivers of poverty and the planned way forward.

The plan should be read in conjunction with The Angus Promise Plan 2021-24 which focused on the specific needs of children, young people and families who were on the edges of the care system, in the system or have moved on to independence.

The Council agreed:

- (i) to approve the Angus Joint Child Poverty Local Action Report 2021/22 and Action Plan 2022/23 prepared in partnership across Angus; and
- (ii) to note the change of name from Angus Joint Child Poverty Local Action Report to 'Our Bright Futures Report'.

17. SCRUTINY AND AUDIT COMMITTEE 2021/22 ANNUAL REPORT

With reference to Article 3 of the minute of the adjourned meeting of Angus Council of 24 September 2021, there was submitted Report No 311/22 by the Chief Executive presenting the Scrutiny and Audit Committee 2021/22 annual report for comment and approval.

The Annual Report at Appendix 1 had been prepared to inform Angus Council of the work undertaken by the Scrutiny and Audit Committee during 2021/22. It included an action plan for 2022/23 and an update on the actions identified in last year's annual report.

The Report concluded "As convener of the Scrutiny & Audit Committee, I am satisfied that the work undertaken by the committee during 2021/22 provides reasonable assurance that the Council's control environment and governance framework operated effectively and efficiently during 2021/22. Actions have been put in place to address any weaknesses identified and the committee will continue to monitor completion of these actions."

The Council agreed:

- (i) to note the contents of the Scrutiny and Audit Committee 2021/22 annual report (Appendix 1);
- (ii) that no further detail or assurances was required from the Scrutiny and Audit Committee; and
- (iii) to approve the Scrutiny and Audit Committee 2021/22 Annual Report.

18. MONIFIETH COMMUNITY HUB AND MONIFIETH LIBRARY – COSTS, FUNDING AND CONSULTATION UPDATE

With reference to Article 6 of the minute of meeting of Angus Council of 10 February 2022, there was submitted Joint Report No 313/22 by the Director of Finance and the Director of Strategic Policy, Transformation and Public Sector Reform advising the Council of the latest position on the provision of a community hub facility in Monifieth being pursued by Monifieth Community Resource Group (MCRG) and of the investigations undertaken to incorporate the Monifieth Public Library within the proposed community hub. The Report also provided an update on the costs, funding and outcomes from a recent consultation on the proposals.

The Council agreed:

- (i) to have due regard and consideration to the output from the consultation undertaken on the possible relocation of the current library and ACCESS service to the proposed community hub as set out in Section 5 and Appendix 2 of the report;
- (ii) to note the latest update on estimated project costs and funding for both a standalone community hub and a combined hub and library/ACCESS facility as set out in Sections 6 and 7 of the report;
- (iii) to note the assessment of key risks and mitigation measures set out in Section 10 of the report;
- (iv) to note that Monifieth Community Resource Group (MCRG) remained very supportive of the proposal to have a combined community hub and library/ACCESS facility given the community, operational and financial benefits which could come from co-location;
- (v) to approve the redirection of the 2021/22 Place Based Investment Programme funding from the Seaton Park, Arbroath project to the MCRG community hub project as set out in paragraph 7.2 of the report;
- (vi) to approve the relocation of Monifieth Library and ACCESS services to the new community hub facility at the Blue Seaway subject to the conditions set out in Section 12 and on the basis of the approach to meeting the projected funding shortfall set out in paragraph 8.4 of the report;
- (vii) to note that a further report would be provided to members for approval in early 2023 confirming the final costs and funding package prior to contracts being signed; and

- (viii) to note that future arrangements for the existing library building would be the subject of a separate report in due course.

19. REFERRAL OF A COMMITTEE DECISION IN TERMS OF STANDING ORDER 40(3)(1)

With reference to Article 4 of the minute of meeting of the Communities Committee of 16 August 2022, there was submitted Report No 314/22 providing information to members on a decision of the Communities Committee and asking members to determine the matter.

Councillor McDonald, seconded by Councillor Braes, moved the approval of the recommendations of Report No 188/22, (these being):-

- (i) to the continued opening of the three Superloo facilities in Arbroath, Forfar and Montrose on the basis they become unattended facilities, subject to employee consultation as detailed in section 5 of the Report;
- (ii) that the Director of Vibrant Communities and Sustainable Growth bring a report to Communities Committee on the options for increasing the number of public toilets through further partnership agreements with businesses and groups; and
- (iii) that the Director of Vibrant Communities and Sustainable Growth undertake an exercise to engage with relevant groups and organisations to identify the areas of greatest need for Changing Places facilities.

Councillor Fairweather, seconded by Councillor Stewart, moved as an amendment:

- (i) that recommendation (i) of Report No 188/22 is deferred until an option appraisal for the three Superloo facilities in Arbroath, Forfar and Montrose is examined;
- (ii) that the proposals of option appraisal are presented to Elected Members and members of the Communities Committee as soon as possible; and
- (iii) agrees recommendations (ii) and (iii).

On a vote being taken, members voted:-

For the motion:

Provost Boyd, Depute Provost Clark, Councillors Bell, Braes, Cheape, Cowdy, Devine, Duff, Durno, McDonald, Meechan, Melville, and Whiteside (13).

For the amendment:-

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

The motion was agreed and the Council resolved accordingly