

## ANGUS COUNCIL

MINUTE of HYBRID MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 11 May 2023 at 2.00pm.

**Present:** PROVOST BRIAN BOYD, DEPUTE PROVOST LINDA CLARK, Councillors CHRIS BEATTIE, JULIE BELL, KENNY BRAES, DAVID CHEAPE, SERENA COWDY, LYNNE DEVINE, HEATHER DORAN, BILL DUFF, IAIN GALL, ROSS GREIG, MARK MCDONALD, IAN MCLAREN, GEORGE MEECHAN, LLOYD MELVILLE, GAVIN NICOL, LOUISE NICOL, JILL SCOTT, MARTIN SHEPHERD, LOIS SPEED, DEREK WANN and BETH WHITESIDE.

PROVOST BOYD, in the Chair.

The Provost intimated that as members were aware, the Special Angus Council minute of 2 March 2023 (Item 3(i)(a)), had not been issued to members in line with the required '3 clear days' prior to the meeting. However, he had determined that in accordance with the provisions of Standing Order 11(1)(vii) that the minute be submitted for approval at this meeting as a matter of urgency as the minute required to be included within the relevant Volume of minutes.

The Provost also intimated that an emergency motion in relation to the Arbroath Lifeboat Station had been received outwith the 7 clear days' notice in terms of Standing Order 25(i) and that a request for a deputation on the same matter had also been received.

### 1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Brenda Durno, David Fairweather, Craig Fotheringham, Ronnie Proctor MBE and Tommy Stewart.

### 2. DECLARATIONS OF INTEREST OR STATEMENTS OF TRANSPARENCY

There were no declarations of interest or statements of transparency made.

### 3. REQUEST FOR A DEPUTATION

The Provost intimated that a request for a deputation had been received from Mr Alex Smith in relation to the decision made by the RNLI to downgrade the lifeboat from an all-weather boat to an inshore vessel.

The Council resolved to receive the deputation from Mr Smith.

Mr Alex Smith, Arbroath RNLI operations manager addressed the meeting and advised that following the outcome of the coastal review, the RNLI had reversed their long standing commitment to provide the 220 year old Arbroath harbour base with a replacement all-weather lifeboat and had now downgraded it to an Atlantic 85 inshore ridge inflatable. He advised that although the Atlantic 85 was a very capable boat, the priority was to save lives and to do that they must have the best boat available which was the Shannon all-weather lifeboat. He stressed that the RNLI must listen to the people who know these waters best and urged members to support them in their campaign for a replacement Shannon all-weather lifeboat.

Following a number of questions from members, the Provost thanked Mr Smith for his informative presentation following which Mr Smith withdrew to the public benches.

### 4. MINUTES OF COUNCIL AND COMMITTEES

#### (i) Minutes of Council Meetings

##### (a) Special Angus Council

The minute of Special meeting of Angus Council of 2 March 2023 was submitted and approved as a correct record.

**(b) Angus Council**

The minute of meeting of Angus Council of 16 March 2023 was submitted and approved as a correct record.

**(ii) Minutes of Committees**

**(c) Policy and Resources Committee**

The minute of meeting of the Policy and Resources Committee of 7 March 2023 was submitted and noted.

**(d) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 7 March 2023 was submitted and noted.

**(e) Scrutiny and Audit Committee**

The minute of meeting of the Scrutiny and Audit Committee of 9 March 2023 was submitted and noted.

**(f) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 9 March 2023 was submitted and noted.

**(g) Development Management Review Committee**

The minute of meeting of the Development Management Review Committee of 14 March 2023 was submitted and noted.

**(h) Civic Licensing Committee**

The minute of meeting of the Civic Licensing Committee of 23 March 2023 was submitted and noted.

**(i) Development Standards Committee**

The minute of meeting of the Development Standards Committee of 18 April 2023 was submitted and noted.

**(j) Communities Committee**

The minute of meeting of the Communities Committee of 18 April 2023 was submitted and noted.

**5. MOTIONS IN TERMS OF STANDING ORDER 25(1)**

**(i) Right to Strike**

Councillor Scott, seconded by Councillor Doran, moved the following motion:-

'Angus Council stands against the UK Government's move to impose minimum service levels on certain sectors – effectively banning the right to strike.

Angus Council supports the right of all workers in dispute with their employer to take industrial action up to and including withdrawing their labour. Any attack on our right to strike is an attack on our democracy and must be opposed.

The removal of these rights is particularly concerning considering the Retained EU Law Bill; causing fears that worker's rights, such as fair treatment, reasonable working hours and rest breaks, will be threatened.

If passed I would ask that the Chief Executive write to the Prime Minister on behalf of Angus Council's elected members to convey that Angus Council's elected members have passed a motion to convey to the Prime Minister that they are opposed to the Retained EU Law Bill for the reasons outlined above.'

The Council resolved to approve the motion.

## **(ii) Funding**

Councillor Wann, seconded by Councillor Gavin Nicol, moved the following motion:-

'Angus Council:

- (i) note the concerns raised by Audit Scotland that, at an all-Scotland level, not all of the expenditure from COVID monies can be identified;
- (ii) ask officers to prepare a report setting out suitable processes which the Council will follow to:-
  - (a) apply for funding from other organisations including from UK and Scottish Government; and
  - (b) allocate grant funding to third parties;
- (iii) agree that this report should clarify the role of elected members in those processes for approval and scrutiny purposes and which aspects would be delegated to officers. The report to also set out arrangements for reporting what's been achieved with such funding to elected members.'

The Council resolved to approve the motion.

At this stage in the meeting, the Provost intimated that Councillor Speed had submitted an emergency motion which had been submitted outwith the required timeframe however, in terms of Standing Order 11(vii) he had determined that the item be considered as a matter of urgency by reason of special circumstance as Councillor Speed has clarified that the motion was submitted outwith the timeframe due to the timing of the RNLI decision – this being a live matter and crisis for those effected.

## **(iii) Arbroath Lifeboat Station**

Councillor Speed, seconded by Councillor Cowdy, moved the following motion:-

'Angus Council:

- (1) express their unwavering support for Arbroath Lifeboat Station;
- (2) acknowledge with thanks the brave and dedicated volunteers who sustain the lifeboat service and stand in solidarity with them and trust their judgment; and
- (3) note with profound concern the recent reversal of the RNLI's long standing commitment to station a Shannon Class lifeboat at Arbroath.'

The Council resolved to approve the motion.

## **6. BUSINESS GATEWAY TAYSIDE – APPOINTMENT OF ELECTED MEMBER TO BUSINESS GATEWAY BOARD**

With reference to Article 10 of the minute of meeting of the Policy and Resources Committee of 2 May 2023, there was submitted Report 134/23 by the Director of Vibrant Communities and Sustainable Growth seeking approval to nominate an elected member to be appointed to the Business Gateway Tayside Board.

The Council resolved to appoint Councillor McDonald to the Business Gateway Tayside Board as an Observer in accordance with the policy on Appointments of Elected Members to Outside Bodies.

## 7. REVIEW OF STANDING ORDERS

There was submitted Report No 135/23 by the Director of Legal and Democratic Services which presented to elected members revised Standing Orders for consideration and approval.

The Service Leader - Legal and Procurement introduced the Report and advised that the Governance Member/Officer Group had reviewed the Council's Standing Orders to ensure that they reflected good practice, were compliant with legislative requirements, and in some cases were simplified to assist members and the general public understand how meetings operated and the rules governing such meetings. She advised that it was proposed that an additional recommendation be considered which would allow a Report to be brought back to council to review these changes and to consider any further updates that may be required in one year's time following the commencement of the new Scheme of Governance.

In relation to recommendation (iii) of the Report, Councillor Speed gave notice of an amendment.

The Provost confirmed that the terms of the amendment had been circulated to members.

*At this stage in the meeting (2.42 pm) the Council resolved to adjourn for a 5 minute period to allow members to consider the terms of the amendment.*

*The meeting resumed at 2.49 pm.*

Councillor Duff, seconded by Councillor Whiteside, moved that in relation to new Standing Order 11 the wording be approved as follows:-

- a) 'The list of exceptions where requests will not be permitted have been extended to include
  - an item that is exempt or confidential,
  - an item relating to staffing terms and conditions of any body or organisation to which a councillor has been appointed or nominated by the Council and,
  - an item in respect of any live litigation that the Council is involved with.
- b) No Request to Speak will be heard if a Request to Speak has been previously granted on the same matter and no change of circumstances has occurred.'

Councillor Speed, seconded by Councillor Doran, moved as an amendment that in relation to new Standing Order 11, the Council resolves not exclude the consideration of staffing terms and conditions.

On a vote being taken, the members voted:-

For the motion:-

Provost Boyd, Depute Provost Clark, Councillors Beattie, Bell, Braes, Cheape, Cowdy, Devine, Duff, Gall, Greig, McDonald, McLaren, Meechan, Melville, Gavin Nicol, Louise Nicol, Shepherd, Wann and Whiteside (20).

For the amendment:-

Councillors Doran, Scott and Speed (3).

The motion was declared carried and the Council resolved accordingly.

The Council thereafter also resolved:-

- (i) to approve Option 4 as detailed in the Report in relation to new Standing Order 4, as follows: Position as now (Option 1) with the exception that any use of Reserves for anything other than balancing the budget and the associated Council Tax position be included in the published papers for the Special Council meeting – this would mean any planned spending from reserves (other than use of Reserves to achieve a balanced budget) would be published in advance. Variations to published budgets and the bringing forward of amendments on the whole budget or specific aspects of the budget at the Special Council meeting would be allowed subject to these being confirmed as financially competent;

- (ii) to note the proposed change of format for elected members' budget proposals in terms of the annual meeting of the Council to set the Council Tax as outlined in paragraph 4 of the Report but that this be further considered at future meetings of the Policy & Budget Strategy Group;
- (iii) to approve the proposed revisions to Standing Orders for implementation in terms of the time-frame detailed within the Report, subject to a direction to the Director of Legal and Democratic Services to draft the relevant provisions of the revised Standing Orders in terms of the agreed wording at (i) above;
- (iv) that the revised Standing Orders would only take effect when the related governance framework documents such as the Order of Reference of Committees and the Scheme of Delegation to Officers had been considered and approved by Council so that the full suite of Angus Council Scheme of Governance documents as updated come into force at the same time;
- (v) that a Report be brought back to Council to review these changes and consider any further updates that may be required in one year's time following the commencement of the new Scheme of Governance.