

# ANGUS COUNCIL

MINUTE of HYBRID MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 2 November 2023 at 2.00pm.

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

DEPUTE PROVOST CLARK, in the Chair

## 1. APOLOGIES

Apologies for absence were intimated on behalf of Provost Brian Boyd and Cllr David Fairweather.

## 2. DECLARATIONS OF INTEREST OR STATEMENTS OF TRANSPARENCY

Councillor Speed declared an interest in item 8, Report No 301/23 as an appointed Trustee of the Arbroath Courthouse Community Trust. She indicated that she would not take part 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 7 September 2023 was submitted and approved as a correct record.

### (ii) Minutes of Committees

#### (b) Scrutiny & Audit Committee

The minute of meeting of the Scrutiny & Audit Committee of 22 August 2023 was submitted and noted.

#### (c) Adjourned Scrutiny & Audit Committee

The minute of meeting of the adjourned Scrutiny & Audit Committee of 29 August 2023 was submitted and noted.

#### (d) Policy & Resources Committee

The minute of meeting of the Policy & Resources Committee of 29 August 2023 was submitted and noted.

#### (e) Development Management Review Committee

The minute of meeting of the Development Management Review Committee of 4 September 2023 was submitted and noted.

#### (f) Development Standards Committee

The minute of meeting of the Development Standards Committee of 12 September 2023 was submitted and noted.

**(g) Civic Licensing Committee**

The minute of meeting of the Civic Licensing Committee of 14 September 2023 was submitted and noted.

**(h) Children & Learning Committee**

The minute of meeting of the Children & Learning Committee of 19 September 2023 was submitted and noted.

**(i) Communities Committee**

The minute of meeting of the Communities Committee of 26 September 2023 was submitted and noted.

**4. APPOINTMENTS**

**(i) Carnoustie Golf Links Management Committee Ltd**

The Council was advised that Mark Armstrong had intimated his resignation from the Carnoustie Golf Links Management Committee Ltd with effect from August 2023.

The Depute Provost sought nominations for the vacancy, following which the Director of Legal, Governance and Change advised members that Angus Council were entitled to appoint three persons to be Directors of the Company however, there did not need to be three Directors appointed by the Council, it was simply an entitlement. Should the Council decide not to re-appoint a member, the risk was that Angus Council would lose one vote at General Meetings and Directors Meetings.

Having sought nominations for the vacancy, and there not being any nominations proposed, the Council resolved to note the position meantime.

**5. ANGUS COUNCIL ANNUAL ACCOUNTS 2022/23 AND ANNUAL AUDIT REPORT TO MEMBERS**

With reference to Article 6 of the minute of meeting of the Scrutiny and Audit Committee of 26 October 2023, there was submitted Joint Report No 278/23 by the Chief Executive and Director of Finance presenting Audit Scotland's Annual Audit Report to Members on the 2022/23 Audit of Angus Council and Angus Council Charitable Funds and requesting that members of the Council review the content of Audit Scotland's Annual Audit Report covering letter and Annual Audit Report outlined in Appendices A & B to the Report.

The Director of Finance provided a brief summary of the key areas of the Report and in particular made reference to pensions liability.

The Report indicated that the Auditor's report identified 5 new actions for the Council to consider for 2022/23. This independent and external perspective was helpful and work was in hand to address these actions as shown in the action plan in Appendix 1 of the Auditor's report. It was noted that good progress had been made on prior year recommendations but for those actions not yet implemented revised responses and timescales had been agreed by management as set out in Appendix 1 to the Report.

Councillor Duff took the opportunity to congratulate the staff members for all their hard work in the preparation of these Reports.

The Council resolved to note the content of Audit Scotland's Annual Audit Report Covering Letter and Annual Audit Report outlined in Appendices A and B to the Report.

*Prior to the commencement of the following item, the Depute Provost on behalf of the Council thanked all the officers, resilience partners and community volunteers who had ensured that the Angus residents affected by the flooding, following the recent Storm Babet, were being adequately cared for.*

## 6. STORM BABET DELEGATION

There was submitted Report No 300/23 by the Director of Finance seeking authorisation from the Council to earmark £0.250 million of the Council's uncommitted General Fund balance for costs associated with the Council's initial response to Storm Babet, and to delegate decision-making regarding those financial resources to the Chief Executive.

The Director of Finance gave a brief overview and advised members that there were immediate costs requiring to be incurred by the Council outwith normal budgets e.g. emergency centre, hotel accommodation, food supplies, etc., and the possible need to supplement staffing levels on a temporary basis (in addition to diversion from other duties).

The Report indicated that the only additional resource currently delegated to officers, outwith service budgets, was the £0.285 million 2023/24 Provision for Additional Burdens delegated to the Director of Finance, with £0.269 million of this currently uncommitted. There was concern that this sum may not be sufficient to meet the additional costs of the Council's initial response needs therefore, an additional delegation to the Chief Executive was being sought, to avoid a risk of delay in meeting immediate response needs while committee approval was sought to incur expenditure.

Much discussion took place, and the additional funds were welcomed, although the full cost of the recovery was not yet fully known. Some members expressed their disappointment at the lack of immediate funding available and felt that residents and business were being let down.

The Depute Provost urged members to come together to help support residents across Angus and the Director of Finance advised members that the potential cost of recovery and repair following the storm was going to be significant and that the full financial implications were still being assessed and how they might be funded. A further Report would be submitted to a future meeting of Council once the cost of recovery was known.

The Council resolved: -

- (i) to agree to the earmarking of £0.250 million of the Council's uncommitted General Fund balance for costs associated with the Council's initial response to Storm Babet; and
- (ii) to delegate authority for determining use of the earmarked sum to the Chief Executive following consultation with the Director of Finance.

## 7. BEST VALUE THEMATIC WORK IN COUNCILS 2022/23

With reference to Article 8 of the minute of meeting of the Scrutiny and Audit Committee of 26 October 2023, there was submitted Report No 280/23 by the Chief Executive presenting Audit Scotland's report on 'Angus Council Leadership of the development of new local strategic priorities', which was part of Audit Scotland's Best Value thematic work in councils 2022/23.

The Report indicated that in 2023, the Accounts Commission/Audit Scotland had introduced a new approach to auditing Best Value in Scottish councils. The new approach continued to audit against the statutory duty but was now fully integrated with the annual audit at each council. It also included detailed work each year, focusing on a theme across all of the councils, which would be collated into a national report.

Audit Scotland's 2023 Report provided further assurance to members that Angus Council was working in a manner that was well aligned with the Best Value principles under review as part of the thematic audit. The Report included five improvement actions which were outlined in Section 5 of the Report. The improvement actions, along with the Council's management response, would be added to the Council's performance management system – Pentana - and reported to the Scrutiny and Audit Committee as part of the Corporate Governance improvement action update reports.

The Council resolved to note the content of Audit Scotland's Best Value thematic report: 'Angus Council Leadership of the new local strategic priorities'.

*Having declared an interest as detailed above, Councillor Speed left the meeting prior to consideration of the following item.*

## 8. REGENERATION CAPITAL GRANT FUND

There was submitted Report No 301/23 by the Director of Vibrant Communities & Sustainable Growth seeking authorisation for Angus Council to act as lead applicant and to submit a stage two application to the Scottish Government "Regeneration Capital Grant Fund" on behalf of Arbroath Courthouse Community Trust (ACCT).

The Report indicated that the Scottish Government Regeneration Capital Grant Fund Investment Panel had met in August 2023 to consider all Stage 1 project proposals received and Angus Council was informed of the panel decision by email on Thursday 28th September that the Arbroath Courthouse Community Trust had been recommended by the panel and were invited to submit a stage 2 application. The Hospitalfield application had not been recommended by the panel.

The Service Leader, Planning & Sustainable Growth introduced the report and it was noted that the deadline for stage 2 applications was 14:00 on Friday 10 November 2023 and decisions on successful applications were expected December 2023/January 2024. Should the Stage 2 bid be successful, a further report would be brought to Council seeking approval to accept the grant.

The Council resolved: -

- (ii) to note the background to the Regeneration Capital Grant fund and the specific opportunities and risks which arose from participation in the fund as set out in the report;
- (iii) to note the position on the application covered by the report and the specific benefits and potential risks associated with these;
- (iv) to agree that Angus Council act as lead applicant and authorised the Director of Vibrant Communities and Sustainable Growth to submit a stage two application to the Scottish Government Regeneration Capital Grant Fund on behalf of Arbroath Courthouse Community Trust; and
- (iv) to note that by agreeing to submit a stage two application meant that the Council was supportive of the project in principle at this stage and final sign-off and should the Regeneration Capital Grant Fund be approved a further report would be submitted to a future meeting.

*Councillor Speed re-joined the meeting.*

## 9. PUBLIC BODIES' CLIMATE CHANGE DUTIES: ANGUS COUNCIL ANNUAL REPORT 2022/23

There was submitted Report No 302/23 by the Director of Vibrant Communities & Sustainable Growth which provided an overview of the Council's compliance with its climate change duties and also provided an update on the progress made in relation to the Council's measures to improve performance relating to sustainability and climate change.

The report covered mandatory topics which included: profile of reporting body; governance, management and strategy; emissions, targets, and project data; adaptation; procurement; validation and declaration. Recommended topics relating to wider influence across the Council area were wider impact and influence on greenhouse gas emissions and other notable reportable activity. The report was largely retrospective, scrutinising performance over the period 2022/23.

The Council resolved: -

- (i) to approve the contents of the report in accordance with the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020;
- (ii) to agree the contents of Appendix 1 to the Report for submission to the Scottish Government and noted the progress that the Council had made in embedding climate change and sustainability into its policy and operations; and

- (iii) to approve the annual production of a Public Bodies Climate Change Duties Report summary report as detailed in Appendix 2 to the Report to be housed on the Angus Council website and used for wider communication purposes.

## **10. ANGUS SUSTAINABLE ENERGY AND CLIMATE PLAN PROGRESS REPORT**

There was submitted Report No 303/23 by the Director of Vibrant Communities & Sustainable Growth providing an update on the progress and implementation of the Angus Sustainable Energy and Climate Action Plan (SECAP) which was subject to a full review every two years.

The Service Leader, Planning & Sustainable Growth provided a summary of the progress on the existing activity to date, within the four key strands of SECAP. More detailed information on the SECAP progress report 2023 was contained in Appendix 1 to the report.

The Report indicated that following the publication of the initial SECAP progress report, a full review of the actions would take place in order to reflect the shift in lead action owner from Angus Council to partnership working with external organisations, with these being reported to a future meeting of Council as part of the next progress report in 2024. This shift was due to the publication of the Transition to Net Zero Action Plan 2022 – 2030 which focused on internal organisational emission reductions.

Following discussion, the Council resolved: -

- (i) to note the content of the report on the ongoing work to update progress on SECAP delivery and to support the ongoing development of the SECAP steering group via elected member representation;
- (ii) to agree the content of the SECAP progress report for circulation to members of the SECAP steering group; and
- (iii) to note that the SECAP steering group would produce a second phase delivery programme agreed by its members with progress being reported to committee in 2024 as part of the next SECAP progress report.

## **11. ANGUS COUNCIL TRANSITION TO NET ZERO ACTION PLAN: 2022 TO 2030 ANNUAL PROGRESS UPDATE 2022/23**

With reference to Article 15 of the minute of meeting of Angus Council of 8 September 2022, there was submitted Report No 304/23 by the Director of Vibrant Communities & Sustainable Growth providing the first annual update to Council on the implementation of the Transition to Net Zero Action Plan 2022 – 2030 and detailed the progress made on the emission reduction targets for the period 2022/23.

The Service Leader, Planning & Sustainable Growth provided a brief update and advised that the Transition to Net Zero Working Group had provided updates to each action, which were detailed in Appendix 1 to the Report, alongside the progress made on each of the actions, projects, and initiatives. A RAG rating (red, amber, and green colour scheme) had been used to easily identify progress. Significant progress had been made during 2022/23 with several of the actions being implemented or completed.

The Report indicated that the Council was making good progress towards the 2030 target of 75% reduction in emissions. From the base year of 2012/13 to the end of the financial year 2022/23, the Council had reduced its emissions by 58%. Despite achieving a good reduction in emissions during 2022/23, the Council was still behind its ideal target position. Therefore, from now until the next interim target due in 2029/30 of a 75% reduction, the Council required to reduce its emissions by 5.8% each year.

Following discussion, the Council resolved: -

- (i) to note the progress of the Transition to Net Zero Action Plan during 2022/23 as detailed in Appendix 1 to the Report; and
- (ii) to note the progress of emissions reductions, future emissions reductions required and current challenges that were likely to impact on progress in meeting these.

**12. BUSINESS GATEWAY TAYSIDE – CHANGE OF ROLE OF ELECTED MEMBER TO BUSINESS GATEWAY BOARD**

With reference to Article 6 of the minute of meeting of Angus Council of 11 May 2023, there was submitted Report No 305/23 by the Director of Vibrant Communities & Sustainable Growth seeking approval to change the appointment of Councillor McDonald on the Business Gateway Tayside Board from an Observer to a Decision Maker following attendance at the Business Gateway Tayside Board meeting in June 2023.

The Council resolved to change the appointment of Councillor McDonald to the Business Gateway Tayside Board to a Decision Maker following the previous appointment as an Observer in accordance with the policy on Appointments of Elected Members to Outside Bodies.