

ANGUS COUNCIL

MINUTE of SPECIAL ADJOURNED HYBRID MEETING of **ANGUS COUNCIL** held remotely on Tuesday 24 October 2023 at 11.00 am.

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

PROVOST BOYD, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors David Cheape, Ian McLaren, George Meechan, Martin Shepherd and Tommy Stewart.

2. DECLARATIONS OF INTEREST OR STATEMENTS OF TRANSPARENCY

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

At this stage in the meeting, Councillor Whiteside referred to the recent events during Storm Babet and expressed, on behalf of the Council, her thoughts to those affected in both Brechin, the surrounding areas and across Angus. Councillor Whiteside expressed her gratitude to all those who had assisted those affected by the unprecedented events, in particular Council staff, resilience partners and community volunteers.

Councillor Whiteside also mentioned the sad loss of one of our Council Colleagues which some Council staff were also coming to terms with at this time.

Councillor Whiteside stressed that the Council were committed to the recovery process and support had been pledged by the Scottish Government. Councillor Whiteside reassured all those affected that the Council would do its utmost to assist those in need.

3. ARBROATH, A PLACE FOR EVERYONE – PROJECT UPDATE AND CONTRACT AWARD

With reference to Article 7 of the minute of meeting of Angus Council of 10 March 2022, there was submitted Joint Report No 275/23 by the Director of Infrastructure & Environment, the Director of Vibrant Communities & Sustainable Growth and the Director of Finance providing members with the latest position regarding the “Arbroath, A Place for Everyone” project (“the Project”), including details on the final estimated cost for delivery of the Project and the award of additional funding from Sustrans.

The report highlighted the wider “place” benefits the Project could deliver and the community engagement that had been undertaken. Members were recommended to note the project update, note the award of additional Sustrans funding and to agree to proceed to the construction phase and full completion of the Project, provided certain conditions were met.

The Director of Infrastructure & Environment introduced the Report and answered a number of questions. A number of members also made comments in relation to the Project.

Thereafter, the Council resolved: -

- (i) to note the award of additional funding of up to £1.389 million from Sustrans towards delivery of the Project;
- (ii) to note the financial implications within Section 6 of the Report and the proposed options to fund the delivery of the Project, with Angus Council's contribution being in line with existing approved budgets;

- (iii) to approve funding Scenario 1 in Section 6 (Table 3) as the basis for funding the Project, noting this was considered to be a worst case scenario;
- (iv) to give due regard and consideration to the risks and issues as outlined in Section 7;
- (v) to note that officers recommend that the Project only proceed if the following conditions precedent were met: -
 - 1. preliminary site investigations into the location of utility services be concluded to the satisfaction of the Director of Infrastructure and Environment; and
 - 2. the Director of Infrastructure and Environment, following consultation with the Director of Finance, was satisfied that the project remained within budget, as described in Section 6 – Financial Implications; and
- (vi) that subject to the conditions precedent outlined in recommendation (v) above being fully met, agrees to the Project proceeding and authorises the Director of Legal, Governance and Change or her nominee(s), following consultation with the Director of Finance and Director of Infrastructure and Environment, to execute, deliver and perform the Delivery Agreement and any other necessary documentation in respect of the project on behalf of Angus Council, using the SCAPE Framework.

In accordance with the provisions of Standing Order 16(11)(ii), Councillor Durno requested that her dissent be recorded in relation to the foregoing decision.

4. REVIEW OF THE KERBSIDE RECYCLING SERVICE

With reference to Article 10 of the minute of meeting of the Communities Committee of 26 September 2023, there was submitted Report No 276/23 by the Director of Infrastructure and Environment which proposed a revised kerbside recycling service that would align with national policy, deliver savings identified in the Council's Change Plan, increase recycling and would be supported by grant funding from the Scottish Government's Recycling Improvement Fund. A new procedure for tagging and not emptying purple household bins containing an unacceptable level of recyclables was also proposed.

The report highlighted that continuing with the current arrangement for kerbside recycling, risked non-compliance with upcoming legislation and higher costs for processing of materials. An Options Appraisal had been carried out and was detailed at Appendix 2 to the Report, with two options considered to meet the essential requirements to comply with the Recycling Charter for Scotland and deliver the savings target identified in the Change Plan. Taking cognisance of the Options Appraisal, and giving due regard and consideration to the community engagement exercise, it was proposed the kerbside recycling service be revised as detailed in Section 5 of the Report.

A bid had been submitted to the Scottish Government's Recycling Infrastructure Fund for £2,843,473.36 to support the capital costs associated with revisions to the Council's kerbside recycling service that would align it to the Household Waste Recycling Charter. The bid was accepted by the Recycling Infrastructure Fund board and ratified by the Minister for Green Skills, Circular Economy and Biodiversity, subject to confirmation of acceptance by Angus Council by 31 October 2023.

The Director of Infrastructure & Environment introduced the Report. Thereafter, Councillor Fairweather gave notice of an amendment which was circulated.

The Council resolved to adjourn for five minutes (12.13 pm) to allow the opportunity for members to consider the contents of the proposed amendment.

The meeting resumed at 12.18pm.

Having heard from a number of members, and from Councillors Fairweather and McDonald in relation to the proposed amendment when it was agreed that the amendment be accepted as additional recommendations, the Council resolved: -

- (i) to agree the implementation of a revised kerbside recycling service, as detailed in Section 5 of the Report;

- (ii) to authorise the Director of Infrastructure and Environment to accept the funding award of £2,843,473.36 from the Recycling Improvement Fund to support the implementation of a revised kerbside recycling service;
- (iii) to apply the procedure that purple household bins be tagged and not emptied when an unacceptable level of recyclables, that should have gone in kerbside recycling bins, were found in the purple bin, as detailed in Section 5 of the Report;
- (iv) to authorise the Director of Infrastructure and Environment to procure the supply of goods and services associated with the roll-out of the revised kerbside recycling service, as detailed in Appendix 1 (Exempt) to the Report;
- (v) to agree that given the Climate Change Emergency, Councillors be provided with a high level assessment of the effect on the council's carbon footprint due to the likely increased travel by Angus residents due to implementation of the revised kerbside recycling service as outlined and recommended in Section 5 of the Report;
- (vi) that confirmation be provided to elected members of any new bin siting required to implement the revised kerbside recycling service as outlined and recommended in Section 5 of the Report following engagement with relevant residents and businesses in their respective areas;
- (vii) to agree that an Assessment on the effect that potential extra travel would have on people with a disability and the vulnerable, due to implementation of the revised kerbside recycling service as outlined and recommended in Section 5 of the Report;
- (viii) that confirmation be provided of what would and would not be contamination of bins, as per recommendation (iii) above, to safeguard the council from any legal challenge;
- (ix) to agree that the additional information being sought in recommendations (v) to (viii) above be covered in an information report from the Director of Infrastructure and Environment at the earliest opportunity; and
- (x) to note that there were no additional financial implications arising from recommendations (v) to (viii) as this work would be undertaken in-house using existing resources.