

ANGUS COUNCIL

MINUTE of HYBRID MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 20 June 2024 at 2.00pm.

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

PROVOST BOYD, in the Chair.

Prior to the commencement of business, the Convener reminded members that it was currently the pre-election period in light of the forthcoming UK Parliamentary General Election on 4 July 2024 and that members were to be mindful of the legal requirements in their discussion and debate today.

1. APOLOGIES

An apology for absence was intimated on behalf of Councillor Gavin Nicol.

2. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY

Councillors Doran and Nicol made a statement of transparency in relation to Agenda Item 6(ii) Motion - Withdrawal of Primary One Early Year's Practitioners from Angus Education Settings as they both had school age children. They both indicated that they would take part in any discussion and voting.

Provost Boyd declared an interest in Agenda item 6(iii), Motion - Housing Emergency as he had companies with various properties held by them and also had personal rental properties. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of the item.

Councillor Proctor made a statement of transparency in relation to Report No 200/24 – Renaming of Cumberland Close, Kirriemuir consultation with Kirriemuir residents as he had been contacted by local residents on the matter but had made no comment. He indicated that he would take part in any discussion and voting.

Councillor Stewart made a statement of transparency in relation to Report 204/24 on the disposal of Inch Pavilion and Bowling Green, Croft Road, Montrose as a charity he had connections with had received previous donations from three of the interested parties concerned. He indicated that he would take part in any discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of Angus Council of 9 May 2024 was submitted and approved as a correct record.

4. POSSIBLE EXCLUSION OF PUBLIC AND PRESS

The Council resolved, in terms of Standing Order 27(2), that the public and press be excluded during consideration of Item 12 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.

5. REQUEST FOR DEPUTATIONS

The Provost intimated that a request for a deputation had been received from Morag Smith in relation to Councillor Speed's motion on the withdrawal of Primary one early years Practitioners. He advised that as he firstly required to determine the competency of this motion, he would consider this request following his determination of the motion.

The Provost intimated that a request for a deputation had been received from Annie McLean, Business Owner trading from Cumberland Close, Kirriemuir in relation to Report No 200/24 – Renaming of Cumberland Close, Kirriemuir, Consultation with Kirriemuir residents. The Council resolved to receive the deputation from Ms McLean.

The Provost intimated that a request for a deputation had been received from David Denoon in relation to Report 204/24 on the disposal of Inch Pavilion and Bowling Green, Croft Road, Montrose. The Council resolved to receive the deputation from Mr Denoon.

The Provost intimated that a request for a deputation had also been received from Lynn Wilson on behalf of Ferryden and Craig Community Council in relation to Report 204/24 on the disposal of Inch Pavilion and Bowling Green, Croft Road, Montrose. The Council resolved to receive the deputation from Ms Wilson.

6. MOTIONS IN TERMS OF STANDING ORDER 24(1)

(i) Offline and Overlooked

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

- a) acknowledge Age UK's "Offline and Overlooked" Campaign and to note Angus Council's ongoing commitment to: -
- Maintain services and supports that can be accessed not only online, but by telephone and face-to-face, and in places and spaces that are accessible to all, including older people, young people, people with disabilities, British Sign Language (BSL) users, people with sensory and communication loss and people for whom English is not their first language;
 - Promote the Council's ACCESS Office services that provide face-to-face services by liaising with our partners such as VAA, the Community Planning Partnership, Community Councils and front-line staff, including Angus Health & Social Care Partnership and Angus Alive, to remind them that those not digitally enabled can access services in Access Offices and by providing a list of locations and opening times;
 - Ensure that alternative formats/paper copies of applications and other applicable information is made available, where appropriate;
 - Enable engagement and consultation to be undertaken by alternative methods of communication in addition to an online offering;
 - Deliver on the Angus Community Plan Priority to care for our people by reducing inequalities in all our communities; this includes, by working to remove barriers to help ensure that everyone in Angus has the same opportunity to fully participate within society, local democracy and can easily access the Council; and
- b) Require the Chief Executive to write to the UK Government and the Scottish Government to express Angus Council's support of Age UK's Offline and Overlooked Campaign, to ask UK and Scottish Governments to make sure local authorities receive enough funding to provide offline services, and to highlight the need for additional funding to enable Angus Council to provide support to people who are not computer users, but who would like to be, to get online.

The Council resolved to approve the motion.

(ii) Withdrawal of Primary One Early Year's Practitioners from Angus Education Settings

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

The Education and Lifelong Learning Directorate has determined to withdraw the use of Primary One Early Years Practitioners ('P1 EYP's') from the start of the 2024/2025 academic session.

There are currently 22 P1 EYP's utilised at schools where need is greatest amongst our youngest citizens for additional help in their learning. The P1 EYP's give the children the additional support they need to learn and, among other things, use play pedagogy as a tool to assist in their learning development.

The decision to withdraw the P1 EYP's from schools for the forthcoming academic session has not been subject to consultation.

In my view, the impact of removing this support from some of our youngest citizens cannot be understated.

I therefore ask Members to instruct the Director of the Education and Lifelong Learning Directorate to maintain the provision of P1 EYP's at current levels for academic year 2024/2025, during which time, a full and comprehensive consultation should be undertaken to consider the value and future provision of Early Years Practitioners in Angus Primary One classes.

It is proposed that the cost of implementing the instruction to the Director of Education and Lifelong Learning Directorate should be met from the exceptional cost pressure reserve fund.

At this stage in the meeting, the Provost advised members that commentary from the Director of Finance on the Financial Implications of this motion had been circulated to members and moved that the meeting be adjourned for 20 minutes to allow him to take advice from officers on this matter.

The meeting resumed at 2.40pm

The Provost ruled that, in accordance with Standing order 24(1), the motion submitted by Councillor Speed was not competent as it related to an operational matter and therefore would not be considered.

In regard to the deputation request from Morag Smith, the Provost determined that the subject matter of the deputation was also not competent as there was no motion to consider therefore the deputation request would not be put before members to be heard.

The Provost having declared an interest at item 2 above, left the meeting during consideration of Item 5(iii) below. The Depute Provost took the Chair.

Prior to consideration of the following Motion, the Depute Provost ruled that in terms of Standing Order 25(1)(i) that the motion was considered to be a "material change of circumstances" as the First Minister had now declared a Housing Emergency which allowed Councillor Scott to submit this motion.

(iii) Housing Emergency

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

The Scottish Government have now declared a National Housing Emergency, we believe this to be a material change in circumstances.

We wish for Angus Council to acknowledge that there is a Housing Emergency here in Angus. The Strategic Housing Investment Programme has had a reduction of £9m in funding.

Our next local development plan will not be confirmed until 2029 – we know there is a shortage of social and private properties in Angus and need to create an interim plan to tackle this.

This motion asks Angus Council to declare a housing emergency and put a working group together - consisting of officers and councillors from Administration, Opposition and Non-Aligned to address this challenge.

Councillor Braes, seconded by Councillor Melville, moved the following as an amendment: -

The Scottish Government have now declared a National Housing Emergency, we believe this to be a material change in circumstances.

“Angus Council declares that there is a Housing Emergency in Angus.

Angus Council will establish a short-life Member Officer Working Group (“MOWG”) to consider the establishment of a standalone Housing Committee, to oversee Angus Council’s Housing Strategy and Policy, and take urgent action to address the Housing Emergency and thereafter for the MOWG to bring forward recommendations for the establishment of this new Housing Committee to Full Council, including proposed Terms of Reference.”

Thereafter, the Council resolved to adjourn for 20 minutes to allow the opportunity for members to consider the contents of the proposed amendment.

The meeting re-convened at 3.05pm.

Having heard from a number of members, Councillor Scott and Councillor Doran agreed to withdraw their motion thereafter, the Council unanimously resolved to approve the amendment.

The Provost rejoined the meeting at this stage and retook the Chair.

7. APPOINTMENTS AND REMUNERATION STRUCTURE

(i) Appointments to Committees Etc

(a) Family, Education and Justice Committee

The Council was advised that Councillor Braes had intimated his resignation as a member of the Family, Education and Justice Committee.

The Council resolved to appoint Councillor Bill Duff to the Family, Education and Justice Committee.

(b) Policy and Resources Committee

The Council was advised that Councillor Braes had resigned as Vice-Convener of the Policy and Resources Committee.

The Council resolved to appoint Councillor Meechan as Vice-Convener of the Policy and Resources Committee.

(c) Appointments Sub Committee

The Council was advised that Councillor Duff had resigned from the Appointments Sub Committee.

The Council resolved to appoint Councillor George Meechan to the Appointments Sub Committee.

(d) Angus Alive

The Council was advised that Councillor Braes had intimated his resignation from Angus Alive Board.

The Council resolved to appoint Councillor Brian Boyd to the Angus Alive Board.

(e) Tayside Contracts Joint Committee

The Council was advised that Councillor Meechan had intimated his resignation from the Tayside Contracts Joint Committee.

The Council resolved to appoint Councillor Bill Duff to the Tayside Contracts Joint Committee.

(f) Tayside Valuation Joint Board

The Council was advised that Councillor Meechan had intimated his resignation from the Tayside Valuation Joint Board.

The Council resolved to appoint Councillor Bill Duff to the Tayside Valuation Joint Board.

(g) CoSLA Convention

The Council was advised that Councillor Braes had intimated his resignation from the CoSLA Convention.

The Council resolved to appoint Councillor George Meechan to the CoSLA Convention.

(h) Forfar Day Care Centre (known as Deirdre Knight Centre)

The Council was advised that Councillor Greig had intimated his resignation as an observer on the Forfar Day Care Centre (known as Deirdre Knight Centre).

The Council noted that there was no requirement to fill this vacancy.

(i) Angus Citizens Advice Bureau Management Committee

The Council was advised that Councillor Braes had intimated his resignation from the Angus Citizens Advice Bureau Management Committee.

The Council noted that there was no requirement to fill this vacancy.

(ii) Angus Council Remuneration Structure for Elected members

It was noted that as a consequence of changes in roles some revisions to the Council's remuneration structure for elected members were proposed. The proposals meant a reduction in costs compared to the current structure of approximately £4,300 and could therefore be met from within existing budgets.

The Council resolved to approve the structure which would be effective from 20 June 2024.

Deputation

Ms Annie McLean very briefly addressed the meeting and thanked the Council and members for bringing the matter of the renaming of Cumberland Close, Kirriemuir to a satisfactory conclusion by way of a consultation exercise. The Provost thanked Ms McLean for her presentation.

8. RENAMING OF CUMBERLAND CLOSE, KIRRIEMUIR, CONSULTATION WITH KIRRIEMUIR RESIDENTS

With reference to Article 7 of the minute of meeting of Angus Council of 14 December 2023, there was submitted Report No 200/24 by the Director of Infrastructure and Environment providing details of the results of the consultation with residents of Kirriemuir in connection with a Petition requesting the re-naming of Cumberland Close, Kirriemuir following the decision of the Council to defer the matter for consultation with residents.

The Report advised that the consultation with residents of Kirriemuir had taken place between 18 March 2024 and 21 April 2024 and Appendix 1 to the Report provided a summary of the response figures. Appendix 2 to the Report provided a copy of the letter of representation which had been received in objection to the change of street name and Appendix 3 to the Report provided rankings on suggested street names from those persons who had voted to change the street name.

The Council resolved: -

- (i) to note the previous decision of Angus Council on 14 December 2023, including to agree that the residents of Kirriemuir should make the decision around any change of name and to instruct the Director of Infrastructure and Environment to carry out a consultation for the residents of Kirriemuir to determine whether to change the name of Cumberland Close, Kirriemuir;
- (ii) to note the feedback received from the residents of Kirriemuir via the consultation process concerning the possibility of renaming Cumberland Close, Kirriemuir; and
- (ii) to agree to retain the current street name of Cumberland Close and take no further action.

In accordance with the provisions of Standing Order 3(1) the Council resolved that the order of business proceed in the following order.

Deputation

Ms Lynn Wilson, representative for Ferryden and Craig Community Council addressed the meeting and advised that she was speaking on behalf of the residents of Ferryden who were against the sale of the public facility Inch Pavilion Bowling Green, Croft Road, Montrose. She advised that there were no other green spaces available in Rossie Island and that the flower pavilion within the area was used as a place for social gathering and offered many benefits to the local community. She also felt that the current consultation exercise had been flawed and urged members to refuse the sale and asked the Council to carry out a more meaningful consultation before proceeding any further. The Provost thanked Ms Wilson for her presentation.

Deputation

Mr David Denoon addressed the meeting and spoke of the need to keep this green space for the local community to use and he urged members to refuse to sell the Inch Pavilion Bowling Green, Croft Road, Montrose as this area was the last green area within Rossie Island. The Provost thanked Mr Denoon for his presentation.

Thereafter, the Council resolved to adjourn for 15 minutes to allow members a "comfort break" and to allow the Provost to take advice from officers on a procedural matter.

The meeting resumed at 4.13pm

9. DEFERRAL OF REPORT TO COUNCIL – CONSULTATION OUTCOME AND NEXT STEPS - DISPOSAL OF INCH PAVILION AND BOWLING GREEN, CROFT ROAD, MONTROSE

With reference to Article 10 of the minute of meeting of the Policy and Resources Committee of 4 June 2024, there was submitted Report No 204/24 by the Director of Legal, Governance and Change providing information to members on a decision of the Policy and Resources Committee and asking members to determine the matter.

The Director of Infrastructure and Environment spoke on the contents of Report 173/24 which was appended to Report 204/24 and clarified a number of points that had been raised within Ms Wilsons deputation. Mrs Watson, Service Leader, Legal and Procurement addressed the meeting and also clarified a number of points raised with regards the consultation exercise.

At this point in the meeting, Councillor Stewart seconded by Councillor Gall gave notice of an amendment, a copy of which was circulated to all members.

Thereafter, the Director of Infrastructure and Environment and the Service Leader, Legal and Procurement responded to members questions.

The Council resolved to adjourn for 20 minutes.

The meeting resumed at 4.48pm.

Members asked further questions and Ms Wilson confirmed that the consultation email had been sent to the correct email address for Ferryden and Craig Community Council however, they had not received it.

At this point in the meeting, (the time being 4.59pm) the Council resolved, in accordance with the provisions of Standing Order 21(5), that the meeting continue until the conclusion of the business.

The Council resolved to adjourn for a 20 minute period to allow members to consider the contents of the amendment.

The meeting resumed at 5.26pm

COUNCILLOR BRAES SECONDED BY COUNCILLOR WHITESIDE MOVED THAT THE COUNCIL RESOLVE: -

- (I) TO NOTE, CONSIDER AND HAVE REGARD TO THE REPRESENTATIONS MADE IN RESPONSE TO THE FORMAL CONSULTATION CARRIED OUT IN ACCORDANCE WITH SECTION 104 OF THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 AS DETAILED IN THE REPORT AND APPENDICES;
- (II) TO NOTE THAT ANY SALE OF INCH PAVILION BOWLING GREEN, CROFT ROAD, MONTROSE COULD NOT PROCEED WITHOUT THE COURT FIRSTLY GRANTING CONSENT TO THE DISPOSAL OF THE COMMON GOOD ASSET; AND
- (III) TO APPROVE AND AUTHORISE THE DIRECTOR OF INFRASTRUCTURE AND ENVIRONMENT, SUBJECT TO THE CONSENT OF THE COURT BEING OBTAINED, TO PROCEED WITH AND CONCLUDE THE SALE OF THE INCH PAVILION BOWLING GREEN, CROFT ROAD, MONTROSE TO MONTROSE PORT AUTHORITY FOR THE PRICE OF £201,750 IN ACCORDANCE WITH REPORT NO. 296/23 APPROVED AT THE POLICY & RESOURCES COMMITTEE ON 24 OCTOBER 2023, WITHOUT FURTHER REFERENCE TO COMMITTEE.

Councillor Stewart seconded by Councillor Gall moved as an amendment that the Council resolve: -

- (i) to note, consider and have regard to representations made in response to the formal consultation carried out in accordance with section 104 of the Community Empowerment (Scotland) Act 2015 as detailed in the Report and appendices;
- (ii) to agree to re-visit the previous decision of the Policy & Resources Committee on 24 October 2023 to approve, in principle, the sale of Inch Pavilion and Bowling Green, Croft Road, Montrose, in accordance with the preferred Option 2 as detailed in the Options Appraisal contained within Appendix 3 to Report No 296/23 (exempt), subject to the completion of formal consultation and legal process as detailed in the Report; and
- (iii) to agreed to not proceed with the sale of Inch Pavilion Bowling Green, Croft Road, Montrose at this time.

On a vote being taken, the members voted: -

For the motion: -

Provost, Depute Provost, Councillors Beattie, Bell, Braes, Cheape, Cowdy, Devine, Duff, Durno, McDonald, Meechan, Melville, Shepherd and Whiteside (15).

For the amendment: -

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

The motion was declared carried and the Council resolved accordingly.

10. CONSULTATION OUTCOME AND NEXT STEPS – DISPOSAL OF INCH PAVILION AND BOWLING GREEN, CROFT ROAD, MONTROSE

The Council resolved that the contents of Exempt Appendix 3 by the Director of Infrastructure and Environment had been considered during consideration of Item 9 above.

11. LONG TERM PLAN FOR TOWNS – ARBROATH – UPDATE, APPOINTMENT OF CHAIR OF TOWN BOARD AND APPOINTMENT OF ANGUS COUNCIL ELECTED MEMBERS TO TOWN BOARD

There was submitted Report No 201/24 by the Director of Vibrant Communities and Sustainable Growth requesting that members note the progress made to establish a Town Board and seeking approval of the appointment of Chair of the Town Board as recommended by the short life working group of the Policy and Resources Committee formed for this purpose. The Report also sought the approval of two Angus Council elected members to serve on the Town Board.

The Council resolved: -

- (i) to note the progress to establish a Town Board and appoint a Chair as well as recruitment of an officer to support the establishment of the Town Board;
- (ii) to approve the recommendation from the short life working group of the Policy and Resources Committee and appointed Mr Peter Stirling as Chair of the Town Board; and
- (iii) to appoint Councillors Cruickshanks and Speed to serve as the Council elected member representatives on the Town Board.

12. A FRAMEWORK APPROACH TO PLACE BASED WORKING

With reference to Article 16 of the minute of meeting of Angus Council of 14 December 2023, there was submitted Report No 202/24 by the Director of Vibrant Communities and Sustainable Growth seeking approval for the implementation and delivery of a Framework Approach to Place Based Working and also sought agreement to progress with Brechin and Montrose as the initial focus.

The Report advised that as a Council, we had made some strides towards place-based working, place-based plans; and collaborative and partnership working with our communities however, it was noted that there was some way to go to fulfil the Christie Commission's recommendations and those recently agreed by COSLA within the Blueprint for Local Government.

It was noted that place based working required a sound evidence base and therefore work was underway on a Strategic Needs Assessment. This assessment would present the overall needs and priorities of the local people residing in and visiting Angus and offer a comprehensive overview, drawing from national and local datasets, key insights from our people, place-based, and economic profiles and other joint strategic, partnership and service specific plans. This would give valuable insights in terms of evidence and data for informed decision-making and resource allocation to improve the well-being and quality of life for our communities and citizens across Angus. It would also complement other ongoing work on the evidence report for the next Local Development Plan and provide a strong data and evidence-based foundation to build upon for the Framework approach to Place.

The Council resolved: -

- (i) to approve the implementation and delivery of the Framework Approach as set out in Section 6 of the Report;
- (ii) to approve the initial programme for the Framework Approach as set out in paragraphs 6.11 and 6.14 of the Report;
- (iii) to delegate authority to the Chief Executive, Director of Vibrant Communities and Sustainable Growth, following consultation with the Director of Legal Governance and Change and the Director of Finance to establish, implement and move forward with the internal and local governance arrangements and partnership working agreement, in line with paragraphs 6.8 and 6.9 and Appendix 1 of the Report;

- (iv) to delegate authority to the Chief Executive and the Director of Vibrant Communities and Sustainable Growth to develop with our communities an agreement to local governance and the Framework Approach as set out in paragraph 6.10 and Appendix 1 to the Report;
- (v) to approve and authorise the integration of the Framework Approach within the preparation of the next Local Development Plan for Angus; and
- (vi) to agree the programme to progress with Brechin and Montrose as the initial focus.

13. DEFERRAL OF REPORT TO COUNCIL – HOUSING SERVICE IMPROVEMENT PLAN 2024-2025

With reference to Article 8 of the minute of meeting of the Communities Committee of 11 June 2024, there was submitted Report No 203/24 by the Director of Legal, Governance and Change providing information to members on a decision of the Communities Committee and asking members to determine the matter.

The Director of Vibrant Communities and Sustainable Growth spoke on the contents of Report 185/24 which was appended to Report 203/24. The Report presented the Housing Service Improvement Plan for 2024-25 and proposed governance and reporting arrangements. The Improvement Plan had been developed in response to actions required to improve performance and meet the requirements of the Scottish Housing Regulator's annual engagement plan with Angus Council.

Following much discussion, the Council resolved: -

- (i) to approve the Housing Service Improvement Plan 2024-25 (Appendix 1), noting that a longer-term improvement plan would be developed by the end of this financial year; and
- (ii) to approve the proposed governance and reporting arrangements as detailed in Appendix 1 to the Report.