

ANGUS COUNCIL

MINUTE of HYBRID MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 7 November 2024 at 2.00pm.

Present: Provost LINDA CLARK, Depute Provost DAVID CHEAPE, Councillors CHRIS BEATTIE, JULIE BELL, BRIAN BOYD, KENNY BRAES, 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, GAVIN NICOL, LOUISE NICOL, RONNIE PROCTOR MBE, JILL SCOTT, MARTIN SHEPHERD, LOIS SPEED, TOMMY STEWART, DEREK WANN and BETH WHITESIDE.

PROVOST Clark, in the Chair.

Prior to the commencement of business, the Provost took a moment to lend the support of Angus Council to the people of Valencia following the recent floods.

1. APOLOGIES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY

Councillor Melville made a statement of transparency in relation to Item 7, Report No 330/24 – Deferral of Report to Council – Revised Common Allocation Policy in that he was a Council tenant.

3. MINUTES OF PREVIOUS MEETINGS

(a) Angus Council

The minute of meeting of Angus Council of 12 September 2024 was submitted and approved as a correct record.

(b) Special Angus Council

The minute of Special meeting of Angus Council of 26 September 2024 was submitted and approved as a correct record.

4. APPOINTMENTS

(i) Family, Education & Justice Committee – Church Representative

The Council noted that Mrs Jackie Wilson had intimated her resignation as the Roman Catholic Church Representative on the Family, Education & Justice Committee. Accordingly, the Council approved the appointment of Canon Tom Shields, Parish Priest, St Fillan's RCH Parish as the representative of the Roman Catholic Church.

(ii) Angus Health and Social Care Integration Joint Board

The Council noted that Councillor Meechan had intimated his resignation from the Angus Health and Social Care Integration Joint Board with effect from 1 November 2024.

The Council resolved to appoint Councillor Beattie to the Angus Health and Social Care Integration Joint Board.

(iii) Voluntary Action Angus

The Council noted that Councillor Scott had intimated her resignation from Voluntary Action Angus and that there was no requirement to fill this vacancy.

5. ANGUS COUNCIL ANNUAL ACCOUNTS 2023/24 AND ANNUAL AUDIT REPORT TO MEMBERS

With reference to Article 3 of the minute of Special meeting of the Scrutiny and Audit Committee of 24 September 2024, there was submitted Joint Report No 284/24 by the Chief Executive and the Director of Finance presenting Audit Scotland's Annual Audit Report to Members on the 2023/24 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 following which he answered members' questions.

The Report indicated that the Auditor's Report identified 4 new actions for the Council to consider from the 2023/24 audit and 7 from the Best Value Thematic Report. 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 commend the Director and staff for all their support and assistance in the successful delivery of an unqualified Audit Certificate.

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.

6. ANGUS INTEGRATED CHILDREN'S SERVICES – THE 'ANGUS PROMISE' PROGRESS REPORT 2021-2024 AND PROMISE PLAN 2024-2027

There was submitted Report No 329/24 by the Interim Director of Children, Families and Justice presenting an overview of the partnership work by corporate parents from April 2021 to March 2024 to deliver improvements for our looked after children and young people in line with the vision for our young people as laid out in our Corporate Parenting, Angus Promise Plan Progress Report 2021-24.

The Interim Director of Children, Families and Justice provided an overview of the Report following which it was agreed that a short video be shown.

The Council resolved to note that the public and press be excluded from the meeting during consideration of the video presentation so as to avoid disclosing confidential information in terms of Section 50A(2) and (3)(b) to the Local Government (Scotland) Act 1973.

The meeting resumed in public at 2.19pm.

Over the course of the plan, a particular focus on two key areas had been taken; voice and relationships. The Report presented an overview of the progress made in Angus and identified where work still required to be done, and highlighted progress in a number of areas, including:

- Ensuring the voice of children, young people and families were heard and they were able to influence decisions that impact them
- Service improvements, developments, and challenges
- Supporting families and relationships
- Workforce including training and support to staff

The Report also highlighted the importance of providing early help to support the mental health and wellbeing of the children and young people and the impact of the services targeted at providing early intervention.

The Angus Promise Plan 2024/27 was an overarching 3-year plan which was a continuation of the good work that had taken place through Angus Leading the Promise multi agency group, since 2021. The plan identified the key areas for development over the next 3 years to ensure that the Council continued to move forward and kept our promise to the care experienced children, young people, and adults in Angus. The plan mirrored the National Plan 2024 – 2030 and had been developed based on feedback from children, young people and families

as expressed through advocacy, direct consultation and wider feedback, the views and experiences of partners and the National Promise Partnership.

Following a number of questions and welcome comments, the Council resolved to note the contents of the Angus Corporate Parenting Promise Progress Report 2021-2024 and Promise Plan 2024 – 2027 as outlined in Appendices 1 and 2 to the Report.

7. DEFERRAL OF REPORT TO COUNCIL – REVISED COMMON ALLOCATION POLICY

With reference to Article 8 of the minute of meeting of the Communities Committee of 1 October 2024, there was submitted Report No 330/24 by the Director of Legal, Governance & Change providing information to Members on a decision of the Communities Committee on 1 October 2024 to defer a report on a revised Common Allocations Policy and asking Council to determine the matter.

It was noted that Report No 291/24 by the Director of Vibrant Communities and Sustainable Growth sought approval for the proposed revised Common Allocation Policy which took account of the requirements of key legislation; regulatory standards and statutory guidance; national policy developments; and the views of tenants, applicants, and other stakeholders.

In line with the standard review cycle, a full review of the policy was required to ensure the policy continued to comply with all relevant legislation and statutory guidance, policy developments; met the needs of applicants, tenants, landlords and other key stakeholders; and made the best use of the properties available to allocate. The review also considered whether continuing a Choice Based Lettings approach was the right approach to deliver the overall objectives of the policy.

The Director of Vibrant Communities and Sustainable Growth introduced the Report.

Thereafter, Councillor Scott gave notice of an amendment, the contents of which were circulated.

The Council resolved to adjourn for 30 minutes to allow members the opportunity to consider the contents of the amendment. The meeting resumed at 3.29pm.

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

- (i) to note the contents of Report No 330/24;
- (ii) to note the decision of Communities Committee on 1 October 2024 to defer the report on a revised Common Allocations Policy to Council;
- (iii) in terms of Report No 185/24:-
 - (a) to approve the revised Common Allocation Policy as detailed in Appendix 1;
 - (b) to note the consultation which had been undertaken with applicants, tenants, staff and other stakeholders in preparing the revised Common Allocation Policy; and
 - (c) to note that an exemption had been agreed by the Director of Vibrant Communities and Sustainable Growth made under delegated authority to allow for the transition of the online application and choice-based letting system from the current provider, Home Connections, to NEC Software Solutions (which is also the provider of Angus Council's current housing management system), having noted that the change was not related to the approval of the allocation policy, meaning that it specifically concerned the management and technological systems rather than any amendments to the policies governing housing allocation itself.

COUNCILLOR SCOTT, SECONDED BY COUNCILLOR DORAN, MOVED AS AN AMENDMENT, THAT THE COUNCIL RESOLVES:-

- (I) TO NOTE THE CONTENTS OF REPORT NO 330/24;

- (II) TO NOTE THE DECISION OF COMMUNITIES COMMITTEE ON 1 OCTOBER 2024 TO DEFER THE REPORT ON A REVISED COMMON ALLOCATIONS POLICY TO COUNCIL;
- (III) IN TERMS OF REPORT NO 185/24:-
 - (A) TO NOTE THAT THE PROPOSED CHANGES TO THE COMMON ALLOCATION POLICY PUT BEFORE COUNCIL FOR APPROVAL HAD ALREADY BEEN APPROVED BY THE PARTNER ORGANISATIONS IN THE SINGLE HOUSING REGISTER, APPLICATION PROCESS AND ALLOCATION POLICY OPERATING ACROSS ANGUS, NAMELY THE THREE REGISTERED SOCIAL LANDLORDS (RSLs) (HILLCREST HOMES; CALEDONIA HOUSING ASSOCIATION; AND BLACKWOOD HOMES);
 - (B) DOES NOT APPROVE THE REVISED COMMON ALLOCATION POLICY AS DETAILED IN APPENDIX 1;
 - (C) INSTRUCTS THE DIRECTOR OF VIBRANT COMMUNITIES & SUSTAINABLE GROWTH TO PUT FORWARD FURTHER CHANGES TO THE COMMON ALLOCATION POLICY FOR CONSIDERATION BY THE PARTNER ORGANISATIONS INCLUDING THE FOLLOWING SPECIFIC ASKS: -
 - (I) REVIEW THE PROPOSED BANDING CHANGE FOR APPLICANTS WITH A MEDICAL NEED SO THEY REMAIN GOLD STATUS;
 - (II) TO REMOVE THE PROPOSED ONE YEAR SUSPENSION PERIOD FOR ABANDONMENT, AND TO RETAIN THE SIX MONTH SUSPENSION PERIOD FOR ABANDONMENT THAT IS IN PLACE WITHIN THE CURRENT ALLOCATION POLICY;

WE RECOGNISE THAT ADAPTED AND PARTIALLY ADAPTED PROPERTIES ARE ALREADY PROTECTED FOR THOSE WITH MOBILITY MEDICAL NEEDS. HOWEVER, WE ASK FOR CONFIRMATION THAT WHERE APPROPRIATE, IN ORDER TO SUPPORT APPLICANTS WITH MOBILITY MEDICAL NEEDS, OTHER GROUND FLOOR PROPERTIES THAT ARE SUITABLE FOR THOSE WITH MOBILITY NEEDS AND/OR SUITABLE FOR ADAPTATION WILL BE MATCHED OR BE RESTRICTED TO A MEDICAL MOBILITY NEED IN THE FIRST INSTANCE;

- (D) TO INSTRUCT THE DIRECTOR OF VIBRANT COMMUNITIES & SUSTAINABLE GROWTH TO SEEK INPUT FROM ALL COUNCILLORS AS TO WHAT PERFORMANCE MANAGEMENT INFORMATION THEY WOULD LIKE TO SEE REPORTED BY OFFICERS ON A QUARTERLY BASIS. THE PERFORMANCE INFORMATION GATHERED SHOULD BE PROVIDED IN A FORMAT THAT COVERS ALL THE LISTS, THE BANDINGS AND PROPERTY ALLOCATIONS INFORMATION. THE PERFORMANCE INFORMATION SHOULD BE SHARED WITH ALL COUNCILLORS, AND MADE AVAILABLE TO THE PUBLIC, NO LATER THAN SIX MONTHS FROM THE CURRENT DATE; AND
- (E) TO INSTRUCT THE DIRECTOR OF VIBRANT COMMUNITIES & SUSTAINABLE GROWTH TO REPORT BACK TO THE COMMUNITIES COMMITTEE ON THOSE DISCUSSIONS WITH THE PARTNER ORGANISATIONS, WITH A VIEW TO AGREEING A REVISED COMMON ALLOCATION POLICY.

Members took the opportunity to ask questions and make comment in relation to the Common Allocation Policy and the proposed amendment.

Having heard from Councillors Scott, Whiteside, Shepherd, Wann, Greig, Duff, Melville, Speed, Boyd, McDonald, Doran, Braes and Bell, Councillor Scott, seconded by Councillor Doran, moved in accordance with the provisions of Standing Order 18(1), as a procedural motion, 'that the question be now put' ie: for closure of the debate.

On a vote being taken, the members voted:-

For closure of the debate:-

Provost Linda Clark, Depute Provost David Cheape, Councillors Beattie, Bell, Boyd, Braes, Cowdy, Cruickshanks, Devine, Doran, Duff, Durno, Fotheringham, Gall, Greig, McDonald, McLaren, Meechan, Melville, Gavin Nicol, Louise Nicol, Proctor, Scott, Shepherd, Speed, Wann and Whiteside (27).

Against closure of the debate:-

None.

(Councillor Stewart having left the meeting prior to the vote).

The motion for closure of the debate having been declared carried, Councillor Whiteside then summed up.

Thereafter, the members voted:-

For the motion:-

Provost Linda Clark, Depute Provost David Cheape, Councillors Beattie, Bell, Braes, Devine, Duff, Durno, McDonald, Meechan, Melville, Shepherd and Whiteside (13).

For the amendment:-

Councillors Boyd, Cowdy, Cruickshanks, Doran, Fotheringham, Gall, Greig, McLaren, Gavin Nicol, Louise Nicol, Proctor, Scott, Speed and Wann (14).

The amendment was declared carried and became the finding of the meeting.

At this stage in the meeting, the Council resolved to adjourn for five minutes.

The meeting resumed at 4.46 pm.

At this point in the meeting (the time being 4.46 pm), the Council resolved, in accordance with the provisions of Standing Order 21(5), that the meeting continue to the conclusion of the business.

8. BRECHIN RECOVERY AND REGENERATION UPDATE

There was submitted Report No 331/24 by the Director of HR, OD, Digital Enablement, IT & Business Support setting out the current position and the assessment of the events and impact of flood damage caused by Storm Babet in the Brechin River Street Area, detailing the work and studies undertaken by the Council since then and providing an overview of additional work required. The Report also set out the proposed approach and timescales for decision-making for the recovery and regeneration work and sought approval to work alongside the wider community as well as those directly affected within the Brechin River Street Area to inform future recommendations to members on a long-term recovery plan and identified actions.

The Director of HR, OD, Digital Enablement, IT & Business Support provided an overview of the Report, following which officers responded to a number of questions.

Councillor Beattie reminded members that engagement was key, at which point he thanked Councillor Scott for her support over the past few months. Councillor Scott responded, thanking Councillor Beattie for working with her.

Thereafter, having heard from a number of members, the Council resolved:-

- (i) to note the activity undertaken to date, the update provided in relation to the two specialist technical reports now available and the proposed information sessions with the community;
- (ii) to note that further work was underway to develop final proposals for members' determination as set out in Section 9.3 of the Report; and

- (iii) to note that the Director of HR, OD, Digital Enablement, IT & Business Support would bring a further Report to a meeting of the Communities Committee on 26 November 2024 to set out the next stage of work to develop the shortlist of options, proposed governance arrangements and approach to engagement with the community that would inform the recommendations as to the preferred options in relation to flood protection, mitigation and the Brechin River Street Area.

9. PROXY VOTING BY COUNCILLORS: SCOTTISH GOVERNMENT CONSULTATION

There was submitted Report No 332/24 by the Director of Legal, Governance & Change advising members that the Scottish Government were seeking views by way of a consultation on introducing a statutory provision to allow for proxy voting to be used by elected members within local authorities in Scotland.

The Report indicated that there were currently no statutory provisions which explicitly allowed for proxy voting within local government in Scotland. The Scottish Government had raised concerns that the absence of explicit provisions allowing for proxy voting within local authorities could impact councillors on parental leave, or those who are unable to attend for other reasons. The Scottish Government were therefore seeking views on introducing a statutory provision to explicitly allow for proxy voting to be used within Scottish local authorities.

Having heard from a number of members in relation to the proposed criteria where proxy voting could be appropriate, the Council resolved:-

- (i) to note the detail of the proposals set out in the Proposal to Allow Proxy Voting by Councillors Consultation as set out in Appendix 1 to the Report;
- (ii) to agree a formal response of 'Yes' to Question's 1 and 2 detailed in the Proposal to Allow Proxy Voting by Councillors Consultation, as set out in Appendix 2 to the Report, to be submitted to the Scottish Government;
- (iii) having reviewed the remainder of the proposed draft formal response to the Consultation, to agree to include additional wording to the effect that consideration should be given to widening the criteria proposed and thereafter to submit a final formal response to the Scottish Government in terms of the full consultation questions; and
- (iv) to authorise the Director of Legal, Governance & Change to submit Angus Council's agreed final formal response by 28 November 2024, being the deadline for responses in terms of the consultation.

10. PUBLIC BODIES' CLIMATE CHANGE DUTIES – ANGUS COUNCIL ANNUAL REPORT 2023/24

With reference to Article 9 of the minute of meeting of Angus Council of 2 November 2023, there was submitted Report No 333/24 by the Director of Vibrant Communities and Sustainable Growth which provided an overview of the Council's compliance with its climate change duties for the 2023/24 period, 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 2023/24.

At this stage in the meeting, Councillor Cruickshanks gave notice of an amendment, the contents of which were circulated.

The Council resolved to adjourn for five minutes to allow members to consider the contents of the amendment. The meeting resumed at 5:38pm.

Councillor Cruickshanks provided an overview of the proposal which sought additional annual reporting to the Communities Committee on recycling.

Having heard from a number of members, the Council resolved to unanimously agree the additional recommendation proposed by Councillor Cruickshanks.

Therefore, 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, having noted the progress that the Council had made in embedding climate change and sustainability into its policy and operations;
- (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; and
- (iv) to request the Director of Infrastructure and Environment to provide annual reports to the Communities Committee detailing:
 1. Angus Council's household recycling rate, including:
 - Angus Council's rank compared to other Scottish local authorities
 - Year-over-year trend analysis for the past 5 years
 2. Angus Council's overall recycling rate (percentage of total waste generated that is recycled), including:
 - Angus Council's rank compared to other Scottish local authorities
 - Year-over-year trend analysis for the past 5 years