

ANGUS COUNCIL

MINUTE of SPECIAL HYBRID MEETING of **ANGUS COUNCIL** held in the Town and County Hall, Forfar on Thursday 23 January 2025 at 11.00am.

Present: Provost LINDA CLARK, Depute Provost DAVID CHEAPE, Councillors CHRIS BEATTIE, JULIE BELL, BRIAN BOYD, KENNY BRAES, SERENA COWDY, LYNNE DEVINE, HEATHER DORAN, BILL DUFF, CRAIG FOTHERINGHAM, 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.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Iain Gall.

2. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY

Councillor Cheape declared an interest in Items 4 and 5 as a Council appointed Director of Carnoustie Golf Links Management Committee. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of both items.

3. 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 4 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, Paragraphs 6 and 9.

Having declared an interest at Article 2 above, Councillor Cheape left the meeting prior to consideration of the following items.

4. CARNOUSTIE GOLF FUTURE ARRANGEMENTS – IMPLEMENTATION OF PHASE 1 PROPOSALS

With reference to Article 9 of the minute of meeting of Angus Council of 19 December 2024, there was submitted Report No 29/25 by the Director of Finance providing additional confidential background information to support consideration of Report No 30/25. In line with previous practice, members were being asked to consider Report No 29/25 prior to consideration of the separate public report.

Having heard from the Director of Finance, the Council resolved to approve the recommendations as detailed in the Report.

5. CARNOUSTIE GOLF FUTURE ARRANGEMENTS – IMPLEMENTATION OF PHASE 1 PROPOSALS

With reference to Article 9 of the minute of meeting of Angus Council of 19 December 2024, there was submitted Report No 30/25 by the Director of Finance seeking approval for Angus Council to enter into a number of legal agreements which would enable the proposals developed by Carnoustie Golf Links Management Committee Limited (CGLMC) regarding future arrangements for golf provision in Carnoustie to be implemented.

The Report indicated that, as previously reported, CGLMC proposed to commission a separate company, owned by their external investment partners called Carnoustie Golf Heritage and Hospitality Group Limited (CGHH), to undertake the day to day management of Carnoustie Golf Links on their behalf. CGLMC's investment partners were developing a long term investment plan for Carnoustie which they proposed be delivered in 2 phases.

In Phase 1 CGLMC would commission CGHH to manage and operate the golf courses on its behalf through a Sub-Contract Agreement while further development of the full CGHH long term investment plan was undertaken. Phase 1 would allow the investors to operate the golf courses and golf hotel together in the short term while they worked to develop and deliver their long term plan.

Phase 2 would involve CGHH developing its long term investment plan on a basis which ensured that Carnoustie remained a venue which was asked by partners such as the R&A to host major events like the Open Championship. Once the investment plan was ready to be implemented, CGHH would enter into a new long term agreement with Angus Council and CGLMC for the management and operation of the golf courses. Angus Council would continue to own the land and golf courses under any such long term agreement.

The arrangements under Phase 1 would apply until such time as Phase 2 was approved by the Council and new legal agreements were live or until the remaining period of the Management Agreement between Angus Council and CGLMC (and the Sub-Contract Agreement between the Council, CGLMC and CGHH) all expired in March 2033.

The Phase 1 proposals were the subject of an extensive public consultation during August and September 2024, the content and approach to which was approved at a Special Meeting of Angus Council on 1 August 2024. A comprehensive report on the results of the consultation and all of the comments, letters and e-mails received were considered by Council at its meeting of 19 December 2024.

The Director of Finance provided an overview of the Report following which officers responded to members' questions.

Having heard from a number of members who supported the proposals and thanked the Director of Finance and legal colleagues for all their work, the Council resolved:-

- (i) to note, having had due regard to, the history and background to the proposals covered in the Report, including the extensive public consultation undertaken to reach this point as set out in Appendix 1 to the Report;
- (ii) to note the background, purpose and key points of note on the legal agreements which would enable the Phase 1 proposals to be implemented as set out in Section 4 of the Report;
- (iii) to agree that, taking into account and having due regard to:-
 - (a) the numerous previous Reports on this matter as outlined in Appendix 1;
 - (b) the extensive public consultation undertaken in August and September 2024;
 - (c) the results of that consultation reported to Council in December 2024;
 - (d) the risk commentary set out at Section 7 of the Report;
 - (e) the contents of the accompanying Exempt Report No 29/25;the Council approve the implementation of the Phase 1 proposals; and
- (iv) to delegate authority to the Director of Legal, Governance and Change or her nominated representative:-
 - (a) to sign the relevant legal agreements detailed in this Report on behalf of the Council; and
 - (b) to consent to the Asset Purchase Agreement to be entered into between CGLMC and CGHH.