

## ANGUS COUNCIL

MINUTE of MEETING of the **STRATEGIC POLICY COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 9 September 2008 at 4.00 pm.

**Present:** Councillors BOB MYLES, IAN MACKINTOSH, ALISON ANDREWS, FRANK ELLIS, IAIN GAUL, ALEX KING, DAVID MAY, GLENNIS MIDDLETON, JIM MILLAR, PETER MURPHY, ROB MURRAY, HELEN OSWALD, MARK SALMOND, SHEENA WELSH and JOHN WHYTE.

Councillor MYLES, Convener, in the Chair.

### 1. APOLOGIES/SUBSTITUTES

No apologies were intimated.

### 2. DECLARATIONS OF INTEREST

The Committee agreed to note that no declarations of interest were made.

### 3. MINUTES

#### (a) Previous Meeting

The [minute of meeting of this Committee of 17 June 2008](#) was approved as a correct record and signed by the Convener.

#### (b) Audit Sub-Committee

The [minute of meeting of the Audit Sub-Committee of 24 June 2008](#), a copy of which is appended hereto, was submitted and noted (**APPENDIX I**).

#### (c) Monitoring Group

The [minute of meeting of the Monitoring Group of 19 August 2008](#) was submitted and noted.

### 4. CAPITAL MONITORING - GENERAL FUND CAPITAL PROGRAMME 2008/2009

With reference to Article 29 of the minute of meeting of the Corporate Services Committee of 4 September 2008, there was submitted [Report No 875/08](#) by the Director of Corporate Services advising members of the capital expenditure incurred for the period from 1 April to 31 July 2008 and measuring projected capital expenditure for the year against budgeted provision.

The Report indicated that, at this stage in the financial year, the latest year-end estimate of gross expenditure was £11,000 higher than the gross budget of £28.054 million and the net expenditure was higher than the net budget of £17.198 million by £11,000.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to note the expenditure position on the General Fund Capital Programme as at 31 July 2008 as detailed in the Report and the accompanying Capital Monitoring Statement;
- (iii) to note that projections of the 2008/2009 year end position on the General Fund Capital Programme would be ongoing and brought forward on a regular basis to future meetings of this Committee; and

- (iv) to note that a meeting of the Capital Projects Monitoring Group had taken place earlier today.

## **5. UPDATED 2007/2011 FINANCIAL PLAN AND 2008/09 CAPITAL MONITORING BUDGET**

With reference to Article 28 of the minute of meeting of the Corporate Services Committee of 4 September 2008, there was submitted [Joint Report No 879/08](#) by the Director of Corporate Services and the Head of Finance seeking approval of the updated 2007/2011 Financial Plan, incorporating the 2008/2009 Capital Monitoring Budget.

The Report indicated that the process of drawing together and issuing the 2008/2009 Capital Monitoring Budget had now been completed and the support made available to staff in the Finance Division during this process was acknowledged. The updated 2007/2011 Financial Plan would, subject to approval, be distributed for use within departments as part of the 2008/2009 Final Budgets Volume and would be the base utilised for performance monitoring purposes.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the contents of the updated 2007/2011 Financial Plan; and
- (iii) to note that the Departmental 2008/2009 Capital Budgets contained in the updated 2007/2011 Financial Plan represented the Council's approved budget for Capital Monitoring purposes.

## **6. TREASURY MANAGEMENT ANNUAL REPORT 2007/2008**

With reference to Article 33 of the minute of meeting of the Corporate Services Committee of 4 September 2008, there was submitted [Joint Report No 880/08](#) by the Director of Corporate Services and the Head of Finance seeking approval of the Council's Annual Report on Treasury Management Activities in 2007/2008.

The Report reminded members that production of the Treasury Management Annual Report was a requirement of the Treasury Management and the Public Services Code of Practice issued by the Chartered Institute of Public Finance and Accountancy.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the Annual Report on 2007/2008 Treasury Management activities for the Council, as detailed in Appendix 1 of the Report;
- (iii) to note the requirements of the Treasury Management Policy Statement as detailed in Appendix 2 of the Report;
- (iv) to note the availability of the Treasury Management Services document which covered detailed Treasury Management systems and procedures within the Finance Division;
- (v) to note the availability of the Treasury Management Practices document which set out the manner whereby the Treasury Management policies and objectives might be achieved, managed and controlled; and
- (vi) to commend the Finance Division's Treasury Management Team for their work in this matter.

## **7. LOCAL CODE OF CORPORATE GOVERNANCE**

With reference to Article 7 of the minute of meeting of this Committee of 17 June 2008, there was submitted [Report No 874/08](#) by the Chief Executive outlining the arrangements for reviewing corporate governance arrangements within the Council.

The Report indicated that in terms of reviewing the corporate governance arrangements, an Officer Group would draft a revised local code of corporate governance based on the new COSLA/SOLACE guidance along with conducting an initial assessment of the extent to which the Council met the needs of the new Code and draft an Action Plan to ensure compliance. The code and action plan would become operative from 1 April 2009 and compliance against the Code would be reported upon by the Chief Executive and Chief Internal Auditor in June 2010.

The Committee agreed to note and approve the terms of the Report.

## **8. CHIEF EXECUTIVE'S DEPARTMENT ANNUAL REPORT 2007/2008**

There was submitted [Report No 884/08](#) by the Chief Executive advising of the production of the 2007/2008 Annual Report for the Chief Executive's Department.

Report No 884/08 reminded members of changes to the format of Departmental Service Plans and where some refinements still required to be made to improve the presentation of these. For future years the sole concentration of the plans would remain major actions in respect of the forthcoming year.

The Committee agreed to note the terms of the Chief Executive's Department Annual Report for 2007/2008.

## **9. ANGUS COUNCIL'S BEST VALUE IMPROVEMENT PLAN**

With reference to Article 10 of the minute of meeting of this Committee of 11 December 2007, there was submitted [Report No 885/08](#) by the Chief Executive advising members that the Council's Best Value Improvement Plan had now been discharged.

The Report indicated that all of the actions within the Best Value Improvement Plan with the exception of three, which had now been incorporated within the Chief Executive's Department Service Plan, had now been completed and accordingly, following discussions with the External Auditor, the Best Value Improvement Plan could now be regarded as discharged.

The Committee agreed to note that the Council's Best Value Improvement Plan had now been discharged.

## **10. THE COUNCIL'S CORPORATE PLAN - PROGRESS IN 2007/2008**

With reference to Article 13 of the minute of meeting of this Committee of 30 October 2007, there was submitted [Report No 886/08](#) by the Chief Executive advising members on progress against the Corporate Plan for 2007-2012.

The Report indicated that the Corporate Plan set out the key corporate objectives and priorities for the Council during the period 2007-2012 and provided a focus for elected members, employees, partners and the Angus community setting out what the Council wanted to achieve and how performance was measured. Appended to the Report were actions contained within the Corporate Management Action Plan which had been completed during the financial year 2007/2008 and also actions which had previously been approved to be carried forward into 2008/2009.

The Committee agreed to note the progress on the Council's Corporate Plan 2007-2012 during the financial year 2007/2008 as detailed in the Appendices to the Report.

## 11. 2007/2008 EFFICIENCY STATEMENT

There was submitted [Report No 887/08](#) by the Chief Executive informing members of the terms of the Council's 2007/2008 Efficiency Statement as submitted to COSLA and which would inform reporting against local government 2007/2008 efficiency targets.

The Report indicated that the Council's Efficiency Statement for 2007/2008 was based on the published guidance and highlighted cashable efficiency gains of £1.199 million within the Council against a notional target from the then Scottish Executive through the last spending review of £1.197 million. With the addition of non-cashable efficiencies of £0.109 million this gave a total efficiency gain of £1.308 million.

The Committee agreed:-

- (i) to note the terms of the Council's 2007/2008 Efficiency Statement as attached; and
- (ii) to note that this had been submitted to COSLA to inform the Council's Report on progress against the overall local government 2007/2008 efficiency targets.

## 12. COMMUNITY PLANNING IN ANGUS

With reference to Article 7 of the minute of meeting of this Committee of 18 March 2008, there was submitted [Report No 888/08](#) by the Chief Executive providing members with an update of community planning activities in Angus for the period May to July 2008.

The Report detailed the activities which the Angus Community Planning Partnership had been engaged in along with the activities of the thematic partnership groups and an update of local community planning activities, incorporating a report by the Head of Finance on the Community Planning budgets managed by Angus Council.

Having heard Councillor Ellis urging that the Angus Rural and Environmental Partnership give consideration to the public health and animal welfare issues of ragwort, and Councillor Oswald's concerns that the Carnoustie Partnership had been dissolved and there did not appear to be a suitable vehicle for taking forward community planning issues in Carnoustie, the Committee agreed to note the contents of the Report.

## 13. COMMUNITY COUNCILS AND THE DATA PROTECTION ACT 1998

There was submitted [Report No 889/08](#) by the Chief Executive proposing that Community Councils be reimbursed for the annual registration fee in respect of compliance with the Data Protection Act 1998.

The Report indicated that the view of the Information Commissioner's Office was that Community Councils were data controllers and that Community Councils could not rely on the exemption for voluntary or non-profit organisations. As data controllers, Community Councils were required to notify, on an annual basis, the Information Commissioner's Office with an annual fee of £35 for this. It was proposed that Community Councils be reimbursed for the annual fee on production of confirmation of the registration with the Information Commissioner's Office. In addition, the Council would be preparing to arrange a training/information session on the requirements of the Act for Community Councils.

The Committee agreed:-

- (i) to reimburse Community Councils for the annual registration fee in respect of compliance with the Data Protection Act 1998;
- (ii) that officers of the Council arrange appropriate training for Community Councils on the data protection requirements;
- (iii) that officers of the Council produce retention guidelines in respect of Community Council records; and

- (iv) to note that the costs associated with these proposals would be contained within existing budgets.

#### **14. GUIDE TO SAFE AND LEGAL EVENTS**

There was submitted [Report No 890/08](#) by the Chief Executive advising members of a guidance pack that had been prepared for organisers of events in the local area which it was intended would give organisers and their teams a helpful framework for planning safe and legal events in a structured way and also provide useful contacts and checklists to support their activities.

The Report indicated that the guidance followed a four step approach for ensuring events were run smoothly whilst preventing accidents, ill health and loss and meeting legal, licensing and insurance requirements, and sharing current best practice in events safety management.

The Committee agreed:-

- (i) to note the availability of the new guide that had been produced in association with other agencies to support event organisers in the local area; and
- (ii) to encourage organisers within local communities to obtain a copy of the guide at the earliest possible stage in their planning by contacting the Council's ACCESSline.

#### **15. EMPLOYMENT UNIT**

With reference to Article 21 of the minute of meeting of this Committee of 21 June 2007, there was submitted [Report No 891/08](#) by the Chief Executive together with a copy of the report prepared by the Manager of the Employment Unit highlighting the activities, performance and outcomes of the Unit for the period January to December 2007.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to record appreciation for the work of the Employment Unit Manager and his staff.

#### **16. AUTHORISATION/PAYMENT OF OVERTIME**

With reference to Article 23 of the minute of meeting of this Committee of 17 June 2008, there was submitted [Report No 892/08](#) by the Chief Executive proposing arrangements for delegating authority to officers to authorise payment of overtime to employees on grade LG12 and above.

The Report indicated that by removing the Committee's direct involvement it was considered this would not detract from the careful monitoring and scrutiny which had been, and would continue to be applied to requests for overtime for employees on grade LG12 and above with an annual report being submitted to the Committee advising of requests approved.

The Committee agreed to approve the arrangements outlined within the Report with regard to the delegation of authority to pay overtime to employees on grade LG12 and above.

#### **17. EARLY RETIREMENT/VOLUNTARY REDUNDANCY**

With reference to Article 14 of the minute of meeting of this Committee of 11 September 2007, there was submitted [Joint Report No 893/08](#) by the Chief Executive and the Director of Corporate Services advising of the number of employees released on early retiral/voluntary redundancy and ill health retiral during the period 2007/2008.

The Report indicated that five employees had been released on early retirement/voluntary redundancy. A total of eight employees had been released on ill health grounds having been certified as being permanently unfit for work by the Council's Medical Adviser. These figures, however only related to those employee categories covered by the Local Government Pension Scheme and therefore excluded teaching staff.

The Committee agreed to note the number of employees released on the grounds of early retirement/voluntary redundancy and ill health during the period 2007/2008.

#### **18. QUARTERLY JOINT STAFFING WATCH**

With reference to Article 19 of the minute of meeting of this Committee of 17 June 2008, there was submitted and noted [Report No 894/08](#) by the Chief Executive advising members of the Council's quarterly Joint Staffing Watch return to the Scottish Government for the period to June 2008.

#### **19. ESTABLISHMENT CHANGES**

With reference to Article 5 of the minute of meeting of this Committee of 17 June 2008, there was submitted and noted [Report No 895/08](#) by the Chief Executive summarising changes to the Chief Executive's, Corporate Services, Education, Infrastructure Services, Neighbourhood Services and Social Work and Health establishments during the period 19 May to 8 August 2008.

#### **20. SICKNESS ABSENCE - QUARTERLY REPORT**

With reference to Article 18 of the minute of meeting of this Committee of 17 June 2008, there was submitted and noted [Report No 896/08](#) by the Chief Executive advising members of the level of sickness absence within Angus Council for the period 1 April to 30 June 2008.

#### **21. COMMISSION ON SCOTTISH DEVOLUTION**

There was submitted [Joint Report No 897/08](#) by the Chief Executive and the Director of Corporate Services seeking approval of a proposed response from Angus Council on the work of the Commission on Scottish Devolution.

The Report indicated that the Council had received a request from Sir Kenneth Calman, Chairman of the Commission on Scottish Devolution, seeking detailed input into the work of the Commission. The Commission had been set up primarily to review the Scotland Act 1998 in light of experience and to recommend any changes to the constitutional arrangements which would enable the Scottish Parliament to better serve the people of Scotland, that would improve the financial accountability of the Scottish Parliament and which would continue to secure the position of Scotland within the UK. A series of questions were attached to the Commission's request and these, together with the Council's proposed response, were attached as Appendix B to the Report.

COUNCILLOR MYLES, SECONDED BY COUNCILLOR MILLAR, MOVED THAT THE COMMITTEE:-

- (I) NOTES THAT THE COMMISSION ON SCOTTISH DEVOLUTION HAD ASKED ANGUS COUNCIL TO MAKE A FORMAL SUBMISSION TO THE COMMISSION; AND
- (II) APPROVES THE PROPOSED RESPONSE AS ATTACHED AS APPENDIX B TO THE REPORT.

Councillor Oswald, seconded by Councillor Murray, moved as an amendment, that the Council does not respond to the Consultation Paper.

On a vote being taken, members voted:-

For the motion:-

Councillors Myles, Mackintosh, Andrews, May, Millar, Murphy and Whyte (7).

For the amendment:-

Councillors Ellis, Gaul, King, Glennis Middleton, Murray, Oswald and Welsh (7).

No vote:-

Councillor Salmond.

There being an equality of votes, the Convener exercised his casting vote in favour of the motion and accordingly the motion became the finding of the meeting.

## **22. ANGUS ADULT PROTECTION COMMITTEE ANNUAL REPORT 2007/2008**

With reference to Article 17 of the minute of meeting of the Neighbourhood Services Committee of 21 August 2008, there was submitted [Joint Report No 690/08](#) by the Director of Social Work and Health, the Director of Neighbourhood Services and the Chief Executive presenting the Angus Adult Protection Committee Annual Report for 2007/2008.

The Committee, for its interest, agreed to note the contents of the Angus Adult Protection Committee Annual Report 2007/2008.

## **23. ANGUS CHILD PROTECTION COMMITTEE ANNUAL REPORT AND BUSINESS PLAN 2007/2008**

With reference to Article 6 of the minute of meeting of the Education Committee of 28 August 2008, there was submitted [Joint Report No 692/08](#) by the Chief Executive, the Director of Social Work and Health, the Director of Education and the Director of Neighbourhood Services presenting the Annual Report and Business Plan of the Angus Child Protection Committee for 2007/2008.

The Report indicated that the Annual Report and Business Plan was the twelfth produced since local government reorganisation and detailed the work and activity of the Child Protection Committee and member agencies. The Report also detailed the work of the three sub-committees, namely the Policy Sub-Committee, the Practice Sub-Committee and the Training Sub-Committee.

The Committee, for its interest, agreed to note the contents of the Angus Child Protection Committee Annual Report and Business Plan for 2007/2008.

## **\* 24. CHANGING SCOTLAND'S RELATIONSHIP WITH ALCOHOL: A DISCUSSION PAPER ON OUR STRATEGIC APPROACH**

With reference to Article 6(b) of the minute of meeting of Angus Council of 26 June 2008, there was submitted [Report No 898/08](#) by the Director of Social Work and Health outlining the contents of the paper "Changing Scotland's Relationship with Alcohol: A Discussion Paper on our Strategic Approach" published by the Scottish Government and highlighted the areas on which views were being sought by the Scottish Government in its formal consultation on the paper.

The Report indicated that the Angus Drug and Alcohol Action Team had held a consultation event on the discussion paper on 13 August 2008 which had been attended by 43 participants ranging from local authority, health, voluntary organisations, youth organisations, elected members, licensees, the police and community councils. The views gathered at this event had been collated and used to inform the proposed formal response by the Council to the consultation, with a copy of the proposed response attached to the Report.

Having heard from Councillor Glennis Middleton, the Committee agreed:-

- (i) that this Report not be discussed at this time;
- (ii) that the response to the consultation document be submitted to the Angus Licensing Board on 10 September 2008 for discussion; and
- (iii) that this Report, together with comments from the Licensing Board, thereafter be referred to Angus Council meeting on 18 September 2008.

## **25. FORFAR/CARNOUSTIE SCHOOLS PROJECT - PROGRESS REPORT**

With reference to Article 13 of the minute of meeting of the Education Committee of 28 August 2008, there was submitted [Report No 780/08 by the Director of Education](#) advising members of the current progress in respect of the Forfar/Carnoustie Schools Project and providing a update of major issues which had arisen during the course of the construction phase of the project.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report with regard to the position with four Phase 1 and Phase 2 Primary Schools;
- (ii) to note the additional works required at Langlands Primary School;
- (iii) to approve the Council taking possession of the Carnoustie High School new facility from 1 December 2008, assuming all works had been properly completed and certified by that time; and
- (iv) to authorise the Head of Law and Administration to sign the necessary contract documents for the Tayside Contracts Cleaning Sub Contract variation to the Project, on behalf of the Council.

## **26. DUNDEE, PERTH, ANGUS AND NORTH FIFE STRATEGIC DEVELOPMENT PLANNING AUTHORITY: UPDATE**

With reference to Article 14 of the minute of meeting of the Infrastructure Services Committee of 3 June 2008, there was submitted [Report No 900/08](#) by the Director of Infrastructure Services updating members on progress towards the establishment of the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority (SDPA) and seeking ratification by the Council for a range of decisions taken by the SDPA at their meeting on 19 August 2008 in support of setting up the new authority.

The Committee agreed:-

- (i) to note the progress made in the establishment of the Strategic Development Planning Authority for the Dundee City Region and the recommendations from the Interim Joint Committee on 19 August 2008 as detailed in Appendix 1 to the Report;
- (ii) to approve the proposed boundary for the Dundee, Perth, Angus and North Fife Strategic Development Planning Area as detailed in Appendix 2;
- (iii) that the new authority be called the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority;
- (iv) that the Joint Committee be called the Dundee, Perth, Angus and North Fife Joint Committee;
- (v) that the new Strategic Development Plan be called TAYplan;



- (vi) to delegate to the Head of Law and Administration to agree with the other constituent authorities and subsequent signature by Angus Council, the proposed Minute of Agreement;
- (vii) to approve the project plan and organisational structure for the Strategic Development Planning Authority, as detailed in the Appendix to the Report; and
- (viii) to approve, in principle, that Angus Council would provide their share of the required resources for the establishment of the new Strategic Planning Authority and that this matter be dealt with during the 2009/2010 budget process.

**27. SUSTAINABLE SEAS FOR ALL: A CONSULTATION ON SCOTLAND'S FIRST MARINE BILL**

There was submitted [Report No 901/08](#) by the Director of Infrastructure Services indicating that the Scottish Government had proposals to bring forward a Marine Bill for Scotland and was consulting on what should be contained within the proposed Bill.

The Report indicated that the Bill could have a significant impact on Angus Council, depending on how the proposals for a new national marine organisation was set up and the exact nature of the proposed Marine Regions and whether the Scottish Government was given more devolved powers for the marine area out to 200 nautical miles. It was acknowledged within the consultation document that there was likely to be substantial costs involved in setting up the marine management organisation. Consequently, the Scottish Government had to recognise that other agencies, including local authorities would incur an extra burden and that additional resources should be made available to them.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the draft response, as appended to the Report.