

ANGUS COUNCIL

MINUTE of MEETING of the **STRATEGIC POLICY COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 17 June 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

Councillor Murphy declared an interest in item 15 as he was an Advisor to the Carnoustie Centre Action Group

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 6 May 2008](#) was approved as a correct record and signed by the Convener.

(b) Monitoring Group

The [minute of meeting of the Monitoring Group of 28 May 2008](#) was submitted and noted.

(c) Appeals Sub-Committee

The [minutes of meetings of the Appeals Sub-Committee of 7 May](#) and [5 June 2008](#), copies of which are appended hereto, were submitted and noted (**APPENDICES I & 2 respectively**).

4. HOUSING CAPITAL AND PLANNED MAINTENANCE PROGRAMME - HRA BLOCK 2007/2008

With reference to Article 14 of the minute of meeting of the Corporate Services Committee of 12 June 2008, there was submitted [Report No 493/08](#) by the Director of Corporate Services setting out the latest position on the HRA Capital and Planned Maintenance Programmes for 2007/2008 and also setting out the near final actual capital and planned maintenance spends to 31 March 2008, together with updated funding proposals.

The Report indicated that the indicative end of year funding position had been reviewed and aligned to the spend and receipts near final actual positions.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to note the near final actual spend figures presented for the Housing Capital and Planned Maintenance Programmes for the period to 31 March 2008;
- (iii) to note the capital receipts position for the period to 31 March 2008; and
- (iv) to note the proposed funding approach.

5. CAPITAL MONITORING - GENERAL FUND CAPITAL PROGRAMME 2007/2008

With reference to Article 15 of the minute of meeting of the Corporate Services Committee of 12 June 2008, there was submitted [Report No 612/08](#) by the Director of Corporate Services advising members of the capital expenditure incurred for the period from 1 April 2007 to 31 March 2008 and measuring actual capital expenditure for the year against budgeted provision.

The Report indicated that at the close of the 2007/2008 financial year, actual gross expenditure was £4.466 million less than the revised gross budget of £27,079,000 and the actual net expenditure was lower than the revised net budget of £9,871,000 by £1.349 million.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the unaudited actual position on the overall General Fund Capital Programme as at 31 March 2008 as detailed in the Report and the accompanying Capital Monitoring Statement; and
- (iii) to note that a meeting of the Capital Projects Monitoring Group had taken place.

6. 2007-2008 REVENUE BUDGET - FLEXIBILITY BETWEEN FINANCIAL YEARS

With reference to Article 23 of the minute of meeting of the Corporate Services Committee of 1 May 2008, there was submitted [Report No 640/08](#) by the Director of Corporate Services making recommendations with regard to requests from departments for further flexibility between financial years in respect of the 2007/2008 revenue budget.

The Report indicated that as the financial year 2007/2008 had drawn to a close and in light of the projected year end spend position compared to the budget, a small number of additional carry forward requests had been submitted by departments. The Head of Finance had reviewed these requests in accordance with the agreed criteria and those recommended for approval were detailed in the Appendix to the Report.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the proposed additional revenue budget carry forwards as detailed in Appendix A to the Report.

7. LOCAL CODE OF CORPORATE GOVERNANCE

With reference to Article 8 of the minute of meeting of this Committee of 21 June 2007, there was submitted [Report No 600/08](#) by the Chief Executive advising members of the annual review of compliance with the Council's Local Code of Corporate Governance and summarising the findings of the Review of Compliance with the requirements of the Local Code.

The Report indicated that the Council continued to demonstrate compliance with the requirements of the Local Code of Corporate Governance. As in previous years, the Council was in the position to demonstrate that improvements had been made to many internal business management processes and to the development of corporate governance across the Council. However, in reviewing progress to date, a number of areas did require to be actioned/further developed to ensure continued compliance with the code. These would be progressed in 2008/2009.

The Committee agreed:-

- (i) to note that the Chief Executive was of the view that high standards of governance existed in the Council, albeit that further work was required to ensure full compliance with the Code of Corporate Governance;
- (ii) to note the work which would take place during 2008/2009 to ensure improved compliance; and

- (iii) to note that the Chief Executive's review along with the Chief Internal Auditor's independent review would form the basis of the Annual Corporate Governance Statement signed by the Leader of the Council and the Chief Executive and which would be included in the Council's Annual Report and Accounts document to be published in September 2008.

8. CORPORATE GOVERNANCE AND THE LOCAL CODE - CHIEF INTERNAL AUDITOR'S ASSURANCE STATEMENTS

With reference to Article 9 of the minute of meeting of this Committee of 21 June 2007, there was submitted [Joint Report No 619/08](#) by the Director of Corporate Services and the Head of Finance presenting the Chief Internal Auditor's Independent Assurance Opinions in relation to the overall Corporate Governance arrangements and internal financial controls for 2007/2008

The Report indicated that a substantial amount of work continued in a number of areas raised in the 2006/2007 Assurance Statement, in particular business continuity and procurement. However, there was still some governance areas carried forward as at 31 March 2008 which required to be further developed in light of the environment of continual change that the Council operated in. Accordingly, further developments were necessary in order to fully meet the requirements of the Local Code of Corporate Governance and to ensure the governance framework was operating efficiently and effectively. In terms of the Council's internal financial controls, the Report indicated that, whilst there was some slippage in the discharge of recommendations in the audit reports, instances of non-compliance with financial guidance and some specific departmental matters raised, the internal financial control arrangements and frameworks within which the Council operated was sound.

The Committee, for its interest, agreed:-

- (i) to note the Chief Internal Auditor's opinion in relation to Corporate Governance and the Local Code;
- (ii) to note the Chief Internal Auditor's Annual Internal Financial Control Report and Assurance Statement; and
- (iii) to note that a full Internal Audit report in relation to 2007/2008 Corporate Governance would be presented both to this Committee and the Audit Sub-Committee after the summer recess.

9. PROTOCOL FOR RELATIONS BETWEEN COUNCILLORS AND EMPLOYEES

There was submitted [Report No 620/08](#) by the Chief Executive appending an updated version of the Protocol for Relations between Councillors and Employees.

The Report indicated that from time to time it had been necessary to update the protocol to take into account changing circumstances, such as the introduction of multi-member wards, changes to the Council's management structure and working practices generally. In addition, the most recent version of the protocol had been developed over a number of years and contained a number of addendums that made the document more difficult to read and to use. The opportunity had therefore been taken to re-edit the protocol so that it could be used more easily as a guide for both elected members and staff. It was stressed that no new arrangements were being introduced as a consequence of this updating exercise.

The Committee agreed to approve and adopt the amended protocol as appended to the Report.

10. FAIRER SCOTLAND FUND

With reference to Article 11 of the minute of meeting of Angus Council of 27 March 2008, there was submitted [Report No 621/08](#) by the Chief Executive detailing proposals for use of the remainder of the Fairer Scotland Fund resource in 2008/2009 which had been introduced with the aim of improving lives and regenerating communities.

The Report recommended additional resource allocations in 2008/2009 as follows:-

• Citizens Advice Bureau	£8,750
• Work in relation to migrant workers	£16,919
• Aspire (Arbroath Academy)	£20,000
• 16+ Learning Choices Pilot	£14,000

The Committee agreed:-

- (i) to note the current position with regard to the Fairer Scotland Fund resource;
- (ii) to support the proposals outlined in the Report aimed at achieving full spend of the Fairer Scotland Fund resource in the current financial year; and
- (iii) to note that a further report, detailing the outcome of the evaluation of the programmes which were supported through Community Regeneration, Working for Families and More Choices, More Chances funds would be submitted to a future meeting.

11. COMMUNITY PLANNING IN ANGUS - QUARTERLY REPORT

With reference to Article 7 of the minute of meeting of this Committee of 18 March 2008, there was submitted [Report No 622/08](#) by the Chief Executive providing members with an update of community planning activities in Angus for the period February to April 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.

The Committee agreed to note the contents of the Report.

12. COMMUNITY PLANNING: AN INITIAL REVIEW - AUDIT SCOTLAND REPORT

There was submitted [Report No 623/08](#) by the Chief Executive summarising the key messages from Audit Scotland's Initial Review of Community Planning, published in June 2006 and detailing the position in Angus in relation to the recommendations set out in Audit Scotland's Report.

The Report indicated that Audit Scotland's study had provided an overview of Community Planning in Angus and had identified what changes needed to happen in order for Community Planning to progress. An Agenda for Action had been developed and Audit Scotland had suggested Community Planning Partnerships might wish to prioritise their implementation according to individual circumstances. Appended to the Report were areas that required to be taken forward by local authorities, partner organisations and Community Planning Partnerships.

The Committee agreed:-

- (i) to note the key messages from the initial review of community planning carried out by Audit Scotland outlined in Section 3 of the Report;
- (ii) to note the updated position in Angus in relation to the recommendations set out in Audit Scotland's Report to, and compared with last year, as outlined in the Appendix to the Report; and
- (iii) to approve the proposed actions contained in the Appendix which would help address the recommendations by Audit Scotland.

13. SCOTTISH GOVERNMENT REVIEW OF COMMUNITY COUNCILS

There was submitted [Report No 624/08](#) by the Chief Executive providing a proposed response to the consultation on a draft Model Scheme of Establishment of Community Councils and draft Code of Conduct for Community Councils which formed part of the Scottish Government's review of community councils.

The Report indicated that a copy of the consultation documents had been issued to all Angus Council Directors along with community planning partners. A copy of the consultation document had also been sent separately to all elected members, in the recognition that they might view the review from a different perspective, and were also given the option for their views to be incorporated in the Council's response or to send them direct to the Scottish Government. A proposed draft response to the consultation documents had been prepared which incorporated replies from all consultees and which was attached as Appendices to the Report.

Having heard from Councillor Murray, Councillor Myles, seconded by Councillor Mackintosh moved that the Committee approve the proposed response to Question 15 of the consultation paper ie – to oppose the use of the Single Transferable Vote (STV) for community council elections.

COUNCILLOR MURRAY, SECONDED BY COUNCILLOR OSWALD, MOVED AS AN AMENDMENT, THAT THE COUNCIL “STRONGLY SUPPORTS” THE USE OF STV FOR COMMUNITY COUNCIL ELECTIONS, AS ITS RESPONSE TO QUESTION 15.

On a vote being taken, members voted:-

For the motion:-

Councillor Myles, Mackintosh, Andrews, Millar, Murphy and Salmond (6).

For the amendment:-

Councillors Ellis, Gaul, King, May, Glennis Middleton, Murray, Oswald, Welsh and Whyte (9).

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

Thereafter, the Committee agreed:-

- (i) to approve the comments set out in the Appendices to the Report;
- (ii) to adopt Option 3 as the preferred election frequency for community council elections (ie: a four yearly cycle, outwith the Local Government Election year on a date to be determined by the local authority);
- (iii) that the response to questions 28 and 29 be amended to be the local authority and that consequently the response to question 30 be amended to “Other Local Authority”;
- (iv) that in relation to question 31, all meetings of Community Councils and of its Sub-Committees should be held in public; and
- (v) that the comments (as amended) be submitted to the Scottish Government as the Council's response to the draft Model Scheme of Establishment of Community Councils and the draft Code of Conduct for Community Councils.

14. ANGUS COUNCIL GRANT SCHEMES - IMPLEMENTATION OF THE CIVIC PRIDE AND ENVIRONMENTAL IMPROVEMENT STRATEGY

With reference to Article 4(b)(v) of the minute of the special meeting of Angus Council of 27 February 2008, there was submitted [Joint Report No 625/08](#) by the Chief Executive, the Director of Neighbourhood Services and the Director of Infrastructure Services seeking approval for the proposals to implement the Civic Pride and Environmental Improvement Grant Schemes and to note the integration of these with existing grant aid funding mechanisms within Angus Council.

The Report indicated that £100,000 was available in 2008 to fund projects which contributed towards increasing civic pride in Angus. A further £100,000 was available in 2008/2009 to fund projects which contributed to enhancing and/or improving the built physical environment of Angus. Guidance for the Angus Council Community Grant Scheme would be revised for 2008/2009 to reflect that applications for civic pride and environmental improvements would

not be considered under the Angus Council Grant Schemes but would instead be considered under the new grant scheme.

Events would be organised by the External Funding Team as part of their annual calendar of promotional events to highlight the focus on civic pride and environmental grants and to assist with applications and revised guidance on the Community Priorities Fund would be issued to all Council departments and awareness raising events held.

The Committee agreed:-

- (i) to approve the proposal for the implementation of the Civic Pride and Environmental Improvement Grant Schemes within the existing mechanisms for the delivery of the Angus Council Community Grant Scheme (ACCGS); and
- (ii) to note that approved guidance would be issued in respect of the Community Priorities Fund.

15. PROPOSAL FOR A CENTRE FOR CARNOUSTIE/DEVELOPMENT OF PART OF KINLOCH SCHOOL SITE, CARNOUSTIE

There was submitted [Report No 626/08](#) by the Chief Executive outlining a proposal for the development of a centre/joint facility at part of the Kinloch School site.

The Report indicated that the Carnoustie Centre Action Group (CCAG) which had been formed in 2005 and was directed by a steering group of local residents and organisations directed towards establishing what was originally envisaged to be a heritage and cultural centre. A survey of local people had revealed that 96% of respondents were in favour of the development of a heritage and cultural centre type provision on part of Kinloch School site. It was recognised that this might be an opportunity for the Council to consolidate some of its service delivery through a joint development with the CCAG and the Report set out a number of steps to take this development forward, with a report to come back to this committee on the outcome of these proposals as soon as possible.

The Committee agreed that the Council enter into discussions with the Carnoustie Centre Action Group regarding the potential development of a joint facility to include local authority services leading to a formal feasibility study being undertaken.

16. RURAL LOCAL BUS SERVICE CONTRACTS

There was submitted [Report No 627/08](#) by the Director of Infrastructure Services seeking authority to re-tender rural local bus service contracts which were due to terminate this financial year.

The Report indicated that in order to achieve best value to the Council, contracts would be sought for three years with an option to extend annually thereafter for up to five years as companies were more willing to commit to longer term contracts which offered security for drivers and vehicles, than short term contracts. In the meantime, on-bus surveys were being undertaken to establish passenger usage and identify any changes to the services to enable them to better meet passenger requirements. Consultation had also taken place with elected members, community councils and other interested parties.

The Committee agreed:-

- (i) that tenders be sought for replacement rural local bus service contracts as detailed in the Report;
- (ii) to maintain the formerly ring-fenced funding relating to Rural Transport Grant within the Planning and Transport Division's Revenue Budget on an ongoing basis, as detailed in Section 4 of the Report; and
- (iii) to note that the results of this tendering exercise would be reported back to a future meeting of the Infrastructure Services Committee.

17. ESTABLISHMENT CHANGES

With reference to Article 5 of the minute of meeting of this Committee of 6 May 2008, there was submitted and noted [Report No 629/08](#) 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 1 April to 16 May 2008.

18. SICKNESS ABSENCE - QUARTERLY REPORT

With reference to Article 12 of the minute of meeting of this Committee of 18 March 2008, there was submitted and noted [Report No 630/08](#) by the Chief Executive advising of the level of sickness absence within Angus Council for the period 1 January to 31 March 2008.

19. QUARTERLY JOINT STAFFING WATCH

With reference to Article 11 of the minute of meeting of this Committee of 18 March 2008, there was submitted and noted [Report No 631/08](#) by the Chief Executive advising members of the Council's quarterly Joint Staffing Watch return to the Scottish Government for the period to March 2008.

20. MONITORING EMPLOYEE TURNOVER 2007/2008

With reference to Article 20 of the minute of meeting of this Committee of 21 June 2007, there was submitted and noted [Report No 633/08](#) by the Chief Executive advising members of the levels of employee turnover within the Council during the financial year 2007/2008.

21. REVISION OF SMOKING AT WORK AND ALCOHOL AND DRUG MISUSE POLICIES

With reference to Article 4 of the minute of meeting of the Personnel and Property Services Committee of 11 June 1996 and, Article 18 of the minute of meeting of 30 January 2001, there was submitted [Report No 632/08](#) by the Chief Executive proposing changes to the Council's policies on Smoking at Work and Alcohol and Drug Misuse.

The Report indicated that since 1996 and 2001 respectively, the Council had policies dealing with smoking at work and alcohol and drug misuse. Like all personnel policies, these had been kept under review and revised periodically to ensure that they were "fit for purpose" and reflected current best practice in any legislative changes. It was now considered appropriate to make minor changes to both these policies which were attached as appendices to the Report, with the changes indicated in bold text.

The Committee agreed:-

- (i) to approve the revised Smoking at Work Policy detailed at Appendix 1 to the Report; and
- (ii) to approve the revised Alcohol and Drug Misuse Policy as detailed in Appendix 2 to the Report.

22. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved in terms of Standing Order 27(2) that the public and press should be excluded during consideration of the following item, so as to avoid the disclosure of information which was exempt in terms of Part 1 of Schedule 7(a) to the Local Government (Scotland) Act 1973, paragraph 1.

23. PAYMENT OF OVERTIME

There was submitted [Report No 634/08](#) by the Director of Social Work seeking agreement to the payment of overpayment to a member of staff within the Social Work and Health Department. The Report indicated that agreement of the Committee was required prior to overtime being paid to an employee on grade LG12 or above.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the payment of overtime as specified at paragraph 4 of the Report; and
- (iii) to ask the Chief Executive to draft proposals which would delegate authority to pay overtime to employees on grade LG12 and above to officers and report back in due course.