

# ANGUS COUNCIL

MINUTE of MEETING of the **CORPORATE SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Thursday 29 November 2012 at 4.00pm.

**Present:** Councillors ALEX KING, BILL DUFF, BRIAN BOYD, BILL BOWLES, LYNNE DEVINE, IAIN GAUL, MARTYN GEDDES, IAN McLAREN, DONALD MORRISON, JEANETTE GAUL, BOB MYLES, DAVID MAY, GLENNIS MIDDLETON and SHEENA WELSH.

COUNCILLOR KING, Convener, in the Chair.

## 1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Colin Brown, Mairi Evans, Rob Murray, Margaret Thomson and Paul Valentine, with Councillors Bill Bowles, Lynne Devine, Jeanette Gaul, David May and Glennis Middleton, substituting respectively.

## 2. DECLARATIONS OF INTEREST

The Committee noted that there were no declarations of interest intimated.

## 3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 18 October 2012](#) was approved as a correct record and signed by the Convener.

## 4. BRIBERY ACT 2010

There was submitted [Report No 683/12](#) by the Director of Corporate Services, advising members of the effect of the Bribery Act 2010 which had come into effect fully on 1 July 2011, and was intended to tackle bribery in the modern marketplace and to ensure that trading between businesses and nations was fair and impartial. The Council came within the remit of the Act as it carried out functions of a public nature and was a corporate body. However, the Council's existing Corporate Governance procedures ensured compliance with the terms of the Bribery Act and the Council would review its existing policies as required by the Act.

The Committee agreed:-

- (i) to note the terms of the Report; and
- (ii) to agree that a short life officer working group be set up by the Director of Corporate Services to produce a Bribery Prevention Policy.

## 5. CORPORATE SERVICES DEPARTMENT MID-TERM SERVICE PERFORMANCE REPORT 2012/2013

With reference to Article 3 of the minute of the special meeting of this Committee of 9 February 2012, there was submitted [Report No 684/12](#) by the Director of Corporate Services, presenting the Mid-Term Service Performance Report for the Corporate Services Department covering the first six months of the 2012/2013 financial year.

The Report indicated that of the 27 improvement actions in 2012/2013 for the Department, 3 had been completed, 24 were on target and no actions were overdue. In addition of the 11 actions carried forward from 2011/2012, 7 had been completed and updates on the other 4 actions were provided.

The Committee agreed to note the terms of the Corporate Services Department Mid Term Service Performance Report 2012/2013.

## 6. PROPERTY MAINTENANCE MID-YEAR REPORT 2012/2013

With reference to Article 16 of the minute of meeting of this Committee of 21 June 2012, there was submitted and noted [Report No 685/12](#) by the Director of Corporate Services presenting the 2012/2013 mid-year status of expenditure on the maintenance of non-housing properties.

## 7. PROPOSED REFURBISHMENT OF A FLAT AT 32 BANK STREET, BRECHIN

There was submitted [Report No 686/12](#) by the Director of Corporate Services advising as to a proposed refurbishment to the flat at 32 Bank Street, Brechin, where funding was sought from Brechin Common Good Fund in respect of the refurbishment works, as detailed in the Report, to help enable the flat to be let on the open market. It was noted that all the local members had been consulted and had not advised of any objections.

The Committee agreed to approve funding from Brechin Common Good Fund in respect of the refurbishment works as detailed in the Report, and estimated to be in the region of £8,000 - £10,000, to help enable the flat to be let on the open market.

## 8. PROPOSED DISPOSAL OF COTTAGE NO 2, MUIR COTTAGES, CARESTON

There was submitted [Report No 687/12](#) by the Director of Corporate Services, advising that Cottage No. 2, Muir Cottages, Careston had recently been vacated by the tenant and had subsequently been declared surplus to the requirements of the Infrastructure Services Department.

The Head of Property having circulated the availability of the property to all departments of the Council, no interest had been expressed in the future use of the site. It had also been established that there was no demand for either social housing or affordable housing at this location.

The Committee agreed that Cottage No. 2, Muir Cottages, Careston be declared surplus to the requirements of the Council, and marketed for sale on the open market.

## 9. PROPERTY TRANSACTIONS

With reference to Article 7 of the minute of meeting of this Committee of 18 October 2012, there was submitted [Report No 688/12](#) by the Director of Corporate Services, setting out the property transactions dealt with under delegated authority, and seeking approval for two transactions which had been provisionally agreed.

The Committee agreed:-

- (i) to note the property transactions detailed in Appendices 1, 2, 3, 5 and 6 of the Report which had been completed under the delegated authority of the Head of Property; and
- (ii) to approve the transactions as detailed in Appendices 4 and 7 of the Report.

## 10. PROPOSED STANDARDISED LEASE AGREEMENTS FOR BOWLING GREENS

There was submitted [Report No 690/12](#) by the Director of Corporate Services, advising as to the current position with regard to the occupation of Council-owned bowling greens and setting out a proposed gradual move to a common policy.

The Committee heard that the current position whereby clubs occupied bowling greens on different terms and conditions, and some clubs occupied greens without any supporting Agreements, was inconsistent, inequitable, and could cause conflicts, and was therefore considered to be unsatisfactory. The varied existing arrangements also failed to comply in governance terms with best practice under the Following the Public Pound Guidance for Local Authorities.

Having heard from several members, the Committee agreed:-

- (i) to approve the policy of:
  - (a) leases on standard terms and conditions being offered to tenants with Minutes of Agreements from 1 April 2013, or on expiry, with the new rent payments being phased in over a three year period; and
  - (b) where no lease existed at present, leases being offered to tenants on standard terms and conditions from 1 April 2013 with the new rent payments and running charges being phased in over a three year period; and
- (ii) to instruct the Director of Corporate Services and the Director of Neighbourhood Services to enter into discussions with the affected bowling clubs to deliver an agreed transition.

#### **11. ENERGY CONSUMPTION AND CARBON DIOXIDE EMISSIONS (CRC) PROGRESS REPORT – MID YEAR 2012/2013**

With reference to Articles 10 and 11 of the minute of meeting of the Strategic Policy Committee of 6 September 2011, there was submitted and noted [Report No 691/12](#) by the Director of Corporate Services, presenting the status of cumulative energy consumption and carbon dioxide emissions for the period up to 30 September 2012.

#### **12. ENERGY BUDGET PROGRESS REPORT – MID YEAR 2012/2013**

With reference to Article 5 of the minute of meeting of this Committee of 30 August 2012, there was submitted [Report No 692/12](#) by the Director of Corporate Services advising as to the mid year status of expenditure on the individual Council heating, fuel and electricity budgets for non-housing properties. It was anticipated that the end of year outturn would be full expenditure or minor overspend, due to the cooler summer, providing the 2012/2013 winter was mild.

The Committee agreed to note the terms of the Report.

#### **13. CAPITAL MONITORING – GENERAL FUND CAPITAL PROGRAMME – 2012/2013**

With reference to Article 8 of the minute of meeting of this Committee of 18 October 2012, there was submitted [Report No 693/12](#) by the Director of Corporate Services, advising as to the capital expenditure incurred for the period 1 April 2012 to 30 September 2012, and measuring projected capital expenditure for the year against budgeted provision for that year.

The Report indicated that at this stage in the financial year, the latest year end estimate of gross expenditure was £682,000 under the 2012/2013 gross capital expenditure budget, and £463,000 under on a net basis. As a result of the reduction in the projected departmental net expenditure of £463,000, the slippage allowance of £1,000,000 originally built into the programme had reduced by an equivalent amount. The projection of corporate capital receipts had increased from an initial estimate of £500,000 to £600,000. Some projects detailed in Appendix 1 had been identified as being of a lesser priority in line with the recent assessment of the forecast capital programme affordability and sustainability forming part of the 2013/2014 capital budget process.

The Committee agreed:-

- (i) to note, for its interest, the expenditure position on the General Fund Capital Programme as at 30 September 2012, as per Tables 1 and 2 in the Report, and the accompanying capital monitoring statements detailed in Appendix 1 of the Report;
- (ii) to note that this Report should be considered in conjunction with the mid year departmental performance and monitoring reports being submitted to relevant committees in the current cycle; and
- (iii) to note that the next meeting of the Capital Projects Monitoring Group was scheduled to take place on Thursday 6 December 2012.

#### 14. HOUSING CAPITAL AND REVENUE BUDGET PERFORMANCE REPORT 2012/2013

With reference to Article 4 of the minute of meeting of the Neighbourhood Services Committee of 15 November 2012, there was submitted [Joint Report No 644/12](#) by the Director of Neighbourhood Services and the Director of Corporate Services, setting out the actual capital, planned maintenance and revenue spends to 30 September 2012, together with projected outturns for the year to 31 March 2013, and updated capital funding proposals.

The Committee, for its interest, agreed:-

- (i) to note the projected year end positions on capital expenditure, planned maintenance expenditure, revenue budget expenditure, and indicative funding proposals for the capital programme;
- (ii) to note that relevant officers were endeavouring to ensure that the Capital Programme and Planned Maintenance Programme remained within overall available resources; and
- (iii) otherwise to note the contents of the Report.

#### 15. REVENUE MONITORING/PROJECTED OUTTURN STATEMENT 2012/2013

With reference to Article 10 of the minute of this Committee of 18 October 2012, there was submitted [Report No 694/12](#) by the Director of Corporate Services advising as to actual revenue expenditure incurred and income received for the period 1 April 2012 to 30 September 2012, together with the anticipated year end position in respect of each Council department.

The Report indicated that, generally, expenditure was currently behind the budget and an underspend of £1.048 million was projected for 2012/2013. £0.328 million of this underspend was however associated with Tayside Joint Boards and would be subject to application to specific projects. The net underspend would be subject to the 50% carry forward process as outlined in the Council's Financial Regulations. Any underspend not called upon for other purposes have been made available for use through the 2013/2014 budget setting process. The Housing Revenue Account was projecting a £0.616 million surplus during 2012/2013. Both budgets would be closely monitored, and any change would be advised in subsequent reports to this Committee.

The Committee agreed:-

- (i) to note the contents of the Report for its interest, and in particular the comments on the Financial Implications section regarding the projected year end position;
- (ii) to note that this Report should be considered in conjunction with the mid year departmental performance and monitoring reports; and
- (iii) to approve the virement sent out in Section 7 of the Report, realigning the Finance division budget (audit services) within Corporate Services which were in excess of the permitted delegated authority limits as prescribed in Section 4.3 of the Financial Regulations of the Council.

#### 16. RENEWAL AND REPAIR FUNDS AS AT 30 SEPTEMBER 2012

With reference to Article 13 of the minute of meeting of this Committee of 8 March 2012, there was submitted [Report No 695/12](#) by the Director of Corporate Services, advising as to the actual financial position of the Renewal and Repairs Funds for Property, Information Technology, Roads and Transport, Print and Design Unit and Recreation as at 30 September 2012, which showed an effective uncommitted balance on all funds of £640,097.

The Committee agreed to note the contents of the Report.

**17. CORPORATE SERVICES DEPARTMENT CONTRACTS AWARDED AND EXEMPTIONS APPROVED UNDER DELEGATED POWERS: 1 APRIL TO 30 SEPTEMBER 2012**

With reference to Article 21 of the minute of meeting of this Committee of 21 June 2012, there was submitted and noted [Report No 696/12](#) by the Director of Corporate Services, advising as to contracts awarded and the Financial Regulations exemptions granted by Corporate Services Departmental Heads of Service and the Exemptions Co-ordinator, all under delegated powers for the period from 1 April 2012 to 30 September 2012.

**18. PROCUREMENT PROGRAMME ANNUAL REPORT 2011/2012**

With reference to Article 21 of the minute of meeting of this Committee of 28 April 2011, there was submitted [Report No 697/12](#) by the Director of Corporate Services, being the first annual report under the Tayside Procurement Strategy 2011/2015, summarising Procurement Programme progress for the financial year 2011/2012 against the objectives set out in the approved Procurement Strategy.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the presentation of these Procurement Programme Reports on an annual basis from this year forward.

**19. REVIEW OF ANGUS COUNCIL SUPPLIER FINANCIAL EVALUATION PROCEDURES**

There was submitted [Report No 698/12](#) by the Director of Corporate Services advising as to a review being undertaken by the Head of Finance and the Corporate Procurement Manager of the Council's supplier financial appraisal procedures which were applied when the Council was tendering, so that these procedures reflected current best procurement practice.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the revised the principles of supplier financial evaluation as set out in Section 5 of the Report.

**20. EXCLUSION OF PUBLIC AND PRESS**

The Committee resolved, in terms of Standing Order 27(2) that the public and press be excluded from the meeting during consideration of the following item so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7(A) to the Local Government (Scotland) Act 1973, paragraphs 1 and 3.

**21. APPROPRIATION OF LAND AT ARBROATH ENTERPRISE PARK, ARBROATH**

There was submitted [Report No 689/12](#) by the Director of Corporate Services regarding the proposal to appropriate land at Arbroath Enterprise Park.

The Committee agreed the appropriation of a site measuring 1.18 hectares or thereby at Arbroath Enterprise Park all as detailed in the Report.