

# **MORAY COUNCIL**

## **Minute of Special Meeting of the Moray Council**

**Wednesday, 25 September 2019**

**Council Chambers, Council Office, High Street, Elgin, IV30 1BX**

### **PRESENT**

Councillor George Alexander, Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Theresa Coull, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Shona Morrison, Councillor Amy Taylor, Councillor Sonya Warren

### **APOLOGIES**

Councillor John Cowe, Councillor Ray McLean, Councillor Derek Ross, Councillor Ron Shepherd, Councillor Walter Wilson

### **IN ATTENDANCE**

Chief Executive, Corporate Director (Economic Development, Planning and Infrastructure), Chief Officer (Health and Social Care Partnership), Head of Financial Services, Head of Legal and Democratic Services, Acting Head of Human Resources & ICT, Ms Stephen, Acting Principal Librarian and Mrs L Rowan, Committee Services Officer as Clerk to the Meeting.

## **1 Chair**

Councillor Morrison, being Convener of the Council, chaired the meeting.

## **2 Declaration of Group Decisions and Members Interests**

In terms of Standing Order 20 and the Councillor's Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Members interests in respect of any item on the agenda.

## **3 Resolution**

The Council resolved that, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7A and reason
	1 Information relating to staffing matters
6, 7 and 8	11 Information relating to any consultations or negotiations in connection with any labour relations.

#### **4 Financial Planning 2019-20 - Consultation Update - Revised**

Under reference to paragraph 7 of the Minute of Moray Council dated 8 May 2019, a report by the Corporate Director (Economic Development, Planning and Infrastructure) provided the Council with further information in relation to the Equalities Impact Assessments, to enable them to make final decisions on the reduction of opening hours in Burghead, Dufftown, Fochabers and Lossiemouth libraries; the removal of the Essential Skills Service and the removal of the English for Speakers of Other Languages (ESOL) Services.

The Council Leader stated that future provision of the ESOL service had been discussed at a recent meeting of the Community Planning Board and that Moray College UHI had agreed in principle to expand their service to provide community based classes which will be supported by funding drawn down from the Home Office by Moray Council and commissioned to be delivered by Moray College UHI. In relation to the proposed reduction in opening hours for Burghead, Dufftown, Fochabers and Lossiemouth libraries, the Council Leader further stated that this had been a difficult decision to make however maintained that this was the only option available which avoided complete closure of the libraries. With regard to the proposed removal of the Essential Skills service, the Council Leader highlighted the importance of this service and that removal of this service would affect some of the most vulnerable people in society. He stated that a national review of adult learning was due to take place which would include a national strategy and the possibility of improved funding arrangements in this area. The Council Leader therefore moved that the Council agree the recommendations as printed within the report with the exception of the proposal to remove the Essential Skills Service. This was seconded by Councillor A McLean.

In relation to the proposed reduction in opening hours for Lossiemouth library, Councillor Allan stated that opening hours at this library had been significantly reduced over the last few years and that this was impacting the community as the library is widely used. Councillor Allan recognised that a community library is included in the new Lossiemouth High School and moved, as an amendment, that the Council agree the recommendations as printed within the report with the exception of the proposal to remove the Essential Skills Service and defer any reduction to the opening hours of Lossiemouth library until the completion of the new Lossiemouth High School. On failing to find a seconder, Councillor Allan's motion fell.

Councillor Macrae raised concern in relation to the proposed reduction in hours at the 4 libraries, in particular Fochabers Library and, in light of the upcoming review of Leisure Services, moved as an amendment, that the Council agree the recommendations as printed within the report with the exception of the proposal to remove the Essential Skills Service and defer any reduction in the opening hours of Burghead, Dufftown, Fochabers and Lossiemouth libraries until after the review of Leisure Services has taken place. This was seconded by Councillor Edwards.

On a division there voted:

For the Motion (12)	Councillors Leadbitter, A McLean, Alexander, Bremner, Coull, Cowie, Coy, Creswell, Laing, Morrison, Taylor and Warren
For the Amendment (5)	Councillors Macrae, Edwards, Allan, Divers and Gatt
Abstentions (4)	Councillors Brown, Eagle, Feaver and M McLean

Accordingly, the motion became the finding of the Council and it was agreed to:

- i. note the information in the equalities impact assessments as set out in Appendices A (ESOL), B (Essential Skills) and C (Libraries) of the report;
- ii. proceed with the savings in relation to reduced opening hours in Burghead, Dufftown, Fochabers and Lossiemouth libraries;
- iii. proceed with the removal of the communities based ESOL service from within the Council whilst noting that the overall responsibility rests at Community Planning level and the impact of this change had been considered by the Community Planning Board; and
- iv. note that arrangements are being made to provide ESOL classes for the Syrian refugees through the project funding provided with the method of delivery being considered by the Community Planning Board.

## **5 Management Restructure: Consultation Feedback [Para 1 & 11]**

Under reference to paragraph 15 of the Minute of Moray Council dated 27 June 2019, a report by the Chief Executive asked the Council to consider the outcome of the workforce consultation on the proposed management restructure and determine how to proceed with the re-structure and transitional arrangements.

During discussion, concern was raised surrounding the proposed move of Children's Services to the Moray Integrated Joint Board (MIJB) in terms of democratic accountability as, currently, Council representation on the MIJB consists of 6 Elected Members, 3 of which are substitutes, made up of 4 members of the Administration and 2 Conservative members which is not an equal representation of all the groups in the Council. Whilst it was acknowledged that a further report was due to be considered by the Council in this regard it was asked that consideration be given to Council representation on the MIJB being made up equally from all Groups within the Council.

In response, the Chief Executive advised the Council that a meeting had taken place with himself, the Chief Executive of NHS Grampian and Senior Officers in the Council, IJB and NHS where it was recognised that there was a need to strengthen partnership relationships between all organisations with stakeholders being able to participate in the shared agenda. He further advised that models used by other local authorities to address this issue had been explored and that the most appropriate of these would be presented for consideration by Council. In addition to the Chief Executive's advice, the Chief Officer (Health and Social Care Partnership) advised that Council representation on the MIJB was for the Council to decide and amend as necessary.

During further discussion surrounding the process of transferring Children's Services to the MIJB, it was recognised that this would be a complex process that would take a significant period of time and a plea was made that the Council be involved in overseeing each stage of the process.

In response, the Chief Executive assured the Council that the Chief Officer (Health and Social Care Partnership) had completed a timeline including significant gateways to be passed through before the transfer of Children's Services to the MIJB is complete. In addition, the Chief Officer (Health and Social Care Partnership) further advised that the final approval of the scheme, before progressing through the parliamentary process, would be presented for approval to the Council and NHS.

In order to alleviate some of the concerns of the Council in terms of overseeing the process of transferring Children's Services to the MIJB, Councillor Leadbitter suggested that it would be helpful if progress through the relevant gateways in relation to the transfer of Children's Services to the MIJB is a standing item at CMT briefings and regularly reported to the Council. This was agreed.

Thereafter, the Council agreed:

- i. to note the outcome of the workforce consultation on the proposed management structure as set out in Appendix B of the report;
- ii. to approve the revised management structure as set out in Appendix A for implementation with effect from 1 October 2019 subject to the corrections detailed in para 5.19.1 and 5.19.2 of the report;
- iii. to instruct the Chief Executive to proceed with the next steps for implementation and to approve the extension of temporary management arrangements in relation to Children's services for the transitional period;
- iv. to request an early report on the oversight of Moray Integrated Joint Board in the revised structure; and
- v. that progress through the relevant gateways in relation to the transfer of Children's Services to the Moray Integrated Joint Board be a standing item at CMT briefings and regularly reported to the Council.

## **6 Management Restructure - Voluntary Early Retirement Application [Para 1 & 11]**

Under reference to paragraph 15 of the Minute of Moray Council dated 27 June 2019, a report by the Corporate Director (Corporate Services) asked the Council to consider an application under the terms of the agreed Voluntary Early Retirement (VER) Scheme.

Following consideration, the Council agreed to approve the application for VER contained within the report.

## **7 Budget 2019/20 - Voluntary Severance/Voluntary Early Retirement Applications [Para 1 & 11]**

Under reference to paragraph 7 of the Minute of Moray Council dated 8 May 2019, a report by the Corporate Director (Corporate Services) asked the Council to consider applications under the terms of the agreed Voluntary Severance (VS) and Voluntary Early Retirement (VER) Schemes.

Following consideration, the Council agreed to approve the applications for VER and VS contained within Appendix A of the report with the exception of those relating to the

Essential Skills service.