Moray Council

Wednesday, 17 June 2020

NOTICE IS HEREBY GIVEN that a Meeting of the **Moray Council** is to be held at **To be held virtually**, on **Wednesday, 17 June 2020** at **09:30.**

BUSINESS

Any person attending the meeting who requires access assistance should contact customer services on 01343 563217 in advance of the meeting.

*   **Declaration of Group Decisions and Members Interests -** The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

**   **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

***   **Question Time -** At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

Clerk Name:
Clerk Telephone: 01343 563016
Clerk Email: committee.services@moray.gov.uk

THE MORAY COUNCIL

Moray Council

<u>SEDERUNT</u>

Councillor Shona Morrison (Chair)
Councillor Graham Leadbitter (Depute Chair)
Councillor George Alexander (Member)
Councillor James Allan (Member)
Councillor David Bremner (Member)
Councillor Frank Brown (Member)
Councillor Theresa Coull (Member)
Councillor John Cowe (Member)
Councillor Gordon Cowie (Member)
Councillor Paula Coy (Member)
Councillor Lorna Creswell (Member)
Councillor John Divers (Member)
Councillor Tim Eagle (Member)
Councillor Ryan Edwards (Member)
Councillor Claire Feaver (Member)
Councillor Donald Gatt (Member)
Councillor Louise Laing (Member)
Councillor Marc Macrae (Member)
Councillor Aaron McLean (Member)
Councillor Maria McLean (Member)
Councillor Ray McLean (Member)
Councillor Laura Powell (Member)
Councillor Derek Ross (Member)
Councillor Amy Taylor (Member)
Councillor Sonya Warren (Member)
Councillor Walter Wilson (Member)

Clerk Name:
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Emergency Notice of Motion - Moray Council 17th June 2020

Moray Council Business Support

Coronavirus has created a range of challenges for local businesses over the last few months. For some, especially within the tourism sector, the impact has been great. The UK and Scottish Government have helped support businesses during this time with the UK Government already having spent more than £10billion in Scotland as a response to Coronavirus.

Sadly some businesses have slipped through the safety nets implemented by national governments. Whilst some of these can rely on savings and bank loans to keep their business afloat there are a handful which without some form of financial support risk closure or significant job losses.

Our local economy is vital. With a growth deal in place worth £65million to Moray, a new TBID in place and major developments at RAF Lossiemouth we believe it is vital we offer help to businesses which might face closure and ensure we are doing what we can to allow business to recover as quickly as possible.

This motion is submitted for approval as an emergency given the fast moving pace of the recovery process and the need to show support to our business community.

With this in mind the council agrees that -

- As part of wider impact assessment and action planning relative to economic recovery in Moray through Moray Economic Partnership, the Head of Economic Growth and Development works with partners on a local grant scheme which would help businesses that otherwise could not access grant support, an example of which is large hotels. Where the grant scheme is tailored to help those in most need.
- The grant scheme proposal is brought back to full council for consideration as soon as reasonably possible along with officer recommendations on how the cost could be set-aside to fund it.
- The local grant scheme also gives thought to providing support for marketing within the tourism sector and investment in town centres to create appropriate social distancing and more outdoor seating and business space to encourage safe footfall.

Signed

Cllr Tim Eagle   Cllr James Allan

REPORT TO: MORAY COUNCIL ON 17 JUNE 2020

SUBJECT: COMMUNITY ASSET TRANSFERS – ANNUAL REPORT

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1.   REASON FOR REPORT

1.1   This report meets the reporting requirements of section 95 of the Community Empowerment (Scotland) Act 2015 in relation to Community Asset Transfer requests dealt with during the period 1 April 2019 to 31 March 2020.

1.2   This report is submitted to the Council in terms of section III(B)(16) of the Council's Scheme of Administration relating to the management of Common Good and Trust property and section III(B)(59) relating to the consideration of Community Asset Transfer requests.

2.   RECOMMENDATION

2.1   The Council is invited to consider and note that:

(i)   during the financial year ending 31 March 2020, eight valid asset transfer requests were made to the Council under Part 5 of the Community Empowerment (Scotland) Act 2015, details of which are set out in Appendix 1;

(ii)   during the same period, six asset transfer requests made outside of the provisions of the Act were dealt with, details of which are set out in the Appendix 2;

(iii)   all community groups submitting a formal Expression of Interest in a Council property asset are signposted to both internal and external sources of additional guidance and support;

(iv)   a series of targeted training and workshop events were delivered to community groups by the Community Support Unit over the reporting period; and,

(v)   in the event of a formal review request being received in respect of a decision made by the Council in relation to an asset transfer request made under the Act, further training will be made available to Elected Members prior to its consideration.

3. BACKGROUND

3.1   Community Asset Transfer (CAT) is concerned with the transfer of property assets held by public authorities to community-controlled bodies. Moray Council, like many other local authorities, has a long history of transferring assets to the community on a voluntary basis, either through the granting of long leases or the transfer of ownership.

3.2   Part 5 of the Community Empowerment (Scotland) Act 2015 (the Act), which came into force on 23 January 2017, gives eligible community-controlled bodies a right to make a request for the transfer of land held by public authorities. Section 95 of the Act requires each relevant authority to publish an asset transfer report for the reporting year by the end of June each year. This report covers the period 1 April 2019 to 31 March 2020.

3.3   The Act provides eligible community-controlled bodies, known as community transfer bodies for the purposes of the Act, with various rights and protections. Notwithstanding these provisions, there is no requirement that all asset transfer requests be made under the Act. The formal guidance prepared by the Scottish Government for public authorities and community transfer bodies recognises that the rights provided by the Act provide communities with a way forward where agreement cannot otherwise be reached.

3.4   The legislation requires two areas to be covered in the report. The first relates to asset transfer requests received under the Act and decisions made in respect of these. The second relates to actions taken by the Council to promote the use of asset transfer requests and to support community transfer bodies in the making of such requests. In the interests of openness and transparency, details of those requests received outside of the Act are also included in this report.

3.5   During the period covered by this report, the Council received eight valid asset transfer requests made under the provisions contained in the Act. Details of these are included in **Appendix 1**. One application has been approved for transfer. The others remain to be determined. Progress on these has slowed due to the Covid-19 lockdown. An extension of the decision period has been agreed with two groups. All of the community bodies that made asset transfer requests outwith the Act during the reporting year were aware of these provisions but chose not to avail themselves of the rights and protections provided. Those requests received outwith the Act are shown in **Appendix 2**.

3.6   Officers dealt with forty-four cases in total over the reporting period, covering both stages of the process – expressions of interest (stage 1) and asset transfer requests (stage 2). Of these cases, twenty-eight remained current at the end of the reporting period. These figures exclude numerous enquiries that did not progress to the formal expression of interest stage.

3.7   Following the Council's budget decision in February 2018 to make all of its town halls and two of its community centres available for transfer to the community, a series of workshops and drop-in sessions were delivered. These were targeted at community groups who had shown interest in taking over responsibility for Council assets. Subsequently, a programme of more detailed workshops and training events customised to the type of facilities involved was established, extending into 2019/20.

3.8   To ensure that adequate support would be available to facilitate successful transfers of the town halls and community centres, the Council agreed to create a temporary Community Support Officer post, based in the Community Support Unit. The temporary contract for this post ended in March 2020.

3.9   Temporary short terms lease arrangements were agreed during 2018/19 in respect of seven town halls and community centres to allow community groups an opportunity to take over responsibility for running the facilities while preparing a business case in support of a full asset transfer. These arrangements are currently being extended and will remain in place while the community groups are being supported by the Council through the community asset transfer process. These arrangements are listed in **Appendix 2**.

3.10   Generally, all groups enquiring about CAT will be signposted to both internal and external sources of additional guidance and support. Once an Expression of Interest is received, an officer will meet with the group to assess their readiness to proceed and identify its development needs. Officer support for community groups is prioritised based on the following categories:

(i)   High – Council initiatives, e.g. halls, community centres, public toilets.

(ii)   Medium – community initiatives supported by operating service.

(iii) Low – community initiatives where the operating service is neutral.

(iv)   Unsupported – community initiatives where a transfer is likely to be detrimental to current or future Council service delivery.

3.11   On 24 October 2018, training on determining asset transfer requests made under Part 5 of the Act was made available to Elected Members. This training was aimed at members of the Policy and Resources Committee. Due to the low numbers of requests expected under these provisions, a further training event for all elected Members aimed at determining review requests made under the Act will be scheduled prior to such a request being considered. To date, no requests for a review under the Act have been made.

4.   **SUMMARY OF IMPLICATIONS**

(a)   **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

Where the property is a Common Good asset, the interests of the inhabitants of the former burgh will take precedence over the Council's Corporate Plan and 10 Year Plan (LOIP).

Where the property is held under a Public Trust, it is burdened with the trust purposes. Consequently, a request must be considered only in relation to the trust purposes.

Transferring assets to the community can support the 10 Year Plan (LOIP) aim of creating more resilient and sustainable communities with less need for universal services provided by the public sector. It can also be consistent with the Corporate Plan value of promoting community empowerment as a means of supporting communities take on more responsibility.

(b) Policy and Legal

On 21 March 2017, the Policy and Resources Committee approved the following policy statement in relation to Community Asset Transfers (para 5 of the Minute refers).

"Moray Council recognises the important role that the transfer of property assets can play in empowering communities and strengthening their resilience. Where appropriate, the Council will use the transfer of assets to give more control to communities and local people, inspire them to find local solutions to community needs, and as a means of helping communities become more sustainable in the long term. In determining all asset transfer requests, the Council will have regard to the guidance provided by the Scottish Government in relation to asset transfer requests made under Part 5 of the Community Empowerment (Scotland) Act 2015, whether or not such requests are made under the provisions contained in the Act."

Where assets are transferred at less than market value, such disposals must comply with the Disposal of Land by Local Authorities (Scotland) Regulations 2010, which requires that the Council must be satisfied that the proposed transfer is reasonable and that the disposal is likely to contribute to at least one of the following purposes:
a) Economic Development,
b) Regeneration,
c) Public Health,
d) Social Wellbeing, or
e) Environmental Wellbeing.
Reasonableness is taken to imply that the requested discount is the minimum necessary to allow the project to proceed and that it is proportionate to the costs and benefits of the project.

The Community Empowerment (Scotland) Act 2015 only applies to the Council when acting in its capacity as a local authority. Where the Council Members act as Trustees under a Public Trust, they are not acting in the capacity of a local authority but in their capacity as Trustees under and in terms of the Trust. Consequently, the Act confers no rights on community-controlled bodies in these cases.

(c) Financial Implications

There are no financial implications arising directly from this report.

(d) Risk Implications

There are no risk implications arising directly from this report. Risks will be minimised where all those involved in the process, including Elected Members have received appropriate training.

(e) Staffing Implications

There are no staffing implications arising directly from this report.

(f)   Property

There are no property implications arising directly from this report.

(g)   Equalities/Socio Economic Impact

An Equalities Impact Assessment is not required as agreeing the recommendations would have no impact on service delivery.

(h)   Consultations

The Depute Chief Executive (Economy, Environment and Finance), Chief Financial Officer, Head of Economic Growth and Development, Head of Education Resources and Communities, Legal Services Manager, Democratic Services Manager, D. Brodie Community Support Officer, and Equal Opportunities Officer have been consulted and comments incorporated in the report.

5.   CONCLUSION

5.1   This report meets the reporting requirements of the Community Empowerment (Scotland) Act 2015 for the period from 1 April 2019 to 31 March 2020.

5.2   Eight asset transfer requests were made to the Council under the provisions contained in Part 5 of the Act during the reporting period. In the interests of openness and transparency, this report also includes details of the six requests progressed outside of these provisions.

5.3   The report provides details of the actions taken to promote the use of asset transfer requests, support communities in the making of such requests, and ensure that requests are determined appropriately.

Author of Report: Andrew Gray, Asset Management Coordinator
Background Papers: Held by author
Ref:

Appendix 1

Asset Transfer Requests made under the provisions contained in
Part 5 of the Community Empowerment (Scotland) Act 2015 during the period
1 April 2019 to 31 March 2020.

Table 1. Assets transferred during reporting period.

Ref	Transferred	Property Asset	Organisation
-	-	-	-

Table 2. Requests approved but not transferred during reporting period.

Ref	Approved	Property Asset	Organisation
CAT/059/ATR	02/10/19	Town Hall, High Street, Forres	Forres Area Community Trust

Table 3. Requests declined/refused during reporting period.

Ref	Refused	Property Asset	Organisation
-	-	-	-

Table 4. Requests received but not determined during reporting period.

Ref	Received	Property Asset	Organisation
CAT/085/ATR	22/08/19	Alice Littler Park, Aberlour (#1)	Aberlour Community Association
CAT/060/ATR	19/12/19	Lesser Borough Briggs, Elgin (resubmission)	Elgin Sports Community Trust
CAT/064/ATR	03/01/20	Alice Littler Park, Aberlour (#2)	Play Aberlour
CAT/067/ATR	03/01/20	Cullen Community and Residential Centre	Three Kings Cullen Association
CAT/052/ATR	27/01/20	Coulardbank Park (part), Lossiemouth	Lossiemouth Community Development Trust
CAT/073/ATR	18/02/20	Town Hall, Station Road, Findochty	Findochty Town Hall (SCIO)
CAT/068/ATR	12/03/20	Fishermen's Hall, North Pringle Street, Buckie	Fishermen's Hall Trust

Appendix 2

Asset Transfer Requests dealt with outside of the provisions contained in
Part 5 of the Community Empowerment (Scotland) Act 2015 during the period
1 April 2019 to 31 March 2020.

Table 1. Assets transferred during reporting period.

Ref	Transferred	Property Asset	Organisation
CAT/038/ATR	05/06/19	Marine Park, Marine Court, Lossiemouth	Action Marine Park
CAT/062/ATR	08/11/19	Portknockie Bowling Green and Tennis Courts	Portknockie Bowling and Tennis Club

Table 2. Requests approved but not transferred during reporting period.

Ref	Approved	Property Asset	Organisation
CAT/027/ATR	21/03/17	Former Cabrach School, Schoolhouse and Hall	Cabrach Trust
CAT/076/EOI	10/03/20	Community Centre, Church Street, Dufftown	Dufftown Community Centre

Table 3. Requests declined/refused during reporting period.

Ref	Refused	Property Asset	Organisation
CAT/060/ATR	09/04/19	Land at Lesser Borough Briggs, Elgin	Elgin Sports Community Trust

Table 4. Requests received but not determined during reporting period.

Ref	Received	Property Asset	Organisation
CAT/109/ATR	16/03/20	Additional Land at Lesser Borough Briggs, Elgin	Elgin Sports Community Trust

Table 5. Interim leases agreed and/or current during reporting period.

Ref	Entry	Property Asset	Organisation
CAT/068/EOI	01/07/18	Fishermen's Hall, North Pringle Street, Buckie	Friends of the Fishermen's Hall
CAT/079/EOI	01/07/18	Longmore Hall, Banff Road, Keith	Longmore Community Hall
CAT/059/EOI	02/07/18	Mechanics Institute, High Street, Forres	Forres Area Community Trust
CAT/073/EOI	23/07/18	Town Hall, Station Road, Findochty	Findochty Town Hall
CAT/069/EOI	01/08/18	Town Hall, Trinity Place, Elgin	Elgin Town Hall for the Community
CAT/076/EOI	01/08/18	Community Centre, Church Street, Dufftown	Dufftown Community Centre
CAT/067/EOI	01/09/18	Residential Centre, Seafield Road, Cullen	Three Kings Cullen Association

REPORT TO: THE MORAY COUNCIL 17 JUNE 2020

SUBJECT: REGENERATION CAPITAL GRANT FUND

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1.   REASON FOR REPORT

1.1   To inform the Council of the Regeneration Capital Grant Fund invitation for stage 1 applications with a deadline of 19 June 2020. As only Local Authorities can apply to this fund, the Cabrach Trust and Forres Area Community Trust are requesting for the Council to be the lead applicant on their behalf.

1.2   This report is submitted to Council in terms of Section III A (2) of the Scheme of Administration relating to long-term financial plans.

2.   RECOMMENDATION

2.1   **It is recommended that the Council:**

(i)   **consider the request by the Cabrach Trust to act as a lead applicant to the Regeneration Capital Grant Fund with no financial implications for the Council and if agreed;**

(ii)   **approve the submission of stage I application and if successful stage II application;**

(iii)   **consider the request by the Forres Area Community Trust to act as a lead applicant to the Regeneration Capital Grant Fund with no financial implications for the Council and if agreed; and**

(iv)   **approve the submission of stage I application and if successful stage II application**

3.   BACKGROUND

3.1   The Governments Regeneration Capital Grant Fund (RCGF) is delivered annually in partnership with COSLA, supporting locally developed place-based regeneration projects that involve local communities, helping to tackle inequality and support inclusive growth in disadvantaged and fragile communities across Scotland.

3.2 The fund is primarily aimed at providing new and/or improved infrastructure to improve the economic, social, and physical environment of communities and is open to all 32 Scottish Local Authorities.

3.3 Eligible projects have to meet the following overarching aims & objectives:
- Projects are primarily focused on areas that suffer from high levels of deprivation and disadvantage
- Proposals can demonstrate clear community involvement.
- Schemes will deliver large scale transformational change with strong regeneration outcomes.
- That they can encourage additional investment and address market failure.

3.4 There is no restriction on the number of applications that may be submitted by each Local Authority but, given the limited size of the overall fund, applicants are requested to be realistic with the number of applications and combined value of grant requests being made. Also where project proposals are being submitted by lead bodies on behalf of partners, these project proposals must be considered and supported by lead bodies prior to final submission. Lead applicants are expected to review all applications closely, consider how the projects will meet RCGF criteria, and in particular, can deliver the outcomes and draw grant as profiled within the required timeframes. If appropriate, project proposals should be prioritised accordingly.

3.5 RCGF applications follow a two-stage, competitive process. The independent RCGF Investment Panel makes recommendations to Ministers and COSLA on those projects to be funded from each round. Closing deadline for stage I application is 19 June 2020 and if successful stage II applications have to be submitted in October 2020 with outcomes known in January 2021.

3.6 **The Cabrach Trust** proposal is to open the Historic Distillery, which will reflect the manufacture and production of malt whisky, matching as closely as possible historic methods from the 1800s as part of the visitor experience. This will be followed by the creation of a new Heritage Centre utilising academic research to present the story of illicit whisky distilling and how it shaped and formed the modern Scotch whisky industry we know today.

3.7 Once fully operational, the Heritage Centre and Historic Distillery will safeguard the cultural heritage of the Cabrach and serve as an important hub for the dispersed community. Collectively both initiatives will provide employment opportunities for 15 people. The project will generate around £20m in economic impact to the local economy over a decade and will be a major contributor through jobs, the Heritage Centre, the Distillery and its supply chain.

3.8 Planning permission for the site is already in place. The estimated capital costs for the project is £3.5 million. The indicative funding request from RCGF is for £1.4 million with £2.1 million match funding in place, which consists of £2 million from Reekimlane Foundation, £80,000 from William Grant Foundation and £50,000 from Classindarroch Community Fund.

3.9 The **Forres Area Community Trust** proposal is to develop the Forres Town Hall into a Community and Social Enterprise Hub creating the following opportunities:

- Provide a facility in the town centre that attracts a diverse range of users and draws people to the High Street and the Town Hall and encourages them to use the services
- Provide employment through a range of projects, events and opportunities which contributes to the reduction in economic poverty people face locally and increases the range of services on offer
- Provide volunteering opportunities to increase community cohesion and engagement in the area
- Create economic stimulus through a co-working and hot-desking facility for local social enterprises, charities and national organisations who need a local base.

3.10 The anticipated outputs and outcomes on completion of the project are:

- People have access to appropriate community facilities and places to meet
- The Community have a positive identity and future aspirations
- People are empowered to improve their area and maximise local assets
- Securing the future of an important landmark building for the Forres area
- 480m^2 of social enterprise/ office/ event space
- 12 organisations supported within the facility weekly
- 70 local organisations supported annually with regular bookings
- 10 community services supported
- 10 jobs supported or created

3.11 It is planned to submit Planning and Listed Building Consent applications in July 2020. The estimated capital project cost is £3,073,600 with a request of £2,773,600 from RCGF and potential match funding of £300,000 from HIE, which still has to be applied for.

3.12 If the funding applications are successful, all aspects of the project management responsibilities lies with the trusts alongside with confirmation of all match funding and any statutory consents' being in place prior to starting the projects.

4. **SUMMARY OF IMPLICATIONS**

(a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**
The projects will contribute to achieve the corporate plan priority to promote economic development and growth, also the LOIP priority of a growing and sustainable economy

(b) **Policy and Legal**
The Council considers support for economic development issues on their merits, against the objective to facilitate sustainable economic growth and the desired outcomes of the Ten Year Plan and Corporate Plan. For any partnership agreements Legal will be consulted.

(c) Financial implications

As only Local Authorities can apply to this fund, the request from the Trusts have been made for the Council to front the applications.

As outlined para 3.8 for the Cabrach Trust proposal match funding is in place and as stated in para 3.11 the Forres Area Community Trust still has to secure any match funding for their proposal.

However there are no financial implications for Council.

(d) Risk Implications

To mitigate any risks, partnership agreements will be drawn up at full application stage outlining that the Trusts will adhere to all funders grant conditions and that they are solely responsible for any liabilities associated with the funding.

(e) Staffing Implications

Both trusts will prepare applications and claims; set up project systems for carrying out the works including for procurement, monitoring and evaluation.

Staff from the Economic Growth & Regeneration section will provide support for submitting the applications, interim and final claims to the RCGF and make arrangements for claimed funds to be transferred to the Trusts. If the funding applications are successful, both projects have to be completed by end of the financial year 22/23.

The required support work can be accommodated within existing staffing resources, however at this stage it is difficult to forecast how many staff hours it will require as it depends on the experience & efficiency of the project management for both initiatives. It can range from the equivalents of a couple of hours to several days per months, which may impact on resources needed to be considered against new economic priorities necessary to recover from the current crisis as and when recovery allows. If the project management provided by the organisations is effective and efficient the impact on staff will be a few hours a month.

(f) Property

None arising from this report

(g) Equalities/Socio Economic Impact

An equality impact assessment is not required as the reason for the report is for the Council to consider being the lead applicant for the Cabrach and Forres Area Community Trusts to access funds, which they could not undertake themselves.

The focus of the Regeneration Capital Grant Fund is on projects in areas that suffer from high levels of deprivation and disadvantage and that demonstrate clear community involvement. Being lead applicant for these projects will assist the council in addressing socio-economic inequalities in accordance with the Fairer Scotland duty.

(h) **Consultations**

The Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Head of Financial Services, the Head of Legal and Democratic Services, the Equalities Officer and the Democratic Services Manager have been consulted and comments incorporated into this report.

5. **CONCLUSION**

5.1 **Both project proposals have ambitious regeneration plans in their respective areas. They have been locally developed, involving the local communities and on completion will create jobs and build sustainable communities.**

5.2 **The Regeneration Capital Grant Fund could be the most suitable funding source for this type of investment, however as only Local Authorities are eligible to apply, it is recommended to support the Trust's requests for Council to work in partnership and be the lead applicant for the applications.**

Author of Report: Reni Milburn, Economic Growth & Regeneration Manager

Background Papers: Documents on file in Economic Growth & Regeneration section.

Ref:

REPORT TO: THE MORAY COUNCIL 17 JUNE 2020

SUBJECT: EXPANDED ELECTED REPRESENTATION ON THE MORAY ECONOMIC PARTNERSHIP

BY: DEPUTY CHIEF EXECUTIVE (ECONOMY, FINANCE AND ENVIRONMENT)

1. REASON FOR REPORT

1.1 To inform the Council that at the most recent meeting of the Moray Economic Partnership (MEP) on 27 May 2020 it was agreed that the number of elected members on the MEP would be expanded to a total of 3. This is an additional 2 members as the MEP is currently chaired by Councillor Leadbitter.

1.2 This report is submitted to Council in terms of Section II (12) of the Council's Scheme of Administration relating to appointments to an outside body.

2. RECOMMENDATION

2.1 It is recommended that the Council consider nomination of 2 additional members to the Moray Economic Partnership in addition to the existing membership of Councillor Leadbitter.

3. BACKGROUND

3.1 The Moray Economic Partnership (MEP) is a formal partnership to support the local economy of Moray. It is part of the Community Planning framework and provides leadership and strategic direction for the economic strand of the Community Planning Partnership.

3.2 The Partnership brings together The Moray Council, Highlands and Islands Enterprise, Moray Chamber of Commerce, The Scottish Council for Development & Industry, Moray College UHI, Skills Development Scotland, HITRANS, Moray Strategic Business Forum, NHS Grampian and Moray Health and Social Care Partnership, Cairngorms National Park Authority and tsiMORAY.

3.3 The Partnerships aims and objectives are aligned with the Moray Economic Strategy http://www.moray.gov.uk/downloads/file123287.pdf and partners are stakeholders in its delivery.

3.4   At the Emergency Cabinet meeting on the 21 May 2020 agenda item 7, the Economy Report section 12.2 stated the MEP would be critical in the response and recovery of the economy.

3.5   At the most recent meeting of MEP on 27 May 2020 it was agreed that firstly the MEP is the appropriate group to lead the work on Economic Recovery from the COVID-19 crisis. Secondly it was agreed that while the long term objectives of the economic strategy are still relevant an interim strategy for recovery is required. The strategy will include proposals for community engagement on economic recovery. It was agreed to effectively develop and deliver the strategy MEP will now meet once a month.

3.6   At this same meeting extending the elected member representation was considered including extending this by 2-4 additional members. It was put forward and agreed that expanding the membership during the recovery phase would provide a diverse range of input during a crucial time in Moray. However members felt that council representation on MEP required to be balanced and proportionate relative to the wider membership and that addition of more than a further two members would affect that balance. Accordingly it was agreed that only two additional members should be nominated, that this level of representation would be kept under review and that the Community Planning Board would be asked to confirm this decision when it next meets,

3.7   Nominations have been received for Councillors Eagle, Cowe and Ross.

4.   **SUMMARY OF IMPLICATIONS**

   (a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**
        As previously stated the MEP is part of the Community Planning framework and is responsible for delivering aspects of the 10 year plan, particularly a growing, diverse and sustainable economy. The recommendation in this report is designed to enhance the ability of the MEP to do this during such a critical time.

        While the overarching strategic aims of the Corporate Plan, 10 Year Plan and Moray Economic Strategy remain broadly the same the COVID-19 crisis will mean that the way in which they are delivered and measured will have to be adapted. The MEP will be developing the information to enabling decision making in that respect.

   (b) **Policy and Legal**
        None.

   (c) **Financial implications**
        While there are no direct financial implications of this report the COVID-19 crisis will have wide ranging financial implications and actions taken by the MEP may have financial implications for the council and is partners.

(d)   Risk Implications
None directly related to this report however COVID-19 is a high risk to the Growth of the Moray Economy.

(e)   Staffing Implications
None.

(f)   Property
None.

(g)   Equalities/Socio Economic Impact
None.

(h)   Consultations
The Depute Chief Executive (Economy, Finance and Environment), the Head of Development Services, the Head of Legal and Democratic Services, the Democratic Services Manager, and the Equal Opportunities Officer have been consulted and the comments received have been incorporated into the report.

5.   CONCLUSION

5.1   The MEP has approved the addition of 2 extra Councillors to the group. This will bring the total number of Councillors on the MEP to 3.

5.2   The Council is asked to nominate those 2 extra members.

Author of Report: Michael O'Donnell, Senior Officer Economic Strategy and Growth
Background Papers:
Ref:

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REPORT TO: MORAY COUNCIL ON 17 JUNE 2020

SUBJECT: FINANCIAL MONITORING – IMPACT OF RESPONSE TO COVID-19

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1.   REASON FOR REPORT

1.1   To inform the Council of the current estimate of the financial impact of the Council's response to the COVID-19 outbreak, as at 29 May 2020.

1.2   This report is submitted to Council in terms of Section III A(8) of the Council's Administrative Scheme relating to monitoring revenue expenditure.

2.   RECOMMENDATION

2.1   It is recommended that Council notes:

(i)   the current estimated financial position for the initial lockdown period; and

(ii)   the longer term issues which will impact on the Councils finances.

3.   BACKGROUND

3.1   The response to the COVID-19 outbreak will have significant financial impact on local authorities. COSLA are lobbying for Scottish Government to meet all costs incurred and as part of the on-going dialogue on this subject have agreed a standard template for gathering financial information. It seeks to gather the gross cost of the response. It is recognised that reporting cost estimates is an evolving area and that these current best estimates will change. There are also costs which are specifically excluded from the template and these are identified in paragraph 3.13 to 3.17. In the first instance estimates were asked from 24 March to 30 June 2020 only. The next iteration of the template will extend costs across the financial year. This will be a more challenging exercise as the costs of service redesign will be difficult to estimate in the early stages of recovery.

3.2   The summary costs of Moray's COVID-19 response for the period 24 March to 30 June 2020 as updated on 29 May 2020 are reported in the table below.

The costs estimated at 15 May and reported to COSLA were the subject of a report to the Emergency Cabinet on 21 May 2020. There are still areas where it is known that there will be additional expenditure but we have insufficient information to estimate that cost at present. It should be noted that Integration Joint Boards (IJB) have been reporting estimated costs through the health board since the onset of the outbreak and the costs reported by local authorities therefore exclude any costs on areas within the IJB remit. The net impact of the figures below is anticipated additional expenditure of £2.3 million during the period 24 March to 30 June 2020.

	Para ref	Total (£'000)	
		Recurring	**One Off**
Mobilisation costs			
Social Care Costs Outwith Remit of IJBs	3.4	**138**	**0**
Housing and Support for Vulnerable People	3.5	**415**	**31**
Workforce Costs	3.6	**72**	**110**
Non-Workforce Costs	3.7	**1**	**13**
Total		**626**	**154**
Loss of income and other costs			
Closure of facilities	3.8	1,229	50
Fees and charges	3.9	754	0
Other costs		0	0
Savings delayed	3.10	111	0
Total		**2,094**	**50**

Overall total cost & lost income		**2,720**	**204**

Reduced costs as a result of COVID-19		**586**	**0**

3.3   Details of the table above are discussed on a line-by-line basis below.

3.4   **Social care costs**: these costs are for children's services. As previously reported, the main anticipated cost (£90,000) is for Early Learning and Childcare (ELC) for key workers children. The cost included was a very high level indicative estimate but compares well to the actual costs incurred to date. It is anticipated that changing circumstances for carers and looked after children in residential and foster care arising from response to the COVID-19 may result in increased costs. Individual placements are kept under review and the current likely impact is additional cost of £48,000, an increase of £7,000 from that previously reported.

3.5 **Housing and support costs**: the costs of the various strands of response to food need - provision of vouchers to families entitled to free school meals (net of savings on the cost of food and other catering supplies); Flexible Food Fund (supporting those financially at risk), Community Food Fund (supporting local community and third sector responses to the vulnerable and marginalised) and food support for shielded people – as currently allocated amounts to £415,000. This cost will be met from the Food Fund. There will be other costs to be met from Moray's Food Fund allocation of £448,000. An amount is being retained in reserve to allow for emerging costs but this will be encroached upon in June to support flexible food fund payments. The cost of PPE for Council's non-social care staff has been included this section as a one-off cost - although further purchase of PPE is anticipated, it will be on an irregular pattern – as has the cost of a mailing to shielded people. This position is unchanged from that reported previously to the Emergency Cabinet.

3.6 **Workforce costs**: are primarily one-off costs of provisions of additional ICT, including the extension of access to the VPN. An estimate of additional staff time has been included to cover extension to Contact Centre hours and the Registrars service. These are high level cost estimates as previously reported. A further emerging cost is the cost of additional payments to supply teachers under the guidance issues by Scottish Government. This amounts to £42,000 to date and that sum has been included.

3.7 **Non-workforce costs**: As previously reported, £10,000 non-recurring cost is the cost from the software provider of modifying NDR bills to show the 1.6% rebate on the rate poundage which SG announced as part of its package of support for business. In addition to this the Council has incurred £3,000 non-recurring and £1,000 recurring costs for a booking system to allow household waste recycling centres to be re-opened whilst maintaining social distancing, avoiding dangerous traffic build ups in the vicinity of the centres.

3.8 The bulk of the cost of the COVID-19 outbreak for the Council in the initial lockdown period is anticipated to be from reduced income. During the lockdown the council will have no income from the closure of its leisure facilities, estimated at £590,000 for the three month period. Lost income from school meals is estimated at £618,000. There are associated cost reductions with both of these – recorded in the next section of the return (see paragraph 3.11). The loan of £50,000 to Moray Leisure Ltd is also included in this section as a one-off cost, although it is anticipated that this will be repaid. These costs have been previously reported. This report also includes a further £21,000 lost income as credit notes are now being issued for music tuition where the charged for level of lessons have not been delivered prior to lockdown. The amount included is the total number of credit notes issued at 29 May 2020.

3.9 As previously reported, lost income from waste collection fees and sale of recyclates is estimated at £197,000. Lost car parking income is estimated at £242,000 based on budget. An estimate of £60,000 lost income from roads construction consent is based on budget. Licenses have been given a three month extension and therefore budgeted income for three months (£255,000) is assumed to be foregone. It is known that harbour landings and other harbour income generating activity is reduced but the pattern of harbour

activity is complex and cost estimates have not yet been developed and so are not yet included in this section

3.10   As the Council concentrates its efforts on critical service to respond to the COVID-19 outbreak, some savings approved in the budget will be delayed. The Council approved savings from increased commercialisation of its leisure facilities and clearly this cannot happen during lockdown. £21,000 projected lost income is included. The Council also approved indicative savings of £360,000 from the Improvement and Modernisation Programme and slippage of £90,000 has been assumed for the first quarter.

3.11   Reduced costs from four areas have been estimated: savings on catering supplies (£260,000); savings on fuel of inactive vehicles (£51,000); utilities costs for closed facilities (£230,000); reduction in staff travel expenses (£45,000). These are all based on costs incurred in 2019/20 for the first quarter of the year. The savings in utilities costs for closed buildings has been reduced by £26,000 from that previously reported, to reflect the re-opening of schools to teachers in June. These savings total £586,000.

3.12   In addition to the above costs, the Council will see reduced income from Council Tax and rental from the industrial estate. The initial assessment of reduction in Council Tax income as reported to the Emergency Cabinet on 21 May was made based on Direct Debit payments at the beginning of April. Over three quarters of Council Tax income is collected by Direct Debit. This indicated a reduction of around £80,000 and was in line with the model used by COSLA to estimate the impact on Council Tax nationally. Further analysis including non Direct Debit payments indicates a reduction in income from Council Tax compared to April 2020 (after adjusting for growth in the Council Tax base and increases in the rate of Council Tax) of over £300,000. The total reduction in in-year Council Tax income in April was therefore £400,000. If this is replicated for May and June the Council faces a £1.2 million reduction in income. Some of that income may be collectable in future, but applications for the Council Tax Reduction Scheme have increased and so at least some of the loss will be permanent. Discussions are ongoing across Scotland as to the appropriate point at which to resume collection routines.

3.13   Debt on industrial premises rose by £90,000 from the end of March 2020 to the end of April 2020. The actual shortfall for these receipts will be dependent on the length of the lockdown and the impact on the Moray economy and people's individual circumstances. Cash flow for the quarter is likely to be reduced by £300,000.

3.14   There will be a further impact on the Council's finances from the COVID-19 outbreak. Scottish Government gave a concession for local authorities to use capital receipts to fund expenditure to bring about service change and make budget savings. This concession is time limited and ends in March 2022. The Council planned to use £2,000,000 capital receipts in 2020 to fund its Improvement and Modernisation Programme. Only emergency property transactions are being processed by the Register of Sasines. Furthermore, the significant capital receipts which the Council budgeted for are likely to be reduced by the impact of COVID-19 on property prices after the outbreak as the economy recovers.

3.15 The Council also budgets to capitalise the cost of staff involved in roads construction work and certain capital projects. This cost will become a charge to revenue in 2020/21 for the duration of lockdown. £6 million is budgeted to be charged to capital for the year, mainly from the roads DLO, and around half of that would relate to staff costs. This work is strongly seasonal and an exercise is being carried out between the roads service and the accountancy service to estimate the impact on the General Fund. Audit Scotland have confirmed that staff costs cannot be capitalised unless capital work to which they are correctly attributable has taken place. A rough preliminary estimate of the likely impact on the General Fund is £1.6 million for the period April to June 2020.

3.16 There will be further impacts from the current cessation of construction work. These will not all be evident in 2020/21. For example, the delay to the NESS energy from waste plant will require costs to continue to operate the Council's landfill site for longer than estimated. Those costs are currently estimated to be in the order of £300,000, but will not be seen for three years. Contract inflation is also likely to increase the cost of capital works but again this may not show until future years.

3.17 Clearly the longer the lockdown lasts the higher the cost for the Council. The financial impact at present remains a fluid estimate. However, it is important to recognise that final costs cannot be extrapolated from the current estimates of cost for 24 March to 30 June. The cost impact is likely to increase proportionately as time goes on. The Council will be asked to estimate full year costs for 2020/21 to COSLA shortly, and a template is being gathered to collect costs. It is unlikely that these can be estimated with any degree of certainly until detailed plans for service delivery have been developed.

3.18 Scottish Government in March 2020 confirmed an initial tranche of funding for local authorities to cushion the impact of the COVID-19 outbreak (the hardship fund). Moray's share of the hardship fund is £853,000. A further tranche of funding from Barnet consequentials has now been confirmed and Moray's share of that funding was confirmed on 26 May as £2,644,000 The position reported above can be summarised thus:

	Para	£000s
Additional expenditure / loss of income	3.2	2,924
To be met from Food Fund	3.5	(415)
Reduction in expenditure	3.11	(586)
Council Tax	3.13	1,200
Industrial Estate rental	3.14	300
Unable to capitalise costs incurred	3.16	1,600
Hardship fund allocation		(853)
Tranche 2 funding		(2,644)
Estimated net cost to the Council **(three months only)**		1,526

3.19   Movement from previously reported position:

	Para	£000s
Estimated cost for three month period		1,510
Increase in social care costs	3.4	7
Increase in workforce costs	3.6	42
Booking system	3.7	4
Music instruction credits	3.8	21
Reduced savings from running costs	3.11	26
Council Tax receipts	3.13	960
Unable to capitalise costs incurred	3.16	1,600
Government grant	3.19	(2,644)
Total impact Q1		1,526

3.20   The COVID-19 pandemic as a significant post balance sheet event will be referred to in the Council's accounts for 2019/20. It creates a level of uncertainty around the value of the Council's property assets in particular. The Coronavirus Scotland Act 2020 allows an element of relaxation in the statutory timetable for publishing and auditing the accounts. It is intended that the unaudited accounts (under exception of the management commentary) will be reported to Council on 1 July 2020, with the start of the four week inspection period for the unaudited accounts delayed until 1 August to allow for completion of the management commentary. The variance analysis report which customarily accompanies the unaudited accounts will be reported in August and the auditors intend to finish their audit in time for the audited accounts to be reported in November 2020.

3.21   Although the pandemic impacts on the annual accounts, the more significant impact will be going forward. A road map for financial planning during 2020/21 has been drafted and the Council's short term financial strategy will be revised in early course. Both will be reported to Council as the first stage in reshaping our financial strategies to reflect the realities of the recovery stages from the pandemic.

4.   **SUMMARY OF IMPLICATIONS**

   (a)   **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**
   Response to the COVID-19 outbreak is the Council's current priority, with other activities on hold. This inevitably impacts on the Corporate Plan and LOIP.

   (b)   **Policy and Legal**
   There are no policy and legal issues arising directly from this report.

   (c)   **Financial implications**
   Financial implications are addressed throughout the report, which indicates a projected gross cost of £2.3 million in the first quarter of 2020/21, plus reduction in Council Tax income of £1.2 million, reduction in Industrial Estates rentals of £0.3 million, increased costs to revenue of £1.6 million from ceased capital works during lockdown which after

funding from Scottish Government is taken into account results in a net additional cost to the Council arising from the COVID-19 outbreak of £1.5 million. Reduction in capital receipts to fund improvement and modernisation is anticipated. There will be further impacts arising from the capital programme which are not yet quantified. Additional costs will be incurred as delivery of services is recovered. The impact will extend into future years.

(d) Risk Implications
There are risks to the Council's planned savings noted in the report. The COVID-19 poses risk to the local and national economy which will have wider ramifications for the Council's services.

(e) Staffing Implications
There are no staffing implications arising directly from this report.

(f) Property
There are no property implications arising directly from this report.

(g) Equalities/Socio Economic Impact
There are no equalities issues or impact on the socio-economic duty arising directly from this report.

(h) Consultations
Members of CMT, the Head of Governance, Strategy and Performance and Tracey Sutherland, Committee Services Officer have been consulted in the preparation of this report and any comments incorporated in the report.

5. CONCLUSION

5.1 The current estimated financial cost of response to the COVID-19 outbreak by the Council for the period 24 March to 30 June 2020 is estimated at £2.3m. There are areas of known cost not included in this estimate.

5.2 Further cost of £1.2 million is being incurred in that period from lost Council Tax income and £0.3 million from reduced industrial estate rental.

5.3 The impact of being unable to capitalise staff costs where staff have been unable to work on capital projects during lockdown is estimated at £1.6 million for the period April to June 2020.

5.4 The current estimate outstrips the funding which has been made available by £1.5 million. In addition to this there will be reduced and delayed capital receipts, and impact on the capital programme which will have revenue consequences.

5.5 The Council's financial planning processes and strategies require to be revised to reflect the impact of the COVID-19 pandemic and work is underway to do that.

Author of Report: Lorraine Paisey, Chief Financial Officer
Background Papers:
Ref:

REPORT TO: MEETING OF THE MORAY COUNCIL ON 17 JUNE 2020

SUBJECT: COMMITTEE GOVERNANCE ARRANGEMENTS DURING COVID-19 RESTRICTIONS

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1.   REASON FOR REPORT

1.1   To review the emergency decision making arrangements put in place due to Covid-19 social distancing requirements.

1.2   This report is submitted to the Council under paragraph II (19) of the Scheme of Administration, emergency arrangements.

2.   RECOMMENDATION

It is recommended that the Council agree:

2.1   To continue to hold meetings through video conference and webcast with a view to holding meetings with a combination of physical presence, webcast and video conference when technology and social distancing restrictions permit.

2.2   That the suspension on committees is lifted and that, other than the statutory/ad hoc committees detailed in recommendation 2.3:

(i) the June cycle of committee meetings is cancelled.

(ii) a simplified committee structure is put in place from 02 September

(iii) the Emergency Cabinet continues to meet as required until this date.

2.3   For following statutory/ad hoc committees:

(i) that meetings of the Planning and Regulatory Services committee resume on the date of the next scheduled meeting, noting that these will revert to the previous Development Management Scheme of Delegation (agreed on 29 January 2019).

(ii) that Licensing Board and Licensing Committee meetings are held together, as detailed in paragraph 4.4.3 below and that the nine councillors on the board double up as Licensing Committee members.

(iii) note that the Local Review Body and Appeal Committees will continue to meet on their normal cycle, subject to suspension of site visits for LRB.

(iv) that other ad hoc committees will be convened as required.

2.4   That the main committee structure is temporarily simplified, agree one of the options from Appendix 2 and agree the meeting management suggestions within that Appendix.

2.5.   To retain meetings of the Police and Fire committee subject to discussion with partner authorities over their frequency.

2.6.   To continue delegation to Chief Exec agreed by the Council on 25 March (paragraph 2 of minute refers) for lower risk business (judged in terms of strategic importance, legal, financial, reputational and political considerations) , to exercise the delegated authority given to him in para 5 (7) of the Council's Scheme of Delegation (to take such executive actions as may be deemed necessary in the discharge of the Authority's functions) without the requirement for homologation, using membership of the Emergency Cabinet as a sounding board where appropriate.

2.7   To trial an alternative system for information and consider/note reports as detailed in paragraph 4.9.4 below.

2.8   Agree to review these arrangements on or before 24 February 2021.

3.   <u>BACKGROUND</u>

3.1   Initial response

3.1.1   Due to the lockdown/social distancing requirements it became clear that Council meetings could not be conducted as usual with Councillors and the public being physically present. Full Council on 25 March (paragraph 2 of the minute refers) agreed the following arrangements:
- Chief Executive/Officers uses delegated powers for lower risk decisions.
- Emergency Cabinet for higher risk decisions
- To review the position on or before 17 June 2020.

3.1.2   An emergency incident management team (IMT) was set up to manage the Council's response to the rapidly evolving Covid-19 situation.   The Chief Executive has exercised these delegated powers through Council's IMT and CMT in consultation with the members of the emergency cabinet where appropriate and all such decisions have been minuted.

3.1.3   The 25 March report noted that further temporary arrangements would need to be approved for quasi-judicial and regulatory processes. Further reports went to the cabinet for planning (23 April, 2020 para x on the minute refers)and Local Review Body (21 May 2020 para x on the minute refers).

3.1.4   It was unclear in early March how long restrictions would last. The Scottish Government published Scotland's Route Map on 21 May 2020 which sets out 4 phases for easing lockdown restrictions. Timescales for moving through each phase depend on the virus transmission rates. As physical distancing still features in each phase, it seems reasonable to plan for a longer term change to the way the council makes decisions.

3.2   What are other Councils doing?
3.2.1   Short term: There is a spectrum of arrangements in place, evidenced by a table put together by the improvement service on behalf of SOLACE, a copy has been circulated amongst members. Looking at this table some councils still appear to be operating with emergency powers to officers and no committee meetings. Other councils have managed to keep a proportion of their meetings running. Those that are further advanced in holding virtual meetings seem to have benefitted from having had term longer strategies to promote digital connectivity and remote working for Councillors and officers.

3.2.2   Medium/longer term: there is little information available on what other councils are planning for the medium/long term and it is an evolving situation. Some of the Councils who suspended all meetings indicated that this was until the summer recess with the intention to return to a more normal cycle after that. The SOLACE table, whilst designed to share best practice, only looks at the initial responses of councils and came out before the publication of the Scottish Government Route Map.

3.2.3   Each council will need to make a judgement on what governance arrangements are best for them, based on their own circumstances.

3.3   Volume of business and ability of officers to support this business
The Covid-19 response has generated a significant amount of additional workload for council officers, a significant proportion of whom are unable to work productively. This is likely to affect the volume of material which officers are able to produce for consideration by committees.

There are a number of ways this volume could be managed:
- Reduce the volume of reports that require to be considered by committee by extending delegation to officers.
- Have a smaller range of meetings, as considered in Appendix 2
- Hold the normal range of meetings less frequently.

3.4   Technology:
3.4.1   There has been a steep learning curve for the council in getting used to various digital platforms for virtual meetings via the internet. The first few meetings have been quite labour intensive, ironing out technical issues with hardware and software. It is hoped that this is just an initial hurdle and that things will get smoother as councillors and officers will become more familiar with the meeting platform.

3.4.2   The first cabinet meeting was held by telephone conference but subsequent meetings have been successfully held using an online meeting solution provided by the council's webcast providers public-i. This solution allows an online video conference meeting to be simultaneously webcast.

3.4.3   With current technology in the chamber it is easier to hold meetings online with no physical attendance. This has also helped reduce non-essential travel. Some participants have reported that they have insufficient broadband strength to attend remotely. A workaround solution has been for them to use a device within the council buildings to join the meeting.

3.4.4   As lockdown restrictions ease actual attendance at meetings, subject to appropriate physical distancing, will become acceptable. Longer term it is hoped to be in a position where
   • the majority of attendees at a meeting will able to be physically present
   • participants can join remotely if they wish
   • the public can view the meeting on a webcast.

3.4.5   Meantime it is proposed to stick with the remote attendance/webcast which is proven to work.

3.5   Number of Councillors attending meetings
3.5.1   Numbers on the Emergency Cabinet were kept small because remote meeting technology was unproven and this allowed the fall back of a meeting with physical attendance. Now that the council have become more comfortable with online meetings, larger numbers at meetings would be feasible.

3.5.2   Doing business through a virtual meeting can be more time consuming than a meeting with members present. Although councillors and officers are likely to get better at running virtual meetings, with greater the numbers they are likely to take longer.

3.5.3   Whilst there are likely to be initial technical issues (detailed above) with getting councillors set up to join remote meetings these should settle down with time.

3.6   Meeting management
3.6.1   Some changes to the Council's standing orders will be required to allow for better management of online meetings. Scripts, guidance and training may also be helpful.

3.6.2   Tricky situations may arise where, due to technical glitches, participants are unable to contribute. This could affect the information available to the meeting or voting. Workarounds will need to be found to make sure that procedural fairness is observed.

3.6.3   Meetings are likely to take longer so it will help if agendas can be kept tight and groups can organise comments/motions in advance.

3.7 Staffing of meetings

Although joining an online meeting may be relatively simple for participants, online meetings have proven more labour intensive for staff to run. For the meetings run to date it has helped to have had two members of committee services team (one to clerk and the other to monitor the video conference) and a member of the IT team on standby to deal with technical issues.

3.8 Outstanding Governance Review

As part of the Improvement and Modernisation programme the Council agreed to review governance arrangements to reduce bureaucracy, streamline decision making processes, reduce material going to committee and look at alternative governance structure.

At a meeting on 12 February 2019 (para 12 of the minute refers) the Council agreed its preference for a committee system (rather than a cabinet/executive governance system) and noted further work to be undertaken to progress the governance review:

- Reviewing the number of meetings the Council hold to see if this can be reduced by re-theming them, combining them or changing their frequency.
- Investigating whether there is scope to reduce the instance of similar reports having to go to more than on meeting.
- Review the number of reports gong to meetings and the style of reporting.
- Review the number of reports gong to meetings and the style of reporting.
- Looking at other ways to present information to Councillors and the public.
- Considering whether more business can be delegated to officers or partner bodies.

There is an opportunity to trial some of these ideas during the temporary arrangements proposed below.

4.   PROPOSALS

4.1   In putting forward proposals a balance has to be struck between:
- Continuing emergency response and need for decisions to be taken quickly in a rapidly changing environment.
- Democratic input into decision making.
- Capacity of officers to produce reports to feed meetings.

4.2   **Governance options considered**

A number of decision making options have been considered to deal with staffing and social distancing implications of Covid-19 restrictions. These options, detailed in **Appendix 1**, are:

1: Continue with the Emergency Cabinet
2: Expand numbers on the Emergency Cabinet.
3: Reinstate all statutory committees
4: Full Council consider everything apart from statutory committees.
5: Resume a normal committee cycle
6: Reduced cycle of normal committees and
7: Reduce the number of main reporting committees

From these options, it is proposed to proceed with option 3, resume statutory committees and option 7, temporarily reduce the Committee structure to a more manageable level.

4.2 **Summer recess**

The Summer committee recess would have been from 01 July to 10 August. It is proposed that

- The scheduled cycle of meetings in June (other than statutory committees) does not proceed.
- A formal meeting structure is put in place following the summer recess for 6 months.
- The Emergency Cabinet continues to meet during the summer recess on an ad hoc basis until meetings at 0930 hrs on Wednesdays.

4.4 **Statutory and ad hoc committees**

There appears to be sufficient officer resource and service demand to support the following statutory/d hoc committees so it is proposed that these meetings resume remotely, on a normal 8 weekly cycle as follows:

4.4.1   Planning and regulatory services

The Council's Head of Development Services is confident that meeting technology now available will work for consideration of planning business so it proposed that this committee reverts to its published cycle from the date of the next scheduled meeting. The temporary changes made to the Council's Development Management Scheme of Delegation agreed by the Emergency Cabinet meeting on 23 April 2020 (paragraph 5 of the minute refers) will automatically cease from the date of the next scheduled meeting.

4.4.2   Local Review Body

At a meeting on 21 May the Emergency Cabinet agreed to reinstate the LRB with virtual meetings and temporarily suspending the requirement for site visits.

4.4.3   Licensing board and Licensing Committee

There is a volume of business that still needs to be processed through meetings. Meetings can be held remotely and there is officer capacity to support them. Rather than hold two separate meetings it would make sense to combine them, subject to statutory requirements. The Board is a separate legal body with 9 members who appoint a Board Convener by majority vote. Board members are appointed by the Council following Local Government elections and hold office until the next election. They require mandatory training. To combine membership the Council would need to agree that Board members act as Licensing Committee members, Licensing committee business effectively being determined by 9 members. There would need to be a clear division of Committee/Board business.

4.4.4   Appeal committees

These are largely governed by statutory rules and can be run remotely.

It should be noted that there will be some challenge involved where the public require to give evidence at meetings/hearings and that the position should be kept under review.

4.4.5 Ad hoc committees
Would be held as required (for example Appointments Committee).

4.5   **Temporarily reduce the number of main reporting committees.**

4.5.1 Some work has been done to identify how many "business as usual" reports officers are likely to be able to generate during lockdown restrictions. There will be less capacity to produce policy reports which services concentrating on providing critical services. Due to the number of variables it is hard to give an accurate figure but 25% -50% of normal volume is a reasonable estimate. This suggests that it would not be feasible to sustain a normal committee cycle.

4.5.2 The committees in scope are
- Full Council
- Policy and Resources
- Children and Young People's Services
- Economic Development and Infrastructure Services
- Communities
- Audit and Scrutiny
- Police and Fire

4.5.3 Three options on how to rationalise meetings are considered in **Appendix 2** and members are invited to agree one of these options.

- option 1 Full Council + double up existing committees
- option 2:Full Council + 3 committees by theme
- option 3:Full Council + 2 committees based around Depute Chief Executive roles.

4.6   **Joint boards/meetings with other agencies**

Meeting schedules are largely determined by each body depending on their circumstances. For example IJB and CPC continue to meet.

4.7   **Police and Fire Committee**.
Consideration has been given as to whether this committee could be combined with another, however the difficulties of bringing in external representatives would make meeting management tricky. So it is suggested that this committee stays as a standalone committee with further consultation with statutory partners to reduce the frequency to minimise the burden on constituent bodies.

4.8   **Chief Executive's delegated powers**.
4.8.1 The Council agreed on 25 March (para 2 of the minute refers) that the Powers of Chief Exec contained in Para 5 (7) of the Council's Scheme of

Delegation (to take executive action as may be deemed necessary in the discharge of the Authority's functions subject to homologation) would be exercisable for lower risk decisions without the requirement for homologation. These powers have been exercised in consultation with a sounding board comprising members of the Emergency Cabinet.

4.8.2 This arrangement has worked well for issues which need to be determined at short notice. Whilst the Government's aim is to gradually lift lockdown restrictions, there is still a risk that they need to be re-imposed at short notice. It is therefore proposed that the Chief Executive delegation arrangement continues with the membership of the Emergency Cabinet being retained to act as a sounding board.

4.9 **Reducing the number of information reports going to committee**.

4.9.1 A lot of committee time is taken up with information reports and with "consider and note" reports where no active decision is required.
- C&YP 84%
- A&S 83%
- Communities 58%

4.9.2 These reports often include budget /performance/policy information in which there is a clear public interest,   and which would benefit from being discussed in a public forum. For instance some regulators like to see that there has been active elected member scrutiny.

4.9.3 There may however be circumstances where the information in these reports could be brought to members attention in a different way so as to make meeting agendas more manageable and focused.

4.9.4 It is proposed to trial a system where the information in more routine reports (with less of a public interest) are posted publicly on CMIS and that councillors have the opportunity to submit written questions or call-in the report for consideration at the next meeting. More use could be made of written briefings.

5. <u>**SUMMARY OF IMPLICATIONS**</u>

   (a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**
   It is important for the Council to maintain an effective decision making process to continue to deliver vital services to vulnerable people in Moray and to support businesses through this challenging period.

   (b) **Policy and Legal**
   These proposals will temporarily amend the Council's Scheme of Administration and Scheme of Delegation.

   (c) **Financial implications**
   None

(d) Risk Implications

The Council needs to ensure that appropriate governance arrangements are put in place to deal effectively with ongoing Covid-19 response.

(e) Staffing Implications

The proposals should provide a balance between providing more operational freedom for senior staff to respond to the Covid-19 crisis and involving elected members in the decision making process.

(f) Property

None

(g) Equalities/Socio Economic Impact

No direct implications

(h) Consultations

The Corporate Management Team and Group Leaders have been consulted.

6.   CONCLUSION

6.1   The Council's response to the Covid-19 crisis continues affect to the capacity of officers sustain a normal committee structure.

6.2   This report seeks approval for a simplified committee structure (on a temporary basis) which officers are able to support and which includes elected members in the decision making process.

6.3   The position will be reviewed on or before 24 February 2021

Author of Report: Alasdair McEachan, Head of Governance Strategy and
                              Performance.
Background Papers:
Ref:

Governance options for Council decision making to deal with staffing and social distancing implications of Covid-19 restrictions.

All meetings to be held remotely through VC

Option	Pros	Cons
1. Continue with the Emergency Cabinet	- Simple and flexible - Frequency and responsiveness during crisis situation - Substitution allows for wider political involvement - Group coming to a position can save meeting time.	As more non critical services come on stream the meeting could become overloaded Less inclusive for all councillors although substitute members can attend.
2. Expand numbers on the cabinet	- More inclusive politically - Retains flexibility and responsiveness during crisis situation.	Still excludes a body of councillors
3. Reinstate all statutory committees on a normal cycle (Planning, LRB, Licensing Board, Appeals)	- Allows business to recover, complies with statutory requirements. - Indication from officers that they can be supported - Democratically inclusive.	Some processes like hearings could be cumbersome.
4. Full Council to consider everything other than statutory committees	- Simple - Chairs could substitute in and out	- Cumbersome to have large numbers considering all items - Participation on VC could be challenging - Number of officers required - Substitution could be tricky
5. Go back to a "normal" committee cycle	- Structure we are familiar with - Democratically inclusive. - No review of committee calendar needed– we have the dates already earmarked. - chairs can continue their portfolio role	Concern whether there will be enough business to merit the number of meetings. Meetings likely to be cancelled.

	• ability to cancel meeting if insufficient material • dovetails with external bodies calendar	• May be pressure to revert to normal reporting/priorities which will not be possible alongside covid response and renewal. Business will not have reverted to "normal" • Staff unable to produce material to feed committees • VC is more challenging to arrange officer input at short notice so may need full set of advisers for all committees.
6. Keep the normal number of committees but reduced frequency – say 2 cycles before Xmas rather than 3 (10 week cycles rather than 8)	• Structure we are familiar with. • Chairs can continue their portfolio role • Reduced resource demand as less frequent	• Items likely to arise which can't wait, although Full Council could be staggered to fall between cycles. • Concerns as above
7. Reduce committee structure - tailor to business likely to arise	• Allows officers to continue the focus on Covid-19 response/recognises reduced capacity to produce reports. • Balances previous bullet point with involvement of a wider number of councillors in decision making. • Could be used as a pilot for going forward with a wholesale review of committee structure, this way members are not being seen to being pushed to decide at short notice if this is the way they wish to go forward.	• red tape in creating a temporary structure • Need to consider how to give Committee Chairs their role.

Options to reduce the number of main reporting committees on a temporary basis

Option 1: Full Council + double up of existing committees	
Suggestion: • Policy and Resources + Audit and Scrutiny [Policy and Audit] • Economic Development and Infrastructure + Communities [Development and Housing] • Children and Young People Services • Licensing Board and licensing Committee (note separate proposal in main report recommending this)	
Pros	Cons
• Minimal changes to Scheme of Administration.	• The splits would span the Depute Chief Exec roles and tie them up in meetings, more behind the scenes administration with multiple committees to service

Option 2: Full Council +3 committees by theme	
Suggestion: • Finance/audit committee • Environmental/housing committee • Social/Education committee	
Pros	Cons
• Opportunity for some transformational thinking, themes could for example be related to the LOIP outcomes.	• The Themes would span the Depute Chief Exec roles and tie them up in meetings, more behind the scenes administration with multiple committees to service • Labour intensive to carve up and re-assemble Scheme of Admin

Option 3: Full Council + 2 committees built around Depute Chief Executive Roles

- **Education, Communities and Organisational Development**
  To include CYPS, A&S and service elements of P&R.

- **Economic Growth, Housing and Environmental Sustainability**
  To include Communities, EDIS and finance element of P&R

Pros	Cons
- Makes best use of CMT resource, Chief Exec and 2 Depute Chief Executives each responsible for one meeting each. - Depute Chief Exec functions within Management Review could be used to redirect responsibility from the Scheme of Admin without a major re-write.	- Some items currently on P&R would fall within the 2 roles. For example Council wide policies/programmes or council wide financial/asset management issues. As a solution such reports could be directed to Full Council.

Issues to be resolved from these options	
Issue	Suggestion
1. Numbers on temp committees/political balance	Membership of the new temporary committees remains at 14. Seek nominations from the political groups as to who they wish to sit on each committee using political balance recently agreed by the Council. Administration group to nominate Chairs.
2. Frequency of meeting cycle	Keep to an 8 week cycle as we do have other 'partnership' meetings scheduled in which may cause unnecessary complications in trying to re-arrange them. Put full council in the middle of this 8 week cycle to allow more frequent decision making.
3. Reporting for Children's Services +remnants of Social Work	

• Children's services are in the process of transferring to the IJB. This is being referred to as a shadow period. Meantime there still needs to be direct democratic accountability for these services within the Councils structure. • The role of the CSWO and remnants of social work services, although managed on a day to day basis through the IJB, need a direct report to the Council. There is no statutory power to delegate them to the IJB.	• Children's Services report to the committee taking on C&YPS (in addition to any reporting required by the IJB) during shadow period. When the IJB takes on statutory responsibility for these services there this accountability will cease. • CSWO and non-delegated social work services report through full Council
4. Tenant reps – should they be included in membership of any temporary committee	Membership is temporarily suspended and other consultation/engagement is put in place to ensure their views can be represented at meetings.
5. Religious, teacher, parent pupil reps - should they be included in membership of any temporary committee? Requirement for 3 religious reps on a committee which advises on education policy.	Membership is temporarily suspended with circulation of papers to ensure their views can be represented at meetings. Restriction is viewed as a proportionate measure for temporary period.
6. Having a separate audit and scrutiny function	The Internal Audit Standards Advisory Board has recognised that internal auditors are not working under 'business as usual' arrangements, consequently so suspending this committee during the current crisis could be seen as a proportionate step, provided there is a forum for Audit reports to be considered. Scrutiny arrangements were under review at the start of the lockdown and for now scrutiny can be achieved can be effectively through political balance on committees, until such time as this review can be completed.
7. Scheme of administration	A temporary change to the SOA is agreed to give effect to these proposals.
8. Role of Committee Chairs	Reinforce the portfolio role of a Chair and allow them to lead on/introduce items within their portfolio

Item 10

REPORT TO: MORAY COUNCIL ON 17 JUNE 2020

SUBJECT: CHIEF EXECUTIVE RESPONSE TO COVID 19

BY: CHIEF EXECUTIVE

1.   REASON FOR REPORT

1.1   To inform the Council of the activities within the Chief Executive's portfolio that have been undertaken during the COVID-19 pandemic to provide a response to the emergency

1.2   This report is submitted to Moray Council following a decision of Moray Council on 25 March 2020 to temporarily suspend all delegations to committees as a result of the COVID-19 pandemic (para 2 of the minute refers).

2.   RECOMMENDATION

2.1   **It is recommended that the Council review and note the activities within the Chief Executive's portfolio that have been undertaken during the COVID-19 pandemic to provide a response in terms of the Council`s statutory obligations and related Council policy and practice respectively.**

3.   BACKGROUND

3.1   This report provides an overview of how the Council faced having to cope with the effects of a major sudden emergency.

3.2   No hard and fast rules to meet all emergencies can be drawn up as time, nature, scale will determine the kind of response made .No single organisation is entirely responsible for dealing with emergencies in the United Kingdom.

3.3   The Civil Contingencies Act 2004 and its associated regulations and guidance recognise the fact that many agencies are involved in responding to emergency. The Act therefore defines two categories of responder. These are described as Category 1 and Category 2 responders. Councils like Moray are classed as Category 1 responders. Category 1 responders prepare and respond to emergencies and Category 2 respondents co-operate and share information with Category 1 responders.

3.4   The Civil Contingencies Act 2004 defines an emergency as "an event or situation that threatens serious damage to human welfare in a place in the UK ". The general caveat is that the situation is on a scale beyond the capacity of normal operations and requiring the special mobilisation and organisation of services.

3.5   As a Category 1 responder the main roles of the Council in an emergency are to:-

- Support the activities of the emergency services;
- Care for people affected by the emergency;
- Maintain day-to-day services; and
- Co-ordinate the recovery aspects of the emergency.

3.6   As a result of the COVID-19 outbreak being declared by the World Health Organisation as a pandemic, the Council had to undertake a range of activities that critical public services continued to be delivered and to respond to the emergency. This had to be done at a pace in a dynamic and changing environment.

3.7   This report provides an overview of the activities undertaken to help support Moray citizens during the period from March to May.

3.8   **Moray Council Emergency and Incident Management Team (IMT)**

3.8.1   The scale of the incident and Council policy required establishment of an emergency Incident Management Team (IMT). Chaired by the Chief Executive, the purpose of IMT was to allow the Council to act effectively to:

- Determine the extent of the emergency;
- Agree strategy, tactics and priorities both in the short and long term;
- Initiate and deliver response actions;
- Obtain and allocate resources;
- Liaise with all other involved agencies to exchange information and ensure an integrated unified response to the incident;
- Monitor progress of operations and produce regular situation reports;
- Issue regular briefings;
- Ensure a comprehensive log of events and record of costs is maintained;
- Prepare to take over and lead the recovery and renewal phase.

3.8.2   Between 10 March and 12 May there were 23 meetings held of IMT and these covered a range of issues such as:-

- Situation Reports to provide oversight and escalate issues
- Oversight of workforce deployment to provide critical and emergency service delivery
- Oversight of technology resources to provide critical and emergency service delivery.
- Communications

3.8.3   Membership typically comprised of the following officers:-

- Chief Executive
- Depute Chief Executive (Education, Communities and Organisation Development)
- Depute Chief Executive (Economy, Environment & Finance)
- Moray Integration Joint Board representative
- Head of Environmental & Commercial Services
- Head of Education
- Head of Education Resources and Communities
- Head of Children's Services
- Chief Social Work Officer
- Head of HR, ICT & OD
- Head of Transformation
- Emergency Planning/Brexit Officer
- Communications representative
- Resilience and Asset Management Officer

3.8.4   The business of the IMT was allocated across three tiers.

3.8.5   A strategic team provided the strategic response to this major incident. It defined, prioritised and regularly reviewed in broad terms what needed to be done and why.

3.8.6   The key activities included:-

- Setting strategic direction for response and recovery;
- Determining response and recovery priorities; and
- To act as a contact point for the Grampian LRP.

3.8.7   Tactical teams provided a tactical response to this major incident. They decided how the strategies defined by the strategic team were to be implemented. It also supported the activities of the operational teams.

3.8.8   Key activities included:-

- Determining how to deliver the strategies defined by the strategic team by assessing the response required in terms of resources;
- Disseminated/escalated information between operational and strategic teams;
- Acting as contact point for external groups;
- Acting as a filter for information to the strategic team;
- Providing specialist skills/knowledge;
- Producing regular situation reports for the strategic team.

3.8.9   Operational teams were responsible for implementing the tactical arrangements defined by the tactical teams. Key activities included mobilising and controlling the deployment and movement of resources.

3.9   **Response and Recovery Management Team (RRMT)**

3.9.1   Moving from lockdown requires a decision making framework and critical systems to be in place and assured to move to relaxation of lockdown and into the recovery and renewal phase. On 15 May 2020, the IMT was reconstituted as a Response and Recovery Management Team (RRMT). Chaired by the Chief Executive, the responsibility of the team is both to continue to respond and to plan and co-ordinate the recovery and renewal in terms of:-

- The redeployment of staff across functions and services;
- The provision of offices and other accommodation ;
- The provision of ICT for critical functions;
- Coordinating measures to ensure staff are secure and safe.

3.9.2   Since 15 May there have been 4 meetings and these covered a range of issues such as:-

- The framework to be in place to move to the relaxation of lockdown
- Recovery framework and supporting structures
- Communications

3.10   **Grampian Local Resilience Partnership (GLRP)**

3.10.1 It is important that an appropriate structure exists to formulate and implement emergency responses at a regional level. Prior to 2013 this was carried out along Police force boundaries, but the creation of the single Police force for Scotland meant that this was no longer applicable.

3.10.2 Since November 2013 three Regional Resilience Partnerships (RRPs) provide the framework for managing resilience activities on a wide area basis. RRPs cover east, west and north of Scotland areas and these boundaries align with the territorial areas for both Police Scotland the Scottish Fire and Rescue Service. Moray is part of the North RRP.

3.10.3 The RRP aims to protect the people, economy and environment of the north of Scotland by building resilience and having effective arrangements in place to deal with these emergencies.

3.10.4 Each RRP is comprised in turn of Local Resilience Partnerships (LRPs). The LRPs bring together the agencies which contribute to resilience in each area. Moray is part of the Grampian LRP. The LRP aims to maintain effective local liaison and co-ordination through developing and managing a local work programme. Members of GLRP are the Chief Executive and the Chief Executive or equivalent of public sector or equivalent organisations in the Grampian area. In terms of the emergency, GLRP's focus was on the following areas of activity:-

- Sustainability – maintaining critical services across the partnership and monitoring any requests for mutual support coming in from partners.
- Health response – supporting any mobilisation plan in place

- Care for People – co-ordinating the establishment of the Grampian Humanitarian Assistance Centre to support and assist the shielding of vulnerable people.
- Additional deaths – collaborating across all three local authorities to ensure plans are in place.
- Community impact – information sharing on community compliance with lockdown and considering any local issues of note.
- PPE – monitoring through the wider national partnership.

3.10.5   In the period between 12 March and 28 May there were 12 meetings of GLRP.

3.10.6   Since 4 June 2020 the focus of GLRP has moved to supporting and assisting the Trace and Protect Programme.

3.11   Sounding Board

3.11.1   In respect of emergency items from Incident Management Team for which the CE has delegated powers, a Sounding Board was convened. All non-urgent items have been submitted to Emergency Cabinet meetings. The Sounding Board consisted of 7 Councillor and since March 2020 there have been 10 meetings of the Board and several items discussed.

3.12   Emergency Cabinet

3.12.1   In agreeing to suspend on a temporary basis all delegations to Committee, the Council at a Special Meeting on 25 March 2020 agreed to form a temporary Emergency Cabinet of 7 Councillors reflecting the political balance and allowing substitutes.

3.12.2   Since 25 March 2020, there have been 3 meetings, the Agendas and Minutes of which have all been published and made public.

3.12.3   In addition to the Sounding Board and the Emergency Cabinet, Members have a facility to raise questions with the Chief Executive and CMT which have all been logged in the question and answer document available electronically. To date this document runs to 14 pages with a range of 46 questions.

3.13   Convention of Scottish Local Authorities (COSLA) Leaders

3.13.1   COSLA Leaders are meeting fortnightly and Policy Boards are also meeting during the COVID-19 pandemic to consider ongoing COVID-19 issues and also set and agree COSLA's post lockdown recovery strategies including the early establishment of a dedicated recovery group within COSLA.

3.13.2   Since March 2020 there have been 5 Leaders Meetings.

3.14   Society of Local Authority Chief Executives (SOLACE)

3.14.1   Since 27 March 2020 weekly meetings have been held to provide updates on issues such as:-

- Resilience
- Shielding and Test and Protect
- Health & Social Care
- Finance
- Economic Development
- Public Protection
- Recovery
- Elections

3.15   **Scottish Government**

3.15.1   In a national emergency such as this guidance, oversight and decision making is vested in a Scottish Government Cabinet Sub-Committee known as the Scottish Government Resilience Room (SGoRR). SGoRR is the equivalent, in Scotland, to the UK Government's Cabinet Office Briefing Room (COBRA).

3.15.2   SGoRR is supported by a National Strategic Co-ordinating Group (SCG) whose role is to:-

    i)   Maintain resilience partnership awareness
    ii) Issue daily situation reports to all first responders. First responders also have to submit a variety of situation reports to the SCG covering the following areas:-
- Education
- Adult and Child Protection
- Business Support Grants

    iii) Plan for increased mortality rates – this is feature of the work of the GLRP and IMT
    iv) Plan for maintenance of critical services – this is another feature of the work of the GLRP under the heading Resilience.
    v) Learn and adapt for early recovery – a national recovery group has been formed made up of representatives of the three regional partnerships, north, west and east of Scotland, the Scottish Government, Health & Social Care and the voluntary sector and is co-chaired by the Chief Executive of Glasgow City Council and Police Scotland ACC.

3.15.3   Nearly 100 sets of Guidance covering the following 7 topics were issued by Scottish Government:-

1. Looking after Yourself and Others (12)
2. Business and Employer (18)
3. Education and Children (12)
4. Health Care and Social Work (26)
5. Funerals, burial and cremation (5)
6. Housing (6)
7. Other (13)

3.15.4   In addition, the Chief Executive has been in receipt of correspondence from the following about COVID-19 issues relative to their respective portfolios:-

- Deputy First Minister and Cabinet Secretary for Education and Skills

- Cabinet Secretary, Health & Sports
- Cabinet Secretary for Finance
- Cabinet Secretary for Economy, Fair Work and Culture
- Cabinet Secretary for Transport, Infrastructure and Connectivity
- Cabinet Secretary for Social Security and Older People
- Minister for Local Government Housing and Planning
- Minister for Mental Health

3.15.5   In addition there has also been correspondence from a number of MSPs and Moray's MP respectively.

3.16   **Other Activities**

- **Moray Chief Officers Group for Public Protection:** chaired by the Chief Executive and which normally meets every second month has been meeting fortnightly
- **North East Group for Public Protection:** chaired by Chief Superintendent Thomson has also met twice.
- **HIE:** the Chief Executive participated in a webinar chaired by the Chair of HIE to discuss the response to the national Advisory Group on Economic Recovery.
- **Lord Lieutenant of Moray:** Moray Emergency Relief Fund – provided admin and technical support to this Fund which has raised in excess of £150,000 and of which the Chief Executive is also a Trustee.
- **North East Scotland Transformation Working Group**: there have been weekly meetings of this Group which consists of the Chief Executives of NHS Grampian, Aberdeen City Council, Aberdeenshire Council and Moray Council meeting with the three Chief Officers of the Moray, Aberdeen City and Aberdeenshire IJBs.
- **NHS Grampian Briefings**: attendance at briefings.
- **Staff Messages**: issuing a variety of staff messages of support and encouragement.

4.   <u>**SUMMARY OF IMPLICATIONS**</u>

(a)   **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**
There are no direct implications arising from this report. All action taken is consistent with the corporate plan and LOIP.

(b)   **Policy and Legal**
In responding to the current emergency, the Council has been operating in accordance with its statutory obligations and related council policy and practice and other relevant obligations such as:-
- Local Government (Scotland) Act 1973
- Civil Contingencies Act 2004
- Coronavirus Acts 2020
- Moray Council Emergency Planning Policy and Procedures

(c)   Financial implications
Financial implications have been considered as part of the development of the responses to the COVID pandemic and are reported by the Chief Financial Officer in regular monitoring reports. In particular there has been a requirement to fund additional ICT equipment to expand homeworking, the extension of the EAP provision, for food support which has been funded through the government Food Fund and for the Scottish Government business support grants.

(d)   Risk Implications
None from report. A number of the measures described in the report have been put in place to address risk. There ongoing risks as the Council continues its emergency response, moves into recovery and begins to re-instate services. These will be considered and addressed as planning for the whole programme of work and individual service issues progresses.

(e)   Staffing Implications

Working Patterns

Responding to the emergency and working in teams internally and across a range of partnership arrangements has resulted in staff adopting a range of different working patterns, in addition to working extended hours in many instances. Typical examples are outlined below.

Deployed Staff

Employees from the following services have been deployed to alternative work to support the emergency response. All employees have been deployed on a voluntary basis and their flexibility has been greatly appreciated:

- Libraries - redeployed to support (virtually) the Grampian Covid-19 Assistance Hub;
- Active School Coordinators volunteered to work in the Childcare Hubs
- Sports and Leisure redeployed to the Community Pharmacy Scheme; collecting medicines from local pharmacies and delivering them to vulnerable and shielded individuals across Moray;
- Audit – support for the welfare benefits team

Homeworking

Many council employees are now working from home and this is continuing to expand. Including teaching staff, over 1500 employees are now actively working at home with many others making use of personal devices for more limited homeworking pending the extension of council provision beyond critical services. While homeworking has been established in Moray since the Council was created in 1996 and was expanded during the Designing Better Service programme, the scale and

extent (100% of time for many) during COVID is new and has brought challenges for employees and managers.

<u>Supervision and Support</u>

Managers and supervisors, including head teachers have been maintaining contact with employees to ensure that they are engaging and supporting individuals and groups of staff. Remote supervision and contact with colleagues can be isolating and new approaches are being developed to deal with this such as planned informal team chats. There is no doubt that this experience will influence the design of work and provide flexibility and resilience for the future.

The employee assistance provision Time for Talking has been extended to ensure that there is independent advice and support available for employees to access.

(f)   Property
None directly arising from this report. However, a number of council properties are being used differently from normal to support the council and community response to the emergency.

(g)   Equalities/Socio Economic Impact
None directly arising from this report, although a number of the measures put in place in response to the COVID pandemic have been to respond to socio economic and equalities issues.

(h)   Consultations
The Depute Chief Executive (Education, Communities and Organisational Development) and Depute Chief Executive (Economy, Environment and Finance) have been consulted on the terms of the report.

5.   CONCLUSION

5.1   The COVID pandemic has resulted in unprecedented change to society. Immediate changes were required locally, regionally and nationally to enable as much as possible to be done to respond. There will be many lessons to be learned from this and as the Council and its partners move towards recovery, planning and review has commenced to ensure that these lessons are taken forward into future public service delivery and resilience models.

5.2   It has also been necessary to work in partnership locally, regionally and nationally to design and deliver solutions at pace. There has also been a transformational shift in ways of working which will be influential in future public service design.

5.3   It is likely to be some time before a new normal prevails. A number of the services established in the emergency response will have to continue for some time. Meanwhile, the Council and its partner services are evolving to deliver services in new ways as society adjusts to living with COVID, and other services will be re-activating to resume their

normal roles. This will prove challenging to deliver in tandem and planning is underway to ensure a measured programme of work with a clear vision that builds in flexibility and resilience as this COVID pandemic continues to unfold.

Author of Report: Roddy Burns
Background Papers: None