

# **MORAY COUNCIL**

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

**Thursday, 18 February 2021**

**Various locations via video conference,**

### **PRESENT**

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

### **IN ATTENDANCE**

Also in attendance at the above meeting were the Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Chief Financial Officer, Head of Environmental and Commercial Services, Acting Head of Housing and Property, Transportation Manager and Tracey Sutherland, Committee Services Officer.

#### **1. Chair**

The meeting was chaired by Councillor Shona Morrison.

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

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillors Eagle, Leadbitter and Alexander confirmed that their respective Groups along with members of Budget Development Group had discussed the papers but no whip had been given in regard to any prior decisions taken on how Members will vote on any item on the agenda. There were no declarations of Member's interests in respect of any item on the agenda.

#### **3. Resolution**

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 11 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

**Para Number of the  
Minute**

**Para Number of Schedule 7a**

#### 4. Charging for Services

Under reference to paragraph 8 of the minute of the special meeting of the Moray Council on 16 December 2020, a report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to approve revised charges for Council services for 2021/22.

Councillors Creswell and Edwards joined the meeting during the discussion of this item.

During discussion of the item a number of amendments to the recommendations were made and it was agreed that all amendments would be put forward and then Officers would have the opportunity to respond.

Councillor Eagle moved, seconded by Councillor Brown the following:

- \* B10a Remove the annual maintenance charge for wash/dry toilets
- \* E1 Reduce the cost of music tuition by 30%
- \* E3 Decrease the cost of school meals
- \* G1b Freeze the cost of Bulky Uplifts

Councillor Bremner, seconded by Councillor Warren proposed freezing the Harbour charges at section I2, a, b, e, g and h.

Councillor Ross moved that the Building Standards Pre-application check cost be increased to £150.

Councillor Macrae, seconded by Councillor Allan moved that all harbour charges due to be increased in the recommendations be frozen at the current rates.

In response, The Head of Environment and Commercial Services advised that the proposal to freeze the increase in Bulky Uplift costs would have no direct operational impact for the Service. He further added that with regard to reducing the costs of school meals, it would be advisable to defer the decision on this until after the Scottish Government election in May as the outcome of the election is likely to have an impact on school meal provisions as he understood that in light of policy developments already indicated by the Scottish Government, compensation would most potentially be available to Councils.

The Chief Financial Officer concurred with the previous comments and said it would be premature to make a decision on school meals at the moment.

In considering the responses from the Head of Environmental and Commercial Services and the Chief Financial Officer, Councillor Eagle confirmed that he was happy to defer the decision on school meals until after the May election.

With reference to reducing the costs of music tuition, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that if a

reduction of 20% were to be agreed, the costs would be more in line with the average charges other Councils.

In response to the proposals to freeze all or some of the proposed increases in Harbour charges, the Transportation Manager confirmed that she would not recommend freezing any of the charges and referred to a previous decision by the Economic Development and Infrastructure Committee where it was agreed that work would be carried out to make the Harbours self sufficient.

It was agreed to have a short adjournment to allow the groups to discuss the amendments and also to allow Officers the opportunity to obtain answers to the outstanding questions.

Following the short adjournment, the Depute Chief Executive (Economy, Environment and Finance) clarified that the fee for major construction projects requiring Building Standards input to the design process had been introduced following one particularly large development but no requests had been made for that particular service since.

Following the clarification Councillor Ross was happy to withdraw his amendment to increase the price.

The Head of Governance, Strategy and Performance advised the Council that a proposal to approve the charges in the recommendations with the exception of those previously identified would be required and then a vote on each of the amendments could then be taken.

On the advice of the Head of Governance, Strategy and Performance, Councillor Morrison, seconded by Councillor Alexander moved the charges as detailed in the appendix with the exception of the amendments proposed.

As there was no one otherwise minded, the Council then proceeded to deal with each amendment in turn.

Councillor Eagle, seconded by Councillor Brown moved to remove the maintenance charge for wash/dry toilet users.

Councillor Leadbitter, who had sympathy on the wash/dry toilets maintenance charge proposed writing to the Integration Joint Board (IJB) to ask them to review the charge and to report back to the Council prior to the Budget meeting on 3 March 2021, this was seconded by Councillor Bremner.

On the division there voted:

For the motion (11)	Councillors Eagle, Brown, Allan, Feaver, Gatt, Macrae, M McLean, R McClean, Powell, Ross and Wilson
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For the amendment (15)	Councillors Leadbitter, Bremner, Alexander, Creswell, Coull, Coy, Cowe, Cowie, Divers, Edwards, A McLean, Morrison, Nicol, Taylor, Warren
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Abstentions (0)

Accordingly the amendment became the finding of the meeting and the Council agreed that the Council Leader would write to the IJB to ask them to review the

charge and to report back to the Council prior to the Budget meeting on 3 March 2021.

Councillor Eagle, seconded by Councillor Brown, moved to reduce the cost of music tuition by 30% for 2021/22. As there was no one otherwise minded, the Council agreed to reduce the cost of music tuition by 30% for 2021/22.

Councillor Eagle, seconded by Councillor Brown, moved to freeze the bulky waste charge at 2020/21 prices. As there was no one otherwise minded, the Council agreed to freeze the bulky uplift charge at 2020/21 prices.

Councillor Bremner moved freezing Harbour charges in section I2 a, b, e, g and h only for 2021/22, this was seconded by Councillor Warren.

Councillor Macrae, seconded by Councillor Allan moved that all Harbour charges as detailed in Section I of the appendix are held at 2020/21 rates.

Councillor Alexander said that a decision had been made at a previous Committee to make the harbours self sufficient and therefore proposed agreeing the harbour charges as stated in Section I of the Appendix, this was seconded by Councillor Cowe.

Thereafter, in terms of Standing Order 63(c) following summing up by relevant members at the appropriate points, there being more than one amendment proposed, of which were a direct negative against each other, the Clerk advised that the first amendment proposed by Councillor Macrae would be taken against the second amendment proposed by Councillor Alexander and thereafter the successful amendment would be taken against the motion proposed by Councillor Bremner.

On the division between the first and second amendment there voted

For the first Amendment (13)	Councillors Macrae, Allan, Brown, Cowie, Eagle, Edwards, Feaver, Gatt, M McLean, R McLean, Powell, Ross and Wilson
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For the second Amendment (13)	Councillors Alexander, Cowe, Bremner, Creswell, Coull, Coy, Divers, Leadbitter, A McLean, Morrison, Nicol, Taylor and Warren
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Abstentions (0)

In terms of standing order 63(a) where there is an equality of votes, the Convener shall have the casting vote. The Convener voted with the second amendment.

The Clerk confirmed that, in accordance with Standing Order 62 (c) the second amendment would now be taken against the motion.

On the division between the second amendment and the motion there voted:

For the Motion (23)	Councillors Bremner, Warren, Allan, Brown, Coull, Cowie, Coy, Divers, Eagle, Edwards, Feaver, Gatt, Leadbitter, A McLean, M McLean, R McLean, Macrae, Morrison, Nicol, Powell, Taylor, Ross and Wilson
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For the second Amendment (3) Councillors Alexander, Cowe and Creswell

Abstentions (0)

Accordingly the motion became the finding of the meeting and the Council agreed to freeze the Harbour charges in Section I 2 a, b, e, g and h.

Councillor Brown left the meeting following the discussion of this item.

## **5. Capital Strategy**

Under reference to paragraph 7 of the minute of the meeting of Moray Council on 12 December 2018 the Depute Chief Executive (Economy, Environment and Finance) asked the Council to approve the amended Capital Strategy presented in draft as Appendix 1 to this report.

Following consideration the Council agreed to approve the amended Capital Strategy as set out in Appendix 1.

## **6. Indicative Capital Plan 2021-22 to 2031-32**

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to consider the Council's indicative capital plan for 2021/22 to 2031/32.

Following consideration the Council agreed to:

- i) note capital expenditure for 2021/22 to 2031/32 as set out in the indicative ten year Capital Plan in Appendix 1; and
- ii) note any amendments to be taken forward as part of the budget setting report to Council on 3 March 2021.

## **7. Housing Revenue Account Annual Budget 2021**

A report by the Depute Chief Executive (Economy, Environment and Finance) presented the Housing Revenue Account (HRA) Budget and Housing Investment Plan for 2021/22 to the Council for approval.

Following consideration the Council:

- i)) agreed the proposed HRA Budget for 2021/22 (Appendix I) and Housing Investment Plan (Appendix II);
- ii) noted the results of consultation with tenants on options for the 2012/22 rent increase;
- iii) considers the results of the updated rent affordability assessment;

- iv) agreed Council house rents increase of 3% for 2021/22;
- v) agreed that garage site rents are increased by 7% (this is a two yearly increase);
- vi) agreed service developments at a cost of £119k;
- vii) agreed that grass cutting charges are increased by 3.5%; and
- viii) notes the three year projection to 2023 (Appendix III)

## **8. Strategic Framework for Recovery and Renewal in Moray - Update Report**

A report by the Depute Chief Executive provided an update on progress with recovery, noting that the last overarching update report was provided to the Recovery and Renewal Working Group on 17 November 2020.

Following consideration, the Council agreed to note:

- i) feedback from the public engagement on the Strategic Framework (RRSF) summarised in Appendices 1 and 2;
- ii) the main issues raised in this engagement and the relevant service responses set out in Appendix 3;
- the first draft Recovery and Renewal Action Plan in Appendix 4 and its
- iii) relationship with developing policy at national and local level, as well as the proposed next steps;
- iv) broad progress in terms of the Recovery and Renewal Programme; and
- v) work ongoing to ensure that lessons learned in the response phase are considered as services are recovered.

## **9. Public Performance Report 2019-20**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Council to consider the Public Performance Report 2019-20 in its reporting actions and performances of Council services and progress on Corporate Plan priorities.

Following consideration the Council agreed to approve the Public Performance Report 2019-20 in its reporting of Council performance and progress against Corporate Plan priorities.

## **10. Moray Growth Deal - Outline Business Case - Bus Revolution and Early Years STEM**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the progress on the Bus Revolution and Early Years STEM projects and next steps.

Prior to continuing with the debate, the Chair sought the agreement of the Council to suspend Standing Order 75 to allow the meeting to continue beyond 5.00pm. This was unanimously agreed.

Following lengthy consideration the Council agreed to:

- i) note the executive summaries from the outline business cases provided in Appendices 1 and 2;
- ii) note the governance process associated with Growth Deal Projects for which the Council is the Lead Partner, as set out in paragraphs 3.2 and 3.3; and
- iii) the high level funding requirement for these projects of £1.6m in capital and £500,000 in revenue over the lifetime of the programme from the Council and note the overall project costs shown in the financial implications.

## **11. Moray Growth Deal - Programme Plan and Final Deal Documentation**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the progress on the programme plan and final deal documentation.

Following consideration the Council agreed:

- i) note the following:
  - a) the progress made on the Moray Growth Deal since October 2020;
  - b) the proposed target date for signing the deal; and
  - c) the next steps outlined in Section 6.
- ii) that the terms of the final Deal may be agreed in accordance with the Heads of Terms, with additional detail as set out in the Outline Business Cases and supplementary documentation detailed in the report, the Depute Chief Executive (Economy, Environment and Finance) being delegated authority to make such final adjustments as may be necessary to enable signing of the Deal in discussion with Group leaders and the Moray Growth Deal Programme Board.