

MORAY COUNCIL

Minute of Meeting of the Moray Council

Thursday, 2 February 2023

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

PRESENT

Councillor James Allan, Councillor Peter Bloomfield, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Donald Gatt, Councillor David Gordon, Councillor Juli Harris, Councillor Sandy Keith, Councillor Scott Lawrence, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Paul McBain, Councillor Neil McLennan, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Councillor John Stuart, Councillor Draeyk Van Der Horn, Councillor Sonya Warren, Councillor Ben Williams

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, Head of Economic Growth and Development, Chief Financial Officer, Head of Education, Head of Housing and Property, Housing Strategy and Development Manager, Interim Planning and Strategy Lead and Tracey Sutherland, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Kathleen Robertson.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 21 and the Councillors' Code of Conduct, Councillor Robertson declared that the Conservative Group had reached a group decision on Item 12 of the agenda relating the Early Learning and Childcare – Sustainable Rate.

The Council noted that there were no other declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

3. Suspension of Standing Orders

In terms of Standing Order 85 the Chair sought agreement to suspend standing order 77 to adjourn the meeting for lunch and resume at 3.00pm to allow members to attend a funeral.

This was unanimously agreed.

4. Tribute

The Council joined the Chair in expressing their condolences to the family of the late Mrs Anita Milne who had sadly died.

In leading the tribute, Councillor Macrae said that Mrs Milne was hugely respected for all the work she did across the voluntary sector in Moray.

5. 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 Items 20 - 23 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 |
|---------------------------|--|
| 20 | Para 6 Information relating to the financial or business affairs of any particular person(s) |
| 21 | Para 6 Information relating to the financial or business affairs of any particular person(s) |
| 22 | Para 8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority |

6. Minutes of meeting of Moray Council on 7 December 2022

The minute of the meeting of Moray Council dated 7 December 2022 was submitted and approved.

7. Minutes of meeting of Appeals Committee on 18 January 2023

The minute of the meeting of the Appeals Committee dated 18 January 2023 was submitted and approved.

8. Notice of Motion - Dick Bequest Trust

In terms of Standing Order 35(a) there was submitted a Notice of Motion By Councillor Fernandes, seconded by Councillor Stuart in the following terms:

Dick Bequest Trust

Council understands that recent research has demonstrated that the Dick Bequest fund is 'derived from the exploitation and misery of enslaved Africans'.

Council further understands that academics and historians recommend that Moray Council refuse to appoint trustees to the fund.

- i) Council acknowledges that the University of Aberdeen and the Society of Writers to HM Signet have refused to appoint new trustees and that an Aberdeenshire Council appointee has refused to take up

his role.

- ii) Council recognises that it is time to sever ties with the Dick Bequest.
- iii) Council revokes its appointment to the board of the Dick Bequest Trust.
- iv) Council instructs officers to communicate to the board of the Dick Bequest Trust that the Council no longer wishes to appoint a Governor to the board and reiterate their request that the Scheme be wound up.

Councillor McLennan confirmed that he had submitted his resignation to the Trust.

In response, Councillor Fernandes confirmed that this would mean recommendation (iii) was not required.

Councillor Mustard sought clarification on whether the Council was permitted not to appoint a representative.

In response, The Head of Governance, Strategy and Performance added that he had spoken to the Trust solicitors and they had confirmed that the Trust had a full complement of Governors so therefore if the Council chose not to appoint, it would not stop the Trust from operating. He further added that the Trust would still be listed as an outside body of the Council but noted that this Council did not wish to appoint a representative.

Following consideration the Council agreed to:

- i) Council acknowledges that the University of Aberdeen and the Society of Writers to HM Signet have refused to appoint new trustees and that an Aberdeenshire Council appointee has refused to take up his role.
- ii) Council recognises that it is time to sever ties with the Dick Bequest.
- iii) Council instructs officers to communicate to the board of the Dick Bequest Trust that the Council no longer wishes to appoint a governor to the board and reiterate their request that the Scheme be wound up.

9. Notice of Motion - Nature Emergency Declaration

In terms of Standing Order 35(a) there was submitted a Notice of Motion By Councillor Van Der Horn, seconded by Councillor Harris in the following terms:

Motion on Moray's Nature Emergency Declaration
Council:

- 1) Notes the body of evidence which outlines the alarming extent of the global nature and biodiversity crisis.

- 2) Recognises the inherent value of nature as an integral part of culture and society, as well as its crucial importance for our health, wellbeing, and economy.
- 3) Additionally, recognises the key role nature has to play in meeting climate targets, and for climate adaptation and resilience.

Further, Council:

- 4) Welcomes the revised national [Scottish Biodiversity Strategy](#) and forthcoming statutory targets for public bodies, including local authorities, required to meet the challenges of the nature crisis
- 5) Welcomes the [Kunming-Montreal Global Biodiversity Framework \(GBF\)](#) agreed at COP15 in December 2022 and celebrates the role played by the [Edinburgh Process](#) as part of this
- 6) Recognises the key role subnational governments and local communities will play in realising delivery of the GBF, notes the leading role Moray has taken by supporting the [Climate and Ecology Bill](#), signing the [Edinburgh Declaration](#) and the [Glasgow Food and Climate Declaration](#).

Therefore, Council agrees:

- 7) To declare a Nature Emergency, akin and alongside the Council's declaration of a Climate Emergency in 2019 recognising the current state of nature, its inherent value in society and the crucial role its recovery and restoration will play in realising climate targets

Further, Council requests a report to this Council within 3 cycles which:

- 8) Outlines how existing Council strategies such as the North East Scotland Local Biodiversity Action Plan, Climate Strategy, and woodland strategy align with the GBF and Scottish Biodiversity Strategy, and notes any changes to existing strategies required to deliver against these.
- 9) Provide an update on the North East Scotland Local Biodiversity Action Plan, including specific consideration to:

An [ecological coherence approach](#) to effectively identify and target actions required to tackle the nature emergency and deliver against the various strategies listed above, including through the further development of the region's Nature Network as defined and outlined in the Scottish Biodiversity Strategy to 2045.

Adopt a partnership approach, including working with project partners, to maximise opportunity for delivery of the strategies listed above, and taking learning from the partnership model developed as part of the 2030 Climate Strategy work

Councillor Macrae proposed that the Council agree recommendations 1 – 9 and add an additional recommendation:

- 10) The Council Leader to write to Cosla highlighting points 1 – 9 of the motion and the importance of nature alongside climate here in Moray and to seek

increased resourcing from the Scottish Government to allow the Council to engage with these objectives whilst still delivering the statutory service, to facilitate collegiate working across all 32 local authorities and all council groups regardless of any political allegiance.

Councillors Van Der Horn and Harris were happy to accept the additional recommendation and Council agreed the Notice of Motion as stated.

10. Written Questions **

In terms of Standing Order 36 Councillor Keith submitted a written question in the following terms and the Council's response thereto:

Given the fact that Duffus Road, Elgin:

Is a Priority 1 route for gritting in adverse weather conditions

Is a busy road for commuting from outlying towns

Is a bus route

Has seen a steady increase in usage with new housing at Hamilton Gardens

Is experiencing traffic congestion linked the usage of the Moray Council run Beechbrae Education Centre which is getting worse

Means that Moray Council has an obligation to act to mitigate the evident problems.

In light of these facts can Council be advised as to what instructions have been issued to staff at the Beechbrae Education Centre by the Chief Executive advising them not to organise further training seminar events at the centre given the level of disruption to residents and danger to road users in general caused by the level of on street parking at this Moray Council facility.

RESPONSE

It is appreciated that there has been concerns about a high level of parking demand from users of the Beechbrae facility during school strike days as school support staff were invited to attend training at this location. The Chief Executive asked the teams to request attendees at the training event on the strike day (19 January) to car-share and find alternative locations to park where possible. The teams have also been asked to consider the best location for any future training events where a large number of attendees would be expected.

In terms of road safety concerns, the width of Duffus Road at this location is sufficient for current usage including on-street parking associated with the Beechbrae facility. There has been on-street parking on Duffus Road associated with the Beechbrae facility for a significant number of years. There have in the past been requests for parking restrictions to be placed on Duffus Road to prevent parking.

The introduction of parking restrictions would have two consequences:

Vehicles would be displaced onto neighbouring side roads, leading to issues for the residents of those roads if vehicles parked too close to driveways, etc.

The vehicles parked on Duffus Road act as traffic calming and assist in slowing down vehicle speeds. The removal of parking would mean that there would be no

requirement for vehicles to slow down to pass the parked vehicles and would lead to increased vehicle speeds. The speed of traffic on Duffus Road has been raised as a concern previously by local road users. However, surveys undertaken at this location have found no evidence of excessive speeds. The latest survey, carried out in March 2022, shows that the average speed of traffic travelling towards Beechbrae is 27.9mph and towards Morriston Road is 28.7mph.

11. Progress Update to the Scheme of Integration

A report by the Chief Officer, Health and Social Care Moray asked the Council to approve the amendments to the Integration Scheme to reflect the decision to delegate Children and Families and Justice Social Work Services to Moray Integration Joint Board (MIJB)

The Interim Strategy and Planning Lead updated Council on a further change to the Integration Scheme which recognises the Director of Public health role within the Scheme of Integration at paragraph 9.6.2 on page 29 of the Integration Scheme to read as follows:

Directors of Public Health, Medical Directors and Executive Nursing Directors are ministerial appointments made through health boards to oversee systems of professional and clinical governance within the Health Board.

The change will also amend the second bullet point of paragraph 9.6.4 on page 29/30 of the Integration Scheme to read as follows:

The Director of Public Health, the Executive Nurse Director and Medical Director will continue to have professional managerial responsibility.

Councillor McLennan raised concerns about the separate professional frameworks and whistle blowing policies which would be used within the Moray Integration Joint Board and moved to add to additional recommendations as follows:

Council Leader to write to Cosla to ask them to consider how different regulations align and how any gaps can be closed; and

Council Leader to write to Cosla to consider if the Independent National Whistle Blower Office for NHS could be usefully rolled out to all Local Authorities.

This was seconded by Councillor Warren.

Following consideration and as there was no one otherwise minded, the Council:

- i) approved the amendments to the Integration Scheme;
- ii) agreed to submit the Integration Scheme to the Scottish Government for final approval;
- iii) agreed the implementation of the transition of the statutory responsibility of Children's Services from Moray Council to the Moray Integration Joint Board following the final Government approval;
- iv) Council Leader to write to Cosla to ask them to consider how different regulations align and how any gaps can be closed; and

- v) Council Leader to write to Cosla to consider if the Independent National Whistle Blower Office for NHS could be usefully rolled out to all Local Authorities.

12. Capital Strategy

A report by the Depute Chief Executive (Economy Environment and Finance) asked Council to approve the amended Capital Strategy presented in draft as Appendix 1 to the report.

Councillor Mustard sought an update on the standards of the Council's assets and requested a report back to Council to review the standards as this had not been updated since 2014.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) advised that a report will be presented to Education, Children's and Leisure Services Committee at the April Committee.

Councillor Mustard expressed concern that not all Members sit on the Committee and it is difficult to know what has been agreed at the individual Committees.

The Depute Chief Executive (Economy, Environment and Finance) added that there is a lot of information that sits behind the Asset Management data and a briefing for Members could be held to go into the information in more detail to then allow Officers to provide further information for Members should they wish.

Following further consideration the Council approved the amended Capital Strategy as set out in Appendix 1.

13. Use of Capital Receipts to Fund Transformation

A report by the Depute Chief Executive (Economy, Environment and Finance) requested Council's approval to use capital receipts to fund a specified range of transformation or service redesign projects, in the terms permitted by Scottish Government as set out in the Local Government Finance Circular No 4/2019.

Following consideration the Council agreed to:

- i) approve the use of capital receipts to fund expenditure estimated at £396,000 in 2022/23 on the Improvement and Modernisation Programme, Digital Services and review of Early Learning and Childcare, as set out in section 4 of this report; and
- ii) note that annual recurring savings of at least £4,483,000 are projected to be achieved from this and the last four years' investment of capital receipts.

14. Smarter Working Project - Outline Business Case

A report by the Depute Chief Executive (Economy, Environment and Finance) provided an update on progress with the Smarter Working project and the outline business case.

Councillor Mustard raised a point of order, under Standing Order 34 in relation to a minuted decision of the Council not being altered or revoked within 6 months of its approval.

Whilst Councillor Mustard acknowledged that it was an update report, the report was seeking approval for 3 recommendations and she believed the information requested at the meeting of Moray Council on 28 September 2022 would inform those decisions. At that time it was agreed that 6 months would be needed to be able to collect the information required. Further information was requested on financial implications, which are included, the progress of the project and the Equality Impact Assessment (EIA) which is not included. Progress is mainly focusing on the governance and provides no information on what was raised at the meeting on 28 September 2022.

Given what had been said Councillor Mustard sought clarification on whether the Council should be considering the report given that the 6 month period for decisions being made were still valid.

The Depute Chief Executive (Economy, Environment and Finance) clarified that the 2 projects (Office Review and Flexible Working Policy) have been subsumed into the Smarter Working Project and it was hoped that within the outline business case, Officers have provided an update on how the Council are going to provide staff with the spatial accommodation and equipment to allow them to work flexibly and to a hybrid pattern. A briefing was provided to members on progress with the policy and it is unfortunate that if there were any issues with information around flexible working it was not raised as further information could have been included in the report. With regards to the EIA, the Council's Equalities Officer had advised that this did not need to be completed until the service engagement process has been carried out.

She further added that any delay in agreeing the report would have an impact on the Council's ability to begin to deliver the project, which would in turn delay savings being generated by the project and also the duration of the Project Officer's contract.

The Head of Governance, Strategy and Performance sought a short adjournment to discuss the matter with the report author to determine whether it was changing a decision previously made or whether there was latitude within the last decision for the recommendations in the report.

On the resumption of the meeting, Councillor Robertson advised that following the advice from the Head of Governance, Strategy and Performance and in discussion with Councillor Mustard, she was of the view not to accept the grounds for the point of order and consideration of the paper would take place.

Following lengthy consideration, Councillor McBain expressed concern that Members did not have enough information before them to agree the recommendations and moved to defer the report until the next meeting on 8 March 2023 when further information is available. This was seconded by Councillor Warren.

Councillor Leadbitter, seconded by Councillor Coull proposed agreeing the recommendations as printed in the report.

On the division there voted:

| | |
|------------------------|--|
| For the motion (12) | Councillors McBain, Warren, Bloomfield, Colyer, Cowe, Dunbar, Gatt Gordon, McLennan, Mustard, Robertson and Ross |
| | |
| For the Amendment (13) | Councillors Leadbitter, Coull, Allan, Cameron, Divers, Fernandes, Harris, Keith, Lawrence, Morrison, Stuart, Van Der Horn and Williams |
| | |
| Abstain (1) | Councillor Macrae |

Accordingly the Amendment became the finding of the meeting and Council agreed:

- i) notes the outline business case at Appendix 1 to this report;
- ii) notes the proposal for adoption of standards and principles across the HQ campus in Appendix 1 and 2 of the Outline Business Case pages 44 to 51;
- iii) notes the indicative savings identified at 4.13, to be confirmed in the Full Business Case;
- iv) the request for a total of £15.5k budget to provide essential equipment to facilitate hybrid meetings as described in 4.15 and 4.16;
- v) the request for extension of contract for the senior project officer as set out in 4.18;
- vi) approves the request for funding of additional temporary staff as set out in 4.19; and
- vii) note the discussions that are underway to establish the long term position of other office accommodation and updates on progress will be incorporated into the Full Business Case.

15. Corporate Plan Review Progress

A report by the Depute Chief Executive (Education, Communities and Organisational Development) provided an update on preparations in readiness for a review and update of the Corporate Plan following the local government election in May 2022.

Following consideration it is recommended that the Council reviews and notes the progress made on preparations in readiness for a review and update of the Corporate Plan.

16. Moray Growth Deal Procurement Requirement To Achieve Full Business Case Approval For Projects

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to approve expenditure, including the appointment of external consultants, necessary to progress Council led Moray Growth Deal (MGD) projects and the preparation of Full Business Case (FBC) for approval by the United Kingdom (UK) and Scottish Governments.

Following consideration the Council agreed to:

- i) note the development of full business case and delivery of projects within the Moray Growth Deal will require some procurement of consultants in excess of the £25k limit within the Council's procurement procedure; and
- ii) approve procurement of consultants within approved project budgets but in excess of the £25k limit for the purpose of developing the full business cases and delivery of the Moray Growth Deal projects being progressed by the Council (Bus Revolution, Cultural Quarter, Housing Mix Delivery and Early Years STEM).

17. Order of Business

In terms of Standing Order 29, the Chair sought approval from Council to amend the order of the agenda and to take Items 14, 15, 17, 18 and 19 first being mindful of the time and getting through more items of the agenda before adjourning the meeting for the extended lunch and to come back to items 12, 13 and 16 following the resumption of the meeting.

This was unanimously agreed.

18. Workforce Arrangements for King Charles III Coronation

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked Council to agree to allocate an additional day of annual leave to all employees on the day of the Bank Holiday on Monday 8 May 2023 to mark the celebration of His Majesty's Coronation which is to be held on Saturday 6 May 2023.

Following consideration the Council agreed:

- i) to allocate an additional day of annual leave for all employees, fixed to 8 May 2023 (pro-rata for part-time employees); and
- ii) for those employees unable to take annual leave on 8 May 2023 because they do not work that day or for service reasons, can take the extra day annual leave on an alternative date agreed with their service management.

19. Changes to Calendar of Meetings

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought approval from the Council to make changes to the meeting calendar with regards to when Education, Children's and Leisure Services Committee falls within the Committee cycle.

Following consideration the Council agreed to change with effect from July 2023, when Education, Children's and Leisure Services Committee falls within the Committee cycle going forward.

20. Freedom of Moray [Para 6]

A report by the Chief Executive invited the Council to consider conferring the Freedom of Moray and if so decided to authorise officers of the Council to make necessary arrangement.

Following consideration the Council agreed:

- i) To admit the recipient as detailed in para 4.4 as an Honorary Freeman of Moray; and
- ii) To remit to the Chief Executive in consultation with the Civic Leader and the Council Leader to arrange for a commemorative scroll to be prepared and for arrangements to be made for the Freedom to be formally awarded.

21. Pension Guarantor [Para 6]

A report by the Depute Chief Executive (Economy, Environment and Finance) requested that the Council agree to act as guarantor along with Aberdeen City Council and Aberdeenshire Council to the North East Scotland Pension Fund for a Social Care provider which delivers services on behalf of the Council.

Following consideration the Council agreed to act as guarantor for the pension liabilities as detailed in section 4 with North East Scotland Pension Fund.

22. Moray Affordable Housing Programme - Property Acquisition [Para 8 and 9]

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to agree to purchase residential properties in Elgin for use as affordable housing.

Following consideration the Council agreed to:

- i) purchase the properties detailed at Section 5, at a purchase price which does not exceed the District Valuer's valuation; and
- ii) remit the Legal Services Manager to conclude the purchase of the properties.

23. Resumption of Meeting

PRESENT

Councillor James Allan, Councillor Peter Bloomfield, Councillor Tracy Colyer, Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Donald Gatt, Councillor David Gordon, Councillor Juli Harris, Councillor Sandy Keith, Councillor Scott Lawrence, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Neil McLennan, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Councillor John Stuart, Councillor Draeyk Van Der Horn, Councillor Sonya Warren, Councillor Ben Williams

APOLOGIES

Councillor Neil Cameron and Councillor Paul McBain

ALSO IN ATTENDANCE

Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Head of Education, Head of Education Resources and Communities and Tracey Sutherland, Committee Services Officer.

24. Moray Education Early Learning and Childcare - Sustainable Rate Update

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Council to consider the recommendation from the Education, Children's and Leisure Services Committee on 14 December 2022 to increase the sustainable rate by 5% and the allocation of budget to meet this cost.

Following consideration the Council agreed to:

- i) consider and note the process followed to set the current ELC sustainable rate for funded hours;
- ii) note the recommendation from Education, Children's and Leisure Services Committee on 14 December 2022 to increase the sustainable rate by 5% backdated to April 2022 in line with the pay award to Local Government employees, taking account of the information now available in Appendix 1; and
- iii) allocate additional budget to meet ongoing annual costs of £395k per annum (variable based on uptake) and funding for backdating to April 2022 if this date is agreed.

25. Review of Additional Support Needs - Staffing

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Council to approve the recommendation from the Education, Children's and Leisure Services Committee regarding the continuation of temporary staffing of the Additional Support Needs Service while the review of the service is ongoing.

Following consideration the Council agreed the recommendation from the Education, Children's and Leisure Services Committee to extend the temporary post of Education Support Officer (ASN) for a further period of two years at a cost of up to £140,566 from earmarked reserves for Council priorities.

26. Question Time ***

Under reference to para 16 of the minute of the meeting of 7 December 2022 Councillor Robertson sought an update on the distribution of the monies to Moray Food Bank and warm banks.

In response the Deputy Chief Executive (Education, Communities and Organisational Development) confirmed that Officers are working to put in place a process for applications and grants available but due to staff sickness, the work had been delayed.

Councillor Coull sought clarification on where organisations can note interest in claiming money.

The Deputy Chief Executive (Education, Communities and Organisational Development) agreed to circulate the information to Councillors following the meeting.

Under reference to para 10 of the minute of the meeting of 7 December 2022 Councillor Divers thanked Councillor Bloomfield, Chair of Police and Fire Committee for writing to the Minister for Community Safety.

Under reference to para 25 of the minute of the meeting of 7 December 2022, Councillor Warren sought an update on the CCTV rollout.

In response the Deputy Chief Executive (Economy, Environment and Finance) confirmed that the cables for Lossiemouth and Forres had been laid. An attempt had been made to complete the work for Buckie and Keith but this had been impacted by the recent bad weather and the next appointment BT had not attended.

Councillor Warren asked whether the Council could put any pressure on BT.

In response Councillor Robertson confirmed that she would be happy, in collaboration with the Deputy Chief Executive (Economy, Environment and Finance) to draft a letter to BT.

Under reference to para 25 of the minute of the meeting of 7 December 2022, Councillor Warren thanked the Chief Executive for circulating the costs to the Council of Operation Unicorn but sought clarification on whether there were any indirect costs.

In response, the Chief Executive confirmed that the information was a full account and there were no indirect costs.

Councillor Warren asked whether letters of thanks could be written to the various communities who worked alongside the Council for the period of Operation Unicorn.

The Chief Executive, undertook to take this on.

Under reference to para 25 of the minute of the meeting of 7 December 2022, Councillor McLennan sought confirmation that the number of times schools are closed due to maintenance issues is accurately recorded.

In response, the Deputy Chief Executive (Education, Communities and Organisational) development gave assurance that this was happening.

Under reference to paragraph 25 of the minute of the meeting of 7 December 2022, Councillor McLennan sought clarifications on the mitigations put in place for Strep A and are there still live mitigations in place.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) said she would need to come back to Councillor McLennan as she did not have any information currently available.

Councillor Keith stated that he understood all 32 Council Leaders in Scotland had asked for £1billion more in funding from the Scottish Government with Moray's share of that being around £18-20m, however only £38m new money has been identified for the whole of Scotland and asked the Chair whether she agreed that the unilateral action by the Scottish Government to ignore the request from local government is an impediment to partnership working the Scottish Government.

In response Councillor Robertson confirmed that all Scottish Council Leaders were disappointed in the settlement that had been received from the Scottish Government and regular meetings are being held between Cosla and the Scottish Government to try and find a solution over the flexibilities of the settlement. She further added that this year's settlement was disappointing and has not manifested in helping the Council in being able to provide the services and guarantee jobs going forward. It is hoped that the letters from the 32 local authorities will add pressure to hopefully obtaining a better deal.

Councillor Warren sought clarification on the costs and implications of the current avian flu outbreak.

In response, the Depute Chief Executive (Economy, Environment and Finance) stated that she did not have any information on costs at hand but a comprehensive response had been given at a previous meeting and she would re-circulate the information to Councillors.

Councillor Warren raised concern about videos which are circulating on social media of young people fighting in the Council's schools and felt it was unacceptable for the schools to be left to deal with this on their own and sought clarification on what support partner organisations are providing.

The Depute Chief Executive (Education, Communities and Organisational Development) said that she was not aware of any incidents but confirmed that she would discuss with Councillor Warren following the meeting. However, she did assure Council that if it was a one off incident there would be no Social Work intervention however if it was ongoing other agencies would become involved.

Councillor Gatt raised concern about Elected Members accessing a public Wi-Fi network when in the Council Building, given it is widely considered that public Wi-Fi is not secure.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) agreed to raise Councillor Gatt's concerns with the ICT service but sought to assure him that the Wi-Fi would have the necessary security arrangements to be used by Councillors.

Councillor Leadbitter asked whether the Council Leader was able to discuss the disappointment of Moray not obtaining any funding through the Levelling Up Fund, when she met the Prime Minister recently.

In response, Councillor Robertson confirmed that the meeting was purely a meet and greet for the Prime Minister to meet local politicians and any discussion about the Levelling Up Fund would have taken place between Moray's MP and the Prime Minister.

Councillor McLennan requested whether a report could be written for Council on the number of Notices of Motion and Written Questions that have been submitted since May 2022, by whom and whether they were accepted onto the requested agenda.

In response, the Head of Governance, Strategy and Performance confirmed that he is in the process of drafting guidance Notices of Motion which he felt would be a better way of dealing with them than a report back to Council. He further added that the guidance is based on the Council's Standing Orders which is only covered by a few lines so is open to interpretation and he is aware that this has caused friction between Officers and Councillors and acknowledged that there is a balance to be struck and was happy to circulate the guidance to Councillors.