

MORAY COUNCIL

Minute of Meeting of the Corporate Committee

Tuesday, 7 November 2023

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

PRESENT

Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Sandy Keith, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Paul McBain, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Councillor John Stuart, Councillor Draeyk Van Der Horn

IN ATTENDANCE

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 HR, ICT and Organisational Development, Head of Housing and Property, Asset Manager - Corporate Property, Complaints Officer, Records and Heritage Manager and Democratic Services Manager.

1. Chair

The meeting was chaired by Councillor Bridget Mustard.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 21 and 23 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

3. Resolution

The meeting resolved that under 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 18 of business on the grounds that it involves the likely disclosure of exempt information of the class described in relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of the Minute	Paragraph Number of Schedule 7a and Reason
16	Para 9 Information on terms proposed or to be proposed by the Authority
17	Para 4 Information relating to any applicant or recipient of any financial assistance provided by the Authority Para 9 Information on terms proposed or to be proposed by the Authority

4. Minute of the meeting of 29 August 2023

The minute of the meeting of Corporate Committee on 29 August 2023 was submitted and approved.

5. Minutes of Special Meeting of 4 October 2023

The minute of the Special Meeting of Corporate Committee on 4 October 2023 was submitted and approved.

6. Written Questions

The Committee noted that no written questions had been submitted.

7. Best Value Progress Report

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the latest progress on the Best Value Assurance Review Strategic Action Plan relating to the 2019 review and subsequent 2022 follow up report.

Following consideration the Committee unanimously agreed to:

- i) note progress made on the Best Value Assurance Report (BVAR) Strategic Action Plan shown in Appendix 1; and
- ii) note that the outcomes of the best value aspects of the 2023 annual audit report and the findings of the external adviser supporting the Council on cultural issues associated with best value are being reviewed for future incorporation into the Best Value Action Plan.

8. Improvement and Modernisation Programme Update

The meeting had before it a report from the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the progress made in developing the projects set out in the Council's Improvement and Modernisation Programme (IMP).

Councillor McBain moved to add an additional recommendation to the report asking that a further report be brought back to identify the cashable savings and the timescales for these being achieved. This was seconded by Councillor Dunbar. Councillor McBain further added that any actions within the plan which do not have cashable savings attributed to them should be stopped.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) advised that cashable savings have been identified in the report, any other actions which do not have cashable savings clearly identified will contribute to savings in the future.

Following further consideration, Councillor McBain withdrew his motion and the Committee unanimously agreed to note progress on the projects set out in the Council's Improvement and Modernisation Programme.

9. Complaints Annual Report 2022-23

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the Council's Complaints Annual Report 2022-23.

Following consideration the Committee unanimously agreed to:

- i) note the contents of the Complaints Annual Report; and
- ii) approve the report for submission to the Scottish Public Services Ombudsman (SPSO).

10. Information Governance Annual Report 2023

A meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) providing Committee with a report on Information Governance activities within the Council and in particular on improvements made for 2022/23.

Following consideration the Committee agreed to note the current Information Governance compliance for 2022/23 as set out in the Annual Report in Appendix 1 and summarised in Section 4.

11. Performance Report - Financial Services Period to September 2023

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing Committee of the performance of the Service for the period to 30 September 2023.

Following consideration, the Committee unanimously agreed to:

- i) note performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023; and
- ii) note the actions being taken to improve performance where required.

12. Performance Report - Governance, Strategy and Performance - Period to September 2023

The meeting had before it, a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the performance of the service for the period to 30 September 2023.

Following consideration, the Committee unanimously agreed to:

- i) note performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023; and
- ii) note the actions being taken to improve performance where required.

13. Performance Report - HR ICT and OD Period to September 2023

The meeting had before it, a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the performance of the service for the period to 30 September 2023.

Following consideration, the Committee unanimously agreed to:

- i) note performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023; and
- ii) note the actions being taken to improve performance where required.

14. Trust Properties in Elgin

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) inviting the Committee to consider a mechanism for bringing vacant residential properties held under public trust back into use.

Following consideration the Committee unanimously agreed:

- i) in principle to the four vacant Trust properties being leased to the Council on terms and conditions to be agreed by the Head of Housing and Property, Head of Governance, Strategy and Performance and the Chief Financial Officer; and
- ii) to authorise the Chief Financial Officer, in consultation with the Head of Housing and Property and the Head of Governance, Strategy and Performance, to agree the detailed terms of the lease subject to the proposal being financially sustainable.

15. Question Time

Porta cabin Update

Under reference to paragraph to paragraph 19 of the minute of the meeting of 29 August 2023 Councillor Ross stated that he was yet to receive the update on the sale of the portacabins.

In response the Depute Chief Executive (Economy, Environment and Finance) apologised to Councillor Ross and sought to ensure the update was circulated.

The Head of Housing and Property confirmed that an update had been presented to the Audit and Scrutiny Committee as actions highlighted from the Internal Audit had now been completed. He further added that the portacabins had been marketed and there had been a number of expressions of interest received which would be considered.

Common Good Land Forres

Under reference to paragraph 21 of the minute of the meeting of 29 August 2023, Councillor Coull sought clarification on whether there was any update following the decision at the last meeting to reject the rent rebate application and the request to remove the option to resume possession.

In response, the Chair confirmed that following a request from Forres Community Council, she had met with Forres Community Council and Transition Town Forres along with the 4 Forres Ward Councillors. She further added that there was no u-turn on the decision but options are being discussed to look at ways for the Council to open up the discussion again and it is hoped that an agreement which satisfies all parties can be reached. The Chair further confirmed that a report will come back to Committee for agreement following the discussions.

Council Surveys

Councillor Van Der Horn sought agreement to change the drop down option on Council Surveys enquiring as to the sex of the responder and the options from male/female/prefer not to say to male/female/prefer not to say/identify another way. He further added that this is in light of the many people who do not sit comfortably with the term man or woman and would like another way of expressing themselves within the surveys.

In response, the Head of Governance, Strategy and Performance confirmed that equalities information in surveys is requested in a proportionate way and he confirmed that he was happy to discuss the issue with colleagues regarding future surveys.

The Depute Chief Executive (Education, Communities and Organisational Development) also confirmed that she would be happy to take the suggestion away and get further advice, however the definitions used are taken from the latest census process to ensure a standardised set of data is available. She further added that Officers would be happy to take on board the point but would be keen to ensure that the Council is taking a standardised approach in collecting the data.

The Chair advised that she had raised a similar issue at a previous Housing and Community Safety Committee and the Head of Housing and Property had provided a response. The Chair asked whether the information provided then could be the basis for further consideration.

Councillor Van Der Horn confirmed he was happy with this suggestion.

16. Longmore Hall [Para 9]

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) inviting the Committee to consider an asset transfer request made outwith the Community Empowerment (Scotland) Act 2015 in respect of Longmore Hall, Banff Road, Keith.

Following consideration the Committee unanimously agreed to:

- i) approve the main terms lease of Longmore Hall, Keith to the Longmore Community Hall Group, as set out in para 5.1 of the report; and
- ii) authorise the Legal Services Manager to agree detailed terms of lease with Longmore Community Hall and conclude the transaction.

17. Review of Rent Rebate [Para 4 and 9]

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) inviting the Committee to review the rent rebate awarded to a local golf club in respect of the Golf Course.

Councillor Coull moved to accept the application for a renewal of the rent rebate. Councillor Coull felt that the Club was fairly small and the extra money, if the rent rebate was not agreed, is a large amount for the club to find. This was seconded by Councillor Leadbitter.

Councillor Mustard, seconded by Councillor Ross proposed the recommendations as printed in the report.

On the division there voted:

For the Motion (1)	Councillor Coull
For the Amendment (11)	Councillors Mustard, Ross, Cowe, Divers, Dunbar, Keith, Leadbitter, Macrae, McBain, Morrison and Robertson
Abstention (3)	Councillors Fernandes, Stuart and Van Der Horn

Accordingly the amendment became the finding of the meeting and the Committee agreed to:

- i) refuse the application for a renewal of the rent rebate for the reasons set out in paragraph 6.1 of this report; and
- ii) instruct Officers to review the Council's policy on Community Rent Rebates, bringing a report back to the Committee for future consideration.