

MORAY COUNCIL

Minute of Meeting of the Policy and Resources Committee

Tuesday, 14 January 2020

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

PRESENT

Councillor George Alexander, Councillor Frank Brown, Councillor John Cowe, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Aaron McLean, Councillor Shona Morrison, Councillor Sonya Warren

IN ATTENDANCE

Chief Executive, Depute Chief Executive (Education, Communities and Organisational Development), Depute Chief Executive (Economy, Environment and Finance), Chief Financial Officer, Acting Head of Housing and Property, Head of Environmental and Commercial Services, Head of Transformation, Head of HR, ICT and Organisational Development, Benefits Manager, Transportation Manager, Head of Governance, Strategy and Performance as Legal Adviser and Mrs L Rowan, Committee Services Officer as Clerk to the Meeting.

1 Chair

Councillor A McLean, being Chair of the Policy and Resources Committee, chaired the meeting.

2 Declaration of Group Decisions and Members Interests

In terms of Standing Order 20 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 Order of Business

In terms of Standing Order 28, the Chair sought the agreement of the Committee to vary the order of business and consider item 7 "Corporate Services Performance Report – October 2018 to March 2019" prior to item 4e) "Performance Report for Corporate Services – April to September 2019". This was agreed.

4 Minute of Meeting dated 29 October 2019

The minute of the meeting of the Policy and Resources Committee dated 29 October 2019 was submitted and approved.

5 Minute of Appointments Committee Meeting dated 19 November 2019

The minute of the meeting of the Appointments Committee dated 19 November 2019 was submitted and approved.

6 Minute of Shortleeting Committee Meeting dated 22 October 2019

The minute of the meeting of the Shortleeting Committee Meeting dated 22 October 2019 was submitted and approved.

7 Written Questions

The Committee noted that no written questions had been submitted.

8 Scottish Welfare Fund Update

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of current pressures on the Scottish Welfare Fund service due to the impact of Universal Credit. The report stated that the grant funding had remained fairly static since 2013 despite rising demand from applicants who find themselves in need of short-term support which had been exacerbated by the roll out of Universal Credit. Many Scottish Local Authorities had been supplementing the budget due to increased demand however this was becoming difficult to maintain given local resourcing constraints. Scottish Government guidance had advised that Local Authorities manage the additional pressures by restricting individual application awards during quarter 4 to those deemed "high, most compelling".

During discussion, Councillor Brown recognised the need to restrict individual application awards to "high, most compelling" given the pressure on the budget however queried whether the Committee could agree that Officers move the restriction to "high, most compelling" when necessary.

In response, the Head of Governance, Strategy and Performance advised that this delegation would be acceptable.

On hearing the advice from the Head of Governance, Strategy and Performance, Councillor Brown moved that the Committee agree to amend recommendation (iii) to restrict the priority rating to a "high, most compelling" to be implemented by Officers as and when it becomes both appropriate and necessary. This was seconded by Councillor Eagle.

Councillor Alexander stated that this was a difficult decision to make given the effect it would have on vulnerable people in Moray however was of the view that this should be a decision taken by Elected Members and that the onus should not be imposed on Officers and moved, as an amendment, that the Committee agree that a further report be brought to a future meeting of this Committee when restricting the priority rating to "high, most compelling" is necessary, and this this report include information as to why Officers support restricting the priority rating to "high, most compelling" with some examples of the impact this decision will have. This was

seconded by Councillor Leadbitter.

After considering Councillor Alexander's amendment, Councillor Brown was not adverse to a further report being brought to this Committee and agreed to withdraw his motion. This was also agreed by Councillor Eagle, as seconder to Councillor Brown's motion.

Councillor Leadbitter was of the view that the Universal Credit System is not an acceptable system to support vulnerable people and moved that a further recommendation be added stating that the Chair of this Committee write to the Secretary of State for Work and Pensions highlighting the impact the introduction of Universal Credit is having on vulnerable people in society.

Councillor Eagle agreed with Councillor Leadbitter's motion however suggested that the Chair, when writing to the Secretary of State for Work and Pensions, also write to the Scottish Government stating that the Council is struggling with the administration of the Scottish Welfare Fund provided by the Scottish Government. Councillor Leadbitter agreed to amend his motion in incorporate Councillor Eagle's suggestion which was also unanimously agreed by the rest of the Committee.

The Committee joined the Chair in commending the staff in the Benefits Section for the work that they do in challenging circumstances and thereafter agreed:

- i. to note the pressures on the Scottish Welfare Fund and the ongoing demand on this service as outlined in the report;
- ii. to note the duties placed on local authorities when managing the funds, as outlined within section 9 of the report;
- iii. that a further report be brought to a special meeting of this Committee in 1 month to consider the requirement to restrict the priority rating to "high most compelling" (as described in section 9 of the report);
- iv. to note the ongoing implications on vulnerable applicants and socio-economic disadvantages; the impact on staff having to make more difficult decisions; the increased demands due to Universal Credit; and continued risk to the budget should it not be augmented in the financial year 2020/21; and
- v. that the Chair of the Policy and Resources Committee write to the Secretary of State for Work and Pensions highlighting the impact the introduction of Universal Credit is having on vulnerable people in society and also write to the Scottish Government stating that the Council is struggling with the administration of the Scottish Welfare Fund provided by the Scottish Government.

9 Charging for Services

Under reference to paragraph 7 of the minute of the meeting of this Committee dated 29 October 2019, a report by the Depute Chief Executive (Economy, Environment and Finance) asked the Committee to approve revised charges for council services for 2020/21.

During discussion, Councillor Eagle expressed disappointment in relation to the requirement for a 5% increase in charges across most council services although

accepted the necessity given the current financial position of the Council however raised concern regarding the drop in the uptake of school meals. He appreciated the recommendation from Officers that the charge for school meals remain static however queried whether consideration could be given to reducing the charge for school meals to encourage uptake.

In response, the Head of Environmental and Commercial Services advised that the charging of school meals was very complex and that a Members Briefing will be arranged regarding the complexities surrounding the charging of school meals.

Councillor Eagle raised further concern in relation to the proposed increase in harbour berthing charges which were not considered to be in line with the service provided and queried whether the harbour berthing charges set out in sections I2a, I2b and I3a of the Appendix could be deferred until the budget settlement from the Scottish Government is known. With regard to the proposed increase in charges for the uplift of household garden waste, Councillor Eagle was of the view that an increase of more than 10% was excessive and queried whether this be reduced to an increase of £2.00.

In response, the Head of Environmental and Commercial Services advised that the Council's harbour charges are reasonable compared to other local authorities however a balance has to be reached when setting commercial charges so that business is not lost due to high charges, which is constantly under review.

In response, the Depute Chief Executive (Economy, Environment and Finance) advised that it takes time to implement any increase to the charges associated with the uplift of garden waste and that any changes would have to be made immediately following the decision of the Committee therefore any deferral would result in a greater loss of income to the Council.

On hearing the advice from the Depute Chief Executive (Economy, Environment and Finance) the Chair moved that the Committee agree the recommendations as printed in the report.

As an amendment, Councillor Eagle moved that the Committee agree the recommendations as printed within the report with the deferral of any increase to harbour berthing charges set out in sections I2a, I2b and I3a and to the uplift of garden waste set out in section G11 of the Appendix, until the budget settlement from the Scottish Government is known. This was seconded by Councillor Gatt.

On a division there voted:

For the Motion (9)	Councillors A McLean, G Leadbitter, Alexander, Cowe, Creswell, Divers, Laing, Morrison and Warren
For the Amendment (4)	Councillors Eagle, Gatt, Brown and Edwards
Abstentions (0)	Nil

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

- i. to approve the charges for Council services for 2020/21 as set out in Appendix 1 of the report; and
- ii. that a Members Briefing will be arranged regarding the complexities surrounding the charging of school meals.

10 Improvement and Modernisation Programme Update

Under reference to paragraph 6 of the minute of the meeting of this Committee dated 4 June 2019, a report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the progress made in developing the projects set out in the Council's Improvement and Modernisation Programme (IMP). The report stated that the IMP is significant to the future financial planning of the Council contained within the current corporate plan where good progress has been made across all work streams however further definition is required around some of the more challenging areas such as Transforming Education and Children's Services, where extra support is being provided to accelerate progress.

Following consideration, the Committee agreed to:

- i. note the progress made in the development of the projects in the Improvement and Modernisation Programme; and
- ii. the temporary resourcing arrangements set out in the report to progress the property asset management and additional support needs projects with costs to be taken from the change fund.

11 Policy to Combat Fraud, Theft, Bribery and Corruption

Under reference to paragraph 5 of the Minute of the Meeting of the Audit and Scrutiny Committee dated 13 November 2019, a report by the Depute Chief Executive (Education, Communities and Organisational Development) sought Committee approval of an updated policy to combat fraud, theft, bribery and corruption.

During discussion, it was suggested that it would be easier for members, when considering future policies/updated policies, if they include a front page detailing the Sponsor, Author, Date of Review, Date of Next Review and Date approved by Committee/Council. This was noted by Officers present at the meeting.

Following consideration the Committee agreed:

- i. to approve the updated fraud etc policy as set out in Appendix 1 to the report, subject to consultation with the Trade Unions; and
- ii. that consideration be given to future polices/updated policies having a front page detailing the Sponsor, Author, Date of Review, Date of Next Review and Date approved by Committee/Council.

12 Corporate Services Performance Report - October 2018 to March 2019

Under reference to paragraph 7 of the minute of the meeting of this Committee dated 9 April 2013, a report by the Depute Chief Executive (Education, Communities and Organisational Development) outlined performance of the service for the period from

October 2018 to March 2019.

During discussion, it was noted that the performance report had been brought to Committee for consideration later than usual and it was queried why this was the case.

In response, the Head of Governance, Strategy and Performance explained that the report should have been brought to the Committee at the meeting in October 2019 however this failed to happen as a result of a clerical error. This was noted.

Following consideration the Committee agreed to note the:

- i. performance outlined in this report; and
- ii. actions being taken to seek improvements where required.

13 Performance Report for Corporate Services - April to September 2019

Under reference to paragraph 5 of the minute of the meeting of this Committee dated 2 October 2019, a report by the Depute Chief Executive (Education, Communities and Organisational Development) outlined the performance of the Corporate Services for the period from 1 April to 30 September 2019.

Following consideration, the Committee agreed to note the:

- i. performance outlined in this report; and
- ii. actions being taken to seek improvements where required.

14 Financial Services Performance Report - Quarter 2 July to September 2019

Under reference to paragraph 7 of the Minute of Moray Council dated 7 August 2019, a report by the Depute Chief Executive (Economy, Environment and Finance) outlined the performance of the service for the period from July to September 2019.

Following consideration the Committee agreed to note the performance as outlined in this report.

15 Chief Executive's Office Final Performance Report - April to September 2019

Under reference to paragraph 7 of the minute of the meeting of Moray Council dated 7 August 2019, a report by the Chief Executive outlined the performance of the service for the period from 1 April to 30 September 2019.

Following consideration, the Committee agreed to note:

- i. the performance outlined in this report;

- ii. the actions being taken to seek improvements where required; and
- iii. that this is the final report following the restructure of the Council's senior management approved in September 2019.

16 Participatory Budgeting

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the requirement for Participatory Budgeting from 1 April 2020 and sought approval for a Moray wide Policy Statement and Framework relating to Participatory Budgeting. Participatory Budgeting is a means by which communities can influence council resources to areas with a direct impact to them in accordance with the framework agreed by the Scottish Government and COSLA to work together to have at least 1% of Council budgets subject to Participatory Budgeting by the end of the 2020/21 financial year.

The Committee joined the Chair in thanking the Money for Moray, Bucks for Buckie, tsiMoray (You Choose) and the Church of Scotland Community Choices for their input in earlier participatory budgeting projects and thereafter agreed:

- i. to approve the Participatory Budgeting Policy Statement and Framework as detailed in Appendix 1 of the report;
- ii. to instruct officers to identify service areas for Participatory Budgeting within Moray and report these back to this Committee along with plans to run the appropriate Participatory Budgeting exercises for the first budget areas; and
- iii. that officers report back to Committee the outcome of the participatory budgeting exercises once completed.

17 Rapid Rehousing Transition Plan Report

Under reference to paragraph 5 of the minute of the meeting of the Communities Committee dated 20 November 2018, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of progress on funding received from the Scottish Government for the implementation of Moray's Rapid Rehousing Transition Plan (RRTP). The report stated that the Scottish Government had asked that all local authorities produce a RRTP with the aim of ending rough sleeping, transforming the use of temporary accommodation and ending homelessness in Scotland within a 5 year period.

Following consideration, the Committee agreed:

- i. to note the level of funding made available by the Scottish Government to deliver the Council's Rapid Rehousing Transition Plan (RRTP); and
- ii. that officers in Housing and Property Services can now draw down the money awarded for 2019/20 (£97k) and 2020/21 (£93k) from the General Revenue Grant to develop the plan.

A report by the Chief Executive asked the Committee to consider the Complaints Annual Report 2018-19 which set out the Council's performance against the national performance indicators set by the Scottish Public Sector Ombudsman.

Following consideration, the Committee agreed to:

- i. approve the content of the Complaints Annual Report as set out in Appendix 1 of the report; and
- ii. note that the annual report will then be submitted to the Scottish Public Sector Ombudsman.

19 Question Time

Under reference to paragraph 10 of the minute of this Committee dated 29 October 2019, Councillor Alexander queried whether the decision to move the May Day public holiday in 2020 from Monday 4 May to Friday 8 May to coincide with VE Day had been intimated to members of the public. Councillor Alexander further stated that he had heard of a proposal to ring church bells at 7:00 pm on Friday 8 May 2020 across the country to commemorate VE Day and queried whether the Council was aware of this and what other plans the Council had in this regard.

In response, the Chief Executive advised that a number of suggestions had been given on how to commemorate VE and VJ Day, including a suggestion from the Pageant Master to ring church bells at 7:00 pm across the country however this was a suggestion and not a statutory obligation. He further advised that consideration was being given to holding a church service in Moray to commemorate VE and VJ Day on Friday 8 May.

Councillor Alexander made reference to a pilot scheme to look after adults with learning disabilities during the night which had been opposed by some members of the public and sought clarification as to whether the Council had any say in whether this would go ahead or not.

The Chair advised that this was a matter for the Moray Integration Joint Board (MIJB) to decide and that 3 Councillors represented the Council on the MIJB where a decision had been taken to approve the pilot scheme.

Councillor Alexander expressed concern that the Council provides the MIJB with 40% of its budget yet seemed to have little oversight as to how it is spent.

In response the Chief Executive advised that the MIJB is undergoing its own transformation programme which was reported by the Chief Officer MIJB at a recent meeting of Moray Council and that further reporting on the transformation programme would allow the Council to have oversight in this regard.