

MORAY COUNCIL

Minute of Special Meeting of the Education, Children's and Leisure Services Committee

Wednesday, 14 December 2022

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

PRESENT

Councillor James Allan, Mrs Sheila Brumby, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor John Cowe, Mr Alfie Harper, Councillor Juli Harris, Councillor Sandy Keith, Councillor Scott Lawrence, Councillor Marc Macrae, Councillor Paul McBain, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Mrs Susan Slater, Mrs Emma Tunnard, Councillor Sonya Warren, Councillor Ben Williams

APOLOGIES

Mrs Anne Currie, Reverend Tembu Rongong, Ms Angela Stuart

IN ATTENDANCE

Also in attendance at the above meeting were the Depute Chief Executive (Education, Communities and Organisational Development), Head of Education, Head of Education Resources and Communities, Head Service/Chief Social Work Officer, Legal Services Manager, Chief Financial Officer, Quality Improvement Manager, Early Years Service Manager, Carl Campbell, Service Manager, Project Manager, Education, Sport and Culture Service Manager, Susanne Campbell, Quality Improvement Officer, GIRFEC and Promise Lead Officer and Tracey Sutherland, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Robertson.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillor Robertson declared that the Conservative Group had made a group decision in regards to Item 17 on the agenda.

Councillors Cameron and Macrae declared an interest in items 14 and 20 as Directors on the Board of Moray Leisure Limited.

Councillor Harris declared an interest in Item 21 and would refrain from taking part in the discussion as she was related to a child who attends one of the nurseries.

Councillor Cowe declared an interest in Item 17 on the agenda as a family member works in one of the private nurseries.

The Committee noted that there were no further 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 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 19-21 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
19	Para 6 Information relating to the financial or business affairs of any particular person(s)
20	Para 1 and 9 Information relating to staffing matters and Information on proposed terms or to be proposed by or to the Authority
23	Para 8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority

4. Order of Business

In terms of Standing Order 29 the Chair advised the Committee that due to there being 4 reports which required to be considered together the order of the agenda would be altered to accommodate the open and confidential reports. She further advised the following order of reports:

Item 4 – 14 – open session
Item 20 – confidential session
Item 15 – 16 – open session
Item 19 – confidential session
Item 17 – open session
Item 21 – confidential session

5. Inspection of Fostering Adoption and Adult Placements

A report by the Chief Officer, Health and Social Care Moray provided an update on the process and outcome of the inspection of Placement Services in March 2022. Specifically, this was in relation to fostering, adoption and adult placements.

Councillor Robertson moved to add an additional recommendation, asking for a progress report to be brought back to the Committee prior to the Service moving to the Moray Integration Joint Board.

As there was no one otherwise minded, the Committee agreed:

- i) to note the outcome of the inspection of fostering, adoption and adult placements in March 2022; and

- ii) a progress report should be presented to Committee prior to the Service move to the Moray Integration Joint Board.

Mrs Emma Tunnard and Mrs Sheila Brumby joined the meeting during the consideration of this item.

6. Childrens Services Plan Annual Report 2021-22

A report by the Chief Officer, Health and Social Care Moray, asked the Committee to review and endorse the Children's Services Plan Annual Report 2021-22 (Appendix 1).

Following consideration the Committee agreed to endorse the Children's Services Plan Annual Report (2021-22) prior to submission to the Scottish Government by the deadline of 31 December 2022.

7. Q2 Performance Report - Children and Families and Criminal Justice Social Work - Period to September 2022

A report by the Chief Officer, Health and Social Care Moray informed the Committee of the performance of the service for the period 30 September 2022.

Following consideration the Committee agreed to:

- i) note the performance in the areas of Service Planning, Service Performance and other related data to the end of September 2022; and
- ii) note the actions being taken to improve performance where required.

8. Children and Families Social Work Services Revenue Budget Monitoring to 30 September 2022

A report by the Chief Officer, Health and Social Care Moray informed the Committee of the budget position for Children and Families Social Work Services as at 30 September 2022.

Following consideration the Committee agreed to note the budget position at 30 September 2022.

9. Raising Attainment Curriculum Breadth and Digital Progress Update

A report by the Depute Chief Executive (Education, Communities and Organisational Development) updated the Committee on progress in development of the Raising Attainment: Curriculum Breadth and Digital workstream within the Council's Improvement and Modernisation Programme and sought direction on the development of the project.

Councillor Mustard sought clarification on what the report was asking the Committee to agree and the implications if the Committee agreed to option a in recommendation (iii).

In response, the Project Manager confirmed that recommendations (ii) and (iii) should be considered together and by taking a minimal approach it would ensure the infrastructure can support a future roll out.

The Depute Chief Executive (Education, Communities and Organisational Development) added that a new contract is coming into effect and the Council would also need to look at issues including the broadband bandwidth and the infrastructure in schools to ensure they are suitable for moving the project forward. It would be important to ensure that the Council was ready to deploy should funding, whether internal or external become available. She further added that other Local Authorities were moving ahead with their investment in digital technology and there was a danger that Moray could be left behind.

Councillor Lawrence felt that the paper provides a vital piece of the jigsaw to a number of subjects of reports on the agenda, particularly around Support for All Learners, Mental Wellbeing and Additional Support and how the Council builds a modern educational environment for all young people in the area.

He therefore moved to accept the recommendations in the report to continue with the project and to go for option c in recommendation (iii) - infrastructure and strategy development, workforce preparation and device roll out. This was seconded by Councillor Warren.

In response, Councillor Cowe raised concerns over the affordability of the motion. Mr Harper, pupil representative also raised concern about an over reliance on the devices.

Councillor Macrae recognised that it is an emotive topic but felt that Officers had given a clear warning in regards to the affordability of the project and proposed, seconded by Councillor Mustard, approving the recommendations and taking forward option a in recommendation (iii) - infrastructure and education digital strategy development to ensure readiness for digital development only.

Councillor Williams sought clarification on whether any decision made today may result in a material change in circumstances when the Scottish Government's budget is delivered tomorrow.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that this was a risk when relying on any external funding however the Council need to be prepared should funding become available.

Councillor Ross, having listened to the debate proposed deferring the report for further information, including any financial support which may be announced in the Scottish Government's budget tomorrow, how other authorities are performing with the roll out and information on the benefits the roll out has had.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that the Council had engaged CGI to try and find information to be taken forward to Committee on the impact of digital devices on attainment and that information is contained in the report. She further added that it was unlikely that the Council would be able to produce more information as currently the research is not there.

On hearing the response from the Depute Chief Executive (Education, Communities and Organisational Development), Councillor Ross withdrew his amendment.

On the division there voted:

For the Motion (4)	Councillors Lawrence, Warren, Cameron and Harris
For the Amendment (10)	Councillors Macrae, Mustard, Allan, Colyer, Cowe, Keith, McBain, Robertson, Ross and Williams
Abstention (0)	

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

- i) note the contents of the Digital Inclusion Outline Business Case and re-affirmed the intended outcomes for the IMP Curriculum Breadth and Delivery workstream (Appendix 2);
- ii) continue with the development of the infrastructure and Education Digital Strategy development to ensure readiness for digital development only;
- iii) note that the next steps for the development of the Raising Attainment Breadth and Digital project would include stakeholder engagement and preparation of Full Business Case to inform the options and approach to the project; and
- iv) note that further reports will be presented to Committee to determine next steps and in particular to define the level of investment as options and costs become clearer.

10. Raising Attainment Improved Wellbeing Outcomes Pastoral Care

A report by the Depute Chief Executive (Education, Communities and Organisational Development), updated the Committee on progress in the development of the Raising Attainment: Pastoral Care project within the Council's Improvement and Modernisation Programme (IMP) and sought direction on the development of the project.

Councillor Mustard raised concerns about the delivery and timescales of the project and the staff capacity. She further added that the project would take until early 2025 to complete. This would include a pilot in a small number of schools meanwhile the other schools not in the pilot would continue to struggle under the strain of supporting these pupils.

Councillor Mustard moved to defer the report to get more information on the scope of the child planning workload within the primary schools and whether partners have the capacity/resources to support the collaborative work required to support the child's plan. This was seconded by Councillor Ross.

The Depute Chief Executive (Education, Communities and Organisational Development) understood the concerns of members and sought clarification on whether it was the nature of the proposals that members were concerned about.

Councillor Mustard confirmed that the concern is around the child planning workload, the detail of which which the Depute Chief Executive (Education, Communities and Organisational Development) had already acknowledged was not available in the report and although the pilot is good practice but she was concerned about the tests of change as it will be a long time before the results were available prior to the roll out across the area. She also expressed concern around whether this was the correct proposal.

The Secondary School Teaching representative gave an example of what it was like for her to be a Guidance Teacher with class teaching time. Her caseload varies between 150 and 250 pupils year on year. She further added that she has 12 hours teaching time a week and the remainder of her time is taken up with pastoral care of the young people in her caseload and it is nowhere near the time needed to do the job effectively and expressed concern that doing nothing was not an option.

The Depute Chief Executive (Education, Communities and Organisational Development) confirmed that proposals are aimed at early intervention but with the complexity of these projects it is important that the Council invests time in the development and engagement in rolling the projects out. She further added that the outcomes being sought will not be determined in the short term, they would take some time to become apparent and to be measurable due to the nature of this type of project. With regards to whether this is the right proposal, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that the project is what was previously agreed by the Committee and Officers have now brought this forward. Officers are seeking decisions now from the Committee to help with budget planning so it is clear what the call on reserves will be.

Councillor Macrae stated that CMT had provided their expenditure warning within the report and proposed to approve recommendation (i) and to cease the project at recommendation (ii).

The Chair proposed a short adjournment to allow groups to discuss the motion and the amendment currently on the table.

Following the short adjournment and after discussions with colleagues, Councillor Macrae, confirmed that he would withdraw his amendment.

On listening to the debate, Councillor Warren, seconded by Councillor Lawrence proposed to agree the recommendations in the report.

On the division there voted:

For the Motion (9)	Councillors Mustard, Ross, Allan, Colyer, Cowe, Keith, Macrae, McBain, and Robertson
For the Amendment (5)	Councillors Warren, Lawrence, Cameron, Harris and Williams
Abstention (0)	

Accordingly the Committee agreed to defer the report to get more information on the scope of the child planning workload within the primary schools and whether

partners have the capacity/resources to support the collaborative work required to support the child's plan.

11. Supporting All Learners Strategy

A report by the Depute Chief Executive (Education, Communities and Organisational Development) requested the Committee recognise that the Supporting All Learners Strategy has been developed to align with the published ASN strategy to encompass how the Council supports all learners in Moray.

Councillor Robertson sought clarification on why the recommendation was asking the Committee to endorse, as when the report had been presented at the previous meeting, the Committee were asked to agree the strategy.

In response, Ms Campbell, Quality Improvement Officer, confirmed that the recommendation should be asking the Committee to approve the strategy.

Following consideration the Committee agreed to approve the Supporting All Learners Strategy, which provides a health and wellbeing framework, toolkit and supports for learning communities in Moray to progress on the pathway to embedding Moray's Nurture Principles for All.

In terms of Standing Order 85, the Chair sought agreement from the Committee to suspend Standing Order 77 to continue the meeting past 12.45pm, this was unanimously agreed. She further added that the Committee would consider items 11, 12, 15 and 16 prior to breaking for lunch.

12. Performance Report - Education - Period to September 2022

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the performance of the service for the period to 30 September 2022.

Following consideration the Committee agreed to note:

- i) performance in the areas of Service Planning, Service Performance and other related data to the end of September 2022; and
- ii) the actions being taken to improve performance where required.

13. Education Revenue Budget Monitoring to 30 September 2022

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the budget position for Education as at 30 September 2022.

Following consideration the Committee agreed to note the budget position at 30 September 2022.

14. Performance Report - Education Resources and Communities - Period to September 2022

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the performance of the service for the period to 30 September 2022.

Following consideration the Committee agreed to note:

- i) performance in the areas of Service Planning, Service Performance and other related data to the end of September 2022; and
- ii) the actions being taken to improve performance where required.

15. Education Resources and Communities Revenue Budget Monitoring to 30 September 2022

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the budget position for Education Resources and Communities as at 30 September 2022.

Following consideration the Committee agreed to note the budget position at 30 September 2022.

16. Resumption of Meeting

PRESENT

Councillor James Allan, Mrs Sheila Brumby, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor John Cowe, Mr Alfie Harper, Councillor Juli Harris, Councillor Sandy Keith, Councillor Scott Lawrence, Councillor Marc Macrae, Councillor Paul McBain, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Mrs Susan Slater, Mrs Emma Tunnard, Councillor Sonya Warren, Councillor Ben Williams

APOLOGIES

Mrs Anne Currie, Reverend Tembu Rongong, Ms Angela Stuart

ALSO IN ATTENDANCE

Also in attendance at the above meeting were the Depute Chief Executive (Education, Communities and Organisational Development), Head of Education, Head of Education Resources and Communities, Head Service/Chief Social Work Officer, Legal Services Manager, Chief Financial Officer, Quality Improvement Manager, Early Years Service Manager, Carl Campbell, Service Manager, Project Manager, Education, Sport and Culture Service Manager, Susanne Campbell, Quality Improvement Officer, GIRFEC and Promise Lead Officer and Tracey Sutherland, Committee Services Officer.

17. Review of Additional Support Needs Services

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of progress with plans to review the services that specialise in how children and young people with additional support needs (ASN) are fully supported, included and involved in their learning, as part of the Council's Improvement and Modernisation Programme.

Councillor Mustard in recognising the content of the report and the length of the project moved to agree recommendations (i) to (iv) as written and amend recommendation (v) to read 'review the management structure supporting the services; and a report back to the Committee with prioritised actions, and staff capacity to deliver the review' and add an additional recommendation (vi) to read 'report back to Committee on the current risks associated with ASN and how are these being addressed.' This was seconded by Councillor Macrae.

Councillor Ross raised a concern about the terminology relating to English as an Additional Language. Page 300, third bullet point refers to providing support for children and young people who have English language challenges and felt it implies a deficit model and sought agreement from Officers to change the wording.

In response, the Head of Education Resources and Communities agreed to look at the wording.

Mrs Slater sought information on the impact the additional staff within the Social, Emotional, and Behavioural Needs (SEBN) have had across the schools in Moray.

In response, the Head of Education Resources and Communities confirmed that she had asked for monthly reporting from the team to look at the impact. The team is focussed on the children with the highest level of needs and supporting staff in 18 Primary Schools and 3 Secondary Schools. The report on the impact the team is having will come to a future meeting of the Committee.

As there was no one other wise minded and following lengthy consideration the Committee agreed:

- i) note the background and context of the ASN review, and the links between this strategic change project, and other Education Transformation strategies
- ii) to note the progress towards implementation of the review of ASN Service;
- iii) to note the challenges of progressing a major change in service delivery during a period of significant Covid-19 disruption and a changing operational environment due to the ongoing impact of the epidemic on children, young people and their families;
- iv) to recommend to Moray Council the allocation of up to £203,664 from earmarked reserves for Council priorities to extend the existing temporary Education Support Officer (ESO) (ASN) post for a further period of 2 years;
- v) a review of the management structure supporting this service, and a report back to the Committee with prioritised actions, and staff capacity to deliver this review; and
- vi) that a report to come to Committee on the current risks associated with ASN and how these are being addressed.

18. Moray Sport and Leisure Capital Investment Plan

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of progress in relation to the development of a Sport and Leisure Capital Investment Plan for Moray.

Councillor Warren asked whether a copy of the SLA for Moray Leisure Centre was available as she felt that Councillors are regularly being asked to agree financial support but has never seen a copy of the Service Level Agreement (SLA) despite requesting a copy for a long time.

In response, the Sport and Culture Service Manager confirmed that work is ongoing on the SLA and final sign off has not been completed yet however confirmed that both parties are working towards getting the SLA finalised so that the expectations from both parties are clear.

Councillor Warren sought clarification on the Council's position with regards to the refurbishment of Buckie swimming pool as it had previously been included in the plan but had been removed as it was included as part of the new school project. She further sought confirmation that should the plant fail at Buckie the plant will be repaired and maintained or would it be a decision that would need to be made by Committee.

In response, the Sport and Culture Manager confirmed that the Council will continue to operate all its facilities with the available budget however, if there was a significant failure that was beyond the allocated budget, then the decision would need to be escalated to Senior Management for advice on how to proceed.

Following further consideration, Councillor Warren moved to amend recommendation (iv) of the report to read - acknowledges the interdependencies between the Sport and Leisure Capital Plan and the Learning Estate programme, with decisions regarding the learning estate impacting on prioritisation of works within the Sport and Leisure Estate but emphasising that this should not prevent critical works required to keep facilities operating and thereby maintaining the Council's FitLife income stream. This was seconded by Councillor Mustard.

As there was no one otherwise minded and following consideration the Committee agreed:

- i) note the work completed to assess the current condition and suitability of Moray Sport and Leisure Estate, and the investment required to maintain the facilities in the short, medium and longer term;
- ii) note the planned Sport and Leisure development work currently included in the indicative capital plan, based on current priorities;
- iii) acknowledge the financial implications of the Sport and Leisure Capital Investment Plan and notes that further work will be required to establish the level of funding available as the Council reviews its indicative 10 year capital plan, and that this will impact on how maintenance and development work is prioritised;
- iv) acknowledges the interdependencies between the Sport and Leisure Capital Plan and the Learning Estate programme, with decisions regarding the learning estate impacting on prioritisation of works within the Sport and Leisure Estate but emphasising that this should not prevent critical works required to keep facilities operating and thereby maintaining the Council's FitLife income stream; and
- v) that no capital projects to support Council run facilities are prioritised for investment and that all planned work is put on hold until the Council capital

plan is reviewed in early 2023, excluding any works currently in progress, and that a paper is brought back to Committee to agree priorities for capital spend on Council run sport and leisure facilities (for inclusion in the Sport and Leisure Capital Investment Plan) when further information is available regarding the available capital funding envelope.

19. Moray Leisure Centre Expansion Proposal [Para 6]

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the Moray Leisure Centre (MLC) expansion proposals and to provide direction regarding the level of support that should be provided by the Council at this time.

Following consideration the Committee agreed:

- i) note the potential benefits to Moray of the proposed MLC expansion project;
- ii) that £275,000 of capital funding from the capital allocation identified against MLC in the capital plan be allocated to the MLC expansion proposal to cover the costs of the initial design and cost work;
- iii) that Council Officer time is allocated to support the initial design and cost stage of the project;
- iv) that a full MLC expansion business case, incorporating the detail from the completed design and cost phase, is brought back to a future meeting of this Committee to consider the level of financial commitment the Council may wish to make to this project.

Mr Alfie Harper left the meeting during the consideration of this item.

20. Moray Education Early Learning and Childcare - External Consultant Update (Para 1 and 9)

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the initial high level messages from the external consultancy review of Early Learning and Childcare (ELC).

The Early Years Service Manager, updated the Committee that the report referred to in paras 4.14 and 4.16 will be presented to the Committee in April 2023 and not January 2023 as stated in the report.

Councillor Mustard moved to accept the recommendations in the report with the exception of any reference to the sustainable rate as the report regarding the sustainable rate was to be considered later in the agenda. This was seconded by Councillor McBain.

Following further consideration and there being no one otherwise minded, the Committee agreed, with the exception of any reference to the sustainable rate:

- i) to note the initial findings of the external consultant report;

- ii) to proceed with a strategic plan which:
 - a) takes a phased project style format;
 - b) will be complimented by the staffing change management plan;
 - c) incorporates key aspects of initial findings in support of reducing ELC budget pressure
- iii) note that the strategic plan format, timeline and financial impact will be reported to Education, Children's and Leisure Services Committee on 19 April 2023; and
- iv) to extend the contract of the existing ELC Project Officer for a period of up to 12 months on a spend to save basis to support the strategic plan work and delivery of cost reductions.

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

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the process followed to set the current Early Learning and Childcare (ELC) sustainable rate for funded hours and the reason for maintaining the rate at current levels.

Councillor Robertson moved to uplift the sustainable rate by 5% backdated to April 2022 in line with local government employees. This was seconded by Councillor Mustard.

The Chief Financial Officer warned the Committee that there is no budget for the proposed uplift and if agreed, the motion would need to be recommended to Moray Council as the Committee does not have the authority to make the decision.

The Depute Chief Executive (Education, Communities and Organisational Development) further warned that there was no expenditure warning in the paper as the recommendation was to maintain the sustainable rate at the current level however, this would apply to any decision that have an increased financial cost given the impact on the Council's budget. She further advised that maintaining the rate, Moray would have one of the highest rates in Scotland and if the uplift was agreed, Moray would have the highest rate in Scotland. The service is already £1m over budget with no funding to cover the overspend. Work is ongoing to identify how the service costs can be reduced and there is a potential risk to the sustainability of the provision of 1140 hours.

Following further consideration Councillor Robertson amended her motion taking into account the guidance from the Chief Financial Officer to read that Committee it was minded to approve an increase in the sustainable rate by 5% for staff pay rises to match the Council's staff pay award back dated to April 2022 subject to consideration and agreement by Moray Council. This was seconded by Councillor Mustard.

As there was no one otherwise minded, the Committee agreed:

- i) to note the process followed to set the current ELC sustainable rate for funded hours; and

- ii) that it was minded to approve an increase the sustainable rate by 5% for staff pay rises to match the Council's staff pay award back dated to April 2022 subject to consideration and agreement by Moray Council.

Councillor Allan left the meeting at the conclusion of this item.

22. Letter of Thanks

The Chair invited Councillor Cameron, on behalf of the Lossiemouth Community Council, to thank the following schools for their generosity in helping to donate around 500 shoeboxes to the people of Ukraine.

The schools were the following secondary schools, Forres Academy, Lossiemouth High School, Keith Grammar School and the following primary schools Dyke, Glenlivet, Tomintoul, West End, Cullen, Aberlour, Hythehill and Hopeman and Lossiemouth RAF nursery.

23. Aberlour Infrastructure Project Update [Para 8 and 9]

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the project overview and background of the Early Learning and Childcare (ELC) major infrastructure works planned at Aberlour Primary School and the process followed to determine the decant arrangements required during the planned refurbishments works.

Councillor Ross moved that both temporary units should be used for decanting the 2 nurseries and an alternative suitable location should be sought for the 2nd unit. This was seconded by Councillor Macrae,

The Head of Education warned that if an alternative site was to be sought for the 2nd temporary unit this would result in a significant delay for the project as both nurseries need to be decanted at the same time to allow the upgrade works to take place. She further added that the Care Inspectorate have approved the current proposals and a similar proposal was used previously in Lhanbryde which was deemed successful.

The Depute Chief Executive (Education, Communities and Organisational Development) sought further clarification on Councillor Ross' motion in particular how Officers should progress the final project given the number of issues which have been highlighted. She further added that there is no location currently identified for the 2nd unit and the nurseries are not currently meeting the standards.

In terms of Standing Order 85, the Chair sought agreement from the Committee to suspend Standing Order 77 to continue the meeting past 5.00pm, this was unanimously agreed.

The Legal Services Manager confirmed her advice was that currently the motion was not competent as members did not have information on potential costs or location for the 2nd unit to allow them to make a decision.

The Depute Chief Executive (Education, Communities and Organisational Development) suggested that to move the issue forward, Councillor Ross may wish to amend his motion to delegate to herself to find an alternative location for the outdoor nursery or temporary unit in discussion with Ward

members. Councillor Ross and Councillor Macrae both agreed with the amended motion.

Councillor Lawrence, a member of the Planning and Regulatory Services Committee, highlighted that the planning application for the outdoor nursery was being considered by the next meeting of the Planning and Regulatory Committee and proposed deferring the report until the planning application had been determined. This was seconded by Councillor Warren.

On the division there voted:

For the Motion (8)	Councillors Ross, Macrae, Cowe, Keith, McBain, Mustard, Robertson and Williams
For the Amendment (3)	Councillors Lawrence, Warren and Cameron
Abstentions (0)	

Accordingly the motion became the finding of the meeting and the Committee agreed to delegate to the Depute Chief Executive (Education, Communities and Organisational Development) to find an alternative location for the nursery, either indoor or outdoor, in discussion with Ward members.

Councillor Colyer left the meeting during the consideration of this item.