



Moray Council

Wednesday, 06 December 2023

NOTICE IS HEREBY GIVEN that a Meeting of the **Moray Council** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Wednesday, 06 December 2023** at **09:30**.

BUSINESS

1. **Sederunt**
2. **Declaration of Group Decisions and Members Interests ***
3. **Resolution**

Consider, and if so decide, adopt the following resolution:
"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 Items 17 and 18 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."
4. **Minutes**
 - 4a. **Minutes of Meeting of Moray Council on 27 September 2023** 7 - 20
 - 4b. **Minutes of Special Meeting of Moray Council on 4 October 2023** 21 - 22
 - 4c. **Minute of Special Meeting of Moray Council on 25 October 2023** 23 - 34
5. **Written Questions ****
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Report by Depute Chief Executive (Education, Communities and Organisational Development) | 109 - 114 |
| 13. | Review of Outside Body Appointments
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Report by Depute Chief Executive (Education, Communities and Organisational Development) | 117 - 126 |
| 15. | Information Reports - if called in | |
| 16. | Question Time ***

Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration. | |

Item(s) which the Committee may wish to consider with the Press and Public excluded

17. **Professional Fees [Para 1]**
- 1. Information relating to staffing matters;

18. **Moray Leisure Centre Expansion Proposal Update [Para 6]**

- 6. Information relating to the financial or business affairs of any particular person(s);

Watching the Meeting

You can watch the webcast live by going to:

http://www.moray.gov.uk/moray_standard/page_43661.html

Webcasts are available to view for 1 year following the meeting.

You can also attend the meeting in person, if you wish to do so, please come to the High Street entrance door and a member of staff will be let into the building.

Information Reports - Not for Discussion at this Meeting

Any member wishing to call in a noting or information report from one meeting shall give notice to Committee Services at least 48 hours before the meeting for which the report is published. The Notice shall be countersigned by one other elected member and shall explain the reason for call in including any action sought.

Information Report - Polling District Review 2023 Report

Report by Depute Chief Executive (Education, Communities and Organisational Development)

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GUIDANCE NOTES

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

MORAY COUNCIL

Moray Council

SEDERUNT

Councillor Kathleen Robertson (Chair)

Councillor Donald Gatt (Depute Chair)

Councillor James Allan (Member)

Councillor Peter Bloomfield (Member)

Councillor Neil Cameron (Member)

Councillor Tracy Colyer (Member)

Councillor Theresa Coull (Member)

Councillor John Cowe (Member)

Councillor John Divers (Member)

Councillor Amber Dunbar (Member)

Councillor Jérémie Fernandes (Member)

Councillor David Gordon (Member)

Councillor Juli Harris (Member)

Councillor Sandy Keith (Member)

Councillor Scott Lawrence (Member)

Councillor Graham Leadbitter (Member)

Councillor Marc Macrae (Member)

Councillor Paul McBain (Member)

Councillor Neil McLennan (Member)

Councillor Shona Morrison (Member)

Councillor Bridget Mustard (Member)

Councillor Derek Ross (Member)

Councillor John Stuart (Member)

Councillor Draeyk Van Der Horn (Member)

Councillor Sonya Warren (Member)

Councillor Ben Williams (Member)

Clerk Name:	Tracey Sutherland
Clerk Telephone:	07971 879268
Clerk Email:	committee.services@moray.gov.uk

Minute of Meeting of the Moray Council

Wednesday, 27 September 2023

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

PRESENT

Councillor Peter Bloomfield, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor Theresa Coull, 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

APOLOGIES

Councillor James Allan, Councillor John Cowe

IN ATTENDANCE

The Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Head of Governance, Strategy and Performance, Head of Environmental and Commercial Services, Chief Financial Officer, Acting Head of Education Resources and Communities, Head of HR, ICT and Organisational Development, June Burnett, Development Officer, Democratic Services Manager and Caroline O'Connor, 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 Orders 21 and 23 and the Councillors' Code of conduct, Councillor Robertson declared that the Conservative Group had discussed items 7 (Notice of Motion - Telford Bridge) and 12 (Local Visitor Levy) on the agenda and had agreed a position as a Group.

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. 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 17-19 of business on the grounds that it involves the likely disclosure of exempt information of the class.

Para number of the minute	Para Number of Schedule 7a
18	Para 1 Information in relation to staffing matters
19	Para 8 and 9 Information in relation to terms and/or expenditure to be incurred by the Authority
20	Para 1 Information relating to staffing matters

4. Order of Business

Councillor Robertson, in her role as Chair confirmed that she has the ability to accept late papers onto the agenda, however she felt that it was not acceptable to expect Members to read over 171 pages in less than 2 days before a meeting and expect full deliberation of the report. She therefore withdrew the report on the Cloddach Bridge report from the meeting agenda.

She further added that members may wish to question the other late paper on the ELC and Primary School Staffing, however confirmed that with the exception of the covering report, the papers remained the same as those presented to the Education, Children's and Leisure Services Committee on 19 September.

Councillor Robertson further confirmed that Item 13 on the agenda had been withdrawn due to operational reasons and will come back to a future meeting of the Council.

The Depute Chief Executive (Economy, Environment and Finance) understood the concerns around the Cloddach Bridge report, however highlighted that deferral of the report may have risks if not discussed today with regards to funding from the UK Government and proposed considering the report at a Special Meeting of Moray Council following the Special Corporate Committee on 4 October 2023. She further added that any further delay reduces the time available for Officers to produce a Full Business Case, should that be the Council's decision.

Members confirmed that they would be happy to hold a special meeting on 4 October 2023.

Councillor McLennan sought clarification on why Item 19 on the agenda was to be held in confidence.

In response, the Chief Executive confirmed that the report related to staffing issues.

5. Minutes of meeting of 23 August 2023

The minute of the meeting of 23 August 2023 was submitted and approved.

6. Written Questions

The Council noted that no written questions had been submitted.

7. Notice of Motion - Lift the Ban

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

Right to work for asylum seekers

[Lift the Ban](#) is campaigning to restore the right to work for everyone waiting for more than 6 months for a decision on their asylum claim.

People seeking protection in the UK should be able to work and make the most of their potential, to provide for themselves and their families, similar to Ukrainian refugees who do already have the right to work.

Restrictions on right to work can lead to extremely poor mental health outcomes and waste of potentially invaluable talents and skills, both for the local economy and wider society.

The Council's own risk register lists Human Resources (People) at [Very High](#) with a likelihood of 5 out of 5, and that it is "difficult to recruit in a range of areas including certain subject teachers, vehicle technicians, specialist professional posts, senior management, clerical and administrative roles, temporary and relief staff, and community care employees."

Allowing people seeking asylum the right to work would lead to positive outcomes for individuals as well as benefiting public and private sector organisations in the region who are struggling with recruitment and retention.

A [majority of Scots](#) believe that Scotland needs to attract more people through immigration to work in key industries and public services.

In 2022 the [Shortage Occupational List was expanded](#) to include positions like social care, nursing, opening the possibility of employment for people seeking asylum. Council welcomes the [UK Migration Advisory Council report in March 2023 into labour shortages in the construction and hospitality sectors](#) and the potential use of the immigration system as a response, with a further report following a call for evidence due to be published this autumn.

Action

Council therefore agrees:

- To confirm support for the Lift the Ban campaign and our belief that the right to work is a fundamental human right;
- To formally join the Lift the Ban coalition alongside other local authorities, following the lead of Glasgow who joined earlier this year; and
- To instruct the Council Leader to write to the UK Government urging that they introduce legislation giving people seeking asylum the right to work, setting out the significant workforce pressures Moray is currently facing.

Financial Consequences

- There are no financial consequences.

Councillor Robertson stated that the Notice of Motion requested that a letter be written to the Westminster Government, and as agreed at the previous meeting of Moray Council, any Notice of Motion requesting a letter be sent must include the wording for the letter at the time of submission and as yet the wording had not been received and she therefore declared the Notice of Motion not competent and would not be considered at this time.

In response, Councillor Fernandes expressed disappointment and would re-submit the Notice of Motion to the next ordinary meeting of the Council.

8. Notice of Motion - Telford Bridge

In terms of Standing Order 35a there was submitted a Notice of Motion by Councillor Harris, seconded by Councillor Ross in the following terms:

Telford Bridge, Craigellachie - Ownership and Future Development

Background

The Telford Bridge in Craigellachie is a world-renowned engineering structure conceived and designed by Thomas Telford and constructed between 1812 and 1814 following a large public fundraising exercise.

The bridge has been recognised as a landmark of importance by both the American Society of Civil Engineers and the Institution of Civil Engineers.

The bridge is currently used as a footbridge over the Spey and is a popular landmark for visitors and locals alike in Speyside. Many visitors come to Moray Speyside specifically to see this historic structure.

The local community, including the Friends of Craigellachie Bridge, have expressed concern over the condition of the bridge and how future maintenance of this historic site can be assured.

Friends of Craigellachie Bridge commissioned an inspection report in 2022, which identified structural repairs that required to be carried out over the coming years. The Friends of Craigellachie Bridge have been established for ten years and have been involved in fundraising, awareness raising, and seeking to establish ownership of the bridge in order to identify a means of maintaining and preserving the bridge for current and future generations to enjoy. There is a pressing need to have a full condition assessment carried out on the bridge.

As a historic monument, future ownership and management of the bridge by charitable organisations, such as a Community Development Trust, a Community Benefit Company or an organisation such as Historic Scotland could provide a possible alternative route to funding major preservation and interpretation works relating to the bridge.

Actions

Council notes the historical significance of the Telford Bridge, Craigellachie and the aspirations of the community with regard to its future preservation.

Council instructs officers to bring forward a report to Council covering the following matters:

- The known condition of the bridge

- What further inspection work may be required to ascertain fully the maintenance requirements and associated costs
- Current ownership and maintenance responsibilities for the bridge including whether a CPO may be required to define clear ownership
- Other future ownership/leasing options that could be considered

Financial Implications

A report would require officer time but could also generate options that would reduce future council involvement whilst securing the long-term future of the bridge as a major historical asset to Moray Speyside.

Councillor Gatt added that it is difficult to disagree with the Notice of Motion, however, given the Council's financial situation, he proposed, seconded by Councillor Bloomfield to move against the motion. He further added that the Bridge does not belong to the Council and is not a priority and along with the multi million pound budget gap it would be difficult to afford even the Officer time to come back with a further report when decisions on closing or cutting other services still need to be taken.

In response, the Head of Commercial and Environmental Services confirmed that a principal survey was carried out on the bridge in 2014 and a general inspection was carried out in 2023 which identified low to medium works and therefore the condition is known. If a detailed condition assessment was to be carried out, it would cost in the region of £30k. She further added that the ownership of the bridge is unknown but a route to determining ownership could be achieved by the Council exercising its Compulsory Purchase Powers, however this could only be undertaken on a full cost recovery basis and this has been discussed with the Friends of Craigellachie Bridge on a number of occasions.

The Chief Executive further added that any expenditure on time or money by the Council needs to be covered by the community and the Friends of Craigellachie Bridge have been directed towards potential funding models which have been successful in other parts of the country. He further added that funding for a community body is more readily available than to the Council and this is the route that Officers are trying to take are keen for the Council to endorse to allow this to progress.

Adjournment of the Meeting

The Chair proposed a short adjournment to allow the proposers of the motion and amendment to have a short discussion with Officers.

Resumption of the Meeting

Following a short adjournment Councillor Harris summed up her motion by stating that there had been a long discussion and both herself and Councillor Ross had provided a good argument for a short report to be brought back to a future meeting of the Council and urged members to support the motion.

In response, Councillor Gatt agreed to withdraw his amendment based on information received during the adjournment and commended the proposer and seconder for bringing the Notice of Motion to the meeting. Councillor Bloomfield agreed to withdraw his seconding of the amendment.

Therefore the meeting agreed the notice of motion as stated.

9. Short to Medium Term Financial Plan

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) which asked the Council to consider the revised budget for 2023/24 and consequent revisions to the estimated budget position for 2024/25 and 2025/26. The report also asked Council to approve a Short to Medium Term Financial Strategy aimed at closing the estimated budget gap by 2025/26.

Councillor Mustard proposed amending recommendation (iv) to read:

iv)	the risk factors set out in section 6 of this report as well as the highlighting the recommendations identified by the Internal Auditor on financial maximisation and improved financial processes.
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Councillor Mustard also suggested amending recommendation 2.2 to read:

2.2	approve the Short to Medium Term Financial Strategy set out in Appendix 2 including a 3 year approach in principle to income strategy.
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In response, the Chief Financial Officer confirmed that a 3 year approach with regards to charging is already contained within the Strategy and will be included in a report on charges later in the year and the report would include revisions to the charging policy looking at extending it over a 3 year period and therefore felt that any amendment at this stage was not required.

In terms of Councillor Mustard's first point the Chief Financial Officer confirmed that she was happy to include more text around the recommendations identified by the Internal Auditor on financial maximisation and improved financial processes within the Strategy document.

In response, Councillor Mustard confirmed she was happy with the responses from the Chief Financial Officer.

Following further consideration the Council unanimously agreed to:

- i) note the revised budget for 2023/24 and, based on current estimates, consequent anticipated small improvement in financial position for 2024/25;
- ii) note the timeline for future revisions of the budget gap;
- iii) note that there is still considerable uncertainty around key budget assumptions in 2023/24 which will further alter the budget gap;
- iv) note the risk factors set out in section 6 of this report ;
- v) note that notwithstanding the small improvement in budget position from that reported in June, the structural deficit remains and given ongoing uncertainties, the Council still requires to make very significant levels of savings in a short time frame; and
- vi) approves the Short to Medium Term Financial Strategy set out in Appendix 2 to this report.

10. Treasury Management Performance Indicators 2022-23

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) providing Council with the annual outturn report on Treasury Management and details of the Council's Prudential Indicators for Treasury Management and Capital Investment for the year ended 31 March 2023.

Following consideration the Council unanimously agreed to note the Treasury Management Performance and the Council's Treasury Management and Capital Investment Prudential Indicators for 2022/23 as set out in Appendix 2.

11. Finance Policy Reviews

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) inviting the Council to approve changes to the Council's Financial Regulations, Authorisation Policy, Grant Funding Procedures and Anti-Money Laundering Policy.

Councillor McLennan stated that he had requested at the last meeting for reference be made to the Whistleblowing Policy be added to the Financial Regulations and Anti Money Laundering Policy but noted this was not included in the updated documents.

The Head of Governance, Strategy and Performance confirmed that he had spoken to the Chief Financial Officer prior to the meeting regarding Councillor McLennan's request and clarified that reference would be made in both documents.

Following consideration the Council unanimously agreed to approve:

- i) the revised Financial Regulations set out in Appendix 1;
- ii) the revised Authorisation Policy set out in Appendix 2;
- iii) the Grant Funding Procedures set out in Appendix 3; and
- iv) the Anti Money Laundering Policy set out in Appendix 4.

12. Elgin Parking Review

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Council of the recommendations following feedback from stakeholder engagement held on 12 April 2023 and the subsequent review of Elgin parking charges.

The Chair moved the recommendations as printed. This was seconded by Councillor Gatt.

Councillor Divers, seconded by Councillor Keith proposed to approve the revised parking charges in high and medium turnover car parks as set out in Section 6 of the report to Economic Development and Infrastructure Services Committee but to make no change to low turnover car park charges.

On the division there voted:

For the Motion (15)	Councillors Robertson, Gatt, Cameron, Colyer, Coull, Gordon, Harris, Lawrence, Macrae, McBain, Morrison, Mustard, Ross, Stuart and Warren
For the Amendment (7)	Councillors Divers, Keith, Dunbar, Fernandes, Leadbitter, Van Der Horn and Williams.
Abstention (2)	Councillors Bloomfield and McLennan

Accordingly the motion became the finding of the meeting and the Council agreed to:

- i) note the recommendation from Economic Development and Infrastructure Services Committee on 5 September 2023 as set out in para 3.5 below;
- ii) note that the wider parking policy recommendations have been approved by Economic Development and Infrastructure Services Committee; and
- iii) approve the revised parking charges as set out in para 6.12 of the report for implementation from 1 January 2024.

13. Local Visitor Levy Report

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Council of the introduction of the Visitor Levy (Scotland) bill in the Scottish Parliament and sought approval for the recommendations.

Councillor Dunbar moved to agree recommendations (i) to (iv) and to not agree the principle of the Local Visitor Levy. This was seconded by Councillor McBain.

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

Councillor McLennan raised a point of order in terms of Standing Order 43 on the order of the motion and the amendment.

Councillor Robertson clarified that the motion was with Councillor Dunbar seconded by Councillor McBain to agree recommendations (i) - (iv) and to not support the principle of the Local Visitor Levy and the amendment was with Councillor Leadbitter seconded by Councillor Keith to agree the recommendations as printed in the report.

The Head of Governance Strategy and Performance further added that it was custom and practice of the Council that the first person who speaks is always the motion regardless of whether they are in favour of the recommendations in the report or not.

On the division there voted:

For the Motion (9)	Councillors Dunbar, McBain, Bloomfield, Colyer, Gatt, Gordon, Macrae, Mustard and Robertson

For the Amendment (15)	Councillors Leadbitter, Keith, Cameron, Coull, Divers, Fernandes, Harris, Lawrence, McLennan, Morrison, Ross, Stuart, Van Der Horn, Warren and Williams
Abstention (0)	

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

- i) to note the details of the Visitor Levy (Scotland) Bill and the proposed timetable through Parliament;
- ii) to note that an expert advisory group, facilitated by Visit Scotland will be formed to offer opportunities for consultation on the Bill;
- iii) to note the requirement to conduct consultation and assess impacts on the area before a final decision to implement a visitor levy can be made;
- iv) to note that the Highlands and Islands Regional Economic Partnership has agreed to look at a consistent approach to consultation and implementation of a visitor levy across the region; and
- v) to support in principle the concept of raising funds through a Local Visitor Levy (LVL).

14. Community Asset Transfer - Grant Park Forres

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) inviting the Council to consider options in relation to an asset transfer request made in respect of Trust Land within Grant Park, Forres.

Councillor Lawrence stated that there is recognition within the Community based on the consultations carried out to date that a skate park is needed in the area. He further added that the paper highlights a number of areas which would need to be considered in determining a way forward and added that with the progression of the new Forres Academy, although currently there are a lot of unknowns, one thing that is known is that the current Forres Academy site will no longer have a school on it and the area could be re-landscaped to provide a multi-sport, outdoor facility which could include the skate park.

In considering the above, Councillor Lawrence moved to amend option 2 in the recommendations to agree the principle of the request and instruct officers to evaluate the viability of an outdoor, multi-sport facility within the Forres Area, consulting Forres Skate Park Initiative and other relevant community groups. Council asks that this work is done following the Forres Learning Estate Review, and any findings be reported to the relevant committee. This was seconded by Councillor McBain.

The Head of Governance, Strategy and Performance expressed caution in regards to the motion to agree the request in principle, as the request refers to a specific site, so if the Council were minded they would note the request from the group for the space but wider consideration of other spaces were being considered.

Councillor Divers sought agreement from Councillor Lawrence to remove the words 'to agree in principle' from his motion so it read:

to instruct Officers to evaluate the viability of an outdoor, multi-sport facility within the Forres Area, consulting Forres Skate Park Initiative and other relevant community groups. Council asks that this work is done following the Forres Learning Estate Review, and any findings be reported to the relevant committee.

Councillor Lawrence confirmed he was happy with this change.

Following consideration Council agreed to:

- i) instruct Officers to evaluate the viability of an outdoor, multi-sport facility within the Forres Area, consulting Forres Skate Park Initiative and other relevant community groups. Council asks that this work is done following the Forres Learning Estate Review, and any findings be reported to the relevant committee; and
- ii) note that any future transfer would be subject to planning permission for the proposed use being achieved.

15. Information Reports - if called in

The Council noted that no information reports had been called in.

16. Question Time

CCTV

Under reference to paragraph 12 of the minute of the meeting of 23 August 2023, Councillor Warren sought a further update on the CCTV installations in all towns and whether there would be more than 2 cameras installed in Buckie and Keith.

In response, the Depute Chief Executive (Economy, Environment and Finance) confirmed that there was 1 outstanding camera to be made fully operational and a contractor was en-route to replace the faulty piece of equipment. In regards to the increase in the number of cameras already installed she was unaware of any increase as the current number were as per the original specification for the project.

Points of Accuracy

Councillor McLennan sought to identify points of accuracy with the minute. Councillor Robertson confirmed that points of accuracy should be dealt with at the point the previous minute is considered on the agenda, as the minute had already been agreed as an accurate record of the meeting. She further added that on this occasion she would allow Councillor McLennan to raise his points but in future to bring them to the Chair's attention at the correct point in the agenda.

Councillor McLennan stated that at the last meeting he sought clarification on whether the Council had a whistleblowing policy and asked for it to be linked to the Financial Policies Review which was accepted by the Depute Chief Executive (Economy, Environment and Finance) at the time and requested that this be recorded in the minute.

The second point related to the review of 2nd tier governance documents and Councillor McLennan had sought clarification on the question marks in the table and the Head of Governance, Strategy and Performance had stated that this was a working document and would be updated as work on the 2nd tier governance documents progressed.

In response to the second point the Chief Executive confirmed that the document was a working document and the answer given at the previous meeting still stood. The Head of Governance, Strategy and Performance confirmed that as the updated documents were presented to Council for agreement the document would be updated.

Councillor McLennan sought agreement that the fact it is a working document be minuted.

The Democratic Services Manager confirmed that the discussion around the question marks in the appendix was part of the general consideration of the report and would not form part of the minute.

The Head of Governance, Strategy and Performance confirmed that it is not within his powers to change a minute once it has been agreed. The only mechanism for amending a minute is by Committee/Council approval.

With regards to the question around the Whistleblowing Policy the Democratic Services Manager confirmed that a number of Councillors had raised comments on the Financial Policies which were not minuted, as part of the recommendations, it was agreed that Councillors would provide comments to the Chief Financial Officer by 15 September 2023.

Gender Pay Gap

Under reference to paragraph 8 of the minute of the meeting of 23 August 2023 Councillor Macrae sought an update on any work to address the gender pay gap within Moray.

In response, the Chair confirmed that she had emailed Councillor Morrison and was confident a response would be available imminently.

The Head of Governance, Strategy and Performance urged members of the public to complete the consultation currently ongoing which relates to the Council's budget and also the Corporate Plan priorities. This is an opportunity to have input into the Council's priorities and the consultation is open until 2 October 2023.

Notice of Motion - Lift the Ban

Councillor Fernandes sought agreement to consider the Notice of Motion - Lift the Ban at the meeting of Moray Council on 4 October 2023.

In response, the Chair confirmed that as the meeting was a special meeting, there is no provision in Standing Orders for notices of motion on the agenda.

Independent Inquiry into Alleged Abuse

Councillor McLennan stated that Russell Findley MSP called on the Scottish Government to launch an independent inquiry into the alleged abuse of young people at Celtic Boys Club and sought agreement from the Chair that there should be an independent inquiry into unresolved allegations for child abuse, child safeguarding mishandling and children's rights issues.

In response, the Chair confirmed that this was not a subject she was aware of and would not be prepared to make a comment at this stage.

17. Resumption of Meeting

PRESENT

Councillor Peter Bloomfield, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor Theresa Coull, 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

APOLOGIES

Councillor James Allan and Councillor John Cowe

IN ATTENDANCE

Chief Executive, Head of Governance Strategy and Performance, Head of Environmental and Commercial Services, Chief Financial Officer, Head of Human Resources, ICT and Organisational Development, Acting Head of Education Resources and Communities, Project Manager Education, Democratic Services Manager and Caroline O'Connor, Committee Services Officer.

18. Re-alignment of Services

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) seeking agreement from the Council for the re-alignment of the Education and Social Care Training Team (Social Work Training Team) (with the exception of 1 FTE post) from Education, Communities and Organisational Development to Moray Integration Joint Board with effect from 1 February 2024.

Following consideration the Council agreed to:

- i) note the current position, the drivers for change and the proposals for the future of the Education and Social Care Training Team/Social Work Training Team as outlined in the report;
- ii) approve the proposal to re-align the Education and Social Care Training Team/Social Work Training Team (with the exception of 1 FTE Training Facilitator post) from ECOD to MIJB with effect from 1 February 2024, with the management responsibility transferring from the Head of HR, ICT and Organisational Development to the Head of Service/Chief Social Work Officer (MIJB); and reporting to the Council through the Chief Social Work Officer annual report and agreed governance and accountability arrangements;

- iii) approve the proposal to re-align the 1 FTE Training Facilitator post from the HR, ICT and OD service to the ASN service at a future date, remaining within the Organisational Development team until such date; and
- iv) note that if the proposals are supported, implementation will be taken forward in accordance with the Council's agreed Change Management Policy and Procedures and subject to the appropriate workforce and trade union consultation.

19. Learning Estate Programme - Elgin High School Capacity Expansion Project Update [Para 8 and 9]

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Council on the current status of the Elgin High School capacity expansion and sought an investment decision by Council to progress to full business case.

Following lengthy consideration the Council agreed to :

- i) approve the outline business case and acknowledge the estimated capital cost growth, to provide additional capacity at Elgin High School which accounts for developer growth across both Elgin Academy and Elgin High School Associated Support Groups;
- ii) the increase to the capital funding allocation for the project; and
- iii) note the estimated funding for the next phase of the project.

20. Business Administration Support for Early Learning and Childcare and Primary Schools Update [Para 1]

The meeting had before it a covering report by the Chief Executive informing the Council on the progress and status of the Business Administration Review for Early Learning and Childcare (ELC) considered by the Education, Children's and Leisure Services Committee on 19 September 2023 and the outcomes from those discussions (Appendix 1).

Members were in agreement with the need to modernise the provision however all felt that there should be no detriment to staff.

The Chief Financial Officer confirmed that the projected saving from the project had been carried forward for a number of years. She further added that as Section 95 Officer she would give caution to agreeing no detriment to this group of staff as it may lead to detriment for other groups of staff during other budget discussions which have yet to take place.

The Head of Governance, Strategy and Performance further advised the Council that it will need to take difficult decisions in the next few months and raised concern about dealing with this group of staff differently as the decision taken by the Council at this meeting could be inconsistent with the decisions yet to be made.

The Chief Executive confirmed that estimated savings would not be realised this year however Members could be assured that a service review would be carried out but he could not guarantee there would be no detriment to staff.

Councillor Gatt sought clarification on whether there was an opportunity to re-engage the consultation to try and increase the response rate.

The Acting Head of Education Resources and Communities confirmed that this could be undertaken.

Following lengthy consideration the Chair moved the recommendations as follows and there being no one otherwise minded the Council agreed:

- i) the next stage of the project should be a Service Review taking account of the findings of the Change Management Plan consultation process;
- ii) Administration staff, Head Teachers and Parent Council representatives be involved in any Service Review Working Group;
- iii) a new Integrated Impact Assessment be undertaken that addresses all equality issues including any parent/carer impacts; and
- iv) an update report on the review is presented to the next meeting of the Education, Children's and Leisure Services Committee on 28 November 2023.

Minute of Special Meeting of the Moray Council

Wednesday, 04 October 2023

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

PRESENT

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

APOLOGIES

Councillor James Allan, Councillor Ben Williams

IN ATTENDANCE

The Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Head of Governance, Strategy and Performance, Head of Environmental and Commercial Services, Democratic Services Manager and Caroline O'Connor, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Kathleen Robertson.

2. Declaration of Member's 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. Clarification on Point of Order from Moray Council on 27 September 2023

Councillor Robertson stated that she wanted to address a point of order raised at the last meeting of Moray Council under Question Time regarding the suspected use of the word 'teacher' in response to her instructions about raising points of accuracy prior to the minute being agreed. She understood Councillor Macrae who, at the time, believed he heard the word at the meeting, was able to view the webcast once it was available later that day. To be clear on review of the webcast, Councillor McLennan did not say 'teacher' and was not disrespectful to the Chair. Councillor Robertson understood that a full apology had been sent by Councillor Macrae to Councillor McLennan that day. However, as the statement was made in the public, she thought it important to recognise that no disrespect was made by Councillor McLennan and that he had

received a full apology as well as this public recognition of the error on Councillor Macrae's part and she now considered the matter dealt with.

4. Cloddach Bridge

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Council of the findings of the Pre-feasibility Study undertaken on the potential repair of Cloddach Bridge.

Councillor Robertson in thanking Members for attending the special meeting, moved to defer the report until the next meeting of Moray Council on 25 October 2023 as she felt that the Council making a decision at this meeting would not be fair on the Heldon Community Council who were awaiting the outcome of the current round of funding from Fred Olsen Renewables Rothes 1 Fund as referred to in the report. The consideration of applications would take place on 17 October 2023. She further added that herself and Councillor Mustard had met with the Community Council the previous evening and the Community Council requested in the strongest terms a short extension be given. Councillor Robertson also confirmed she had written to both the UK and Scottish governments requesting the full funding or match funding respectively and was awaiting replies.

This was seconded by Councillor Gatt.

The Head of Environmental and Commercial Services advised that by delaying the decision on the report the extension given on the funding would reduce Officer time to complete the Full Business Case (FBC) from 26 weeks to 23 weeks and although that may not appear to be a long deferral, this could leave risks remaining about accuracy of information in the FBC prepared to that point or lead to abortive spend if an FBC could not be completed. She further stated that in order to complete the FBC prioritisation would need to be given over work already programmed.

Councillor Stuart sought clarification on whether information could be provided, should the report be deferred to 25 October, in the report on the programmed works which would be affected if the decision was to progress with the FBC as he felt this would enable Members to make a more informed decision.

The Head of Environmental and Commercial Services confirmed that this information could be included should the report be deferred.

Following further consideration the Council agreed to defer the report until the next meeting of Moray Council on 25 October 2023 when a final decision would be made.

Minute of Special Meeting of the Moray Council

Wednesday, 25 October 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

Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Chief Financial Officer, Head of Environmental and Commercial Services, Head of HR, ICT and Organisational Development, Head of Economic Growth and Development, Consultancy Manager, Senior Engineer (Transportation), Principal Planning Officer, Democratic Services Manager and Angela Pieri, External Auditor, Grant Thornton.

1. Chair

The meeting was chaired by Councillor Kathleen Robertson.

2. Thanks

The Council joined the Chair in thanking all Council staff who were on call over the weekend of Storm Babet and passed on thoughts to colleagues in Aberdeenshire, Angus and Perth and Kinross Councils on the challenges they face following the previous weekend.

3. Declaration of Group Decisions and Members Interests *

Councillor McLennan sought clarification from the Monitoring Officer on whether Items 9 and 10 should be considered in the open session before Councillors consider the motions.

The Chair advised that the advice given was to deal with the declarations first and then consider the adoption of the resolution.

In terms of Standing Orders 21 and 23 the Council noted the following declarations:-

In respect of the Conservative Group, the Council Leader confirmed that the Conservative Members had discussed Agenda Items 6a, 9 and 10 and a group decision had been taken on how members would vote.

On behalf of the Scottish National Party, Councillor Leadbitter declared that the Group Members had discussed Agenda Item 10 and a decision had been taken on how members of the group would vote.

Councillor Fernandes declared that he was a Trustee of the Chartered Institute of Library and Information Professionals in Scotland and having sought advice from the Monitoring Officer would remain in the meeting for the discussion of Item 9 on the agenda.

Councillor McLennan declared an interest in Item 9 on the agenda, having sought advice from the Monitoring Officer, although there is a connection, he deemed the connection by virtue of considering the budget setting in totality as per 5.4 of the Code and from the advice taken, he is not required to step out of the discussions but happy to take further advice from the Monitoring Officer if required.

4. Resolution

The Chair sought agreement from the Council 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 9 and 10 of business on the grounds that it involves the likely disclosure of exempt information of the class.

Councillor Leadbitter sought to move Item 10 on the agenda into the open session of the agenda as he questioned the reason for the report being confidential as the report is in regards to a Council Policy and does not relate to specific individuals. He further added that he appreciated there is some reference to labour negotiations however felt that a Council policy should be debated in public.

The Chair sought advice from the Monitoring Officer on Items 9 and 10 on the agenda.

In response, the Monitoring Officer confirmed that in terms of legislation it is for members to decide on where to discuss items on the agenda based on advice from Officers. He further added that the advice on Item 9 is that, as the report refers to jobs at risk the report is in the confidential section. Following the meeting today, the Chair would hold authority to grant publicity rights on the information contained in the report but there would still be sensitivity around some of the detail which would need to be preserved during a consultation period. His advice would be to keep the report in the confidential section.

In relation to Item 10 he advised that, before taking a view on whether the report is taken out of the confidential section, Members may wish to hear from the Depute Chief Executive (Education, Communities and Organisational Development) in regards to labour relation issues around the consultation with unions.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that the reason for Item 10 being in confidence was in relation to industrial relations matters and the consultation around that. She further added that it would be normal for an employer to consider their employment position in private and then enter into negotiations with their employees

and their representatives before declaring their final position. The report contains some advice which she would have concerns around the risks that would then be presented to the Council because the report gives Council advice on employment issues that the Council would not want to share until a final position has been agreed.

The Chair sought clarification from Councillor McLennan and Councillor Leadbitter if they were prepared to accept the advice which had been given.

Councillor McLennan sought advice from the Monitoring Officer on the difference between confidentiality as stated in standing orders and exemption reasons as detailed in the legislation. He stated that in the Local Government Act 1973, Item 50, 50(a) 1 and 50(a)2 lists the reasons for reports being placed in the confidential section and sought clarification on the specific parts that applies to each report before making a decision.

The Chair sought a short adjournment to allow Officers the opportunity to provide the information sought.

On the resumption of the meeting the Monitoring Officer advised that he had looked at the 1985 Access to Information Act and stated that a Local Authority may by resolution excluded the public from a meeting during consideration of an item of business whenever it is likely in the view of the business to be transacted or the nature of the proceedings that if members of the public were present during consideration of that item of business there would be disclosure of them of the exempt information. He further added that the advice given earlier by himself and the Depute Chief Executive (Education, Communities and Organisational Development) still stands and the decision is taken on both items 9 and 10.

The Depute Chief Executive (Education, Communities and Organisational Development) requested that if Item 10 was to be heard in the open session, that she be afforded the opportunity to redact sections of the report to reduce the risk to the Council should the full report be published.

The Chief Executive further added that in this instance members are acting as employers in terms of the recommendations as set out in the report and it was emphasised on Page 93 – Consultations – Trade Unions have been made aware of this report and there will be a requirement for formal consultation on the position determined by the Council if this is to change the current arrangements. He further added that if the decision is to take the report in public it would need to be redacted before publishing publicly.

Councillor Fernandes sought clarification on when the re-dacted report would come back to Council.

The Depute Chief Executive (Education, Communities and Organisational Development) confirmed that she anticipated having the re-dacted paper available for later in the meeting as she did not feel it would take much work to redact.

The Chair advised that a vote would be taken on Item 9 and 10 separately and sought a seconder for Councillor McLennan's motion to move Item 9 into the open session of the meeting. Councillor Van Der Horn confirmed that he would second Councillor McLennan in regards to Item 9 on the agenda.

Councillor Macrae, seconded by Councillor Gatt proposed leaving Item 9 in the confidential section of the agenda.

On the division there voted:

For the Motion (5)	Councillors McLennan, Van Der Horn, Cameron, Fernandes and Warren
For the Amendment (20)	Councillors Macrae, Gatt, Bloomfield, Colyer, Coull, Cowe, Divers, Dunbar, Gordon, Harris, Keith, Lawrence, Leadbitter, McBain, Morrison, Mustard, Ross, Robertson, Stuart and Williams
Abstention (0)	

Accordingly the amendment became the finding of the meeting and the Council agreed to consider Item 9 on the agenda in the confidential section of the meeting.

In regards to Item 10, Councillor Leadbitter moved to consider Item 10 in the open section of the agenda, this was seconded by Councillor Stuart.

Councillor Robertson, seconded by Councillor Gatt proposed considering Item 10 in the confidential section of the agenda.

On the division there voted:

For the Motion (11)	Councillors Leadbitter, Stuart, Cameron, Coull, Fernandes, Harris, Lawrence, Morrison, McLennan, Van Der Horn and Warren
For the Amendment (14)	Councillors Robertson, Gatt, Bloomfield, Colyer, Cowe, Divers, Dunbar, Gordon, Keith, Macrae, McBain, Mustard, Ross and Williams
Abstentions (0)	

Accordingly the amendment became the finding of the meeting and the Council agreed to consider Item 10 in the confidential section of the agenda.

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 9 and 10 of business on the grounds that it involves the likely disclosure of exempt information of the class.

Para number of the minute	Para Number of Schedule 7a
14	Para 1 Information in relation to staffing matters
15	Para 11 Information relating to any consultations or negotiations in connection with any labour relations.

5. External Audit - Annual Report to Members on 2022-23 Audit

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) providing the Council with a copy of the External Auditors Annual Audit Report to Council on the 2022/23 accounts.

The External Auditor provided a review of the findings in the report.

Following consideration the Council unanimously agreed to note the contents of the Annual Audit Report 2022/23.

6. Audited Annual Accounts 1 April 2022 to 31 March 2023

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) which submitted to the Council the Audited Annual Accounts for the Moray Council for the year ended 31 March 2023.

Following consideration, the Council unanimously agreed to:

- i) note the Audited Annual Accounts for the financial year 2022/23; and
- ii) approve the Annual Accounts being signed, have regard to the Annual Report from the external auditor considered earlier at this meeting.

7. Audited Connected Charities Audited Annual Accounts 1 April 2022 to 31 March 2023

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) submitting to the Council the audited Annual Accounts for Moray Council's Connected Charities for the year ended 31 March 2023.

Following consideration the Council unanimously agreed to approve the audited Annual Accounts for the Connected Charities for the financial year 2022/23.

8. Best Value Thematic Review 2022 - 2023

The meeting had before it a report by the Chief Executive asking the Council to consider the Best Value Thematic Review Report on Moray Council by Grant Thornton ("the auditors") and the associated Improvement Action Plan.

Councillor McLennan suggested some amendments to the wording on pages as detailed:

Page 136 - Councillor Chris Price resignation, amend to say a resignation of a member rather than from an opposition party.

Page 140 - bottom line of page "ensure committee members are clear on the remit of the Audit and Scrutiny Committee." Remove or amend sentence as without speaking to all members of Audit and Scrutiny this statement may not be accurate.

Page 145 - top line on the page. Gives impression the Council only require to work alongside communities as a result of pandemic recovery. May be better to say enhanced working alongside communities?

The External Auditor agreed to amend in the report in light of Councillor McLennan's comments prior to final sign off.

Following further consideration the Council unanimously agreed:

- i) to welcome the areas of strength recognised in the Best Value Thematic Review report on "Leadership and Development of New Strategic Priorities" in Appendix 1 including the work undertaken in relation to community engagement in forming the new Corporate Plan;
- ii) to note the findings, seeking clarification on points as required; and
- iii) the Improvement Action Plan in Appendix 1 of the report.

9. Medium to Long Term Financial Strategy

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) asking Council to consider an updated financial strategy to facilitate medium to long term financial planning.

Following consideration the Council unanimously agreed to approve the updated Medium to Long Term Financial Strategy at Appendix 1 to the report.

10. Cloddach Bridge

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Council of the findings of the Pre-feasibility Study undertaken on the potential repair of Cloddach Bridge.

Councillor Mustard informed the Committee that at a meeting of Heldon Community Council the previous evening, it had been confirmed that the Community had secured £120,000 in funding to be put towards the full business case.

Councillor Mustard therefore proposed that the Council:

- i) note the findings of the pre-feasibility study; and
- ii) progress to the Full Business Case for the repair of Cloddach Bridge to be funded with the £120,000 from the Community and the balance funded by the Council.

This was seconded by Councillor Macrae.

Councillor Cameron stated that he could not disagree with what Councillor Mustard and Councillor Macrae had said other than the cost and reminded Councillors that they are elected as Councillors for the whole of Moray and proposed, seconded by Councillor Lawrence that the Council:

- i) note the findings of the pre-feasibility study; and
- ii) agrees that a full business case for the repair of Cloddach Bridge should not be funded, as this work is contrary to the decision of Economic Development and Infrastructure Services Committee on 7 February 2023 (para 11 of the minute refers) and does not comply with the Council policy on Bridge Maintenance Prioritisation.

In advance of the vote, the Monitoring Officer advised that the Council in responding to any allegation of a breach of duty of Care, would need to demonstrate that it had a robust priority system to show its budget was applied to infrastructure on a planned and prioritised basis.

He further added that there would be risk to the Council in departing from an agreed priority system.

On the division there voted:

For the Motion (14)	Councillors Mustard, Macrae, Allan, Bloomfield, Colyer, Cowe, Divers, Dunbar, Gatt, Gordon, McBain, Robertson, Ross and Williams
For the Amendment (12)	Councillors Cameron, Lawrence, Coull, Fernandes, Harris, Keith, Leadbitter, McLennan, Morrison, Stuart, Van Der Horn and Warren
Abstention (0)	

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

- i) note the findings of the pre-feasibility study; and
- ii) progress to the Full Business Case for the repair of Cloddach Bridge to be funded with the £120,000 from the Community and the balance funded by the Council.

Councillor Allan joined the meeting during the consideration of this item.

11. UK Government Our Long Term Plan for Towns

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Council of the announcement on 1 October 2023 that Elgin is one of 55 towns in the UK to receive £20 million funding towards town centre regeneration projects from the UK Government and to agree that the Head of Economic Growth and Development liaises with the UK and Scottish Governments to progress governance arrangements to establish a Town Board.

Following consideration the Council agreed:

- i) to note the award of £20million funding for Elgin from the UK Government Long-Term Plan for Towns;
- ii) that the Head of Economic Growth and Development liaises with the other 6 Scottish towns and local authorities which have been awarded funding to share best practice;
- iii) that the Head of Economic Growth and Development establishes an initial informal group as per para 4.8 and suitable interim governance structures;
- iv) that the Head of Economic Growth and Development proposes to the initial group that the Elgin City Centre Masterplan and Delivery Programme are updated to inform the Long Term Plan, and if this is supported, delegated authority is granted to progress that work ahead of formal constitution of the Town Board; and
- v) a further report be prepared for Council when further details on the staffing and financial implications surrounding the funding are available.

12. Moray Council Permission for Hospitality Businesses to Place Furniture and Non Furniture on Public Footways

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) seeking approval for the application process, charges and guidance for the placement of furniture (tables and chairs) and non-furniture items on the public footway for restaurants, cafes and public houses.

In terms of Standing Order 85, the Chair sought agreement from the Council to suspend standing order 77 in order to conclude the consideration of the item. This was unanimously agreed.

Councillor Leadbitter moved to agree the recommendation and for a report to come back in 18 months time to review the process.

Following consideration the Council unanimously agreed:

- i) to approve the application process, charges and guidance for the placement of furniture and non-furniture items on the public footway to enable outside dining for restaurants, cafes and public houses; and
- ii) a report would come back to the relevant Committee review the process in 18 months time.

13. Resumption of Meeting

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

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, and the Democratic Services Manager.

14. Short to Medium Term Financial Plan [Para 1]

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) seeking to approve proposed savings, subject to consultation where appropriate, for implementation in 2023/24, 2024/25 and 2025/26, in accordance with the Council's Short to Medium Term Financial Strategy.

Following advice from the Monitoring Officer, Councillor McLennan sought a short adjournment to allow himself and the Monitoring Officer to seek clarity from the Standards Commission on a potential declarable interest.

Adjournment of the Meeting

The Chair, in wishing to be able to consider the item, agreed to the short adjournment.

Resumption of the Meeting

On the resumption of the meeting the Chair advised the Council that Appendix 1 would be split into 2 sections for consideration. Appendix 1 would seek approval for the whole document with the exception of Line A 20-5 which would be considered separately as Appendix 1a.

Councillor McLennan confirmed that, following his earlier declaration and additional advice from the Monitoring Officer and Standards Commission, he had a close connection with someone who would be impacted by the particular proposal in Appendix 1a.

As the Chair had allowed this item to be considered separately from the wider Appendix 1 proposals this enabled Councillor McLennan to formally declare his interest in relation to Appendix 1a. He advised the Chair that he would step out of the meeting for consideration of that particular item.

The Chief Executive provided some guidance for Members in relation to proposals which may emerge as part of the consideration of the meeting.

He stated that Officer reports aim to provide members with sufficient financial and risk information for a fully informed decision to be taken with published agendas ensuring that fair notice is given of any decision which needs to be taken.

Motions from the floor are an important part of the democratic process but could lead to unplanned/unintended financial risk and consequences. He advised that to address this questions in 3 areas should be asked:

1.	Council Wide Financial Priorities - how would the proposal affect the Council's revenue budget/capital plan - is it affordable?
2.	Service Priorities with a fixed budget - could the proposal be inconsistent with agreed priorities? Could the proposal impact on deliverability from agreed priorities which have already been established?
3.	Officer Time - by promoting one project or priority this could reduce the time officers have to spend on other projects and priorities. Have the relative merits been evaluated? Put another way, what else may need to be stopped and for how long?

He added that if the answer to any of those questions was not clear to members then advice would be that it is unwise to proceed to a decision without further information.

He advised that the Chair has the power to declare a motion incompetent for the reasons stated, however a further report could be requested to provide more detail, but the time this would take in terms of the issue about officer time previously mentioned should be considered.

He continued to add that in terms of the Council's Standing Order 49 - members need to have sufficient information before them to come to a reasoned and balanced

decision and the Scottish Government Guidance - Right First Time asks if Members have taken necessary considerations into account and will the decision be reasonable.

The Monitoring Officer also reminded Members that in terms of Standing Order 73a, the papers in front of them are confidential as they relate to staffing matters and asked Members to respect the Confidentiality. He further added that the Chair will authorise a press release following the meeting.

Councillor Robertson, in thanking Members and Officers for the collaborative working in getting to this point, moved the recommendations as printed in the report with regards to Appendix 1. This was seconded by Councillor Gatt.

Councillor Leadbitter echoed the comments made by Councillor Robertson around the collaborative working and stated that he had no issues with recommendations (i) to (vi) in relation to Appendix 1a however, expressed concern about recommendation (vii) and stated he would not be comfortable supporting it as it currently stands. Councillor Leadbitter, seconded by Councillor Fernandes proposed agreeing recommendations (i) to (vi) only.

The Chief Executive confirmed that there is a significant risk to the Council if the proposals were not agreed today. The Scottish Government will not be publishing their budget until 19 December 2023 and the Council need to make decisions in advance of that announcement.

The Chief Financial Officer also added that the Council is running on a structural deficit, namely living in an overdraft.

The Depute Chief Executive (Education, Communities and Organisational Development) stated that it was important to have an open discussion with the public on the future of Libraries and Sport and Culture Services and asked whether, if reference to Appendix 2 was removed, would that be acceptable to Councillors Leadbitter and Fernandes to agree all the recommendations.

Adjournment of the Meeting

In response to the comments from the Depute Chief Executive (Education, Communities and Organisational Development) Councillor Leadbitter sought a short adjournment to discuss the proposal.

Resumption of the Meeting

On the resumption of the meeting, Councillor Leadbitter confirmed that himself and Councillor Fernandes would be happy to accept the recommendations, subject to the removal of reference to Appendix 2 in recommendation (vii). and withdrew his amendment.

With there being no one otherwise minded the Council unanimously agreed to:

- i) note the financial update;
- ii) note the savings options set out in Appendices 1 and 2, having due regard to the Integrated Equalities Assessments summarised in Appendix 4;
- iii) note the results of the stage 1 Public Engagement on the budget as set out in section 5 of the report and Appendix 5;

- iv) the greatest level of savings possible, subject to State 2 public communications as indicated in Appendix 1 and/or workforce consultation as required;
- v) the investment of £105,000 revenue to be funded from Council reserves earmarked for Transformation and £60,000 additional capital required to secure savings from the closure of 2 corporate offices as set out in Appendix 1;
- vi) note the position as set out in the Budget on a Page at Appendix 3, instructs that work continues to reduce the remaining budget gap, with savings options being brought forward at the earliest opportunity; and
- vii) as part of the overall savings, in order to advance the above, agreed to commence public and workforce engagement on the possible future re-modelling of Libraries and Sport and Culture Services (Pools and dry facilities) and report back to the Council on lower cost services options for future consideration, including income generation.

Councillor McLennan left the meeting at this juncture.

The Council considered Appendix 1a - A20-5 in the savings proposals. As there was no-one otherwise minded the Council unanimously agreed to accept the savings proposal at A20-5 with those already agreed Appendix 1.

Councillor McLennan rejoined the meeting following the conclusion of this item.

15. No Compulsory Redundancy Principle [Para 11]

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) inviting the Council to consider a principle of no compulsory redundancies (NCR) and whether to establish that as a policy position reflected in an amended redundancy policy if agreed.

Councillor Gatt moved to agree recommendation 3.1 (i) and (ii) and reject recommendation 3.2. He stated that the current policy is exceedingly good and compulsory redundancy is always the last resort. This was seconded by Councillor Mustard.

Councillor Fernandes stated that No Compulsory Redundancies is the policy of the SNP, Labour and Green Parties and he felt it was important for electors who have voted on party policy to see this being agreed and proposed, seconded by Councillor Leadbitter, to agree to adopt a policy of no compulsory redundancies as per Appendix B and paragraph 5.26 of the report.

On the division there voted:

For the Motion (12)	Councillors Gatt, Mustard, Allan, Bloomfield, Cowe, Colyer, Dunbar, Gordon, Macrae, McBain, Robertson and Ross,
For the Amendment (13)	Councillors Fernandes, Leadbitter, Cameron, Coull, Divers, Keith, Lawrence, Harris, McLennan, Morrison, Stuart, Warren and Williams

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

- i) Approve the amended redundancy policy statement at Appendix B for incorporation into change management procedures, subject to consultation with recognised trade unions;
- ii) Approve a budget of up to £40,000 per year to be allocated from reserves for a post within the HR service to operate the supernumerary and redeployment process; and
- iii) Note that a further report on the use and terms of voluntary exit measures may be required in the context of the new NCR policy position and if so will be brought to the council for consideration



NOTICE OF MOTION TO MORAY COUNCIL ON WEDNESDAY 6 DECEMBER 2023

Right to work for asylum seekers

[Lift the Ban](#) is campaigning to restore the right to work for everyone waiting for more than 6 months for a decision on their asylum claim.

People seeking protection in the UK should be able to work and make the most of their potential, to provide for themselves and their families, similar to Ukrainian refugees who do already have the right to work.

Restrictions on right to work can lead to extremely poor mental health outcomes and waste of potentially invaluable talents and skills, both for the local economy and wider society.

The Council's own risk register lists Human Resources (People) at [Very High](#) with a likelihood of 5 out of 5, and that it is "difficult to recruit in a range of areas including certain subject teachers, vehicle technicians, specialist professional posts, senior management, clerical and administrative roles, temporary and relief staff, and community care employees."

Allowing people seeking asylum the right to work would lead to positive outcomes for individuals as well as benefiting public and private sector organisations in the region who are struggling with recruitment and retention.

A [majority of Scots](#) believe that Scotland needs to attract more people through immigration to work in key industries and public services.

In 2022 the [Shortage Occupational List was expanded](#) to include positions like social care, nursing, opening the possibility of employment for people seeking asylum. Council welcomes the [UK Migration Advisory Council report in March 2023 into labour shortages in the construction and hospitality sectors](#) and the potential use of the immigration system as a response, with a further report following a call for evidence due to be published this autumn.

Action

Council therefore agrees:

- To confirm support for the Lift the Ban campaign and our belief that the right to work is a fundamental human right;

- To formally join the Lift the Ban coalition alongside other local authorities, following the lead of Glasgow who joined earlier this year; and
- To instruct the Council Leader to write to the UK Government urging that they introduce legislation giving people seeking asylum the right to work, setting out the significant workforce pressures Moray is currently facing.

Financial Consequences

- There are no financial consequences.

**Proposed by Councillor Fernandes
Seconded by Councillor Leadbitter**

Date Motion Submitted: 5 September 2023

Dear

I am writing on behalf of the Moray Council to ask that the UK Government restore the right to work for people seeking asylum who have been waiting for a decision on their asylum claim for six months.

Under the UK Government's current system people seeking asylum are effectively banned from working. They can only apply to the Home Office for permission to work if they have been waiting for a decision for over 12 months and only for jobs that are on the Government's restricted Shortage Occupation List.

This policy is in nobody's interest.

At present, people who have risked everything to find safety in the UK are forced to live on just £8.24 per week to meet all essential living costs, forcing them into destitution. Instead, people could be using their skills, contributing to the economy through increased tax revenue and consumer spending, and saving money spent on asylum support.

This is particularly the case in Moray where we are experiencing workforce shortages in various sectors such as transport, agriculture and the food and drink industry, as well as in the Moray Council itself, where we are struggling to recruit in a range of areas including certain subject teachers, vehicle technicians, specialist professional posts, senior management, clerical and administrative roles, temporary and relief staff, and community care employees.

You will be aware that there are currently around fifty people seeking asylum hosted in the Eight Acres Hotel in Elgin. They are not allowed to work while they are waiting for their claim to be processed.

There is significant public support for reform and the UK is currently a major outlier compared to other countries across North America and Europe, as in almost all other cases people are able to support themselves at an earlier stage with fewer restrictions.

People who have risked everything to find safety in the UK to have the best chance of contributing to society and integrating into our communities. It is not effective to waste the talents of our population.

I would be grateful to hear your views on this matter, and I am looking forward to your response.

Yours sincerely,



**NOTICE OF MOTION
TO MORAY COUNCIL
WEDNESDAY 6 DECEMBER 2023**

Business Rates Incentivisation Scheme

Preliminary issues

None.

Background

The non-domestic Business-Incentivisation-Scheme (BRIS/NDRIS) was suspended in 2021 (due to Covid) and has not been re-instated.

This can (and did) generate extra cash for local authorities, who exceeded a business rates target as set by the Scottish Government. Anything gained over that target was split 50/50 between the local authority and the Scottish Government.

This could generate typically for an authority of our size anything from £1 - £2m (2019/21).

Action

We ask the Council to send the attached letter to the Deputy First Minister in her capacity for Cabinet Secretary for Finance; which requests that the non-domestic rates incentivisation scheme is reinstated.

Financial implications to Moray Council in producing this report and sending the attached letter.

None.

References:

<https://www.gov.scot/publications/report-barclay-review-non-domestic-rates/>

Proposer: Cllr Gordon

Seconder: Cllr McBain

Date Motion Submitted: 6 November 2023

Draft Letter:

To the Deputy First Minister (and Cabinet Secretary for Finance).

Dear Deputy First Minister,

In 2021 the Business Rates Incentivisation Scheme (BRIS) was suspended (due to Covid) and has not been re-instated. It was established in 2012 and revised in 2015.

This scheme enabled local authorities to benefit with extra cash if they exceeded a target set for them. It was an incentive for local authorities to raise their NDR tax base without any resulting deduction from grant aid.

The extra cash generated by a LA in this way was then split 50/50 with the Scottish Government.

The generation of more business rates and such a scheme does not affect businesses in any way; it does not affect the non-business taxpayer; and it is money that the Scottish Government does not have to find from the block grant; money that could provide much needed extra support to local authorities in these cash-restricted and inflationary times.

Moray Council ask you to re-instate the Business Rates Incentivisation Scheme.

Yours sincerely



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: APPROVED MINUTES OF MORAY INTEGRATION JOINT BOARD

BY: CHIEF OFFICER, HEALTH AND SOCIAL CARE MORAY

1. REASON FOR REPORT

- 1.1 To inform the Council of the latest approved minutes of the meetings of the Moray Integration Joint Board.
- 1.2 This report is submitted under Section II (22) of the Council's Scheme of Administration relating to the Moray Integration Joint Board (MIJB).

2. RECOMMENDATION

- 2.1 **The Council is invited to consider and note the content of this report.**

3. BACKGROUND

- 3.1 The MIJB was established on 6 February 2016 under the terms of the Public Bodies (Joint Working) (Scotland) Act 2014 with full delegation of functions and resources to enable integration of primary and community health and social care services effective from 1 April 2016. The MIJB is a separate legal organisation and acts as principal in its own right.

The principal ambitions of health and social care integration are to:

- Support the improvement of the quality and consistency of services for patients, carers, service-users and their families.
 - Provide seamless, joined-up quality health and social care services in order to care for people in their homes or a homely setting where it is safe to do so.
 - Ensure resources are used effectively and efficiently to deliver services.
- 3.2 The approved minute from the MIJB meeting held on 29 June 2023, which was accepted as a correct record of the meeting on 28 September 2023, can be found here: https://moray.cmis.uk.com/moray/CouncilandGovernance/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/18/Default.aspx . A few key highlights from the meeting for the Moray Council to note were, the MIJB:

29 June 2023

- Noted a report by the Chief Officer (CO) detailing the CO activities that support the delivery of the MIJB's strategic priorities.
- Delegated authority to the CO and the Standards Officer to enter into the joint agreement arrangements with the North East Alliance, to work with Public Health Scotland for the benefit of Moray residents on behalf of the Moray Health and Social Care Partnership.
- Noted the unaudited revenue outturn position for the financial year 2022/23, and noted the impact of the outturn on the 2023/24 revenue budget.
- Approved repayment to NHS Grampian of £1,178,000 of the unused earmarked Covid reserves and approved the issue of Directions to NHS Grampian and Moray Council.
- Noted the unaudited Annual Accounts prior to submission to the external auditor, noting all figures remain subject to audit. Noted the Annual Governance Statement contained within the unaudited Annual Accounts.
- Approved the updated Local Code of Corporate Governance which supports the Annual Governance Statement and approved the self-assessment of good practice, as set out in the CIPFA 'Audit Committee Member in Local Authority' 2022.
- Noted the progress made in relation to the development of health and social care provision across the Lossiemouth locality; in partnership with the local community and practitioners.
- Noted a report detailing the progress from the Moray Growth Deal investment on Health and Social Care Transformation in Moray.
- Approved the MIJB Strategic Priorities and the plan for developing a Joint Strategic Needs Assessment.
- Noted the findings of the 10 week test of change – Moray Daytime Unscheduled Care Service – and the recommendations regarding a sustainable model solution.
- Deferred the report titled Childrens Services Self Directed Support Budget Overspend to the next meeting of the Board, to allow for more information to be provided.
- Noted an update related to older adult psychiatry / mental health services.
- Approved the publication of the Annual Performance Report 2022/23 by 31 July 2023.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This report forms part of the governance arrangements of MIJB; good governance arrangements will support the Board to fulfil its objectives.

(b) Policy and Legal

There are no policy or legal implications associated with this report.

(c) Financial implications

There are no financial implications associated with this report.

(d) Risk Implications

There are no risk implications associated with this report.

(e) Staffing Implications

There are no staffing implications arising from this report.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

An Equalities Impact Assessment is not required as there is no change to policy and procedures resulting from this report.

(h) Climate Change and Biodiversity Impacts

There are no climate change or biodiversity implications arising from this report.

(i) Consultations

Consultation on this report has taken place with Corporate Manager, Health and Social Care Moray who is in agreement with the content in relation to their area of responsibility.

5. CONCLUSION

5.1 This report provides a summary of the business addressed by the MIJB at their meeting on 29 June 2023.

Author of Report: Isla Whyte, Interim Support Manager, Health and Social Care Moray
Background Papers: available online
Ref: SPMAN-305227695-109



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: REVENUE BUDGET MONITORING TO 30 SEPTEMBER 2023

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

- 1.1 To advise Committee of the revenue budget monitoring position to 30 September 2023 and the current estimated out-turn for 2023/24.
- 1.2 This report is submitted to Council in terms of Section III B (10) of the Council's Administrative Scheme relating to monitoring current revenue expenditure against approved budget.

2. RECOMMENDATION

2.1 It is recommended that Committee considers and notes:

- (i) the budget monitoring position of £332,000 over budget for 2023/24 as at 30 September 2023;**
- (ii) that this position consists of an underspend on Devolved School budgets of £613,000, an underspend of £459,000 on Children's Services, an underspend of £505,000 on Environmental Services and an overspend on Social Care services delivered on behalf of the Moray Integration Joint Board (MIJB) of £1,995,000 and an underspend on other services of £86,000;**
- (iii) movement of a £2,873,000 increase in General Revenue Grants, as detailed in paragraph 3.5;**
- (iv) the current estimated out-turn for 2023/24 of an overspend in Council services including Health and Social Care of £1,235,000 after adjusting for the cost sharing agreement with NHS for MIJB, with underspends in loans charges of £885,000 and slippage in use / reduction in requirement of provisions of £786,000 resulting in an overall £436,000 underspend and a decrease in the planned use of Council reserves by £463,000 from that budgeted for; and**
- (v) the emerging budget pressure noted in paragraph 6.2.**

3. BACKGROUND

- 3.1. When the revenue budget for 2023/24 was approved by Moray Council on 1 March 2023 (paragraph 5 of the minute refers), General Revenue Grant of £193,416,000 was estimated for the year, based on the latest amount notified to the Council and including estimates for further distributions of grant during the year. Council Tax receipts of £49,574,000 were anticipated. Budgeted expenditure of £260,840,000 was agreed, and this required projected use of £17,850,000 of the Council's Ear Marked Reserves to balance the budget.
- 3.2. In addition to the Council's core budget, monies allocated to schools through the Devolved School Management (DSM) scheme and not spent are brought forward from previous years. The DSM balance brought forward in 2023/24 was £853,000 (2022/23 £1,288,000) and on 13 June 2023 Corporate Committee approved an additional £33,000 to be retained over and above the permitted DSM allowances, for planned spend at two schools which were not completed during the academic year due to circumstances out with their control (para 10 of the minute refers). This budget has been reallocated from Covid reserves. Unused Pupil Equity Fund of £757,000 received in 2022/23 and £36,000 funding for nursery snacks and fundraising have been carried forward into 2023/24 in accordance with the grant conditions.
- 3.3. On 28 June 2023 Council approved additional expenditure of £2,158,000 to be funded from Ear-marked Reserves for Covid. All of these adjustments were posted to departments during quarter 1 (para 13 of the minute refers).
- 3.4. Additional funding from Covid reserves of £421,000 are reflected in budgets for quarter 2, including Bus Revolution revenue budget of £74,000, a cost of living contribution to Moray Food Plus of £16,000, temporary ASN costs of £299,000 from the additional £1,100,000 approved by Council on 28 June 2023, and the £33,000 DSM adjustment for two schools explained in paragraph 3.2 above. Other adjustments of £639,000 reflected in the budgets are for other service specific earmarked reserves set up at 2022/23 year end closedown for funding received that required carried forward and used in 2023/24.
- 3.5. Variations to General Revenue Grant (GRG) amounting to £2,873,000 have been notified and actioned. This consists of additional funding for summer holiday activities of £68,000, Employability £264,000, and £331,000 to support the resettlement and wider integration of displaced Ukrainians. Funding passported to the MIJB has also been actioned: £1,882,000 for Real Living Wage and £328,000 for Personal and Nursing Care.
- 3.6. A contribution towards the recurring costs of the final Scottish Negotiating Committee for Teachers (SNCT) pay agreement for 2022-24 of £2,204,000 has been confirmed which will reduce the required use of reserves.
- 3.7. With these adjustments to use of reserves and GRG, the Council's overall General Services revenue budget currently stands at £268,781,000.

- 3.8. Reconciliation of the movements in the base budget from that which was approved by the Moray Council on 1 March 2023 is shown in **APPENDIX 3** and allocations to departments from the provisions for Inflation and Contingencies, Additional Costs and Savings are listed in **APPENDIX 4**.

4. BUDGET POSITION

- 4.1 **APPENDIX 1** summarises the current position for each service area, comparing the actual expenditure with the budget to 30 September 2023.
- 4.2 Overall the budget position at 30 September 2023 is expenditure over budget to date of £332,000 or 0.3% of budget to date, which includes services delivered on behalf of the Moray Integration Joint Board (MIJB).
- 4.3 The principal areas of overspend and underspend across the Council are summarised below.
- 4.4 In Education, Resources and Communities there is an underspend of £105,000. Much of this relates to the over achievement of income in Sport and Leisure services against an income budget reduction during Covid. The income budget was due to be increased in phases over 2023/24 and 2024/25 but recovery has been quicker than expected and the full income budget will be reinstated this year. Libraries has an overspend on licences of £57,000 and under achievement of income from sales, fees and charges of £14,000. Licences is a non recurring overspend due to the timing of licence renewals; there is a small saving in libraries licence fees of £4,000 expected in 2024/25.
- 4.5 Children's Services has an underspend of £459,000 to date, an increase from quarter 1. A contract for residential care for children with disabilities has ended due to the transition to adult services of the person cared for, giving a contract underspend of £272,000. Out of Area placements are £46,000 under budget and, as was similarly reported last quarter, this can quickly fluctuate given the cost per week of a placement. Adoption and fostering fees/allowances are under budget by £90,000, and throughcare/aftercare payments are also under budget, by £15,000 at quarter 2. Within Area Teams, Self Directed Support (SDS)/direct payments and legal fees are currently £52,000 and £10,000 over budget respectively, while fostering home to school transport are £14,000 under budget.
- 4.6 Education has a £703,000 under spend to date. Devolved School budgets are underspent by £613,000 at the end of the second quarter; £130,000 in primary schools and £483,000 in secondary schools. There is flexibility in DSM budgets to allow for planning for the sessions ahead and where spend is planned on the academic year. There are other minor variances in Schools and Curriculum Development, including underspends of free sanitary products £14,000 and clothing grants £11,000. Overspends in central supply of £71,000 which is difficult to forecast due to being cover for maternity and sick leave, and an insurance excess payment of £58,000. In ASN there are underspends including speech and language therapy of £25,000, travel and training.

- 4.7 Environmental and Commercial Services are presenting a £505,000 underspend to date across services; Waste has a net underspend of £180,000; £160,000 of this is for Waste Disposal. As waste is now being transported to the new Energy from Waste plant in Aberdeen, the costs are offset by underspends on Landfill Tax and Leachate costs. During this transitional year the budgets will require ongoing monitoring and review, including the impact of reduced gate fees from electricity generated by the plant. There is also £18,000 underspend on energy costs within Waste. Harbours income is ahead of target by £175,000, with spend of £30,000 for management and legal fees at Buckie Harbour reducing the net underspend. Consultancy is under spent by £272,000 in total which is partially due to the £200,000 grant received in Emergency Planning from the Scottish and Southern Electricity Networks (SSEN) Resilient Communities Fund, explained in the quarter 1 monitoring report. There has been small items of expenditure to date but the bulk is earmarked for spending on creating power generation capacity for information and co-ordination hubs. Any unspent funds at year end will be earmarked for projects agreed with SSEN. Revenue expenditure to date on Flood Prevention and Bridge Works projects are under budget but this is understood to be due to profiling of works. Roads Maintenance is £145,000 over spent to date, with £92,000 coming from an over spend in recharges from Fleet for additional vehicle hire. Fleet are currently £76,000 under budget in total but within this are variances that highlight significant price increases within the service. Although Fleet recharges to departments recover all elements of the cost of vehicles and plant, the external costs sit within Fleet and it is through monitoring of this budget that total variances, both over and under spends, can be monitored. Vehicle running costs are £121,000 over budget at quarter 2, with spare parts accounting for £111,000 of this. The costs of spare parts have increased by approximately 30% in recent years. External vehicle hires managed by Fleet services are over budget at this point of the year by £115,000, and as it's mainly Environmental and Commercial Services requiring the vehicles; Lands and Parks, Public Transport Unit and Roads - as referred to above, it's a recurring overspend that is kept within the department. Expenditure of £37,000 has also been incurred for accident damage this year to date. Cleaning and Catering services is £139,000 under budget; of this variance school catering has a £110,000 underspend on food and other costs from which an approved £150,000 saving has still to be taken, and is £16,000 favourable on income. Food costs are no longer as closely linked to income as they were following the extension of universal Free School Meals from Nursery to Primary 5. Uptake may gradually rise as time goes on. This is the same trend as last year which had a significant underspent on food costs although there is expected to be an increase in wheat products as the situation in Ukraine continues to affect supplies. Lands and Parks are £22,000 over budget to date with variances on burial ground income, vehicle running costs and war memorials. The Public Transport Unit (PTU) is currently over budget by £90,000; £54,000 is because of additional school transport routes required due to pupil numbers and an increase in ASN provision, and a shortfall of £35,000 in public transport income and this budget is being reviewed by the service with accountancy.
- 4.8 Economic Growth and Development Services have a £46,000 overspend which is primarily due to a shortfall in income in Building Control and Planning.

- 4.9 In Financial Services, a £54,000 overspend is due to software costs £44,000 and postages within Taxation.
- 4.10 Governance, Strategy and Performance is over budget by £44,000 with notable variances. Benefits is £161,000 over budget to date due to overspends including software costs, Scottish Welfare Fund, Discretionary Housing Payments and Housing Benefits. Customer Services is under budget by £16,000; contract underspend of £33,000 and an overspend on software £10,000. Underspends in other sections include Legal; income is above target in short term let income by £19,000 and Licensing Board income by £39,000, and underspends in Supplies and Services £14,000, Electoral grant of £14,000 unspent to date. In Poverty, a social inclusion/shared prosperity fund match funding contribution budget is under budget by £32,000 to date.
- 4.11 General Services Housing and Property is over spent by £52,000 in total with positive and negative variances; Improvement Grants are under by £16,000 due to a higher capital grant than currently budgeted to date; Industrial Estates have underspends with income exceeding budget to date by £28,000; Homeless temporary accommodation is currently under budget by £24,000 due to additional income from the revised charges policy approved at Corporate Committee on 31 January 2023 (para 8 of the minute refers), but additional costs will follow for furniture and repairs. Repairs and maintenance continue to have an overspend; £120,000 overspend for schools which is due to the pattern of spend on school buildings while corporate buildings repairs are £44,000 under to date. There is an income shortfall in Property fees of £54,000 due to less capital project work being carried out than budgeted for in the capital plan.
- 4.12 In Other expenditure budgets, a variance of £8,000 overspend is due to additional pension costs/strain on the fund overspend of £77,000 and Members Wards budgets are £47,000 underspent to date.
- 4.13 The MIJB is reporting an overspend across services at the end of quarter 2 of £1,995,000. The figures included in this report relate purely to the services delivered by Moray Council on behalf of the MIJB.
- 4.14 Income budgets across the Council are showing both positive and negative variances. Sports and leisure facilities budgets should be back to pre Covid level earlier than planned (paragraph 4.4). Libraries income has a recurring variance due to loss of income (paragraph 4.4). In General Services Housing, Improvement Grants are under by £16,000 due to a higher capital grant than currently budgeted for to date, Industrial Estate income is ahead of target by £28,000 and (as per paragraph 4.11) Homeless temporary accommodation has additional income of £24,000 to date. Within Environmental and Commercial Services there is additional income at this quarter 2 stage in Waste recycling services (£36,000), Harbours (£123,000), Roads income from service users (£119,000), Catering income £17,000 and there is an income shortfall of £25,000 on sale of lairs in Burial Grounds, and £35,000 in the PTU. Income is above target in Legal Services for licensing income by £58,000, Industrial Estates rental of £28,000 and Homeless accommodation of £24,000. Other income shortfalls include the Building Control and Planning fees £65,000. Recharges to capital are also under budget.

5. BUDGET PRESSURES AND ADDITIONS

- 5.1 Budget pressures recognised when the budget was approved on 1 March 2023 are released when the pressure crystallises to the extent that it can be accurately quantified. Provisions to meet budget pressures and new duties totalling £5,928,000 have been released in quarter 2 and these are itemised in **APPENDIX 4**.
- 5.2 Provisions still held centrally at the end of quarter 2 total £4,103,000 and are detailed in **APPENDIX 5** and given a RAG assessment for likelihood of requirement.
- 5.3 Six provisions are assessed as red, as no longer being required this year; although two are currently required in future years; the revised Improvement and Modernisation Plan (IMP) of £1,302,000 has changed from amber to red as the amount drawn down in Quarter 2 is all that is required for 2023/24, the balance of £596,000 will be required for full year effect funding to cover April to August 2024; the £30,000 Deposit Return Scheme budget pressure was confirmed in Scottish Parliament in June to be delayed until October 2025. Other budget pressures now no longer needed are; DSM review class contact time budget pressure of £18,000; the Economic Recovery Plan (reported to Economic Development and Infrastructure Services Committee on 2 May 2023) of £53,000; £5,000 for a contribution to Renewables Income Fund; and £11,000 for the Trade Union provision which was drawn down as part of funding from reserves and is no longer a budget pressure. These will be adjusted for in quarter 3 and will be reflected as a reduction in required used of reserves this year.
- 5.4 Fourteen provisions, totalling £3,654,000, are assessed as amber, being not yet taken and uncertain if required, or yet to be taken. Six have had no draw down of budget this year to date but latest consultations with departments are that they are still likely to be required, with only School real time data uncertain of requirement of the £63,000 budget pressure. The remaining eight classed as amber include; free school meals of £293,000 with a balance of £205,000 available. A portion of this is required for Christmas and mid term break in the 2023/24 academic year; School roll numbers £700,000 budget pressure was waiting for updated census figures which have just been received and calculations indicate that £406,000 of this is not required as the roll figures came in below estimates. The Levelling Up Fund balance of £177,000 may be drawn down as it has the potential to spend in full if the application is submitted. Youth Work £120,000 (£60,000 each for Forres and Buckie areas) will be used in full this year. The Whole Family Wellbeing Fund (WFWF) £545,000 is the 2023/24 funding allocation. Unspent funds from last year have also been carried forward to be funded from reserves and it is unlikely that the total of these will be spent in full this year. Decision on how the funds are spent are made by the Community Planning Partnership and it is therefore intended that any unspent funds at year end are put to an earmarked reserve, therefore shown as amber.
- 5.5 All other provisions are expected to be required in full at this juncture.

6. **EMERGING BUDGET PRESSURES**

- 6.1 Emerging budget pressures are noted throughout the year as they are identified. Pressures that were identified during quarter 2 are listed in the table below.

	Para Ref	Estimated full year effect £000s
Waste – additional crew for household collections	6.2	136
Total		136
		====

- 6.2 There are significant developments ongoing within the Waste service, with moves to 3 weekly collections during covid now a permanent fixture and the opening of the NESS Energy from Waste (EfW) facility and the transitional phase of operations. Discussions with the Waste Manager has identified a separate issue when recognising all the changes; whilst savings have been made in some aspects of household collections, this has highlighted the need for an additional crew to service an increased number of properties across Moray, a budget pressure that was perhaps obscured by the changes implemented during Covid. Already operational, this has identified a budget pressure in the service of £136,000.

7. **SAVINGS**

- 7.1 Savings and increased charges of £4,415,000 were approved when the budget was set on 1 March 2023. These savings comprised one-off savings of £775,000 and other permanent savings of £3,490,000. The increase in charges per the budget paper was £150,000.
- 7.2 In addition to the savings approved when the budget was set, additional savings/income of £1,480,000 were approved at Moray Council on 28 June 2023 (paragraph 13 of the minute refers), including an increase of £400,000 for Council tax receipts.
- 7.3 Increases to car parking charges were approved in the Elgin Car Parking review reported to Council on 27 September 2023. The full year income budget will increase by £414,000 with a part year effect from 1 January 2024 of £103,000.
- 7.4 Temporary Accommodation charges for the homeless have also been increased, with a part year effect in 2023/24 of £20,000.
- 7.5 Customer Services Change Management Plan savings of £108,000 have been taken.

- 7.6 Savings approved in the Short to Medium Term Financial Plan reported to Council on 28 June 2023 total £29,000.
- 7.7 Energy from Waste saving on a reduced gate fee due to electricity generation at the waste plant in Aberdeen has been initially valued at £150,000 but further savings are anticipated.
- 7.8 Total savings/increased income posted to date are £2,536,000 plus the Council Tax increase. Of the original approved savings, a balance of £1,879,000 remains in central provisions as at the end of June. These are detailed in **APPENDIX 6** and given a Red Amber Green (RAG) assessment for anticipated achievement.
- 7.9 Approved savings that are now not expected to go ahead, marked in red on the **APPENDIX 6**, total £783,000; financial services restructure of £16,000; £35,000 for salt store at Keith which is now being progressed as part of a wider depot review; £2,000 saving for charges for temporary bus stops will not be achieved as contractors have supplied their own temporary stops; £56,000 for the Stream 2: ICT and Digital - schools admin will not materialise this year as following the report to Education, Children's and Leisure Services (ECLS) Committee on 19 September 2023, which gave an update to committee on progress of the IMP. As was confirmed at that meeting, the next stage of the project will be a Service Review with an update to be presented to the next ECLS Committee. Estimated savings will not be realised this year (paragraph 20 of the minute refers); the LEAN review has been delayed and savings of £125,000 yet to be achieved; the £725,000 proposed income from spare capacity at Dallachy is unlikely to be achieved in full as private sector companies have sought alternative sites for their waste. This has led to reduced landfill charges but also less tipping income. There is potential to meet £200,000 of additional income, however, for tipping by other local authorities when there were issues with the new EfW facility.
- 7.10 Savings classed as amber total £2,531,000. Of these, £2,353,000 are still expected to be achieved this year; review of purchasing card £30,000, which will be across services to ensure that VAT receipts are submitted per financial regulations and therefore all input VAT reclaimed; £136,000 savings from the move to a 3 weekly recycling collection; Harbours commercial income of £336,000; £142,000 of increased Transportation and Consultancy recharges to capital; £1,168,000 of a service concession in Education PPP payments; an increase of vacancy factor in line with pay agreement of £208,000; Children's services care placements £245,000; reduction in reinvestment costs of £18,000; a share of the surplus from the Grampian Valuation Joint Board 2022/23 requisition of £46,000. . The remaining £198,000 savings are tentative; £100,000 for hiring out of Roads machinery is currently going through the process of communicating with suppliers and determining needs before going out to tender, however supply chain issues are causing delays in delivery of replacement vehicles; balance of a contract saving £8,000; Property Services admin review £26,000; Stream 4 review and expansion of flexible working £44,000; £20,000 NDR saving from the relocation of staff from Auchernack which is reliant on the sale being completed early in 2024. Some of these may slip into next financial year.

8 ESTIMATED OUT-TURN

- 8.1 **APPENDIX 2** summarises the first estimated out-turn position for each service area, comparing the estimated expenditure with the budget to 31 March 2023.
- 8.2 Overall the estimated out-turn position for 2023/24 is expenditure over budget of £436,000 or 0.2% of budget for the year, including services delivered on behalf of the MIJB.
- 8.3 The estimated out-turn position for 2023/24 for the MIJB is an overspend of £10,600,000. The MIJB have strategic funds and an element of reserves to offset part of the overspend, and the partner providers (NHS and Council) are required to cover the balance. Health and Social Care services provided by the Council make up 37% of the MIJB and so the Council's share of this projected overspend is £1,540,000. Some of the reserves are ear-marked for spend in 2024/25 and will require to be replenished. It is currently estimated that with no further changes in the cost of services the opening position for MIJB will be an overspend and the Council's share of that overspend would be £5 million.
- 8.4 The principal areas of forecast overspends and underspends across the Council reflect the major variances mentioned in section 4 of this report. Details of projected out-turn variances are summarised below.
- 8.5 Staff savings from vacancies and appointments below top of scale across all services are anticipated to exceed the overall budget provision by £238,000. This excludes the current saving still to be posted against staffing budgets to increase the vacancy factor, which will be done when pay agreements have been settled. Income budgets across the Council are showing both positive and negative variances, with a projected net effect of £587,000 under achievement. This includes increased leisure income and street naming and numbering income, additional income in short term lets and licensing fees, and recycling income. There is a shortfall in income for Libraries, Roads construction consent, public transport income, green waste and trade waste. Catering income, sale of lairs in Burial Grounds, planning and building control fees and Property fees income are all expected to be below target.
- 8.6 In Children's Services there is a projected underspend totalling £723,000, made up of £104,000 from the review of two contracts going out to tender, the disabilities residential contract £300,000 (in addition to the planned £245,000 saving to be taken in quarter 3), fostering fees and allowances underspend £143,000, throughcare/after care grants £29,000, adoption allowances and post-adoption support £42,000, one off income from adoption placement £36,000, vacancy target exceeded by £146,000 and other contract underspends of £21,000. This is reduced by overspends in direct payments of £82,000, home to school transport £23,000 and adoption placements with other local authorities £23,000 and other overspends regarding Section 22 of £16,000.

- 8.7 In Education there is a projected underspend of £199,000. Underspends include spend on school sanitary products £25,000, clothing grants £10,000, disturbance mileage £11,000, and a review of the Speech and Language Therapy service generating a projected £65,000 underspend. Staffing vacancies also generating an overachievement of vacancy target by £146,000. Overspends on Early Learning and Childcare payments to partner providers of £100,000 are expected to be brought back into line next year once all change management plans are implemented. Insurance excess payments are projected to be £58,000, and central supply £225,000 above budget by year end.
- 8.8 As mentioned earlier in this report (paragraph 4.11) there is an overspend in repairs and maintenance at school buildings and an income shortfall in Property fees recharges. The latter is due to reduced capital projects that are rechargeable for the service. The full year effect is an overspend on General Services Housing of £470,000; school repairs and maintenance £200,000, Property fees shortfall £150,000 and staff vacancy target shortfall.
- 8.9 Environmental and Commercial Services currently projecting an over spend of £447,000 (1.6%) for the year. Shortfall in achieving vacancy targets of £104,000 is one factor, which is partly due to sub contractors being used to cover vacancies which is vastly more expensive, along with overspends in Fleet Services of £120,000 primarily around transport costs including spare parts, external vehicle hire for user departments (not staff car hire), trackers/radio contracts and accident damage. Traffic and Transportation projecting a £270,000 overspend: shortfall in Roads Construction Consent income £60,000, shortfall of £110,000 public transport income (per paragraphs 4.7 and 7.5), and £100,000 additional costs for school transport contracts due to additional transport requirements for Forres Academy pupils whilst RAAC remedial works are ongoing, and an increase in service routes for mainstream and ASN pupils. Waste Management has various over and under budget projections totalling a net £30,000 overspend; underspends on recycling income £50,000, advertising £20,000, energy costs £15,000 and fuel £30,000 against under achievements on green waste income from brown bin permits of £50,000, trade waste income £90,000 and street sweeping income £5,000. Over the next quarter the EfW costs and income will be assessed and a new budget position developed. The estimated outturn figures in Appendix 2 include a net underspend of £38,000 for Building Cleaning and Catering; this is not inclusive of the £150,000 saving yet to be taken for food costs (per paragraph 4.7). Parks and Countryside has a projected overspend of £161,000 due to income budget unachieved in Burial Grounds sale of lairs £60,000 and Open Spaces costs for additional vehicle hires and fuel £92,000, and War Memorials £6,000. Finally, the SSEN grant of £200,000 in Consultancy is creating a variance.
- 8.10 HR, ICT and Organisational Development have a projected underspend of £95,000; training £50,000 and staff vacancy target surplus £45,000.
- 8.11 Financial Services has a net underspend of £211,000 projected; a staff vacancy target surplus of £45,000 and Interest on Revenue Balances (IORB) exceed budget by £236,000, but within this are overspends in postages of £45,000 and software costs £35,000.

- 8.12 Governance, Strategy and Performance have a net £208,000 underspend projected. Overspends on housing benefits of £100,000 and software costs (Benefits team £32,000 and the Contact Centre £10,000). Underspends include the multi function device contract payments £33,000, additional income from Licensing and Short Term Lets £58,000 plus other supplies and services budgets £10,000. A match funding contribution budget in Poverty social inclusion/shared prosperity fund (paragraph 4.10) is no longer required of around £64,000.
- 8.13 There are other overspends for additional pension and Strain on the Fund costs totalling £83,000.
- 8.14 Loans Charges - £2,000,000 of a budget pressure was approved as part of budget setting and has been added to the budget in full. Loans Charges are currently forecasting an underspend against budget of £885,000; the budget calculations were based on projected spend during 2022/23 quarter 3 but spend finished at £6 million less than anticipated. Another factor is interest rates, which were assumed to be 4% in the budget calculations, but the recent workings are estimated slightly lower, at approximately 3.35%. Due to the portfolio of loans the Council has, which includes older loans with lower interest rates, the calculations for average loans charges results in lower costs overall. For comparison, the 2022/23 loans pool actual rate was 3.54%.
- 8.15 Centrally held provisions are expected to underspend by £786,000. Additional Costs including the remaining budget pressure requirements as discussed in section 5 are estimated to be £1,768,000 under at this stage of the year; primarily consisting of the budget pressures classed as red (paragraph 5.3): slippage in the IMP £596,000 and Deposit Return Scheme £30,000. The others totalling £87,000 are no longer required. Slippage in the amber category includes the Whole Family Wellbeing Fund (WFWF) £545,000 which will go to an earmarked reserve at year end. An estimated £406,000 of the school roll budget pressure is no longer required. Savings outstanding were discussed in section 7 and the amber savings expected to be achieved this year have been included in the estimated outturn figure in **APPENDIX 2**. The original budget approved included £4,415,000 of savings and increased charges, and to date £2,536,000 has been posted to department budgets with a further £2,995,000 expected to be posted in quarter 3. If these are realised there will be an overachievement of savings of £1,116,000 in the year, however £300,000 of this was bringing forward the reinstatement of the leisure income budget to pre-covid levels from next year. Provision for Contingencies and Inflation are complex to estimate as the pay agreement is still under negotiation which is the largest remaining draw down of inflation. The estimated position for inflation is an overspend as other inflationary increases are still expected this year, including corporate insurance.

9 RESERVES

- 9.1 The balance on free general reserves (excluding DSM and ear-marked reserves) as at 1 April 2023 was £5,000,000. This is the minimum level of reserves that can be held on free general reserves in terms of the Council's reserves policy.

- 9.2 When the budget was set, an allocation of £15,478,000 of Covid ear-marked reserves were approved. The report to Moray Council on 28 June 2023 for the Revenue out-turn variances approved an additional use of covid ear-marked reserves totalling £2,158,000 (paragraph 13 of the minute refers). The variance analysis adjustments also reflected a reduction in the use of reserves of £1,589,000 due to additional savings and income. Temporary and permanent budget pressures in Additional Support Needs (ASN) were reported to that same meeting and £1,800,000 was approved to be funded from this reserve. Further adjustments have also been approved in quarter 2 and taken into account on the appendix; additional funding for the SNCT pay agreement 2022-24 has recently been confirmed of £2,204,000 and the pay award funding £2,007,000 that is received via capital grant for two years 2022/23 and 2023/24 has now been reflected in the figures as these will reduce the budgeted requirement for use of reserves. **APPENDIX 7** itemises the movements on reserves during the year to date and gives the balance on the reserve of £9,160,000 at 30 September 2023 after all approved items. The quarter 2 position is that £15,548,000 of covid reserves are required in 2023/24 compared to an original budgeted amount of £15,478,000.
- 9.3 Balances at 30 September 2023 for other ear-marked reserves are £3,791,000 for Transformation and £5,881,000 for Council priorities. There is also a reserve for the Moray Growth Deal with a free balance of £4,000,000 as at 30 September 2023; the £759,000 approved at budget setting is not required this year due to slippage in projects.

10 SUMMARY OF IMPLICATIONS

- (a) **Moray 2026: A Plan for the Future and Moray Corporate Plan**
Effective budget management is an essential component of delivery of Council priorities on a sustainable basis.
- (b) **Policy and Legal**
No policy or legal implications arise directly from the contents of this report.
- (c) **Financial implications**
The financial implications are addressed throughout the report.
- (d) **Risk Implications**
There are no risk implications arising directly from this report. Budget managers are aware of their responsibilities for managing their budgets in accordance with the Council's Financial Regulations. There is a risk to the Council arising from the agreement that if the Moray Integrated Joint Board overspends the Council will meet 37% of the additional costs incurred. Rising inflation presents a risk to the Council's budget.
- (e) **Staffing Implications**
No staffing implications arise directly from this report.
- (f) **Property**
No property implications arise directly from this report.

(g) Equalities/Socio Economic Impact

No equalities implications arise directly from this report.

(h) Climate Change and Biodiversity Impacts

No climate change and biodiversity impacts arise directly from this report.

(i) Consultations

Consultation concerning Revenue Budget Monitoring is an on-going process with budget managers across the Council. CMT and Heads of Service have also been consulted in the preparation of this report and any comments incorporated.

11 CONCLUSION

11.1 The financial position of the Council at the end of September 2023 is an overspend against General Services Revenue Budget of £332,000, including services delivered on behalf of the Moray Integration Joint Board.

11.2 Variations in General Revenue Grant totalling £2,867,000 have been notified to the Council.

11.3 There is one additional budget pressure totalling £136,000 for quarter 2, noted in section 6.

11.4 The estimated out-turn position is for an over spend of £436,000.

11.5 The Council has estimated use of £14,953,000 from Covid ear-marked reserves in 2023/24.

Author of Report: Susan Souter, Senior Accountant

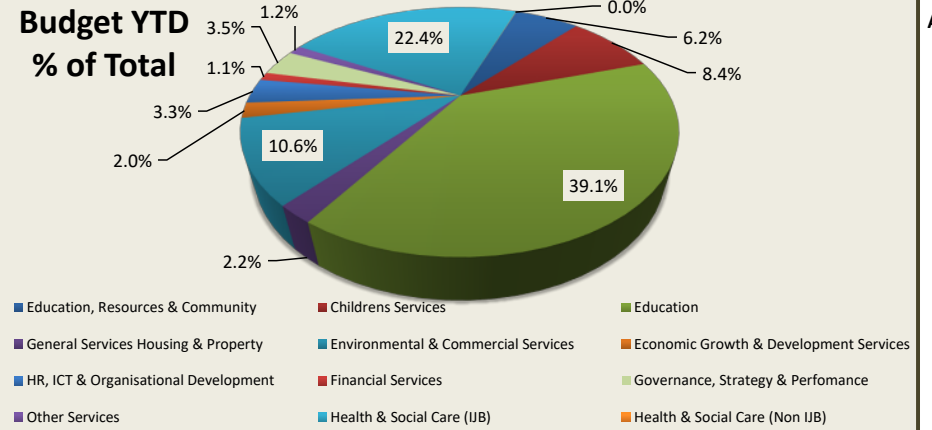
Background Papers: Held by author

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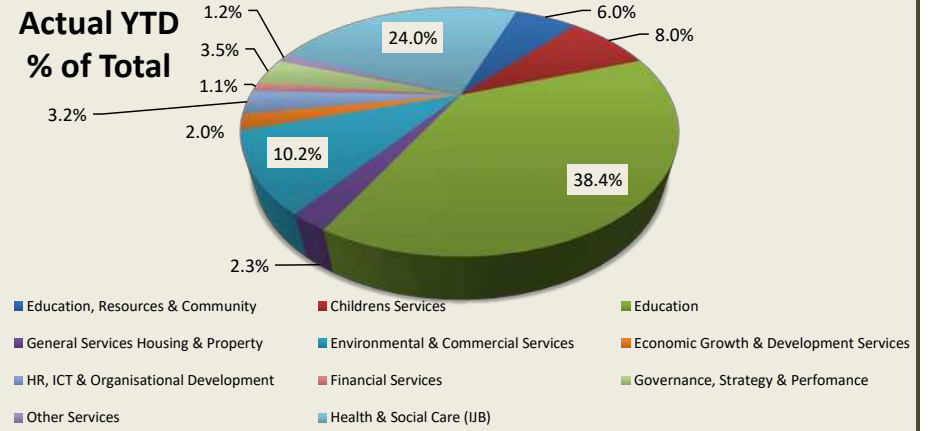
MORAY COUNCIL - APPENDIX 1
BUDGET MONITORING REPORT
QUARTER 2 to 30 SEPTEMBER 2023

Service	Revised Budget 2023/24 £000s	Budget to 30 Sept 2023 £000s	Actual & Committed to 30 Sept 2023 £000s	Year to date variance £000s
Education, Resources & Community	14,349	7,233	7,128	105
Childrens Services	20,086	9,907	9,448	459
Education	98,880	45,917	45,214	703
General Services Housing & Property	4,417	2,613	2,665	(52)
Environmental & Commercial Services	28,782	12,477	11,972	505
Economic Growth & Development Services	4,085	2,340	2,386	(46)
HR, ICT & Organisational Development	6,188	3,837	3,743	94
Financial Services	1,832	1,285	1,339	(54)
Governance, Strategy & Performance	6,420	4,112	4,156	(44)
Other Services	2,706	1,455	1,463	(8)
SERVICES excl HEALTH & SOCIAL CARE	187,745	91,176	89,514	1,662
Health & Social Care (IJB)	60,404	26,326	28,321	(1,995)
Health & Social Care (Non IJB)	99	49	48	1
TOTAL SERVICES incl HEALTH & SOCIAL CARE	248,248	117,551	117,883	(332)
Loans Charges	16,407	0	0	0
Provision for Contingencies and Inflation	1,902	0	0	0
Additional Costs	4,103	0	0	0
Unallocated Savings	(1,879)	0	0	0
TOTAL PROVISIONS	4,126	0	0	0
TOTAL GENERAL SERVICES EXPENDITURE	268,781	117,551	117,883	(332)

**Budget YTD
% of Total**



**Actual YTD
% of Total**



Commentary on Quarter 2 Performance

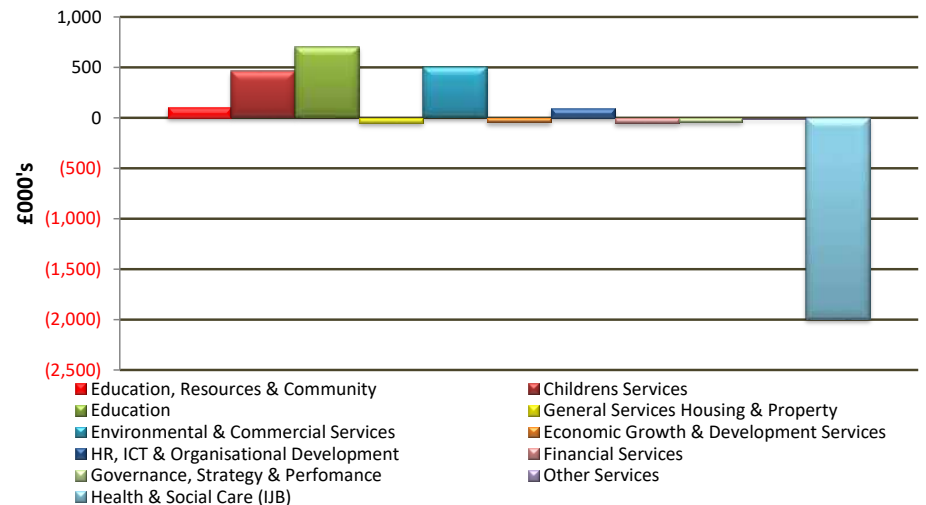
Childrens Services: Underspend on a contract for residential care for children with disabilities, out of area placements, and adoption/fostering fees. Within Area Teams, direct payments are over budget while fostering home to school transport are under budget.

Education: Devolved School budgets are underspent by £613k at the end of the second quarter; £130k in Primary schools and £483k in Secondary schools.

Environmental & Commercial Services: Underspends across services including: Waste (£180k) with the opening of the new Energy from Waste plant in Aberdeen; Catering underspend (£139k) on food costs and materials; Harbours net underspend (£144k) from over achievement of income target; Consultancy £200k SSEN grant for resilience development projects unspent to date.

Overspends in Roads £146k, PTU £90k - school transport additional routes, and shortfall in Bus Revolution income.

YTD Actual Variance to Budget (excl Loans & Provisions)



MORAY COUNCIL - APPENDIX 2
BUDGET MONITORING REPORT
QUARTER 2 to 30 SEPTEMBER 2023

Service	Revised Budget 2023/24 £000s	Estimated Outturn 2023 £000s	Anticipated Variance £000s	Variance vs Base Budget %
Education, Resources & Community	14,349	14,417	(68)	(0.5)%
Childrens Services	20,086	19,363	723	3.6%
Education	98,880	98,681	199	0.2%
General Services Housing & Property	4,417	4,887	(470)	(10.6)%
Environmental & Commercial Services	28,782	29,229	(447)	(1.6)%
Economic Growth & Development Services	4,085	4,161	(76)	(1.9)%
HR, ICT & Organisational Development	6,188	6,093	95	1.5%
Financial Services	1,832	1,621	211	11.5%
Governance, Strategy & Performance	6,420	6,212	208	3.2%
Other Services	2,706	2,779	(73)	(2.7)%
SERVICES excl HEALTH & SOCIAL CARE	187,745	187,443	302	0.2%
Health & Social Care (IJB)	60,404	65,173	(4,769)	(7.9)%
Health & Social Care (Non IJB)	99	96	3	3.0%
Adjustment to reflect cost sharing agreement	0	0	3,229	-
TOTAL SERVICES incl HEALTH & SOCIAL CARE	248,248	252,712	(1,235)	(0.5)%
Loans Charges	16,407	15,522	885	5.4%
Provision for Contingencies and Inflation	1,902	4,000	(2,098)	(110.3)%
Additional Costs	4,103	2,335	1,768	43.1%
Unallocated Savings	(1,879)	(2,995)	1,116	(59.4)%
TOTAL PROVISIONS	4,126	3,340	786	19%
TOTAL GENERAL SERVICES EXPENDITURE	268,781	271,574	436	0.2%
Funded By:				
Scottish Government Grant	198,331	198,331	0	0.0%
Pay Award Funding via Capital Grant	0	2007	(2,007)	0.0%
Council Tax	49,974	49,974	0	0.0%
Funded From Reserves:				
DSM	1,646	1,646	0	0.0%
DSM c/f	1,689	796	893	52.9%
General/earmarked	638	638	0	0.0%
Covid	15,744	14,953	791	5.0%
MGD Cash Flow	759	0	759	100.0%
MIJB Cost Adjustment	0	3229	0	0.0%
TOTAL FUNDING	268,781	271,574	436	0.2%
OVERALL VARIANCE	0	0	0	

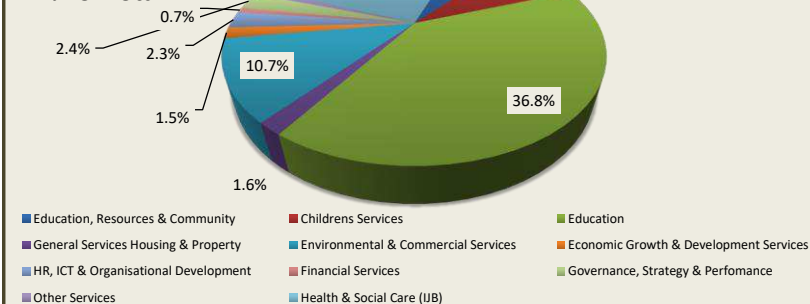
Commentary on Quarter 2 Performance

Childrens Services: projected underspend from review of contracts going out to tender, the disabilities residential contract (in addition to the planned saving to be taken in quarter 3), fostering fees and allowances underspend and adoption allowances and post-adoption support

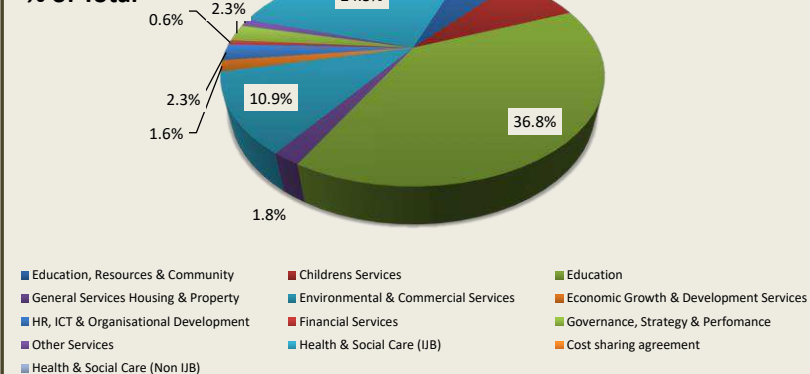
General Services Housing & Property: overspends estimated on school repairs and maintenance combined with a property fees recharge shortfall.

Environmental & Commercial Services: Shortfall in achieving vacancy targets partly due to sub contractors being utilised, Fleet overspends on vehicles and plant for Council departments. School transport contracts overspend. School transport contracts overspend (Forres Academy relocation of pupils, additional routes for ASN pupils).

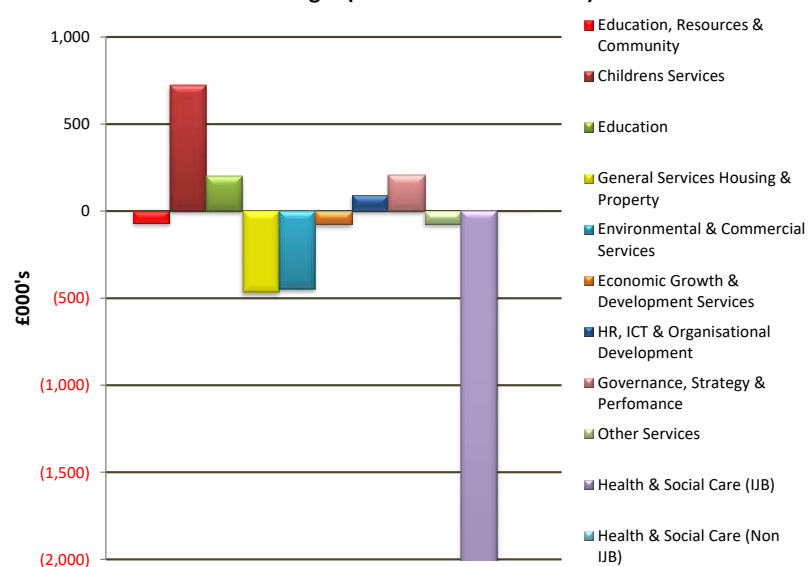
Budget 2023/24 % of Total



Est Outturn % of Total



Est Outturn Variance to Budget (excl Loans & Provisions)



	Allocated Budget	Provisions for Contingencies and Inflation	Additional costs	Savings	Budget	Loan Charges	Depreciation	Total Budget
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
1 March 2023	231,397	4,182	15,269	(4,415)	246,433	14,407		260,840
School carry forwards	853				853			853
PEF carry forwards	757				757			757
ELC carry forwards	36				36			36
Funded from reserves - approved MC 28/06/23	2,158				2,158			2,158
Funded from Transformation Earmarked Reserves	76				76			76
Funded from Covid Earmarked Reserves	128				128			128
Adjustment 1	6,850	(5,908)	(3,013)	2,071	0			0
Adjustment 2 - move inflation pot	-	5,098	(5,098)		0			0
Corporate Committee 29/8/23	<u>242,255</u>	<u>3,372</u>	<u>7,158</u>	<u>(2,344)</u>	<u>250,441</u>	<u>14,407</u>	<u>0</u>	<u>264,848</u>
Adjustment 3								0
Funded from Covid Earmarked Reserves	421				421			421
Funded from Other Earmarked Reserves	639				639			639
Additional GRG	0		2,873		2,873			2,873
Adjustment 4	4,933	(1,470)	(5,928)	465	(2,000)	2,000		0
Moray Council 6/12/23	<u>248,248</u>	<u>1,902</u>	<u>4,103</u>	<u>(1,879)</u>	<u>252,374</u>	<u>16,407</u>	<u>0</u>	<u>268,781</u>

ALLOCATIONS FROM PROVISIONS SINCE 30 JUNE 2023

Provision for Contingencies and Inflation	Committee reference	£000s	£000s
Balance at 30 June 2023			3,372
Grampian Valuation Joint Board Requisition uplift		(51)	
Education DSM adjustment		(16)	
Contract indexation - electricity		(1,361)	
Contract indexation - other		(4)	
Other - Contingency		(38)	
		<hr/>	
		(1,470)	
Balance at 30 September 2023			1,902
Additional Costs		£000s	£000s
Balance at 30 June 2023			7,158
Movements in General Revenue Grant			
Summer Holiday Activities funding		68	
Employability Staffing		264	
H&SC funding to MIJB		2,210	
Ukrainian Resettlement		331	
		<hr/>	
			2,873
Budget pressures approved when budget set			
DSM Formula adjustment - Primary		(30)	
ELC Specific Grant		(190)	
Schools - Education Investment Fund		(196)	
Free School Meal Expansion - summer holidays		(99)	
School Transport ASN costs	CORP 13/06/23	(66)	
NDR Revaluations		(363)	
Increase in Loans Charges		(2,000)	
Road Safety matters		(50)	
H&SC funding to IJB - Real Living Wage Allocation		(1,882)	
H&SC funding to IJB - Personal and Nursing Care		(328)	
		<hr/>	
			(5,204)
Additional Budget Pressures approved			
Raising Attainment		(214)	
Additional ASN costs - ARG Budgets	CORP 13/06/23	(70)	
		<hr/>	
			(284)
Service Developments			
Levelling Up Fund		(44)	
Youth Work (Buckie & Forres)		(64)	
		<hr/>	
			(108)
Additional funding allocated			
Summer Holiday activities funding		(68)	
Employability Staffing Costs 23-24		(264)	
		<hr/>	
			(332)
Balance at 30 September 2023			4,103

Savings & Charges	£000s	£000s
Balance at 30 June 2023		(2,344)
Permanent savings approved when budget set:		
Savings identified after budget set:		
Customer Services CMP	Corp 25/4/23	108
Expenses Savings	MC 28/6/23	29
Energy from Waste reduced gate fee (Electricity)	MC 28/6/23	150
Homelessness service charges (part year)	Hsg & Comm Safety 12/9/23	20
Education CPD saving taken earlier than planned		5
Scottish Water commission		50
Elgin Car Parking Review	MC 27/9/23	103
		<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> 465
Balance at 30 September 2023		(1,879)

Description	Para Ref	Approved Amount £000	Drawn Down £000	Balance £000	Status	Qtr 2 reason for balance
RECOGNISED WHEN BUDGET SET						
Social Work						
Education Resources & Communities						
School Transport - Additional ASN Costs		66	66	0		
Free schools meals expansion April - August	5.4	293	88	205		£76k required for holiday provision Xmas & Feb mid term
Free School Meals holiday provision		80	80	0		
DSM / class contact time review	5.3	18	0	18		Employee finished position early.
Libraries loss of income from Passport checking service no longer available		26	26	0		
Education						
Additional Teachers	5.4	285	244	41		Balance to be drawn in Qtr 3
School roll numbers	5.4	700	43	657		Census figures have just been finalised. Roll figures came in under estimates. Estimated £406k not required.
ELC specific grant		190	190			
5% increase in sustainable rate ELC partner providers		395	395			
* Education Investment Fund - short term funding	5.4	500	197	303		Balance to be taken will depend on allocations for new children into Moray.
Additional Support Needs (ASN)	5.4	0	70	(70)		Further funding required will depend on packages agreed to support existing children.
Economic Growth & Development						
MGD revenue contribution STEM		3	3	0		
Bus Revolution revenue		20	20	0		
Development Plan Scheme - transportation appraisals	5.4	100	0	100		Will be required in full. Will draw down for Q3
Economic Recovery Plan	5.3	53	0	53		No longer required
Renewables Income Fund	5.3	5	0	5		No longer required
Environmental & Commercial						
Leachate - ongoing budget pressure		77	77	0		
Mid Term Loadline Survey - Dredger		30	30	0		
Fuel Costs - Waste		127	127	0		

Brown bin permits		34	34	0		
Deposit Return Scheme	5.3	30	0	30		Postponed one year to 24/25
* Road Safety matters		50	50	0		
Governance etc						
Reduced admin funding from DWP for Housing Benefits		7	7	0		
* Amount for each Ward (£15k) to address minor works/concerns		120	120	0		
Housing & Property Services						
Homeless - higher costs of providing and maintaining temporary accommodation for increased levels of homeless presentations		220	220	0		
Financial Services						
Procurement (additional 0.5FTE Procurement Officer)		28	29	(1)		
Other						
* Donation to assist local effort for relief of suffering in Turkey/Syria	5.4	5	0	5		Budget to be drawn down
* Donation to Moray Foodbank (in addition to 22/23 donation)		20	20	0		
Cross Service						
Reinstatement of the Employee Assistance Programme		15	15	0		
NDR revaluation	5.4	400	363	37		Not all NDR accounts settled yet - potential for some of the balance still required.
TU Provision	5.3	11	0	11		Drawn down as part of the funding from reserves (MC 24/5/23)
Increase in Loans Charges		2,000	2,000	0		
Removal of Statutory Mitigation for Flexi/TOIL		0	173	(173)		Annual Accounts entry
Funding for MIJB						
H&SC £100M RLW funding		1,882	1,882	0		
H&SC PNC funding		328	328	0		
Total		8,118	6,897	1,221		
Funded from Transformation Earmarked Reserves						
Revised IMP	5.3	1,302	706	596		Funding for positions drawn down - funding will be required for April to August next financial year.
Raising Attainment - TCH						
Raising Attainment - SJC		0	90	(90)		as above
Total		1,302	796	506		

FUNDING FOR NEW DUTIES

FSM Expansion	5.4	1,204	0	1,204		
Whole Family Wellbeing Fund (WFWF)	5.4	545	0	545		Unspent will be put to an earmarked reserve at y/e along with last years £546k.
Empty Property Relief		508	508	0		
Summer Holiday activities funding		68	68	0		
Employability Staffing Costs 23-24		264	264	0		
Ukrainian Resettlement	5.4	331	0	331		Notified in September of allocation. Draw down in Qtr 3
SERVICE DEVELOPMENTS						
Levelling Up Fund	5.4	221	44	177		Potential to spend in full if Levelling up Round 3 application is to be submitted
School real time data	5.4	63	0	63		Checking with service if any of this will be used this year
Youth work (Buckie and Forres)	5.4	120	64	56		Will be fully used this year - Buckie projects just being finalised
Roads patching - one year only		300	300	0		
Total		3,624	1,248	2,376		
Grand Total		13,044	8,941	4,103		

* One year funding

SAVINGS

APPENDIX 6

Description	Para ref	Approved Amount	Achieved	Balance	Status	Committee reference	Qtr 2 Reason for balance	Savings likely to be achieved? (Y or N)
		£000	£000	£000				
Approved when 2023/24 budget set:								
Financial Services								
Financial service restructuring	7.9	(16)	0	(16)				N
Review of purchasing card	7.10	(30)	0	(30)			Cross service saving	Y
Empty Property Relief		(44)	(44)	0				
Environmental & Commercial Services								
Salt store (Keith depot)	7.9	(35)	0	(35)			Was approved but new mandate being prepared for larger scale project	N
Roads maintenance - hire out machinery	7.10	(100)	0	(100)			Supply chain issues	N
3 weekly recycling collection	7.10	(136)	0	(136)			Savings achieved and budget to be taken.	
Temp Bus Stop Charges	7.9	(2)	0	(2)			Contractors will not pay charge. Saving to be removed.	
Harbours commercial income	7.10	(336)	0	(336)			Confirmation on Windfarm income streams has now been provided and saving will be posted in Qtr 3	Y
TRO charges		(16)	(16)	0				
Transportation and Consultancy recharges	7.10	(142)	0	(142)			Transportation can take 25% of the saving and Consultancy 75%	Y
Economic Growth and Development								
Statutory fees for planning applications		(110)	(110)	0				
Local Housing Energy Efficiency Strategy (LHEES)		(50)	(50)	0				
Housing & Property Services								
Closure of Quarryhill		(28)	(28)	0				
Cessation contract SACRO	7.10	(150)	(142)	(8)			Net saving lower than estimated (mainly due to 22/23 pay award). Maximum saving already taken - no further saving to come.	N

Property Services admin	7.10	(26)	0	(26)			Awaiting confirmation from Dept	
Homelessness service charges		(230)	(230)	0				
Integrated Children's Services								
Children's Services - adoption, temp HoS		(54)	(54)	0				
Schools								
Service concession	7.10	(1,168)	0	(1,168)			Based on Arlingclose Treasury Advisers calculations, saving to be taken in Qtr 3	Y
Education Resources and Communities								
Relocate staff from Auchernack plus Forres Community Centre staff restructure	7.10	(20)	0	(20)			Mostly relates to NDR and so is dependent on sale of asset. Currently under offer, hopeful that sale will complete early 2024.	Y
ASN contracts: Home Tuition, Call Scotland, SALT		(60)	(60)	0				
Area Forums		(4)	(4)	0				
Corporate/Cross service								
Charges review - See Charges Tab			0					
EV / ULE salary sacrifice	7.9	(20)	0	(20)			Ultra Low emission vehicles scheme - savings unlikely to be achieved in 2023/24, push back to next year	
Increase vacancy factor in line with pay awards	7.10	(225)	(17)	(208)			Dependent on pay agreement	
Improvement & Modernisation Programme:								
Stream 2: ICT & Digital - Schools Admin	7.9	(56)	0	(56)			Reported to ECLS 19/9/23 - further information requested and to report back to ECLE on 28 Nov 2023 there will be no saving in 23/24.	
Stream 4: Review & Expansion of Flexible Working	7.10	(44)	0	(44)				
Care placements	7.10	(245)	0	(245)			Saving to be taken in Qtr 3	
Reduction in reinvestment costs	7.10	(18)	0	(18)			Saving to be taken in Qtr 3	
LEAN review	7.9	(125)	0	(125)			Work has started on pilot projects but unlikely to achieve savings in 23/24.	
Customer Services CMP	7.5	0	(108)			Corp 25/4/23		

Temporary Savings								
Corporate								
Grampian Valuation Joint Board - Refund	7.10	(50)	0	(50)		MC 8/3/23	Surplus £46k approved at GVJB Board 3/11/23, slightly less than proposed. To be posted Qtr 3	Y
Direct Services								
Dallachy spare capacity - income	7.9	(725)	0	(725)		MC 8/3/23	This was based on the potential to sell available space in the final cell at Dallachy to private sector operators, who have sought alternative sites. Dallachy is still open and charges are being levied at £29 per tonne so potential to achieve up to £200k	N
Income		(150)	(181)	31		MC 8/3/23	Income has exceeded budget	
Income approved since budget set								
Elgin Car Parking Review (wef 1/1/24)	7.3	(103)	(103)	0		MC 27/9/23		
Savings approved since budget set:								
IORB	7.2	(715)	(715)	0		MC 28/6/23		
Development Services - Software Licences	7.2	(11)	(11)	0		MC 28/6/23		
Members Allowances/Expenses	7.2	(20)	(20)	0		MC 28/6/23		
HR - Professional fees	7.2	(10)	(10)	0		MC 28/6/23		
Increase in recharges to CapitalHRA	7.2	(105)	(105)	0		MC 28/6/23		
Income	7.2	(219)	(219)	0		MC 28/6/23		
Janitorial Restructure		(2)	(2)	0				
Homelessness Temp Accommodation charges	7.4	(20)	(20)	0		Hsg & Comm Safety 12/9/23		
Savings on expenses - template F6-8	7.6	(29)	(29)	0		MC 28/6/23		
EFW reduced gate fee (Electricity generation)	7.7	(150)	(150)	0		MC 28/6/23		
CPD Manager per savings template - taken early		(5)	(5)	0				
Scottish Water commission uplift 23/24		(50)	(50)	0				
Temporary Savings								
LHEES saving		(53)	(53)	0		MC 8/3/23		
Total Approved when budget set		(4,415)	(936)	(3,479)				
Total Approved since budget set			(1,600)	1,600				
Balance at Qtr 2				(1,879)				

APPENDIX 7

General Reserves	Committee reference	Approved £000s	Budget released £000s
General Reserves @ 1 April 2023		5,000	
Free balance @ 30 Sept 2023		5,000	
Transformation Ear marked Reserve	Committee reference	Approved £000s	Budget released £000s
Balance @ 1 April 2023		5,480	
Funding from reserves approved in 2023/24:			
Poverty	MC 15/09/21	(66)	
Raising Attainment	MC 15/09/21	(1,547)	(796)
Smarter Working	MC 02/02/23	(76)	(76)
		<u>(1,689)</u>	<u>(872)</u>
Free balance @ 30 Sept 2023		3,791	
Covid Ear marked Reserve	Committee reference	Approved £000s	Budget released £000s
Balance @ 1 April 2023		22,897	
Less commitments against reserves when budget was set:			
To balance budget	MC 01/03/23	(14,505)	
Budget pressures re economic recovery		(263)	
Donation to assist local effort for relief of suffering in Turkey/Syri		(5)	
Donation to Moray Foodbank (in addition to 22/23 donation)		(20)	
Amount for each Ward (£15k) to address minor works/concerns		(120)	
Road Safety matters		(50)	
Education Investment Fund - short term funding		(500)	
Reinstatement of the Employee Assistance Programme		(15)	
		<u>(15,478)</u>	
Adjustments Qtr 1:			
<u>Increase use of reserve:</u>			
GRG adj to bring into line with f/c 3/2023		(162)	
Funding from Reserves per Variance Report	MC 28/06/23	(2,158)	
Trades Union Facility Time	MC 25/04/23	(23)	
0.4fte Trade Union Education	MC 24/05/23	(34)	
DAR Assistant Registrar / Clerical Assts Burial	01/23	(72)	
ASN Budget Pressure		(1,800)	

<u>Decrease use of reserve:</u>		
Remove Budget pressures re economic recovery		263
Reduced use of reserves from addl savings/income (SMTFP Report)	MC 28/06/23	1,589
		<u>(2,397)</u>

Adjustments Qtr 2:

<u>Increase use of reserve:</u>		
Cost of living 22/23 cont to Moray Food plus		(16)
Amend DSM for Speyside HS and Newmill PS	Corp 13/6/23	(33)
Bus Revolution revenue costs		(74)
Other		(99)

<u>Decrease use of reserve:</u>		
Remove Budget pressure for renewable income fund		5
Temp accom increased charges part year		20
Education saving taken early		5
Elgin Car Parking review part yr (Jan 24)		103
SNCT pay agreement addl funding		2,204
		<u>2,131</u>

Approved use of reserves (15,744)

Other Adjustments

<u>Decrease use of reserve:</u>		
Capital element of pay award 22-24		2,007
Free balance @ 30 Sept 2023		9,160

Council Priorities ear marked Reserve	Committee reference	Approved £000s	Budget released £000s
Balance @ 1 April 2023		5,881	
Free balance @ 30 Sept 2023		5,881	

Moray Growth Deal CF Reserve	Committee reference	Approved £000s	Budget released £000s
Balance @ 1 April 2023		4,000	
Less commitments against reserves when budget was set:			
MGD Cash Flow	MC 01/03/23	-	
Free balance @ 30 Sept 2023		4,000	



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: CAPITAL PLAN 2023/24

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT and FINANCE)

1. REASON FOR REPORT

- 1.1 To advise the Committee of expenditure to 30 September 2023 under the capital plan for financial year 2023/24 and of estimates of projected expenditure profiled into quarters.
- 1.2 This report is submitted to Committee in terms of Section III (B) 9 of the Council's Administrative Scheme relating to monitoring progress of projects in the approved capital plan including any revisions to the price or phasing on a quarterly basis.

2. RECOMMENDATION

2.1 It is recommended that the Committee:

- (i) **considers and notes expenditure to 30 September 2023 of £8,120,000;**
- (ii) **considers and notes the current plan, prior to amendment of £63,531,000 for 2023/24 based on approved expenditure adjusted for known differences in planned expenditure which have been identified to date, profiled into quarters, as set out in APPENDIX 1;**
- (iii) **considers and notes the projected overall expenditure for projects spanning more than one financial year, as set out in APPENDIX 2;**
- iv) **considers and notes the amended projected expenditure in the year as detailed in section 7.1; and**
- (iv) **approves amendments to the 2023/24 and 2024/25 capital plan as detailed in section 6.1 of this report.**

3. BACKGROUND

- 3.1 The capital plan for 2023/24 totalling £59,186,000 was approved by Moray Council on 1 March 2023 (paragraph 4 of the Minute refers). Amendments

approved by the Council at its meeting on 8 March 2023 (paragraph 7 of the Minute refers), and 28 June 2023 (paragraph 8 of the minute refers), and at Corporate Committee on 28 August 2023 (paragraph 7 of the minute refers) have been incorporated to give a current approved capital plan for 2023/24 totalling £69,400,000. The amendments recommended in this report would result in a capital plan of £65,379,000, but this should not be considered an estimate of actual spend for the year. The figure includes expenditure on five Moray Growth Deal (MGD) projects as estimated in Outline Business Cases (OBC) – these projects have submitted Full Business Cases (FBC) to the Scottish Government for approval and the OBC estimates appear unlikely to be achievable in this financial year. The MGD Programme is being reprofiled to reflect draft FBCs and following that the Capital Plan will be adjusted accordingly. Although budget managers have expressed confidence that a high proportion of the projects will spend to current budget there has been a very low spend to date (11.70%). Continued volatile conditions in the construction industry and in supply chains of materials are causing contractors to decline to tender for works or tender for prices significantly above estimates, resulting in reduced scope of works being retendered.

- 3.2 As some sizeable projects span more than one financial year, this report includes a separate **APPENDIX 2**, giving details of expenditure on such projects in order to give a complete financial overview of these major projects.
- 3.3 The indicative 10 year capital plan is being reviewed as part of the financial planning process to reflect the impact of continued construction inflation and further increased interest rates on the affordability of the plan. As a short term savings measure, capital budget managers have also been asked to review planned expenditure for 2023/24 with a view to delaying projects or otherwise reducing expenditure in 2023/24.

4. CAPITAL PLAN 2022/23

- 4.1 A copy of the summary capital plan is included as **APPENDIX 1** showing actual expenditure to 30 September 2023 of £8,120,000. This is just under 12% of the currently approved Capital Plan. General Capital Grant of £6,812,000 has been received from the Scottish Government. Other grants and contributions of £843,000 have also been received. In addition to this, Developer Contributions of £413,000 have been received in quarter 1 of this financial year and capital receipts of £608,000 for the sale of land and buildings and vehicles. The Council previously took advantage of flexibilities allowed by the Scottish Government that allowed the Council to use capital receipts to fund spend on Transformation projects. This flexibility ended in 2022/23 and unused receipts of £4,331,000 were transferred to the Useable Capital Receipts Reserve and will be used in 2023/24 to fund capital expenditure.
- 4.2 Expenditure on land and buildings to 30 September 2023 totals £2,956,000. The main items of expenditure is £496,000 on projects under the Moray Growth Deal. Expenditure of £419,000 has also been spent on Place Based Investment, a programme established by the Scottish Government to ensure that local investment is relevant to local communities for the benefit of local

people. This expenditure is funded by capital grant from the Scottish Government.

- 4.3 Expenditure on infrastructure assets to 30 September 2023 totals £2,934,000. The main items of expenditure were £300,000 on Road Safety projects and £685,000 on various Harbours projects.
- 4.4 Expenditure on vehicles, plant and equipment to 30 September 2023 totals £2,230,000. The main item of expenditure was £1,682,000 on the Vehicle and Plant Replacement Programme, a proportion of which is slippage from 2022/23 due to the current lead time for the delivery of vehicles.

5. **PROJECTED OUTTURN AND PROJECT DEFERRALS**

- 5.1 Budget managers have been asked to update projected estimates of expenditure on capital projects in 2023/24. The spend projections provided by budget managers are based on the best information available at this time. Projects are graded for confidence of achieving projected expenditure with high confidence rated as green, medium confidence as amber and low confidence as red. A summary of the ratings is given in the table below.

Risk Status	RAG	No of Projects	Budgeted Expenditure 2023/24 £000
High confidence of spend to estimate	G	104	31,793
Medium confidence of spend to estimate	A	4	9,254
Low confidence of spend to estimate	R	8	22,994
		116	64,041

5.2 **Red rating**

A red status highlights areas where there is low level of confidence in estimated expenditure. The following have been identified by budget managers as having a red status:

Project	Para.	Capital Plan 2023/24 £000s	Projected Expenditure 2023/24 £000s
Land and Buildings			
Refurbishment and Upgrade of Pools	5.3	600	
Early Learning and Childcare (ELC) (1 project)	5.3	110	2
Moray Growth Deal (3 projects led by partners)	5.4	21,667	
Depots	5.4	1,500	-
Keith Salt Shed	5.4	117	17
TOTAL		23,994	19

- 5.3 Refurbishment work on some of the planned leisure facilities projects was dependent on the outcome of the Council's bid for funding from Phase 3 of the Learning Estate Investment Programme (LEIP). The Council has been

notified that its bid for Buckie High School was unsuccessful and work will be required to decide the future requirements there and there is therefore no certainty on the spend requirements. However, a minimal level of works may be needed to ensure that the facilities remain operational in the meantime if urgent requirements were to materialise. The ELC base at Portgordon requires improvements as a result of a recent Care Inspectorate inspection but there have been issues with the tender process, both in terms of increased prices and lack of supplier engagement. Work is ongoing to ascertain the best way forward on this project.

5.4 Three Moray Growth Deal projects currently include figures estimated in OBC – these projects have submitted Full Business Cases to the Scottish Government for approval and the OBC estimates appear unlikely to be achievable in this financial year. The Depot and Stores Review is progressing to a revised schedule due to the impact of RAAC on team capacity. A strategic case is being developed and no spend on depots is anticipated until agreement of the strategy and subsequent OBC. Minimal spend is anticipated on the new Salt Shed in Keith by the end of the year as the project is being reviewed in line with the larger Depot and Stores Review.

5.5 Amber rating

An amber rating of confidence to spend budget highlights areas where there are issues impacting on the ability to project spend – generally indicating factors outwith the budget manager’s control. The following have been identified by budget managers as having an amber status:

Project	Para.	Capital Plan 2023/24 £000s	Projected Expenditure 2023/24 £000s
Land and Buildings			
NESS Energy for Waste Plant	5.6	5,304	5,304
Infrastructure			
Bridges (1 projects)	5.7	38	38
Vehicles, Plant and Equipment			
Vehicle and Plant Replacement Programme	5.8	3,678	3,678
Children’s Play Area Equipment	5.8	234	234
TOTAL		9,254	9,254

5.6 Spend on the Council’s share of the costs of the construction phase of the NESS Energy for Waste Plant is dependent on the contractors achieving agreed milestones which trigger payments and may be subject to change. This is the last year of construction with the plant anticipated to be live in the current financial year. An element of contingency was built into the budget and it is not anticipated that this will be required in full. However, under the terms of the agreement the primary supplier is permitted to claim for exceptional costs associated with a delay outwith their control. The Project Board, representing the Local Authorities’ interests, is in commercial negotiations as to the value of this claim. Until these negotiations progress to a later stage it is not possible to quantify any liability.

- 5.7 Expenditure on the planned project at Lea Bridge in Forres is dependent on the findings of inspections.
- 5.8 The lead time for vehicle replacements is very long due to issues with the supply of small components to complete vehicles and there is therefore a high degree of uncertainty as to when vehicles will be delivered. There is a similar situation with regards to Play Area Equipment.
- 5.9 Details of the projected variances as at September 2023 from the current approved capital programme, summarised in **APPENDIX 1**, are set out below:

Description	Ref	Underspend/ (Overspend) £000s
Land and Buildings		
Schools BB Works	5.10	848
Elgin High School Extension	5.11	(25)
Learning Estate Strategy	5.12	379
Universal Free School Meals	5.13	398
Early Learning and Childcare (ELC Projects)	5.14	138
Moray Growth Deal	5.15	627
Moycroft	5.16	96
Depots	5.17	1,500
Salt Shed	5.18	100
Infrastructure		
Bridges	5.19	1,713
Flood Risk Management	5.20	(180)
Harbours	5.21	35
Vehicles, Plant and Equipment		
Orchard Road Signals	5.22	(45)
Climate Change – Solar Panels	5.23	500
TOTAL		5,959

Land and Buildings

- 5.10 **Schools BB Works** – Projects under the Schools BB Works heading are currently forecast to be £847,000 underspent. Works on fire alarm upgrades at Keith Grammar and Forres Academy have been delayed to the summer of 2024 due to issues with Reinforced Autoclaved Aerated Concrete (RAAC) and it is recommended that the underspend on these projects of £126,000 is carried forward to allow those projects to complete. It is also recommended that the remaining underspend of £721,000 be diverted to fund the works required to rectify RAAC medium term recovery including ancillary works.
- 5.11 **Elgin High School Extension** – A report to Education, Children’s and Leisure Services Committee on 19 September 2023 (paragraph 17 of the minute refers) provided an update on the the project to extend Elgin High School and approved the Outline Business Case (OBC) for the project. It also approved an increase of the capital funding of up to £19.3m. The benchmarked project fee for taking the project to full business case, with a detailed design and build proposition is £1,154,000. It is anticipated that £202,000 of the cost will be in financial year 2023/24 with the remainder in

2024/25. It is recommended that the budgets in 2023/24 and 2024/25 are amended to match this in order for this work to progress.

- 5.12 **Learning Estate Strategy** – This budget is forecast to be underspent by £379,000 due to the delay in the confirmation of Learning Estate Improvement programme (LEIP) funding from the Scottish Government. Some initial work on the Buckie High School design brief has taken place and it is therefore requested that the forecasted underspend of £379,000 is carried forward to 2024/25 to allow this work to progress.
- 5.13 **Universal Free School Meals** – Capital funding to support the roll out of universal free school meals to all pupils in P4 and P7. To date only the roll out to primary 4 and 5 has been completed. Current spend is an estimate on the spend required to purchase additional equipment to support the increased roll out. Further work is to be carried out on the required capital investment required by the end of the financial year and will be updated in future monitoring reports. It is requested that the projected underspend of £398,000 be carried forward to 2024/25.
- 5.14 **Early Learning and Childcare (ELC) Projects** - Various projects under this heading have seen issues with the tender process, both in terms of increased prices and lack of supplier engagement. The project at Aberlour is still ongoing and final account is not yet agreed but it currently forecast to be underspent. Other projects are forecast to be overspent due to higher tender prices resulting in an overall underspend of £138,000. No budget adjustments are requested at this time.
- 5.15 **Moray Growth Deal** - Housing Mix Delivery and Cultural Quarter – The budgets for these projects, which are led by the Council, included in the capital plan are based on the Outline Business Cases and are currently anticipating an underspend against the OBC profile of £627,000. The budget will be amended once the Full Business Cases have been prepared and approved by the Scottish Government and no amendments are therefore recommended at this stage.
- 5.16 **Moycroft** – This project was complete in November 2020 and discussions have been ongoing with the contractor to agree the amount of the final bill. In 2022/23 an estimate of the amount was made of the amount and accrued. The final bill agreed is less than this estimate, resulting in an underspend of £96,000.
- 5.17 **Depots** - The Depot and Stores Review is progressing but pace has been impacted by RAAC issues. No spend is anticipated until agreement of the strategy and development of Full Business Cases to implement the Strategy and it is therefore recommended that the budget of £1,500,000 is carried forward to 2024/25.
- 5.18 **Salt Shed** - Minimal spend on design, consents and site investigation works is anticipated on the new Salt Shed in Keith by the end of the year as the project is being reviewed in line with the larger Depot and Stores Review. It is therefore requested that the forecasted underspend of £100,000 is carried forward to 2024/25.

Infrastructure

- 5.19 **Bridges** - A941 New Craigellachie Bridge – Work is currently ongoing on this project with the next phase due to start in quarter 2. At this stage it is projected that there will be an underspend of £274,000 in this financial year. Aldunie Bridge Cabrach/Dykeside Bridge – Unbudgeted expenditure of £2,000 has been incurred in the current financial year relating to minor works carried over from this project which was carried out in 2022/23. The project had a budget of £485,000 and outturned £425,000 in 2022/23 and will still be under budget after taking this expenditure into account. Cloddach Bridge – The Council at its meeting on 25 October 2023 (paragraph 6 of the minute refers) approved engaging external consultants to prepare the Full Business Case for replacing Cloddach Bridge. The community has raised £120,000 towards this cost with the Council paying the balance. It is recommended that the forecasted underspend of £1,441,000 be carried forward to next year pending future decision following completion of the business case.
- 5.20 **Flood Risk Management** – Compensation negotiations for the Findhorn Flood Alleviation Scheme are ongoing and officers are working with the District Valuer, landowners and their agents to try and reach agreement. There is an element of uncertainty in how much these compensation payments will be agreed and this has resulted in an overspend this year. There are still three agreements outstanding on the Findhorn Scheme and it is hoped that these will be settled before the end of 2024. However, one of these agreements is subject to potential legal action, which increases the uncertainty over cost and timing.
- 5.21 **Harbours** – Work on various Harbour projects are forecast to be underspend by a total of £153,000 due to the risk allowance built into budgets not being required. It is requested to use £118,000 to increase the budget for capital dredging, the tender for which has come in over the initial budget of £255,000.
- ## **Vehicles, Plant and Equipment**
- 5.22 **Orchard Road Signals** – Late invoices totalling £45,000 for the installation of signals equipment were sent by the provider after year end which were not taken into account in previous reporting. The overall rise in project costs has been down to the increase in construction costs experienced between 2020 (when the Project Mandate was completed) and 2023 (when the project was completed). Additional work was also required to provide new electronically controlled gates for a property whose access lies within the junction area.
- 5.23 **Climate Change** – This was a generic allowance for expenditure related to climate change and no definite proposals have yet been made although proposals to install solar panels on various Council buildings are currently being drafted. These are at an early stage of development and no spend is anticipated on this heading in 2023/24. The potential for external funding is being investigated. It is therefore recommended that the budget of £500,000 is carried forward in full.

6. AMENDMENTS TO CAPITAL PLAN

6.1 The following amendments to the capital plan are recommended:

Amendments	Para	2023/24 £000s	2024/25 £000s
Land and Buildings			
Schools BB Works	5.10	(126)	126
Elgin High School Extension	5.11	25	-
Learning Estate Strategy	5.12	(379)	379
Universal Free School Meals	5.13	(398)	398
Depots	5.17	(1,500)	1,500
Salt Shed	5.18	(100)	100
Infrastructure			
Bridges	5.19	(1,441)	1,441
Vehicles, Plant and Equipment			-
Climate Change	5.23	(500)	500
TOTAL		(4,021)	4,046

7. ESTIMATED OUT-TURN

7.1 The estimated outturn from budget managers has been revised to reflect levels of slippage based expenditure to date and on levels of expenditure in the last two financial years (£31 million in 2021/22 and £28 million in 2022/23) .

	£000
Projected Spend notified per departments	63,441
Amend for Moray Growth Deal Projects	(21,667)
Amend for slippage on red projects	(708)
Amend for slippage on Amber projects (50%)	(4,627)
Amend for slippage on Green projects (30%)	(9,538)
Revised Estimated Out-turn	29,901

8. RISK

8.1 Budget managers have been asked to identify any specific areas of risk for the projects in the capital plan for which they are responsible.

Generic risks

8.2 Projects can be subject to risks which are outwith the direct control of the Council, such as poor weather conditions. Some assets such as harbours are particularly vulnerable to bad weather events but there is potential for weather conditions to impact across all lands and buildings and infrastructure projects.

8.3 Lack of staff resources and staff turnover can impact on project timescales and other emerging work priorities can impact in scheduled works and this is reflected in delays where work planned to be out-sourced is being brought in-house as a result of poor response to tender requests.

- 8.4 There is a risk that time-limited funding is not spent within time-frame and that the Council therefore loses the opportunity to improve or create assets at no or reduced cost to the Council.
- 8.5 There is a risk that contract inflation might increase the eventual cost of projects in future years of the capital plan and a risk that any deferment of projects relating to asset condition might result in element failure, potentially incurring unbudgeted costs. The figures in the 10 year plan are based on current costs and are likely to increase by the time the project is undertaken. This consideration will form part of the review of the 10 year plan.
- 8.6 A risk to the capital plan in recent years has been an increase in the cost of materials and scarcity of many materials which are key for the construction industry. This is partly a world-wide reaction to the pandemic, and partly due to Brexit, but the war in Ukraine is also having an impact. This is still seen as a risk but the impact and likelihood is reducing.
- 8.7 The cost to the Council of borrowing is based on interest rates at the time. Continued relatively high levels on inflation are expected to mean that the current pattern of interest rate rises is likely to continue and this will have an impact on the cost to the Council and this will underpin the review of the 10 year plan as part of the financial planning process for 2024/25 and beyond.

Project specific

- 8.8 The Climate Change Route Map to Net Zero, setting out how the Council plans to achieve its target of net zero carbon by 2030, has not been incorporated into the capital plan. As projects in the plan are developed carbon factors will be taken into account. The impact will be increased costs for many projects. Where specific actions in the Route Map entail capital expenditure these will be included in the capital plan, subject to a business case being approved for the inclusion of the action.
- 8.9 The main current risk for the vehicle replacement programme is extended lead in times of up to 24 months due to industry conditions, although lead in times are now gradually shortening. There are pressures on the programme due to targets for local authorities to de-carbonise their fleets, which also entails developing the infrastructure to support electric vehicles.
- 8.10 The Council's Learning Estate is generally of a poor condition and this carries the risk of unplanned work being required to avoid unplanned school closures.
- 8.11 No other project risks have been specifically identified by budget managers. There are risks relating to Moray Growth Deal projects which are monitored by the MGD Programme Board – these will be added to the risks reported on the Council's Capital Plan as and when Full Business Cases are approved and projects led by partners go live.

9. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Effective budget management is an essential component of delivery of Council priorities on a sustainable basis.

The capital plan is one of the vehicles through which the Council's priorities can be delivered. The approved capital plan for 2023/24 and the outline ten year plan incorporates measures designed to address the LOIP priorities of building a better future for our children and young people, empowering and connecting communities and developing a diverse, inclusive and sustainable economy.

(b) Policy and Legal

There are no policy or legal implications arising directly from this report.

(c) Financial implications

The financial implications are highlighted within the report and **Appendices 1 and 2** to the report.

(d) Risk Implications

Budget managers are aware of their responsibilities for managing budget allocations and approval for variance will be sought from Council in line with the financial regulations. Risks specific to items within the capital plan are highlighted in paragraph 7 of this report.

(e) Staffing Implications

There are no staffing implications arising directly from this report

(f) Property

There are no property implications arising directly from this report.

(g) Equalities/Socio Economic Impact

There are no equalities issues arising from this report.

(h) Climate Change and Biodiversity Impacts

There are no climate change or biodiversity issues arising directly from this report. Achieving net zero will have significant implications for future planned capital expenditure

(i) Consultations

All capital budget managers have been consulted in the development of estimated actuals as part of the preparation of this report. Members of the Asset Management Working Group, all Heads of Service and the Corporate Management Team have been consulted and any comments incorporated in the report.

10. CONCLUSION

10.1 Capital expenditure in the first quarter of the year amounts to £8,120,000 to the end of September 2023.

10.2 Capital expenditure is currently projected to be £29,901,000 lower than the approved capital plan for 2023/24 but with a high degree of

uncertainty due to current construction industry conditions and other external factors.

10.3 Amendments to the Capital Plan amounting to a decrease of £4,021,000 in 2023/24 and an increase of £4,046,000 in 2024/25 are recommended.

Author of Report: Laurie Milne, Senior Accountant
Background Papers:
Ref: LM/LJC/SPMAN-1293228629-915

Moray Council Capital Programme 2023/24
As at 30 September 2023

APPENDIX 1

	Projected Expenditure						Amended Capital Plan £000
	Capital Plan 2023/24 £000	Actual £000	Q1 £000	Q2 £000	Q3 £000	Q4 £000	
Land and Buildings							
Education, Children's and Leisure Services Committee	8,923	833	18	814	2,724	3,754	7,310
Economic Development and Infrastructure Committee	39,728	2,116	206	1,911	4,305	32,583	39,005
Corporate Committee	1,679	7	1	6	0	72	79
Infrastructure							
Economic Development and Infrastructure Committee	13,218	2,933	736	2,197	5,252	3,465	11,650
Vehicles Plant and Equipment							
Education, Children's and Leisure Services Committee	202	46	14	32	76	80	202
Economic Development and Infrastructure Committee	4,427	1,946	1,263	688	1,146	1,375	4,472
Corporate Committee	1,223	239	29	211	259	224	723
	69,400	8,120	2,267	5,859	13,762	41,553	63,441
							5,959
Funding							
Prudential Borrowing	50,799	85					
General Capital Grant (exc PSHG and CYPA)	8,789	6,812					
Other Grants & Contributions	0	0					
Developers Contributions	124	412					
Moray Growth Deal	9,532	203					
Receipts	156	608					
	69,400	8,120					

Major Capital Projects spanning more than 1 financial year (as at 30 September 2023)

APPENDIX 2

Description	Approved Total Budget	Total Expenditure in previous financial years	Current Budget 2023-24	Actual spend 2023-24	Remaining Budget 2023-24	Project Life Spend to 31/03/24	Projected Future Years Budget Required	Estimated Final Cost	Projected Variance
	£000	£000	£000	£000	£000	£000	£000	£000	£000
NESS Energy from Waste	27,224	22,092	5,304	914	4,390	22,834		27,224	0
Moray Growth Deal									
Bus Revolution	4,000	480	681	45	636	525	2,839	4,000	0
Early Years STEM	4,800	0	200		200	0	4,600	4,800	0
Housing Mix Delivery	7,500	77	1,973	243	1,730	320	5,450	7,500	0
Cultural Quarter	23,802	42	903	86	817	128	22,857	23,802	0
Digital Health	5,000	2,391	2,341	122	2,219	2,513	268	5,000	0
Business Enterprise Hub	5,268	0	3,915		3,915	0	1,353	5,268	0
Moray Aerospace, Advanced Technology and Innovation Campus	27,035	0	17,601		17,601	0	9,434	27,035	0
Manufacturing Innovation Centre	6,832	0	151		151	0	6,681	6,832	0
Total	111,461	25,082	33,069	1,410	31,659	26,320	53,482	111,461	0



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: SMARTER WORKING PROJECT – PROGRESS UPDATE

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

- 1.1 This report provides an update on progress with the Smarter Working project.
- 1.2 This report is submitted to Council in terms of Section II (15) of the Council's Scheme of Administration relating to the provision of office accommodation for all departments of the Council.

2. RECOMMENDATION

2.1 It is recommended that the Council considers and:

- i) notes progress on the project to date;**
- ii) notes the overall recurring reduction in revenue budgetary requirements of £65k for 2023/24 and recurring savings of £115k from 2025/26 as set out in paras 4.14 to 4.23; and**
- iii) approves the additional one-off £30k outlined in para 4.11 for telephony and communication equipment for Buckie Phoenix House.**

3. BACKGROUND

- 3.1 Reports detailing progress on the office review and the updated flexible working policy were provided to Moray Council at the meeting on 30 September 2022 (para 13 and 14 respectively of the minute refers) when the updated Flexible Working Policy was also approved. The Smarter Working Outline Business Case (OBC) was approved on 2 February 2023 (para 14 of the minute refers). That outlined the strategic objectives for Smarter Working, to ensure that efficient and effective use was made of assets, reducing operational costs through rationalisation of offices and provision of enabling ICT infrastructure and equipment for office-based staff to ensure functional spaces meet identified service needs, in line with the application of agreed principles and standards. The Full Business Case (FBC) for Smarter working was approved at a meeting of Moray Council on 28 June 2023 (para 14 of the minute refers). Given the financial context, the approach approved by the

Council within financial constraints and a significant budget gap was that the project should, as far as possible, be delivered within existing budget or from recurring savings identified in the project. Where essential, any additional expenditure required was to be kept to the minimum whilst supporting functional requirements, with scope to enhance provision to more fully meet the aspirations of the project deferred until the approach to bridging the budget gap was clearer.

- 3.2 The initial focus was to rationalise use of space in the HQ Campus, releasing capacity to decant other offices into the campus. Phase 2- other Elgin offices and 3- out of Elgin offices were to ensure adoption of Smarter Working principles for these spaces and provision of hybrid meeting equipment. The approved flexible working policy outlined the default position for hybrid working of 2 days in the office and 3 at home which supports the baseline adopted for the project of a desk space allocation of 50% of total Full Time Equivalent (FTE).

4. **STAGED APPROACH**

- 4.1 The agreed approach for the Smarter Working project, reflecting the financial parameters, was described as:-

Hybrid Working (minimum) – reuse furniture, some improvement to Wi-Fi coverage, provision of hybrid meeting hardware, some rationalisation of office buildings and improved access for welfare facilities for community-based staff.

- 4.2 As anticipated, as services have progressed with consolidation of hybrid working in terms of the Smarter Working project, other opportunities for rationalisation of property which may identify further savings have been identified for further consideration, whether to contribute towards reducing the budget gap or to provide enhanced smarter working solutions.
- 4.3 The updated position for Offices in scope for potential rationalisation is set out in table 1 below. There have been some changes to the last report in June, due to rationalisation which has already taken place in the HQ campus and discussions held that have identified other opportunities for further investigation. Some offices listed will be retained at present as there is no easily identifiable alternative, however staff operating from them should adopt the standards and principles of hybrid working:-

Phase	Address	Current Status
1 – HQ Campus	Council Headquarters Annexe Rose Cottage	Retain
1 – Other Elgin	9 North Guildry Street	Services relocated to HQ campus. Progressing through surplus property process
2 – Other Elgin	9a & 9c Southfield (NHSG lease for HSCM staff)	In scope – Services scheduled to relocate to HQ campus December 2023

Phase	Address	Current Status
	11 North Guildry Street	Retain
	232-240 High Street	In scope - status amended by decision of Moray Council 25 October 2023)
	Beechbrae and 10 Duffus Road	In scope
3 - Out of Elgin	Buckie Townhouse	Retain
	13 Cluny Square, Buckie	In scope – Staff to vacate to Phoenix Centre/Townhouse by March 2023.
	Keith Community Hub, Keith	Retain
	Phoenix Centre, Buckie	Retain
Declared Surplus	30 – 32 High Street	Surplus Building process being followed

Table 1

Workspace Design and Implementation

- 4.4 Following engagement with services, managers and early adopters in Phase 1- HQ campus, service requirements across all services were collated. Staff numbers included in Phase 1 HQ campus and Rose Cottage are shown in table 2 below. Whilst there has been a slight increase in staff working full time in the office in some areas since the Smarter Working Project spatial reallocations were implemented due to specific service delivery reasons, it has not had any material impact on the plans for desk allocations which were therefore largely accurate.

Service	Home	Hybrid	Office	Total
Chief Executive Section		6 FTE (6 staff)		6 FTE (6 staff)
Economy, Environment and Finance	18.88 FTE (22 staff)	290.81 FTE (310 staff)	52.37 FTE (58 staff)	362.06 (390 FTE)
Education, Communities and Organisational Development	20.95 FTE (23 staff)	210.62 FTE (249 staff)	52.07FTE (57 staff)	283.64 FTE (329 staff)
Health and Social Care Moray	1 FTE (1 staff)	114.94 FTE (141 staff)	23.46 FTE (30 staff)	139.4 FTE (172 staff)
Total	40.83 (46 staff)	622.37 FTE (706 staff)	127.9 FTE (145 staff)	791.10 FTE (897 staff)
% FTE workstyle	5.2%	78.6%	16.2%	100%
Estimated % prior to office moves	5.3%	79.1%	15.6%	100%
% change	-0.1%	-0.5%	+0.6	

Table 2

4.5 The collated service requirements informed a revised allocation of office space, meeting rooms and storage and the proposal for service locations was agreed with Heads of Service in July 2023, with implementation of office moves during September and October 2023. Verbal feedback has been very positive, in particular as regards the benefits for collaborative working enhanced by co-locating teams that hybrid working enabled through the reduction of desk requirements.

4.6 It was estimated in the June report that between 120 and 150 desks would be available across the campus to accommodate rationalisation of more Council offices or to accommodate partner organisations once 9 North Guildry Street and Southfield staff have moved into the campus. The actual reduction achieved in service desk numbers is illustrated below in table 3, however, the overall desks available is lower (Table 4) due to spatial and equipment configuration, storage, formation of additional meeting space and assessed service needs which have been confirmed as office moves were bedded in.

HQ Campus and 9 North Guildry Street

4.7 Whilst the target is to achieve 50% allocation of desks for FTE, due to the requirement for adjustments where roles are not suitable for hybrid working or individuals are not able to work this way, this will be difficult to fully achieve in reality. In addition, in some offices the capacity of the room is slightly larger than ideal allocation. Overall, the current allocation is sitting at 57.89% and 220 desk spaces have been released.

Service	Campus FTE	50% FTE desks	Pre Covid-Desk allocation	Revised allocation	Actual Reduction in desk numbers	% desk/ FTE
Chief Executive Section	6	3	6	7	(1)	116.6%
Economy, Environment and Finance	362.06	181	298	204	94	56.34%
Education, Communities and Organisational Development	283.64	142	280	166	114	58.52%
Health and Social Care Moray	139.40	70	94	81	13	58.11%
Totals	791.10	396	678	458	220	57.89%

Table 3

Desks summary

4.8 Through the office moves 31 desk spaces have changed function, have been altered into new meeting rooms, storage or reallocation to Heads of Service rooms. 30 Health and Social Care Moray (HSCM) staff (23.96 FTE) have moved into the campus from Rose Cottage with an allocation of 13 desks and in December, 101 staff (89.47 FTE) will be moving from Southfield to the

HQ campus and will be allocated 47 desks. Hot desks will continue to be available for all staff to use to ensure that there is the ability to flex as service delivery requires. Once all scheduled moves are completed there will be circa 121 desk spaces currently available to accommodate other services shown in table 4. If the services from other Elgin offices in scope are incorporated into the Campus then initial estimate is 60 desks plus meeting and storage space would be required and this will be taken forward in the new year.

Building	Desks	Remaining Available
HQ	471	Circa 96 desks
Annexe	223	Circa 15 desks (plus 45 hot desks)
Rose Cottage	25	Circa 10 desks
Total	719	121 desks (plus 45 hot desks)

Table 4

Project Investment Objectives

- 4.9 Progress on the objectives of the project is outlined in **APPENDIX I**. Actions for 2023 have been achieved albeit with slight delays against target timescales. Remaining objectives are on target and there is an improvement in the efficiency of use of the campus, with a 15% increase from July 2022 in the number of staff utilising the HQ campus by the end of December 2023 and a corresponding decrease in cost per FTE of 12.9%.

Office Rationalisation Outwith HQ Campus - 13 Cluny Square, Buckie

- 4.10 The move of services from 13 Cluny Square to Buckie Townhouse and Phoenix Centre, Buckie was agreed in principle by the Asset Management Group in March 2023. This proposal was to enable the release of 13 Cluny Square, which would then move to the “Surplus Property” process. The report on 28 June 2023 to the Council outlined the issue of timing of the move was dependent on British Telecom prioritisation for telephony works, which was outwith our control. The report also highlighted there would a one-off infrastructure cost of £13k.
- 4.11 Confirmation of a way forward with BT has now been agreed and as a result of the national rolling programme for changing analogue to digital telephony being implemented by BT, the one-off infrastructure cabling costs have increased slightly for £13k to £15k, and there are new unavoidable costs outwith our control, for telephony and network equipment, amounting £28k which is therefore a budget pressure. The total costs of the works have risen from £21k to £52k as shown in table 5 below. However, the operational costs of Cluny square have also increased so recurring saving on costs per year once Cluny Square is released has increased from £39k to £50k. Allowing for these adjustments, the payback period was originally 6.3 months and is now 13.2 months, which remains a good viable option for the improvement to space for service delivery and for improving space utilisation in Buckie Townhouse. The Asset Management Group are supportive of this project because of the improved efficiency of use of the Townhouse and Phoenix Centre, the saving in operational costs for Cluny Square and the opportunities as the premises progress through the surplus property process, however an additional one-off budget of £31k is required for this change.

Works Require for Buckie Townhouse and Phoenix

	Initial Costs March 23	Current Costs Nov 23
Capital		
ICT cabling	£13,400	£15,300
New network hardware and telephony	nil	£28,100
Total Capital		
Revenue		
Removal/Office moves	£7,000	£8,600
Total Costs	£20,400	£52,000
Cluny Square Operating Costs	£39,000	£50,000
Payback period	6.3 months	13.2 months

Table 5

- 4.12 If the Council provides approval to proceed, works would be scheduled with a target for staff to relocate prior to the end of March 2024. The delay in progress means the previously predicted saving for 2023/24 of £10k operational costs for Cluny Square will not be realised however subsequent years will produce a £50k recurring saving.
- 4.13 Due to increasing operational costs of the buildings identified for rationalisation during the Smarter Working project of 9 North Guildry Street and 13 Cluny Square, Buckie the total recurring savings from 2024/25 will increase from £50k to £65k. The predicted saving in 2023/24 of operational costs has reduced from £20k to £7.5k due to delays outwith our control.

COSTS

Enabling works

- 4.14 The HQ campus, Beechbrae, 11 North Guildry Street, Buckie and Keith offices have been provided with equipment to facilitate hybrid meetings. The HQ campus has Wi-Fi coverage for all meeting rooms, break out areas and training rooms. Where requested, Heads of Service and CMT have been provided with sets of equipment, and their rooms can be used when they are out of office. It is anticipated that the approved budget will be spent.

Committee Room

- 4.15 A limited refurbishment of the Committee Room has provided an improved environment and a higher specification of hybrid meeting solution within the approved budget.

Office Furniture

- 4.16 Whilst every effort has been made to reuse existing furniture, as anticipated 40-50 office chairs required to be replaced as they have been used to support working at home, others are worn out and are not sufficiently adjustable for different people using them. Replacement of some existing meeting room chairs that are of poor condition and provision for furniture for

an additional seven meeting rooms is also required to accommodate an increase in staff operating from the HQ campus, and it is anticipated the approved budget of £20.2k will be fully utilised.

Wi-Fi Connectivity

- 4.17 All meeting rooms, break out areas and training rooms in the HQ campus are now provisioned with Wi-Fi and also other Elgin and out of Elgin offices. Should additional meeting rooms or collaborative spaces be required there may be an additional requirement for further Wi-Fi access points and an estimate of £3k has been identified for 2024/25.

Other Costs

- 4.18 In order to implement the rationalisation of office space an allowance for moving office costs was made. For the HQ campus, labour was sourced from within Council services and due to the efforts of all staff involved, the costs are less than budgeted at circa £5k. Future planned moves will require external contractors due to the scale and manpower required. The expansion of use of swipe access cards for Phoenix House, Buckie and Keith Community Hub will improve access for some services working out of hours and all budget will be utilised. Docking stations provide simple connection from laptop to monitors and reduce issues with damage to cables and the budget will be fully utilised.

Project Resource

- 4.19 The Senior Project Officer is in post until December 2023 with funding of £53k for 2022/23 and £54k for 2023/24 approved on 2 February 2023 meeting of Moray Council (para 14 refers). Due to a pay award that was not foreseen in the original budget there is an estimated shortfall of £9k for 2023/24.
- 4.20 Funding of £13k for 2022/23 and £64k for 2023/24 totalling £77k was approved at the 2 February 2023 meeting (para 14 refers) for resources to undertake the ICT work related to developing, testing and implementing the telephony strategy and Wi-Fi solutions and the workforce engagement and development demands that are required to facilitate the implementation of the Smarter Working Project. Due to the specialised nature of some of this work, recent experience of difficulties in recruiting suitably qualified and experienced ICT Officers and the short timeframe within which the Smarter Working Project was working within it was decided to proceed with tasks for Smarter Working Project work through use of additional hours where possible and re-prioritisation of medium and low priority works for the duration of the project. An assessment was to be taken after 6 months to consider the impact on other projects or tasks using the budget to backfill the outstanding residual work.
- 4.21 This assessment has been undertaken and to date no additional budget for ICT staff has been drawn down. Tasks have been spread across a number of staff from the Server and Network, Support and M365 Teams to mitigate the impacts.
- 4.22 Additional hours have been undertaken by the Organisational Development team amounting to £4.5k but other hours amounting to 480 hours have been

accommodated through adjusting timescales for other projects or delaying starts for example for policy work timescales.

- 4.23 The efforts of existing staff within these services should be recognised as there is a significant saving achieved in staff resources for the project.

Sources of Funding

- 4.24 As reported previously the reduction in the business miles travel expenses claimed of £50k savings is being maintained and can be retained as a recurring saving. This is combined with the office rationalisation savings in operational costs of £65k giving a recurring total of £115k pa from year 3. The project will also now generate overall savings in Year 2 rather than Year 3 as predicted in the June report.

- 4.25 The summary of the financial impact from the FBC is included in Table 6 below which demonstrates the project will be delivered within approved budget and will achieve a revenue recurring of £95k in year 2 which is a year earlier than originally estimated. The efforts of all staff who have supported the changes introduced through the project are to be commended as they have facilitated the savings to be realised.

Summary of financial appraisal:

	a	b	c	d	e	f	b+d+e+f
£	Year 0 budget 2022/23	Year 0 actual 2022/23	Year 1 2023/24	Year 1 Estimate d actual	Year 2 2024/25	Year 3 2025/26	Total 3 year projectio n
	£	£	£	£	£	£	£
Preferred choice:							
Capital							
ICT infrastructure and Wi-Fi/Hybrid meeting equipment	15k (note 4)	3.6k	35.1k	75.9.5k note	5.4k	n/a	84.92.5k
Furniture		n/a	20.2k	20.2k	n/a	n/a	20.2k
Total Capital Spend	15k	3.6k	55.3k	96.1.7k	5.4k	n/a	105.1k

Revenue							
Project Staffing (budget already approved Note 1)	66k	53k	118k	67.5k	n/a	n/a	120.5k
Removals/Office Moves	n/a	n/a	27k	18.6k	20k	n/a	38.65k
Total Revenue Spend	66k	53K	145k	86.1	20k	0k	159.1k
Funded by:							
Mileage reimbursement	50k	50k	50k	50k	50k	50k	200k
Reduced building operating costs	n/a	n/a	15k	7.5k Note 2	65k	65k	137.5k
Income from leased desk space	n/a	n/a		Note 3			
Total Revenue Income	50k	50k	65k	57.5k	115k	115k	337.5k
Total Revenue Savings	(16k)	(3k)	(80k)	(28.6k)	95k	115k	178.4k

Table 6

- Note 1 – budget for the Senior Project Officer (SPO) was approved and £53k was funded from capital receipts in 2022/23. Budget for SPO £54k in 2023/24 and additional ICT and OD staffing of £77k was approved at Full Council on 2 February 2023 (para 14 of the Minute refers). Actual costs for SPO have increased by £9k due to a pay award not foreseen in the original budget request however only £4.5k budget for OD/ICT costs result in saving against budget of £50.5k as per para 4.20.
- Note 2 – Operational costs for 9NGS and Cluny Square, Buckie have increased and therefore the recurring saving in costs has increased for future years. The estimate for 2023/24 savings is reduced due to the delay in Cluny Square being released albeit there is a small offset with the saving on costs for 9NGS being higher. When HSCM staff move to HQ campus from Southfield (by December 2023) there will not be a direct saving for Moray Council however there will be reduction in the risk of requirement to contribute to Moray Integration Joint Board overspend as a result of their saving on accommodation costs for Southfield.
- Note 3 – there is interest from some partner agencies to lease desk space at HQ campus. This is an area for further investigation as a source of income and will be taken forward by the Asset Management Team.
- Note 4 – unspent capital budget of £11.4k was carried forward to 2023/24 as the timing of the approval from Council meant the lead time and expenditure for receipt of ICT kit was in 2023/24.
- Note 5 – this figure includes the additional budget of £31k required for Cluny Square works as set out in para 4.11

5. **NEXT STEPS**

Other Opportunities

- 5.1 The Smarter Working project has delivered the initial objectives of establishing the framework, principles and facilities for hybrid working. The rationalisation of the office accommodation and the capacity released provides opportunity for consideration of other Elgin offices for rationalisation. It was initially intended that following the Smarter Working project business as usual would be absorbed in house. However due to further opportunities being identified the Council at the special meeting on 25 October 2023 (para 14 of the draft minute refers) agreed to fund a project resource for 15 months to March 2025 to progress this.
- 5.2 The review of the Additional Support Needs (ASN) function currently based in Beechbrae offices (including 10 Duffus Road, Elgin) has progressed and an outcome was the decision that this function will not continue in its current form at Beechbrae. Other services currently based at the Beechbrae campus are early learning, educational psychologists, children and family social work teams, reviewing team and youth justice. Discussions with services and options for alternative space provision that meet service needs require to be progressed to identify options for releasing the Beechbrae campus.

- 5.3 Grampian Valuation Joint Board have confirmed they are open to consideration of alternative accommodation options which offers an opportunity to consider rationalisation of 232 - 240 High Street.
- 5.4 A report with an update on the Depot and Stores Review was considered at Economic Development and Infrastructure Services Committee on 20 June 2023 and approved (paragraph 13 of the Minute refers). One of the objectives is to rationalise depot office accommodation where possible using the same principles and standards agreed for smarter working. Capacity in the HQ campus has been identified so there is potential for some relocation of appropriate teams to the HQ campus though this will only happen if it meets operational principles for both projects. Discussions will be taken forward with management and teams to assess viability and suitability of this opportunity.
- 5.5 Work is progressing with the review of the Learning Estate identification of spare capacity may present opportunities for use for office accommodation or other service requirements, depending on location. Some services have highlighted long term aims for bases in communities which could be accommodated within existing provision at present, but the outcome of the Learning Estate review may present other opportunities for appraisal. This will be taken forward during 2024/25.
- 5.6 Work is now progressing on confirming business as usual processes, monitoring mechanisms and collation of an end of project (phase 1) report due to a change in project officer and to ensure lessons are learnt for future phases. Development of the next phase of implementation of Smarter Working and rationalisation of office accommodation is also ongoing. Progress with the project will continue to be reported to and monitored by the Transforming the Council Board and also to committee as required.

6. **SUMMARY OF IMPLICATIONS**

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This project forms part of the Improvement & Modernisation Programme (IMP) of Work that supports the Council priorities of effective asset management and digital services of a financially stable Council.

(b) Policy and Legal

The Flexible Working policy was approved 28 September 2022 and provides the framework for the implementation of Smarter Working.

(c) Financial Implications

The financial implications of this report are contained within paras 4.10 to 4.25. These identify one-off revenue costs of £86.1k for the current year and estimates of £20k for 2024/25 to be recovered by revenue savings generated during the three-year period at the end of which there will be an estimated £115k recurring revenue saving. Capital costs of £105.1k are anticipated to be required on a spend-to-save basis.

(d) Risk Implications

The development of sustainable principles and standards for adoption across all offices will facilitate identification of office accommodation to be retained (and use maximised), and others to be disposed of.

As the Council progresses through the process to reduce the budget deficit, decisions may be taken that impact on service requirements for space. This aspect will be monitored throughout the project and any impacts will be identified and mitigated or escalated as appropriate.

All services have moved within the HQ campus and there will be a period of time required to allow teams and individuals to adjust to the new environments. Where there are future plans to accommodate more teams in the campus it will be essential to consider the impacts on interview and meeting rooms carefully to ensure continuation of existing service delivery.

(e) Staffing Implications

The Council at its meeting of 2 February 2023 (para 14 of the minute refers) agreed budget provision for staffing resource to support the implementation of the wider adoption of flexible working, as part of the Improvement and Modernisation Programme, for a 6-month period to the indicative end of project of £77k (salary including on cost). These resources were in addition to the request for an extension of up to 6 months for the Senior Project officer contract which was also approved of £54k. A budget shortfall has arisen of £9k resulting from a pay award.

Due to the short timeline and the specialist knowledge required following discussions with staff it was determined that capacity be created internally within technical or expert roles and tasks delegated or deferred to other officers. Part-time staff with capacity to do extra hours have provided additional resource to date. This approach has resulted in a saving on the budget provided of £50.5k.

(f) Property

These are set out in the report.

(g) Equalities/Socio Economic Impact

A full Equalities Impact Assessment was provided to the meeting 28 June 2023 and following office moves no new concerns have been highlighted. Arrangements to monitor the impact have been implemented, including monitoring the number and type of requests for assistance from the Human Resource team to apply existing policy and process, to ensure any escalation in numbers relating to equality issues are acted on.

(h) Climate Change and Biodiversity Impacts

An assessment of the impact on the Council carbon footprint of the introduction of sustainable hybrid working was incorporated into the Full Business Case. Using information received following the service engagement and subsequent confirmation of individual's workstyle

shows 85% of staff will be hybrid working (or home working full time) and therefore there will be a reduction in commuting. Using data collected for the annual Public Bodies Climate Change Duties Report 2023, the climate change team have estimated that by avoiding a full return to business as usual (5 days office working) we are avoiding carbon emissions of over 10,000tCO₂e annually. Work is required to improve the input data and refine assumptions going forward to ensure ongoing reliability, but it is a promising start. This information will feed into discussions as part of the update to the Council's Climate Change Plan and Routemap to Net Zero Emissions.

(i) Consultations

Consultations on this report have taken place with the Smarter Working Board, Smarter Working Delivery Group, CMT and Chief Financial Officer, and Democratic Services Manager and any comments have been incorporated into the report.

7. CONCLUSION

7.1 This report provides an update on the progress of implementation of the Full Business Case for Smarter Working and the next steps for Smarter Working to facilitate rationalisation of other offices in Elgin that will provide recurring revenue savings whilst ensuring continuity of service and maintaining standards of accommodation for staff.

Authors of Report: Edward Thomas, Head of Housing and Property Services, Jeanette Netherwood, Senior Project officer (Smarter Working)

Background Papers: 28 June 2023 – Smarter Working Project – Full Business Case
2 February 2023 – Smarter Working Project – Outline Business Case
28 September 2022 Office Review Update – Smarter Working
28 September 2022 Flexible Working Policy Review
30 June 2021 Office Review
[Census Results](#)
[Local Government Case Study – reduction in carbon footprint](#)
[Emissions Impact of Homeworking in Scotland](#)

Ref: SPMAN-1285234812-1455

APPENDIX I

Smarter Working – Objectives and Performance Indicators

Strategic Aims	Objective Statements at CMT/SMT 15/8/22	SMART Objective	Indicators	Current Position
Learning and Growth				
<ul style="list-style-type: none"> • Develop the organisational culture, skills and environment to embrace and embed flexible and hybrid working • Improve organisational resilience 	<ul style="list-style-type: none"> • Prepare the organisation and workforce to embrace new ways of working • Increase confidence in use of new technology to support hybrid working 	<p>Increase % staff adopting flexible and hybrid working by September 2023</p> <p>Deliver smarter working training to all 3rd and 4th tier managers June 2023</p> <p>Increase from existing baseline staff confidence in the use of digital tools and skills by April 2024</p> <p>Update all induction materials to reflect the organisational change to embed hybrid working by September 2023.</p>	<p>% staff adopting flexible and hybrid working</p> <p>% managers trained</p> <p>Increase in Staff confidence/satisfaction following training on digital tools courses</p> <p>% Induction materials updated</p>	<p>79.1% staff in HQ campus are adopting hybrid working</p> <p>All managers provided with opportunity and materials</p> <p>Hybrid training sessions well received and staff using kit.</p> <p>100% corporate induction materials updated</p>
Workforce				
<ul style="list-style-type: none"> • Improve employee motivation, morale and wellbeing 	<ul style="list-style-type: none"> • Engage and consult on the approach to and implementation of hybrid working 	<p>To communicate widely the journey to embed hybrid working and how it will enhance productivity</p>	<p>% progress with communication & engagement plan</p>	<p>90% project intranet page updated, regular communications issued.</p>

Strategic Aims	Objective Statements at CMT/SMT 15/8/22	SMART Objective	Indicators	Current Position
<ul style="list-style-type: none"> Attract and retain quality, creative, motivated and productive staff 	<ul style="list-style-type: none"> Attract and retain high quality workforce 	<p>75% of staff, with hybrid working roles, satisfied with working arrangements by March 2024 Increase from existing baseline in % of staff who think working from home either part of full time continues to have a positive impact on their mental health. by 2024</p> <p>Increase the average number of applicants to posts suitable for hybrid working, by 10% by March 2024</p>	<p>% staff who feel working part or full time at home continues to have a positive impact on their mental health</p> <p>Average number of applicants for hybrid posts by type of role</p>	<p>Short survey to be carried out Feb 2024 relating to impact of working at home on mental wellbeing</p> <p>Not due for reporting</p>
Property				
<ul style="list-style-type: none"> Provide seamless access to sustainable, modern working environments which support delivery of high quality, efficient and effective services 	<ul style="list-style-type: none"> Provide a strategic overview of council offices and their use Provide digital solutions that enable people to work from suitable locations 	<p>100% of staff whose role is suitable for hybrid working, provided with equipment to work in a hybrid style by September 2023</p> <p>Equip 12 small and 5 large fully operational hybrid meeting rooms by June 2023</p> <p>All office meeting room and collaborative working spaces</p>	<p>% hybrid working office staff provided with necessary equipment</p> <p>Number of meeting rooms fully operational</p>	<p>Achieved</p> <p>Achieved by July 2023. Committee room has also been provided with high specification kit.</p>

Strategic Aims	Objective Statements at CMT/SMT 15/8/22	SMART Objective	Indicators	Current Position
<ul style="list-style-type: none"> • Reduce the environmental footprint of our working practices 	<ul style="list-style-type: none"> • Identify opportunities to co-locate services to improve joint working • Reconfigure office layouts providing the right spaces to facilitate productive service delivery and creative collaborative team working. 	<p>provided with good quality Wi-Fi coverage by end of 2023</p> <p>Secure Wi-Fi access available for third party access in collaborative work spaces by end of 2023</p> <p>Reduction in carbon emissions from Council offices per FTE by end of 2025</p>	<p>% meeting rooms and collaborative spaces with Wi-Fi coverage</p> <p>Reduction in total carbon emissions from offices per FTE</p>	<p>Achieved in HQ campus and will be in other offices by end of 2023.</p> <p>Delayed due to new national contract. Target date revised to April 2024.</p> <p>Not due for reporting</p>
Financial				
<p>Increase efficiency and effectiveness of utilisation of functional spaces within Moray Council office accommodation, reducing the cost of running the council</p>	<ul style="list-style-type: none"> • Identify and evaluate opportunities to reduce property operational costs through a programme of rationalisation 	<p>Reduce total operational costs for office buildings by 2025</p> <p>Reduce the operational property costs by 5% per FTE for council offices by end of financial year 2023/24</p>	<p>Total office operational costs</p> <p>Reduction in office operational cost per FTE</p> <p>Total Income generated from lease of office space</p>	<p>Not due for reporting</p> <p>Budgeted Operating costs 2023/24 reduced by 10% per FTE for HQ campus.</p>

Strategic Aims	Objective Statements at CMT/SMT 15/8/22	SMART Objective	Indicators	Current Position
by better use of assets	<ul style="list-style-type: none"> Seek opportunities to utilise other Council building assets to increase efficient use and reduce carbon footprint Reduce unnecessary travel to and for work 	<p>Reduce Council estate by 3 offices by end of 2024</p> <p>Reduce the office estate by 5 offices by 2025</p> <p>Achieve 50% space allocation of FTE total with services in HQ campus by August 2023</p> <p>Increase the number of staff utilising the Moray Council HQ campus office accommodation by 25% by April 2025</p> <p>Reduce the mileage claimed for private car usage by 10% by end of financial year 2024/25</p>	<p>Total number of office bases</p> <p>Desk allocation compared to 50% FTE for services based in HQ campus</p> <p>Number of staff utilising HQ campus</p> <p>Total Mileage claimed (baseline 2022/23)</p>	<p>9NGS, Southfield and Cluny Square Buckie will be released by April 2024</p> <p>58% has been achieved and is currently considered realistic given adjustments for individual circumstances and requirements for service delivery.</p> <p>Will go from 895 to from 1000 when Southfield staff move in (15%)</p> <p>To be measured after year end 2024/25</p>



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: MONITORING OFFICER REPORT FROM 1 NOVEMBER 2022 TO 31 OCTOBER 2023

BY: MONITORING OFFICER

1. REASON FOR REPORT

- 1.1 To inform the Council on the range of activities undertaken by the Monitoring Officer.
- 1.2 This report is submitted to Council in terms of Section III A (4) of the Council's Scheme of Administration relating to public performance reporting.

2. RECOMMENDATION

- 2.1 It is recommended that the Council consider and note the contents of this report.**

3. BACKGROUND

- 3.1 There is a statutory requirement for every Council to appoint a Monitoring Officer. The Head of Governance, Strategy and Performance performs this role in Moray Council supported by the Legal Services Manager who acts as Depute Monitoring Officer.
- 3.2 Legislation requires the Monitoring Officer to bring to the attention of the Council:
- *A contravention of law or any code of practice made or approved under any enactment; or*
 - *Maladministration or injustice in each case actual or potential and whether by the Council, committees, sub-committees or officers.*
- 3.3 The position adopted by the Monitoring Officer is that a breach would require to be material, or a significant breach of the law in terms of the operations or finances of the Council to cause the Monitoring Officer to issue a report to the Council.
- 3.4 It is normal practice within local authorities for the Monitoring Officer to:
- Promote good governance and sound decision making.
 - Promote the Councillors Code of Conduct.

3.5 The Council's Policy and Resources Committee on 2 October 2012 agreed that the Monitoring Officer would present an annual report on the activities of the post (para 8 of the minute refers).

4. SUMMARY OF WORK UNDERTAKEN BY THE MONITORING OFFICER:

Statutory role

4.1 There have been no formal reports by the Monitoring Officer of legal contravention or maladministration as described in paragraph 2.2. The Council have a number of systems and processes in place to deal with breaches or non-compliance with legislation/policy at a lower level.

Governance role

4.2 During the period covered by the report the Monitoring Officer has:

4.3 Helped commission external assistance to improve collaborative leadership of Councillors and Officers to help the Council make progress with its strategic agenda and priorities. The results of this work were considered by the Council's Corporate Committee on 4 October 2023.

4.4 Helped ensure continued flexibility for Council/Committee meetings with the option of hybrid meetings.

4.5 Signed off agendas, reports and notices of motion submitted for all formal meetings of the Council and its Committees/Sub-Committees with assistance from the Legal Services Manager (Depute Monitoring Officer), Committee team and Legal team.

- This is a significant element of the Monitoring Officer's workload, often undertaken over a very restricted period to enable Committee Agendas to be published within the statutory timescales.
- Given increasing and competing demands on the roles of the Monitoring Officer/Depute, and staffing gaps within Legal Services, a lighter touch is now being given to the report review process with time spent being relative to the risk.
- Due to workload pressures in other areas reports are often received late which puts additional pressure on the agenda preparation process.

4.6 The combined effect of these issues creates an increased risk that procedural problems arise at committee which could have been resolved at an earlier stage.

4.7 Introduced guidance on Notices of Motion in response to an increasing amount of time being taken dealing with Notices of Motion in the Committee process. Whilst Notices of Motion are an important part of the democratic process, they can put additional demands on limited officer resources and require re-prioritisation of Council priorities. Further training planned on this at the time of writing.

4.8 Delivered training for committee chairs and facilitated training on scrutiny.

- 4.9 Advised all Councillors - administration and non-administration- on practical application of the Council's Constitutional Documents to the committee system, including advice on notices of motion, competency of motions, written questions, political balance and suspension of Standing Orders.
- 4.10 Progressed with a review of the Council's second tier Governance arrangements in line with the Council's Improvement and Modernisation Programme. This involved a review of the Council's meeting structures to help ensure that they meet the needs of the organisation. More recently a review of senior Councillor roles has been undertaken and a Councillors Roles and Responsibilities document agreed.
- 4.11 Through the legal services section, helped manage the Council's legal risk through:
- Dealing with claims in courts and tribunals.
 - Advice, statutory processes and transactional work.
 - Promote awareness of and compliance with major pieces of new legislation.
- 4.12 Given staffing gaps with the legal services section (largely due to recruitment issues), and despite prioritisation and increased outsourcing of legal work, it is becoming increasingly challenging to ensure that the Council receives appropriate and timely legal advice. This creates a significant legal risk to the Council which could manifest itself through service or process failure, leading to financial or reputational damage.

Code of Conduct Role

- 4.13 During the period covered by the report the Monitoring Officer has:
- 4.14 Maintained the register of councillors' interests including six monthly reminders and council tax payment checks prior to budget setting. Councillors are reminded that any changes must be notified within one month of them occurring.
- 4.15 Provided regular updates to Councillors in relation to Standards Commission briefings and relevant hearings. Further training opportunities will cover the issues raised in the following paragraphs.
- 4.16 Given advice to councillors on individual circumstances including:
- the requirement to declare an interest
 - registration of interests
 - the revised rules on accepting gifts and hospitality. This area has caused some practical difficulties which have been raised at a national level to see if further clarity can be given.
- 4.17 Dealt with complaints against Councillors in terms of the Council's policy, and informally mediated in situations of conflict between Councillors. These have involved the following provisions of the Code:
- showing respect for other Councillors

- language used in social media, an area of increasing tension and conflict between councillors.
 - allegations of bullying and harassment
- 4.18 This intervention can be time consuming and, where there is no element of contrition from those complained about, often has limited success with the complainer being signposted to the complaints process of the Commissioner for Ethical Standards.
- 4.19 Communicated with the Ethical Standards Commissioner and the Standards Commissioner over complaints covering registration and declaration of interest.
- 4.20 Participated with other Monitoring Officers in workshops with the Standards Commission over issues potential amendments to the Code of Conduct.
- 4.21 Maintained close links with other Monitoring Officers to act as a sounding board for tricky and complex issues.

5. SUMMARY OF IMPLICATIONS

- (a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**
Effective governance is required for the delivery of the Council's stated priorities and plans.
- (b) **Policy and Legal**
These are detailed more fully in the report.
- (c) **Financial Implications**
None.
- (d) **Risks implications**
Actions taken by the Monitoring Officer help to manage political and regulatory risks within the Corporate Risk Register.
- (e) **Staffing implications**
The role is carried out by the Head of Governance Strategy and Performance, supported by the Legal Services Manager. It can be challenging to fulfil the role alongside competing workload priorities.
- (f) **Property Implications**
None
- (g) **Equalities/Socio Economic Impact**
There are no issues arising directly from this report.
- (h) **Climate Change and Biodiversity Impacts**
None
- (i) **Consultations**
The Depute Monitoring Officer has been consulted and her comments have been reflected in the report.

6 CONCLUSION

6.1 The report informs the Council on the activities undertaken by the Monitoring Officer during the period covered by this report.

Author of Report: Alasdair McEachan, Head of Governance, Strategy and Performance (Monitoring Officer)

Background Papers: None

Ref:



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: REVIEW OF OUTSIDE BODY APPOINTMENTS

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

1.1 To inform the Council of vacancies which have arisen due to the resignation of several Councillors from Outside Body appointments and agree appointments to the vacancies where it is deemed necessary.

1.2 This report is submitted to Committee in terms of Section II (12) of the Council's Scheme of Administration relating to the appointments to outside bodies.

2. RECOMMENDATION

2.1 It is recommended that the Council consider and agree:

- i) to make an appointment to the North East Scotland Pension Fund following the resignation of Councillor Leadbitter;**
- ii) to appointment a new Equalities Champion; and**
- iii) whether to appoint a Joint Older Person's Champion.**

3. BACKGROUND

3.1 At the meeting of Moray Council on 29 June 2022, Councillor Leadbitter was appointed as the Council representative on the North East Scotland Pension Fund (para 38 of the minute refers).

3.2 Councillor Leadbitter has intimated that he will be resigning from the North East Scotland Pension Fund from Tuesday 19 December 2023 following the next meeting.

3.3 Following resignations from the current Equalities Champion and Joint Older Person's Champion, a decision is required on whether to appoint replacements to these Council positions.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

None

(b) Policy and Legal

None

(c) Financial implications

None

(d) Risk Implications

None

(e) Staffing Implications

None

(f) Property

None

(g) Equalities/Socio Economic Impact

None

(h) Climate Change and Biodiversity Impacts

None

(i) Consultations

The Depute Chief Executive (Education, Communities and Organisational Development) and Head of Governance, Strategy and Performance were consulted and are in agreement with the terms of the report.

5. CONCLUSION

5.1 The Council is asked to consider appointing representatives to the vacancies created from resignations from current appointees.

Author of Report: Tracey Sutherland, Democratic Services Manager
Background Papers:
Ref:



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: PETITIONS PROCEDURE – UNDER 18 YEAR OLDS

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To ask the Council to agree the inclusion of an addendum to the Petitions Guidance/Procedure to allow young people up to the age of 18 to make representations to the Council.
- 1.2 This report is submitted to Council in terms of Section II (10) of the Council's Scheme of Administration relating to changes in Committee structure, distribution of functions and responsibilities.

2. RECOMMENDATION

- 2.1 It is recommended that the Council agree the inclusion of an addendum to the current Petitions Guidance/Procedure that will allow young people up to 18 years of age to make representation to the Council.**

3. BACKGROUND

- 3.1 At the meeting of Moray Council on 7 December 2022, the Council agreed to introduce an e-petition process and that a further report be brought forward on how the petitions process could best facilitate representation from young people up to the age of 18 years (para 22 of the Minute refers).

4. ENGAGING WITH YOUNG PEOPLE UP TO THE AGE OF 18

- 4.1 As previously discussed at the meeting of Council on 7 December 2022 (para 22 of minute refers), it is considered that the criteria set out within the Council's petitions process would be problematic in terms of gaining a fixed number of signatories who were required to be on the electoral register, therefore, in order to make it as accessible as possible, a much simpler process was required.
- 4.2 A draft proposed procedure is attached at **Appendix 1**. The procedure broadly aligns to the Council's petition process however has been amended to use plain English language, explains what can and cannot be raised and also details accepted counter-signatories. A pro forma is attached at **Appendix 2**

to assist young people and ensure they provide the information required to progress the petition.

- 4.3 It is proposed that any petitions from young people up to the age of 18 are administered by Committee Services and then passed to the Head of Service for a decision on how the issue should be addressed, in conjunction with the Chair of the relevant Service Committee.
- 4.4 Should the Council be minded to approve this procedure it will be added as an addendum to the Council's Petition process/guidance on the relevant webpage.
- 4.5 A limited number of young people have been consulted on the draft procedure via the Community Learning and Development (CLD) Worker from which positive feedback has been provided.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Members of the public engaging with the Council by means of petitions links directly with Moray Council's priority to Empower Communities.

(b) Policy and Legal

It is important, in the interests of good corporate governance and the Best Value Statutory Duty, for the Council to provide a means for the public to engage in the decision making process.

Article 12 of the United Nations Convention on the Rights of the Child and its upcoming enshrinement into Scottish Law via the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill outlines that children have the right to express a view and have that view taken into account.

(c) Financial Implications

None

(d) Risk Implications

The Council could be seen to be excluding young people from being able to engage with the Council on matters for which the Council has a responsibility or a service it provides relative to them.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

The proposals are consistent with the UNCRC (Incorporation) (Scotland) Bill.

(h) Climate Change and Biodiversity Impacts

None.

(i) Consultations

Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Head of Education, Democratic Services Manager, Susan Stronach, CLD Worker, Stewart McLauchlan, Quality Improvement Manager, Dr L Puhalak, Policy Officer, Ms L Van Zyl, Service Manager, both Health and Social Care Moray and the Equalities Officer.

6. CONCLUSION

6.1 It is recognised that the current Petitions Procedure does not provide a means by which young people up to the age of 18 can engage with the Council on matters of importance. The proposed addendum to the current Petitions Procedure will allow engagement from young people in a structured, yet simplified manner.

Author of Report: Caroline O'Connor, Committee Services Officer

Background Papers:

Ref:

APPENDIX 1**How to submit a petition – A guide for young people up to 18 years
(Addendum to the Petitions Procedure)**

If you are a group under 18 years of age who wish to raise an issue with the Council there are several ways you can do this:

- Email - committee.services@moray.gov.uk
- Post - Committee Services,
Moray Council, Council Office, High Street, Elgin, IV30 1BX
- Contact Your Local [Councillor](#)

Simply write down the issue you wish to raise making sure that you provide enough information to allow the Council to understand the background to your issue and what, if anything, you would like the Council to do about it. Please use no more than 250 words. This process is called raising a Petition. You need to get at least 20 members or more of your group/class who agree with your petition to put their name to it and then you should ask an adult, either a Head/Depute/Guidance Teacher or Group Leader (for example a scout or club leader) to countersign your petition to confirm that the lead Petitioner and those who have signed the petition attend the school or are members of the Group in Moray.

A template petitions form is attached for your use.

About the petition topic

The Council can only consider issues that it has responsibility for or relates to something the Council does or a service it provides.

You should not name any individual, including people who work for the Council, any of their family members, other people outside the Council or include information that may easily identify people. Petitions cannot be accepted where the topic relates to a particular individual's case being dealt with by the Council or issues that are covered by legal processes, eg planning or licensing applications. It could be that our Complaints Procedure can be used for an individual concern.

Submitting your Petition

Please make sure that you include all the information you want the Council to consider with the petition. It is recommended that you keep a copy of the petition as, if it goes missing, the Council cannot accept responsibility for items lost or delayed in the post.

You will receive a letter or email from Committee Services saying that your petition has been received within 14 days.

It will then be processed by Committee Services who will forward it to the relevant Head of Service (council manager) and after that you will be contacted by that Service who will advise you of what will happen next.



APPENDIX 2

PETITION SUBMISSION FORM (YOUNG PEOPLE)

If you wish to submit a petition for consideration by Moray Council, please complete this form. For guidance, further information or advice on the submission of a petition please contact the Democratic Services Manager on 01343 563014 or email committee.services@moray.gov.uk, or alternatively refer to information on www.moray.gov.uk/petitions

Lead Person's (Petitioner) contact details

Please enter the name of person raising the issue/petition.

Include a contact address to which correspondence may be sent, a contact telephone number and e-mail address if available so that we can contact you with any queries.

Name:

Address:

Postcode:

Tel No:

E mail:

Title/subject of issue – please provide a summary of what the issue is in a few words

Action sought - please state what action you would like the Council to take.

Action to date - please detail any action taken by the lead person/others (if any) to resolve the issues before submitting the petition.

Background Information - please provide any other background information that you think the Council should be made aware of.

Signature of Lead Person (Petitioner)

The Lead Person should sign and date the form in the box below.

Any additional sheets of signatures should be attached to the form.

Signature **Date**

Name of signatory in block capitals

Counter Signature

A Head Teacher/Depute Head Teacher/Guidance Teacher or Group Leader should countersign and date the form in the box below to confirm all who have signed the petition live in Moray

Signature **Date**

Name of signatory in block capitals

Job Title

Number of people who have signed the petition

PETITION FORM APPENDIX

The petition must be supported by 20 signatures or more of young people living in the Moray Council area

NAME	SCHOOL/GROUP ADDRESS	SIGNATURE
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
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14.		
15.		
16.		
17.		
18.		
19.		
20.		

**Add additional sheets if required*



REPORT TO: MORAY COUNCIL ON 6 DECEMBER 2023

SUBJECT: INFORMATION REPORT: 2023 REVIEW OF UK PARLIAMENT CONSTITUENCIES – REVISION OF POLLING DISTRICTS

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To inform Council of the revision of Ward 2, 3 and 4 polling district prefixes in light of the agreed 2023 Boundary Commission review of UK Parliament Constituencies.
- 1.2 This report is submitted to Council in terms of Section II (9) of the Council's Scheme of Administration relating to all election matters.

2. BACKGROUND

- 2.1 Section 18(3) of the Representation of the People Act 1983 requires each Local Authority in Scotland to designate a polling place for each of its polling districts and to review these within 16 months of 1 October 2013 and every 5 years thereafter. The next Polling Station Review is due to commence on 1 October 2023 and be complete by 31 January 2025.
- 2.2 On 27 June 2023, the Boundary Commission lodged its final proposals for the changes to Boundaries in relation to UK Parliament Elections with the Speaker of the House of Commons.
- 2.3 The Government subsequently submitted the new UK Parliament constituency boundaries recommendations to the Privy Council before the end of October. At the Privy Council meeting on 15 November, His Majesty The King made the Order in Council - the Parliamentary Constituencies Order 2023 (SI 2023/1230) - to implement the recommendations in the reports across the UK. The Order will come into force on 29 November 2023 and the new parliamentary constituencies will take effect at the next UK Parliamentary General Election called after this date. Until then, any parliamentary by-elections will be run on existing boundaries.
- 2.3 The new boundaries see the existing Moray Constituency being split into two new constituencies, namely, Aberdeenshire North and Moray East and Moray West, Nairn and Strathspey.

Aberdeenshire North and Moray East Constituency

- 2.4 The Aberdeenshire North and Moray East Constituency will include Wards 2, 3 and part of Ward 4, east of the River Spey in Moray along with Aberdeenshire Council Wards 1, 2, 3, part of Ward 4, 5 and 6.

Moray West, Nairn and Strathspey Constintuency

- 2.5 The Moray West, Nairn and Strathspey will include Moray Wards 1, part of Ward 4 west of the River Spey, 5, 6, 7 and 8 and include part of Ward 17 and all of Wards 18 and 20 from Highland Council.

- 2.6 In preparation for the changes, Local Authorities have been advised, where electoral areas are being split by the new proposed constituencies, the affected Polling Districts are constructed in such a way that the prefixes reflect the current and new proposed Boundaries.

- 2.7 Currently the Council use the following prefixes to identify the existing constituencies:

M	Scottish Parliament Constituency - Moray	M	UK Parliament Constituency - Moray
B	Scottish Parliament Constituency – Banffshire and Buchan Coast	M	UK Parliament Constituency - Moray

- 2.8 In order to prepare for the UK Parliament boundary changes some Polling Districts in Wards 2, 3 and 4 moving to the new proposed Aberdeenshire North and Moray East Constituency will need to have the prefixes amended as follows:

M	Scottish Parliament Constituency - Moray	M	UK Parliament Constituency – Moray West, Nairn and Strathspey
M	Scottish Parliament Constituency – Moray	A	UK Parliament Constituency – Aberdeenshire North and Moray East
B	Scottish Parliament Constituency – Banffshire and Buchan Coast	A	UK Parliament Constituency - Aberdeenshire North and Moray East

- 2.6 Moray and Aberdeenshire Council's share the same ward numbers in the new proposed Aberdeenshire North and Moray East Constituency, so to differentiate, any of polling districts with the BA prefix which are the same will have either an M (Moray) or an A (Aberdeenshire) at the end to denote the local authority.

- 2.7 No changes are required to the Wards included in the new Moray West, Nairn and Strathspey Constituency.

3. **PROPOSALS**

3.1 The full detail of the amendments to polling districts are detailed below;

Ward 2 – Keith and Cullen

Current	Polling District	New
BM0201	Portknockie	BA0201M
BM0202	Cullen and Rathven Rural	BA0202M
BM0203	Deskford	BA0203M
MM0204	Newmill	MA0204
BM0205	Grange	BA0205M
MM0206	Fife Keith	MA0206
MM0207	Keith and District	MA0207
BM0208	Rothiemay	BA0208M

Ward 3 – Buckie

Current	Polling Station	New
BM0301	Buckpool - Arradoul	BA0301M
MM0302	Westerton - Arradoul	MA0302
BM0303	Buckie West	BA0303M
BM0304	Buckie East	BA0304M
BM0305	Buckie South	BA0305M
BM0306	Portessie	BA0306
BM0307	Findochty	BA0307

Ward 4 - Fochabers Lhanbryde

Current	Polling District	New
MM0401	Lhanbryde and Pitgaveny	No Change
MM0402	Urquhart	No Change
MM0403	Garmouth and Kingston	No Change
MM0404	Speybay	MA0404
MM0405	Portgordon	MA0405
MM0406	Fogwatt	No Change
MM0407	Mosstodloch	No Change
MM0408	Fochabers	MA0408
MM0409	Clochan	MA0409

3.3 As there are no proposed changes to the locations of the Polling Stations within the Polling Districts at this time, no consultation was required.

4. IMPLEMENTATION OF PROPOSED AMENDMENTS

- 4.1 The amendments detailed in section 3, will come into force at the next General Election, to be called no later than January 2025. If a Westminster By Election is required prior to the next General Election it will be run based on the current UK Parliamentary Boundaries. The Returning Officer is therefore making plans to run elections using either of the boundaries.
- 4.2 The Elections Team have been working with the Electoral Registration Officer to be able to produce Electoral Registers on 1 December 2023 for both the 'old' and 'new' boundaries.
- 4.3 Following the completion of the statutory Polling Place Review a further report will be presented to the Council early in 2024.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

There are no implications for these plans arising from these proposals.

(b) Policy and Legal

Section 18(3) of the Representation of the People Act 1983 requires each Local Authority in Scotland to designate a polling place for each of its polling districts and to keep these under review.

(c) Financial implications

None arising from this report.

(d) Risk Implications

A polling place review must be completed and agreed by the end of January 2025.

(e) Staffing Implications

None arising from this report.

(f) Property

None arising from this report.

(g) Equalities/Socio Economic Impact

None arising from this report.

(h) Consultations

Depute Chief Executive (Education, Communities and Organisational Development) and the Head of Governance, Strategy and Performance.

5. CONCLUSION

- 5.1 **Following a review of current polling district arrangements, taking into account the proposed UK Parliamentary Constituency Boundary changes current laid before Parliament amendments have been made to**

the polling district prefixes in Wards 2, 3 and 4 affected by the proposed changes.

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Background Papers:
Ref:

