

MORAY COUNCIL

Minute of Meeting of the Moray Council

Wednesday, 31 October 2018

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

PRESENT

Councillor George Alexander, Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Theresa Coull, Councillor John Cowe, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Shona Morrison, Councillor Amy Patience, Councillor Derek Ross, Councillor Ron Shepherd, Councillor Sonya Warren, Councillor Walter Wilson

APOLOGIES

Councillor Ryan Edwards, Councillor Ray McLean

IN ATTENDANCE

Also in attendance at the above meeting were the Chief Executive, Corporate Director (Corporate Services), Acting Corporate Director (Education and Social Care), Head of Adult Services, Head of Financial Services, Head of Development Services, Equal Opportunities Officer, Principal Officer Economic Development) and Tracey Sutherland, Committee Services Officer as Clerk to the meeting.

1. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

2. Minutes

(a) MORAY COUNCIL - MINUTE OF MEETING DATED 5 SEPTEMBER 2018

The minute of the meeting of Moray Council dated 5 September 2018 was submitted and approved.

(b) MORAY COUNCIL - MINUTE OF SPECIAL MEETING DATED 26 SEPTEMBER 2018

The minute of the special meeting of Moray Council dated 26 September 2018

was submitted and approved.

3. Written Questions **

No written questions were submitted.

4. Financial Reserves Policy

A report was submitted by the Corporate Director (Corporate Services) seeking approval for the Council's revised Reserves Policy.

Following consideration, Councillor Gatt stated that given the dire situation the Council is currently in with regards to the budgets, the review should be carried out by Moray Council and not Policy and Resources Committee. He thereafter proposed, seconded by Councillor Brown that recommendation 2.1 (ii) is amended to read 'approves that the next review by Moray Council takes place no later than October 2021.'

As an amendment Councillor Leadbitter, seconded by Councillor Aaron McLean moved that the recommendation stand as printed that the next review will be no later than October 2021.

On a division there voted:

For the Motion Councillors Gatt, Brown, Allan, Cowie, Creswell, Eagle, Feaver, (10): M McLean, Macrae and Shepherd.

For the Councillors Leadbitter, A McLean, Bremner, Coull, Coy, Divers, Amendment (12): Laing, Morrison, Patience, Ross, Warren and Wilson.

Abstentions (2): Councillors Alexander and Cowe.

Accordingly the Amendment became the finding of the meeting and it was agreed that recommendation 2.1 (ii) would stand as printed.

Thereafter the Council approved the Reserves Policy as detailed in the appendix to the report and that the next review will be no later than October 2021.

5. Annual Report of the Chief Social Work Officer 2017-2018

A report was submitted by the Chief Social Work Officer providing the Council with the annual report of the Chief Social Work Officer on the statutory work undertaken on the Council's behalf during the period 1 April 2017 to 31 March 2018.

Following consideration the Council agreed to note the annual report of the Chief Social Work Officer.

6. Short Breaks Services Statement

A report was submitted by the Acting Corporate Director (Education and Social Care)

informing the Council of the statutory requirement for the production and publication of a Short Break Services Statement for Moray as required under section 35 of the Carers (Scotland) Act 2016.

Following consideration the Council approved, for its interest, the Short Breaks Services Statement for publication as required under section 35 of the Carers (Scotland) Act 2016.

7. British Sign Language (BSL) Plan

Under reference to paragraph 5 of the Minute of the Communities Committee dated 26 June 2018, a report was submitted by the Chief Executive inviting the Council to approve the British Sign Language (BSL) Plan for Moray.

Following consideration the Council approved the British Sign Language (BSL) Plan for Moray.

8. Rural Tourism Infrastructure Fund – Pluscarden Abbey

A report was submitted by the Corporate Director (Economic Development, Planning & Infrastructure) informing the Council of the Rural Tourism Infrastructure Fund and asking the Council to homologate the decision by the Convener and Leader of the Council to submit an Expression of Interest to the fund and thereafter if successful, to seek permission to act as a lead applicant for a full application for Pluscarden Abbey.

Following consideration the Council agreed to:

- i. act as a lead applicant to the Rural Tourism Infrastructure Fund for Pluscarden Abbey with no financial implications for the Council;
- ii. homologate the decision by the Convener and Leader of the Council to submit an Expression of Interest to the fund and if successful;
- iii. authorise a stage II application.

9. Forres Conservation Area Regeneration Scheme

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed Council of the recently opened round of Historic Environmental Scotland Conservation Area Regeneration Scheme and to authorise funding application for Forres.

Following consideration the Council agreed:

- i. to authorise the submission of a funding application for a Forres Conservation Area Regeneration Scheme (CARS) with no financial implications for the Council; and
- ii. if successful, to employ a CARS officer, subject to confirmation of match funding by HIE.

10. Transforming Boards - Membership

Under reference to paragraph 13 of the Minute of Moray Council dated 5 September 2018, a report was submitted by the Chief Executive inviting the Council to approve the membership of the Transforming Boards as outlined in Section 4 of the report.

Following consideration the Council approved the membership as outlined in Section 4 of the report as follows:

Transforming - Learning

Councillor S Warren
Councillor D Ross
Councillor J Allan
Councillor C Feaver

Councillor G Leadbitter – Ex-officio
Councillor S Morrison – Ex-officio

Transforming – Economy

Councillor G Leadbitter
Councillor J Divers
Councillor J Cowe
Councillor D Gatt

Councillor S Morrison – Ex-officio

Transforming – The Council

Councillor A McLean
Councillor J Divers
Councillor G Cowie
Councillor F Brown

Councillor G Leadbitter – Ex-officio
Councillor S Morrison – Ex-officio

11. Question Time ***

Under reference to paragraph 5 of the minute of the meeting of Moray Council on 5 September 2018, Councillor Eagle sought an update on the Transforming Boards and what will be presented to the Boards. He further sought assurance that the updates will continue to allow the Boards to develop.

In response, the Chief Executive advised that the Improvement and Modernisation programme will go through the Admin Group and Group Leaders prior to a report to Moray Council on 12 December 2018.

Under reference to paragraph 13 of the minute of the meeting of Moray Council on 5 September 2018, Councillor Creswell sought an update on the Council's Grampian NHS Board representative.

In response, the Convener confirmed that she had received the nomination, which

she had accepted and was appointed to the Board by the Cabinet Secretary several weeks ago and had already attended her first meeting.

Under reference to paragraph 2 of the minute of the meeting of Moray Council on 26 September 2018, Councillor Gatt questioned whether the minute could details of the specific paragraph Number of Schedule 7A of the Local Government (Scotland) Act 1973 and not just the paragraph number.

Under reference to paragraph 7 of the minute of the meeting of Moray Council on 26 September 2018, Councillor Gatt raised a concern regarding the refence to the confidential appendix which the public do not have access too and stated that in his view it restricted the Council's transparency with the public.

In response to Councillor Gatt's first question the Head of Legal and Democratic Services confirmed that providing the paragraph wording would not be an issue and that he would discuss the matter with the Democratic Services Manager for future meetings.

With regards to the reference of the appendix in the minute, the Local Government Act requires the minute to reflect a flavour of what happened at the meeting as a record and not the detail as the item was confidential. He further added that there were valid reasons why the item was confidential as it related to members of staff and their future employment with the Council. He continued that what often happens is the Convener or Chair will give a public press statement following the meeting to give the press information but it is a sensitive situation to manage.

Councillor Leadbitter, following on from Councillor Gatt's question regarding the confidential paragraph wording asked whether it would be easier to include all confidentiality reasons on the agenda for ease of reference.

In response the Head of Legal and Democratic Services agreed that this would be his intention.

Councillor Ross requested, following his attendance at the Joint Consultative Committee (JCC) meeting the previous day, whether the Trade Union Representatives could be given the opportunity to address all Councillors with their members concerns regarding the budget proposals.

In response, Councillor Leadbitter, who had also attended the JCC meeting agreed that he had noted the request and had agreed to discuss further with the admin group and CMT to see if a briefing would be feasible but saw no reason why not.

The Chair wholeheartedly joined Councillor Alexander in congratulating the Corporate Director (Economic Development and Infrastructure) and her team on receiving the announcement from the Westminster Government that the negotiations are starting on the Moray Growth Deal.

Councillor Alexander raised a staffing issue which the Chief Executive undertook to respond to him in confidence.