

MORAY COUNCIL

Minute of Special Meeting of Moray Council

Wednesday, 08 March 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 Environmental and Commercial Services, Chief Financial Officer, Head of Governance, Strategy and Performance and Mrs L Rowan, Committee Services Officer as Clerk to the Council.

1 Chair

Councillor Robertson chaired the meeting.

2 Retirement

The Chair acknowledged that this was the last meeting of Moray Council before Mrs Moira Patrick, Democratic Services Manager retires. She stated that Mrs Patrick had worked with the Council for the last 29 years and will be retiring at the end of March. She acknowledged the role of the Democratic Services Manager and how she had worked closely with prospective Councillors in the run up to each election and then with those elected following the election and that, over her time, will have seen many happy Councillors come and go.

The Council joined the Chair in wishing Mrs Patrick a long, happy and well deserved retirement.

3 International Women's Day

The Chair acknowledged that the day of the Council meeting is International Women's Day which celebrates the achievements of women and promotes an inclusive society where differences are valued and suggested that the Council take a minute to recognise the achievements the women are making to the

council. The Chair stated that, with the predominance of a female workforce, women are contributing to the delivery of our services every day and that the Council should also take a moment to recognise Moray as leading women's development having both the first female council leader, COSLA president and Convener. She further acknowledged that, while there are great achievements, the Council should continue to pursue gender equity needs as part of our council and society.

4 Order of Business

The Chair sought the agreement of the Council to vary the order of business and take items 6 "Discretionary Non-Domestic Rates Relief" and 9 "Moray Growth Deal - Full Business Case - Bus Revolution" as the first 2 substantive items of business to allow some Members to attend the funeral of the late Mr Mike McKay.

5 Condolences

The Council joined the Chair in expressing their condolences to the family of Mr Mike McKay following his passing. The Chair stated that Mr McKay was a valued member of the Public Transport Team and that his outgoing personality, sense of humour and vast experience would be sorely missed.

6 Declaration of Group Decisions and Members Interests

In terms of Standing Order 21 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.

In terms of Item 6 "Discretionary Non-Domestic Rates Relief" Councillor Coull stated that she is a member of the British Legion Scotland Keith Branch and, having taken advice from the Monitoring Officer, stated that she would leave the meeting and take no part in the decision.

Councillor Warren stated that she is a member of British Legion Scotland however, having taken advice from the Monitoring Officer, was content that she could consider and take part in the debate of this item.

Councillor McLennan stated that he had Honorary Status with the Army Cadets and, following advice from the Monitoring Officer, stated that he would step out of the meeting during consideration of this item and take no part in the decision.

Councillor Bloomfield stated that he was the Armed Forces and Veterans Champion however following advice from the Monitoring Officer, was content that he could consider and take part in the debate of this item

In relation to Item 8 "Moray Growth Deal Annual Report", Councillor Williams declared an interest having a close family member who works at HIE and after receiving advice from the Monitoring Officer, stated that he would not take part in the consideration of this item.

There were no further declarations of Member's interests in respect of any item on the agenda.

7 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 following item of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

| Para number of the minute | Para Number of Schedule 7a |
|---------------------------|----------------------------|
| 14 | Para 1 - Staffing Matters |

8 Discretionary Non Domestic Rates Relief

Councillors Coull and McLennan, having declared an interest in this time, left the meeting at this juncture and took no part in its consideration.

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to consider the Council's policy for awarding discretionary relief of Non-Domestic Rates.

Having considered the report, the Chair moved that the Council agree the recommendations as printed. This was seconded by Councillor Gatt.

Councillor Lawrence highlighted the organisations mentioned in the report who had already benefited from non-domestic rates relief and acknowledged the valuable contribution they make to communities in Moray. He expressed concern that by withdrawing the non-domestic rates relief, there was a risk that these organisations would not be able to continue and moved that the Council continue to offer non-domestic rates relief to all organisations referred to in the report. This was seconded by Councillor Leadbitter.

On a division there voted:

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| For the Motion (13): | Councillor Robertson, Gatt, Allan, Bloomfield, Colyer, Cowe, Dunbar, Gordon, Keith, Macrae, Mustard, McBain and Ross |
| For the Amendment (10): | Councillor Lawrence, Leadbitter, Cameron, Divers, Fernandes, Harris, Morrison, Stuart, Van Der Horn and Warren |
| Abstentions (1): | Councillor Williams |

Accordingly, the Motion became the finding of the Council and it was agreed that:

- (i) discretionary Non Domestic Rate relief is rescinded, with the following exceptions: buildings used by organisations to directly deliver services on behalf of the Council, as described in paragraphs 3.6 to 3.8 of the report; land or buildings used by small, local based charities, as defined in paragraph 3.9 of the report;

- (ii) qualifying organisations must apply for other NDR reliefs when these are available prior to applying for discretionary NDR; and
- (iii) authority is delegated to the Chief Financial Officer to approve applications from charities as described in paragraph 3.19 of the report, and to approve applications which fall within the policy approved by members from organisations not recognised as charities where the purpose of the organisation falls with the 16 charitable purposes and the organisation delivers public benefit as defined in the Charity Test as outlined in paragraph 3.20 of the report.

Councillor Coull and McLennan re-joined the meeting at this juncture.

9 Moray Growth Deal - Full Business Case - Bus Revolution

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the progress of the Moray Growth Deal, specifically the Full Business Case for Bus Revolution.

The report was widely welcomed by the Council and the Service was commended for the work that had been undertaken to bring the project forward.

Following consideration, the Council agreed to:

- (i) approve the full business case for the Bus Revolution project v1.4 as summarised in the report and contained in Appendix 1;
- (ii) delegate authority to the Depute Chief Executive (Economy, Environment and Finance) to make final changes that may be required from Government feedback and agree the final version of the Full Business Case; and
- (iii) delegate authority to the Depute Chief Executive (Economy, Environment and Finance) or such other signatory as may be required to accept the grant for the project in line with the terms of the Moray Growth Deal.

10 Corporate Overview of Council Priorities

Councillors Allan, Bloomfield and McBain left the meeting at this juncture.

A report by the Chief Executive provided the Council with a high level indicative assessment of current Council priorities, service pressures and risk.

During discussion surrounding the "Council's Strategic Framework" as mentioned in the first recommendation in the report, it was noted that this consisted of 3 documents, namely the Corporate Plan, the Short to Medium Term Financial Strategy and the Recovery and Renewal Strategic Framework and it was asked if the recommendation could be amended to reflect this.

In response, the Chief Executive explained that the term "Strategic Framework" was a shorter version of referring to the Corporate Plan, the Short to Medium Term Financial Strategy and the Recovery and Renewal Strategic Framework however had no issue with the recommendation being amended accordingly.

During further discussion, the Chief Executive made reference to a Route Map with key dates in June, September, December 2023 and February/March 2024 where critical decisions will have to be made as the Council puts its Corporate Plan in place and it was queried whether this Route Map could be shared with Elected Members.

In response, the Chief Executive advised that this was a working document however agreed to share this with Elected Members following the meeting.

Thereafter, the Council agreed to note:

- (i) the Council's Strategic Framework made up of the Corporate Plan; Short to Medium Term Financial Strategy; and the Recovery and Renewal Strategic Framework;
- (ii) the priorities and pressures as set out in this report and the Appendix to this report;
- (iii) the key factors and messages as set out in Section 3 of this report;
- (iv) the interdependencies of significant service pressures with the achievement of the Council's strategic plans and priorities and the delivery of Best Value;
- (v) in order to maintain an appropriate balance of risk to iv) above, the need for moderation in the approach to prioritisation and the allocation of available resources; and
- (vi) that the Route Map to May 2024 would be circulated to Elected Members following the meeting.

11 Revenue Budget Monitoring to 31 December 2022

A report by the Depute Chief Executive (Economy, Environment and Finance) advised the Committee of the revenue budget monitoring position to 31 December 2022 and of the current estimated out-turn for 2022-23.

Following consideration, the Council agreed to note:

- (i) the budget monitoring position of £1,244,000 under budget for 2022/23 as at 31 December 2022;
- (ii) that this position consists of an underspend on Devolved School budgets of £1,098,000, an over achievement on Sport and Leisure income of £268,000, an overspend on Social Care services delivered on behalf of the Moray Integration Joint Board (MIJB) of £1,043,000, and an underspend on other services of £921,000;
- (iii) movement of £5,080,000 in the General Revenue Grant, as detailed in paragraph 3.4 of the report;
- (iv) the current estimated out-turn for 2022/23 of an underspend of £11,967,000 which includes a loans pool holiday, reducing expenditure by £7,583,000,

along with further underspends of £4,384,000;

- (v) Included in that underspend is budget pressures totalling £2,581,000 which are projected to slip into next year and will result in an increase in Council reserves for 2022/23 but will be required in 2023/24;
- (vi) the emerging budget pressures noted in paragraph 6.1 of the report; and
- (vii) an additional £2,007,000 funding for the pay award coming as capital grant.

12 Capital Plan 2022-23

A report by the Depute Chief Executive (Economy, Environment and Finance) advised the Council of expenditure to 31 December 2022 under the capital plan for financial year 2022/23 and of estimates of projected expenditure profiled into quarters.

Following consideration, the Council agreed:

- (i) to note expenditure to 31 December 2022 of £16,682,000;
- (ii) to note the current projected expenditure of £36,236,000 for 2022/23 profiled into quarters, as set out in Appendix 1 of the report;
- (iii) to note the projected overall expenditure for projects spanning more than one financial year, as set out in Appendix 2 of the report; and
- (iv) to approve amendments to the 2022/23 and 2023/24 capital plan as detailed in paragraph 6.1 of the report.

13 Moray Growth Deal - Annual Report

Councillor Williams, having declared an interest in this item, left the meeting at this juncture.

A report by the Depute Chief Executive (Economy, Environment and Finance) advised that each year, the Moray Growth Deal is required to produce an annual report providing an overview of work undertaken, with a look ahead to the year ahead and that the report introduced the first draft report, covering the period 20 December 2021 to 31 December 2022.

The Chair, having considered the report, moved that the Council agree the recommendations as printed in the report.

Councillor Leadbitter welcomed the report and acknowledged the work undertaken in conjunction with partners, the Scottish Government and the UK Government and proposed a further recommendation that the Council agree to reaffirm the Council's strong commitment to working with the UK and Scottish Governments and public, private and third sector partners to deliver the Moray Growth Deal.

The Chair agreed to incorporate this recommendation into her motion.

There being no-one otherwise minded, the Council agreed to:

- (i) note the draft annual report;
- (ii) reaffirm the Council's strong commitment to working with the UK and Scottish Governments and public, private and third sector partners to deliver the Moray Growth Deal; and
- (iii) delegate authority for the Depute Chief Executive (Economy, Environment and Finance) to approve a final iteration of the report, following engagement with key stakeholders and the Scottish and UK Governments. This will then be submitted to a future Moray Council meeting for noting.

14 Short to Medium Term Financial Plan [Para 1]

A report by the Depute Chief Executive (Economy, Environment and Finance) as the Council to consider the recommended budget savings detailed within the report.

Following consideration, the Council agreed to approve the savings set out in paragraphs 5.3 to 5.9 and summarised in paragraph 5.10 of the report, totalling £49,000 recurring savings and £84,000 one-off savings, subject to consultation on the proposal at paragraph 5.7 of the report which will be either reported back to Council or implemented, as set out in paragraph 6(e) of the report.