

# **MORAY COUNCIL**

## **Minute of Special Meeting of the Moray Council**

**Wednesday, 16 December 2020**

**remote locations via video conference,**

### **PRESENT**

Councillor George Alexander, 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 Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren, Councillor Walter Wilson

### **APOLOGIES**

Councillor James Allan, Councillor Ryan Edwards, Councillor Shona Morrison

### **IN ATTENDANCE**

Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Interim Chief Officer, Moray Health and Social Care, Head of Governance, Strategy and Performance, Head of Economic Growth and Development, Chief Financial Officer, Strategic Planning and Development Manager, Head of Education Resources and Communities and the Democratic Services Manager as Clerk to the meeting.

## **1 Chair**

In the absence of Councillor Morrison, Councillor Leadbitter, being Depute Chair of the Moray Council, chaired the meeting.

## **2 Declaration of Group Decisions and Members Interests \***

In terms of Standing Order 20 and the Councillors' Code of Conduct, the meeting noted that 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 Resolution**

The Meeting resolved 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 11 and 12 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 Cultural Quarter Moray Growth Deal**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the Cultural Quarter Project in the Moray Growth Deal providing an update of progress and seeking approval of concepts and next steps.

Following consideration the Council agreed:

- i. to note the executive summary from the outline business case provided in Appendix 1;
- ii. to note the governance process associated with Growth Deal Projects for which the Council is the Lead Partner;
- iii. the high level funding requirement of £3.9m from the Council and note the overall project costs shown in the financial implications; and
- iv. to utilise the existing capital budget for the Growth Deal in 2020/21 to enable the next steps identified for the Cultural Quarter in para 5.1. of the report.

#### **5 Learning Estate Strategy**

Under reference to paragraph 4 of the Minute of the special meeting of Moray Council dated 9 October 2020, a report by the Depute Chief Executive (Education, Communities and Organisational Development) updated the Council on the outcomes of recent engagement activity on a new approach to developing a long-term strategy for the learning estate as outlined in Appendix 1 of the report.

Following consideration the Council agreed to approve the 'Developing a Strategic Approach to the Learning Estate' as the strategic document that will guide the long-term development of the learning estate in Moray.

#### **6 Review of Additional Support Needs - Staffing**

Under reference to paragraph 25 of the draft minute of the meeting of the Education, Communities and Organisational Development (ECOD) Committee dated 18 November 2020, a report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Council to approve the recommendations from the ECOD Committee in relation to the staffing and budget requirements for the Review of the Additional Support Needs Service.

Following lengthy discussion in relation to whether the posts should be temporary or

permanent, Councillor A McLean, seconded by Councillor Warren, moved that the Council approves the recommendation from the ECOD Committee to establish posts and budget noted below for an initial period of 2 years to stabilise ASN services, progress the transformation agenda, provide capacity to support schools during the Covid-19 pandemic and to help provide a secure platform from which change can be driven forward:

- i. Inclusion Manager post to stabilise the services and to progress the transformation agenda (at a cost of £83,258 per annum);
- ii. re-instate the second post of Education Support Officer (ASN) to provide capacity to support schools during the Covid-19 pandemic and to help provide a secure platform from which change can be driven forward (at a cost of £68,244 per annum).

As an Amendment, Councillor Ross, seconded by Councillor Macrae, moved that the posts be established on a permanent basis.

On a division, there voted:

For the Motion (18)

Councillors A McLean, Warren, Alexander, Bremner, Brown, Coull, Cowe, Coy, Creswell, Eagle, Feaver, Gatt, Nicol, M McLean, R McLean, Powell and Taylor

For the Amendment (5)

Councillors Ross, Macrae, Divers, Cowie and Wilson.

Absentions (0)

Accordingly the Motion became the finding of the meeting and the Council approved the recommendation from the ECOD Committee to establish posts and budget noted below for an initial period of 2 years to stabilise ASN services, progress the transformation agenda, provide capacity to support schools during the Covid-19 pandemic and to help provide a secure platform from which change can be driven forward:

- i. Inclusion Manager post to stabilise the services and to progress the transformation agenda (at a cost of £83,258 per annum);
- ii. re-instate the second post of Education Support Officer (ASN) to provide capacity to support schools during the Covid-19 pandemic and to help provide a secure platform from which change can be driven forward (at a cost of £68,244 per annum).

## **7 Financial Planning**

A report by the Depute Chief Executive (Economy, Environment and Finance) updated the Council's financial position following the projected out-turn for 202/21; financial flexibilities given to Scottish local authorities by Scottish Government, and the UK Spending Review. The Report also asked the Council to consider proposals

to reduce budget pressures in 2020/21 and 2021/22.

Councillor Brown sought clarity as to why savings from Children's Services were being earmarked as funding for transformation of that service and simply not included within the overall funding for transformation of the council and those areas that required funding for their transformation draw from that pot through the agreement of the Council and asked if this could be considered.

In response the Chief Financial Officer advised that she would be happy to do as Councillor Brown suggested if this was the wish of the Council.

Councillor Eagle in referring to the recent reports in the press regarding the repayment of the funding support received from the Government regarding non-domestic rates relief by some of the major retailers which could potentially be worth up to £2M to Moray, asked whether Cosla or the Council Leader, had spoken to the Scottish Government in regard to what the intention is to do with this funding and if this money is being repaid is there a discussion to be had with the Scottish Government to say some of that could be kept within local authorities to recycle to small business support?

In response the Chair stated that he was not aware of any plans and that it had not yet been raised at Cosla which may be due to the complexities surrounding the legislation in relation to the granting of the funding and how this could be returned which was unclear. However, he stated that he was more than happy to take this back to Cosla and the Scottish Government and see if he could get more information on it.

Thereafter for clarification Councillor Brown moved that recommendation 2.1(iii) be amended to read 'ear-marking savings from the Children's Services as funding for transformation'. There being no one otherwise minded this was agreed.

It was further agreed that recommendation 2.1(ii) be amended to reflect the recurring savings as identified in the report.

Thereafter the Council approved:

- i. one-off savings for 2020/21 as set out in paras 3.10 - 3.13 of the report;
- ii. recurring savings from 2021/22 as set out in paras 3.14 - 3.15 of the report;  
and
- iii. Ear-marking savings from Children's Services as funding for transformation.

The Council further agreed to note:

- i. The high level of uncertainty regarding key financial planning assumptions;

- ii. The consequent requirement to be prudent regarding the Council's finances;
- iii. The updated financial sustainability PI relating to use of free reserves and the need to remove the underlying overspend in the Council's core budget which this indicator measures;
- iv. Current plans to address the underlying overspend; and
- v. The financial flexibilities agreed by Scottish Government and the likely impact for the Council.

Prior to discussion of Item 8 'Charging for Services, it was noted that Councillor Morrison had joined the meeting at this juncture and Councillor R McLean had left the meeting.

## **8 Charging for Services**

Under reference to paragraph 8 of the Minute of the meeting of the Policy and Resources Committee dated 28 October 2017, a report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to agree the default increase for fees and charges for Council services for 2021/22.

Following consideration the Council agreed:

- i. the default increase for charges for Council services for 2021/22 is 2%;
- ii. to instruct services to be commercially aware and review their charges with a view to maximising income; and
- iii. to note that the Moray Integration Joint Board (MIJB) at its meeting on 26 November 2020 agreed to recommend to the Council charges for services delivered under the aegis of MIJB.

## **9 Polling District and Place Review**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought the Council's approval for the revision of arrangements for polling districts and polling places following statutory review.

During discussion Councillor Cowe raised concern in regard to distance that voters from the Coularbank area will be required to walk to the proposed new polling place

at the Lossiemouth Football Club which is replacing the previous polling place situated in the Lossiemouth Community Centre which was due to be demolished as part of the new Lossiemouth High School development and asked that this be reviewed following the May 2021 elections.

In response the Democratic Services Manager advised that as stated in the report, the Elections Office would as a matter of course, review the use of the new polling place following the elections. She further advised that in terms of the location of the previous polling place, this had been problematic due to issues in relation to parking and accessibility and In terms of the layout at the new High School complex, as previously mentioned, this does not lend itself to use as a polling place. She reiterated that as with all new polling places, a review of its use would be carried out following the elections and hoped that this provided Councillor Cowe with the reassurance he was seeking.

Following discussion the Council agreed to approve the proposals to amend the current polling district and polling place arrangements as summarised in Section 4 of the report and to the change of name in respect of polling district MM0503 – ‘Lossiemouth West and Drainie’ to ‘Lossiemouth South’ and MM0504 – ‘Lossiemouth East’ to ‘Lossiemouth North’.

## **10 Delegation of Children and Families and Justice Services**

Prior to discussion of this item Councillor Morrison declared an interest in her capacity as Depute Chair of the the Moray Integrated Joint Board.

Councillors Brown and Eagle also asked that their respective interest be noted in their capacity as substantive and substitute members of the MIJB.

Councillor Divers stated that he wished to declare his interest as he had recently been appointed to the MIJB, albeit he had yet to attend a meeting.

A report by the Interim Chief Officer, Moray Health and Social Care, provided the Council with a progress update in relation to the proposed delegation of Children and Families and Justice Social Work to the Moray Integrated Joint Board (MIJB).

Following consideration the Council agreed to:

- i. note the indicative timeline in relation to the preparatory work proposed for the delegation of children and families and justice social work to MIJB;
- ii. note the Programme Board terms of reference: and
- iii. note further updates will be provided to the Board as the project continues to progress.

## **11 Future of Moray Training [Para 1]**

A report by the Interim Chief Officer, Moray Health and Social Care highlighted to the Council the continuing adverse financial position pertaining to Moray Training, outlined the potential options for resolution and sought approval on the preferred option.

Following consideration the Council agreed to note the contents of the report and approved Option 2a as detailed in paragraph 4.4.4 of the report.

## **Suspension of Standing Orders**

The Chair sought the agreement of the Committee to Suspend Standing Order 75 to allow the meeting to continue beyond 5.00 pm in order to conclude the business on the Agenda. This was unanimously agreed.

## **12 Housing Mix Delivery - Moray Growth Deal [Paras 8 & 9]**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the Housing Mix Delivery project in the Moray Growth Deal providing an update of progress and sought approval of concepts and next steps.

Following consideration the Council agreed:

- i. to note the Outline Business Case Executive Summary provided in Appendix 1 of the report;
- i. the overall Council contribution of £2.5 million towards the project to be programmed as part of the overall Growth Deal; and
- i. to allocate £150,000 of the existing capital budget for the Growth Deal to enable the next steps identified for the Housing Mix Delivery project in section 6 of the report, with anticipated spend of £30,000 in 2020/21 and £120,000 in 2021/22.