



Moray Council

Wednesday, 13 March 2019

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, 13 March 2019** at **09:30**.

BUSINESS

- 1 Sederunt**
- 2 Declaration of Group Decisions and Members Interests ***
- 3 Written Questions ****
- 4 Minutes**
 - 4a Minute of Meeting dated 23 January 2019 5 - 14**
 - 4b Minute of Meeting of Joint Consultative Committee dated 15 - 20
7 February 2019**
- 5 Establishment of Post of Early Years Service Manager 21 - 30**
- 6 Transfer of Financial Inclusion Team 31 - 34**
- 7 Forres Common Good - Forres Mechanics Football Club 35 - 38**
- 8 Applications for Funding from Common Good 39 - 42**
- 9 Question Time *****

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

Any person attending the meeting who requires access assistance should contact customer services on 01343 563217 in advance of the meeting.

* **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.

Clerk Name: Moira Patrick
Clerk Telephone: 01343 563016
Clerk Email: moira.patrick@moray.gov.uk

THE MORAY COUNCIL

Moray Council

SEDERUNT

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

Clerk Name: Moira Patrick
Clerk Telephone: 01343 563016
Clerk Email: moira.patrick@moray.gov.uk

Minute of Meeting of the Moray Council

Wednesday, 23 January 2019

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 Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Claire Feather, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Shona Morrison, Councillor Amy Patience, Councillor Derek Ross, Councillor Ron Shepherd, Councillor Sonya Warren

APOLOGIES

Councillor John Cowe, Councillor Ryan Edwards, Councillor Walter Wilson

IN ATTENDANCE

The Chief Executive, the Corporate Director (Economic Development, Planning and Infrastructure), the Corporate Director (Corporate Services), the Head of Legal and Democratic Services, the Head of Financial Services, the Educational Resources Manager and the Democratic Services Manager as Clerk to the Meeting.

ALSO IN ATTENDANCE

Maggie Bruce, External Audit.

1 Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillor Eagle on behalf of the Conservative Group advised that they had discussed Item 6 'Financial Planning 2019/20 Onwards' and whilst a Group view had been reached no whip on how any member should vote had been applied. Councillor Leadbitter on behalf of the Administration stated that the SNP Group as the Administration had also discussed Item 6 in considerable detail and had reached mutual agreement in regard to its approach to it. Thereafter the meeting noted that 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.

2 Resolution

The Council 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 during consideration of the items of business

appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7A and reason
8	6 Information relating to the financial or business affairs of any particular person(s)
	9 Information on terms proposed or to be proposed by or to the Authority.
9	1 Information relating to staffing matters

3 Minutes

(a) Minute of Meeting dated 31 October 2018

The minute of the meeting of Moray Council dated 31 October 2018 was submitted and approved.

(b) Minute of Special Meeting dated 22 November 2018

The minute of the special meeting of Moray Council dated 28 November 2018 was submitted and approved.

(c) Minute of Special Meeting dated 12 December 2018

The Minute of the special meeting of Moray Council dated 12 December 2018 was submitted and approved.

(d) Minute of Special Meeting dated 18 December 2018

The Minute of the special meeting of Moray Council dated 18 December 2018 was submitted and approved.

4 Written Questions **

The Committee noted that no written questions had been submitted.

5 Notice of Motion by Councillors R McLean and M Macrae

The meeting noted that the Notice of Motion had been withdrawn.

6 Emergency Notice of Motion by Councillors C Feaver and J Allan

A Notice of Motion was submitted by Councillor Feaver, seconded by Councillor Allan in the following terms:-

"During Item 6 of the Economic Development and Infrastructure Services Committee on Tuesday 4th December the committee agreed upon a new comfort scheme logo. It has become clear following the meeting that some members of the public find this logo offensive and others find it confusing.

With this in mind council is asked to -

1. Suspend Standing Orders to allow this item to be discussed.
2. Ask officers to look again at a new sign to support this scheme. One that is well known and might also make it clearer if baby changing and disabled toilets are present.
3. Bring back examples of potential signs to the next Economic Development and Infrastructure Committee."

Prior to discussion the Convener advised that in terms of Standing Order 82 and 83 relating to the alteration or revocation within 6 months of a decision of the Council, in this case a decision taken by the Economic Development and Infrastructure Committee of 4 December 2018, two thirds of the Members of the Council present and entitled to vote must agree that there has been a relevant and material change of circumstances and that the agreement of the Council to suspension should be confirmed before the relevant suspension is debated.

The Convener therefore asked Councillor Feaver to advise the Council what she considered was the relevant and material change of circumstances.

In response Councillor Feaver stated that since this matter was discussed at the Economic Development and Infrastructure Services Committee several members of the public have contacted her and other Members advising of their views regarding the proposed signage and lack of an alternative and moved this to be the relevant and material change of circumstances.

Following further discussion Councillor Leadbitter, in his capacity as Chair of the Economic Development and Infrastructure Services Committee stated that the matter had been fully debated at that meeting and moved as an amendment that the Council did not suspend Standing Orders.

On a division there voted:

For the Motion (10)

Councillors Feaver, Allan, Brown, Divers, Eagle, Gatt, M McLean, R McLean, Macrae and Ross

For the Amendment (13)

Councillors Leadbitter, A McLean, Alexander, Bremner, Coull, Cowie, Coy, Creswell, Laing, Morrison, Patience, Shepherd and Warren

Abstentions (0)

Accordingly, in terms of Standing Order 82, as a 2/3rd majority of those members present had not been achieved, there was no agreement to suspend Standing Orders and accordingly no discussion of the Notice of Motion could take place.

7 Review of Council's Constitutional Documents

A report was submitted by the Corporate Director (Corporate Services) inviting the Council to approve changes to the Council's constitutional documents as detailed in Section 4 of the report.

Following consideration the Council agreed to

- i. approve the changes to Standing Orders as set out in Appendix I of the report;
- ii. approve the changes to the Administrative Scheme as set out in Appendix II of the report including the additional change relating to Section I and the removal of paragraphs 12 – 14, 16 and 17 which all relate to performance monitoring which no longer falls within the remit of the Audit and Scrutiny Committee;
- iii. approve the changes to the scheme of Delegation as set out in Appendix III of the report;
- iv. approve the changes to the Financial Regulations as set out in Appendix IV of the report including the additional change relating to Section 5 and replace paragraph 5.9 to read “Most of the Council’s property is let out at market value. In some circumstances, and by regulations promoted under the Community Empowerment (Scotland) Act 2015, the Council supports community groups through leasing property at reduced rental. Any such lease arrangements be treated as Community Asset Transfer (CAT) requests and shall be considered as part of the assessment of the business case for CAT in accordance with the Council's CAT policy and reported to Policy and Resources Committee for approval.”
- v. approve the changes to the Authorisation Policy as set out in Appendix V of the report, and
- vi. to Suspend Standing Orders and approve the changes made today without the need to bring the report back to the next meeting.

8 Clock Tower, The Square, Dufftown [Paras 6 & 9]

A report was submitted by the Corporate Director (Economic Development, Planning & Infrastructure) asking the Council to consider proposals for the sale of the Clock Tower, The Square, Dufftown.

Following consideration the Council agreed to:

- i. decline the request for assistance from Dufftown & District Community Association for assistance in the form of architectural design support from the Council, and
- ii. authorise officers to undertake a public consultation on the proposed sale and report back to the Policy and Resources Committee to consider the proposed main terms of sale, together with a summary of any representations from the consultation.

9 Financial Planning 2019/20 Onwards [Para 1]

Under reference to paragraph 7 of the minute of the special meeting of Moray Council a report was submitted by the Chief Executive updating the Council on the current financial forecasts and proposing further measures to reduce the budget shortfall in preparation for setting budget in February 2019. Taking into account the forecasts and progress made, the report further advised the Council of the challenge associated with setting a balanced budget in February 2019 and the actions that it is now recommended are taken.

Prior to discussion the Chair stated that this item would require lengthy debate and suggested that Members have that debate and thereafter if Groups or individuals wish to put forward suggestions/motions they do so following a full debate. This was agreed.

During discussion of this item, in order to conclude the business of the meeting, the Council agreed to Suspend Standing Order 75 and continue the business of the meeting beyond 12.45 pm.

Thereafter following lengthy discussion the Council agreed:

- 4.1 (i) to note the updated financial overview and the increase in the deficit in the council's 2019/20 budget arising from developments since the meeting of the Council on 12 December 2018;
- (ii) to proceed with the savings deferred from the 12 December Council meeting and more fully detailed in para 4.5 of the report as follows:

- a) Elgin Community Centre –
Councillor Leadbitter, seconded by Councillor Morrison, moved that the council agree to implement increased charging and reduced cost measures in order to reduce the overall running costs and that a closure date of 31 March 2020 be applied to allow those privately operated organisations currently based within the Community Centre time to find alternative premises.

As an amendment Councillor Eagle, seconded by Macrae moved that the council agree to implement increased charging and reduced cost measures in order to reduce the overall running costs with a 4 month review to assess whether the required savings are emerging and whether to continue to operate ECC.

On a division there voted:

For the Motion (10)

Councillors Leadbitter, Morrison, A McLean, Bremner, Coull, Coy, Divers, Laing, Patience and Warren

For the Amendment (12)

Councillors Eagle, Macrae, Alexander, Allan, Brown, Cowie, Creswell, Feaver, Gatt, M McLean, R McLean and Shepherd

Abstentions (1)

Councillor Ross

Accordingly the Amendment became the finding of the meeting and the Council agreed to implement increased charging and reduced cost measures in order to reduce the overall running costs with a 4 month review to assess whether the required savings are emerging and whether to continue to operate Elgin Community Centre;

- (b) Forres Community Centre – agreed to replace this saving with the closure of Auchernack and transfer of services and staff to Forres Community Centre and to reduce staff operating costs of FCC;

(c)

School Cleaning Reductions

Following discussion Councillor Eagle, seconded by Councillor Feaver, moved that the council delay the proposed saving until 27 February 2019.

As an amendment Councillor Leadbitter, seconded by Councillor A McLean, moved that the council proceed with the savings as proposed in September 2018.

On a division there voted:

For the Motion (13)

Councillors Eagle, Feaver, Allan, Bremner, Cowie, Creswell, Divers, Eagle, Gatt, M McLean, Macrae, R McLean, Ross and Shepherd

For the Amendment (9)

Councillors Leadbitter, A McLean, Alexander, Coull, Coy, Laing, Morrison, Patience and Warren

Abstentions (1)

Councillor Brown

Accordingly the Motion became the finding of the meeting and the Council agreed to delay the proposed saving until 27 February 2019.

(iii) Following discussion Councillor Leadbitter, seconded by Councillor Morrison, moved approval of the greatest level possible of the savings in Appendix B of the report for implementation, development and workforce consultation in order to assist in addressing the council's 2019/20 budget gap as follows:

- All savings categorised 'green' with those redness categories i and ii to proceed as indicated;
- A5c2 - Swimming Pools at Lossiemouth and Keith only to close subject to review on 27 February following concerted campaign to promote 'Fit Life' membership;
- Spend to save – Water controls on urinals;
- A5d – Fit Life charges savings be agreed in principle subject to the actual amount of the increase being subject to discussion with Moray Leisure;
- C3 – Marleon House – still under contract - future year saving
- D7-7 – Winter Maintenance – gritting routes P1c - defer to 27 February – further information to be provided;
- D9d - agreed to grant delegated authority to Head of Direct Services in consultation with Group Leaders (with input from local members) to determine where additional car parking charges should be introduced subject to there being no reduction to the proposed saving.
- Other savings.

As an amendment, Councillor Eagle, seconded by Councillor Feaver, moved that the Council delay the savings listed in Appendix B of the report with the exception of those listed below, recognising that at this stage no proposal should be removed in its entirety but put on hold pending further information on the final Scottish Government settlement, the outcome of official discussions with the Scottish Government and other external partners and when taken into consideration with remainder of necessary savings options on 27 February 2019:

- D6a3 - Burial Grounds - additional charges for non-Moray residents.
- D6b1 - Grounds Maintenance open spaces - not for profit - Cease maintenance.
- D6b3 - Grounds Maintenance open spaces - owner unknown - Cease maintenance.
- D92a - Harbours Charges - increase leisure harbour fees by 10%

- School Transport - Procurement savings
- VAT - Bulky uplifts (no VAT)

On a division there voted:

For the Motion (13)

Councillors Leadbitter, Morrison, Alexander, Bremner, Brown, Coull, Coy, Creswell, Divers, Laing, A McLean, Patience and Warren.

For the Amendment (10)

Councillors Eagle, Feaver, Allan, Cowie, Gatt, M Clean, R McLean, Macrae, Ross and Shepherd.

Abstentions (0)

Accordingly the Motion became the finding of the meeting and the Council approved the greatest level possible of the savings in Appendix B of the report for implementation, development and workforce consultation in order to assist in addressing the council's 2019/20 budget gap as follows:

All savings categorised 'green' with those rediness categories i and ii
(a) to proceed as indicated;

(b) A5c4 - Swimming Pools at Lossiemouth and Keith only to close subject to review on 27 February following concerted campaign to promote 'Fit Life' membership;

(c) Spend to save – Water controls on urinals;

A5d – Fit Life charges savings agreed in principle subject to the

(d) actual amount of the increase being subject to discussion with Moray Leisure;

(e) C3 – Marleon House – still under contract - future year saving;

D7-7 – Winter Maintenance – gritting routes P1c - defer to 27

(f) February – further information to be provided;

D9d - agreed to grant delegated authority to Head of Direct Services in consultation with Group Leaders (with input from local members) to determine where additional car parking charges should be introduced subject to there being no reduction to the proposed saving, and

(h) Other savings

(iv) agreed that for savings identified as requiring workforce consultation, the outcome of this is reported to the Council on 27 February to agree how to proceed.

(v) Following discussion Councillor Eagle, seconded by Councillor Feaver, moved that Directors should provide full information of the underspend in devolved school management in each school in Moray stating the total underspend and what the underspend is being allocated or saved for and that this is reported for final decision to the Council on 27 February 2019.

As an Amendment, Councillor Leadbitter, seconded by Councillor Morrison, moved that the devolved school management underspend that is uncommitted as of today's date is clawed back and allocated to general reserves.

On a division there voted:

For the Motion (10) Councillors Eagle, Feaver, Allan, Brown, Gatt, M McLean, R McLean, Macrae, Ross and Shepherd.

For the Amendment (13) Councillors Leadbitter, Morrison, A McLean, Alexander, Bremner, Coull, Cowie, Coy, Creswell, Divers, Laing, Patience and Warren.

Abstentions (0)

Accordingly the Amendment became the finding of the meeting and the Council agreed that the devolved school management underspend that is uncommitted as of today's date is clawed back and allocated to general reserves.

- (vi) Following discussion Councillor Leadbitter, seconded by Councillor Morrison, moved that the Council agree additional use of reserves of £0.7m held in general reserves for repairs and renewals requires and agrees the use of up to a further £0.7m from general reserves based on this being repaid to revert to policy position of £5m reserves as soon as possible.

As an Amendment, Councillor Brown, seconded by Councillor Gatt, moved that the Council agree additional use of reserves of £0.7m held in general reserves for repairs and renewals requires but does not agree to the use of up to a further £0.7m from general reserves based on this being repaid to revert to policy position of £5m reserves as soon as possible;

On a division there voted:

For the Motion (11)

Councillors Leadbitter, Morrison, A McLean, Alexander, Bremner, Coull, Cowie, Coy, Laing, Patience and Warren.

For the Amendment (11)

Councillors Brown, Gatt, Allan, Creswell, Divers, Eagle, Feaver, M McLean, Macrae, Ross and Shepherd.

Abstentions (1)

Councillor R McLean.

There being an equality of votes, and in terms of Standing Order 62(e), the Chair cast her casting vote in favour of the motion.

Accordingly the Motion became the finding of the meeting and the Council agreed the additional use of reserves of £0.7m held in general reserves for repairs and renewals requires and agreed the use of up to a further £0.7m from general reserves based on this being repaid to revert to policy position of £5m reserves as soon as possible.

(vii) agreed to continue contact with external bodies as noted in the report to keep them apprised of the situation and seek such support and assistance as they may be able to provide.

(viii) agreed that work continues to identify options to improve financial sustainability and ability to set balanced budget. In particular:

continue to identify and bring forward further savings for consideration
(a) in setting the 2019/20 budget;

in respect of the possible savings listed in paragraph 4.30 to delegate
(b) authority to the Chief Executive in liaison with Group Leaders to approve such preparatory work and consultation as may be necessary to enable these savings to be progressed as early as possible, with reporting for approval at the council meeting on 27 February;

continue the development of the Improvement and Modernisation
(c) Programme to take forward transformational change for the future;

investigates alternative options to fund the cost of change and to
(d) delegate to the Chief Executive authority to undertake such investigation and preparations as may be necessary to assist in bridging the gap.

MORAY COUNCIL

MINUTE OF MEETING OF THE JOINT CONSULTATIVE COMMITTEE

THURSDAY 7 FEBRUARY 2019

ROOM 200, ELGIN

PRESENT

Councillors G Leadbitter, T Coull, J Allan, J Divers, M Macrae, R McLean

S Wright, (Unison), D Eddie (Unite), Karen Adams (Unite), K Ewen (GMB), A Mair (GMB)

APOLOGIES

Apologies for absence were intimated on behalf of Councillor D Bremner.

IN ATTENDANCE

The Corporate Director (Corporate Services), Frances Garrow Joint Acting Head of Human Resources and ICT and Mrs L Dunlop, HR Admin Team Leader 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 Councillor Divers highlighted that he is a member of both Unite and Unison trade unions.

2. 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 Item 4 of business on the grounds that they involve the likely disclosure of exempt information of the class described in Paragraph 1 of Part 1 of Schedule 7A of the Act.

4. WORKFORCE IMPLICATIONS OF CORPORATE AND FINANCIAL PLANNING [PARA 1 AND 11]

There was submitted a report by the Corporate Director (Corporate Services) inviting the Committee to discuss the workforce implications of the Council's financial circumstances and in particular the proposals that were contained in the budget consultation pack for 2019/20 as detailed in Appendix 1 of the

report.

The Chair made reference to the meeting of the JCC in December 2018 highlighting that it was useful and helped put a human face on the issues they are dealing with. This is important for Councillors in terms of the implications for people and their families.

He noted that there have been a number of developments since the last meeting of the JCC. The Scottish Government proposed budget announced late December 2018 has meant additional financial challenge as the local government settlement was lower than hoped.. There were further pay negotiations at a national level through CoSLA and an increase in the offer. Last week the Scottish Government budget improved the situation slightly by proposing higher grant settlement and increased flexibility in funding including council tax. That combined with extra efforts made to identify savings means the Council is now almost at the point of being able to set a balanced budget by 27 February 2019.

The Chair gave an update on the most recent proposals agreed for consultation at the 23 January 2019 Full Council meeting and invited discussion and feedback on each proposal:

Pools – There has been a phenomenal response to the Use It or Lose It campaign from the public with 200 new sign ups to Fit Life in the first week so it is hoped that the pools won't have to close.

Active Schools – Due to the increase in Fit life memberships the Admin Group are hopeful that Active Schools may also be saved.

Libraries - The European grant funding brings into question some of these savings which are being looked at and the number of people affected is likely to reduce. Frances highlighted that HR have received confirmation from the Library Manager regarding the impact of revised proposals but this has not been communicated to employees yet. It is planned that this will be done today or tomorrow. The Chair advised that the Libraries that will remain open with reduced hours are Fochabers, Lossiemouth, Burghead, Aberlour and Dufftown. The Libraries still proposed to close are Tomintoul and Cullen.

The Chair opened the discussion up for any questions or comments. It was asked if there were any concerns regarding the letters and documents that go with the proposals and the trade unions had no concerns. It was agreed that a phone number is added to the contact details on page 38.

The Chair invited the committee to go through each proposal beginning at page 43:

Sport and Leisure (Page 43) – Unison questioned if the Clerical Admin will be affected by the impact of bringing together Auchernack and Forres House and it was noted that how combining locations impacts staff will be looked at and there will likely be a change management plan.

Libraries (Page 45) – It was noted by the Corporate Director that there will be further equalities consultation based on the revised proposals. The revised information will be issued to the trade unions and consideration given to the staffing impact of the revised proposals.

Essential Skills (Page 47) – There are discussions with Moray College regarding the co-ordination they can take on. Unison questioned if Essential Skills would still be cut even if some Libraries were kept open and it was confirmed that they are two separate savings.

ESOL (Page 49) – It was noted that there are two other Tutors employed by Moray Council that were not initially included in the workforce consultation. There had been an issue in how one of the employees found out about being at risk and it was noted that HR had been made aware of this on Monday and letters have now gone out. It was confirmed that a written apology would be issued to the employee affected.

Educational Psychology (Page 51) – Unison raised concerns that the service is already under pressure with sick leave and staff under duress and queried if there are any thoughts on re-configuring the service. The Chair highlighted that there is funding for school counsellors in the Scottish Government proposed budget and it is hoped that this will release some pressure. It was noted that the Head of Service has advised that the main responsibilities have already been reviewed and a reprioritisation of services has taken place as the saving is a long standing vacant post.

Quality Assurance Team (Page 53) – It was highlighted that this is not a current proposal and should not have been included.

Education Central Admin (Page 55) – Unison raised concerns that the service is under pressure and the staff are struggling with increase in sickness and turnover therefore asked how the workload is going to be managed with a significant reduction in resources. Frances noted that other savings proposals impact on the requirement for admin support and so the requirement and workload for admin will reduce. It was confirmed that this will be kept under review.

Classroom Assistants (Page 57) – It was highlighted that HR have been working with Head Teachers and it looks like the impact will be reduced as there is Devolved School Management (DSM) budget that might be available within schools. The Chair clarified that DSM reduction is at the discretion of the Head Teachers. Unison raised concern that options were not identified before proposals went out as the information should have been available. Denise accepted that it would have been better to have done that and that there were meetings with Primary and Secondary Heads in advance of the savings being proposed to identify how head teachers planned to manage the reduction but that ultimately it was a decision for each school Head. GMB asked if the Classroom Assistants could be moved between schools for replacement hours, although accepted this might not work in rural areas. As a

general principle the Council does try to find an alternatives to make up hours but Frances will check on the specifics and report back to the weekly trade union meeting.

Primary Schools (Page 59) – There were no issues highlighted.

Secondary (Page 61) – Unison questioned how this will impact on the proposals from last year regarding the reduction of Technicians in schools as the support was to come from larger to smaller schools. The Chair highlighted that individual Head Teachers will make the arrangements. Frances highlighted that the Head of Service responded that re-allocation of duties is being considered and information will be fed back at the regular trade union meetings. Unison raised concerns that there won't be savings coming from this therefore there has not been thought to the whole issue and the knock on effects. Denise noted the concern from the unions but highlighted that consultation is about identifying issues and responding to them and while there may be points to be addressed the Council's track record with achieving savings is good.

Sport and Leisure (Page 63) – The Chair highlighted that the changes are as noted earlier in that Lossiemouth and Keith pools are now unlikely to close. Frances highlighted the two proposals, the commercialisation and reduction in staff structure (page 63) and the closure of pools (page 65). Denise highlighted that the council still need to consider the long term plan and the leisure review for longer term.

Active Schools (Page 69) – It was noted this has been discussed already.

Environmental Protection – Janitorial Services (Page 71) – It was noted that this is due to Auchernack closing. No issues were raised.

Environmental Protection – Cleaning Services (Page 73) – No issues were raised.

Environmental Protection - Waste Management (Page 75) – It was noted that this proposal came from the employees as an alternative to the original saving.

Environmental Protection – Public Conveniences (Page 77) – GMB made reference to the Edinburgh tourist tax and highlighted that we can't do this and close the public toilets. Councillor Coull highlighted that the community are taking on the toilets in Cullen. It was noted that at a joint community council meeting last night (also involving the Moray Speyside Tourism) consideration is being given to community involvement in running toilets and how the toilets could be improved. In this regard it was noted that there may be funding available to external bodies that cannot be accessed by the council. There are also comfort schemes being established in various towns and businesses have signed up to this. Councillor Allan noted that Lossiemouth community are now running better toilets and plan to take on another one. There was some discussion on toilet facilities available to employees working out with a

fixed council location and whether the Council could work with other public sector partners to extend facilities available. It was agreed by the Chair that this can be discussed with Community Planning partners. GMB raised that in homecare there are still a number of walkers who in some places don't have somewhere to go for shelter between clients and it was noted that this is a different issue to the closing of public toilets but can be raised through the IJB Chair Councillor Morrison.

Environmental Protection – Street Sweeping (Page 79) – No issues were raised.

Environmental Protection – Waste Management (Page 81) – It was noted that this is a 2020/21 saving.

Environmental Protection – Lands and Parks (Page 83) – It was noted that the proposal is to stop maintaining sites not owned by Moray Council and to reduce the frequency of grass cutting. Consideration is being given to funding from the common good funds. There was discussion on what areas of grass will still be cut and what will be reduced and of possible community involvement so there is the potential for these proposals to change.

Winter Maintenance (Page 85) – The Chair highlighted that some routes will become lower but will be gritted later in the day. Unison raised concerns regarding the effect on employees getting to work and the need to review business continuity plans. The Chair acknowledged these concerns and noted that having compared with neighbouring rural authorities, the Council will not be significantly below others. There is a statutory responsibility to grit roads but the standards required are subjective judgement. Unison questioned if there is any co-ordination between the Council and BEAR Scotland and it was noted that in some areas there is e.g. Keith pavement clearing. There is also co-ordination with Aberdeenshire and Highland on cross boarder routes.

Transportation – School Crossing Patroller (Page 87) – It was noted this isn't a statutory service. There were no issues raised.

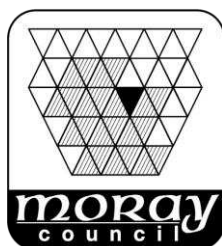
Community Safety (Page 89) – It was confirmed that there are 3 Wardens in total and it will be reduced by 1 post. The focus is now on resolving neighbourhood disputes and the Council is working with the Police to look at alternatives.

Development Services Team (Page 91) – Unison highlighted that there seems to be wider proposals and it is difficult to understand so it would be useful to have more information and clarity. The Chair requested that any further information also be sent to the Committee members. Frances noted that work is being done to clarify all the changes and information will be issued to the trade unions and Councillors.

Other issues raised not in papers:

School Janitors – It was raised by the unions that School Janitors in particular are a concern as the budget is held by Education but the staff are managed by Environmental and there are issues getting a firm proposal in place. Frances highlighted that HR are working with the Head of Service and managers to resolve this and there will be a joint meeting with staff and trade unions once a proposal is agreed. Unison raised that this won't meet the 15 February deadline for consultation but it was noted that the saving is in the school year so there is still time to deal with this.

Homecare – Anne Mair raised a suggestion that savings could be made if people were charged for care as sometimes people don't need the care. It was suggested that this should be raised with the MIJB and they may need to be re-assessed.



REPORT TO: MORAY COUNCIL ON 13 MARCH 2019

SUBJECT: ESTABLISHMENT OF POST OF EARLY YEARS SERVICE MANAGER

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 To invite the Council to consider suspending Standing Order 81 and approve the establishment of the post of Early Years Service Manager at salary grade 13 on a permanent basis, as outlined in the Delivery Plan for the expansion of Early Learning and Childcare provision across Moray.
- 1.2 This report is submitted to Council in terms of Section II (8) of the Council's Scheme of Administration relating to alterations to the establishment, whether by way of increase or decrease, of posts graded on or above SCP (92) 39 of the SJC spinal column of hourly rates.

2. RECOMMENDATION

- 2.1 **It is recommended that the Council suspend Standing Order 81 and approve the establishment of the post of Early Years Service Manager on a permanent basis as detailed within this report.**

3. BACKGROUND

- 3.1 The Council has a statutory obligation to make available 600 hours of Early Learning & Childcare (ELC) provision to three and four year olds whose parents request this provision. Funded places must also be provided for eligible two year olds. In Moray this provision is delivered via a combination of school/local authority nurseries (23 nurseries), independent (private and third sector) providers (36 nurseries), and childminders.
- 3.2 The Government has committed to increasing funded ELC hours from 600 to 1140 hours by 2020. 'The Blueprint for 2020: The Expansion of Early Learning & Childcare in Scotland' sets out the Scottish Government's vision for the expansion of ELC provision across Scotland, underpinned by the principles of quality, flexibility, accessibility and affordability. The blueprint prioritises the delivery of high quality experiences for every child, recognising the significant

contribution that universally accessible ELC can make to a child's development.

- 3.3 Local authorities have been given responsibility for delivering the expansion in their local communities and are being asked to consider the development of enhanced service models that reflect, and are responsive to, local needs. The ELC Delivery Plan sets out how we will achieve this within Moray, including staffing requirements, and was agreed at the Full Council on 27th September 2017 (para 20 of the Minute refers).
- 3.4 As part of our delivery, we are redesigning our central Early Years team which includes the creation of an Early Years Service Manager (Permanent, Full time, Grade 13). The job description and person specification for the role are attached at **Appendix 1**.
- 3.5 The Early Years Service Manager will provide strategic leadership, vision and the effective management necessary to shape an expanding 'Early Years' Service into one that focuses on quality improvement and works with others to prioritise the learning, development and wellbeing needs of children and families. This will include understanding the needs of children and families to develop and implement strategy, establishing and monitoring systems to drive improvement, and ensuring that resource is effectively utilised to improve outcomes.
- 3.6 The Service Manager will initially work closely with the Early Learning & Childcare Expansion project team to 2021/22 to develop an expanded, high quality service. The Manager will manage the operational team during the transition period and will manage a fully operational service from 2021/22 onwards, taking full responsibility for ensuring there are sufficient high quality early learning and childcare places for eligible children across Moray.
- 3.7 A report recommending the establishment of the Service Manager post was previously brought to Full Council on 18 December 2018 and during discussions concerns were raised regarding the continued funding of the post. Council were advised that funding was in place until August 2020. Council therefore agreed to approve the establishment of the post and to note that Scottish Government funding was in place until August 2020 (para 5 of the Minute refers). The report has come back to Council in order to clarify the situation regarding funding for the post and to confirm that Council approves the establishment of the post on a permanent basis. Ring-fenced funding is in place until March 2022 and ongoing funding will be provided through the Local authority block grant post March 2022.

4. SUSPENSION OF STANDING ORDERS

- 4.1 In terms of Standing Order 81 no resolution of the Council shall be amended or revoked within six months of its adoption except by the Suspension of Standing Orders.
- 4.2 Given that it is less than six months since it was agreed to approve the

establishment of the post until August 2020 then should the Council determine, following further consideration of the matter that there has been a relevant and material change in circumstances and agree to the establishment of the post on a permanent basis it will be necessary to suspend Standing Orders and in doing so the relevant and material change in circumstances shall be specified in the motion proposing the suspension.

5. SUMMARY OF IMPLICATIONS

(a) Moray 2026: A Plan for the Future and Moray Corporate Plan 2023

This project links to the priority of 'Ambitious and Confident Young People' as referred to in the Moray 2026 Plan. It also links in with our requirements to 'Provide a Sustainable Education Service Aiming for Excellence' as referred to in the Moray Corporate Plan 2023.

(b) Policy and Legal

The creation of this post has been considered and is supported under the terms of recognised and agreed Council policies.

(c) Financial implications

The cost of this post will be met from the funding from Scottish Government notified to the council for the expansion of early learning and childcare.

The post has been formally graded through the Job Evaluation Process at salary grade 13 (currently £53,647 - £58, 717)

(c) Risk Implications

If the creation of an Early Years Service Manager post is not approved, there is a risk that we are unable to fulfil our commitment to develop and deliver a quality Early Years service to Moray.

(d) Staffing Implications

There are no implications for the workforce arising directly from this report. The expansion of Early Learning & Childcare is an area of growth, and the creation of a new post will support and manage all staff within nursery settings.

(f) Property

There are no property issues arising directly from this report.

(g) Equalities

There are no equalities issues arising directly from this report.

(h) Consultations

The Corporate Director (Corporate Services) the Human Resources Manager, the Head of Financial Services and the Democratic Services Manager have been consulted and agree with the sections of this report relating to their areas of responsibility.

7. CONCLUSION

- 7.1 It is recommended that the Council suspend Standing Order 81 and approve the establishment of the post of Early Years Service Manager as detailed within this report.**

Author of Report: Joanna Shirriffs (Senior Project Manager: Early Learning & Childcare Expansion)

APPENDIX 1**MORAY COUNCIL****JOB DESCRIPTION**

(1) JOB IDENTITY			
POST TITLE:	Early Years Service Manager	DEPARTMENT:	Education & Social Care
SECTION:	Early Years	LOCATION:	Mobile
REPORT TO:	Corporate Director of Education & Social Care		
GRADE:	Grade 13	POST NO:	MOR03612

(2) JOB PURPOSE AND WAY OF WORKING
<p>The Early Years Service Manager will provide strategic leadership, vision and the effective management necessary to shape an expanding Early Years' Service into one that focuses on quality improvement and works with others to prioritise the learning, development and wellbeing needs of children and families. This will include understanding the needs of children and families to develop and implement strategy, establishing and monitoring systems to drive improvement, and ensuring that resource is effectively utilised to improve outcomes.</p> <p>The Service Manager will initially work closely with the Early Learning & Childcare Expansion project team to 2021/22 to develop an expanded, high quality service. The Manager will manage the operational team during the transition period and will manage a fully operational service from 2021/22 onwards, taking full responsibility for ensuring there are sufficient high quality early learning and childcare places for eligible children across Moray.</p> <p>The role requires close collaborations across the council, partnership, voluntary and private sectors with a view to working to shared ambitions.</p>

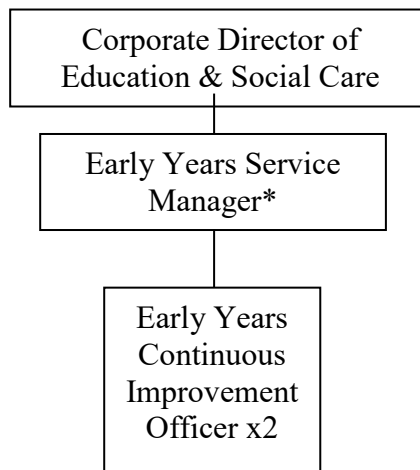
(3) MAJOR TASKS
<p>3.1 Lead on all strategic, operational and employment matters relating to the management, quality improvement, and performance of the early years provision across Moray with sound governance to ensure improved outcomes for children and families in Moray.</p> <p>3.2 In collaboration with the Corporate Director of Education & Social Care and other Senior Managers, develop, implement and evaluate strategies and policies in order to achieve local and national priorities.</p> <p>3.3 Ensure procedures and processes are in place for the review and on-going evaluation of the Early Years provision across Moray through data analysis.</p> <p>3.4 Manage a service budget of up to £14million per annum, taking responsibility and being accountable for the efficient deployment of all section resources, including staffing in the service.</p> <p>3.5 Provide direction, leadership and line management to the operational Early Years team to ensure that</p>

the department is able to fulfil its commitments to achieving Council objectives as well as local and national priorities. The full team will be recruited during the transition period from 2018 and 2020

- 3.6 Ensure the Early Years services are managed in accordance with legislation, external scrutiny bodies such as Education Scotland, SSSC and the Care Inspectorate, and Council Policy.
- 3.7 Support and contribute where appropriate to the operational and strategic delivery of work across Education and Social Care and the Council.

(4) REPORTING RELATIONSHIPS

This job is indicated by *



SIGNATURES AND ADMINISTRATION ONLY

Authors Signature:

Validator's Signature:

Date:

Postholder's Name:

Signature:

Date:

Supervisor's Name:

Signature:

Date:

(5) DUTIES TYPICALLY INCLUDE:
<p>5.1 Lead on all strategic, operational and employment matters relating to management, quality improvement of the early years provision across Moray with sound governance to ensure improved outcomes for children and families in Moray.</p> <p>5.1.1 Develop and communicate a clear vision for the Early Years team, ensuring long and short term priorities are agreed and shared with the team, ELC providers and relevant stakeholders.</p> <p>5.1.2 Actively contribute to strategic groups within the local authority and across the Moray Community Planning Partnership, including but not limited to the Early Years Strategy Group. Strategic lead for Early Years within the authority.</p> <p>5.1.3 Lead on the delivery of early learning across all providers of funded hours (local authority, private and third sector), including curriculum, service planning and improvement.</p> <p>5.1.4 Oversee all Early Years systems and processes ensuring that the system is flexible and able to adapt as local and national policy and legislation dictate.</p> <p>5.2 In collaboration with the Corporate Director of Education & Social Care and other senior managers, develop, implement and evaluate strategies and policies in order to achieve local and national priorities.</p> <p>5.2.1 Recognise, respond and advise Education & Social Care senior managers and Early Years team on emerging needs and trends.</p> <p>5.2.2 Develop, implement and evaluate appropriate operational plans to meet local and national priorities.</p> <p>5.2.3 Lead agreed arrangements in areas to promote integrated working between the Council and service partners.</p> <p>5.3 Ensure procedures and processes are in place for a review and on-going evaluation of the Early Years provision across Moray through data analysis.</p> <p>5.3.1 Develop and implement policies in relation to service delivery, service improvement planning and service development planning, including self evaluation.</p> <p>5.3.2 Agree and provide regular reporting on Key Performance Indicators for the Early Years team.</p> <p>5.4 Take responsibility and be accountable for the efficient deployment of all section resources, including staffing in the service.</p> <p>5.4.1 Agree priorities for staffing in the area and deploy staff accordingly.</p> <p>5.4.2 Ensure an appropriate range of training, support, advice and guidance is available to all staff, including staff working within local authority and partner provider ELC settings</p> <p>5.4.3 Manage budgets in the service in accordance with Moray Council guidance including budget planning.</p> <p>5.5 Provide direct line management to the Early Learning & Childcare team.</p> <p>5.5.1 Provide leadership, line management, direction and support to the Early Learning & Childcare team.</p> <p>5.5.2 Ensure that through individual supervision, work planning, training and development plans there is improvement in the quality and effectiveness of practice and performance.</p> <p>5.5.3 Participate in regular supervision meetings with line manager, and undertake ERDP and attend staff development and training programmes as required.</p>

(5) DUTIES TYPICALLY INCLUDE:

5.6 Ensure the Early Years services are managed in accordance with legislation, external scrutiny bodies such as Education Scotland, SSSC and the Care Inspectorate and Council Policy.

5.6.1 Maintain an overview of performance through external inspection reports and achievement of outcomes related to local strategies and outcome agreements.

5.7 Support and contribute where appropriate to the operational and strategic delivery of work across Education and Social Care and the Council.

5.7.1 Participate in departmental team meetings and management team meetings

5.7.2 Represent the department and the Council at agreed local and national events and meetings.

The above is intended to provide a clear but concise statement of the present MAJOR TASKS and ACTIVITIES of the job. It is not an exhaustive list of all its detailed duties.

**MORAY COUNCIL
PERSON SPECIFICATION**

Post: Early Years Service Manager

Department: Early Learning & Childcare

Date Specification Completed: November 2018

Prepared By:

Note: Any disabled applicant who meets the essential criteria for the post is guaranteed an interview.

ATTRIBUTES	ESSENTIAL <i>The minimum acceptable levels for safe and effective job performance</i>	DESIRABLE <i>The attributes of the ideal candidate</i>
(1) Experience	<ul style="list-style-type: none"> Significant relevant experience at senior management level. Experience of leading a partnership approach to the development, monitoring and review of processes and quality improvement. Experience of developing and implementing performance monitoring procedures and using information to support continuous improvement. Experience of financial planning and management. 	<ul style="list-style-type: none"> Evidence of managing change effectively. Evidence of leading and managing teams Evidence of strategic leadership with partner agencies.
(2) Education & Qualifications	<ul style="list-style-type: none"> Educated to degree or equivalent level. 	<ul style="list-style-type: none"> Relevant post graduate qualification in education related discipline.
(3) Skills/Abilities (General)	<ul style="list-style-type: none"> Ability to translate strategic vision and outcomes into implementation. Clear thinking and good analytical abilities. Excellent leadership qualities Effective management, delivery and organisational skills. Ability to collate, interpret and analyse data from a variety of sources, write reports, make recommendations and use data to inform service delivery and improvements. 	
(4) Skills/Abilities Specific to Post	<ul style="list-style-type: none"> Ability to develop effective external relationships and effective partnership working. Ability to take a lead role while empowering colleagues to deliver the service. Ability to effectively design and develop organisational policy and long term strategies in order to improve service delivery. Able to work effectively under 	<ul style="list-style-type: none"> Inspirational team leadership and effective team membership. Ability to work creatively within regulations and standards.

	<p>pressure and to meet prescribed deadlines.</p> <ul style="list-style-type: none"> You will be expected to travel efficiently and effectively between various work locations within Moray to meet the operational requirements of the Service. Due to the rural nature of Moray this is normally undertaken by use of a car. 	
(5) Inter-personal & Social Skills	<ul style="list-style-type: none"> Have the ability to deal sensitively with others, particularly whilst under pressure. Ability to treat people with respect; focus on equality, social inclusion and promote diversity throughout the organisation. Ability to listen to others. Able to quickly form professional and productive working relationships. 	
(6) Working environment & physical demands	<ul style="list-style-type: none"> Ability to work flexibly to meet the needs and demands of the service. This may include attending meetings and events outwith office hours, including periods away from home, when required. 	

*** Candidates will be required to show these documents if invited for interview.**

Satisfactory Disclosure Scotland check required?	NO
Membership of Protecting Vulnerable Groups Scheme (Working with Children)	YES
Membership of Protecting Vulnerable Groups Scheme (Working with Vulnerable Adults)	NO
Satisfactory pre-employment medical screening required?	NO



REPORT TO: MORAY COUNCIL COMMITTEE ON 13 MARCH 2019

SUBJECT: TRANSFER OF FINANCIAL INCLUSION TEAM

BY: CORPORATE DIRECTOR (CORPORATE SERVICES)

1. REASON FOR REPORT

- 1.1 To seek authority to transfer responsibility for the Financial Inclusion team and the Council's Citizen Advice Bureau budget from the Head of Development Services (Trading Standards team) to the Head of Legal and Democratic Services (Customer Services Team) in order to align existing welfare advice and support services.
- 1.2 This report is submitted in terms of Section II (17) of the Council's Scheme of Administration relating to the formulation, review and amendment of the Scheme of Administration and Scheme of Delegation.

2. RECOMMENDATION

- 2.1 **It is recommended that, subject to consultation, responsibility for the Financial Inclusion Team and the Council's Citizen Advice Bureau budget transfers from the Head of Development Services to the Head of Legal & Demographic Services with effect from 1 April 2019 and that the Scheme of Delegation be amended accordingly.**

3. BACKGROUND

- 3.1 The Council's Financial Inclusion team is made up of:
The **Money advice** team who help clients with single and multiple debts.
The **Welfare Benefits** Team who help clients appeal against DWP benefits decisions.
- 3.2 The service was managed, until recently, under the Trading Standards Manager/Head of Development Services. The Trading Standards Manager also managed the Council budget given annually to the Citizens Advice Bureau.

- 3.3 The Trading Standards Manager post was deleted as part of recent budget savings proposals and a new home for the Financial Inclusion Team/Citizens Advice Bureau budget needs to be found.
- 3.4 It is considered that the Financial Inclusion Team and the Citizen's Advice Bureau budget would sit well alongside the Council's Benefit Team.
- 3.5 The Council's **Benefit Team** is managed under Benefits Manager/Customer Services/Head of Legal and Democratic Services. It currently administers 6 statutory services
- Housing Benefits
 - Free School meals
 - Council Tax Reduction
 - Discretionary Housing Payments
 - Scottish Welfare Fund
 - School Clothing Grants

and the EU funded Income Maximisation service.

- 3.6 Having the Financial Inclusion Teams/ Citizen's Advice Bureau budget/Benefits Team under one management structure would bring a wide range of money advice services under one roof, with potential for improved customer service.

4. PROPOSALS

- 4.1 This report seeks a high level decision to identify a suitable home for the Financial Inclusion Team and the Citizen's Advice Bureau budget.
- 4.2 It is considered that they would sit well alongside the Council's Benefits team.
- 4.3 There is potential to further develop and align these services in the longer term.

5. SUMMARY OF IMPLICATIONS

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

When finalised, Moray's poverty strategy aims to deliver overarching priorities key to the LOIP. The Financial Inclusion and Benefit teams contribute directly to the poverty agenda.

(b) Policy and Legal

All Scottish councils and NHS regions now have statutory responsibilities within the Child Poverty (Scotland) Act to address child poverty. The Financial Inclusion and Benefit teams will actively contribute to child poverty outcomes.

(c) Financial implications

No financial implications have been identified as a result of the proposed transfer.

(d) Risk Implications

No significant risks have been identified as a result of the proposed transfer.

(e) Staffing Implications

Staff have been consulted and are supportive of the proposed transfer. The Benefits Manager will be responsible for implementing the transfer and line managing the Financial Inclusion team along with the other existing benefit services. Some minor post grading issues may arise, but it is anticipated that these can be accommodated within existing staffing costs.

(f) Property

There are no property implications. The Benefits Team and Financial Inclusion team are situated in Elgin Annexe and it is proposed to locate the teams closer together to aid joint casework and peer support.

(g) Equalities/Socio Economic Impact

Merging these teams within one management structure has potential to improve outcomes for protected groups.

(h) Consultations

The Head of Financial Services, Head of Development Services, Acting Head of HR and the Customer Services Manager have all been consulted on this report.

5. CONCLUSION

- 5.1 Merging the Financial Inclusion team with the Benefits team should enable a more holistic welfare provision, contributing to the reduction of poverty in Moray.

Author of Report: Norma Matheson, Benefit Manager
Background Papers:
Ref:



REPORT TO: MORAY COUNCIL ON 13 MARCH 2019

SUBJECT: FORRES COMMON GOOD – FORRES MECHANICS FOOTBALL CLUB

BY: CORPORATE DIRECTOR (CORPORATE SERVICES)

1. REASON FOR REPORT

- 1.1 The Council is invited to consider an application from Forres Mechanics Football Club for financial assistance from Forres Common Good Fund towards the cost of the upkeep of their football pitch.
- 1.2 This report is submitted to Committee in terms of Section III (B) (16) of the Council's Scheme of Administration relating to dealing with the management and investment of funds including Common Good.

2. RECOMMENDATION

- 2.1 **The Council is asked to consider a request for funding from Forres Mechanics Football Club. If approved, the grant will be funded from the Forres Common Good Fund.**

3. BACKGROUND

- 3.1 Decisions in relation to Common Good Funds are delegated to the Head of Financial Services in consultation with local Members. Where local Members do not reach a consensus view the request is referred to Moray Council for a decision.
- 3.2 Forres Mechanics Football Club have requested a contribution of £3,000, or any part thereof, to assist in paying for the costs associated with the upkeep of their football pitch. Forres Mechanics Football Club has been improving the condition of the ground over the years and has recently installed new drainage costing £22,000 which was funded by a grant from Berry Burn. The club use the grounds to provide organised development of football skills for children, youths and adults and to provide a venue for Forres Mechanics to compete in the Scottish Highland Football League
- 3.3 Forres Mechanics Football Club occupied Mosset Park under the terms of an informal annual tenancy dating back to 1896 paying £5.60 per annum in the

year to December 2012. Following valuation advice in 2012 from the District Valuer on the Open Market rent for Mosset Park, the value of the rent was fairly stated as £35,000 per annum, while the rental for Existing Use was fairly stated as being £4,500 per annum. The Moray Council agreed on 6 June 2018 (paragraph 19 of the minute refers) to award £3,000 from the Forres Common Good to Forres Mechanics Football Club for assistance towards the cost of their annual lease.

- 3.4 The Policy and Resources Committee agreed on 16 January 2002, to continue with the policy of distribution of two-thirds of the estimated annual income available from the Common Goof Funds (paragraph 22 of the minute refers). The remaining third is to be re-invested in order to maintain the funds for future generations. Under this policy it is anticipated that £18,212 will be available for disbursement from Forres Common Good in 2018/19.
- 3.5 An examination of the Forres Mechanics Football Club accounts shows a deficit of £6,454 for the year ended 31 March 2017. The Balance Sheet shows that the group hold the following funds at the same date:

Cash at Bank/in hand	£	8,413
Bank loan/overdraft	£	(14,630)
Bank/Cash Surplus/(Deficit)	£	<u>(6,217)</u>

4. **SUMMARY OF IMPLICATIONS**

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

None

(b) Policy and Legal

The Council's adoption of the policy of retaining one third of disposable income in each financial year will protect the capital for each of the Common Good Funds and ensure their sustainability in the future.

(c) Financial implications

£18,212 was available for disbursement in 2018/19 from the Forres Common Good Fund. To date £13,889 has been disbursed to various groups within Forres including a previous approved £3,000 grant to Forres Mechanics and £525 of property costs have been incurred, leaving a balance of £3,798 available for disbursement from the 2018/19 total. If this application is approved in full, it will leave a balance of £798 from the 2018/19 funds.

(d) Risk Implications

None

(e) Staffing Implications

None

(f) Property

None

(g) Equalities/Socio Economic Impact

None

(h) Consultations

Local Members for Forres have been consulted and a consensus view could not be achieved. The matter has therefore been referred to this Committee for a decision.

5. CONCLUSION

5.1 The Council is asked to consider the request from Forres Mechanics Football Club to assist them with funding towards the cost of the upkeep of their football pitch

Author of Report:	Paul Connor, Principal Accountant – Ext 3121
Background Papers:	
Ref:	PC/LJC/



REPORT TO: MORAY COUNCIL ON 13 MARCH 2019

SUBJECT: APPLICATIONS FOR FUNDING FROM COMMON GOOD

BY: CORPORATE DIRECTOR (CORPORATE SERVICES)

1. REASON FOR REPORT

- 1.1 To request Council to approve a streamlining of the procedures for processing applications for funding from the Common Good.
- 1.2 This report is submitted to Committee in terms of Section III (B) (16) of the Council's Scheme of Administration relating to the Management and Investment of Funds, including the Common Good.

2. RECOMMENDATION

2.1 It is recommended that Council approves that:

- (i) applications for funding from Common Good continue to be considered by local members in the first instance and that if two thirds or more of local members are in agreement that should be sufficient authority to proceed under the delegated authority of the Head of Financial Services; and
- (ii) if the agreement of at least two thirds of local members cannot be obtained on an application for funding from Common Good then the application will be reported to Policy and Resources Committee.

3. BACKGROUND

- 3.1 Prior to May 1999, all decisions on applications for funding from the Common Good were made by the Policy and Resources Committee.

- 3.2 Thereafter, applications were delegated to the Depute Chief Executive (Finance and IT) (as this post no longer exists, the current delegation is to the Head of Financial Services) in consultation with local members. Since then the practice has been that if local members are in agreement on an application then the unanimously agreed decision will be actioned, otherwise the application will be reported to Policy and Resources Committee or to Full Council for a decision to be made.
- 3.3 A similar process for approving expenditure of Developer Obligations for community facilities, playing fields, indoor / outdoor sports facilities and library facilities was approved by Policy and Resources Committee on 25 October 2016 (paragraph 5 of the Minute refers), giving delegated authority to the Head of Development Services to allocate Developer Obligations associated with such facilities, in consultation with ward members
- 3.4 On 12 February 2019 Policy and Resources Committee agreed that the process for dealing with Developer Obligations would be streamlined, with a two thirds majority sufficient for a decision to be made under the delegation.
- 3.5 It is proposed that the process for Common Good applications is brought into line with that of Developer Obligations in that a two thirds majority of local members would be deemed sufficient for a decision to be made under delegated authority.
- 3.6 In the event that a two third majority is not reached applications would still be reported to Policy and Resources Committee or to Full Council. In practice, this would mean that for Buckie, Cullen, Dufftown and Portknockie Common Goods decisions would always be possible under delegated authority, as these each relate to a single three member ward.

4. SUMMARY OF IMPLICATIONS

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

There is no link to the Corporate Plan or the LOIP.

(b) Policy and Legal

There are no policy or legal issues arising from this report.

(c) Financial implications

There are no financial implications arising from this report.

(d) Risk Implications

There are no risks arising from this report.

(e) Staffing Implications

The recommendation of this report would reduce staff time in seeking agreement from ward members and in preparing reports for committee.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

There are no implications for equalities or the socio-economic duty.

(h) Consultations

The Corporate Management Team, the Head of Legal and Democratic Services, the Democratic Services Manager and Nicky Gosling, Accountant, have been consulted in the preparation of this report and any comments included.

5. CONCLUSION

5.1 Adopting the requirement for a two-thirds agreement from local members on applications for funding from the Common Good would streamline the process in line with that recently approved for Developer Obligations.

Author of Report:	Lorraine Paisey, Head of Financial Services
Background Papers:	
Ref:	LP/LJC/

