



Moray Council

Tuesday, 17 November 2020

NOTICE IS HEREBY GIVEN that a Meeting of the **Moray Council** is to be held at remote locations via video conference, on **Tuesday, 17 November 2020** at **09:30**.

BUSINESS

1. **Sederunt**
2. **Declaration of Group Decisions and Members Interests ***
3. **Appointments to Committees, Boards and Outside** **5 - 18**

Bodies

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

Moray Council Committee meetings are currently being held virtually due to Covid-19. If you wish to watch the webcast of the meeting please go to:
http://www.moray.gov.uk/moray_standard/page_43661.html
to watch the meeting live.

* **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:

Clerk Email: committee.services@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 Marc Macrae (Member)
Councillor Aaron McLean (Member)
Councillor Maria McLean (Member)
Councillor Ray McLean (Member)
Councillor Louise Nicol (Member)
Councillor Laura Powell (Member)
Councillor Derek Ross (Member)
Councillor Amy Taylor (Member)
Councillor Sonya Warren (Member)
Councillor Walter Wilson (Member)

Clerk Name: Moira Patrick
Clerk Telephone:
Clerk Email: committee.services@moray.gov.uk



REPORT TO: SPECIAL MEETING OF MORAY COUNCIL ON 17 NOVEMBER 2020

SUBJECT: APPOINTMENTS TO COMMITTEES, BOARDS AND OUTSIDE BODIES

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

1. REASON FOR REPORT

- 1.1 To invite the Council to determine the membership of committees, sub-committees, boards and outside bodies and to appoint a Chair and Depute Chair where appropriate.
- 1.2 This report is submitted to Committee in terms of Section II (11) of the Council's Scheme of Administration relating to appointments to Committees

2. RECOMMENDATION

2.1 It is recommended that the Council:-

- (i) considers the membership of the committees and sub-committees and the political balance of same;**
- (ii) considers vacancies in positions of Chair and Depute Chair (as set out in Section 4) where required;**
- (iii) consider vacancies in appointments to community planning and other partnership bodies, as set out in Section 5 of the report; and**
- (iv) note the current appointments to Outside Bodies, as set out in Appendix 2 of the report.**

3. BACKGROUND

- 3.1 At the meeting of Moray Council on 17 June 2020, the Council agreed a temporary simplified committee structure which is Full Council and 2 other committees covering the remits of the Depute Chief Executive Roles. The Planning and Regulatory Services Committee, Licensing Board, Licensing Committee, Audit and Scrutiny Committee, Local Review Body, Police and

Fire and Rescue Services Committee and Appeals Committee would continue to meeting as usual. Membership of these committees is detailed in Section 4. These arrangements are to be reviewed on or before 24 February 2021 (para 9 of the Minute refers).

- 3.2 At the meeting of Moray Council on 28 October 2020 (para 12 of the draft Minute refers), the Council were asked to consider a report on political balance of Committees following the resignation of Councillor Taylor from the SNP Group. The Council agreed to defer consideration of this item to allow Group Leaders the opportunity to consider a possible change to the membership number of Committees. Council is reminded that any change to the membership of Committees would require a suspension of standing order 82 (no resolution of the Council shall be altered or revoked within six months of its adoption except by suspension of Standing Orders) as the decision was made by Council on 17 June 2020 which is less than 6 months ago.
- 3.3 A table reflecting political balance according to number of members on committees can be found at **Appendix 1**.

4. CURRENT TEMPORARY COMMITTEE STRUCTURE AND MEMBERSHIP

- 4.1 The previous approved structure of the Council is set out below:

(i) Education, Communities and Organisational Development

Membership – currently consists of 14 Members

Chair: Councillor A McLean Depute: Councillor Warren

(ii) Economic Growth, Housing and Environmental Sustainability

Membership – currently consists of 14 Members

Chair: Councillor Leadbitter Depute: Councillor Nicol

(iii) Audity and Scrutiny

Membership – currently consists of 14 Members

Chair: Councillors Gatt Depute: Councillor Ross

(iv) Planning & Regulatory Services Committee

Membership – currently consists of 14 Members

Chair: Councillor Bremner Depute: **Vacancy**

(v) Police and Fire and Rescue Services Committee

Membership – Currently consists of 9 Members

Chair: Councillor Coy Depute: Councillor Nicol

Other

(vi) Appeals Committee

Membership – Currently consists of 9 Members

Chair: Councillor A McLean Depute Chair: **Vacancy**

(vii) Joint Consultative Committee

Membership – Currently consists of 7 Members and 7 Trade Union Representatives

Chair: Councillor Leadbitter Depute: Councillor Coull

(viii) Licensing Committee

Membership – currently consists of 14 Members

Chair: **Vacancy** Depute: Councillor Nicol

(ix) Licensing Board

Membership – currently consists of 9 Members

Chair: Councillor Cowie Depute: **Vacancy**

(x) Moray Local Review Body

Membership – currently consists of 9 Members

Chair: **Vacancy** Depute: Cllr Bremner

(xi) School Placings & Exclusions Appeals Committee

Membership – currently consists of 5 Members and Lay Members (nominated and approved by political parties)

[Minimum Committee consists of 2 Members and 1 Lay Member]

Current members Councillors Coy, Warren, Eagle, Alexander and Ross
NB – Lay Member must be Chair.

Appointments

(xii) Children & Young People's Services Appointments Committee

(xiii) Communities Appointments Committee

(xiv) Economic Development & Infrastructure Services Appointments Committee

(xv) Planning & Regulatory Services Appointments Committee

(xvi) Policy & Resources Appointments Committee

Membership – currently consists of 9 Members (inc. Chair and Depute Chair of Service Committee)

NB – Chair (or Depute Chair in their absence) of Service Committee chairs the relevant Appointments Committee.

Sub-Committee

(xvii) Housing Appeals Sub-Committee

Membership – currently consists of 5 Members, to be drawn from the membership of the Communities Committee for each case

Current members: Councillors Nicol, Coull, Gatt, Creswell and Edwards

NB – Chair appointed at each meeting and Members excluded from sitting on appeals which relate to their Ward.

5. COMMUNITY PLANNING AND OTHER PARTNERSHIP BODIES

5.1 (i) Community Planning Board (part of Community Planning Partnership (CPP))

Membership – 15 Community Planning Partners

Current members: Councillors Leadbitter, Warren, Eagle, Alexander and Divers

(ii) Community Engagement Group (part of CPP)

Current members: Councillors Alexander and Leadbitter

(iii) Grampian Valuation Joint Board

Membership – 15 Members (3 Elected Members from Moray Council and 6 Elected Members each from Aberdeenshire Council and Aberdeen City Council)

Current members: Councillors Leadbitter, Ross, Brown
Substitutes: SNP sub: **Vacancy**, COG/MAG/Lab sub: **Vacancy**
and Councillor Feaver (sub)

(iv) Moray Adult Protection Committee

Membership – 7 Partners

Current members: Councillors Coy and Powell

(v) Moray Child Protection Committee

Membership – 10 Partners

Current members: Councillors Coy, Warren and Powell

(vi) Moray Integration Joint Board

Membership – 6 (3 Elected Members and 3 NHS Grampian Board representatives)

Current members: Councillors Morrison, Coull, Eagle, Vacancy

Subs: Councillors Nicol, Warren, Brown, Vacancy

(vii) Northern Roads Collaboration Joint Committee

Membership – 16 Members (2 Elected Members from each of the following Councils: Aberdeenshire; Aberdeen City; Angus; Argyll and Bute; Highland; Moray; Orkney and Western Isles)

Current members: Councillors Coull and Cowie

(viii) Transforming the Council: Programme Board

Current members: Councillors A McLean (Chair), Brown, Cowie and Divers

Ex-officio: Councillors Leadbitter and Morrison

(ix) Transforming the Economy: Programme Board

Current Members: Councillors Leadbitter (Chair), Cowe, Divers and Gatt

Ex-officio: Councillor Morrison

(x) Transforming Learning: Programme Board

Current Members: Councillor Warren (Chair), Alexander, Allan and Ross

Ex-officio: Councillors Leadbitter and Morrison

6. **OUTSIDE BODIES**

6.1 Prior to the start of each new political term, all Outside Bodies are written too by Committee Services, asking if they still require representation from the Council.

6.2 A full list of all the Outside Bodies and their current representatives is attached at **Appendix 2** to the report. Members are asked to consider the current appointments to outside bodies and make any necessary changes.

7. SUMMARY OF IMPLICATIONS

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

None

(b) Policy and Legal

There is no legislation in Scotland governing how Local authority committees should be constituted.

The local Government and Housing Act 1989 requires local authorities in England to give proportionate representation to political groups. A political group is defined there as 2 or more councillors who wish to form a group and who have appointed a leader. This legislation has never been introduced in Scotland. COSLA issued a letter to all newly formed unitary authorities in 1993 highlighting the importance of “party representation” on committees. The Scottish Government have mentioned the introduction of legislation similar to that in England if local authorities do not stick to the spirit of the COSLA letter.

Moray Council has traditionally treated non-aligned councillors collectively as a group but this does not appear to be a requirement of the COSLA letter. Practice varies across Scotland as to how “party representation” is applied to particular circumstances.

(c) Financial Implications

Payment of allowances to Members is governed by the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016 and the Local Government (Allowances and Expenses) (Scotland) Regulations 2007 with maximum rates of payment of remuneration and allowances and expenses being specified by Scottish Ministers.

(d) Risk Implications

Impact on strategic management of the business of the Council.

(e) Staffing Implications

None

(f) Property

None

(g) Equalities/Socio Economic Impact

None

(h) Consultations

The Depute Chief Executive (Education, Communities and Organisational Development) and the Head of Governance, Strategy and Performance were consulted on this report.

8. CONCLUSION

- 8.1 Council is invited to consider the membership of committees, sub-committees, boards and outside bodies and to appoint a Chair and Depute Chair where appropriate.**

Author of Report: Lissa Rowan, Committee Services Officer

Background Papers:

Ref:

Political Balance

Total Councillors	Conservatives	SNP	CoG	MAG	Lab	Ind
26	9	8	4	3	1	1

Total number on Committee	Conservatives	SNP	CoG	MAG	Lab	Item 3Ind	Check
5	1.73	1.54	0.77	0.58	0.19	0.19	5.00
6	2.08	1.85	0.92	0.69	0.23	0.23	6.00
7	2.42	2.15	1.08	0.81	0.27	0.27	7.00
8	2.77	2.46	1.23	0.92	0.31	0.31	8.00
9	3.12	2.77	1.38	1.04	0.35	0.35	9.00
10	3.46	3.08	1.54	1.15	0.38	0.38	10.00
11	3.81	3.38	1.69	1.27	0.42	0.42	11.00
12	4.15	3.69	1.85	1.38	0.46	0.46	12.00
13	4.50	4.00	2.00	1.50	0.50	0.50	13.00
14	4.85	4.31	2.15	1.62	0.54	0.54	14.00
15	5.19	4.62	2.31	1.73	0.58	0.58	15.00
16	5.54	4.92	2.46	1.85	0.62	0.62	16.00

Seats (applied by rounding up)

Total number on Committee	Conservatives	SNP	CoG	MAG	Lab	Ind	Total Seats allocated	Seats still to be allocated	
5	2	2	1	1	0	0	6	-1	one seat to be removed from a group
6	2	2	1	1	0	0	6	0	
7	2	2	1	1	0	0	6	1	
8	3	2	1	1	0	0	7	1	
9	3	3	1	1	0	0	8	1	
10	3	3	2	1	0	0	9	1	
11	4	3	2	1	0	0	10	1	
12	4	4	2	1	0	0	11	1	
13	5	4	2	2	1	1	14	-1	one seat to be removed from a group
14	5	4	2	2	1	1	14	0	
15	5	5	2	2	1	1	15	0	
16	6	5	2	2	1	1	16	0	

Item 3.

OUTSIDE BODY	Frequency of Meetings	Location of Meetings	Current Councillor 1	Current Councillor 2	Current Councillor 3	Current Councillor 4		Proposed Councillor 1	Proposed Councillor 2	Proposed Councillor 3	Proposed Councillor 4
Armed Forces and Veterans Champion			D Gatt								
Auchernack Trust	Bi-annually	Forres Town Hall/Community Centre	G Alexander	L Creswell	C Feaver	A McLean					
Banffshire Educational Trust Joint Board of Governors	Annually	via email	D Ross	S Warren	T Coull						
Business Gateway	twice a year	Forres Enterprise Business Park	J Cowe								
Business Loans Scotland			T Coull								
Cairngorms National Park	variable	Ballater, Blair Athol, Grantown, Boat of Garten	D Ross								
Castle to Cathedral	3 times a year	Elgin	R McLean								
Citizens Advice Bureau (CAB) Board of Directors (Advisers)	every 2 months	Moray CAB Offices	J Divers				S Morrison				
City of Elgin Business Improvement District (BID)	Board quarterly and Working group 8 weekly	Elgin	J Divers				P Coy (Observer)				
Convention of Scottish Local Authorities	Children and Young People Board 6 times a year; Community Wellbeing Board 6 times a year; Convention twice a year; Environment and Economy Board 6 times a year; Health and Social Care Board 6 times a year; Leaders Meeting 8 times a year	Edinburgh	G Leadbitter, D Bremner (as at 27.03.19) S Morrison, L Nicol, S Warren, T Eagle								
Convention of the Highlands & Islands	biannually	Locations in the Highlands and Islands	G Leadbitter								
County of Banff Bursary Fund: Board of Governors			Replacement required following R Shepherd retiring								
Dick Bequest Trust Scheme	twice a year	once in Edinburgh and once in Aberdeen	D Ross								
Equalities Champion			S Morrison								

Findhorn Bay Local Nature Reserve Management Committee			C Feaver							
Findhorn, Nairn, Speyside Local Plan District Strategic Steering Group			A McLean							
Forres Golf Course: Board of Trustees	3 times a year	Forres Golf Club	L Creswell	A McLean						
Foundation of the University of the Highlands & Islands	Bi-annually with a yearly annual conference	Executive Office, Ness Walk, Inverness	C Feaver	A Taylor						
Grampian NHS Board	Monthly	Aberdeen	S Morrison							
Grampian Venture Capital Fund Limited	2 or 3 times per year	Grampian Area	No further meetings but appointments required to sign off final accounts when needed - D Bremner and J Cowe				No further meetings but appointments required to sign off final accounts when needed - D Bremner and J Cowe			
Highland and Moray Area Support Team	4 times a year		F Brown	S Warren						
Highland Reserve Forces & Cadets Association – Northern Area Committee	annually	Inverness	F Brown							
Highlands & Islands Strategic Transport Partnership (HITRANS)	5 times a year		J Cowe	G Leadbitter (Substitute)						
Highlands and Islands European Partnership	quarterly	Inverness	G Leadbitter							
Highlands and Islands Territorial Committee	quarterly	Inverness	G Leadbitter							
Joint Energy from Waste Project - Elected Members Engagement Group			G Leadbitter	J Divers	G Cowie	D Bremner (Substitute)				
Knockando Woolmill Trust	quarterly	Knockando Woolmill	D Ross							
Moray Chamber of Commerce	4 or 5 times per year	Moray	G Leadbitter							
Moray Community Justice			J Divers	L Creswell						
Moray Economic Partnership			G Leadbitter	John Cowe	Tim Eagle					
Moray Leisure Centre - Board of Directors	4 times a year	Elgin	R McLean	M Macrae	A Taylor					
Moray Local Outdoor Access Forum (Loaf)	Quarterly	Moray	L Nicol							
Moray Twinning Association			J Allan							
Moray Women's Aid - Board of Directors		Elgin	G Leadbitter	P Coy (Substitute)						
North East Local Plan District Steering Group			D Bremner							
North East Scotland Agricultural Advisory Group	3 times a year	Woodhill House Aberdeen	T Eagle	D Bremner						
North East Scotland Fisheries Development Partnership	3 times a year	Woodhill House Aberdeen	M Macrae	S Warren						
North East Scotland Pension Fund – Pensions Board	Quarterly	Town House, Aberdeen	J Cowe							

North East Sensory Services	4 board meetings a year	3 held in Aberdeen and 1 in Elgin	T Coull				
Northern Roads Collaboration	Quarterly	Aberdeen	G Cowie	T Coull			
Scotland Excel Joint Committee	biannually	Glasgow City Council Chambers	A McLean				
Scottish Joint Council for Local Government Employees			J Divers				
Scottish National War Memorial			D Gatt				
Victim Support Moray	Quarterly	Elgin	P Coy				

