

MORAY COUNCIL

Minute of Meeting of the Moray Council

Wednesday, 02 October 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 John Divers, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Shona Morrison, Councillor Amy Taylor

APOLOGIES

Councillor John Cowe, Councillor Lorna Creswell, Councillor Ray McLean, Councillor Derek Ross, Councillor Ron Shepherd, Councillor Sonya Warren, Councillor Walter Wilson

IN ATTENDANCE

Also in attendance at the above meeting were the Chief Executive, Corporate Director (Economic Development, Planning and Infrastructure), Chief Officer (Health and Social Care Partnership), Head of Direct Services, Chief Financial Officer, Head of Legal and Democratic Services, Alan MacBeth, Development Officer and Tracey Sutherland, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Morrison with the exception of Item 5 on the agenda, which was chaired by Councillor Leadbitter.

2. Tribute

On the invitation from the Chair, Councillor Alexander led a tribute to Councillor Ron Shepherd on the announcement of his retirement.

3. Declaration of Group Decisions and Members Interests *

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

Councillor Brown proposed that Councillor Morrison should excuse herself from the discussion and any subsequent vote for item 5 on the agenda as she is a member of the NHS Grampian Board and in terms of Standing Order 22 receives financial recompense. He further added that the financial payment had not been included in Councillor Morrison's register of interests.

In response Councillor Morrison said that it had been an oversight on her part not to include her membership of the NHS Board on her register of interest and she would rectify that following the meeting.

Following a short adjournment and on the advice of the Head of Legal and Democratic Services, Councillor Morrison said that she would stand down as Chair for item 5 of the agenda only and Councillor Leadbitter would chair the item. Councillor Morrison further added that she would not take part in any discussion or subsequent vote on the item but would not leave the chamber during the discussion.

4. Minute of the Meeting of 7 August 2019

The minute of the meeting of Moray Council dated 7 August 2019 was submitted and approved.

5. Written Questions **

The Committee noted that no written questions had been submitted.

At this juncture, Councillor Morrison handed the chairing of the meeting over to Councillor Leadbitter.

6. Notice of Motion - Cllrs Brown and Eagle

A notice of motion was submitted by Councillor Brown, seconded by Councillor Eagle in the following terms:

Dr Gray's hospital in Elgin is a vital component of our health system in Moray with a range of medical services offered. The services on offer help ensure that people within Moray and West Aberdeenshire have the ability to access high quality hospital related treatments and assessments within a reasonable distance of their home.

Dr Gray's hospital is a district general hospital operated by NHS Grampian.

As has been widely publicised Dr Gray's has suffered from several issues over the last few years, which has affected the delivery of local services. Of particular note have been issues around staffing with fundamental changes to the paediatrics and obstetrics & gynaecology as well as resultant pressures on the emergency department and other areas of the hospital.

With many thousands of people each year accessing services through Dr Gray's and communities concerned, as seen through the consultation exercise and public meetings in 2018, we believe it is vital the council take an active interest and concern about Dr Gray's.

A consultation on the proposed future model of children's services in Dr Gray's hospital is open until the 27th September 2019.

With this in mind we ask council to approve the following recommendations –

- That the Council Leader writes a letter to the Chief Executive of NHS Grampian and the Chair of NHS Grampian in response to the above mentioned consultation expressing the views of the council in relation to children's services in the following terms.
- That the Council representative on the board of NHS Grampian ensures the views of the Council are known and discussed during official meetings.

Notes:

Given the complexity of the situation the proposers are willing to work with group leaders in advance of the meeting to agree an alternative form of wording which is mutually acceptable to all groups.

PROPOSED LETTER - Motion

Dear Dr Lynch and Ms Croft

RE: The future of Dr Gray's hospital, Elgin and consultation on the proposed future model of Children's services in Dr Gray's Hospital

We wish to extend our thanks to you and the wider NHS Grampian staff for the commitment and reassurance you have provided in regards to the future of Dr Gray's hospital in Moray. We thank you for the work you have done and will continue to put in to ensure the long term sustainability of the hospital and would extend our support to you in that aim.

Moray Council remains deeply concerned about the on-going problems that affect Dr Gray's hospital particularly in relation to the paediatric ward and also in respect of obstetrics and gynaecology and resulting pressures on other departments.

This Council sees Dr Gray's and all the currently provided services as a vital part of our infrastructure and one which we would like to see grow in service provision. Our communities tell us that the ability to be seen locally for routine appointments and the reassurances provided by having a district general hospital are very important to them.

We wish to make comment on the current paediatric consultation due to close on the 27th September 2019.

We understand that the staffing issues which now affect Dr Gray's have been evident for some time with previous reports of GP Trainees commenting that the pressures of ward/theatre work reduced the learning potential of their training programmes. We welcome that the new models being discussed seek to change this but we remain curious what attempts had previously been made to address this issue prior to the severity of the staffing crisis hitting in 2018. It is our feeling that this may have impacted on the reduction in GP trainees wishing to train through Dr Gray's and will now take some time for that trend to change back. We are hopeful that the current GP Trainees have found the hospital a much better environment for work and training and we urge that all is done to continue to try and attract medical

trainees.

The new model being proposed is for a 24hr, 7 day a week paediatric assessment and care unit at Dr Gray's hospital. The consultation makes clear that the average stay on the ward is currently less than 24 hours. What it does not make clear is when this figure was taken from or how much less than 24 hours the average stay is. If it was much over the 24 hour mark then would it be fair to assume a much larger amount of children will require transfer to Aberdeen? We understand that the new model has been based upon the guidelines as laid down by the Royal College of Paediatrics and Child Health. We would like confirmation that this is based upon the Standard for short-stay paediatric assessment units (SSPAUs)? If the new model has been based upon this guideline then our understanding is this is a change from the previous description of the ward in Dr Gray's. This particular guideline is described as an increasingly common component of urgent and emergency care for children, and as a hub for the provision and coordination of emergency ambulatory care. If this is the case then are we now saying that we are not offering a full paediatric service anymore but a ward centred on emergency care only? We are concerned that children who previously would have been perfectly safe in Dr Gray's such as those with needing short respiratory care over 24hr will now face journeys to Aberdeen with the resulting disruption to family life. We wish to be clear that we want the very best care for our children and young people and understand that Dr Gray's will never offer the range of services a major centre like Aberdeen or Glasgow would but equally we do think Dr Gray's should maintain the best safe service it can.

We are unclear on how the proposed community paediatric nursing support unit will work and what conditions medical staff feel will be best be served by this kind of service. Can we be assured that all GPs' understand the elements of this service and what communication will be provided between the service and primary care practices? We would welcome further information on this service and detailed consultation with primary care providers across Moray so all are clear on the method by which this unit would be best used.

We mentioned training above. We remain unclear why Dr Gray's is unable to have specialist doctors in training that could help support the wards. Information given to us suggests that in the past Dr Gray's hospital did have doctors in training on an obstetrics and gynaecology programme rotating through Dr Gray's as part of that training model. We remain curious how the proposed changes across the paediatrics and Obstetrics and Gynaecology unit will impact upon our ability to have specialist doctors and if there is a guarantee that this will be seriously considered and worked upon.

It is our concern that staffing remains a critical issue for healthcare across the country and particularly in Moray. Whilst we are encouraged by the range of thinking on services at Dr Gray's we are not yet confident that the proposed changes will ensure we are competitive with other hospitals in attracting new staff.

We recognise that services in hospitals seldom work in isolation and so are often co-dependent on one another. We understand that already the paediatric department is reliant upon the A&E department for overnight care but also any future model for paediatrics or obstetrics and gynaecology will need a fully functioning anaesthetic service. The consultation does not provide any guarantees that this service can or will be provided especially given staffing issues as highlighted above.

In regards to other matters that affect the hospital we have significant concerns about the vulnerability facing the obstetrics and gynaecology ward. It is our

understanding that there is a close relationship between both this department and the paediatric department. We remain unclear why it was that the service was recently downgraded again with several conflicting comments about levels of theatre staff, anaesthetics consultants or the unavailability of Obstetrics consultants, clarification as to the issue would be most helpful.

We believe that clear, concise communication with GP's and other primary care practitioners is vital to ensuring patient care is front and centre. We are glad to hear that communication briefs have been sent to staff throughout the area although we have received reports that those are not always timely or clear on the direction being taken. We implore NHS Grampian to ensure that clear messages regarding service provision in Dr Gray's is made very clear to GP Practices and to GP's. We recognise that our primary care service is also under pressure with long wait times in some practices. Our GP's are working long hours to keep up with demand and so it is vital that information is very clear and very concise.

Whilst we highlight key concerns of the council we do, as mentioned above, thank you for the efforts to alleviate the issues facing our local hospital and we look forward to a positive working relationship with NHS Grampian moving forward.

In response, Councillor Leadbitter circulated and proposed an alternative letter to be sent on the consultation to NHS Grampian, this was seconded by Councillor A McLean.

PROPOSED LETTER - Amendment

Dear

RE: The future of Dr Gray's hospital, Elgin and consultation on the proposed future model of Children's services in Dr Gray's Hospital.

Firstly we wish to extend our thanks to you and the wider NHS Grampian staff for the commitment and reassurance you have provided in regards to the future of Dr Gray's hospital in Moray. We thank you for the work you have done and will continue to put in to ensure the long term sustainability of the hospital and would extend our support to you in that aim.

Moray Council remains concerned about the on-going problems that affect Dr Gray's hospital particularly in relation to the paediatric ward and also in respect of obstetrics and gynaecology and resulting pressures on other departments.

This Council sees Dr Gray's and all the currently provided services as a vital part of our infrastructure and one which we would like to see grow in service provision. Our communities tell us that the ability to be seen locally for routine appointments and the re-assurances provided by having a district general hospital are very important to them.

We therefore wish to make comment on the current paediatric consultation due to close on 27 September 2019.

We wish to be clear that we want the very best care for our children and young people and understand that Dr Gray's will never offer the range of services a major centre like Aberdeen or Glasgow would but equally we do think Dr Gray's should maintain the best safe service it can.

We share concerns that staffing remains a critical issue for healthcare across the country and particularly in Moray. We face similar challenges in attracting professionals in some areas of Council services. IN this regard we are encouraged by the range of thinking on services at Dr Gray's and would urge continued innovation and ideas to attract professionals to live and work in Moray.

This is an issue regularly discussed in the Community Planning Partnership. IN addition to NHS Grampian and our own Council recruitment efforts, we are keen to continue to explore partnership ideas to market Moray to prospective professionals considering public sector work in Moray.

In terms of maximising the availability of children's services in Moray we believe this has the potential to contribute significantly to both Moray Council and the NHS Grampian carbon reduction goals, as well as national targets in this policy area. The delivery of a wider, well resourced and resilient children's service at Dr Gray's Hospital has the potential to significantly reduce journeys to and from Aberdeen, which would support the carbon reduction targets and policies mentioned above.

Another very strong reason for maximising children's services at Dr Gray's is improving equality of access to services, particularly for those in rural areas, b removing the need for long and expensive journeys to Aberdeen.

In addition, by providing a strong range of services at Dr Gray's it better enables families and friends of patients to visit more regularly, which is known to be a positive contributor to recovery times and patient outcomes.

Whilst we highlight key concerns of the Council we do, as mentioned above, thank you for the efforts to alleviate the issues facing our local hospital and we look forward to a positive working relationship with NHS Grampian moving forward.

On the division there voted:

For the motion (7)	Councillors Brown, Eagle, Allan, Feaver, Gatt, M McLean and Macrae
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For the amendment (10)	Councillors Leadbitter, A McLean, Alexander, Bremner, Coull, Cowie, Coy, Divers, Laing and Taylor
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Abstentions (2)	Councillors Edwards and Morrison
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Accordingly the amendment became the finding of the meeting and the Council agreed to send the alternative letter in response to NHS Grampian consultation.

At this juncture, Councillor Morrison resumed the Chair.

7. Notice of Motion - Cllrs Eagle and Feaver

A notice of motion was submitted by Councillor Eagle, seconded by Councillor Feaver in the following terms:

The decision to stop grass cutting on 23 January 2019 (Appendix B Line D6c4) in communities throughout Moray has been the subject of vigorous discussion with varying viewpoints. We wish to make clear that we recognise and thank the huge

amount of work undertaken by individuals and groups across Moray, who this year have cut large areas of grass.

We acknowledge that the new post of Commercial/Marketing Officer is looking into possibilities of park sponsorship which will help reduce the cost to the council in the future and we welcome and wish to support all efforts to do this.

However we feel the impacts of these saving effect wide sections of our community including access to open areas for both the young and elderly in our communities. It is notable that tourism chiefs as well as local people and businesses have highlighted the negative impression that this decision has had and will continue to have on our area if the budget line remains and so we seek to reintroduce this budget line from the next financial year.

To reintroduce Grass cutting from next year will add a budget pressure to the council of £45,000 which we propose is taken into consideration as part of the budget setting process for 2020/21.

With this in mind today we direct –

- Council to express publically our thanks for all those in communities throughout Moray who have helped with grass cutting this summer.
- Council to encourage those who wish to continue to cut grass, especially smaller areas such as verges.
- Council to re-introduce the grass cutting detailed in the budget report to the Moray Council meeting on 23 January 2019 (Appendix B line D6c4) with effect from 1 April 2020.
- Council to use all available opportunities to promote sponsorship of grass areas to bring in additional income

Further we ask Council to note –

- That additional budget lines which will help to reduce the impact of reversing this decision will be worked on as part of the budget process for 2020/21.

Councillor Leadbitter, seconded by Councillor Laing proposed not to re-introduce the grass cutting.

On the division there voted:

For the Motion (8)	Councillors Eagle, Feaver, Allan, Brown, Edwards, Macrae and M McLean
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For the Amendment (11)	Councillors Leadbitter, Laing, Alexander, Bremner, Coull, Cowie, Coy, Divers, A McLean, Morrison and Taylor
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Abstentions (0)

Accordingly the amendment became the finding of the meeting and the Council agreed not to re-introduce the grass-cutting scheme.

8. BT Payphones

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Council of BT's proposed removal of 14 payphones in Moray and sought approval for the Council's response to BT.

During consideration, Councillor Bremner and Councillor Macrae urged that the payphone at Auchenhalrig be removed from recommendation 2(ii) and included in recommendation 2(i), as it was retained in 2016 due to the poor mobile phone signal in the area and this has not improved in the last 3 years.

Councillor Taylor felt that the Hopeman payphone met all the criteria for reasonable need as defined by BT and was unclear as to why the Council were not objecting to its removal.

In response the Development Officer confirmed that it had not been clarified if the payphone was the only payphone within 800m but could confirm that it had been used for at least 12 phone calls in the last year. Calculations would also need to be carried out to see if more than 500 households lived within 1km of the payphone but was happy to run the figures and object to the removal if it met that criteria.

Councillor Taylor sought clarification on why only one of the Forres payphones was being objected too.

In response, the Development Officer confirmed that the payphone on Califer Road/Pilmuir Road had been on the list in 2016 and at that point the Council had objected to its removal and as a result proposed to object again as there had been no material change in the circumstances, however the payphone at Grant Drive was a new addition to the list.

Councillor A McLean felt that the Grant Drive payphone met the 3 criteria of reasonable need and as a result should be included in the list of objections. He also sought clarification on recommendation 2.2 and if BT disagreed with the Council's objection not to remove the payphone at Auchenhalrig, would this preclude the community from adopting the payphone.

Councillor Morrison added that she understood that keeping the payphone was the Community's preference but should this not be possible then their next choice would be to adopt it.

In response the Corporate Director (Economic Development, Planning and Infrastructure) confirmed that if BT chose to ignore the objection to remove they would be more than happy for Auchenhalrig Community Association to adopt but could include that default position in the response for Auchenhalrig.

Councillor Alexander in agreeing with Councillor A McLean felt that both payphones in Forres' removal should be objected too. In response the Corporate Director (Economic Development, Planning and Infrastructure) confirmed that the criteria would be re-visited and if it was felt that the payphones met the criteria following further examination then the objection would be lodged.

Following consideration the Council agreed:

- i) to object to the removal of 4 BT payphones which the Council had previously objected to in 2016, namely: Califer Road/Pilmuir Road in Forres, Victoria Street in Craigellachie, Covesea Road in Elgin; and the Square in Tomintoul;
- ii) to review the criteria for 3 BT payphones namely Auchenhalrig, Grant Drive, Forres and Farquhar Street, Hopeman and if criteria is met, object to these also;
- iii) that 2 of the traditional red phone boxes at Cabrach and Auchenhalrig, (subject to the outcome of recommendation (ii) above) are adopted by their respective local community groups; and
- iv) to BTs proposed removal of the 6 remaining payphones on the list namely; Linkwood Road, Bruceland Road and Fraser Avenue, Elgin, Fairisle Place, Lossiemouth, the Square and North Murrayfield, Fochabers.

9. Corporate Plan

A report by the Chief Executive invited Council to review progress on the 2018-23 corporate plan, approve the Corporate Plan 2019 - 2024 and to agree the associated community engagement strategy which launches the plan and supports delivery options.

Following consideration the Council agreed to:

- i. note the progress made against the 2018-23 corporate plan as set out in Appendix 1;
- ii. approve the draft Corporate Plan for 2019 to 2024 (Appendix 2) and notes that the plan will be further developed as set out in the report and taking account of the outcome public engagement;
- iii. approve the engagement strategy which launches the plan and supports delivery of the priorities;
- iv. that a report will be brought back to the Council with a final version of the Corporate Plan; and
- v. agrees that as the corporate plan is updated and other priorities change (eg Local Outcomes Improvement Plan (LOIP) or national priorities), that relevant strategy documents and plans will be updated to reflect these as necessary so that references remain relevant.

10. Education Grievance and Appeals Committee Report

A report by the Corporate Director (Corporate Services) informed the Council of the requirement for the re-constitution of the Education Grievance and Disciplinary Appeals Sub-Committee and to agree the membership.

The Chief Executive asked the Committee to note a change to recommendation 2.1 (ii) which should say the membership of the sub-committee will align with the membership of the Council's Appeals Committee as an interim measure until composition of the sub-committee is agreed with Moray Council and not the

LNCT. This is because the membership of sub committees are at the gift of the Council and this oversight should have been picked up earlier when the report was drafted.

Following consideration Council agreed:

- i) to reconstitute the Educational Services Grievance and Disciplinary Appeals Sub-Committee; and
- ii) the membership of the sub-committee will align with the membership of the Council's Appeals Committee as an interim measure until composition of the sub-committee is agreed with Moray Council.

11. Question Time ***

Under reference to paragraph 4 of the minute of Moray Council meeting dated 7 August 2019, Councillor Edwards sought an update on the Lossiemouth East Beach Bridge.

In response, the Head of Direct Services confirmed that since the funding announcement had been made discussions had taken place with the Scottish Government, Highlands and Islands Enterprise, Architect and Design Scotland and the Lossiemouth Community Development Trust about progressing the project.

A meeting has been scheduled for 3 October with the Scottish Government to discuss what the procurement process will look like. He further added that the project/process is not as straight forward as it may seem but confirmed that once the process has been agreed a report will be brought back to Council to determine the Council's role in the project.

Councillor McLean highlighted that LINK, are currently carrying out a consultation for communities who no longer have access to free Automatic Teller Machines (ATMs) and urged Community Councils to take part in the consultation.

Councillor Macrae sought clarification on when Council will receive a report from the new Commercial and Marketing Officer and an update of what targets or outcomes have been achieved to date.

In response, the Head of Direct Services confirmed that the Commercial and Marketing Officer has had discussion with departments across the Council and a long list of potential projects has been identified.

A sifting process is being produced to ensure that resources are being put in the right place and projects produce a good return for the investment. Any mandates will be submitted to the Transformation Board.

He further commented that members can be assured that a lot of work is going on behind the scenes and that a list of projects and the work required to implement them will be reported through the required mechanisms.

Councillor Alexander sought clarification on who is taking the lead with Education at the moment and are there any planned meetings with Education Scotland and what

is the relationship with the organisation.

In response, the Chief Executive explained that the relationship has always been friendly and constructive and there are ongoing discussion with all partners in taking Education and Children's Services forward. In terms of day to day responsibility for Education, following the agreed Management Restructure, Mrs Cross became the Chief Education Officer from 1 October 2019. There will be a period of ongoing transition between the Chief Executive, Mrs Whitworth and Mrs Cross whilst the new structure beds in and members will be advised of progress as the transition continues.

He further emphasised that progress within Education is improving, there are improvements within inspection reports and attainment.