

MORAY COUNCIL

Minute of Meeting of the Policy and Resources Committee

Tuesday, 27 November 2018

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor George Alexander, Councillor Frank Brown, Councillor John Cowe, Councillor Lorna Creswell, Councillor Tim Eagle, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Shona Morrison, Councillor Sonya Warren

APOLOGIES

Councillor John Divers, Councillor Ryan Edwards

IN ATTENDANCE

The Chief Executive, the Corporate Director (Corporate Services), the Corporate Director (Economic Development, Planning and Infrastructure), the Acting Corporate Director (Education and Social Care), the Head of Direct Services, the Head of Legal and Democratic Services, Frances Garrow, the Acting Head of Human Resources and ICT, the Head of Financial Services, the Head of Housing and Property, the Estates Manager, the Environmental Health Manager, the Energy Officer, Paul Connor Principal Accountant, the Asset Management Coordinator and the Democratic Services Manager as Clerk to the meeting.

ALSO PRESENT:

Councillor Donald Gatt

1 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.

2 Resolution

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the 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.

<u>Paragraph No. of Minute</u>	<u>Paragraph No. of Schedule 7A</u>
17	6
18	9
19	6 and 9
20	6 and 9
21	9

3 Minute of Policy and Resources Committee dated 2 October 2018

The minute of the meeting dated 2 October 2018 was submitted and approved.

4 Written Questions **

The Committee noted that no written questions had been submitted.

5 Notice of Motion by Councillors L Laing and S Morrison

A Notice of Motion was submitted by Councillor Laing, seconded by Councillor Morrison in the following terms:

"This Committee notes the issue of plastic pollution and the negative impact it has on the environment and welcomes that it is a concern of the public.

The Committee also notes the excellent work done by local groups to address the problem by carrying out litter picks and beach cleans.

This Committee asks officers to phase out the use of single use plastics unless no alternative can be found, in all council buildings, as soon as practically possible.

The Committee would like to congratulate local businesses who are already taking steps to do this and would encourage more to join them."

In response to terms of the Notice of Motion the Head of Direct Services advised that the Council has already made progress away from single use plastic by using alternative packaging for sandwich wedges, recyclable containers for pot lunch and salads, plastic cutlery is now only used when a dishwasher breaks down and paper drinking cups placed at drinking fountains. He further advised that a set of questions could be developed challenging potential bidders to explain their use of, and policy on, single use plastics in appropriate tenders and evaluated.

He further advised that while officers will look at alternative market products from single use plastic and incorporate a SUP tendering evaluation, the definition of practicable in the motion must inevitably take account of any increased costs for sourcing alternative products. For example where a product is budget neutral and its application is appropriate then use of this will be phased in at the earliest opportunity. Where additional expenditure would be required to make a change, however, given the current financial constraints, officers would suggest that this will

be considered by the service only where any change can be accommodated within existing budgets or by accessing any available grant or other external funding streams.

During discussion Councillor Alexander asked if the wording of the motion at paragraph 3 could be amended to read that "officers be asked to continue their efforts to phase out the use of single use plastics etc...." This was agreed.

Thereafter following further discussion the Committee agreed the terms of the motion as follows:

"This Committee asks officers to continue their efforts to phase out the use of single use plastics unless no other alternative can be found, in all council buildings, as soon as possible."; this approach also being as requiring to include the considerations outlined in the response by the Head of Direct Services.

6 2017-18 Annual Energy Report

Councillor Gatt joined the meeting at this juncture.

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) presenting the Annual Energy Report for 2017/18 and advising the Committee on actions to minimise the Council's energy consumption, as well as progress and developments on a number of energy issues.

Following consideration Committee agreed to note the terms of the 2017/18 Annual Report and that in 2017/18 the Council's energy consumption in non-domestic operational properties increased by 7.4%, and the energy bill increased by 7.6% (£188,132).

7 Partnership Agreement with tsiMoray

A report was submitted by the Corporate Director (Corporate Services) providing the Committee with a progress report against commitments made in the partnership agreement with tsiMoray and to update the partnership agreement for 2018/19.

Following consideration the Committee agreed to:

- i. note the progress in relation to the partnership commitments made in 2016/17, and
- ii. approve the proposed partnership agreement for 2018/19.

8 Caravan Sites and Control of Development Act 1960

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) informing the Committee of the changes to legislation in respect of

the licensing of residential caravan sites and the timetable for implementing these changes. The report also sought the Committee's agreement of the fees to be charged for handling a first site licence application and for a licence renewal as set out in Appendix 2 to the report.

Following consideration the Committee agreed:

- i. to note that the Housing (Scotland) Act 2014 has made significant changes to the Caravan Sites and Control of Development Act 1960 in respect of the licensing of residential caravan sites;
- ii. to note the changes to the licensing of residential caravan sites including the establishment of a fit and proper person test in respect of the applicant for a residential caravan site licence and any person involved with the day to day management of the site (including a site manager appointed by the site owner to manage the site);
- iii. to note that those who already hold a site licence issued under the previous licensing regime have to be licensed in terms of the new regime 1 May 2019; and
- iv. the fees to be charged for handling a first site licence application and for a licence renewal as set out in Appendix 2 of the report.

9 Living Wage Accreditation

A report was submitted by the Corporate Director (Corporate Services) inviting the Committee to approve the proposal to seek Living Wage Accreditation for the Council.

Following lengthy discussion, Councillor Morrison moved that the Committee approve the attainment of Living Wage accreditation providing Living Wage Employer status. There being no-one otherwise minded this was agreed.

10 Human Resources Service Pressures

A report was submitted by the Corporate Director (Corporate Services) asking the Committee to consider the current pressures on the Human Resources (HR) service and seeking approval for provision of a scaled down workforce plan.

Following consideration the Committee agree to:

- i. note the current pressures on the HR Service;

- ii. approve the provision of a scaled down workforce plan, and
- iii. review the situation in 2019 as part of the annual workforce plan report.

11 Community Asset Transfer Request (2015 Act) Marine Park, Lossiemouth

A report was submitted by the Corporate Director (Corporate Services) inviting the Committee to consider an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015 for a transfer of ownership of Marine Park, Lossiemouth.

Following consideration the Committee agree to:

- i. approve the request to transfer ownership of Marine Park to Action Marine Park at nil consideration subject to the terms set out in section 6 of the report, and
- ii. note that, if the asset transfer request is agreed, Action Marine Park will have 6 months from the date of the decision notice within which to submit a formal offer to purchase the property, failing which the agreement will have no further effect and the asset transfer process will come to an end.

12 Community Asset Transfer Request Portknockie Bowling Green and Tennis Courts

A report was submitted by the Corporate Director (Corporate Services) inviting the Committee to consider an asset transfer request for a transfer of ownership of the Portknockie bowling green and tennis courts out with the provisions of the Community Empowerment (Scotland) Act 2015.

Following consideration the Committee agreed to:

- i. approve the request to transfer ownership of the Portknockie bowling green and tennis courts to Portknockie Bowling and Tennis Club at nil consideration subject to the terms set out in section 6 of the report, and
- ii. remit the matter to the Estates Manager and the Legal Services Manager (Property and Contracts) to complete the transfer of title.

13 Capital Plan 2018-19

A report was submitted by the Corporate Director (Corporate Services) advising the Committee of the expenditure to 30 September 2018 under the capital plan for financial year 2018/19 and of the estimates of projected expenditure profiled into quarters.

Following consideration the Committee agreed to:

- i. note expenditure to 30 September 2018 of £8,230,000;
- ii. note the current projected expenditure of £25,561,000 for 2018/19 profiled into quarters;
- iii. note the projected overall expenditure for projects spanning more than one financial year, as set out in Appendix 2 of the report;
- iv. approve the proposed budget deferments of £8,685,000 arising from slippage and expenditure reprofiling from 2018/19 to 2019/20 and future years as detailed in paragraph 5.9 of the report;
- v. approve reduction of the programme by £110,000 for the budget saving detailed in paragraph 5.6.2 of the report, and
- vi. approve that unscheduled work is undertaken in early course to repair storm damage at harbours.

14 Revenue Budget Monitoring to 30 September 2018

A report was submitted by the Corporate Director (Corporate Services) advising the Committee of the revenue budget monitoring position to 30 September 2018 and of the current estimated out-turn for 2018/19.

Following consideration the Committee agreed to note:

- i. the budget monitoring position of £410,000 over budget for 2018/19 as at 30 September 2018;
- ii. that this position consists of an underspend on Devolved School budgets of £552,000, an overspend on Social Care services delivered on behalf of the Moray Integration Joint Board (MIJB) of £1,125,000 and an underspend on other services of £163,000;
- iii. movement of £102,000 in the General Revenue Grant, as detailed in paragraph 3.4 of the report;
- iv. the current estimated out-turn for 2018/19 of an overspend of £2,024,000 resulting in an increase of £2,024,000 in use of Council reserves;
- v. emerging budget pressures as summarised in paragraph 6.2 of the report;

- vi. the position regarding MIJB as described in paragraph 6.11 of the report, with cost implications of £532,000 for the Council, and
- vii. further commitments of £5,678,000 against reserves as summarised in Section 8 of the report.

The Committee further approved the release from provisions to meet budget pressures of:

- i. £123,000 as identified at paragraph 5.6 of the report in relation to children transitioning into adult social care;
- ii. £78,000 as identified at paragraph 6.2 of the report in relation to the withdrawal of WRVS deliver of meals on wheels, and
- iii. £30,000 as identified at paragraph 6.7 of the report in relation to the implementation of the introduction of a charge for recycling garden waste.

15 Economic Development Policy in Moray

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) providing the Committee with an overview of strategic and policy developments over the past 18 months at a community planning partnership level concerning the Moray economy and asking for the current draft revised Moray Economic Strategy and Moray Skills Investment Delivery Plan to be considered and comments submitted for consideration to enable both documents to be finalised for launch on 13 December 2018.

During discussion Councillor Cowe in referring to page 15 of the report in particular to page 5 of the Moray Economic Strategy 2018-2028 stated that in respect of the “Challenging Stats” he was of the opinion that reference to local government funding should be included. This was agreed.

Thereafter following further discussion the Committee agreed:

- i. to note the progress made to date in revising Moray Economic Strategy to ensure that it reflects current challenges and opportunities in Moray and sets out SMART objectives for the next ten years, and that any comments on the current draft revised Moray Economic Strategy (Appendix 1 of the report) may be considered by Highlands and Islands Enterprise who are leading this review and Moray Economic Partnership which is the body responsible for final

approval of the Strategy;

- ii. to note the progress made to date in creating a new Skills Investment Plan (SIP) for Moray (Appendix 2 of the report), considering the draft Moray Skills Investment Delivery Plan (SIDP) (Appendix 3 of the report) which sets out the manner in which it is proposed the SIP is delivered by community planning partners and that any comments may be considered by the SIDP Steering Group and Moray Economic Partnership which is the body responsible for final approval of the SIDP;
- iii. to note that, together with Moray Growth Deal, these three documents represent the single biggest review of economic strategy in Moray since Moray Council was constituted in 1996, commending partners for the resources invested to complete this wholesale review, noting the ongoing commitment required to deliver on the objectives set out in each of these documents;
- iv. that reference to local government funding be considered for inclusion as a 'Challenging statistic' within the strategy document;
- v. that any further comments be passed to the Corporate Director (Economic Development, Planning and Infrastructure) or to the Secretary/PA to the Head of Development Services by no later than Friday 30 November 2018.

The Committee commended and congratulated all those involved in the preparation of the documents.

16 Question Time ***

Councillor Alexander asked for clarification from the Chief Executive on what percentage of the Council's procurement money is spent on buying food within Moray as there had been some discrepancies in what had been reported recently in the local media.

In response the Chief Executive advised that he had provided this information to the Convener and could make this available to all members.

The Chairman stated for clarification that this issue had arisen from a press release following an FOI request submitted by the Scottish Conservative Party to Scotland Excel which stated that 16% of food in our school canteens was from within Scotland.

Councillor Leadbitter advised that in response to the comments that were made Scotland Excel have stated that the claims were misleading given that the actual percentage of food sourced in Scotland for school meals is 64%. He further advised that in Moray that figure is 44% of food sourced for school meals comes from local

suppliers in and around Moray.

17 Community Asset Transfer Interest, Cullen [Para 6]

A report was submitted by the Corporate Director (Corporate Services) inviting the Committee to consider options for the future of a Common Good asset located at Reidhaven Street, Cullen, following receipt of an Expression of Interest in a potential Community Asset Transfer.

Following consideration the Committee agreed:

- i. to declare the property located at Reidhaven Street, Cullen, surplus to requirements;
- ii. to instruct officers to undertake a public consultation (on a proposal to sell the property for residential use) in accordance with the legislative provisions for the disposal of Common Good property, as detailed in section 4(b) of the report;
- iii. that a report be brought back to this Committee with the results of the public consultation to allow the Committee to consider whether to proceed to seek Court consent, which would enable the property to be marketed for sale, and
- iv. to note that declaring the property surplus to requirements would not be a barrier to the submission of a formal asset transfer request under Part 5 of the Community Empowerment (Scotland) Act 2015.

18 Proposed Sale of Former Hostel at 11 Cluny Square, Buckie [Para 9]

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) asking the Committee to approve main terms for the sale of the former hostel at 11 Cluny Square, Buckie.

Following consideration the Committee agreed to:

- i. approve the proposed sale as set out in section 5 of the report, and
- ii. refer the matter to the Legal Services Manager (Property and Contracts) to conclude the transaction.

19 Proposed Sale of Land at Grampian Road, Elgin [Paras 6 & 9]

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) asking the Committee to consider an offer received for the sale of land at Grampian Road, Elgin.

Following consideration the Committee agreed to:

- i. approve the main terms of sale as set out in section 5.2 of the report, and
- ii. refer the matter to the Legal Services Manager (Property and Contracts) to conclude the transaction.

20 Sale of Council Owned Land at St Leonards Road, Forres [Paras 6 & 9]

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) asking the Committee to approve the terms of sale of an area of Council owned land at St Leonards Road, Forres.

Following consideration the Committee agree to:

- i. approve the provisionally agreed terms for sale of the land as detailed in section 5.1 of the report, and
- ii. authorise the Legal Services Manager (Property and Contracts) to conclude the transaction on those terms.

21 Moray Leisure Centre Temporary Change to Payment Schedule [Para 9]

A report was submitted by the Acting Head of Lifelong Learning, Culture and Sport asking the Committee to agree to a temporary change to the payment schedule to Moray Leisure Ltd from December 2018 to March 2019.

Following consideration the Committee approved the temporary change to the payment schedule of funding for the Moray Leisure Centre (MLC) as detailed in Appendix 1 of the report.