



Moray Council

Wednesday, 10 August 2022

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, 10 August 2022** at **09:30**.

BUSINESS

1. **Sederunt**
2. **Declaration of Group Decisions and Members Interests ***
- 2a. **Resolution**

Consider, and if so decide, adopt the following resolution:
"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 19 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act."

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| 3. | Minute of meeting of 29 June 2022 | 7 - 28 |
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| 18. | Question Time *** Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration. | |
- Item(s) which the Committee may wish to consider with the Press and Public excluded**

19. Recycling Improvement Fund - Application for Funding

- Information on proposed terms and/or expenditure to be incurred by the Authority;

Any person wishing to attend the meeting should contact customer services on 01343 563217 prior to the meeting as the number of attendees is restricted due to the recent Covid pandemic

**You can however watch the webcast of the meeting by going to :
http://www.moray.gov.uk/moray_standard/page_43661.html**

* **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.

THE MORAY COUNCIL

Moray Council

SEDERUNT

Councillor Kathleen Robertson (Chair)
Councillor Donald Gatt (Depute Chair)

Councillor James Allan (Member)
Councillor Peter Bloomfield (Member)
Councillor Neil Cameron (Member)
Councillor Tracy Colyer (Member)
Councillor Theresa Coull (Member)
Councillor John Cowe (Member)
Councillor John Divers (Member)
Councillor Amber Dunbar (Member)
Councillor Jérémie Fernandes (Member)
Councillor David Gordon (Member)
Councillor Juli Harris (Member)
Councillor Sandy Keith (Member)
Councillor Scott Lawrence (Member)
Councillor Graham Leadbitter (Member)
Councillor Marc Macrae (Member)
Councillor Paul McBain (Member)
Councillor Neil McLennan (Member)
Councillor Shona Morrison (Member)
Councillor Bridget Mustard (Member)
Councillor Christopher Price (Member)
Councillor Derek Ross (Member)
Councillor Draeyk Van Der Horn (Member)
Councillor Sonya Warren (Member)
Councillor Ben Williams (Member)

| | |
|------------------|---------------------------------|
| Clerk Name: | Tracey Sutherland |
| Clerk Telephone: | 07971 879268 |
| Clerk Email: | committee.services@moray.gov.uk |

Minute of Meeting of the Moray Council

Wednesday, 29 June 2022

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

PRESENT

Councillor James Allan, Councillor Peter Bloomfield, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Donald Gatt, Councillor David Gordon, Councillor Juli Harris, Councillor Sandy Keith, Councillor Scott Lawrence, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Paul McBain, Councillor Neil McLennan, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Councillor Draeyk Van Der Horn, Councillor Sonya Warren, Councillor Ben Williams

APOLOGIES

Councillor Christopher Price

IN ATTENDANCE

Also in attendance at the meeting were the Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Head of Economic Growth and Development, Acting Head of Environmental and Commercial Services, Head of Financial Services, Principal Planning Officer and Lissa Rowan, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Marc Macrae.

2. Congratulations

The Council joined the Convener in congratulating Councillor Morrison who has been appointed as President of Cosla.

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.

4. 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 for Items 11 to 14 of business on

the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

| Para number of the minute | Para Number of Schedule 7a |
|---------------------------|---|
| 33 | 9 Information on terms proposed or to be proposed by or to the Authority |
| 34 | 1 Information relating to staffing matters |
| 35 | 1 Information relating to staffing matters |
| 36 | 8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority |
| 37 | 8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority |

5. Minute of Meeting of 6 April 2022

The minute of the meeting Moray Council on 6 April 2022 were submitted and approved.

6. Minute of Meeting of 18 May 2022

The minute of the meeting of Moray Council on 18 May 2022 was submitted and approved.

7. Notice under Moray Council Standing Order 7

The Chair advised that 2 notices of motion under Moray Council Standing Order 7 had been received and will be considered at the next meeting of Moray Council on 10 August 2022.

8. Notice of Motion - Councillors Gatt and Bloomfield - Armed Forces Covenant

In terms of Standing Order 34a, there was submitted a Notice of Motion by Councillor Gatt, seconded by Councillor Bloomfield in the following terms:

Armed Forces Covenant

Moray Council is respectfully invited to adopt this Notice of Motion in support of Her Majesty's Armed Forces and the Armed Forces Covenant as below:

- i) Moray Council renews its commitment to the Armed Forces Covenant, which is based on the premise that those who serve or have served, and their families deserve respect, support, and fair treatment. In particular, it

states that: “Those who serve in the Armed Forces, whether regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.”

- ii) Is proud to be Armed Forces friendly and recognises the enormous contribution and sacrifices that members of the Armed Forces and their families make every day for the safety and security of our country.
- iii) Values the service of all British Armed Forces personnel, past and present, including those from Commonwealth and other nations.
- iv) Requests production of a report examining what more Moray Council can do to support our serving and veteran community across the full range of services we provide and strengthen partnerships with the Armed Forces Community.
- v) Prepares for the new duty to give due regard to the Armed Forces Covenant in policy development and decision making.

Following consideration the Council agreed:

- i) To renew its commitment to the Armed Forces Covenant, which is based on the premise that those who serve or have served, and their families deserve respect, support, and fair treatment. In particular, it states that: “Those who serve in the Armed Forces, whether regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.”
- ii) That the Council is proud to be Armed Forces friendly and recognises the enormous contribution and sacrifices that members of the Armed Forces and their families make every day for the safety and security of our country.
- iii) That Values the service of all British Armed Forces personnel, past and present, including those from Commonwealth and other nations.
- iv) That a report examining what more Moray Council can do to support our serving and veteran community across the full range of services we provide and strengthen partnerships with the Armed Forces Community.
- v) That the Council Prepares for the new duty to give due regard to the Armed Forces Covenant in policy development and decision making.

9. Notice of Motion - Councillors Gordon and Mustard - Plain English

In terms of Standing Order 34a, there was submitted a Notice of Motion by Councillor Gordon, seconded by Councillor Mustard in the following terms:

Plain English

That this Council:

- i) Requires that going forward all constitutional documents, strategies, policies, guidance, reports, consultations, public documents, and any other form of communications internal or external whether written or electronic are written using the principles of Plain English, which makes the information easy to read, understand and use by avoiding convoluted and ambiguous language and jargon so that the general public are able to have full accessibility and understanding.
- ii) Requests that acronyms are written in full on their first occasion and request that they are used minimally and if any technical terms are used not in common usage, there will be a glossary at the end of the document or report.

The Convener confirmed that Committee Services are drafting guidance encouraging the use of plain English and advising that acronyms are spelt out first time and agreed that what had been suggested was a proportionate response for Council documents

Following consideration the Council agreed:

- i) That going forward all constitutional documents, strategies, policies, guidance, reports, consultations, public documents, and any other form of communications internal or external whether written or electronic are written using the principles of Plain English, which makes the information easy to read, understand and use by avoiding convoluted and ambiguous language and jargon so that the general public are able to have full accessibility and understanding; and
- ii) That acronyms are written in full on their first occasion and request that they are used minimally and if any technical terms are used not in common usage, there will be a glossary at the end of the document or report.

10. Notice of Motion - Councillors Dunbar and Gatt - Platinum Jubilee

In terms of Standing Order 34a, there was submitted a Notice of Motion by Councillor Dunbar, seconded by Councillor Gatt in the following terms:

Platinum Jubilee

Moray Council is respectfully invited to adopt this Notice of Motion in recognition of Her Majesty the Queen's dedicated service following her Platinum Jubilee:

"Moray Council congratulates Her Majesty the Queen on the occasion of her Platinum Jubilee; expresses its gratitude for Her Majesty's exceptional public service and dedication to duty over 70 years; affirms the deep respect that is held for Her Majesty in Scotland and authorises the Council Leadership to convey Moray Council's good wishes for her continued service and good health."

Following consideration the Council agreed to congratulate Her Majesty the Queen on the occasion of her Platinum Jubilee; express its gratitude for Her Majesty's exceptional public service and dedication to duty over 70 years; affirms the deep respect that is held for Her Majesty in Scotland and authorises the Council

Leadership to convey Moray Councils good wishes for her continued service and good health.

11. Notice of Motion - Councillors McLennan and Van Der Horn - Cohesive Co-operative and Collaborative Leadership

In terms of Standing Order 34a, there was submitted a Notice of Motion by Councillor McLennan, seconded by Councillor Van Der Horn in the following terms:

Cohesive, Cooperative and Collaborative Leadership

Audit Scotland's March 2022 reported noted "We remain disappointed that the strong cohesive leadership required from elected members is not yet being demonstrated [in Moray]. We once again underline that all elected members have responsibility for working constructively to fulfil the council's statutory duty of Best Value and thus demonstrating that it is able to improve itself and the services and outcomes for the people of Moray."

This Council notes the reinstatement of Group Leaders meetings with senior officers in order to provide open communication, enhance scrutiny and aid decision making. We are committed to our duties and to improve life in Moray for all through cooperative and collaborative approaches.

Councillor Leadbitter proposed amending the wording of the motion to state that the Council notes the continuation of Group Leaders meetings as the last meeting had taken place around 10 days prior to the Local Government Election in May.

Councillors McLennan and Van Der Horn confirmed that they were happy to amend the wording.

Following consideration the Council agreed to :

- i) note the continuation of the Group Leaders Meetings with senior Officers to provide open communication, enhance scrutiny and aid decision making with it was committed to its duties; and
- ii) to improve life in Moray for all through cooperative and collaborative approaches.

12. Notice of Motion - Councillors Morrison and Fernandes - Cost of Living Crisis

In terms of Standing Order 34a, there was submitted a Notice of Motion by Councillor Fernandes, seconded by Councillor Warren in the following terms:

Cost of Living Crisis

Council notes that the increasing costs of utilities, food and energy are creating a situation whereby the number of Moray residents living in poverty is growing. Council further notes rising poverty in the region is creating growing pressures on local charities and Council services.

Council regrets that the UK government's monetary and fiscal policies are, as noted by the OECD, becoming restrictive. Council notes in particular that the UK is the only country in the G7 to raise National Insurance contributions during this crisis.

Council instructs the Council Leaders to write to the Chancellor of the Exchequer to express concerns over the negative impact the UK government's fiscal and economic policies have on the local economy and services, and demand that action is taken to tackle the cost-of-living crisis.

In response, Councillor Robertson confirmed that she would be happy to write to the Secretary of State for Levelling Up, Housing and Communities but sought agreement to include also writing to Kate Forbes, Scottish Government Cabinet Secretary for Finance and the Economy as the Scottish Government also has a part to play.

Councillors Fernades and Warren confirmed that they were happy with the amendment.

Councillor Van Der Horn sought additional wording to be added to the end of the motion to read:

Council instructs the Council Leaders to write to the Chancellor of the Exchequer to express concerns over the negative impact the UK government's fiscal and economic policies have on the local economy and services, and demand that action is taken to tackle the cost-of-living crisis with immediate and long term sustainable solutions.

Councillors Fernandes and Warren indicated that they were happy to accept the additional wording.

Councillor McLennan sought the removal of UK from the final paragraph, however Councillor Fernandes wished for it to remain.

In response Cllr McLennan suggested amending the wording to remove the UK Government and add to the wording given by Councillor Robertson so it reads to write to the Cabinet Secretary of Finance and Economy to also highlight the negative impact of government policies on local government. He felt that this highlights issues within Westminster and Scottish Governments with funding to local government.

In response, Councillor Fernandes added that he did not agree with the issue of funding and that the heart of the issue are the fiscal and economic policies.

Councillor Morrison suggested that due to the fast moving nature of the issue a cross party working group should be set up to focus on what the Council are doing for the people of Moray to ensure that the best is being done.

Councillor Fernandes confirmed he was happy to support the additional recommendation.

The Head of Governance, Strategy and Performance suggested that as the working group went slightly beyond what was anticipated in the notice of motion and felt it would be advisable to consider further what the working group would look like and to bring something back to Members with proposals with regards to numbers, who would be on it and what the purpose would be.

Councillor Leadbitter proposed delegating the creation of the working group to Group Leaders.

Councillor Morrison agreed that she was happy to delegate the decision to group leaders.

The Head of Governance, Strategy and Performance confirmed that Group Leaders is a policy think tank and not a decision making forum and therefore suggested it would be helpful for any final decision to come back to Council for agreement.

Councillor Morrison confirmed that she was happy with this approach.

Cllr McLennan, seconded by Councillor Allan proposed that the wording is amended to read –

‘express concerns over the negative impact of government fiscal and economic policies’ and to also include ‘to write to the Cabinet Secretary of Finance and Economy to also highlight the negative impact of government policies on local government.’

In response Councilor Fernandes suggested a short adjournment to confirm the amended wording of the motion.

Councillor Macrae moved that further discussion on the revised amendment could take place during the coffee break and proposed moving onto the next item on the agenda and to re-visit this motion following the break to assist in getting through the lengthy agenda.

This was unanimously agreed.

13. Notice of Motion - Councillors Leadbitter and Harris - UK Shared Prosperity Fund Distribution

In terms of Standing Order 34a, there was submitted a Notice of Motion by Councillor Gatt, seconded by Councillor Bloomfield in the following terms:

UK Shared Prosperity Fund Distribution

Council expresses its concern over the decision taken by the UK Government on UK Shared Prosperity Fund (UKSPF) distribution which significantly disadvantages the Highlands & Islands area, including Moray, when compared with the EU Structural Funds that the UKSPF is replacing.

Council welcomes COSLA’s agreed position on distribution methodology that:

- i) the allocation methodology for the UK Shared Prosperity Fund should accurately reflect economic and social need in Scotland across urban and rural regions, recognising that different measures of social and economic need will be required for different geographies;
- ii) that this assessment of need should fairly include social inequality, rurality, connectivity challenges, distance from services, off-grid energy use and deprivation;
- iii) that SPF allocations should reflect a fair and accurate picture of social and economic inequalities in both urban and rural communities, and recognising the indicated willingness of the UK government to adopt a distinctive

approach for Scotland, recommends therefore that indicators regularly used and relied on in Scotland, such as SIMD, free school meal entitlement and Council Tax Reduction entitlement, should also be considered to determine SPF distribution.

Given the evident disadvantage of the UK Government's UKSPF distribution model for the Highlands & Islands and Moray, Council strongly supports the position that as the UKSPF is a replacement for European Structural Funds, continuity between the two is essential and that as the transition is made between the two funding streams there should be no detriment to existing funding quantum in any region.

Council therefore instructs the Council's Co-Leaders to write to the Secretary of State for Levelling Up, Housing and Communities setting out this position and lobbying the Minister to put in place a no detriment arrangement for the UKSPF distribution in the Highlands & Islands when compared with the funding quantum received from the EU funding the UKSPF replaces.

Councillor Macrae sought agreement from Councillors Leadbitter and Harris to consider their motion in conjunction with Item 15 on the agenda where it could be considered as an additional recommendation to the paper.

In response, Councillor Leadbitter said he had considered the option however felt that the Notice of Motion was challenging the principals of how the money is being distributed, whereas the report later on the agenda is looking at what funding is currently available and therefore would rather keep the 2 items separate.

Councillor McLennan seconded Councillor Macrae's suggestion to take the 2 items together however, requested a change to the second paragraph of the motion to read instruct the Group Leaders rather than Co-Leaders in order that cross party support is coming from Moray Council on the issue.

Following consideration Councillor Macrae agreed to take the 2 items separately.

In response, to Councillor McLennan's proposed amendment, Councillor Leadbitter confirmed he was happy to accept the change.

14. Notice of Motion - Councillors Warren and Coull - 20 mph zones

In terms of Standing Order 34a, there was submitted a Notice of Motion by Councillor Warren, seconded by Councillor Coull in the following terms:

20 MPH ZONES

Council notes that 20 mph zones in built-up areas contribute to reducing noise pollution and CO2 emissions. Council further notes that 20 mph zones significantly reduce the number of casualties on the road.

Council understands that 20mph speed limits offer a low-cost option for promoting road safety, and such schemes have strong local support. Council notes that 20mph zones have successfully been implemented in Moray, such as in the vicinity of Alves Primary School.

Council instructs officers to bring forward a report about extending 20mph zones in built-up areas, particularly around schools.

Following consideration the Council agreed:

to note that 20 mph zones in built-up areas contribute to reducing noise pollution and CO2 emissions. Council further notes that 20 mph zones significantly reduce the number of casualties on the road;

to note that 20mph zones have successfully been implemented in Moray, such as in the vicinity of Alves Primary School; and

to instruct Officers to bring forward a report to Economic Development and Infrastructure Services Committee about extending 20mph zones in built-up areas, particularly around schools which includes costs of implementing the scheme.

Councillor Dunbar in recognising the safety aspect and encouraging active travel, sought clarification in regards to costs. A previous report to Council had indicated a cost of £2.5million to implement and sought clarification, given the previous discussion about cost of living increases and where the funding would come from for the zones.

She further proposed an amendment to the motion which states that any further extension of the zones is postponed until after the Scottish Government have brought this forward in the hope there will be relevant funding to carry out the project. This was seconded by Councillor Gatt.

Councillor McLennan sought clarification on whether a report could be taken to Group Leaders to consider an update on engineering works such as school safe zones, enforcement, working with Police Scotland and a discussion on how we educate the public on issues such as road safety and how the Council can help to reduce accidents.

In response the Head of Governance, Strategy and Performance confirmed that discussions could take place at Group Leaders with a follow up report presented to a future meeting of Moray Council, however added that the notice of motion is asking for a future report and that Councillor McLennan's views could be considered in that report.

Councillor Warren confirmed that she would welcome Councillor McLennan's suggestions included in the report and that we learn from other authorities who have implemented 20mph zones cost effectively.

Councillor Macrae asked whether, considering a report has been requested in the motion which would include costs would Councillors Dunbar and Gatt be happy to withdraw their amendment.

Councillors Dunbar and Gatt confirmed they were happy to withdraw their amendment.

The Acting Head of Environmental and Commercial Services confirmed that she could produce a report for Moray Council or Economic Development and Infrastructure Committee.

Councillor Macrae sought approval from the Council to bring the report back to Economic Development and Infrastructure Services Committee. This was unanimously agreed.

15. Notice of Motion - Councillors Fernandes and Warren - Cost of Living Crisis - cont'd

On the resumption of the meeting and following discussions, Councillor Fernandes moved the amended motion taking into account the amendments proposed by Councillors Robertson, Van Der Horn, McLennan and Morrison

Cost of Living Crisis

Council notes that the increasing costs of utilities, food and energy are creating a situation whereby the number of Moray residents living in poverty is growing. Council further notes rising poverty in the region is creating growing pressures on local charities and Council services.

Council regrets that the UK government's monetary and fiscal policies are, as noted by the OECD, becoming restrictive. Council notes in particular that the UK is the only country in the G7 to raise National Insurance contributions during this crisis.

Council instructs the Group Leaders to write to the Chancellor of the Exchequer to express concerns over the negative impact the UK government's fiscal and economic policies have on the local economy and services, and demand that action is taken to tackle the cost-of-living crisis and to find sustainable solutions to address the issue.

The Council also instructs the Group Leaders to write to the Scottish Government Cabinet Secretary for Finance and the Economy raising concerns about the level of funding for the Council and its impact on the local services.

The Council considers setting up a working group to look at the issue in more depth with the option to determine the remit, composition and life span of the group to be presented to a future meeting of the Council.

Following consideration the Council agreed:

to note that the increasing costs of utilities, food and energy are creating a situation whereby the number of Moray residents living in poverty is growing. Council further notes rising poverty in the region is creating growing pressures on local charities and Council services.

to note in particular that the UK is the only country in the G7 to raise National Insurance contributions during this crisis.

to instruct the Group Leaders to write to the Chancellor of the Exchequer to express concerns over the negative impact the UK government's fiscal and economic policies have on the local economy and services, and demand that action is taken to tackle the cost-of-living crisis and to find sustainable solutions to address the issue.

to instructs the Group Leaders to write to the Scottish Government Cabinet Secretary for Finance and the Economy raising concerns about the level of funding for the Council and its impact on the local services; and

to considers setting up a working group to look at the issue in more depth with a report looking at the options to determine the remit, composition and life span of the group to be presented to a future meeting of the Council.

16. Written Questions **

The meeting noted the following written question submitted by Councillors Ross and Harris and the Council's response thereto:

Given the fact that Fiddich Park:

Is an integral part of the Speyside Way – a major tourist attraction in Moray and not part of Craigellachie Village and, therefore should not have been included in the 'one toilet per community policy'.

That the route between Fiddich Park and Aberlour has been upgraded to make it more inclusive and accessible for all. The corollary of this being that under The Equalities Act, Moray Council is expected to make reasonable adjustments for those with protected characteristics.

The area is to be 'made over' to repair the car park and build campervan facilities.

The Park, and its immediate surroundings, is subject to increased use by walkers, those pursuing river activities, wild campers and e-bike storage in situ.

In light of the above facts can monies be found, on environmental health and equalities grounds, to provide 2 portable toilets, one of which should be disability friendly, for Fiddich Park?

RESPONSE

The Council set a policy of one toilet per community on 15 May 2018. For the Craigellachie area it was decided that the facility on Victoria Street, Craigellachie would remain open and that the toilets at Fiddich Park would close. The toilet facilities at Victoria Street are central to a variety of facilities and easily accessed from the Speyside Way. This decision was made with consideration of the impacts on all members of the public through an Equalities Impact Assessment. There is signage at Fiddich Park directing those in need of toilet facilities to the Victoria Street toilets.

The decision to install chemical toilet waste disposal facilities in the summer of 2021 at Fiddich Park was made as part of improvements funded by the Regional Tourism Infrastructure Fund designed to alleviate pressures experienced through an increased number of visitors to Moray. Of particular concern to many communities has been the ability to appropriately dispose of waste from campervan toilets. Fiddich Park was chosen as a site because of its proximity to parking facilities, and because the toilet facilities at Victoria Street were not suitable for the addition of the waste disposal facilities. The ongoing costs of operation for the waste disposal will be recovered through the fee for use which was agreed by Council on 12 May 2021. The same fund is being used for some modest improvements to the car park, but this is not designed to encourage additional use or camping.

The Speyside Way is a long distance path of which approximately 35 miles (not including the Tomintoul spur) are in Moray, and complements a number of other similar routes around Moray, including parts of the Dava Way and the coastal path. In common with other long distance paths there can be significant lengths without toilet facilities along this route. In the Craigellachie and Aberlour area there are public toilets in both villages, easily accessible from the path. The recent upgrades

to the Speyside Way between Craigellachie and Cragganmore have been designed to encourage more everyday shorter cycling and walking journeys between the settlements and employment sites on the route, rather than being specifically to encourage leisure use, although this is welcomed. Any camping in the Fiddich Park area is informal, on the same basis that short stay 'wild' camping is permitted across Scotland.

In summary, the Council has set a clear policy on the provision of council funded toilet facilities, and there are no specific environmental or equalities issues that would require the provision of additional toilet facilities in Craigellachie. Should the local community wish to work with the council on the funding and provision of additional facilities, as in other areas, officers would be happy to progress discussions.

Councillor Ross sought clarification on why there was no mention of an Equalities Impact Assessment having been carried out in respect of disabled users. In response, the Acting Head of Environmental and Commercial Services confirmed that an Equalities Impact Assessment was carried out in 2018 and the needs of all users were taken into account.

17. Future Council Meetings

A report by the Depute Chief Executive (Education, Communities and Organisational Development) invited the Council to consider how meetings are held, whether in person, remotely or a hybrid.

Following consideration, the Council agreed:

- i) to hold meetings going forward in a hybrid style; and
- ii) approve the revised Virtual Meetings Guidance attached at Appendix 1.

18. UK Shared Prosperity Fund

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of UK Shared Prosperity Fund (UKSPF) details and sought approval for submitting an Investment Plan.

Following consideration the Council agreed:

- i) note the criteria and timescales for delivery of projects under UKSPF as well as the high level approach currently proposed for the Moray Shared Prosperity Fund (SPF) Investment Plan currently under development; and
- ii) delegate authority to the Chief Executive in consultation with Group Leaders to submit the final draft Moray SPF Investment Plan.

19. Strategic Priorities and Funding Opportunities

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of increasing funding opportunities in relation to Council agreed priorities.

Following consideration the Council agreed to note the availability of funding and priorities identified that could benefit Moray.

20. Just Transition Fund

Councillor Cameron apologised for not having done so earlier and declared an interest in this item and removed himself from the meeting.

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the Just transition Fund details and seek approval for submitting bids.

Following consideration the Council agreed to:

- i) note the criteria and timescales for delivery of projects under the Just Transition Fund; and
- ii) delegate authority to the Chief Executive in consultation with Group Leaders to submit expressions of interest by 15 July 2022.

Councillor Cameron re-joined the meeting at the conclusion of this item.

21. Summer Holiday Food and Childcare Programme

Councillor Cameron, apologised and confirmed that he should have declared in interest in this item and not the previous item. Councillor Cameron left the meeting.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) updated the Council on plans for the 2022 Summer Holiday Food and Childcare Programme.

Following consideration the Council agreed to approve the programme of accessible activities, childcare and food to be provided for children and young people in Moray during the 2022 summer school holiday period.

Councillor Cameron re-joined the meeting at the conclusion of this item.

22. Capital Plan 2021-22

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the expenditure to 31 March 2022 under the capital plan for financial year 2021/22 and to recommend budget adjustments for inclusion in the Capital Plan for 2022/23 and future years.

In terms of standing order 83 the Chair sought permission from the Council to suspend standing order 75 to conclude the item before breaking for lunch. This was unanimously agreed

Councillor Gatt moved that a report should be prepared on the condition of Moray's roads and where money would need to be spent to improve the conditions as he regularly received complaints from constituents regarding road conditions.

In response the Depute Chief Executive (Economy, Environment and Finance) confirmed that a previous Council decision set the road conditions to a mid level target and that Moray is still in the top quartile so even with the current

deterioration the condition of the roads is still of a high standard. She further added that a report will be presented to a future Economic Development and Infrastructure Services Committee following the completion of the next index scoring exercise.

Having listened to the responses from Officers, Councillor Gatt withdrew his motion.

Following further consideration the Council agreed:

- i) note the expenditure to 31 March 2022 of £31,018,000 as set out in Appendix 1;
- ii) notes the projected overall expenditure for projects spanning more than one financial year, as set out in Appendix 2; and
- iii) approve carry forwards and amendments to 2022/23 and future years totalling an increase of £7,688,000 in 2022/23, a reduction of £6,050,000 in 2023/24 and an increase of £1,799,000 in 2024/25 as detailed in sections 4 and 5.

23. Resumption of Meeting

PRESENT

Councillor James Allan, Councillor Peter Bloomfield, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Donald Gatt, Councillor David Gordon, Councillor Juli Harris, Councillor Sandy Keith, Councillor Scott Lawrence, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Paul McBain, Councillor Neil McLennan, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Councillor Draeyk Van Der Horn, Councillor Sonya Warren, Councillor Ben Williams

APOLOGIES

Councillor Christopher Price

IN ATTENDANCE

Also in attendance at the meeting were the Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Head of Economic Growth and Development, Acting Head of Environmental and Commercial Services, Head of Financial Services, Principal Planning Officer and Lissa Rowan, Committee Services Officer.

24. 2021-22 Revenue Outturn Variances from Budget

A report by the Depute Chief Executive (Economy, Environment and Finance) advised the Council of the major variances from the approved budget in the actual out-turn for 2021/22 and to seek approval of adjustment to the budget for 2022/23 where income and expenditure trends are forecast to

continue into 2022/23 and where there has been slippage in projects which are proposed to be funded from reserves.

Following consideration the Council agreed to note:

- i) the major variances from those anticipated when the budget for 2022/23 was approved, as summarised in Appendix 1;
- ii) the major variances from the approved budget for 2021/22 total £24,181,000, which is made up of an underspend in services areas of £8,273,000 and on loans charges of £118,000, additional income of £2,348,000 and retained central provisions of £13,442,000 as summarised in Appendix 2;
- iii) that a significant proportion of the underspend (including the element retained in central provisions) relates to slippage or delays in projects and timing differences in the release of reserves.

The Council also approved additional budgets for projects subject to slippage in 2021/22 as detailed in paragraph 3.20-3.25 totalling £1,449,000 to be funded from earmarked reserves for Covid.

25. Best Value Progress Report on Moray Council

A report by the Chief Executive asked the council to agree an updated best value action plan to continue progress in response to the Best Value Audit report in 2020, incorporating additional actions to address the findings in the Best Value Progress Report on Moray Council by the Controller of Audit and the Findings of the Accounts Commission reported to the Council on 15 March 2022.

Following consideration the Council agreed to approve the updated Best Value Action Plan (Appendix 1) to continue progress in response to the Best Value Audit and the follow up report.

26. Unaudited Annual Accounts for 2021-22

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to consider the unaudited Accounts for the year to 31 March 2022 for both Moray Council and the Connected Charity Trust Funds administered by the Council.

Following consideration the Council agreed to note:

- i) unaudited Annual Accounts for Moray Council for the year ended 2022; and
- ii) Moray Council Connected Charity Trust Funds Trustees' Report and Financial Statements for the year ended 31 March 2022

The Council further agreed to approve that both the unaudited Annual Accounts and the Moray Council Trust Funds Trustees Report and Financial Statement are signed by both Co-Leaders of the Council, Councillors McLennan and Robertson.

27. Appointment of Outside Bodies

The Chair moved to defer the consideration of this item until the end of the meeting in order to try and conclude other business first.

This was unanimously agreed.

28. Standards Commission Hearing Update

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Council of the outcome of a Standards Commission hearing LA/MO/3516 held on 16 February 2022.

Following consideration the Council agreed to note the outcome of the Standards Commission hearing LA/MO/3516 involving former Councillor, Paula Coy.

29. Application for Discretionary NDR Relief - Elgin Sports Trust

A report by the Depute Chief Executive (Economy, Environment and Finance) ask the Council to consider Elgin Sports Community Trust's application for a discretionary award of Non-Domestic Rates relief for its premises.

Following consideration the Council agreed to award 20% rates relief to Elgin Sports Trust.

30. Application for Discretionary NDR Relief - Moray Sports Foundation

A report by the Depute Chief Executive (Economy, Environment and Finance) ask the Council to consider Moray Sports Foundation application for a discretionary award of Non-Domestic Rates relief for its premises.

Following consideration the Council agreed to award 20% rates relief to Moray Sports Foundation.

31. Application for Discretionary NDR Relief - OspreyHousing

A report by the Depute Chief Executive (Economy, Environment and Finance) ask the Council to consider Osprey Housing's application for a discretionary award of Non-Domestic Rates relief for its premises.

Following consideration the Council agreed to award 20% rates relief to Osprey Housing.

32. Question Time ***

Under reference to para 17 of the minute of the meeting of Moray Council on 6 April 2022, Councillor Warren sought an update on appointment of a temporary Development Officer Post for the development of the Scotland Loves Local Gift Card Scheme.

In response, the Head of Planning and Economic Growth confirmed that the post was advertised, however there had been so suitable candidates. The post will be re-advertised shortly and the use of social media will be used to further advertise the post to hopefully get a better spread of applicants.

Under reference to para 23 of the minute of the meeting of Moray Council on 6 April 2022, Councillor Warren sought an update on the appointment of consultants to assist Officers with a review of the ELC service.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that consultants have been appointed and staff from Education will be meeting with them later in the week to draw up and agree a schedule of work.

Under reference to para 12 of the minute of the meeting of Moray Council on 6 April 2022, Councillor Mustard sought an update on when the final version of the proposed delegation of Children and Families and Justice Services Integration scheme will be presented to Council for approval.

In response the Chief Executive confirmed that there is a timetable, which he would circulate to members.

Under reference to para 13 of the minute of the meeting of Moray Council on 6 April 2022, Councillor Mustard sought an update on when the Edinburgh Declaration Report would be brought back to Council for consideration.

In response the Chief Executive confirmed that the report will be presented at the next meeting on 10 August 2022.

Under reference to para 3 of the minute of the meeting of Moray Council on 18 May 2022, Councillor Divers referred to the decision that Committees would consist of 14 members and that since the meeting on 18 May some Committees have been running with only 12 or 13 members and urged other members to take responsibilities for their roles.

Councillor Warren raised concerns about the shortage of Childminders in the Buckie area and wrap around childcare and sought information on whether there is anything the Council can do to recruit new childminders and support the existing ones in the area.

In response, the Head of Education confirmed that that she would pass on Councillor Warren's concerns to the Childminder Development Officer.

Councillor Williams sought clarification on why the proposals by the GMB union regarding increasing the mileage paid to employees was rejected.

In response, the Chief Executive confirmed that this is subject to negotiations using the Council's recognised negotiating policies and as such was unable to add anything further at the current time.

Councillor Leadbitter sought an update on the timescale for the River Spey Flood works in Garmouth.

In response, the Acting Head of Environment and Commercial Services confirmed that officers have been working on the options and it is anticipated a report will be brought to Committee in September to look at the options which have been identified.

Councillor Morrison requested an update on the communication with the Community Groups in Garmouth.

The Acting Head of Environment and Commercial Services confirmed that she would confirm with Councillor Morrison following the meeting as she did not have the information at hand.

33. Buckie Harbour Offshore Wind Operations and Maintenance [Para 9]

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of updates to the status of securing Buckie Harbour as a base to support the Moray First Offshore Windfarms and seek delegated authority to negotiate and sign agreements with Ocean Winds in relation to Moray West Offshore Windfarm.

Following consideration the Council agreed:

- i) note the opportunity presented to offshore wind operations and maintenance activity in terms of economic development for Moray and income generation for the Council; and
- ii) Delegate authority to the Head of Housing and Property and Legal Services Manager to agree the final terms of the leases, options and charges on the basis set out in this report, incorporating appropriate terms and conditions that are required to protect the Council's interests

34. Restructure Employability [Para 1]

A report by the Depute Chief Executive (Economy, Environment and Finance) sought approval for the change management plan associated with employability related services and associated budget requirements.

Following consideration the Council agreed to approve the restructuring of the employability related teams subject to consultation to better align with the no one left behind approach.

35. Trade Union Facility Time [Para 1]

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Council to agree the recommendation from the Corporate Committee held on 14 June 2022 to approve the continuation of extended trade union (TU) facility time to allocated budget from ear-marked reserves to cover backfill costs for the extended trade union facility time.

Following consideration the Council agreed to:

- i) Note the request to continue extended facility time until March 2023 with a review in Quarter 4; and
- ii) Approve the Corporate Committee recommendation to allocated budget from ear-marked reserves for backfill costs arising from this.

36. UK Levelling Up Fund Bid [Para 8 & 9]

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to consider and approve a submission to the second round of the UK Levelling Up Fund (LUF).

Following consideration the Council agreed:

- i) to note the criteria and timescales for delivery of projects to be eligible for the UK Levelling Up Fund round 2
- ii) that authority be delegated to the Chief Executive to submit a final bid as outlined in paras 5.5 and 5.6;
- iii) that Officers raise awareness of the bid through the proposals set out the Engagement Plan; and
- iv) that a further report be prepared by the Head of Environmental and Commercial Services considering the merits of future Transport related bid.

37. Elgin High School Capacity - Additional Accommodation Requirement

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought a decision by Council to agree an option and approve budget for the implementation of a temporary accommodation requirement to urgently address over capacity issues at Elgin High School.

Following consideration, the Council agreed:

- i) the requirement for additional temporary accommodation at Elgin High School;
- ii) the proposed options for delivery of additional temporary accommodation;
- iii) to progress with Option 6 - the purchase of a 'Portacabin' style 2 classroom modular unit - to deliver additional temporary accommodation; and
- iv) the budget for the recommended Option 6.

38. Outside Bodies Appointments

A report by the Depute Chief Executive (Education, Communities and Organisational Development) advised the Council of a number of outside bodies on which the previous Council was represented and to which the Council is entitled to appoint nominees.

Councillor Ross sought clarification on the removal of Knockando Woollen Mill from the list of Outside Bodies. The Head of Governance, Strategy and Performance said that he would confirm whether the appointment was still required.

Councillor Macrae moved to appoint Councillor Ross to the position as he was the current member until such time as the situation is confirmed.

Councillor Divers informed the Council that the Scottish Joint Council had not met in the previous 5 year term and queried whether it was worth appointing this organisation.

It was agreed not to appoint a representative.

Councillor Morrison clarified that whom ever was appointed as the Equalities Champion, Members should be aware that this position also sits on the Moray Fairer Forum and that as this was a considerable undertaking members should be aware.

Councillor Warren sought clarification on the number of appointments on the Highlands and Moray Area Support Team as previously the organisation had requested 2 members but there was only 1 member requested this time.

The Head of Governance, Strategy and Performance confirmed that he would confirm after the meeting what the position was and should 2 members be required a further request would be made.

Councillor Gatt suggested that the Armed Forces and Veterans Champion should be linked to the Highland Reserve Forces and Cadets Association and also the Scottish National War Memorial Group. This was unanimously agreed.

The Council proceeded to go through the list of appointments requested and agreed the following appointments.

For the position of Climate Change Champion, Councillor Macrae moved Councillor Van Der Horn be appointed, this was seconded by Councillor Gordon

Councillor Leadbitter, seconded by Councillor Fernandes proposed Councillor Cameron

On the division there voted:

| | |
|------------------------|--|
| For the Motion (13) | Councillors Macrae, Gordon, Allan, Bloomfield, Colyer, Dunbar, Gatt, McBain, McLennan, Mustard, Robertson, Ross and Van Der Horn |
| For the Amendment (12) | Councillors Leadbitter, Fernandes, Cameron, Coull, Cowe, Divers, Harris, Keith, Lawrence, Morrison, Warren and Williams |
| Abstain (0) | |

Accordingly the motion became the finding of the meeting and Councillor Van Der Horn was appointed as Climate Change Champion.

For the position with the Moray Local Outdoor Access Forum, Councillor Macrae moved Councillor Gordon be appointed, this was seconded by Councillor Bloomfield

Councillor Warren, seconded by Councillor Harris proposed Councillor Cameron

On the division there voted:

| | |
|------------------------|---|
| For the Motion (12) | Councillors Macrae, Gordon, Allan, Bloomfield, Colyer, Dunbar, Gatt, McBain, McLennan, Mustard, Robertson, and Van Der Horn |
| For the Amendment (13) | Councillors Leadbitter, Fernandes, Cameron, Coull, Cowe, Divers, Harris, Keith, Lawrence, Morrison, Ross, Warren and Williams |
| Abstain (0) | |

Accordingly the amendment became the finding of the meeting and Councillor Cameron was appointed as the representative on Moray Local Outdoor Access Forum.

The Council agreed to appoint members to the following outside bodies and other positions:

| | |
|--|--|
| Armed Forces and Veterans Champion | Councillor Bloomfield |
| Auchernack Trust | Councillors Robertson, McBain, Lawrence and Van Der Horn |
| Banffhsire Educational Trust Joint Board of Governors | Councillors Colyer, Warren and Gatt |
| Business Gateway | Councillor McBain |
| Cairngorms National Park | Councillor Ross |
| Citizens Advice Bureau (CAB) Board of Directors (Advisers) | Councillors Divers and Fernandes |
| City of Elgin Business Improvement District (BID) | Councillor Divers |
| Climate Change Champion | Councillor Van Der Horn |
| Convention of the Highlands and Islands | Councillors Robertson and McLennan |
| County of Bank Bursary Fund: Board of Governors | Councillor Coull |
| Dick Bequest Trust Scheme | Councillor McLennan |
| Equalities Champion | Councillor Harris |
| Findhorn Bay Local Nature Reserve Management Committee | Councillor Cameron |
| Findhorn, Nairn, Speyside Local Plan District Strategic Steering Group | Councillor Harris |
| Foundation of the University of the Highlands and Islands * | Councillors Cameron and Warren |
| Grampian Venture Capital Fund Limited | Councillors Cowe and Warren |
| Highland and Moray Area Support Team | Councillor Cameron |
| Highland Reserve Forces & Cadets Association – Northern Area Committee NB: This appointment to be linked to the Armed Forces Champion | Councillor Bloomfield |
| Highlands and Islands European Partnership | Councillor Harris |
| Highlands and Islands Territorial Committee | Councillor Warren |
| Local Space Leadership Group | Councillor Leadbitter |
| Joint Energy From Waste Project – Elected Members Engagement Group | Cllrs Divers, Cowe, Leadbitter and Gatt |

| | |
|--|--|
| Moray Anchor Network | Councillor Allan |
| Moray Community Justice Partnership | Councillors Colyer and Cameron |
| Moray Economic Partnership | Councillor Leadbitter |
| Moray Leisure Centre – Board of Directors | Councillors Macrae, Gordon and Cameron |
| Moray Local Outdoor Access Forum (LOAF) | Councillor Cameron |
| Moray Twinning Association | Councillor Allan |
| Moray women's Aid – Board of Directors | Councillors Harris and Dunbar |
| North East Local Plan Steering Group | Councillor Macrae |
| North East Scotland Agricultural Advisory Group | Councillors Robertson and Van Der Horn |
| North East Scotland Fisheries Development Partnership | Councillors Macrae and Warren |
| North East Scotland pension Fund – Pensions Board | Councillor Leadbitter |
| North East Sensory Services | Councillor Coull |
| Northern Roads Collaboration | Councillors Dunbar, Coull, Warren and McBain |
| Older Persons Champion | Councillors Warren and Allan |
| Scotland Excel Joint Committee | Councillor McLennan |
| Scottish Joint Council for Local Government Employees | No longer required |
| Scottish National War Memorial * NB: This appointment to be linked to the Armed Forces Champion | Councillor Bloomfield |
| Victim Support Moray* | Councillor Dunbar |

Notice of Motion

Moray Council meeting on 10 August 2022

Following a reappraisal of roles within the Conservative Councillor Group, we invite the Moray Council to make appointments as listed below:

- A change to the position of Leader* – Political leader, Chair of Moray Council and attends CoSLA
- Create and appoint a Depute Leader - Deputises for Leader
- Amend the position of Convener to Civic Leader – civic/ceremonial role
- The allocation of Committee Chairs
- The allocation of Senior responsibility allowances. (Leader, Depute Leader, Civic Leader +6: total 9 but 2 non-admin)
- To ensure continued good governance, authorise delegation to the Chief Executive and Monitoring Officer in consultation with Group Leaders to amend/create job descriptions for Leader, Depute Leader and Civic Leader and to amend Standing Orders accordingly.

Council notes that there are no proposed changes to Committee sizes.

Signed Proposer Cllr Bridget Mustard

Seconded Cllr Tracy Colyer

* In terms of the Local Govt etc. (Scotland) Act 1994, the Council must elect a Convener from among the Councillors. Section 4(7) makes it clear the title given to the Convener in areas without a Lord Provost is a matter for the Council. In this Notice of Motion, it is proposed that the Council Leader is Convener under the 1994 Act, with the role of civic head forming a separate role, the Civic Leader.

**Notice of Motion to Moray Council on
Wednesday 10 August 2022**

Council Committees Membership

Council regrets that councillors' workload is not shared equitably.

Council notes that some committees still have vacancies, and that is an example of bad governance and poor collaborative working.

Council further notes that the Code of Conduct asserts that Councillors 'have a duty to act in the interests of [their] council as a whole and all the communities served by it and a duty to[...] represent their interests conscientiously.' Council agrees that this duty includes attendance at committees

Council notes that should a Committee position remain vacant, it can appoint members to Committees by name.

Council asks all Councillors to take up the positions in committees they have been offered, in accordance with the political balance agreed by this Council.

Proposed by Councillor Jérémie Fernades

Seconded by Councillor Scott Lawrence

Notice of Motion

Pride Event in Moray

The Council supports and welcomes Pride in Moray 2022, on the 3 September 2022. This marks the first ever Pride event in our region, marking LGBTQ+ visibility in our area. We continue to support the Council's commitments and obligations to a fair and inclusive society and the importance of identifying the challenges of being LGBTQ+, for those living in rural communities, and especially younger people. The Council recognises it can do more and will do so in the future and agrees to work supportively with LGBTQ+ groups going forward.

Proposed: Councillor Juli Harris

Seconded: Councillor Draeyk van der Horn

Elgin Bypass

1. The Moray Council notes that the Scottish National Party committed to improvements to the A96 in its 2007 Scottish Parliament election manifesto,^[1] and the Scottish Government committed to the full dualling of the A96 in its Infrastructure Investment Plan of 2011.^[2]
2. The Moray Council notes that the preferred route option for A96 dualling between Hardmuir and Fochabers was published by Transport Scotland in 2018,^[3] which includes full bypassing of Elgin. The scheme proposes to complete works for A96 dualling between Hardmuir and Fochabers by 2030.
3. The Moray Council further notes that the last published updates for the scheme were ground investigation works in January 2020.^[4]
4. The Moray Council believes that bypassing of Elgin is overwhelmingly supported by residents of Elgin and surrounding areas; that the benefits of a bypass include reductions in traffic congestion within Elgin; and improvements in air quality, visual amenity, and road safety – especially for active travel.
5. The Moray Council re-affirms its support for an Elgin bypass.
6. The Moray Council is concerned about the slow pace of progress on this vital infrastructure project.
7. The Moray Council mandates the Council Leader to write to the Minister for Transport to remind the Minister of the above stated facts, to re-iterate the Council's support for an Elgin bypass, to express the Council's concerns about the slow pace of progress in delivering a bypass for Elgin, to demand a firm timetable for the delivery of an Elgin bypass: in particular, when the Minister expects to lay the relevant orders before Parliament, and when the Minister expects construction work to commence.
8. The Moray Council requests that any response to the Council Leader from the Minister for Transport be communicated with members as soon as practicably possible.

Proposer: Councillor Sandy Keith

Seconder: Councillor John Divers

^[1] Scottish National Party, 'Manifesto 2007: It's Time' (5 April 2007) <<https://image.guardian.co.uk/sys-files/Politics/documents/2007/04/12/SNPMManifestoprogramme.pdf>> accessed 3 July 2022.

^[2] Scottish Government, 'Infrastructure Investment Plan 2011' (6 December 2011) <<https://www.webarchive.org.uk/wayback/archive/20150218180052/http://www.gov.scot/Publications/2011/12/05141922/0>> accessed 3 July 2022.

^[3] Transport Scotland, 'Design Update: A96 Dualling Hardmuir to Fochabers' (17 August 2018) <<https://www.transport.gov.scot/publication/design-update-a96-dualling-hardmuir-to-fochabers/>> accessed 3 July 2022.

^[4] Transport Scotland 'Ground investigations start next week for A96 Dualling Hardmuir to Fochabers scheme' (20 January 2020) <<https://www.transport.gov.scot/news/ground-investigations-start-next-week-for-a96-dualling-hardmuir-to-fochabers-scheme/>> accessed 3 July 2022.

- ¹. Scottish National Party, 'Manifesto 2007: It's Time' (5 April 2007)
<<https://image.guardian.co.uk/sys-files/Politics/documents/2007/04/12/SNPManifestoprogramme.pdf>> accessed 3 July 2022.
- ². Scottish Government, 'Infrastructure Investment Plan 2011' (6 December 2011)
<<https://www.webarchive.org.uk/wayback/archive/20150218180052/http://www.gov.scot/Publications/2011/12/05141922/0>> accessed 3 July 2022.
- ³. Transport Scotland, 'Design Update: A96 Dualling Hardmuir to Fochabers' (17 August 2018) <<https://www.transport.gov.scot/publication/design-update-a96-dualling-hardmuir-to-fochabers/>> accessed 3 July 2022.
- ⁴. Transport Scotland 'Ground investigations start next week for A96 Dualling Hardmuir to Fochabers scheme' (20 January 2020)
<<https://www.transport.gov.scot/news/ground-investigations-start-next-week-for-a96-dualling-hardmuir-to-fochabers-scheme/>> accessed 3 July 2022

Notice of Motion

Moray Council to support the Climate and Ecology Bill

Preamble

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. The global temperature has already increased by 1.2°C above pre-industrial levels, and the natural world has reached crisis point, with 28% of plants and animals threatened with extinction.

Climate change

Unless we drastically change course, the world is set to exceed the Paris Agreement's 1.5°C limit. Pledges, such as the Paris Agreement and Glasgow Pact—and updated emissions targets—are not legally-binding. This gap between pledges and policy leaves the world on course for catastrophic warming of near 3°C.

Following the “now or never” Intergovernmental Panel on Climate Change (IPCC) report in April 2022, the UN Secretary General António Guterres stated that “we are on a fast track to climate disaster. This is not fiction or exaggeration. It is what science tells us will result from our current energy policies”.

In addition, the UK Government's Net Zero Strategy stated that “if we fail to limit global warming to 1.5°C, we risk reaching climatic tipping points, we could lose control of our climate for good”. The 1.5°C goal is ‘on life support’ and only ambitious action from supranational and devolved authorities, civil society, the private sector and local communities will help us realise it.

Biodiversity loss

The UK is one of the most nature-depleted countries in the world. More than one in seven of our plants and animals face extinction, and more than 40% are in decline. We therefore welcome the Leaders' Pledge for Nature, signed by the UK Government, which states that—if we fail to halt and reverse biodiversity loss by 2030—we increase the risk of further pandemics, rising global temperatures and loss of species. In order to achieve this, the UK needs a legally-enforceable nature target so that, by 2030, nature is visibly and measurably on the path of recovery—in line with the Global Goal for Nature.

Approval by the Scottish Parliament

The targets and strategy in the Bill provide and rely on conditions being met; that the Scottish Parliament has passed a motion of the form “That this Parliament agrees to the climate and nature targets in section 1 of the Climate and Ecology Act 2022”; that the Scottish Parliament has passed a motion of the form “That this Parliament agrees to the measures in the Climate and Nature Strategy”

Moray Council notes that:

There is a Bill that was introduced into the current UK Parliament in May 2022—the Climate and Ecology Bill—which, if it becomes law, would require the development of a

strategy to ensure that the UK's environmental response is in line with the latest science. The strategy would ensure that:

- the ecological crisis is tackled shoulder to shoulder with the climate crisis via a joined-up approach;
- the Paris Agreement aim is enshrined into law to ensure that the UK does its full and fair share to limit the global temperature rise to 1.5°C;
- we halt and reverse biodiversity loss by 2030 to ensure that the UK's ecosystems are protected and restored;
- the UK takes responsibility for its greenhouse gas footprint, including international aviation and shipping—and by accounting for consumption emissions related to the goods and services that are imported and consumed in the UK;
- the UK takes responsibility for its ecological footprint in order to better protect the health and resilience of ecosystems—including along domestic and global supply chains; and
- an independent, temporary Climate and Nature Assembly is set-up—representative of the UK population—to engage with the UK Parliament and UK Government to help develop the strategy.

Moray Council therefore resolves to:

1. Support the Climate and Ecology Bill;
2. That the next update of Moray's Climate Change Strategy and Routemap to net zero shall incorporate consideration of alignment with the Bill's objectives and principals.
3. Write to Douglas Ross letting them know that the motion has been passed —urging them to sign up to support the Bill, or thanking them for already doing so; and
4. Write to [Zero Hour](#), the organisers of the cross-party campaign for the Bill, expressing its support (joinus@ceebill.uk).

Proposed: Councillor Draeyk van der Horn

Seconded: Councillor Neil Cameron



REPORT TO: MORAY COUNCIL ON 10 AUGUST 2022

SUBJECT: CONSTITUTION OF APPOINTMENTS COMMITTEE – POST OF HEAD OF SERVICE

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

1. REASON FOR REPORT

- 1.1 To invite the Council to agree to the establishment of an Appointments Committee for the appointment of the post of Head of Service with Moray Integration Joint Board (MIJB).
- 1.2 This report is submitted to Council in terms of Sections I, II and III of the Council's Scheme of Administration relating to the establishment of a committee structure, the appointment to committees, the appointment of Chair and Depute Chair thereof.

2. RECOMMENDATION

2.1 It is recommended that the Council agrees:-

- (i) **the proposed appointments committee as set out in Section 4 of the report, including the membership of the appointments committee; and**
- (ii) **that the Council's appointed Chair/Vice Chair of the IJB is Chair of this appointments committee.**

3. BACKGROUND

- 3.1 The appointment of Chief Social Work Officer is a statutory role that reports to Moray Council. Currently the Chief Social Work Officer (CSWO) sits with the one of two Head of Services within HSCM and that post reports to the Chief Officer, Health and Social Care Moray (HSCM). The post responsibilities include Learning Disability Services, Mental Health Services, Social Care Commissioning and Social Care provision.
- 3.2 A temporary post of Head of Children's Services was created until Children's Services transferred to the MIJB to assist with preparations for the transition and transformation within children's services.

4. APPOINTMENT AND MEMBERSHIP

- 4.1 Whilst the appointment of a Chief Social Work Officer is a statutory responsibility of the Council, the current CSWO reports to the Chief Officer HSCM and the role will continue to sit with the Head of Service post, and it is therefore considered that the appointments committee should consist of the four elected members appointed to the MIJB, (currently Councillors Colyer, Divers, Lawrence and Roberston). It is also considered reasonable for the Council to invite an MIJB NHS representative to attend as an observer/adviser given the cross service responsibilities the post will carry.
- 4.2 As Councillor Colyer currently holds the position of Chair on the MIJB it is proposed that she be appointed as Chair of the Appointments Committee.

5. SUMMARY OF IMPLICATIONS

(a) Moray 2026: A Plan for the Future and Moray Corporate Plan 2015 - 2017

None arising from this report.

(b) Policy and Legal

The proposals set out in this report comply with Sections (I) (II) & (III) of the Council's Scheme of Administration relating to the delegation of functions to Committees and Sub-Committees, the appointments of Members to these and the appointment of Chair & Deputy Chairs.

(c) Financial implications

None

(d) Risk Implications

None arising from this report.

(e) Staffing Implications

The administration of appointments to Committees and Sub-Committees can be met within existing resources.

(f) Property

None arising from this report.

(g) Equalities

None arising from this report.

(h) Climate Change and Biodiversity

None arising from this report

(i) Consultations

The Chief Executive, Chief Officer, Health and Social Care Moray, Head of Governance, Strategy and Performance, Head of HR, ICT and Organisational Development and Tracey Sutherland, Committee Services Officer were consulted and their comments incorporated in the report.

6. CONCLUSION

- 6.1 Council is invited to establish an appointments committee for the appointment of Head of Service/Chief Social Work Officer as outlined in section 4 of the report.**

Author of Report: Moira Patrick, Democratic Services Manager
Background Papers:
Ref: SPMAN-2045703626-152



REPORT TO: MORAY COUNCIL 10 AUGUST 2022

SUBJECT: PERIOD PRODUCTS (FREE PROVISION) (SCOTLAND) ACT 2021– MORAY COUNCIL STATEMENT ON EXERCISE OF FUNCTIONS

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of progress in meeting the 'Period Products (Free Provision) (Scotland) Act 2021' and seek agreement for a statement of intent outlining how the council will meet the requirements of the Act.
- 1.2 This report is submitted to Council in terms of Section II of the Council's Scheme of Administration relating to 'Any new policy matter which does not fall within the terms of reference of any Committee.'

2. RECOMMENDATION

- 2.1 **It is recommended that the Council approves and adopts the Statement of Intent at Appendix 1 for the Exercise of Functions Period Products (Free Provision) (Scotland) Act 2021.**

3. BACKGROUND

- 3.1 Since the 2018/19 financial year, Moray along with all councils in Scotland has received funding for the provision of free period products. Work has been accommodated within existing resources for the co-ordination and development of this task/fund, which along with difficulties arising as a result of the Covid-19 pandemic has led to gaps in development and implementation of a Council approach to the upcoming implementation of legislation.
- 3.2 The annual allocation has been split between School estate and non-school estate usage, with distribution assistance provided by Moray Food Plus (Moray Food +). The Council currently supply all council schools and in partnership with Moray Food+, around 100 other publicly accessible premises with free period products, including community facilities, publicly accessible toilets, GP surgeries, and numerous independent community and voluntary group facilities. Information on where period products can be accessed is currently being developed for inclusion on the PickUpMyPeriod app and

[PickUpMyPeriod website](#). At present, providing these free period products is voluntary.

- 3.3 The new Period Products (Free Provision) (Scotland) Act 2021 which seeks to ensure that “everyone in Scotland who menstruates can have reasonably convenient access to period products, free of charge, as and when they are required” places specific duties upon local authorities, Education providers and possibly other public bodies in the future. These duties come into force on 15 August 2022.
- 3.4 Section 1 of the Act places a duty on Local Authorities to make period products obtainable free of charge for anyone who needs to use them. Section 2 of the Act places a duty on education providers to make period products obtainable free of charge on their premises for pupils and students during term time.
- 3.5 Within the Act, each local authority across Scotland is required to undertake specific duties. This report pertains specifically to one of these duties (Section 6) which is to produce a ‘Statement of Intent’, outlining how the Council has met or plans to meet these legal obligations.
- 3.6 The Act specifies particular requirements that the arrangements put in place by all responsible bodies must meet, namely that they must make products reasonably easy to obtain, respect dignity, offer a reasonable choice of types of period products and that both the general public and school pupils should be consulted.
- 3.7 The proposed Statement of Intent is set out in **(Appendix 1)**, which takes account of the feedback from the public consultation summarised below.
- 3.8 In order to meet the requirements of the Act, authorities must undertake consultation with the public to help ascertain preferences for the type and location of period products. While the consultation of school pupils was undertaken on an ongoing basis by individual schools, the consultation of the general public in Moray was undertaken separately. This was carried out by online survey from the 5th to the 13th of July and over 250 responses were received. However, not all respondents answered all questions and some had single figure responses. Key questions had a good response and indicated:
 - 41% live in Elgin;
 - 78% of respondents were unaware of the availability of free period products;
 - 9% of respondents have previously accessed free products;
 - Nearly 88% of respondents would be interested in accessing free products in the future;
 - Tampons and pads were the most popular options for products, with interest also expressed in re-usable products;

- Over 80% favoured online/postal provision with over 70% selecting chemist and health centres, community venue and food bank also being popular;
- Over 90% expressed a preference for products to be available in toilets.

3.9 Feedback from the survey has contributed to the following undertakings within the Statement of Intent:

i. Community Setting

1. Identify gaps in provision geographically and by type of premises.
2. Increase the number of premises supplying free period products in Moray, targeting additional venue types highlighted within the feedback.
3. Cooperate with current and future premises to identify appropriate spaces in their venue where period products can be easily accessed whilst protecting an individual's dignity.
4. Expand provision of products (both quantity and range) in premises, with a focus on ensuring all communities have some provision available.
5. Encourage and identify options to increase the supply of reusable products.
6. Investigate a system for postal delivery for the hardest to reach geographies/users.
7. Provide communities with publicity material so that the public are aware of the availability of the products.
8. Make additional arrangements for those who experience barriers to accessing free period products.

ii. School Setting

1. Expand provision of products (both quantity and range) in schools, with a focus on ensuring options in a choice of toilet facilities in schools where possible including single use and reusable provision available.
2. Continue to cooperate with schools to identify appropriate spaces where period products can be easily accessed without embarrassment.
3. Provide all schools with appropriate publicity material so that pupils are aware of the availability of the products.

iii. Council Premises

1. Identify gaps in provision and contact each premise to organise supply.
2. Expand provision of products (both quantity and range) in premises, with a focus on ensuring all bathrooms have both single use and reusable provision available.
3. Cooperate with premises to identify appropriate spaces where period products can be easily accessed without embarrassment.
4. Provide all premises with appropriate publicity material so that Council staff and visitors are aware of the availability of the products.

- 3.10 A short life working group has been established to discuss and progress these undertakings with a future report expected to spell out arrangements, systems and future activities including staff resource recommendations.

4. SUMMARY OF IMPLICATIONS

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

The Provision of free period products will assist with Poverty related aspects of the LOIP.

(b) Policy and Legal

The content of this report informs the Council's meeting of its statutory responsibilities in meeting the relevant Act of the Scottish Parliament.

(c) Financial implications

None as funding is available from the Scottish Government. I

(d) Risk Implications

Failure to approve a statement of intent by 15 August could result in risk relating to failure to meet statutory responsibilities.

(e) Staffing Implications

Although the voluntary provision of these products purchased from Scottish Government allocation, has been un-resourced in terms of dedicated Officer time, this has undoubtedly led to gaps and delays in the development and implementation of Moray council's approach. Now that this provision is no longer voluntary, and will become a statutory responsibility from 15 August 2022, consideration will be given to the options available including internal and external resources, which may require a new post to be funded from the Scottish Government funding allocation.

(f) Property

None.

(g) Equalities/Socio Economic Impact

Not everyone who menstruates identifies as female, therefore as part of ensuring a dignified approach, Moray Council will ensure that the arrangements put in place to meet our duties allow any individual who menstruates, including transgender men and non-binary individuals, to access products. The language that is used in consultation, published arrangements and delivery will be considerate of equalities. In addition, in some cases men may wish to access products for free for family members or partners. Consultation methods and engagement along with accessibility options and product types available, will all be mindful of best practice in an effort to engage with traditionally hard to reach groups.

(h) Climate Change and Biodiversity Impacts

None.

(i) Consultations

The Chief Executive, Depute Chief Executive Education (Communities and Organisational Development), Chief Executive (Economy, Environment and Finance), Chief Officer. Health and Social Care Moray, Tracey Sutherland, Committee Services Officer and Moray Food Plus.

5. CONCLUSION

- 5.1 The Council has received funding from the Scottish Government for the provision of free period products since 2018/19 and while provision has been put in place, the full funding has not always been utilised. From 15 August 2022 there is a statutory requirement for the Council to have an agreed Statement of Intent in relation to the delivery of the requirements of the Period Products (Free Provision) (Scotland) Act 2021. A statement is proposed for agreement in Appendix 1, however, this will require consideration of options to support delivery and maximise the use of the funding available, which will be the next phase of work on this area of the poverty agenda.**

| | |
|--------------------|--|
| Author of Report: | Will Napier, Senior Policy Officer (Poverty) |
| Background Papers: | Period Products (Free Provision) (Scotland) Act 2021 |
| Ref: | SPMAN-1468114179-32 / SPMAN-1468114179-33 |

APPENDIX 1

MORAY COUNCIL – STATEMENT OF INTENT FOR THE PERIOD PRODUCTS (FREE PROVISION) (SCOTLAND) ACT 2021

Accessing Free Period Products in the community and
schools within Moray
July 2022

Introduction

The Period Products (Free Provision) (Scotland) Act 2021 requires local authorities to make period products freely available to anyone who menstruates. A reasonable range of products must be easily accessible and comfortable for individuals to access, without embarrassment, and in a way that respects a person's dignity.

Under the 2021 Period Products Act, each local authority across Scotland is required to undertake specific duties. This document fulfils the duty (Section 6) to produce a Statement of Intent, outlining how the Council has met or plans to meet these legal obligations.

This document is the Moray Council statement for community, education and Council premises provision.

The following sections outline each of the duties in the Act and how Moray Council has met or seeks to meet them.

Consultation

Responsibility

Under Section 7 of the Act, each local authority is required to undertake a public consultation to determine:

- which premises individuals would like to see free period products stocked
- where within these premises they would like to have access to these products
- how they would like to access these products
- the types of products they would like to have access to

Method

Moray Council, with support from Moray Food Plus, undertook a public consultation in 2019 to establish the most desirable points of provision and the preferred product types. The consultation was conducted online, due to COVID-19 restrictions. In addition to this consultation, all school premises have encouraged ongoing feedback from pupils.

In July of this year (2022) Moray Council again undertook another specific public consultation in which the questions addressed the required information in order to meet our consultation responsibility.

Reviewing current provision to reflect consultation feedback

Responsibility

The consultation feedback provides useful insight into what people want from this provision. The existing provision and arrangements in Moray meet the expectations highlighted in the feedback relatively well, suggesting that there is a reasonable foundation from which to develop and expand the provision of free period products in the area. The following headings in this section explain how Moray Council will do this in different contexts.

Community settings (Section 1 of the Act)

The following eight actions have been identified to address provision of free period products in community settings as a result of the consultation:

1. Identify gaps in provision geographically and by type of premises.
2. Increase the number of premises supplying free period products in Moray, targeting additional venue types highlighted within the feedback.
3. Cooperate with current and future premises to identify appropriate spaces in their venue where period products can be easily accessed whilst protecting an individual's dignity.
4. Expand provision of products (both quantity and range) in premises, with a focus on ensuring all communities have some provision available.
5. Encourage and identify options to increase the supply of reusable products.
6. Investigate a system for postal delivery for the hardest to reach geographies/users.
7. Provide communities with publicity material so that the public are aware of the availability of the products.
8. Make additional arrangements for those who experience barriers to accessing free period products.

School settings (Section 2 of the Act)

The following three actions have been identified to address provision of free period products in school settings as a result of the ongoing schools consultation:

1. Expand provision of products (both quantity and range) in schools, with a focus on ensuring options in a choice of toilet facilities in schools where possible including single use and reusable provision available.
2. Continue to cooperate with schools to identify appropriate spaces where period products can be easily accessed without embarrassment.
3. Provide all schools with appropriate publicity material so that pupils are aware of the availability of the products.

Council premises (Section 3 of the Act)

The following five actions have been identified to address provision of free period products in Council premises as a result of the consultation:

1. Identify gaps in provision and contact each premise to organise supply.
2. Expand provision of products (both quantity and range) in premises, with a focus on ensuring all bathrooms have both single use and reusable provision available.
3. Cooperate with premises to identify appropriate spaces where period products can be easily accessed without embarrassment.
4. Provide all premises with appropriate publicity material so that Council staff and visitors are aware of the availability of the products.

Educational / Awareness Raising

Responsibility

Each local authority must provide information on how and where free period products can be accessed in their area by launching an educational and awareness raising campaign. As part of this, Moray Council will add all venues where free period products can be accessed to the national 'PickUpMyPeriod' Mobile application and website.

Campaign Priorities

Survey participants were clear that education and awareness raising was very important in taking the free period products initiative forward. Given that the survey feedback included requests to highlight how and where free period products can be accessed, The Moray Council will launch an educational and awareness raising campaign that includes the following priorities for community, education and Council premises. We will:

- Promote how and where free period products can be accessed in Moray.
- Link with national campaigns and material to promote information aimed at changing attitudes towards periods so that they become easier to talk about and less of a taboo and to
 - Raise awareness that the scheme is for everyone, not just for those in poverty.
 - Educate people on reusable products with the aim to expand the use of reusable products.
 - Expand the quality and quantity of information on periods and make this information accessible to everyone, including men – what to expect, how to prepare, how you can support those around you who menstruate, hygiene and health information.
 - Raise awareness on the need for transgender men and non-binary people to have access to products.
- Review provision and arrangements annually to ensure we are meeting the needs and requirements that were voiced by participants in the consultation.

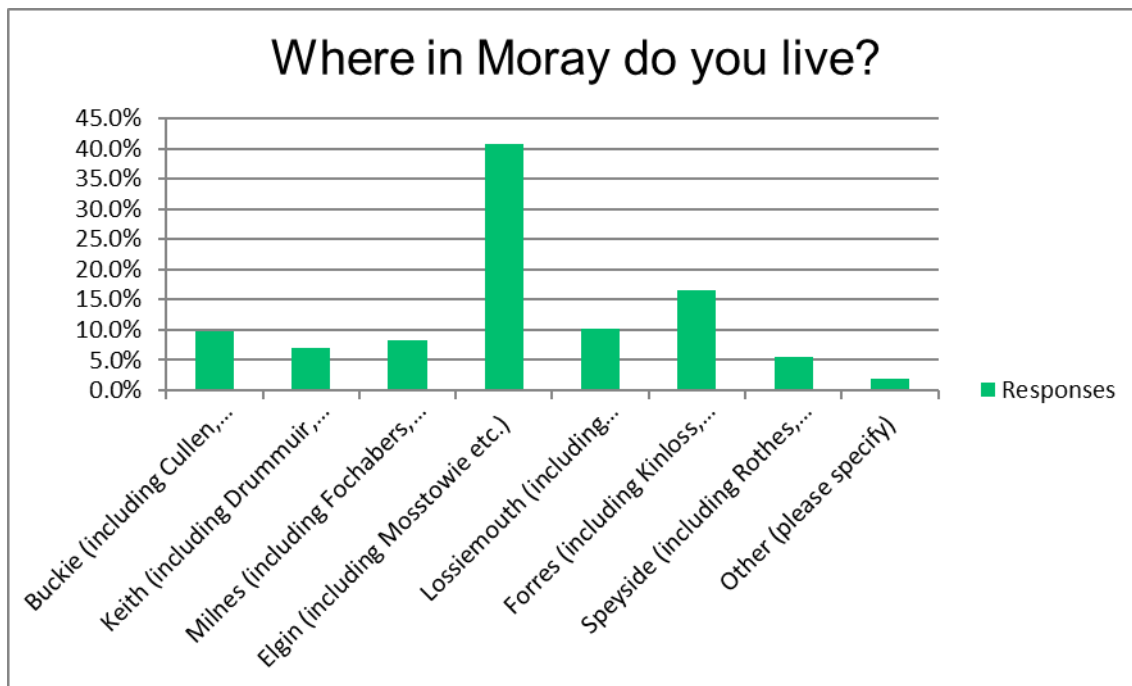
Period Products Free Provision July 2022 Survey Responses (In summary)

Responses

The survey received 255 responses.

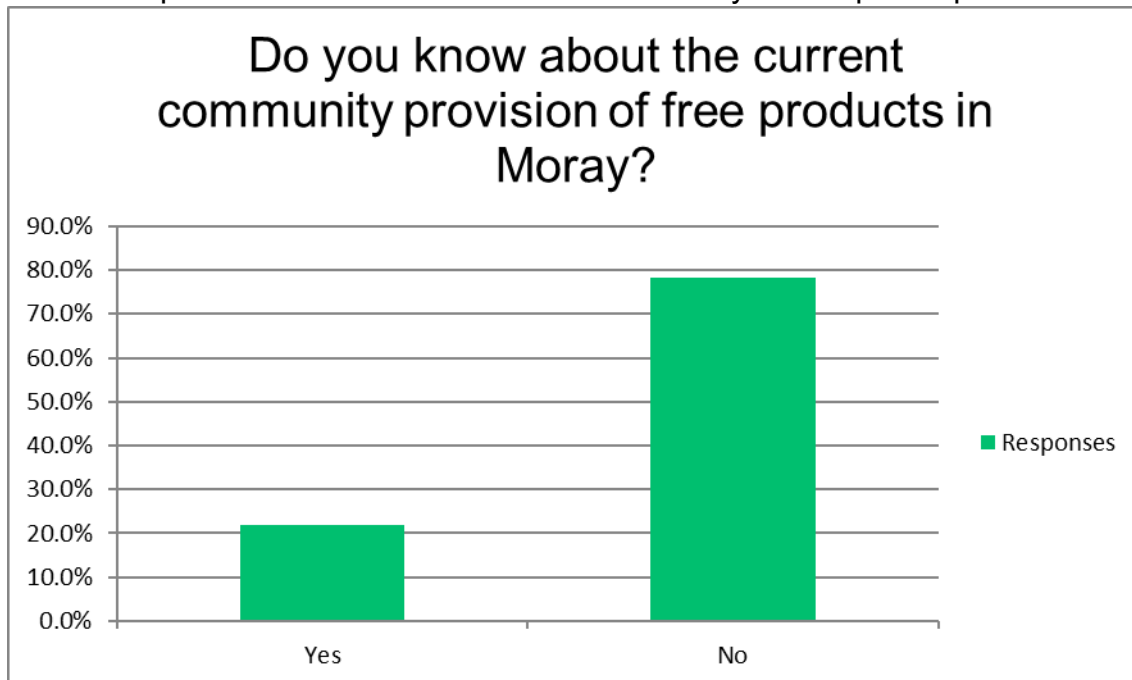
Location

Just under 41% of respondents lived within the main population centre of Elgin.



Existing Awareness

78% of respondents were unaware of the availability of free period products.



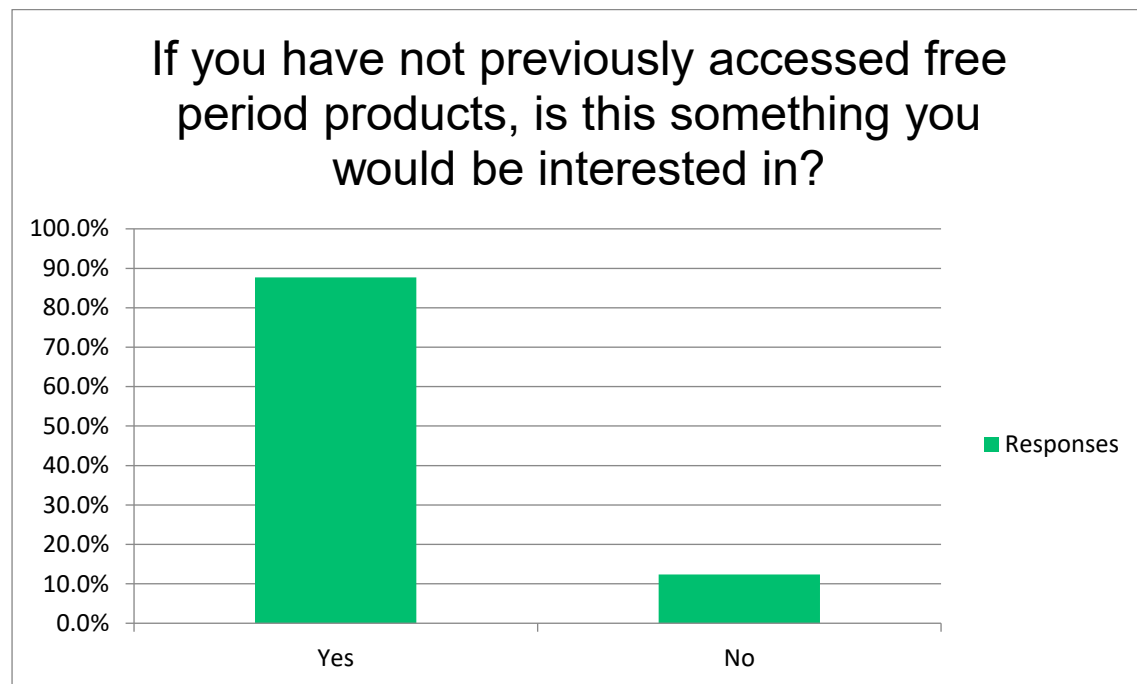
Current Users

9% of respondents have previously accessed free products.



Future Users

Nearly 88% of respondents would be interested in accessing free products in the future.



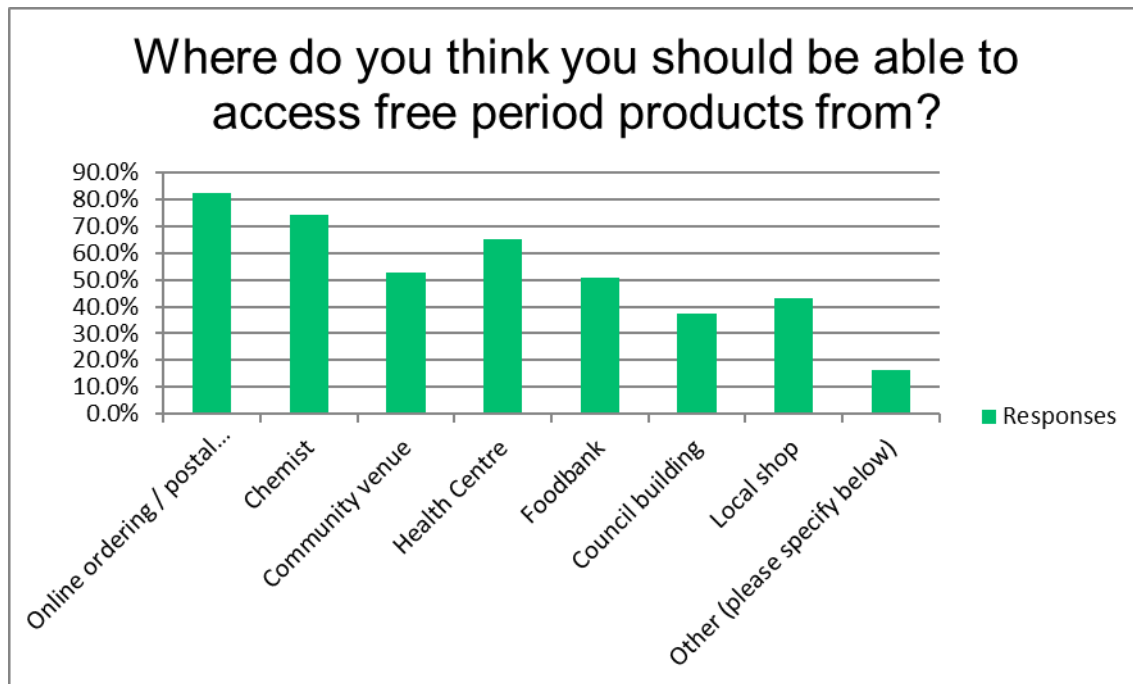
Product Types

Breakdown of free period products requested



Suggested Venues

Venues suggested by respondents



Period Dignity – Venue arrangements

Respondent's preferences for product placement.





REPORT TO: MORAY COUNCIL 10 AUGUST 2022

SUBJECT: SHORT TO MEDIUM TERM FINANCIAL PLANNING

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

- 1.1 To consider an update to the Council's Financial Plan for 2022 to 2025 and agree a hierarchical approach to the financial planning process for 2023/24 and 2024/25.
- 1.2 This report is submitted to the Council in terms of the Council's Administrative Scheme section (III) (A) (2) relating to considering Capital and Revenue budgets and long term financial plans.

2. RECOMMENDATION

2.1 It is recommended that the Council:-

- (i) **considers and notes the updated budget for 2022/23 and forecast positions for 2023/24 and 2024/25;**
- (ii) **notes the likely implications of the Scottish Government Spending Review;**
- (iii) **notes the current position regarding inflation;**
- (iv) **notes that there are still significant uncertainties relating to the Council's budgetary position for 2022/23 and future years; and**
- (v) **approves the approach to financial planning for 2023/24 and 2024/25 set out in paragraphs 5.7 and 5.8.**

3. BACKGROUND

- 3.1 The Council's revenue and capital budgets for 2022/23 were approved at a special meeting of Moray Council on 22 February 2022 (paragraph 4 of the Minute refers). At that time there was an environment of considerable uncertainty about the state of the economy, due to the impact of the Covid-19 pandemic and Brexit and geo-political pressures, with rising inflation and bank

rates increasing. The pay award for local government staff for 2022/23 was unknown and the teacher's pay award for 2021/22 still not agreed.

- 3.2 There is still considerable uncertainty regarding key variables in the budget. This report updates the position reported in February 2022 for the following areas where there have been developments: the unaudited out-turn for 2021/22; Scottish Government Spending Review in May 2022; communications from Scottish Government about financial flexibilities for local government in 2022/23, and the latest inflation forecasts.
- 3.3 The report also recommends adhering to the hierarchical methodology for approaching financial planning for 2023/24 and 2024/25 alluded to in the budget setting report to Council on 22 February 2022, with the addition of income generation.

4. REVENUE BUDGET 2022/23

- 4.1 An updated budget for 2022/23 is included in **APPENDIX 1** to this report. When the budget for 2022/23 was approved, expenditure of £242,309,000 was included, to be funded from Scottish Government grant £180,723,000, Council Tax receipts £46,555,000, financial flexibility (use of capital receipts to fund Covid-related revenue expenditure) £3,120,000 and use of reserves £10,335,000. Savings of £1,576,000 were approved. An underspend of £2,132,000 was anticipated for 2021/22.
- 4.2 The unaudited out-turn for 2021/22 is an underspend on General Funds of £3,364,000 (£3,748,000 after adjusting for Education ear-marked reserves which are spent on an academic year basis). The variations from actual out-turn to that projected when the budget was set were the subject of a report to Moray Council on 29 June 2022 (paragraph 24 of the minute refers). This increased the level of usable general reserves and has enabled the budgeted financial flexibility to be swapped out against use of reserves. There were expected to be two types of financial flexibility available to the Council in 2022/23 when the budget was set: use of capital receipts to fund Covid-related expenditure and expenditure on transformation expected to generate financial savings and a loans principal holiday. Confirmation of both was expected. Confirmation of the ability to take a loans principal holiday has been received but the Treasury has advised Scottish Government that the use of capital receipts to fund Covid-related revenue costs would score against the Scottish Government capital allocation and so this financial flexibility has been withdrawn. The impact of a loans principal holiday is being investigated. As an illustration of the likely impact in 2022/23, the loans principal repayment in 2021/22 was £10,033,000. If taken the loan principal repayment would increase in future years and the impact of this needs to be fully understood. Part of the increased underspend related to project slippage and funding for reserves in 2022/23 of £1,449,000 in relation to project slippage has been included as approved by Moray Council on 29 June 2022 (paragraph 24 of the Minute refers).
- 4.3 There have been a number of funding streams announced since the budget was set. £4,490,000 is for the Cost of Living reduction in Council Tax payments for dwellings in Bands A – D and for people in receipt of Council Tax Reduction.

Budgeted Council Tax receipts has been reduced by that amount. A further £3,032,000 relates to Scottish Government initiatives: £1,280,000 for economic recovery; £472,000 for benefits bridging payments; £409,000 social work capacity in Adult Services; £272,000 full year effect of removing charges for core curriculum subjects and music instruction; £287,000 more than estimated for Discretionary Housing Payments, Free School Meals expansion, free period products; £173,000 additional summer activities funding; £50,000 National Trauma Training programme; £44,000 Easter study provision and £45,000 support for people claiming Adult Disability Payments. These have been included as new burdens, with the assumption that all funding streams will be required in full to deliver the policy intent but the funding is unrestricted and all streams will be reviewed on a case-by-case basis.

- 4.4 As a result of these amendments budgeted expenditure for 2022/23 now stands at £249,655,000 with anticipated grant from Scottish Government of £188,245,000, budgeted Council Tax receipts of £42,065,000 and use of reserves of £17,769,000. £2,960,000 are planned use for transformation or Council priorities and £1,449,000 relates to project slippage, as noted in paragraph 4.2 above. The balance of £13,360,000 represents the underlying structural deficit in the budget. The underlying position has changed little since the budget was set, with savings totalling £19.5 million still requiring to be found across 2023/24 and 2024/25.
- 4.5 A modest spend to save project was added to the approved Capital Plan for 2022/23 – salt store at the Keith depot and the anticipated annual recurring savings of £35,000 have been added to approved savings.

5. **FINANCIAL PLANNING 2023/24 AND 2024/25**

Scottish Government Spending Review

- 5.1 The Scottish Government published its Medium Term Financial Strategy and Resource Spending Review in May 2022. The Medium Term Financial Strategy looks at likely funding available to Scottish Government in the period 2022 to 2027, using the Office for Budgetary Responsibility March 2022 forecasts and Scottish Fiscal Commission tax forecasts. Three scenarios are used to give a range of forecasts, from highest to lowest level. Looking at the central case, real (i.e. after inflation) growth of 5% is forecast across the period. However, over half of that relates to devolution of social security benefits, and increased spend in that demand-led area can be expected to match the additional income so for the rest of the budget 2% real growth is forecast in the central case. The Resource Spending Review indicates real growth in social security benefits and also in health and social care. All other portfolios are projected at real term reductions. Funding for Local Government is projected as flat cash. This is the projection used in **APPENDIX 1** for Scottish Government funding. There are a number of caveats which should be applied to this.
- 5.2 The Medium Term Financial Strategy uses 1%, 2% and 3% as its public sector pay award assumptions – these may be unrealistically low. Scottish Government have made an assumption that local authority and other public sector pay awards will be funded within budget by reducing staff numbers – it is unclear how feasible that will be. Not all manifesto commitments have been

funded – for example the roll-out of expansion of Free School Meals to primary 6 and 7 has been delayed – and funding for those commitments (on the assumption they go ahead) will most likely be top-sliced from the overall local government settlement, adding pressure to core funding. The last two settlements in particular have seen significant restrictions placed on local authorities' ability to direct funding to areas of local priority. Previous assumptions of growth of the Scottish economy have been overly optimistic. The Scottish Fiscal Commission assumes a rapid decrease in inflation to 2.4% in 2023/24. Although the general view of commentators is that inflation will decrease, the Bank of England are no longer referring to a "transitory" level of inflation but are referring to it as "embedded". The Bank of England Monetary Policy report published in May 2022 refers to significant uncertainties in forecasting inflation.

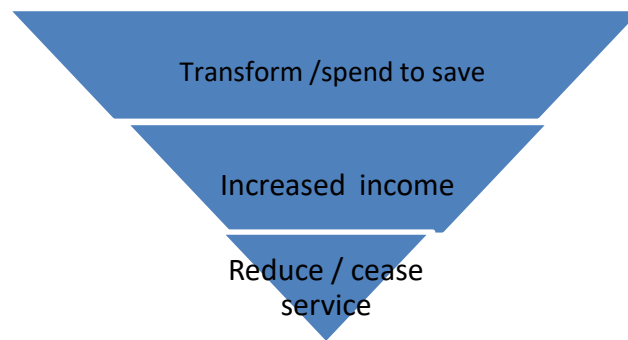
Inflation

- 5.3 The Consumer Price Index (CPI) stood at 9.1% when results were reported for May 2022. Food prices were the largest contributor to the increase but a quarter of the items measured by the Office of National Statistics were 10% higher than a year ago.
- 5.4 As a general rule these increase will be felt by local authorities. There is a measure of protection within contracts for pay increases. When contracts are re-tendered the impact of inflation will be felt, and some contractors will be unable to absorb additional costs and will either have to pass them on or resile the contract.
- 5.5 Significant increases in the cost of fuel and utilities has been widely reported. Scottish local authorities purchase utilities through a Scotland Excel contract. Electricity is mainly bought on the futures market and therefore there has been a measure of protection in terms of cost inflation in 2022/23. Despite that, in-year costs have risen at a higher rate than forecast when estimates of energy prices became available towards the end of 2021, and have continued to increase and are anticipated to increase further. The cost of electricity is estimated to have risen by 30% since April 2021 and the cost of gas by 153% (these are the fuel components of the total cost and do not include cost of supply or taxation.) The Council spent £3 million on energy costs in 2012/22 and recognised a budget pressure of £411,000 for 2022/23 when the budget was set. The latest indications are that the budget pressure will cover the increased costs of electricity only.
- 5.6 Some contracts include provision for an inflation uplift linked to CPI or – in the case of some older contracts – to RPI. Most notably the schools PPP contract has provision for an annual uplift for RPI and the school transport contract has provision for an annual uplift of CPI. These two contracts total £12 million.

Financial Planning approach and risks

- 5.7 When the budget for 2022/23 was set, the Council noted the following hierarchical approach to savings: transformation of services; small scale spend to save; reducing service; stopping services. Income generation requires to be added to that hierarchy, significant opportunities for which have recently arisen including development at Buckie Harbour and surplus landfill capacity. Transformation of services is preferable to reducing or stopping services and

the Council has set aside ear-marked reserves to facilitate transformation of services and Council priorities. Given the current financial situation it is clear that the Council's top priority must again be to create financially sustainable services. However, it has proven difficult to develop a programme of transformation on the scale required to make the level of savings anticipated to be required. It should be noted that the Council has been making savings since 2010/11 and in that time has delivered savings of £56 million. There are no easy options for making further savings. The following hierarchy is proposed:



- 5.8 Taking this approach would seek to focus on creating efficiency savings through Improvement and Modernisation of services through our change programme. This will be challenging, given the timescale in which savings require to be found, with significant savings unlikely to be generated through this approach until 2024/25 at the earliest. Further complications arise from the impact of the pandemic and of the wider economy on Council services. The next priority would be to generate more income for the Council, and this will require an ability to identify opportunities to generate income and awareness of the local economy and of the impact of the cost of living on Moray residents and businesses. The last resort would be to reduce or cease services, but realistically inclusion of options from that lower category in the hierarchy of preference seems unavoidable in bridging the gap for 2023/24.
- 5.9 The projected budgets for 2023/24 and 2024/25 included in **APPENDIX 1** assume that the savings approved for 2022/23 are achieved and the rest of the budget rolled forward, with adjustments for one-off funding and one-off savings. The baseline budget has not yet been adjusted for inflationary pressures in 2022/23 which were higher than budgeted for. Pay awards are still unknown. In common with most other Scottish Local authorities the Council budgeted for a 2% pay award in 2022/23. If a higher pay award is agreed without additional recurring funding from Scottish Government then the structural deficit in the budget will increase. As a rule of thumb, 1% pay increase across the workforce equates to an increase of £1.5 million.
- 5.10 The following areas are considered to represent high risk areas for the Council's budget in 2022/23 and future years:
- Pay awards;
 - Increasing inflation rates and interest rates;

- Future Local Government settlements and level of effective ring-fencing of funds;
- Social Care and Additional Support Needs, where demand is escalating;
- Early Learning and Childcare, where funding is decreasing and significant budget cost pressures have been identified;
- Climate Change – the Council has a stated aim of being carbon neutral by 2030, but that will require very significant investment and there is little budgetary provision for this;
- Council Tax receipts – the Council has a good track record for collecting Council Tax, but early indications are that the rate of payment is less than last financial year.

5.11 To address the budget gap, a range of options are being developed, including income generation proposals, small scale efficiencies and some options for service reduction. These will be brought to the Council in early course. By themselves they will only partly bridge the gap and some continued reliance on reserves in the short term will be required. The more and the quicker the budget gap can be narrowed the better for the Council's financial stability and sustainability. The position regarding savings and emerging budget pressures will be monitored and reported, moving towards budget setting in February 2023. Active steps must be taken to reduce the budget gap, following the hierarchical approach outlined above. This will be accompanied by a proactive approach to ensuring there is no non-essential growth in the gap (where the Council has discretion over spend) and careful monitoring of the impact of growth where the Council has no discretion (e.g. pay awards).

10. SUMMARY OF IMPLICATIONS

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

Financial Planning is integral to the Council's overall planning processes and allows the Council to direct resources to its agreed priorities.

(b) Policy and Legal

The Council is required by statute to set a balanced budget before the start of the financial year. The requirement is set out in the Local Government Finance Act 1992 (section 93).

(c) Financial implications

The Council has an underlying structural deficit which will be met from reserves in 2022/23 but this cannot continue as reserves are finite. A continued and heightened budget gap is forecast for 2023/24 and 2024/25.

Early action to tackle the projected funding gap for 2023/24 and 2024/25 is required. As a first step some income generation and other savings proposals will be brought forward. There are considerable uncertainties regarding a number of potential budget pressures. To achieve financial stability and sustainability the creation of further non-essential budget pressures must be avoided.

(d) Risk Implications

The forecast deficits for 2023/24 and 2024/25 represent a significant risk to the Council. There is also a risk that the deficits are understated.

(e) Staffing Implications

There are no staffing implications arising directly from this report.

(f) Property

There are no property implications arising directly from this report.

(g) Equalities/Socio Economic Impact

No implications arise directly from this report.

(h) Climate Change and Biodiversity Impacts

There are no implications for climate change and biodiversity arising from this report.

(i) Consultations

CMT have been consulted in the preparation of this report and Heads of Service involved in discussions on constituent elements, with full consultation being impossible over the summer period.

11. CONCLUSION

11.1 There are considerable uncertainties regarding the Council's budgetary position in 2022/23, however the underlying position is a deficit, funded by use of ear-marked reserves to balance.

11.2 Significant further savings are forecast to be required in 2023/24 and 2024/25.

Author of Report:

Lorraine Paisey, Chief Financial Officer

Background Papers:

Ref:

SPMAN-1293228629-732 / SPMAN-1293228629-733

BUDGET OVERVIEW AS AT 29 JUNE 2022

| | 2021/22 Out- turn | 2022/23 | 2023/24 | 2024/25 |
|--|----------------------------------|----------------|----------------|----------------|
| Revenue Expenditure | £000s | £000s | £000s | £000s |
| Service allocations (assuming prior year savings are achieved) | | 239,957 | 248,783 | 231,998 |
| Adjustments to brought forward figure: | | (17,542) | (8,657) | (1,060) |
| Opening budget | 230,097 | 222,415 | 240,126 | 230,938 |
| Estimated over / (under) spend | (3,748) | | | |
| Pay and price increases | | 5,282 | 3,900 | 4,000 |
| (Decrease) / Increase in Loan Charges | | 700 | 1,700 | 1,500 |
| New Burdens | 6,168 | 4,040 | 0 | 0 |
| Budget pressures | 7,254 | 16,479 | 1,890 | 940 |
| Service developments – approved - proposed | | 645 | | |
| | 239,771 | 249,655 | 247,616 | 237,378 |
| | | | | |
| Revenue Funding | | | | |
| General Revenue Grant / NDRI | 180,086 | 184,205 | 178,708 | 178,708 |
| New burdens funding not included in grant above | | 4,040 | 0 | 0 |
| Council Tax | 44,405 | 42,065 | 48,632 | 50,516 |
| BRIS retention | 1,882 | | | |
| Release from Repairs and Renewals Reserve | | 704 | | |
| Financial Flexibilities - | | | | |
| Funding from General Reserves: | | | | |
| Further approved funding from Free General Reserves | 761 | | | |
| Funded from Ear-marked reserves: | | | | |
| Transformation | 5,161 | 2,497 | 1,060 | 0 |
| Covid | 11,224 | 14,375 | 2,840 | 0 |
| Council priorities | | | | |
| MGD cash flow | | 193 | 759 | 1,136 |
| | | | | |
| | 243,519 | 248,079 | 231,998 | 230,360 |
| | | | | |
| SAVINGS REQUIRED | | 1,576 | 15,617 | 7,018 |
| | | | | |

| | 2021/22 Out- turn | 2022/23 | 2023/24 | 2024/25 |
|--|-------------------------|---------|---------|---------|
| Savings Summary | | | | |
| Savings Approved: | | | | |
| Approved when budget set | 1,052 | 1,245 | 0 | 0 |
| Temporary savings | 143 | 68 | 0 | 0 |
| Further savings approved | | 0 | 35 | 0 |
| Indicative Savings from I&M Programme | 191 | 263 | 557 | 362 |
| Other savings proposed | 188 | | 2,090 | 90 |
| | | | | |
| Savings to be identified | | 0 | 12,935 | 6,566 |
| | | 1,576 | 15,617 | 7,018 |
| | | | | |
| Estimated Free Balance on General Reserves | 5,000 | 5,000 | 5,000 | 5,000 |
| Estimated Balance on covid Reserve | 22,086 | 7,711 | 4,871 | 4,871 |
| Estimated Balance on Transformation Reserve | 5,480 | 2,983 | 1,924 | 1,924 |
| Estimated Balance on Council priorities | 5,881 | 5,881 | 5,881 | 5,881 |
| Estimated balance on MGD cash flow reserve | 4,000 | 3,807 | 3,048 | 1,912 |



REPORT TO: MORAY COUNCIL ON 10 AUGUST 2022

SUBJECT: COMMON GOOD FUNDS – SUMMARY EXPENDITURE FOR 2021/22 AND ESTIMATED DISPOSABLE INCOME FOR 2022/23

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

1.1 To inform Members of the final position of Common Good Funds at 31 March 2022 and the estimated income available for disbursement in 2022/23.

1.2 This report is submitted to Council 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:

- i) note the disbursements approved for 2021/22 for each of the Common Good Funds shown in APPENDIX 1;**
- ii) approve the carry forward of the undisbursed balances for 2021/22 for the Buckie, Cullen, Dufftown, Elgin, Forres, Portknockie, Keith and Findochty Funds to be made available in 2022/23;**
- iii) agree the estimated income available for disbursement in 2022/23 shown in APPENDIX 1;**
- iv) note the Balance Sheet for each Common Good APPENDIX 2;**
- v) note Common Good Fund asset register APPENDIX 3.**

3. BACKGROUND

3.1 The origins of Common Good Funds in Scotland are late 15th Century and they have been defined as “all property of a Burgh not acquired under statutory powers or held under specified trusts”.

- 3.2 Until 1975, the Town Councils of those Burghs in Moray having Common Good Funds managed them. Moray District Council took over the management until 1996 when this Council took over responsibility. The Members of the Council are in a similar position to Trustees.
- 3.3 The Council must retain the ability to continue to make payments from the Common Good Funds to future generations. For that reason preservation of the Common Good Funds' Capital is essential.
- 3.4 In addition, it is essential to use the revenue generated from the Funds to maintain the land and buildings held as assets. The Council is obliged to maintain the Common Good Funds' Balance whether as land, buildings or cash.
- 3.5 Common Good Funds' cash balances can be applied to acquire assets or to carry out major repairs but Members must be satisfied that such acquisitions or works carried out will provide a long term and lasting benefit to the particular community as a whole. The same criteria have to apply to any disposal of assets.
- 3.6 The Policy and Resources Committee established the Council's current policy regarding distribution of the annual income available, on 20th June 2001 (paragraph 7 of the Minute refers). At that time the Committee noted that the true value of money depreciates over time and in an attempt to keep pace and at the same time to be able to make reasonable levels of grants from the income earned, it agreed a policy of distributing two-thirds of the annual income earned with the remaining one-third being retained to maintain the value of the funds.
- 3.7 Members of the Policy and Resources Committee agreed on 16th January 2002, to continue with the policy of distribution of two-thirds of the estimated annual income available from the Common Good Funds (paragraph 22 of the Minute refers). The remaining third was to be re-invested in order to maintain the Funds for the benefit of future generations.
- 3.8 In order to speed up the processing of grant applications, the Policy and Resources Committee delegated authority to the Head of Financial Services in consultation with Local Members to consider grant applications and make appropriate awards. The Moray Council on 13 March 2019 agreed that if two thirds or more of local members are in agreement it is sufficient authority to proceed under delegated authority of the Head of Financial Services. If the agreement of at least two thirds cannot be obtained on an application then the application will be reported to the Corporate Committee.
- 3.9 The Policy and Resources Committee at its meeting on 2 September 2008 (paragraph 12 of the Minute refers) agreed to allow unspent balances to be carried forward and be available to use in the following two years. Any unused funds after two years are added back to the Fund balance. At the same meeting any overspends at 31 March would be limited to 25% of disposable income and had to be replaced over the following two years.

- 3.10 Members should note that the Council is required to account for depreciation on Common Good assets. As this is an accounting entry only, the disposable income continues to be calculated prior to the deduction of depreciation.

4. 2021/22 DISPOSABLE INCOME AND DISBURSEMENTS APPROVED

- 4.1 **APPENDIX 1** shows details of the estimated income and actual disbursements approved for 2021/22 for each of the Common Good Funds.
- 4.2 Expenditure by Keith Common Good Fund to advertise a lease for Seafield Park toilets and pavilion resulted in a deficit of £109 in 2019/20. Per the agreed policy, this deficit is being repaid over two years, 2020/21 and 2021/22.
- 4.3 Cullen Common Good showed a deficit in 2021/22. This was due to the cost of marketing vacant properties at 14 and 16 Reidhaven Street. The properties were sold in 2021/22.

5. 2022/23 DISPOSABLE INCOME

- 5.1 **APPENDIX 1** details the current financial position of the Common Good Funds and the estimated disposable income for 2022/23.
- 5.2 The estimated income figure is calculated to assist Local Members' decision making when allocating grants. The figures are only there as a guide. If a supported application would breach the estimated income limit, disbursement can be made but will require Committee approval.
- 5.3 As can be seen in **APPENDIX 1** there are a number of projects which have already been approved by Local Members for 2022/23.
- 5.4 In the calculation of disburseable income it has been assumed that the full amount of rental income due in 2022/23 will be received. It is acknowledged however, that as a result of Covid-19 this may not be the case.
- 5.5 The interest for 2022/23 has been calculated using a two year fixed PWLB rate of 2.35% as at the 1st April 2022.

6. 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

The financial implications are contained in the body of the report and are detailed in the Appendices.

(d) Risk Implications

There is a risk of overspends exceeding 25% of disposable income if any unforeseen emergency major repairs are required for properties owned by Common Good Funds. Close monitoring of costs and the condition of properties will be undertaken by officers in order to mitigate this risk.

(e) Staffing Implications

None

(f) Property

The condition of all Common Good properties will be monitored in order to keep reactive repairs to a minimum.

(g) Equalities/Socio Economic Impact

None

(h) Climate Change and Biodiversity Impacts

No climate change and biodiversity impacts arise directly from this report.

(i) Consultations

Local Members for each Common Good Fund have been consulted on disbursements for 2021/22.

7. CONCLUSION

- 7.1 The final outturn for 2021/22 and the budgeted income available for disbursement in 2022/23 for each of the Common Good Funds, which the Council administers, is detailed in APPENDIX 1, the Balance Sheet for each Common Good Fund is shown in Appendix 2 and the Common Good Fund asset register is shown in APPENDIX 3.**

Author of Report: Nicky Gosling, Accountant
Background Papers:
Ref: SPMAN-1293228629-728

Buckie Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|---------------|-------------|---------------|
| Investment Property Income | 3,195 | 3,560 | (365) |
| Investment Income | 32,496 | 32,500 | (4) |
| | 35,691 | 36,060 | (369) |
| Less Administrative Costs | 748 | 2,667 | (1,919) |
| | 34,943 | 33,393 | (1,550) |
| Two thirds | 23,296 | | |
| C/f undisbursed income from prior years | 22,914 | | |
| | <hr/> | | |
| Total Budget Available for Disbursement 2021/22 | 46,210 | | |

Grants Awarded During the Year

| | |
|---------------------------------------|-------|
| Buckie Community Theatre | 600 |
| Buckie - Moray School Bank | 1,500 |
| Afghan Support | 150 |
| Refund of unused Afghan Support grant | (150) |
| Buckie Community Theatre | 1,500 |
| Rainbow Days Nursery | 5,000 |
| | <hr/> |
| | 8,600 |

Other Expenditure

| | |
|---|-------|
| Scottish Courts | 132 |
| Scottish Courts-Sale of Land at March Road West | 132 |
| Scottish Courts-Fishermans Hall | 132 |
| | <hr/> |
| | 396 |

| | |
|--------------------|---------------------------|
| Undisbursed Income | <hr/> 37,214 <hr/> |
|--------------------|---------------------------|

Estimated Figures for Disposable Income in 2022/23

| Buckie | |
|---|-------------------------|
| Estimated Disposable Income | £ 25,140 |
| Undisbursed Income (unused limit carry forward from 2021/22) | <u>37,214</u> |
| Total Available for Disbursement 2022/23 | 62,354 |
| <u>Disbursements approved to Date:</u> | |
| <ul style="list-style-type: none"> • Buckie & District Seamen's Memorial Chapel • Buckies Roots • Buckie Victoria Bowling Club | 1,200 5,000 1,000 |
| Projected Income Available for Disbursement | 55,154 |

Cullen Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|---------------|-------------|---------------|
| Investment Property Income | - | - | - |
| Investment Income | 1,200 | 2,511 | (1,311) |
| | 1,200 | 2,511 | (1,311) |
| Less Administrative Costs | 519 | 88 | 431 |
| | 681 | 2,423 | (1,742) |
| Two thirds | 454 | | |
| C/f undisbursed income from prior years | - | | |
| | <u>454</u> | | |
| Total Budget Available for Disbursement 2021/22 | <u>454</u> | | |
| Grants Awarded During the Year | | | |
| Robert the Bruce Endowment | <u>2</u> | | |
| | 2 | | |

Other Expenditure

| | |
|---|----------------------------|
| Legal Fees-Sale of 14/16 Reidhaven St, Cullen | 4,104 |
| EPC 14/16 Reidhaven St, Cullen | 140 |
| Disbursements 14/16 Reidhaven St, Cullen | 20 |
| NDR - 16 Reidhaven St, Cullen | 591 |
| 16 Reidhaven St - Electricity/Gas 21-22 | 66 |
| 16 Reidhaven St Council Tax 21-22 | 873 |
| | <hr/> 5,794 |
| Undisbursed Income | <hr/> (5,342) <hr/> |

Cullen Common Good Fund**Estimated Figures for Disposable Income in 2022/23**

| Cullen | |
|---|--------------|
| Estimated Disposable Income | £ 2,695 |
| <u>Annual Recurring Requests Outstanding:-</u> | |
| <ul style="list-style-type: none"> Robert the Bruce Endowment (This amount is £2.10 accrued annually until sum reaches a reasonable amount to be paid out) | 2 |
| Projected Income Available for Disbursement | 2,693 |

Dufftown Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|------------------|-------------|---------------|
| Investment Property Income | - | - | - |
| Investment Income | 309 | 309 | - |
| Other Income | 8 | 8 | - |
| | <hr/> 317 | <hr/> 317 | <hr/> - |
| Less Administrative Costs | 53 | 3 | 50 |
| | <hr/> 264 | <hr/> 314 | <hr/> (50) |
| Two thirds | 176 | | |
| C/f undisbursed income from prior years | 293 | | |
| | <hr/> 469 | | |
| Grants Awarded During the Year | - | | |
| | <hr/> 469 | | |
| Undisbursed Income | <hr/> 469 | | |

Estimated Figures for Disposable Income in 2022/23

| Dufftown | |
|--|------------|
| | £ |
| Estimated Disposable Income | 239 |
| Undisbursed Income (unused limit carry forward from 2021/22) | <u>349</u> |
| Total Available for Disbursement 2022/23 | 588 |
| Projected Income Available for Disbursement | 588 |

Elgin Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|---------------|-------------|---------------|
| Investment Property Income | 34,461 | 34,385 | 76 |
| Investment Income | 32,807 | 32,902 | (95) |
| Other Income | - | 2,385 | (2,385) |
| | 67,268 | 69,672 | (2,404) |
| Less Administrative Costs | 2,173 | 2,389 | (216) |
| | 65,095 | 67,283 | (2,188) |
| Two thirds | 43,397 | | |
| C/f undisbursed income from prior years | 50,851 | | |
| Less previously agreed expenditure for property repairs | (4,394) | | |
| Total Budget Available for Disbursement 2021/22 | 89,854 | | |

Actual Grants Awarded

| | |
|----------------------------------|-------|
| Moray School Bank | 5,000 |
| Ashgrove & New Elgin Public Hall | 3,500 |
| | 8,500 |

Other Expenditure

| | |
|--|--------|
| Contribution to Seagull Control 2021-22 | 22,000 |
| Property Enquiry Certificate-The College (Depot), King St, Elgin | 354 |
| Clear Guttering-239 High St, Elgin | 109 |
| General Insurance 239 High St, Elgin | 73 |
| | 22,536 |

| | |
|--------------------|----------------------|
| Undisbursed Income | <u><u>58,818</u></u> |
|--------------------|----------------------|

Estimated Figures for Disposable Income in 2022/23

| Elgin | |
|--|---|
| | £ |
| Estimated Disposable Income | 45,751 |
| Undisbursed Income (unused limit carry forward from 2020/21) | 58,818 |
| Less repayment of capital advance for property repairs | <u>(4,394)</u> |
| Total Available for Disbursement 2022/23 | 100,175 |
| <u>Disbursements approved to Date:</u> | |
| <ul style="list-style-type: none"> • Anderson's Care Home • Scotland Loves Local • Gull Proof Bins – Town Centre • Bishopmill Mutual Improvement Association • Repairs to 239 High Street | 7,500 5,000 3,498 15,000 32,500 |
| Projected Income Available for Disbursement | 36,677 |

Forres Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|---------------|-------------|---------------|
| Investment Property Income | 30,642 | 30,644 | (2) |
| Investment Income | 9,277 | 9,563 | (286) |
| Other Income | - | 200 | (200) |
| | 39,919 | 40,407 | (488) |
| Less Administrative Costs | 1,338 | 1,993 | (655) |
| | 38,581 | 38,414 | 167 |
| Two thirds | 25,721 | | |
| C/f undisbursed income from prior years | 1,698 | | |
| Less previously agreed expenditure for property repairs | (1,483) | | |
| Total Budget Available for Disbursement 2021/22 | <u>25,936</u> | | |

Grants Awarded During the Year

| | |
|-----------------------------------|---------------|
| Forres Christmas Lights Insurance | 750 |
| Transition Town Forres | 8,000 |
| Forres in Bloom | 4,500 |
| Forres - Moray School Bank | 3,000 |
| | <u>16,250</u> |

Other Expenditure

| | |
|---|---------------------|
| Contribution to Seagull Control-Pilmuir 2021-22 | 1,330 |
| | <u>1,330</u> |
| Undisbursed Income | <u><u>8,356</u></u> |

Estimated Figures for Disposable Income in 2022/23

| Forres | |
|--|----------------|
| | £ |
| Estimated Disposable Income | 27,022 |
| Undisbursed Income (unused limit carry forward from 2021/22) | 8,356 |
| Less repayment of capital advance for property repairs | <u>(1,485)</u> |
| Total Available for Disbursement 2022/23 | 33,893 |
| <u>Disbursements approved to Date:</u> | |
| • Provision for Christies Elite rent review valuation | 1,000 |
| • Forres Heritage Trust | 2,000 |
| Projected Income Available for Disbursement | 30,893 |

Portknockie Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|-------------------|-------------|---------------|
| Investment Income | 1,084 | 1,084 | - |
| | 1,084 | 1,084 | - |
| Less Administrative Costs | 161 | 61 | 100 |
| | 923 | 1,023 | (100) |
| Two thirds | 615 | | |
| C/f undisbursed income from prior years | 220 | | |
| Total Budget Available for Disbursement 2021/22 | <u>835</u> | | |
| Grants Awarded During the Year | - | | |
| Undisbursed Income | <u><u>835</u></u> | | |

Estimated Figures for Disposable Income in 2022/23

| Portknockie | |
|---|--------------|
| | £ |
| Estimated Disposable Income | 784 |
| Undisbursed Income (unused limit carry forward from 2021/22) | <u>835</u> |
| Total Available for Disbursement 2022/23 | 1,619 |
| <u>Disbursements approved to Date:</u> | |
| <ul style="list-style-type: none"> Portknockie Paddling Pool | 500 |
| Projected Income Available for Disbursement | 1,119 |

Keith Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|---------------|-------------|---------------|
| Investment Income | 146 | 232 | (86) |
| Other Income | - | 5,000 | (5,000) |
| | 146 | 5,232 | (5,086) |
| Less Administrative Costs | 1 | 2 | (1) |
| | 145 | 5,230 | (5,085) |
| Two thirds | 96 | | |
| C/f undisbursed income from prior years | 8 | | |
| Less 50% of 2019/20 overspend | (55) | | |
| Total Budget Available for Disbursement 2021/22 | 49 | | |
| Grants Awarded During the Year | - | | |
| Undisbursed Income | <u>49</u> | | |

Estimated Figures for Disposable Income in 2022/23

| Keith | |
|--|------------|
| | £ |
| Estimated Disposable Income | 189 |
| Undisbursed Income (unused limit carry forward from 2021/22) | <u>49</u> |
| Total Available for Disbursement 2022/23 | 238 |
| Projected Income Available for Disbursement | 238 |

Findochty Common Good Fund

Actual Financial Performance against Estimated Figures for 2021-22

| | Estimate £ | Actual £ | Variance £ |
|---|---------------|-------------|---------------|
| Investment Property Income | 1,500 | 1,500 | - |
| Investment Income | 44 | 72 | (28) |
| | 1,544 | 1,572 | (28) |
| Less Administrative Costs | 185 | 76 | 109 |
| | 1,359 | 1,496 | (137) |
| Two thirds | 906 | | |
| C/f undisbursed income from prior years | 265 | | |
| | 1,171 | | |
| Grants Awarded During the Year | - | | |
| Other Expenditure | | | |
| Advert re notice of Findochty Town Hall CAT | 72 | | |
| | 1,099 | | |
| Undisbursed Income | 1,099 | | |

Estimated Figures for Disposable Income in 2022/23

| Findochty | |
|--|--------------|
| | £ |
| Estimated Disposable Income | 1,004 |
| Undisbursed Income (unused limit carry forward from 2021/22) | <u>1,099</u> |
| Total Available for Disbursement 2022/23 | 2,103 |
| Projected Income Available for Disbursement | 2,103 |

Appendix 2

Balance Sheet as at 31st March 2022 by Common Good Fund

| | Buckie £000 | Cullen £000 | Dufftown £000 | Elgin £000 | Forres £000 | Portknockie £000 | Keith £000 | Lossie £000 | Findochty £000 | Total £000 |
|----------------------------|----------------|----------------|------------------|---------------|----------------|---------------------|---------------|----------------|-------------------|---------------|
| Fixed Assets | 2,484 | 17 | - | 8,907 | 2,738 | - | 286 | 1,257 | 519 | 16,208 |
| Current Assets | | | | | | | | | | |
| Debtors and Stocks | 1 | - | - | 8 | - | - | - | - | - | 9 |
| Loans Fund Balance | 1,573 | 176 | 15 | 1,602 | 462 | 52 | 12 | - | 4 | 3,896 |
| | 1,574 | 176 | 15 | 1,610 | 462 | 52 | 12 | - | 4 | 3,905 |
| Current Liabilities | | | | | | | | | | |
| Creditors | - | - | - | 2 | 3 | - | - | - | 1 | 6 |
| | - | - | - | 2 | 3 | - | - | - | 1 | 6 |
| Total Net Assets | 4,058 | 193 | 15 | 10,515 | 3,197 | 52 | 298 | 1,257 | 522 | 20,107 |
| Financed By: | | | | | | | | | | |
| Revaluation Reserve | 2,443 | 17 | - | 7,762 | 1,862 | - | 43 | 1,257 | 520 | 13,904 |
| Revenue Balance | 1,615 | 176 | 15 | 2,753 | 1,335 | 52 | 255 | - | 2 | 6,203 |
| Reserves | 4,058 | 193 | 15 | 10,515 | 3,197 | 52 | 298 | 1,257 | 522 | 20,107 |

Common Good Asset Register

Buckie Common Good

Fishermans Hall, 16 North Pringle St, Buckie
 Town House West (Hall), Cluny Place, Buckie AB56 1HB
 Library, Cluny Place, Buckie, AB56 1HB
 Fishing Heritage Centre, Cluny Place, Buckie AB56 1HB
 Town House West (Offices), Cluny Place, Buckie AB56 1HB
 Public Toilets, Cluny Place, Buckie
 Development Land, March Road West, Buckie
 Sites Opposite 26 Barron St, Buckie AB56 1XD
 42A Freuchny Rd, Buckie AB56 1TX
 25B East Cathcart St, Buckie AB56 1JP
 Site to rear of 5 Bridge Place, Buckie
 Store, Freuchny Road, Buckie
 Linzee Gordon Park, Buckie - Public Park, Play Area and Pavilion
 Buckie Victoria Bowling Club, West Church Street, Buckie
 Heritable Assets - Ansons Collection
 Heritable Assets - Chains of Office

Cullen Common Good

Heritable Assets - Chains of Office

Dufftown Common Good

Tininver Park, Tininver Street, Dufftown
 Woodland Princess Royal Park Conval Street Dufftown
 Woodland Bridge Of Poolinch Dufftown
 Woodland Tininver Brae Dufftown
 Woodland Mortlach Distillery Dufftown

Elgin Common Good

239 High Street, Elgin, IV30 1DJ
 Site Adjacent To 239 High Street Elgin Moray
 Riverside Caravan site, Elgin IV30 8UN
 Field Adjacent to The Oaks, Morriston Road, Elgin
 Field Adjacent to Oakview, Morriston Road, Elgin
 Shooting Acres & Aughteen Park Lands, Pluscarden Road, Elgin
 Moray Leisure Centre, Borough Briggs Road IV30 1AP
 Field at Riverside, West Road, Elgin
 Ground adjacent to The Mansion House, Blackfriars Rd, Elgin
 The Oaks, Morriston Road, Elgin IV30 6UN
 Playing field, Borough Briggs Rd, Elgin
 Lesser Borough Briggs, Borough Briggs Road, Elgin
 Play area, McIntosh Drive, Elgin
 Play area, Ardgilzean Place, Elgin
 Loch and Country Park, Millbuies, Elgin
 Depot Cooper Park, Elgin
 Greenfingers Nursery, King Street , Elgin IV30 1HU
 Biblical Gardens, King Street, Elgin
 Training Centre, Cooper Park, King Street, Elgin
 Rainbow Castle, Borough Briggs Road, Elgin
 * Dovecot Pavilion, Elgin
 Monument, Prospect Terrace, Lossiemouth (Charter of Novodamus)
 Site opposite 2 Seatown, Lossiemouth (Charter of Novodamus)
 Public Convenience, Seatown Rd, Lossiemouth IV31 6JL (Charter of Novodamus)
 Heritable Assets - Chains of Office

Forres Common Good

Forres Mechanics Football Ground, Mosset Park, Lea Rd, Forres IV36 1AU
Land adjacent to Mosset Park, Lea Road, Forres, IV36 1DX
Forres Bowling Club, St Catherines Rd , Forres
Nelsons Tower
The Greens, Forres
Car Park, Bogton Road, Forres IV36 3TW
Nursery, Bogton Road, Forres IV36 3TW
Bogton Playing Field and Play Area, Bogton, Forres
Christies Elite Nurseries Limited, Bogton Rd, Forres IV36 3TW
38a Clovenside Road (adjacent to Clovenside Cemetery), Forres
Field, Pilmuir Road West, Forres
Kingsmeadow Field, Forres
Field A Clovenside
Field B Clovenside
Market Cross Monument, High St, Forres
Forres Golf Club
Forres Golf Course, Forres IV36 2RD
Land at mouth of River Findhorn
Roysvale Park and Pavillion, Sanquhar Road, Forres
Heritable Assets - Chains of Office

Keith Common Good

Nursery Park, Keith
Store, Seafield Park, Keith
Show Ground Store, Seafield Park, Keith AB55 5AJ
Pavillion, Seafield Park, Keith
Seafield Park, Keith
Heritable Assets - Chains of Office

Lossiemouth Common Good

Coulardbank Pavillion, Coulardbank Playing Fields, Lossie
Coulardbank Playing Fields, Coulardbank Road, Lossiemouth
Town Hall, High Street, Lossiemouth IV31 6AA
Lossiemouth Library, High Street, Lossiemouth IV31 6AA
Town Hall, High Street, Lossiemouth IV31 6AA

Findochty Common Good

Town Hall, 22 Station Rd, Findochty AB56 4PN

Burghead Common Good

St Aethans Park and Play Area, St Aethans Rd, Burghead
Heritable Assets - Chains of Office

Assets transferred from Moray Council in 2021-22

* Dovecot Pavilion, Elgin

Assets removed in 2021-22

Sold 2021/22

14/16 Reidhaven Street, Cullen AB56 4SZ



REPORT TO: MORAY COUNCIL ON 10 AUGUST 2022

SUBJECT: TRUST FUNDS – SUMMARY EXPENDITURE FOR 2021/22 AND ESTIMATED DISPOSABLE INCOME FOR 2022/23

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

1.1 To inform Members of the disbursements made from Trusts in 2021/22 and the estimated disposable income available for disbursement in 2022/23

1.2 This report is submitted to Council in terms of Section III B (16) of the Council's Scheme of Administration relating to the Management and Investment of any funds including Common Good and Trust Funds.

2. RECOMMENDATION

2.1 The Council is asked to:

(i) consider and note the disbursements made from each of the Trust Funds in 2021/22, shown in APPENDIX 1; and

(ii) agree the estimated income available for disbursement in 2022/23, shown in APPENDIX 2

3. BACKGROUND

3.1 The Council administers 37 trust funds in total, acting as sole trustee for 33 trusts and as one of several trustees for the other four trust funds. The trust funds represent legacies bestowed by various individuals and organisations for the benefit of the community or organisations within Moray.

3.2 The Council acts as sole trustee for 8 Connected Charity trust funds which have charitable status and are registered with the Office of the Scottish Charity Regulator (OSCR). The Council are one of several trustees for one other OSCR registered trust fund. The remaining 28 trusts are unregistered, with the Council being sole trustee for 25 of these and one of several trustees for the other three.

3.3 Since 2013/14, the Registered Charitable Trusts require to be audited by an external auditor who is appointed by the Accounts Commission, currently

Audit Scotland. This only applies to any Charitable Trust for whom the Council is the sole trustee. Any Charitable Trust for whom the Council is not the sole trustee requires to be examined by an Independent Examiner; Azets (previously Scott-Moncrieff) has been appointed as Independent Examiner for the Auchernack Trust.

- 3.4 Policy and Resources Committee on 2 September 2008 (paragraph 11 of the Minute refers) agreed to only disburse grants from trusts where the disposable income is greater than £50 and to carry forward undistributed funds each year until the disposable income reaches £50. Policy and Resources Committee on 8 October 2013 (paragraph 8 of the Minute refers) agreed that the whole annual income of the trust will be made available for disbursement in accordance with the trust deed (prior to this one third of the income was reinvested) although the policy not to disburse any Trust Fund with disposable income under £50 remains.
- 3.5 Reports to Moray Council on 14 November 2012 (paragraph 7 of the Minute refers) and 24 June 2015 (paragraph 10 of the Minute refers) agreed to a scheme of Trust reorganisation, and approved the proposal for setting up a new trust along with the wording of the proposed Trust Deed.
- 3.6 In August 2016, OSCR awarded charitable status to the new trust: The Moray Council Charitable Trust (TMCCT) (SC046791) with the planned transfer of 27 individual connected charitable trusts into the new trust. The trusts being reorganised into this new single trust will be utilised, as far as possible, in a manner consistent with the original trust purposes.
- 3.7 In 2018/19 one trust was given approval to be reorganised into TMCCT and during 2020/21 a further 23 trusts were approved by OSCR for reorganisation.
- 3.8 TMCCT has been set up with nine sub categories based on location and charitable purpose, in order to keep in a manner consistent with the original trust purposes. The sub categories are:
 - TMCCT Dufftown (poverty)
 - TMCCT Elgin (age related)
 - TMCCT Elgin (poverty)
 - TMCCT Elgin (recreational)
 - TMCCT Elgin & Forres
 - TMCCT Forres (age reasons)
 - TMCCT Forres (poverty)
 - TMCCT Keith (financial)
 - TMCCT Lossiemouth (poverty)

4. DISBURSEMENTS IN 2021/22

- 4.1 **APPENDIX 1** gives details of the disposable income and disbursements made during 2021/22 from each trust fund.
- 4.2 In total, £73,244 was awarded in the year from twelve of the trust funds. Disbursements included £51,654 from the Education trusts, Moray and Nairn, Banffshire, Donald Manson Fund and the Milne's Institution Trust; £18,011

from the Auchernack trust; £1,000 from the Boyd Anderson Trust. A further £2,579 was awarded from other Trusts.

- 4.3 Any undisbursed income is held in the reserves of the trust to be included in the following year's income disbursement calculation.

5. 2022/23 DISPOSABLE INCOME

- 5.1 **APPENDIX 2** shows the estimated disposable income for each trust fund in 2022/23. The estimated income figure is calculated to assist Local Members' decision making when awarding funds. The figures are only there as a guide. The total projected funds available for disbursement in 2022/23 is £166,153. Of this, £11,765 is undisbursed from 2021/22 with £9,087 of that balance being committed expenditure. The Education trust approved amounts were not spent in the year, mainly due to events being cancelled and will be reallocated along with the 2021/22 funds. Where applications have been approved in principle during 2021/22 and are awaiting further information before disbursing funds, these are showing as committed expenditure.
- 5.2 The reorganisation has reduced the number of trusts that have either nil or less than £50 disposable income, ensuring that as much income as possible from the trust funds can be passed on to beneficiaries as efficiently as possible. There are still some trusts that have loans pool balances invested in the Council's Loans Fund, and they earn annual interest on this balance, however a share of administration costs is also allocated to these trusts and this then reduces the available income to below the £50 threshold.
- 5.3 In the calculation of disbursement income for 2022/23 it is recognised that, due to the ongoing after effects of Covid-19, including continued homeworking for many, car park income has been impacted which will affect the River Lossie and Cooper Park trusts. Investment income earned on endowment investments could also vary depending on the markets. With this in mind, a prudent estimate for both has been projected.
- 5.4 The interest on balances held in the Council's bank for 2022/23 has been calculated using the two year fixed Public Works Loan Board rate as at 1 April 2022 of 2.35%.
- 5.5 The estimated administration charge to be allocated over all trusts in 2022/23 is £16,125 (actual 2021/22 £12,914 and 2020/21 £19,379). The higher charge in 2020/21 reflects additional work done on the reorganisation.

6. SUMMARY OF IMPLICATIONS

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

Although there is no direct link to the Moray 2026, the reorganisation of the Trusts will result in efficiencies within the Trust funds.

(b) Policy and Legal

The Council's adoption of the policy of disbursing the whole annual income will enable more funds to be available for disbursement.

(c) Financial implications

In 2021/22 there was £149,963 of funds available for disbursement with £73,244 disbursed in the year from twelve of the trust funds, as identified in **APPENDIX 1**.

APPENDIX 2 shows the estimated disposable income for each trust fund in 2022/23. The total projected funds available for disbursement in 2022/23, plus carry forwards of undisbursed income from 2021/22, is £166,153 for trusts with available income over the minimum £50 level. The carry forwards from Milne's Institution, Banffshire and Moray and Nairn Educational trusts are permitted through the deeds of the trust, allowing a carry forward of any unspent funds into the following year.

The amount committed to date is £9,087 as shown in **APPENDIX 2**.

(d) Risk Implications

There is a risk of overspends exceeding disposable income if any unforeseen emergency major repairs are required for properties owned by Trust Funds. Close monitoring of costs and the condition of properties will be undertaken by officers in order to mitigate this risk.

(e) Staffing Implications

There are no staffing implications arising from this report.

(f) Property

The condition of all Trust Fund properties will be monitored in order to keep reactive repairs to a minimum.

(g) Equalities/Socio Economic Impact

There are no equalities issues arising directly from this report.

(h) Climate Change and Biodiversity Impacts

There are no climate change or biodiversity impacts arising directly from this report.

(i) Consultations

Local Members are consulted on discretionary disbursements particular to their ward.

7. CONCLUSION

7.1 Details of disbursements for 2021/22 for each Trust Fund are detailed in APPENDIX 1 and the estimated income available for disbursement for each Trust Fund for 2022/23 is shown in APPENDIX 2.

| | |
|--------------------|--|
| Author of Report: | Susan Souter, Accountant |
| Background Papers: | Held in Accountancy |
| Ref: | SPMAN-1293228629-725 / SPMAN-1293228629-726 / SPMAN-1293228629-727 |

Trust Funds Disbursements 2021/22

| Ward | TRUST FUND | Total Available for Disbursement 2021/22 £ | Actual Disbursement 2021/22 £ |
|-------------------------|------------------------------------|--|-------------------------------|
| All | Burial Grounds PERPS | 562 | 562 |
| All | Burial Grounds TRUSTS | 164 | 164 |
| All | JB Mair Fund | 639 | - |
| All | The Moray Council Charitable Trust | 1,238 | - |
| Elgin North | Craigmoray Bequest(Bishopmill) | 9,872 | - |
| Elgin North | John Pringle Bequest | 1,102 | 100 |
| Elgin South/North | Laing Mortification | 6,413 | - |
| Fochabers Lhanbryde | Milne's Institution Trust | 6,669 | 6,669 |
| Forres | Auchernack | 26,447 | 18,011 |
| Forres | Donald Manson (Edinkillie) Fund | 8,431 | 8,432 |
| Forres | Donald Manson (Forres Burgh) Fund | 2,330 | 2,330 |
| Heldon & Laich | Boyd Anderson Trust | 299 | 1,000 |
| Keith & Cullen | Glenisla Comforts Fund | 3,492 | - |
| Keith & Cullen | William Lawtie | 3,084 | - |
| Old Banffshire Boundary | Banffshire Educational Trust | 24,796 | 24,247 |
| Old Moray Boundary | Moray & Nairn Educational | 14,702 | 9,976 |
| Old Moray Boundary | The Pringle Trust | 2,141 | 1,628 |
| Public Trust | River Lossie | 10,842 | - |
| Public Trust | Grant Park | 2,644 | - |
| Public Trust | Cooper Park | 16,480 | - |
| Speyside Glenlivet | The MacDonald Benevolent Fund | 6,058 | 125 |
| Speyside Glenlivet | Speyside Comforts Fund | 1,558 | - |
| TOTAL | | 149,963 | 73,244 |

Trusts with Disposable Income under £50

| Ward | TRUST FUND | Total Available for Disbursement 2021/22 £ | Actual Disbursement 2021/22 £ |
|--------------------|-------------------|--|-------------------------------|
| Elgin South/North | Young | - | - |
| Elgin | Jubilee Cottages | - | - |
| Elgin | Ladyhill Cottages | - | - |
| Forres | Castlehill Trust | - | - |
| Forres | Grant Park Trust | - | - |
| Keith & Cullen | Keith Poor Funds | - | - |
| Speyside Glenlivet | Dufftown Food | - | - |
| TOTAL | | - | - |

Trust Funds Projected Disbursement 2022/23

| Ward | TRUST FUND | Projected Disposable Income 2022/23 £ | Undisbursed Income 2021/22 £ | Total Available for Disbursement 2022/23 £ | Committed Expenditure 2022/23 £ |
|-------------------------|------------------------------------|--|---------------------------------|---|------------------------------------|
| All | Burial Grounds PERPS | 628 | - | 628 | - |
| All | JB Mair Fund | 775 | - | 775 | - |
| All | Burial Grounds TRUSTS | 183 | - | 183 | - |
| All | The Moray Council Charitable Trust | 3,858 | - | 3,858 | - |
| Elgin North | Craigmoray Bequest(Bishopmill) | 11,697 | - | 11,697 | - |
| Elgin North | John Pringle Bequest | 1,160 | - | 1,160 | - |
| Elgin South/North | Laing Mortification | 7,319 | - | 7,319 | - |
| Elgin South/North | Young * | 200 | - | 200 | - |
| Fochabers Lhanbryde | Milne's Institution Trust | 7,916 | 6,669 | 14,585 | 6,669 |
| Forres | Auchernack ** | 19,953 | - | 19,953 | 175 |
| Forres | Donald Manson (Edinkillie) Fund | 9,980 | - | 9,980 | - |
| Forres | Donald Manson (Forres Burgh) Fund | 2,547 | - | 2,547 | - |
| Forres | Logie Cottages, Forres | 1,964 | - | - | - |
| Heldon & Laich | Boyd Anderson Trust * | 399 | - | 399 | - |
| Keith & Cullen | Glenisla Comforts Fund | 4,163 | - | 4,163 | - |
| Keith & Cullen | William Lawtie | 3,448 | - | 3,448 | - |
| Old Banffshire Boundary | Banffshire Educational Trust | 27,506 | 370 | 27,876 | - |
| Old Moray Boundary | Moray & Nairn Educational * | 15,792 | 4,726 | 20,518 | 2,243 |
| Old Moray Boundary | The Pringle Trust | 2,403 | - | 2,403 | - |
| Public Trust | River Lossie | 11,293 | - | 11,293 | - |
| Public Trust | Grant Park | 2,385 | - | 2,385 | - |
| Public Trust | Cooper Park | 12,030 | - | 12,030 | - |
| Speyside Glenlivet | The MacDonald Benevolent Fund | 6,893 | - | 6,893 | - |
| Speyside Glenlivet | Speyside Comforts Fund | 1,860 | - | 1,860 | - |
| TOTAL | | 156,352 | 11,765 | 166,153 | 9,087 |

Trusts with Disposable Income under £50

| Ward | TRUST FUND | Projected Disposable Income 2022/23 £ | Undisbursed Income 2020/21 £ | Total Available for Disbursement 2022/23 £ | Committed Expenditure 2022/23 £ |
|--------------------|----------------------|--|---------------------------------|---|------------------------------------|
| Elgin | Jubilee Cottages | - | - | - | - |
| Elgin | Ladyhill Cottages | - | - | - | - |
| Forres | Castlehill Trust * | - | - | - | - |
| Forres | Grant Park Trust * | - | - | - | - |
| Forres | Forres Squash Courts | - | - | - | - |
| Keith & Cullen | Keith Poor Funds * | - | - | - | - |
| Speyside Glenlivet | Dufftown Food * | - | - | - | - |
| TOTAL | | - | - | - | - |

* To be audited by Audit Scotland

** To be audited by Azets



REPORT TO: MORAY COUNCIL 10 AUGUST 2022

SUBJECT: COVID ECONOMIC RECOVERY FUND

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of how the COVID Economic Recovery Fund has been utilised and to seek approval for the proposed allocations from the remaining funds.
- 1.2 This report is submitted to Committee in terms of Section III (2) of the Council's Scheme of Administration relating to long-term financial plans.

2. RECOMMENDATION

2.1 It is recommended that Council:-

- (i) **notes the progress on the dispersion of the COVID Economic Recovery Fund; and**
- (ii) **agree to re-allocate some of the funding between the Flexible Food Fund (£162,000) and a Sport and Culture Hardship Fund (£40,000);**
- (iii) **agree to transfer any unspent balance as at 31 March 2023 into an ear-marked reserve.**

3. BACKGROUND

- 3.1 At the meeting of Moray Council on 6 April 2022, (para 15 of the minute refers) the Council agreed that the Covid Economic Recovery Fund would be distributed as £400,000 to the Flexible Food Fund, £400,000 to the Discretionary Business Support Fund and £410,000 for the Town Centre Capital business improvements and start-up grants.
- 3.2 The overarching policy intent of this funding that Local Authorities received was to support local economic recovery and the cost of living impacts on low-income households. The 5 guiding principles for this funding were as follows;

- Interventions made under this fund should be based on a clear economic recovery and/or low-income household support rationale.
- A collaborative approach towards sharing of best practice and learnings from different interventions should be adopted to maximise benefits and positive effects while minimising risk and unintended consequences.
- Local Authorities may wish to allocate funding to interventions that support local economic recovery and enable businesses to move from surviving the period of trading restrictions towards recovery, growth, adaptation and building resilience.
- Local Authorities may wish to allocate funding to projects that can rebuild consumer confidence and stimulate demand and economic activity in their specific context.
- Local Authorities may wish to allocated funding to support the low income households, that are disproportionately impacted by the pandemic and there current cost of living crisis, become more economically active.

3.3 A summary update on the allocated funding is as follows;

- **Flexible Food Fund (FFF)** – Demand on the fund continues to be busy due to the latest cost of living crisis and some additional demand from the resettlement of Ukrainian refugees. Claimants are entitled to receive two monthly payments which represent a contribution towards food and fuel costs. The amounts awarded vary depending on the number of adults and children in each household. Claimants must be in receipt of means tested benefits which confirms evidence of low income households. The second payment is awarded on condition of working with the Money Advice Moray team to maximise benefit income, receive help with budgeting and managing bills and debts. As at the end of June 2022, £60,000 has been committed so far mainly towards first payments. It is a familiar pattern experienced over the past two years that FFF payments slowly build up from the start of a financial tranche as claims increase and second payments to households follow. To put into context, in the last quarter of 2022/23 alone, £248K was spent whereas £158K was spent during the previous 9 months. Consequently it is fully expected that spending will increase, coupled with the continuation of the cost of living crisis, further fuel increases in the Autumn and the onset of colder weather, it is expected that the fund will be fully utilised. **Appendix 1** of this report provides background information on the Flexible Food Fund along with the expenditure and demographics of households awarded this support over the first two years of the fund.
- **Discretionary Business Support Fund** – providing a one-off grant of £6,000 to businesses affected by the December 2021/January 2022 Covid-19 measures. Businesses should be from Hospitality and Leisure including Retailers which offer Hospitality, Supply Chains, Events and Close Contact sectors and have been unable to get any further financial support from any of the administrative public bodies since December 2021. Out of 113 applications, 33 have been approved at a total of £198,000

grants. Of those not been successful the main reasons were that they had already received grants, ineligible sectors and / or not being affected by any restrictions. It is unlikely at this stage further eligible applications would come forward.

- **Town Centre capital business improvements and start-up grants** - So far 33 applications have been received for the Capital Business Improvement Grants seeking investment of up to £15,000 with providing 25% match funding. 23 requests have been approved committing up to £345,000 in total. 12 start-up applications have been received for grants of up to £10,000 providing 50% match funding with 3 approvals for up to a total of £30,000. The reasons for unsuccessful applications have been that either works had already started or the business was not located in a town or village centre. It is expected that these funds will fully utilise their allocation based on the current level of enquiry.

3.4 It is proposed to re-allocate the £202,000 left from the Discretionary Business Support Fund into the Flexible Food Fund (£162,000) and a new Sport and Culture Hardship Fund (£40,000). The reason for this request is due to the greater demand to support financial hardship across the Moray area. As is noted above the Flexible Food Fund is already in high demand due to the cost of living crisis and resettlement of Ukrainian refugees with 15% of their allocated funding committed within less than a two month period.

3.5 It is proposed to allocate £40,000 to a Sport and Culture Hardship Fund which would be used to support children and young people under 18 years to access funding for leisure and recreation opportunities outwith the school setting. Research shows that there is an increase in the number of children and young people unable to join sports clubs, music groups, and art/culture/digital activities due to financial hardship. Under the United Nations Convention on the Rights of the Child, every child has the right to relax, play and take part in cultural and artistic activities. They also need to have the ability to develop their personality, talents and mental and physical abilities to the full. The ability to participate in extra-curricular groups or informal leisure opportunities is crucial to a child's development and this fund would support those experiencing hardship.

3.6 The feedback from parents and children following the Summer of Play Scottish Government funding in 2021 also supports this type of hardship fund. Key successes of this programme included;

- Provided food and activities for young people and families who otherwise would not have been able to access/afford them.
- Children and young people reported improved confidence and wish to engage in a wider range of community activities.
- Improved family relationships through allocation of direct payments to families.
- Increase in self-confidence and self-worth as families could access the same opportunities as others.
- Children and young people valued being listened to and provision being designed with and for them.

- Families welcomed the trust placed in them to spend the funding on opportunities of their choosing. Many were both surprised and grateful that funders were placing importance on meeting their needs.
- 3.7 Criteria have been created for this proposed Sport and Culture Hardship Fund and is included in **Appendix 2**. The criteria aligns with the flexible food fund to ensure a consistent approach in regards to financial hardship.
- 3.8 An alternative option would be to reallocate the £202k underspend from the discretionary business support fund to the town centre capital business improvements and start up grants fund which would allow continuation of this fund. With the current staffing levels and workloads in the economic development team it would be difficult to take on this work without additional staffing resource.

4. **SUMMARY OF IMPLICATIONS**

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

This report contributes to the Corporate Plan priority of 'Our People' – providing opportunities where young people can achieve their potential to be the best they can be and helping to improve the health and well-being for the people of Moray.

This report contributes to the Moray LOIP priority areas of building a better future for our children and young people in Moray and improving the wellbeing of our population.

(b) Policy and Legal

Improving the health and wellbeing of the Moray community through sport, leisure and recreation is not only an integral part of the local vision, but it is also a national priority.

(c) Financial implications

This report requests that £202,000 of the Discretionary Business Support Fund that is left is transferred into the Flexible Food Fund (£162,000) and a new Sport & Culture Hardship Fund (£40,000) to cater for increasing demand/need or to continue the town centre capital grants and start up fund by allocating the £202k underspend to it.

This funding comes to the Council as General Revenue Grant which means it is not ring fenced and technically can be used as the Council wishes. In order to ensure that the funding is used in its entirety for the wider purposes originally identified, it is recommended that any underspend as at 31 March 2023 is transferred to the Covid ear-marked reserve.

(d) Risk Implications

There are no risk implications connected to this report.

(e) Staffing Implications

The Flexible Food Fund would continue to be administered through the Benefits and Money Advice team. The Sport & Culture Hardship Fund would be administered through the existing Sport and Culture Service.

In regards to the Town Centre Capital grants option, the Economic Growth and Regeneration team has been working beyond capacity for some time, the levels of funding and projects currently being worked on is not sustainable and is likely to result in a budget pressure to increase staffing resources.

(f) Property

There are no property implications connected to this report.

(g) Equalities/Socio Economic Impact

This report impacts positively on ensuring equality across the Moray area.

(h) Climate Change and Biodiversity Impacts

There are no direct implications for climate change and biodiversity arising from the proposals.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Economic Growth and Regeneration Manager, the Legal Services Manager, the Chief Financial Officer and Tracey Sutherland, Committee Services Officer have been consulted and comments received have been incorporated into the report.

5. CONCLUSION

- 5.1 The discretionary business support fund is underspent, the remaining funds can still be spent for similar purpose and without time restrictions, and the report provides options for members to consider how to reallocate the available funding.**

| | |
|--------------------|--|
| Author of Report: | Kim Slater, Sport and Culture Service Manager Norma Matheson, Benefits and Money Advice Manager |
| Background Papers: | |
| Ref: | SPMAN-813460984-270 / SPMAN-813460984-271 / SPMAN-813460984-272 |

FLEXIBLE FOOD FUND OVERVIEW

Background

The Flexible Food Fund (FFF) was developed in-house in response to the Scottish Government principles of managing a food fund throughout the pandemic which included providing local flexibility, financial support and a whole household, whole needs response. The FFF was launched on 12 May 2020 and is still running to date.

Our approach in Moray to food and financial insecurity has been recognised as a best practice by the Scottish Government as it offers a “cash-first” solution alongside a holistic and long-term support service for individuals and families experiencing extreme financial hardship.

Throughout the pandemic the Scottish Government has provided local authorities with a number of tranches of funding to tackle food insecurity, which now includes fuel insecurity. From 2022/23 the funding being utilised for the FFF is the Covid Economic Recovery Fund, in line with principle 5 of the funding guidance:

“Local Authorities may wish to allocated funding to support the low income households, that are disproportionately impacted by the pandemic and the current cost of living crisis, become more economically active Examples:

- Proactive financial assistance to low-income households, for example households in receipt of Council Tax Reduction and/or Free School Meals on the basis of low income. Providing pre-paid vouchers, Scotland Loves Local cards or local equivalents to low-income households, such as those in receipt of Council Tax Reduction and other low-income households.
- Proactive financial assistance to support those likely to experience hardship – including people who may have been impacted by the cut to Universal Credit and those who may not be eligible for mainstream or other support.
- Proactive financial assistance to a particularly vulnerable group, e.g., older people in low-income households.”

Service Delivery

As the Benefits & Money Advice Service provides a range of assessments in terms of benefits and grants, response to financial crisis, managing debts and budgeting, the service’s Money Advice Moray (MAM) team was identified to administer the FFF alongside this wider support.

Until recently, the MAM team operated the FFF with no additional resources. Their core work (debt advice, income maximisation and welfare benefit advice) has increased due to the additional demand created by the impact of the pandemic and the financial incentive of operating the FFF scheme. The FFF scheme also creates additional administration work for the team in terms of payment and audit processes and this is on top of the onerous admin related to the EU funding compliance (the MAM team are part-funded by ESF). As a result Scottish Government Pandemic Funding has been utilised to recruit 1 FTE clerical assistant for one year, which was authorised by committee as part of a wider report on the FFF on 30 November 2021).

Eligibility

To be eligible for FFF, clients should be in receipt of, or have underlying entitlement to, certain benefits (means tested benefits such as Universal Credit, Pension Credit, Free School Meals

etc., and those that provide evidence of circumstances such as disability benefits) and are struggling to make ends meet.

The MAM team will work with clients to maximise income through benefits and other grants and help with budgeting, reviewing bills and debts, offering statutory and non-statutory debt solutions. Clients are advised from the start of the process that payment of FFF comes alongside this wider support and failure to engage with the MAM team may result in any future payments being withdrawn.

Access to the FFF can be requested via telephone to the MAM team or via a referral from another support service or community group.

Payments

FFF payments, which are fully funded by the Scottish Government, are paid directly into eligible householders' bank accounts. FFF payments are a monthly contribution towards food and fuel costs based on the size of the household. Two payments are allocated to each household, however the second payment is awarded on condition of the claimant engaging with the MAM team in order to alleviate pressures on their financial circumstances.

| Household size | Contribution towards food costs | Additional contribution towards fuel | Total monthly payment |
|----------------------------|--|---|------------------------------|
| Single adult | £70 | £30 | £100 |
| Single parent + 1 child | £160 | £40 | £200 |
| Single parent + 2 children | £220 | £50 | £270 |
| Single parent + 3 children | £280 | £60 | £340 |
| Single parent + 4 children | £340 | £70 | £410 |
| Single parent + 5 children | £400 | £80 | £480 |
| Couple | £130 | £40 | £170 |
| Couple + 1 child | £220 | £50 | £270 |
| Couple + 2 children | £280 | £60 | £340 |
| Couple + 3 children | £340 | £70 | £410 |
| Couple + 4 children | £400 | £80 | £480 |
| Couple + 5 children | £460 | £90 | £550 |

* For each additional child or adult, payment will increase by £70.

Payments made to date

Total FFF spend for 2020/21 was £502,260 and in 2021/22 was £462,940. Overall a total of 2075 households were supported during these two years, with a number of households receiving payments from more than one tranche of funding. Details of the 2075 households are broken down further below.

Spending from 01 April 2022 to 30 June 2022 is at £60,020, over 295 households.

FFF – post codes

| | | |
|-------|-----|-------------------------|
| 0.5 % | 10 | Glenlivet, Tomintoul |
| 2.1 % | 43 | Rothies |
| 0.9 % | 19 | Aberlour, Craigellachie |
| 2.0 % | 41 | Dufftown |
| 8.1 % | 168 | Keith |
| 9.4 % | 195 | Buckie |

| | | |
|---------|------|--|
| 2.3 % | 48 | Portknockie, Findochty, Cullen, Portgordon |
| 34.8 % | 722 | Elgin |
| 2.8 % | 59 | Hopeman, Burghead |
| 3.5 % | 72 | Lhanbryde |
| 15.0 % | 312 | Lossiemouth |
| 3.5 % | 73 | Fochabers, Mosstodloch |
| 13.1 % | 272 | Forres, Alves |
| 2.0 % | 41 | Kinloss, Findhorn |
| 100.0 % | 2075 | TOTAL |

Household income types

| | | |
|---------|------|--|
| 66.6 % | 1382 | Universal Credit (Including applied for) |
| 13.0 % | 269 | Disability Benefits (ESA, PIP) |
| 6.0 % | 125 | Tax Credits |
| 3.5 % | 73 | Income Support |
| 1.4 % | 28 | Jobseekers Allowance |
| 3.9 % | 81 | Financially struggling |
| 5.0 % | 105 | Various /other |
| 0.6 % | 12 | Furlough |
| 100.0 % | 2075 | TOTAL |

Households with Children

| | | |
|---------|------|--|
| 40.0 % | 493 | 1 child |
| 32.0 % | 397 | 2 children |
| 16.8 % | 208 | 3 children |
| 7.9 % | 98 | 4 children |
| 2.2 % | 29 | 5 children |
| 1.1 % | 13 | 6+ children |
| 100.0 % | 1238 | TOTAL (63% are single parent households) |

Households without children

| | | |
|---------|-----|-----------|
| 74.8 % | 626 | 1 adult |
| 21.9 % | 183 | 2 adults |
| 3.3 % | 28 | 3+ adults |
| 100.0 % | 837 | TOTAL |

Norma Matheson
Benefits & Money Advice Manager

Appendix 2**Sport & Culture Service Financial Hardship Fund**

This fund is open to any child/young person under the age of 18yrs to help cover the costs of participating in any extra-curricular (outwith school) activities/opportunities. This list is not exhaustive but examples of the type of opportunities that may be supported include;

- Purchase of sports kit to participate in a sport
- Purchase of sports equipment
- Annual membership fee to join a sports club or similar
- Payments for music lessons
- Purchase of a musical instrument
- Travel costs to attend a group, club, organisation outwith school
- Payment to cover a training course (such as an IT course at a library)
- Participation to attend any sport/culture activity

Parents/guardians of a child/young person can apply for up to a maximum of £300 annually to this fund.

To be eligible to access this funding the household residence must be in receipt of at least 2 of the following benefits (please tick all that apply);

- | | |
|---|--|
| a) Housing Benefit <input type="checkbox"/> | g) Jobseekers Allowance <input type="checkbox"/> |
| b) Discretionary Housing Payment <input type="checkbox"/> | h) Employment Support Allowance <input type="checkbox"/> |
| c) Free School Meals <input type="checkbox"/> | i) Working Tax Credit <input type="checkbox"/> |
| d) Educational Clothing Grant <input type="checkbox"/> | j) Child Tax Credit <input type="checkbox"/> |
| e) Educational Maintenance Allowance <input type="checkbox"/> | k) Universal Credit <input type="checkbox"/> |
| f) Council Tax Reduction <input type="checkbox"/> | l) Income Support <input type="checkbox"/> |

If you receive any benefits listed under g-l from above list then evidence of an award letter will require to be submitted alongside this application. Benefits listed under a-f can be cross-checked via our Benefits and Money Advice Service.

| |
|---|
| Name of Applicant (parent/guardian) |
| Name of Child/Young Person |
| Address |
| Postcode |
| Tel No. |
| Email Address |
| Date of Birth (of child/young person seeking funding support) |

Description of funding request (please include as much detail as possible – including name of activity/club/group, detailed breakdown of costs)

Successful applications will receive their funding payment direct into their bank account, therefore please provide bank details below

Name of Bank Account Holder

Name of Bank

Sort Code

Account Number

I confirm that I grant permission for the Sport & Culture Service within Moray Council to contact Moray Council's Benefits and Money Advice Service to confirm that I am in receipt of certain benefit entitlements which will ensure eligibility to apply for this fund.

I confirm that all the information contained in this application is true and accurate at the time of applying. If successful in receiving this funding I agree to report back on the impact that this funding has had on my child/ren.

Signature of Parent/Guardian _____

Date _____



REPORT TO: MORAY COUNCIL 10 AUGUST 2022

SUBJECT: PLACE BASED INVESTMENT PROGRAMME

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

- 1.1 To inform Council on the Place Based Investment Programme and recommended spend for 2022/23.
- 1.2 This report is submitted to the Council in terms of Section III A (2) of the Council's Scheme of Administration relating to long-term financial plans.

2. RECOMMENDATION

2.1 It is recommended that Council:-

- (i) **approve spend of this year's allocation for the Placed Based Investment Programme for construction of Pinefield Allotment in Elgin, town centre Improvements and procurement of land or works associated with Buckie Harbour development; and**
- (ii) **delegate authority to the Head of Economic Growth and Development in liaison with the Chief financial Officer to vire money between the identified projects to ensure that they can be delivered and minimise risk of underspend.**

3. PLACE BASED INVESTMENT PROGRAMME

- 3.1 The 2020 Programme for Government committed to establishing a Place-Based Investment Programme (PBIP), linking and aligning place-based funding initiatives. The aim of the PBIP is to ensure that all place based investments are shaped by the needs and aspirations of local communities and accelerate ambitions for place, 20-minute neighbourhoods, town centre action, community led regeneration and community wealth building.

- 3.2 The Place Principle, which underpins this approach, was adopted by Scottish Government and COSLA as a basis for collaborative working to ensure that future local investment is relevant to local communities for the benefit of local people. Bringing relevant services, enterprise, and communities together to make our towns, villages, and neighbourhoods more viable. The PBIP alongside the developing Place Framework are designed to make the Place Principle real.
- 3.3 Local Government will receive a share of the funding over 5 years to support and advance place-based investment and build on the strong partnership currently existing through the Regeneration Capital Grant Fund, which will also have its funding continued through the PBIP. Local Government will receive a share of this capital funding, with £38m in 2021/22; £33m in 2022/23; £23 in 2023/24; £23m in 2024/25; and £23m in 2025/26.
- 3.4 The allocation for Moray for 2021/22 was £770k capital funding and this was used for the purchase of property at Buckie Harbour to enable regeneration and employment associated with offshore wind.
- 3.5 The main objectives of the Place Based Investment Programme are:
- to link and align place based initiatives and establish a coherent local framework to implement the Place Principle;
 - to support place policy ambitions such as town centre revitalisation, community led regeneration, 20 minute neighbourhoods and Community Wealth Building;
 - to ensure that all place based investments are shaped by the needs and aspirations of local communities;
 - to accelerate our ambitions for net zero, wellbeing and inclusive economic development, tackling inequality and disadvantage, community involvement and ownership.
- 3.6 It is expected that local authorities make investment decisions that will accelerate our ambitions for place, 20-minute neighbourhoods, town centre action, community led regeneration and community wealth building. The funding is also expected to contribute to net zero, wellbeing and inclusive economic development, tackling inequality and disadvantage, and community involvement and ownership, including the repurposing of buildings, maintenance and repairs, reallocating external space and community led land acquisition.
- 3.7 The funding allocation for 2022/23 is £466k with a similar allocation expected in future years.

4. Proposal

- 4.1 Elgin allotment association has been seeking allotments in Elgin for over a decade, Planning Permission was approved for an allotment at Pinefield in Elgin but has yet to be developed. Under the Community Empowerment Act 2015, Local Authorities have a duty to provide an allotment where we receive

more than 15 names on a waiting list. That number has now been reached in Elgin and it is proposed to use £215k of the 2022/23 Place Based Investment Fund to construct the allotment at Pinefield.

- 4.2 The Draft Town Centre Improvement Plans (**Appendix 1**) have now been consulted on and will be reported back to the Planning and Regulatory Services Committee in October 2022 for approval, it is proposed to allocate £130K from the fund to commence delivery on projects contained within the plans and to provide a small grant scheme for the fitting of traditional windows in conservation areas. It is likely for this year the projects will be associated with improved signage and interpretation and include some improvements to public realm. Future years funding will be the subject of a separate report to a future committee but will seek to set out a programme of work that will deliver the actions identified in the Town Centre Improvement Plans. Delegated authority is sought to vire money between the projects to minimise risk of failing to commit in this financial year.
- 4.3 It is proposed that the balance of the 2022/23 funding of £121k is used to purchase further property at Buckie Harbour to facilitate harbour development and the supply chain for offshore wind which will create jobs and opportunities in Buckie or to directly deliver harbour improvements associated with offshore wind. Approval will allow officers to commence investigation and negotiation on suitable properties. Details of any proposed property purchase will be reported to Committee for approval prior to concluding purchase. The draft masterplan identifies a number of potential sites that could support the supply chain and offshore wind development where control of the land would assist the Council in supporting growth. If following negotiations there is a risk that purchase will not be possible in the time allowed, alternative projects associated with harbour improvement for offshore wind will be delivered.

5. SUMMARY OF IMPLICATIONS

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

Economic development is a key priority in the corporate plan and as a result of the pandemic the need for economic investment has grown considerably.

As a priority area within the LOIP Buckie Central East has produced a locality plan, creating job opportunities related to renewables is part of that plan.

(b) Policy and Legal

The proposal will meet the terms of the Place Based Investment programme as it is community led through the provision of an allotment meeting community demand, delivering against the widely consulted Town Centre Improvement Plans and meeting the needs identified in the Buckie Central East Locality Plan.

(c) Financial implications

The grant of £466k must be spent or committed with works started by March 2023.

(d) Risk Implications

There will be some risk around the purchase process as it is dependent on a willing seller. Staffing resources across all these areas of work are stretched and delivery of work for the town centre Improvement plans and Buckie Harbour will require to be prioritised which may impact on work associated with the Local Development Plan. Authority to vire the sums between projects will minimise risk of underspend of the grant.

(e) Staffing Implications

The programme for this work will be done within existing resources.

(f) Property

N/A

(g) Equalities/Socio Economic Impact

The funding is to address economic disadvantage and therefore should provide positive benefits.

(h) Consultations

The Depute Chief Executive (Economy, Environment and Finance), the Legal Services Manager, the Head of Financial Services, the Democratic Services Manager, Tracey Sutherland, Committee Services Officer and the Equalities Officer have been consulted and comments received have been incorporated into the report.

6. CONCLUSION

- 6.1 It is proposed to use the 2022/23 Place Based Investment Programme funding for the purpose of Pinefield allotment, Elgin town centre improvement plans and Buckie Harbour regeneration, and delegated authority is sought to vire budget between the projects should it become apparent spend cannot be achieved in order to ensure the grant is fully committed.**

Author of Report: Jim Grant, Head of Economic Growth and Development

Background Papers: Documents on file in Economic Growth & Regeneration section.

Ref: SPMAN-813460984-278



Vision

To enhance Aberlour town centre into a green, healthy and inclusive place that is easy and safe to move around for people of all ages and abilities.

The Vision is supported by a series of objectives set out below:

- Remove pedestrian and cyclist barriers between the Square and Alice Littler Park to create an inclusive environment that is easy and safe for all abilities and ages to move around.
- Support the enhancement of Alice Littler Park to be a green, vibrant and inclusive place for everyone.
- Provide further opportunities for electric vehicle and bike charging points, cycle parking and storage.
- Investigate the feasibility of providing public Wi-Fi in the town centre.

The Square



Proposed Outcomes

- Undertake high quality public realm improvements to remove existing barriers to pedestrian and cyclist movement between the Square and Alice Littler Park.
- Upgrade seating areas to be all-inclusive.

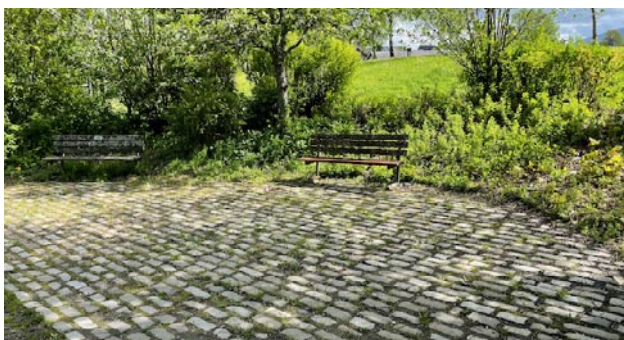
Aims/Purpose

This projects seeks to enhance the public realm around the Square to create a safe space for pedestrians and cyclists.

Connections between the Square and Alice Littler Park are shared spaces with pedestrians and vehicles. The main connection, outside Aberlour Parish Church, can become congested and conflict can arise. By creating a defined lane for pedestians using street materials, the project would create a safer environment for all users.

Seating areas will be upgraded to be all-inclusive.

Alice Littler Memorial Park - Play & Recreation



Proposed Outcomes

- Remove existing play equipment and replace with open, inclusive playpark that caters for all abilities.
- Upgrade path network to create accessible connections around the park and into the town centre.
- Upgrade access to picnic benches and seating areas to be all- inclusive.

Aims/Purpose

The project aims to support the transformation of play and recreation in Alice Littler Park into an all-inclusive and welcoming area that promotes health and wellbeing for all ages and abilities. The Park is currently in the process of a Community Asset Transfer (CAT) to Aberlour Community Association (ACA). The project seeks to support ACA in achieving their aspirations, which align with wider objectives associated with the principles of Town Centre Improvement Plans.

The playpark equipment will be replaced to create an inclusive and accessible playpark that caters for all abilities at the same time. The equipment will be vibrant and sustainable, making it an attractive and engaging area for children to play.

The path network will be upgraded to encourage further use and create an accessible network around the park and into the town centre. Access to picnic benches and seating areas will be upgraded to be all-inclusive.

Carbon Conscious and Active Travel Provisions



Proposed Outcomes

- Provide additional electric vehicle (EV) and bike charging points.
- Upgrade cycle parking and storage provisions.

Aims/Purpose

The project aims to build on carbon conscious and active travel provision in the town centre. Recent investment in a Speyside Low Carbon Hub has seen improvements in Aberlour to the Speyside Way, installation of bike repair stations and the provision of a hybrid electric car and two electric bikes for hire.

The project will investigate the potential to increase the network of EV chargers within the town centre for use by both residents and visitors. The facilities will be located at key destinations such as public car parks and on-street.

Existing cycle parking/storage provisions are limited and unmaintained. Provisions will be upgraded and additional facilities provided in key locations. There will also be further facilities for storing and charging electric bikes.



Vision

To improve and enhance Buckie town centre making it an attractive, safer, greener, and well connected place for people to use and relax and for businesses to thrive.

The Vision is supported by a series of objectives set out below:

- Improve entranceways into Cluny Square through public realm enhancements.
- Improve pedestrian and cycle infrastructure in the town centre to support active travel and enhance the pedestrian experience.
- Explore opportunities to transform vacant sites and buildings and bring them back into use for residential purposes.
- Create an attractive town centre through the enhancement of the public realm to support new and existing businesses.
- Embrace Buckie's coastal and fishing heritage through the public realm and heritage interpretation panels.
- Develop a Lighting Strategy to enhance the visual appearance and showcase Buckie's heritage and public spaces to create a vibrant town centre.
- Improve digital connectivity and investigate the provision of public Wi-Fi within the town centre.
- Develop a Shopfront Improvement Scheme to ensure that traditional shopfronts are retained and improved to reflect the historic character of the town centre.
- Explore opportunities to make the town centre more inclusive and pedestrian friendly through a review of parking provision and disabled parking spaces

Cluny Square Enhancement



Proposed Outcomes

- Improve the entranceways into Cluny Square through improvements to the public realm to create an attractive, inclusive, pedestrian friendly space.

Aims/Purpose

Cluny Square is in the heart of Buckie's Town Centre, and also the start/finish of some local walks, including the Speyside Way walk. The Square is a very busy junction with East Church Street, West Church Street, High Street and North High Street running off it. It splits into 4 quadrants, and 3 of these are currently used as car parks, which makes Cluny Square dominated by cars. The Buckie War Memorial, seating area and attractive flower beds are located at the fourth quadrant.

It is proposed to improve the entranceways into Cluny Square through improvements to the public realm. Public realm improvements are proposed on the southern entranceway into the square which is a busy pedestrian area and is often congested particularly outside of the Post Office. It is proposed to redesign this area through the use of hard landscaping and different materials to make it into a more attractive, inclusive, pedestrian friendly space. This would include widening the footway to make it much easier for people of all mobilities to move around.

Although the project only seeks to improve the entranceways of Cluny Square, it would not stop or hinder potential enhancement projects for the quadrants coming forward in the future following a wider review of parking provision and disabled parking within the town centre. To ensure consistency, the project will be part of an overarching Public Realm Strategy to create a more holistic approach to the town centre reflecting Buckie's history and heritage. As part of those projects, lighting for the War Memorial, enhancement of the 2 old bus shelters on North High Street, signage and an interactive board located at the Square are all proposed. Having these plans in place is important if it is decided to make changes to the quadrants in the future.

West Cathcart Street

Proposed Outcomes

- Investigate traffic control measures in West Cathcart Street.

Aims/Purpose

The Council's Transportation Service will undertake further surveys to monitor vehicle speeds to inform whether traffic control measures are required. This proposal has been included in the TCIP following concerns raised during the public consultation regarding the speed of traffic on West Cathcart Street.

Public Realm Strategy



Proposed Outcomes

- Redesign Buckie town centre to create an attractive civic space which encourages active travel and embraces Buckie's heritage.
- Implement cohesive and consistent public realm improvements.

Aims/Purpose

The public realm is a key part of the town centre and is formed of all areas of publicly accessible open space. It should interlink the key components of the town centre to create an attractive space which people can enjoy. The aim of the project is to take a holistic approach to improve the public realm and the attractiveness and vitality of the town centre. This will encourage people to come and visit the town centre and engage in social interaction by providing high quality spaces.

The project will build on Buckie's history and heritage, guide users towards key places and spaces such as the High Street, East and West Church Street, the Speyside Way, the Harbour; and improve connections to other key assets, such as Ian Johnstone Park. This will aim to boost tourism to Buckie and make the town centre an attractive and vibrant place with a sense of character and identity. This will boost pride in the town and support its economic vitality, making it an attractive place for future investment.

The strategy would include incorporating public art into hard landscaping (by improving paving), soft landscaping (including planting at Cluny Square and the Speyside Way), street furniture (seating areas at Cluny Square), wall art and murals (a trail of art and murals in Cluny Square leading onto the harbour), and lighting (to highlight key buildings and pieces of art and create a series of safe and welcoming trails). The strategy would include projects such as doric and memory walks; creating walks with seating areas and investigating food growing, allotment opportunities at East-West Church Street to enhance the living of older people. These projects will reflect the history of Buckie creating a sense of place and will provide talking points in the town centre, encouraging visitors and providing navigation benefits. A key area for public art opportunities will be the old bus shelters leading onto the Harbour from Cluny Square, which have the potential for murals which celebrate Buckie's history and tell the story of the town.

Street furniture could be improved in key areas in the town centre, most notably Cluny Square, although there are other opportunities at the start/finish of the Speyside Way. This would create attractive places for people to stop and enjoy, promoting social interaction, increasing footfall in the town centre and encouraging people to spend more time in the town centre, which will support local businesses. This will also promote active travel and encourage healthy lifestyles. Additional or upgraded benches and seating, street lighting, flower pots and flower beds, litter bins, cycle racks, bollards and signage will create an attractive town centre. Street furniture can contribute to and showcase the local history and heritage, and should be robust and durable so it becomes a long standing part of the town centre. It can contribute towards the identity of the town centre and can enhance a sense of place.

Seating should provide an opportunity for social interaction. At Cluny Square and the start/finish of the Speyside Way, there is an option to provide seating in areas which will be highlighted as part of the Lighting Strategy to transform dark and underused areas into safe and welcoming spaces for people to use and spend time in the town centre.

Waymarking is a key element to guide people around the town centre, and will promote active travel and more pedestrians travelling in the town centre. Signage connecting attractions are currently out-of-date and in need of updating, e.g. the information board at Cluny Square. There are opportunities for new signage at Cluny Square and at the start/finish of the Speyside Way, which would provide a focal point for visitors and tourists.

Soft Landscaping such as planting can transform the feel of the town centre and can help create links through key routes, while contributing towards biodiversity. Hedges or planting can have the effect of screening parking in areas like Cluny Square, making the area more attractive and creating a visual barrier from cars. In areas like the start/finish of the Speyside Way, this can contribute towards the creation of a more attractive area which encourages community use.

Hard landscaping such as improvements to paving and differentiation in street materials can create a more pedestrian friendly environment, which will encourage more people to walk. This will prioritise active travel and improve access for people with mobility issues.

Lighting Strategy

Proposed Outcomes

- Lighting to be used to showcase Buckie's built heritage and cultural features.
- Create a safer and attractive town centre for users.
- Lighting to be used to emphasise key routes to encourage people into the town centre.
- Prepare a comprehensive Lighting Strategy.

Aims/Purpose

The project will assist in the objectives to create a vibrant and attractive town centre.

Lighting can take the form of individual art forms or sculptural pieces to create an attraction, be designed into the public realm or street furniture, or highlight whole or parts of individual buildings. To avoid a piecemeal approach to Town Centre Improvements a holistic approach must be taken to ensure that it takes cognisance of other projects highlighted in the masterplan ie Cluny Square enhancements, public realm improvements.

Buildings

Buckie contains a number of traditional buildings for which lighting can be added to highlight and showcase. This could take the form of highlighting individual buildings, such as those fronting Cluny Square. Highlighting buildings and their traditional architectural features not only helps to make the town centre feel safer in the darker months but it also contributes to reinforcing the sense of place.

Movement

Lighting can also be used to reinforce key routes and guide users through spaces by creating safe and welcoming routes. In conjunction with wider public realm improvement (see separate project) this could be used at key locations such as Cluny Square and the streets leading out of it which are key and well used routes and would help to encourage people into the town centre.

Creative lighting can be used to showcase and open up other surrounding streets that feed into the town centre such as Blairdaff Street, Newlands Lane, East Cathcart Street and Cluny Place.

Public Realm

Any Lighting Strategy must take account and be embedded in any Public Realm Strategy. This will ensure creative lighting is integrated into the fabric of the streetscene and be embedded in any other public realm improvements.

Vacant & Derelict Buildings

Proposed Outcome

- Redevelop derelict buildings and find potential use for derelict sites in close proximity to the town centre to benefit the town.
- Explore opportunities through working with land and property owners to bring the land/properties back into use.

Aims/Purposes

OPP2 Blairdaff Street



The Old Lemonade Factory is considered to be suitable for residential redevelopment which should be compatible with the residential character of the surrounding area as set out in the Moray Local Development Plan (MLDP) 2020. The site is located just outside of the town centre boundary identified by the MLDP 2020, but its close proximity to the town centre, shops and bus route would make it an ideal residential property. It could be redeveloped for affordable housing in line with Scottish Government and Moray Council aspirations.

OPP3 Barron Street



This site has been vacant for a while due to contamination issues including a fuel tank, gasworks and boatyard. The nearby commercial buildings, in particular the fish processing activities need to be taken account of when redeveloping this site. Given its close proximity of the town centre, this could be an ideal residential development respecting the scale of adjoining properties and the character of the area.

Other Vacant and Derelict Buildings

The Council will explore opportunities to bring vacant buildings back into use through identifying and engaging with property owners. This work will be ongoing.

Shopfront Improvement Scheme

Proposed Outcome

- Develop and implement a Shopfront Improvement Scheme.

Aims/Purpose

A Shopfront Improvement Scheme, with a design guide, will be developed to improve and maintain the quality and visual appearance of Buckie's shopfronts. This will strengthen the town's rich historic character and help to promote the town centre as a destination. Improving the shopfronts will enhance its appeal to customers as well as visitors and will encourage further investment by boosting business confidence. This will be achieved through improving signage in line with the design guide by making repairs and renovating shopfronts.

Digital Infrastructure

Proposed Outcomes

- Increase digital connectivity.
- Provide residents, visitors and local businesses with easy internet access.

Aims/Purpose

Opportunities for the provision of public Wi-Fi within the town centre will be investigated. This would increase digital connectivity and provide easy internet access to residents and visitors. The access to public Wi-Fi could be connected to virtual notice boards in order to help leading people through the town centre and promoting key areas. Local businesses could also benefit and use the digital infrastructure for online promotion and marketing.

Electric Vehicle (EV) Charging Points and cycle parking/storage



Proposed Outcome

- Provide additional electric vehicle (EV) charging points and cycle parking and storage to promote environmentally conscious travel and healthier lifestyles.

Aims/Purpose

Additional electric vehicle (EV) charging points and cycle parking and storage will be added to car parking areas, such as Cluny Square, and other car parks surrounding the town centre. This will encourage the use of electric vehicles and encourage people to cycle, and help to create a greener, healthier town centre.

Speyside Way



Proposed Outcomes

- Improvements to the start/finish of the Speyside Way.
- In conjunction with other projects (e.g. Public Realm Strategy) improve the start/finish of the Speyside Way to create an attractive area that can be enjoyed and will lead people into the town centre.

Aims/Purpose

The project will utilise public realm improvements to create an attractive place to stop and enjoy the start/finish of the path.

Improved signage will provide clear direction and other public realm improvements such as seating and soft landscaping will make an attractive area for people to stop and enjoy. This will form part of a holistic approach which will connect the area with other nearby proposed public art at Cluny Square and leading onto the Harbour. This will create a sense of place on the path and lead visitors to other key destinations in the town.

There is also an opportunity for planting, either flowers or a community garden, possibly with raised beds and food growing opportunities. This would create a community area within the currently empty green space, which would encourage members of the community to spend time in the area and promote social interaction.

The Speyside Way path is in close proximity to the town centre, and the path is bordered by gardens. Due to the constraints of the path, in terms of space and lack of natural surveillance, few improvements can be made to the path itself.

Gateways

Proposed Outcome

- Create attractive high quality gateways into Buckie town centre that showcase the heritage and history of the town.

Aims/purpose



Tesco roundabout

The town centre can be approached from the A942, High Street. Visitors entering Buckie this way are greeted by a roundabout, which is currently unwelcoming and have little impact apart from Buckie's Darling, a new sculpture inspired by the heritage of Buckie. There are opportunities to further enhance the roundabout and light up the sculpture to create an attractive, welcoming entrance into Buckie leading into the town centre.

Barhill Road roundabout

Recent growth in Buckie has been focused at the west side of town within the Buckpool area along Barhill Road. From these recent housing developments, the town centre can be approached via Barhill Road. Visitors entering Buckie from the A98 towards Barhill Road are greeted by an unwelcoming roundabout. As a result of further growth planned within this area of Buckie, improvements to this roundabout will add to a positive feel and welcoming first impression when entering Buckie and travelling towards the town centre.



Vision

Dufftown is an attractive traditional Scottish town situated in the heart of Speyside on the banks of the River Fiddich. Dufftown is known as the 'Malt Whisky Capital of the World'. The town centre is a thriving place that capitalises on its associations with the whisky industry and supports businesses and services for residents and visitors, alike.

The Vision is supported by a series of objectives set out below:

- Support the refurbishment of the Clock Tower and develop it into a Heritage Museum that showcases Dufftown's heritage, attractions and events or any other appropriate sustainable use.
- Improve the public realm at the Square and create an attractive area around the Clock Tower through hard and soft landscaping, seating and public art.
- Explore the potential to light up important focal points such as the Clock Tower
- Redevelop the Old Bank to encourage affordable living in the town centre with potential for retail/commercial space on the ground floor and explore opportunities to bring other unoccupied buildings into use through identifying and engaging with owners.
- Develop a Shopfront Improvement Scheme to enhance the appearance of Dufftown's main thoroughfares (Balvenie Street, Conval Street and Fife Street) that converge at the Clock Tower.
- Investigate the potential for cycle parking and a bike hire area at the Square and additional EV charging points in the wider town centre.
- Improve digital connectivity and investigate the provision of providing public Wi-Fi in the town centre.
- Explore the opportunity to make the town centre more inclusive and pedestrian friendly through a review of parking provision and disabled parking

Refurbishment of the Clock Tower



Proposed Outcome

- Refurbished Clock Tower that is a focal point within the Town Centre and develop into a Heritage Museum that showcases Dufftown's heritage, attractions and events (or for any other sustainable use that is identified).

Aims/Purpose

The project provides the opportunity to refurbish and reuse the vacant Clock Tower which is a prominent and iconic building that sits at the heart of the town centre and is a focal point for visitors and the community. Dufftown and District Community Association acquired the Clock Tower in 2020 with the aim of restoring the landmark building and turning it into a tourist attraction. The Community Association are currently seeking funding from a range of sources including Historic Environment Scotland and local distilleries to finance the high costs of refurbishment. Given the benefits the refurbishment of the Clock Tower would bring to Dufftown, and Moray as a whole, in terms of attracting tourists and supporting local businesses, this proposal is supported by the Council who will work with the Community Association to identify further sources of funding. Other uses that provide a sustainable future for the Clock Tower will also be supported.

Supporting the refurbishment of the Clock Tower will also ensure the building does not fall further into disrepair and that it will remain an iconic focal point for future generations as well as safeguarding the heritage of Dufftown which contributes to the history of Moray, as a whole.

Improvement of Public Realm at the Square



Proposed Outcomes

- Improve the appearance of the public realm at 'The Square' around the Clock Tower to create a more attractive, accessible and pedestrian friendly environment for visitors and the community to spend time in.
- Explore the potential to light up the Clock Tower.
- Provide cycle parking and a bike hire area at 'The Square' and explore opportunities for additional EV charging points in the wider town centre.
- Investigate the feasibility of providing public Wi-Fi and water top up tap.

Aims/Purpose

Whilst the Square is well-maintained with attractive planting, the area lacks a cohesive approach to paving, landscaping, street furniture (benches, bins) and signage which contributes to a cluttered appearance. The central 'island' with the Clock Tower has a variety of functions including seating (benches and picnic tables), planting (large raised stone planters, barrel planters, potted shrubs), signage (road signs, storyboards, black direction signs and a community notice board) and a variety of paved surfaces (paved slabs and tarmac). It is proposed to redesign this area and create a cohesive theme where all elements complement each other. This will complement the refurbishment of the Clock Tower and create a more attractive and accessible environment for people of all mobility's to spend time.

Differentiation in street materials, planting and furniture will give the Square a clearer function and create a more pedestrian friendly environment. Integrating ground level waymarking that ties in with a heritage or other trails could also help reduce the clutter of multiple signs in the area. A review of car parking in the centre of Dufftown and an audit of signage will be required to inform proposals. The feasibility of providing public Wi-Fi will be investigated.

To support the transition to a net zero carbon economy the potential for e-bike charging at the Square will be explored along with additional cycle parking and a dedicated bike hire area. Opportunities for additional EV charging points within the wider town centre will be explored.

Reuse and Refurbishment of the Old Bank and other Vacant/Derelict Buildings



Proposed Outcome

- Redevelop the Old Bank as a mixed use or residential development.
- Explore opportunities to transform other vacant and derelict buildings in the town centre by identifying and engaging with property owners.

Aims/Purpose

The Old Bank is currently vacant and situated in a prime location on the corner of the Square. The Old Bank is a traditional stone building with many interesting architectural features. The proposal would involve working with the owner and interested parties to bring the property back into use for residential development and potentially commercial/retail space on the ground floor. Opportunities to bring other vacant buildings around the Square and the wider town centre back into use will be explored by identifying and engaging with property owners either for commercial or residential opportunities. This would help to create a more attractive town centre and provide opportunities and more choice for people to live in the town centre. Living in the town centre also reduces reliance on the car which helps to reduce carbon.

Shopfront Improvement Scheme



Proposed Outcome

- Prepare a design guide and develop a Shopfront Improvement Scheme for premises on Balvenie Street, Fife Street and Conval Street to enhance the visual appearance of Dufftown's traditional shopfronts on the main routes and strengthen and improve the town centre's existing historic character.

Aims/Purpose

This proposal provides an opportunity to enhance the appearance of the main streets into Dufftown that converge at the Clock Tower. Shopfronts play an important role in the appearance of the town centre and coupled with improvements to the public realm will create an attractive environment in which people wish to spend time. This helps to support local businesses by making Dufftown an even more appealing visitor destination and boosting business confidence. The proposal would involve developing a design guide for shopfront improvements and a funding scheme, similar to those developed for Keith and Forres through the Conservation Area Regeneration Scheme (CARS). The scheme would cover the replacement of shopfronts and historical features.



Vision

Strengthen the unique sense of place of Forres Town Centre by creating a high quality experience of shops, attractions and facilities for the community and visitors. Promote Forres as a place that is welcoming and pleasant to spend time in, that is green and easy to get to on foot and by bicycle.

The Vision is supported by a series of objectives set out below:

- Support the refurbishment and regeneration of Forres Town Hall.
- Create a high quality heritage interpretation trail attraction for visitors and the community to engage with.
- Improve public realm to create opportunities for social interaction and enhance key approaches into the High Street through the lanes linking into car parks.
- Develop a Shopfront Improvement Scheme to ensure that traditional shopfronts are retained and improved to strengthen and enhance the character of the historic High Street.
- Promote sustainable travel and improve pedestrian experience, including a review of parking provision and disabled parking in the Town Centre.
- Re-purpose vacant and derelict buildings to reduce the number of empty properties and increase number of people living in the town centre. This will include exploring opportunities to transform vacant buildings by identifying and engaging with property owners.
- Improve digital connectivity and investigate the potential for public Wi-Fi in the Town Centre
- Explore opportunities for additional EV charging points and cycle parking and storage.

Support the Refurbishment and Regeneration of Forres Town Hall



Proposed Outcome

- Support the refurbishment and regeneration of Forres Town Hall to create a community hub including performance area, event space and co-working space.

Aims/Purpose

This project proposes the transformation of Forres Town Hall an iconic building within the High Street to create a community hub. The entire building will be refurbished to create a modern multi- purpose performance space, event space and co-working spaces with improved access to the upper floors. This supports the community's vision for the future of the building and the ambitions of Forres Area Community Trust (FACT) who now own the Forres Town Hall.

Heritage Interpretation Trail



Proposed Outcomes

- Create a high quality heritage interpretation trail attraction for visitors and the community to engage with.
- Promote and celebrate the heritage of Forres to encourage more visitors to Forres High Street.
- Develop a coherent, co-ordinated and well-connected heritage journey through Forres town centre working with local heritage groups.

Aims/Purpose

This proposal aims to reconnect the community and visitors with the history of Forres and former famous residents. There is an opportunity to create an interpretation trail from Nelson's Tower, Sueno's Stone, Witches Stones through the High Street incorporating the Tolbooth, Falconer Museum (The Falconer Museum is currently closed and the Council is seeking an alternative delivery model) and linking to Castlehill with themes around Macbeth. This could be in the form of interpretation panels and QR codes with a supporting app.

The interpretation trail needs to be connected to public realm improvements, lighting strategy, shopfront improvements, Heritage and Place Programme and other forms of interpretation to ensure an integrated approach and shared vision for the town centre. There are various local heritage groups that will have an interest in the development of an interpretation trail

Green Infrastructure and Food Growing



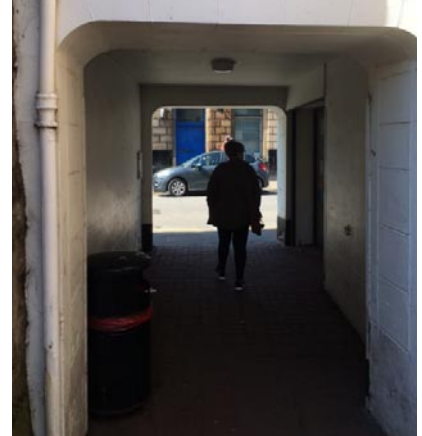
Proposed Outcomes

- Incorporate landscape planting along the High Street creating a green network connecting existing green spaces.
- Embed opportunities for food growing where possible into landscaping proposals within public space in the town centre.
- Utilise landscaping in combination with public realm improvements to create a sense of place and attract visitors into the town centre.
- Work with local community groups including Incredible Edibles and Forres in Bloom to develop proposals.

Aims/Purpose

The project aims to incorporate high quality landscaping throughout the town centre, creating a green network linking Grant Park with Castlehill. Landscape planting will provide additional seasonal colour, enhance biodiversity and attract pollinators. High quality landscaping will improve the attractiveness of the streetscene and reinforce a sense of place and where needed help to mitigate the impact of parked cars. Local community groups already maintain existing planters and proposals will seek to ensure any proposals are complementary to what is already in place.

Public Realm Improvements



Proposed Outcomes

- Implement a comprehensive and co-ordinated programme of high quality public realm improvements including seating, signage, lighting and street materials.
- Enhance key approaches into the High Street through the lanes linking into car parks, utilising interpretation panels, streetscape improvements and landscaping, prioritising Co- op and Town Hall lanes.
- Improve public spaces to increase the number of visitors, time spent in the town centre and increase spend in High Street shops and services.

Aims/Purpose

Forres has an attractive town centre, however existing signage and street furniture is looking tired and needs to be replaced alongside improvements to the condition of pavements and street materials in civic space around the Mercat Cross and Tolbooth.

Public Realm

The provision of high quality seating within attractive public spaces will create opportunities for social interaction and meeting outdoors. The streetscape works will consist of widening pavements where needed, introducing new, higher quality paving materials and setts/paviors into the street alongside landscaping in rejuvenated public spaces at Tolbooth Street and the Mercat Cross.

Lighting

Key buildings could be lit up to enhance the attractiveness of the town centre and showcase the heritage of Forres including Falconer Museum, Mercat Cross, Tolbooth (it is noted that some of these may already be lit). Lighting proposals will be considered in conjunction with the heritage interpretation trail and any Heritage and Place Programme projects to ensure a holistic approach and maximising the cumulative impacts of projects.

Lanes

The lanes giving access to the High Street are unattractive and unappealing and need to be improved with the addition of new lighting, street materials and interpretation exploring the heritage of Forres to support increased use and create a welcoming first impression of the town centre. Key lanes include the Co-op which needs repairs to street materials, drainage, high quality lighting and the addition of interpretation panels on the walls. The lane down the side of the Town Hall is also in need of attention, it is currently dominated by wheelie bins but there is an opportunity to enhance by introducing discreet storage and landscaping to make this an attractive route.

Regeneration of Historic Buildings and Shopfront Improvement Scheme



Proposed Outcomes

- Introduce a historic building grant scheme to repair and promote the regeneration of key properties to strengthen and enhance the character of the historic High Street.
- Invest in shopfront improvements to support the growth of local businesses, improve the streetscene and improve the image of the town centre amongst locals and visitors.
- Encourage additional investment in the town centre.

Aims/Purpose

The project aims to address some of the problems identified in the town centre, including the poor condition of many of the historic buildings. Unlike other towns in Moray, Forres has not benefitted from a Conservation Area Regeneration Scheme (CARS). Repairing and promoting the occupation of historic buildings and reinstating architectural detailing will contribute to preserving and enhancing the character of Forres.

The introduction of a Shopfront Improvement Scheme in Forres will also help improve the area's image, help to define a stronger sense of place, and encourage a greater number of shopping visits. The presence of quality shopfronts reflecting the historic character of the Forres Conservation Area will make the area feel more welcoming to local residents and visitors alike.

There is a clear overlap with other identified projects including public realm improvements and the heritage interpretation trail that will all assist in improving public spaces and the streetscene.

Sustainable Travel and Creating Streets for People



Proposed Outcomes

- Explore the feasibility of providing a safe cycle lane connection through Forres High Street.
- Provide high quality cycle parking in prominent locations in the High Street with supporting infrastructure including facilities for charging electric bikes, drinking water fountain, high quality seating areas, toilet provision and bike repair station.
- Provide additional electric vehicle (EV) charging points in suitable locations within the town centre to support the change to electric vehicles.
- Explore opportunities for Tolbooth Street to be more pedestrian friendly and the creation of a larger civic space to host events and provide opportunities for outdoor eating and entertainment.
- Where feasible address narrow pavements and widen sections of the High Street to support a wider range of users and enhance the pedestrian experience.
- Explore reconfiguration of car parking arrangements within the High Street including disabled badge holder parking provision and promote park and stride from nearby car parks.

Aims/Purpose

The aim of this project is to increase the number of residents and visitors walking or cycling in and around Forres town centre. The provision of supporting infrastructure including secured cycle parking can help increase journeys made by bicycle.

Addressing barriers such as narrow pavements, accessibility and using high quality street materials can help increase number of people choosing to walk instead of using the car.

Vacant & Derelict Buildings



Proposed Outcomes

- Repurpose key vacant buildings on the High Street and edge of the town centre to provide affordable housing, student accommodation and tourism accommodation.
- Reduce the number of empty properties and increase the number of people living in Forres town centre.
- Explore opportunities to transform vacant buildings by identifying and engaging with property owners
- Redevelop buildings with the ambition to be carbon neutral.

Aims/Purpose

This project aims to bring vacant properties back into use. There are a number of former buildings sitting empty in and around the town centre. There are also a significant number of empty properties at first floor level above shops sitting empty, many of which are for sale.

Key buildings include the former Clydesdale Bank located at the Mercat Cross, the former Tesco site at Caroline Street and the Auction Mart at Tytler Street.

Redeveloping these buildings would create more activity within the High Street and would create opportunities for living close to shops and services and reduce car dependency. Bringing these buildings and sites back into use can also support the town centre alongside creating a more appealing and attractive entrance into the town centre.



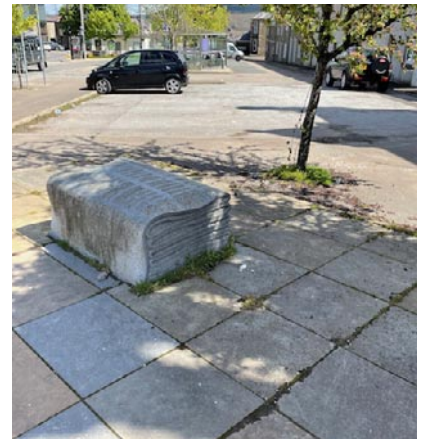
Vision

Reflecting on its traditional character and built heritage, the improvement plan will enhance the town centre to make it an attractive, safer, and greener place for people to use and enjoy as well as providing a high quality environment for businesses to locate and thrive.

The Vision is supported by a series of objectives set out below:

- To enhance Reidhaven Square through enhancements to the public realm.
- Embrace Keith's heritage through a Public Realm Strategy and heritage interpretation panels.
- Develop a Lighting Strategy to enhance the visual appearance and showcase Keith's heritage and public spaces to create a vibrant town centre.
- Improve the signage within the town centre providing clear directions to all of Keith's attractions and amenities and create a stronger link between the Strathisla Distillery and the town centre.
- Develop a Shopfront Improvement Scheme to ensure that traditional shopfronts are retained and improved to reflect the traditional character of Mid Street and the conservation area.
- Improve digital connectivity and investigate the provision of public Wi-Fi in the town centre.
- Explore the potential for additional EV charging points and cycle parking and storage in the town centre.
- Explore the opportunity to make the town centre more inclusive and pedestrian friendly through a review of parking provision and disabled parking.
- Explore opportunities to transform vacant buildings and bring them back into use through engaging with property owners.

Reidhaven Square Enhancement



Proposed Outcomes

- Undertake high quality public realm improvements (signage, street materials, seating, public art) to create an attractive and inclusive space for people and businesses to utilise.
- Create an attractive entrance into Mid Street.

Aims/Purpose

The project seeks to enhance and improve Reidhaven Square so that it becomes an attractive space. While it is understood that Keith is in a rural location and residents and visitors need space to park their cars, the square is dominated by car parking within each of the quadrants which limits space for pedestrian and civic use. Any future project will have to balance the needs of these parking requirements and any proposed improvements. The quality of the public realm is poor with a lack of consistency to seating and planting with improvements in the past being done on a piecemeal basis.

Public realm improvements and the use of high quality street materials will create potential outdoor space for businesses to utilise or for public events to be held. The ability to hold potential markets in this key civic space would draw on Keith's heritage as a market town but also support local businesses.

High quality public realm improvements will also allow for improved signage and heritage interpretation boards (subject to separate projects) which will guide visitors to local amenities such as the Strathisla Distillery and the Railway Station. As part of any enhancement scheme further tree planting and soft landscaping could be undertaken to soften the visual appearance of the Square and make it more attractive.

The enhancement of the Square also provides the opportunity to create an attractive entranceway into Mid Street. Improving the public realm in this area will improve Mid Street's overall visibility which will encourage and guide people and visitors to use the local shops.

Keith town centre benefits from a number of existing public car parks within close proximity to the town centre. Improving these car parks will ensure that there is minimal impact on the economic vitality of the town centre with people still able to park within close proximity should they choose to. The opportunity for additional EV charging points and cycle parking and storage will also be explored.

Heritage Trail & Waymarking



Proposed Outcomes

- Improve connectivity between tourist attractions and the town centre.
- Develop a more "formal" tourist or heritage trail in conjunction with the community, local heritage groups, and schools.
- Develop heritage trail.

Aims/Purpose

As part of bringing a consistent and up-to-date approach to the public realm and signage across the town centre (see Public Realm Strategy project), the project seeks to provide clear routes for visitors to navigate around the town and strengthen connections to local attractions and Keith's built heritage. In particular, this project seeks to improve the connectivity from popular tourist attractions such as the Strathisla Distillery and the Keith & Dufftown Railway.

As well as improving signage and public art to achieve this, an innovative solution would be to develop a more "formal" heritage trail. This could draw on the success of the recent Conservation Area Regeneration Scheme (CARS) and involve local heritage groups and schools so that it is supported and promoted by the local community.

Shopfront Improvements



Proposed Outcome

- Develop and implement a Shopfront Improvement Scheme.

Aims/Purpose

The project seeks to improve and enhance the quality and design of Keith's shopfronts to reflect the historic character of the town centre and conservation area. The appearance of shopfronts play an important role in the character of individual buildings and the wider area.

A Shopfront Improvement Scheme, with a design guide, will be developed and implemented to retain and improve the visual appearance of Keith's traditional shopfronts and strengthen the town centre's existing historic character. Improving shopfronts will further promote the town centre as a destination by enhancing its appeal to visitors, customers as well as assisting in encouraging further investment by boosting business confidence.

The project will seek to achieve this through renovating shopfronts, making repairs and improving signage, in line with the Keith Mid Street Conservation Area: Character Appraisal & Action Plan.

Longmore Hall



Proposed Outcome

- Redevelop and enhance the Longmore Hall.

Aims/Purpose

The proposal seeks to update and improve the existing Longmore Hall to provide additional space and opportunities for residents and local community groups to utilise. There is currently space in the Hall that is not being used which could be improved to provide additional space for future community uses.

Vacant & Derelict Buildings



Proposed Outcome

- Reduce the number of empty properties in the town centre and bring vacant and derelict buildings back into use.

Aims/Purpose

The project aims to explore opportunities with property owners to bring vacant properties back into use and redevelop buildings for residential, commercial, and if suitable potential community uses. Bring vacant properties back into use creates a more attractive town centre as often these buildings are in a state of disrepair. It will help to support the town centre by making it an attractive space for people to live and for businesses to locate in order to support the local economy.

Public Realm Strategy



Proposed Outcomes

- Develop a Public Realm Strategy which respects and embraces Keith's heritage.
- Improve connectivity between key attractions and the town centre through the use of public art, in conjunction with the Heritage Trail & Waymarking project.

Aims/Purpose

The project seeks to embed public realm, including art, which embraces Keith's heritage through the town to create an attractive and vibrant town centre with a sense of place. In conjunction with the Heritage Trail & Waymarking project, public realm will help direct people to and between key attractions in the town centre.

The strategy will provide the overall design concept which will then inform the physical enhancements (such as hard and soft landscaping, street furniture, planters, features and signage).

Lossiemouth Town Centre Improvement Plan

August 2022

Vision

Lossiemouth is a key tourist destination with a vibrant, attractive and inclusive centre that both visitors and residents can enjoy and where local businesses thrive.

The Vision is supported by a series of objectives set out below:

- Improve the public realm along the Esplanade and Clifton Road and create a cycle hub to support active travel.
- Reinvigorate the Old Station to encourage more activity and use.
- Improve the public realm along Queen Street to create a more pedestrian friendly and inclusive environment.
- Provide a refreshed and consistent approach to signage and waymarking throughout Lossiemouth.
- Explore opportunities to transform any vacant buildings and bring them back into use through engaging with property owners.
- Explore opportunities to make the town centre more inclusive and pedestrian friendly through a review of parking provision and disabled parking.
- Investigate opportunities for the provision of additional EV charging points within the town centre.

Reinvigorate the Esplanade and Clifton Road (NW)



Proposed Outcome

- Reinvigorate the Esplanade by improving and redesigning the public realm to enhance accessibility, encourage active travel and create an attractive seafront.

Aims/Purpose

The project aims to reinvigorate the public realm along the Esplanade and along Clifton Road around the shops/café's etc. The location of the new access bridge to East Beach gives an opportunity to reinvigorate this area to enhance accessibility and create an attractive sea front. The aim is to boost visitors to the area and encourage them to visit the cafes and shops.

Whilst the proposal for the new East Beach bridge includes changes to the paths and signage the extent of work is limited and wider improvement to public realm in this area would create a more welcoming, vibrant and attractive space. Designs must propose a consistent, fresh approach to signage, street furniture, public art, lighting and planting that also ties in with the Old Station to improve the general appearance and attractiveness of the Esplanade. A review of car parking and signage will be completed to inform proposals. Proposals must investigate and address any issues identified with undermining.

Introducing high quality paving materials to widen paths, new planting and street furniture would create an attractive link from the car parks to East Beach and shops/cafes. Providing new seating would encourage people to use the space to rest, take in views, picnic or enjoy ice cream. The feasibility of providing public Wi-Fi along the Esplanade will be investigated.

A cycle hub to support active travel will provide cycle parking, e- bike charging and cycle repair station. The hub structure will have an unique aspirational design to create a focal point within the Esplanade area. Along the Esplanade there are opportunities to positively promote the Moray Coastal Trail including signage and within the public realm.

There is also potential for refurbishment of the Esplanade public toilets.

A longer term project to redesign the public realm and traffic calming along this north western section of Clifton Road would help to enhance the existing outdoor café culture and encourage use of the shops. Proposals would look at parking arrangements widening pavements, more attractive traffic calming measures and safe crossing points from the Esplanade.

Redesign Old Station



Proposed Outcome

- Redesign the Old Station to encourage more activity and use, including replacement play park.

Aims/Purpose

Reinvigorate the Old Station to encourage more activity and use.

The area around the Old Station is looking tired and is underused compared to other parts of the sea front. The location of the new access bridge to East Beach gives an opportunity to reinvigorate this area increasing its use and functionality.

The current level changes limit accessibility from the car park and the flexibility of the area for community events. The redesign must address these issues. The functions of the area must be clear to encourage greater use of the area i.e. seating area, event space, play area, view point, community garden, outdoor gym equipment. Consideration will be given to the potential for covered outdoor performance space within the redesign.

The former station building itself provides opportunities to redevelop this to provide a community and/or tourist facility. Sustainable uses for the Old Station that would not detract from existing businesses will be explored.

Play and recreation opportunities within the centre of Lossiemouth will be enhanced by upgrading the play area at the Old Station. Providing an all-inclusive and welcoming play park promotes health and wellbeing for all ages and abilities. The equipment will be vibrant and sustainable, making it an attractive and engaging area for children to play. Sensory equipment will be incorporated. Community involvement into the requirements and final design proposed.

Designs must propose a consistent, fresh approach to signage, street furniture, lighting and planting that ties in with the Esplanade to improve the general appearance and attractiveness of the sea/harbour front. Opportunities to increase EV charging should also be considered.

Queen Street Public Realm Improvements



Proposed Outcome

- Reconfigure Queen Street to help create a more pedestrian friendly environment.

Aims/Purpose

Queen Street plays an important role with a number of shopping and retail services located along this road. The Co-op has recently re-located to the former cinema opposite James Square.

Queen Street is a wide, relatively straight road and traffic calming would help to slow traffic and make crossing easier. Redesigning the street with new paving, planting (trees and shrubs), and pavement widening would help create a more pedestrian friendly environment. Queen Street is also a key route for tourists into the centre of Lossiemouth and new waymarking will help direct people.

Heritage Trail & Waymarking



Proposed Outcomes

- Refreshed and consistent approach to signage and waymarking throughout Lossiemouth.
- Heritage trail supported by a visitor app.

Aims/Purpose

Project aims to set out a strategy to provide a consistent and fresh approach to signage and waymarking throughout Lossiemouth.

Providing clear tourist routes to key attractions and tourist accommodation will aid navigation around the town. New signage, potentially incorporating ground level waymarking, would be used to guide people around Lossiemouth. Public art could also be used as way to direct and link different parts of the town e.g. from the Stotfield Hotel/Golf Course to Queen Street to the harbour and to the Esplanade and East beach.

Developing a formal heritage trail taking visitors around Lossiemouth using a range of waymarking and interpretative techniques would build on Lossiemouth's role as a tourist destination. The trail could be supported by a "Visit Lossiemouth" app. The accessibility of the trail and signage must be considered at the outset including the design, language, height and position.



REPORT TO: MORAY COUNCIL 10 AUGUST 2022

SUBJECT: EDINBURGH DECLARATION AND BIODIVERSITY

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

- 1.1 This report asks the Council to sign the Edinburgh Declaration and note potential future actions to assist in halting biodiversity decline.
- 1.2 This report is submitted to the Council in terms of Section III (F) (13) of the Council's Scheme of Administration relating to dealing with all matters relating to Environmental Protection.

2. RECOMMENDATION

- 2.1 It is recommended that the Council;
 - (i) agree to sign the Edinburgh Declaration;
 - (ii) consider and note potential future local actions to help address biodiversity decline within section 4.3 of this report; and
 - (iii) consider and note reports on the draft National Planning Framework (NPF) 4 consultation and Local Development Plan guidance were reported to the Planning and Regulatory Services Committee on 1 March 2022. These reports set out the national policy and evidence gathering requirements to address the nature crisis.

3. BACKGROUND

- 3.1 The Edinburgh Declaration as set out in **Appendix 1** is intended to set out the aspirations and commitments of the Scottish Government, Edinburgh Process Partners and the wider subnational constituency of the United Nations Convention on Biological Diversity, in delivering for nature over the coming decade.

- 3.2 The Declaration calls on national governments, as parties to the United Nations Convention on Biodiversity, to adopt an ambitious post-2020 global biodiversity framework, with bold actions to halt biodiversity loss. It also calls for greater prominence to be given to action at the local level and recognises the role of all levels of government and society in working more effectively together over the next decade. The participation of local authorities from across the world is being sought in signing the Edinburgh Declaration. 12 Scottish local authorities have already become signatories including Aberdeenshire Council, Glasgow City Council, Edinburgh City Council and Orkney Council. In a joint letter dated 15 December 2021 from Màiri McAllan MSP, Minister for Environment and Land Reform and Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity the remaining local authorities have been invited to sign up to the Declaration. The letter is set out in **Appendix 2**.
- 3.3 The Council recognises its duty to protect and enhance biodiversity. The Nature Conservation (Scotland) Act 2004 places a duty on all public bodies in Scotland to further the conservation of biodiversity when carrying out their duties. This is known as the Biodiversity Duty. The range of work the Council does across all services in protecting and enhancing biodiversity is collated and reported to Planning and Regulatory Services Committee, prior to submission of a summary report to Scottish Government on a three-year cycle. The last 3-year report was reported on 10 November 2020 (para 9 of the Minute refers).
- 3.4 The Edinburgh Declaration contains a commitment, which is already delivered by Scottish local authorities under the Biodiversity Duty. Signatories agree in principle to:
- Build on previous efforts, recognising the value of nature.
 - Implement appropriate actions that build on global goals.
 - Mainstream these actions, integrating them into local planning, management, and governance.
- 3.5 At Economic Development and Infrastructure Services Committee on 8 February 2022 it was agreed to recommend the Council sign the Edinburgh Declaration (para 9 of the Minute refers).

4. NATIONAL PLANNING FRAMEWORK 4 (NPF 4), THE NATURE CRISIS AND FUTURE ACTIONS TO ADDRESS BIODIVERSITY DECLINE

- 4.1 In addition to the Council's biodiversity duty, draft NPF 4 commits planning authorities to address the nature crisis, setting out requirements for development to facilitate biodiversity enhancement and support nature recovery and restoration. The next Local Development Plan (LDP) must be supported by an Evidence Report informed by an understanding of the natural assets and existing nature networks in the plan area. In addition to this it must also be informed by up to date audits, strategies and action plans, including the Local Biodiversity Action Plan where applicable, and take into account statutory Open Space Strategies and Forestry and Woodland Strategies.

4.2 Taking into account the requirements set out above a series of actions could be implemented by the Council in support of the Edinburgh Declaration. These actions support biodiversity enhancement and could be financed from the Scottish Government's Nature Restoration Fund, this would be subject to a further report seeking committee approval.

4.3 The following actions have been identified.

- Supporting local communities with their biodiversity aspirations.
- Preparing biodiversity action plans for Council owned sites and supporting schools with their biodiversity plans.
- Delivering on biodiversity enhancements and management proposals at Millbuies woodland and Wards wildlife site.
- Accessing biodiversity data to inform the Evidence Report required for the next LDP, using that data to create and enhance green networks.
- Accessing biodiversity data to inform ongoing development management casework to safeguard and enhance biodiversity.
- Exploring re-establishing local wildlife site networks and potentially identifying new sites and supporting their enhancement.
- Accessing biodiversity data and expertise to advise on mitigation and enhancement work for declining habitats and species, feeding that information into all the above actions.

4.4 It should be noted that further committee reports in response to the draft NPF 4 consultation and Local Development Plan Guidance were presented to Planning and Regulatory Services Committee on 1 March 2022 these reports provide further detail on the implications of further work on biodiversity (paras 13 and 14 of the minute refers).

5. **SUMMARY OF IMPLICATIONS**

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

Protecting and enhancing biodiversity is important to building a better future for our children and young people in Moray, supporting their health and wellbeing and connecting them with nature.

(b) Policy and Legal

There are no legal implications associated with signing the Edinburgh Declaration. The Council already has a statutory biodiversity duty and draft NPF4 policy on the nature crisis will form part of the statutory LDP when adopted.

(c) Financial implications

The proposed future actions to carry out additional biodiversity mitigation and enhancement measures identified in para 4.3 above would be dependent upon ongoing funding from the Nature Restoration Fund. The Scottish Government has recently announced a multi-year package of funding over the next five years with further detail to follow.

(d) Risk Implications

There is no direct risk from signing and agreeing with the principles set out in the Declaration. There is however a reputational risk associated with inaction on reversing biodiversity decline.

(e) Staffing Implications

There are no staffing implications associated with signing the Declaration.

(f) Property

There are no property implications associated with signing the Declaration.

(g) Equalities/Socio Economic Impact

None at this stage.

(h) Climate Change and Biodiversity Impacts

Agreeing to the recommendations in this report will help the Council meet its climate change and biodiversity commitments. There are no climate emissions directly resulting from agreeing to sign the Declaration. However, advancing the principles of the Declaration will contribute to the enhancement of biodiversity in Moray and will support existing measures the Council is taking to tackle the nature and biodiversity crisis.

(i) Consultations

Consultation has taken place with the Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Principal Climate Change Officer, the Equal Opportunities Officer and Tracey Sutherland, Committee Services Officer, and their comments incorporated into the report.

6. CONCLUSION

6.1 In signing the Edinburgh Declaration the Council agrees with calls to adopt an ambitious post-2020 global biodiversity framework, with bold actions to halt biodiversity decline. Furthermore, for greater prominence to be given to actions undertaken at a local level.

6.2 There are a number of potential actions the Council can undertake at a local level in keeping with the principles of the Edinburgh Declaration that will help efforts to halt biodiversity decline. Reports on the implications of further action by the Council were reported to Planning and Regulatory Services Committee on 1 March 2022.

Author of Report: Emma Gordon
Planning Officer

Background Papers:

Ref: SPMAN-813460984-267 / SPMAN-813460984-268 /
SPMAN-813460984-269



EDINBURGH DECLARATION

For subnational governments, cities and local authorities on the post-2020 global biodiversity framework

31 August 2020

Preamble

We, subnational governments, cities and local authorities - as participants and contributors to the *Edinburgh Process for Subnational and Local Governments on the development of the post-2020 global biodiversity framework*, and supported by the Secretariat and some Parties to the Convention on Biological Diversity - are **deeply concerned** about the significant implications that the loss of biodiversity and climate change has on our livelihood and communities. The impacts on our environment, infrastructure, economy, health and wellbeing, and our enjoyment of nature are already visible. Indeed, the COVID-19 global pandemic has reminded us how important it is to live in harmony with nature. Healthy biodiversity and the ecosystem services that it provides are key for human well-being and to build the resilience of our cities and regions, both during and after the pandemic, and it should be central to our recovery.

We **are concerned** that, as outlined in the fifth edition of the Global Biodiversity Outlook, none of the 20 Aichi Biodiversity Targets have been fully met; that action by CBD Parties alone is insufficient to put us on a path to the 2050 vision of 'living in harmony with nature' or to achieving the UN Sustainable Development Goals (SDGs); and that convergence across multilateral environment agreements (MEA's) is progressing at too slow a pace.

We **acknowledge** that the IPBES *Global Assessment Report on Biodiversity and Ecosystem Services* concludes that, despite insufficient action, it is not too late for the climate or for biodiversity, but that transformative action is needed at all levels.

We **recognise** the need for transformative change across terrestrial and marine ecosystems, and across urban development and all productive sectors to ensure enhanced food security, human health and sustainable livelihoods whilst avoiding, mitigating or minimising the negative impact on biodiversity. We also **recognise** the role that many indigenous peoples and local communities have in the management of their territories, through effective biodiversity mainstreaming across all sectors.

We **note** the need to develop effective policy, governance and financing solutions at all levels of government and to ensure vertical integration across national, subnational, city and local levels to effect transformative change. These should address both the direct and indirect drivers of biodiversity loss, and integrate all dimensions of sustainable development (environmental, economic, cultural and social).

We **also note** the vital role that indigenous peoples and local communities, women and youth, non-governmental organisations, and wider society, play in decision making and in taking action at

subnational, city and local levels, and that there should be a fully collaborative approach to ensure active participation of these groups.

We **highlight** the key role of the private sector, including the financial sector, and **encourage** them to catalyse the transformative change needed through full, active and responsible engagement, in support of biodiversity conservation, ecosystem restoration and sustainable use.

We **emphasise** the key role that subnational governments, cities and local authorities already play in protecting and enhancing biodiversity and in delivering actions across planning, implementation, and monitoring.

We **welcome** the endorsement of the *Plan of Action on Subnational Governments, Cities, and Other Local Authorities for Biodiversity (2011-2020)* under Decision X/22 and **recognise** the productive role that this has played in the last decade mobilising subnational, city and local authority actions towards implementing the goals of the Convention; and in fostering an increased recognition on the critical role of our constituency in the CBD.

We **celebrate** the commitments and statements already issued by subnational governments, cities and local authorities including recent declarations of intent¹², and in particular the results achieved through the outputs of the 5th and 6th Global Biodiversity Summit of Cities and Subnational Governments – the *Quintana Roo Communique on Mainstreaming Local and Subnational Biodiversity* (2016) and the *Sharm El-Sheikh Communique for Local and Subnational Action for Nature and People* (2018).

We **acknowledge** the need to build upon the existing *Plan of Action* under Decision X/22, and the advocacy agenda of subnational governments, cities and local authorities over the past decade, and **collectively commit** to raising our ambition and action in the coming decade.

Development of the post-2020 global biodiversity framework

We **welcome** the development of the post-2020 global biodiversity framework, in particular clear, action based, SMART (Specific, Measurable, Achievable, Relevant, Time-bound) targets and the inclusion of an integrated monitoring framework.

We **thank** the Co-Chairs of the Open-ended Working Group on the post-2020 global biodiversity framework for taking an inclusive and participatory approach in developing the framework; and **welcome** the ‘whole of government’ approach embodied in the framework, which captures the principle of governance across all levels of government, including at the level of subnational governments, cities and local authorities.

¹ [Aburra Valley – Medellin Declaration of Metropolitan Areas to the post-2020 global biodiversity framework \(2019\)](#)

² [Carta de São Paulo - BIO2020 – Brazilian Perspectives for the Post-2020 Global Biodiversity Framework \(2020\)](#)

We continue to **support** the 2050 vision “*living in harmony with nature*” and stand ready with a raised ambition to make a contribution that will deliver a local to global impact, and meaningfully contribute to the long term goals.

We **share the ambition** of the 2030 Mission as was set out in the Zero Draft version of the post-2020 global biodiversity framework, ‘*To take urgent action across society to put biodiversity on a path to recovery for the benefit of the planet and people.*’ This ensures a clear pathway towards the 2050 Vision and corresponds with the ambition of subnational governments, cities and local authorities towards addressing the most pressing global challenges, including climate change, disaster risk reduction, health and poverty alleviation, as well as biodiversity.

Implementation of the post-2020 global biodiversity framework

We **welcome** the inclusion of subnational governments, cities and local authorities, as key enablers for the implementation of the post-2020 global biodiversity framework. However, we **recognise** that our role extends beyond the provision of enabling conditions.

Subnational governments, cities and local authorities play key roles in conserving, restoring and reducing threats to biodiversity, in meeting people’s needs through sustainable use and equitable benefit-sharing, in developing the tools and solutions needed for implementing biodiversity protection actions, and in monitoring and reporting.

We **recognise** that our actions in implementing and mainstreaming biodiversity ensure that support mechanisms and enabling conditions are in place at subnational, city and local levels - and that a vertically integrated and cross-cutting governance approach would enhance these efforts.

We **highlight** the significant role that subnational governments, cities and local authorities play in resource mobilisation for implementation and mainstreaming of biodiversity actions. We **stress** the need for immediate and increased efforts to mobilise financial resources at all levels of government and from the private sector.

We are uniquely and most effectively positioned to deliver the outreach, awareness, and uptake of the framework across the whole of society, facilitating engagement with key stakeholders to implement the framework at subnational, city and local levels. Nevertheless, we **recognise** that more can be done to build upon already existing policies and frameworks to ensure the full participation of the whole of society in delivering the post-2020 global biodiversity framework.

COMMITMENT FOR THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

Subnational governments, cities and local authorities will continue to build upon our previous efforts, to deliver transformative actions by:

- Recognising the overall value of nature and integrating it into subnational, city and local planning, management and governance instruments;

- Implementing appropriate actions that deliver on the post-2020 global biodiversity framework goals and action targets;
- Aligning biodiversity strategies and actions, and our monitoring and reporting efforts with National Biodiversity Strategies and Action Plans (NBSAPs), within our subnational, city and local competencies;
- Increasing resource mobilisation for investment in biodiversity action at subnational, city and local levels, and providing incentives to ensure positive outcomes;
- Mainstreaming biodiversity across public, private and business sectors to achieve greater environmental, societal and economic resilience;
- Communicating, educating and raising public awareness with specific efforts to make knowledge available in several languages;
- Strengthening capacity building in order to implement nature-based solutions (NBS) and green and blue infrastructure, particularly through ecosystem based approaches and as a contribution to a green recovery from COVID-19;
- Providing opportunities for knowledge exchange across subnational, city and local levels, and between all sectors of society;
- Sharing best practices across subnational, city and local levels, to efficiently implement transformative actions;
- Delivering convergence with other intergovernmental agreements and processes, taking forward bold and innovative actions at the subnational, city and local level which result in mutually beneficial outcomes.

CALL FOR ACTION

We subnational governments, cities and local authorities therefore **call upon** Parties to the Convention on Biological Diversity to;

- I. Take strong and bold actions to bring about transformative change, as outlined in the IPBES global assessment report, in order to halt biodiversity loss.
- II. Recognise the vital role of subnational governments, cities and local authorities, in delivering the 2050 vision of the post-2020 global biodiversity framework, and the 2030 mission as set out in the Zero Draft document; and to explicitly place that recognition throughout the framework text, including the monitoring framework for the goals and targets.
- III. Support the adoption at COP15, of a new dedicated Decision for the greater inclusion of subnational governments, cities and local authorities within the post-2020 global biodiversity framework; that builds upon and renews the *Plan of Action on Subnational Governments, Cities and Other Local Authorities for Biodiversity (2011-2020)* as endorsed under Decision X/22; and that significantly raises ambition for subnational, city and local implementation of the post-2020 global biodiversity framework throughout the next decade.
- IV. Establish a multi-stakeholder platform that ensures representation of subnational governments, cities and local authorities to support the implementation of the post-2020 global biodiversity framework.

We, subnational governments, cities and local authorities, ***stand ready*** to meet the challenge of delivering, alongside Parties, the post-2020 global biodiversity framework, to ensure investment, and play a stronger role in the implementation of the framework through a renewed and significantly stepped-up *Plan of Action for subnational governments, cities and local authorities* for the coming decade.

EDINBURGH PROCESS PARTNERS

A handwritten signature in black ink, reading "R. Cunningham".

Ms Roseanna Cunningham, MSP
Cabinet Secretary for Environment, Climate
Change and Land Reform
On behalf of the Scottish Government

A handwritten signature in black ink, reading "Lesley Griffiths".

Ms Lesley Griffiths AS/MS
Gweinidog yr Amgylchedd, Ynni a Materion
Gwledig
Minister for Environment, Energy and Rural
Affairs
On behalf of Welsh Government



Llywodraeth Cymru
Welsh Government

A handwritten signature in black ink, reading "Ashok Sridharan".

Mr Ashok Sridharan
ICLEI President
On behalf of ICLEI - Local Governments
for Sustainability

A handwritten signature in black ink, reading "Cheryl Jones Fur".

Ms Cheryl Jones Fur
Deputy Lord Mayor of Växjö, Sweden
On behalf of ICLEI Europe

A handwritten signature in blue ink, reading "Elena Moreno".

Ms Elena Moreno
Regions4 President
Basque Deputy Minister for Environment
On behalf of Regions4 Sustainable
Development

A handwritten signature in blue ink, reading "Benoit Charette".

Mr Benoit Charette
Ministre de l'Environnement et de la Lutte
contre les changements climatiques
On behalf of Gouvernement du Québec



A handwritten signature in black ink, reading "Hideaki Ohmura".

Mr Hideaki Ohmura

Governor of Aichi Prefecture

On behalf of the Group of Leading Subnational Governments toward the Aichi Biodiversity Targets (GoLS)



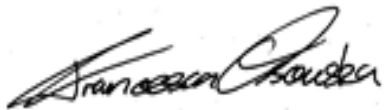
Under consideration

On Behalf of the European Committee of the Regions



European Committee of the Regions

Supported by:

A handwritten signature in black ink, reading "Francesca Osowska".

Ms Francesca Osowska

Chief Executive

On behalf of NatureScot

A handwritten signature in black ink, reading "Simon Milne".

Mr Simon Milne MBE

Regius Keeper

On Behalf of Royal Botanic Garden Edinburgh



Royal Botanic Garden Edinburgh

Dated: 31 August 2020

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SIGNATORIES

SUBNATIONAL, CITY AND LOCAL AUTHORITIES

| Name | Position Organisation | Date Signed |
|--------------------------|--|----------------------|
| <i>Example: Jo Blogs</i> | <i>Head of Environment and Nature Division Local Council</i> | <i>Xx/Month/2020</i> |
| | | |

ADDITIONAL SUPPORTERS

| Name | Position Organisation | Date Signed |
|-------------------------|---------------------------------|----------------------|
| <i>Example: Nat Ure</i> | <i>Director, Nature Company</i> | <i>Xx/Month/2020</i> |
| | | |

Minister for Environment and Land Reform
Mairi McAllan MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

Minister for Green Skills, Circular Economy and
Biodiversity
Lorna Slater MSP

T: 0300 244 4000

15 December 2021

Good afternoon,

As you will be aware, the UN Convention on Biological Diversity (CBD) is currently developing a post-2020 framework for global biodiversity and new global targets to be agreed at the Conference of Parties meeting (COP15) in Kunming, China. The CBD and its parties are moving into the next decade with a stepped up ambition to deliver for nature, and there is increasing recognition of the important role that sub-state and local governments play in translating global targets into local actions for nature.

On behalf of the CBD, the Scottish Government has been leading the “Edinburgh Process” – global engagement and consultation for sub-state governments and local authorities – with the aim of securing the inclusion of all levels of government within the post-2020 global biodiversity framework.

The Edinburgh Process aims to ensure a ‘whole of government’ approach is adopted globally, and the Edinburgh Declaration is a call to action – setting out the commitment of the subnational constituency in delivering for nature over the next decade, and calling upon Parties to step up their recognition of all levels of government in order to deliver the transformational change needed to halt and reverse biodiversity loss.

We have reached a critical juncture for nature, with the hosting of COP26 in Glasgow, and COP15 in China in 2022. We recognise that more action is needed at all levels to halt the loss of biodiversity and Scotland is committed to taking bold action to restore and protect our natural environment through our own post-2020 Biodiversity strategy, to be published in October 2022. Local Authorities play an essential role in Scotland, delivering local action for biodiversity, integrating nature-based solutions into city and local planning, and delivering positive outcomes for biodiversity.

We strongly encourage your support of the commitments and calls to action set out in Edinburgh Declaration – <https://www.gov.scot/publications/edinburgh-declaration-on-post-2020-biodiversity-framework/>, joining COSLA, and 14 Scottish Local Authorities, and over 220 global sub-state governments, cities and local authorities to date, which have signed the declaration.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



We hope that you will join our efforts to demonstrate to the Convention the global will for a dedicated Decision and renewed *Plan of Action for subnational governments, city and local authorities*, to be adopted alongside the post-2020 global biodiversity framework at COP15.

We look forward to receiving your support of the Edinburgh Process, and in working together over the coming decade and beyond, to bend the curve of biodiversity loss, restore Scotland's natural environment and that communities across Scotland live in harmony with nature.



Màiri McAllan



Lorna Slater

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