

# MORAY COUNCIL

## Minute of Meeting of the Moray Council

Wednesday, 12 February 2020

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

### **PRESENT**

Councillor George Alexander, Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Theresa Coull, Councillor John Cowe, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Shona Morrison, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren

### **APOLOGIES**

Councillor John Divers, Councillor Walter Wilson

### **IN ATTENDANCE**

In attendance at the morning session of the meeting were the Chief Executive, Depute Chief Executive (Education, Communities and Organisational Development), Head of Housing and Property Services, Head of Environmental and Commercial Services, Chief Financial Officer, Head of Governance, Strategy and Performance, Head of Economic Growth and Development and Tracey Sutherland, Committee Services Officer.

#### **1. Chair**

The meeting was chaired by Councillor Shona Morrison.

#### **2. 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.

#### **3. Resolution**

Councillor Ross moved that Item 17 on the agenda, Financial Planning should be moved to the open section of the agenda.

In response, the Head of Governance, Strategy and Performance advised that the report refers to staff who will be affected by the decision and that it is not best practice to move the report into the open section of the meeting.

Councillor Gatt confirmed, following the legal advice, that he was happy to support Councillor Ross' motion.

The Chief Executive added that in this instance all Councillors were acting as an employer and that Item 17 of the agenda is affecting employees so it is not considered best practice to discuss the item in the open session of the meeting.

Following a short adjournment and in consultation with colleagues the Head of Governance, Strategy and Performance advised the Chair that, given the implications for the staffing consultation process, he had concerns about the competency of the motion but that any decision on competency rested with the Chair.

The Chair confirmed that she was happy with the advice given by the Head of Governance, Strategy and Performance and advised Councillor Ross that his motion was not competent and therefore the resolution was agreed.

Paragraph Number of the Minute	Number of Paragraph	of Schedule 7A and reason
19	1	Information relating to staffing matters
20	1	Information relating to staffing matters
21	9	Information on terms proposed or to be proposed by or to the Authority
22	9	Information on terms proposed or to be proposed by or to the Authority
23	9	Information on terms proposed or to be proposed by or to the Authority

#### **4. Minute of Moray Council on 27 November 2019**

The minute of the meeting of the Moray Council dated 27 November 2019 was submitted and approved.

#### **5. Minute of Special Meeting of Moray Council on 17 December 2019**

The minute of the special meeting of Moray Council on 17 December 2019 was submitted and approved.

#### **6. Written Questions \*\***

The Council noted that no written questions had been submitted.

#### **7. Notice of Motion - Councillors Laing and Coull**

A notice of motion was submitted by Councillor Laing, seconded by Councillor Coull in the following terms:

Council notes that following the review of Priority 1 Gritting Routes following the 2019/20 budget and the subsequent experience of working the new routes that there is a limited amount of driver and vehicle time that could be utilised to extend winter maintenance cover without the introduction of new routes, vehicles or personnel.

Council agrees that the existing Dallas and Knockando routes be extended to cover the C13E road connecting Knockando with Dallas.

Council further agrees that the Rothiemay route should be extended to cover an additional few hundred metres on the short stretch of road connecting the existing Priority 1 route on B9118 with the nearby Aberdeenshire road.

Council agrees that the cost for the remainder of the current winter period, estimated to be circa £5.5k is covered from General Reserves and that the full season additional cost, estimated at circa £15k is included in the 2020/21 budget.

Council notes that these additional extensions will take the existing routes up to their limit and any further additions would require a complete re-routing exercise that would require additional crews and vehicles to be deployed.

In response, Councillor Eagle requested that an additional recommendation be added to the motion asking for a further report to be provided for Economic Development and Infrastructure Committee on the impact the changes to the gritting policy have had on the communities affected (i.e. accident data/complaints). Both Councillors Laing and Coull were happy to add this to the motion.

Councillor Feaver further requested information on how much it would cost and the resources required to grit all pavements within a 20 minute walking distance of Moray town centres.

The Head of Environmental and Commercial Services responded that pavement gritting is carried out based on resources available at any particular time. What is being requested would require more staff and equipment.

Councillor Alexander felt that he could not justify this expenditure as it would give gritting a higher priority than school crossing patrollers which had also been cut from the budget last year and therefore proposed, seconded by Councillor Cowe not to approve the notice of motion.

On the division there voted:

For the motion (20) Councillors Laing, Coull, Allan, Bremner, Brown, Coy, Eagle, Edwards, Feaver, Gatt, Leadbitter, A McLean, M McLean, R McLean, Macrae, Morrison, Powell, Ross, Taylor and Warren.

For the amendment (4) Councillors Alexander, Cowe, Cowie and Creswell

Abstentions (0)

Accordingly the motion became the finding of the meeting and Council agreed:

i) to extend the gritting on the C13E road connecting Knockando with Dallas;

- ii) to extend the gritting on the B9118 by a few hundred metres to the connecting Aberdeenshire road; and

a further report to be provided to Economic Development and Infrastructure  
iii) Committee on the impact the changes to the gritting policy have had on the communities affected (i.e. accident data/complaints).

## 8. Revenue Budget Monitoring to 31 December 2019

A report by the Depute Chief Executive (Economy, Environment and Finance) advised the Council of the revenue budget monitoring position to 31 December 2019 and of the current estimated outturn for 2019/20.

Following consideration, Councillor Leadbitter, seconded by Councillor A McLean moved that the recommendations be agreed as printed in the report.

Councillor Eagle proposed to not agree recommendation 2.2 as there is already £2,000,000 set aside for transformation and that the £881,000 could be used for other priorities, this was seconded by Councillor Gatt.

On the division there voted:

For the motion Councillors Leadbitter, A McLean, Alexander, Bremner, Coull,  
(13) Cowe, Cowie, Coy, Creswell, Laing, Morrison, Taylor and  
Warren

For the Councillors Eagle, Gatt, Allan, Brown, Edwards, Feaver, M  
Amendment (11) McLean, R McLean, Macrae, Powell and Ross

Abstentions (0)

Accordingly the motion became the finding of the meeting and Council agreed to:

- i) note the budget monitoring position of £273,000 under budget for 2019/20 as at 31 December 2019;

- ii) note that this position consists of an underspend on Devolved School budgets of £778,000, an overspend on Social Care Services delivered on behalf of the Moray Integration Joint Board (MIJB) of £1,351,000 and an overspend on other services of £50,000 after receipt of £1,325,000 one-off income;

- iii) note movement of £208,000 in the General Revenue Grant as detailed in paragraph 3.4;

- iv) note the current estimated out-turn for 2019/20 consists of an underspend of £619,000 for services; £1,325,000 one-off income; unallocated provisions (including additional savings of £1,691,000) of £3,604,000 and an overspend on Social Care services delivered on behalf of the MIJB of £632,000, resulting in a decrease in the use of Council reserves of £4,916,000; and

- v) note there are no new emerging budget pressures as at 31 December 2019;
- vi) note the position regarding MIJB as described in paragraph 8.3, with cost implications of £632,000 for the Council;
- vii) note commitments of £272,000 against reserves as summarised in section 9; and
- viii) approve setting aside £881,000 budgeted to be spend on transformation of services into an ear-marked reserve for implementing Council priorities.

## **9. Capital Plan 2019-20**

A report by the Depute Chief Executive (Economy, Environment and Finance) advised the Council of the expenditure to 31 December 2019 under the capital plan for financial year 2019/20 and of the estimates of projected expenditure profiled into quarters.

Following consideration the Council agreed to:

- i) note expenditure to 31 December 2019 of £36,236,000;
- ii) note the current projected expenditure of £68,937,000 for 2019/20 profiled into quarters;
- iii) note the projected overall expenditure for projects spanning more than one financial year, as set out in Appendix 2;
- iv) note capital expenditure for Early Learning and Childcare expansion is to be funded, in part, from revenue grant funding as detailed in paragraph 5.3.4; and
- v) approve proposed budget deferrals of £653,000 arising from slippage and expenditure re-profiling form 2019/20 to 2020/21 as summarised n paragraph 5.6 of the report.

## **10. Financial Planning**

A report by the Depute Chief Executive (Economy, Environment and Finance) reported to the Council on the development of savings proposals aimed at reducing the predicted budget gap for 2020/21 and to update the Council on current financial forecasts.

During consideration, Councillor Eagle sought assurances that by reducing the Building Standards Team by 1FTE would not have an adverse effect on how the service operates.

In response, the Head of Economic Growth and Development confirmed that the reduction in the level of staffing is sufficient for the current level of applications the service receive.

Councillor Macrae raised concerns on reducing the street lighting maintenance budget, leaving street light repairs until a number of lights are out and the safety concerns arising from this as there had been a 2 week period at Christmas where a number of lights had been out in Fochabers which had meant visibility at an ATM was restricted along with risks to pedestrians and road users.

In response the Head of Environmental and Commercial Services advised that there are 2 reasons for reducing the budget, firstly the efficiency of the new LED lighting and to try and make the operation of maintenance more efficient, so rather than sending out a member of staff to repair 1 light, wait until there are a number of lights out. He further added that he appreciated this was not the responsive service previously provided but given the number of staffing in Roads this is the best use of the resources available.

Councillor Macrae further requested how many lights were a number of lights to be out before their repair was arranged. In response the Head of Environmental and Commercial Services confirmed that this decision would be a judgement call based on a number of factors.

Following further consideration the Council agreed:

- i) to those savings which do not require consultation for implementation by 1 April 2020;

that staff consultation is undertaken for the remainder of the savings and thereafter, as the scale of change proposed is at a level normally dealt with through service level Change Management Plans and changes based on

- ii) vacancies, that authority is delegated to service managers to consider responses, make any necessary adjustments and then proceed with implementation in accordance with the Council's agreed policies and procedures;

- iii) that any savings in Appendix 1 note agreed today may be reconsidered at a later date if the funding gap still remains;

- iv) to note the updated projections for 2020/23 as set out in Appendix 3;

The Council also agreed that in light of the draft Medium to Long Term Financial Strategy and pending greater clarity on the budget process for Local Government for 2020/21, the Council continues the short term financial planning process agreed in September 2018 which is based on a combination of:

- i) savings already identified in Appendix 1;
- ii) consideration of further savings which could be implemented in 2020/21 and 2021/22 many of which would involve service reductions;

- iii) savings generated through the Improvement and Modernisation Programme; and
- iv) use of budget flexibility including general reserves within the agreed Reserves Policy.

## **11. Use of Capital Receipts and Ear-Marked Reserves to Fund Transformaton**

A report by the Depute Chief Executive (Economy, Environment and Finance) requested Council's approval to use capital receipts to fund a specified range of transformation or service redesign projects, in terms permitted by Scottish Government as set out in Local Government Finance Circular No 4/2019.

Councillor Eagle confirmed that the Conservative Group are in agreement and supportive of the development of the Climate Change Strategy, however the £30,000 being asked for is coming from the Council's budget and not being provided by the Scottish Government and sought more clarification on what the £30,000 is going to be spent on.

In response the Head of Housing and Property confirmed that the money is being used to pay for a consultant to carry out the energy audits which normally are carried out by the Council's Energy Team. The development of the Climate Change Strategy and Action Plan will be carried out by the Energy Team. He further added that in his view this would be money well spent given the money that has been saved on energy by carrying out the audits and the behaviours that have been changed in relation to energy use.

Councillor Feaver added that the energy audits are vital and should be covered by the existing department budget. She further added that the Council should be approaching the Scottish Government for additional budget to complete the Climate Change Strategy and Action Plan.

Councillor Alexander sought clarification on whether the Scottish Government has been approached to provide additional funding.

In response, the Chief Executive confirmed that the strategy is to get the Council into a position to bid for money to help address climate change.

Councillor R McLean added that the Conservatives fully supportive climate change however he felt that the Council's financial position dictates that any work should be carried out within existing department budgets as he did not wish to explain to constituents that front line services are being cut but £30,000 is being spent on producing a report.

Following further consideration, Councillor A McLean moved that the recommendations be agreed as per the report, this was seconded by Councillor Laing.

Councillor R McLean, seconded by Councillor Macrae, proposed to agree the recommendations as stated with the exception of recommendation 2.2.

On the division there voted:

For the motion Councillors A McLean, Laing, Alexander, Bremner, Coull, Cowe,  
(15) Cowie, Coy, Creswell, Edwards, Leadbitter, Morrison, Ross,  
Taylor and Warren

For the Councillors R McLean, Macrae, Allan, Brown, Eagle, Feaver,  
Amendment (9) Gatt, M McLean and Powell

Abstentions (0)

Accordingly the Motion became the finding of the meeting and Council agreed:

- i) to approve the use of capital receipts to fund expenditure estimated at £557,000 in 2019/20 on the Improvement and Modernisation Programme, Digital Services, Community Asset Transfer and services re-structure, as set out in section 4 of this report;
- ii) to note that annual recurring savings of at least £1,321,000 are projected to be achieved from this and last year's investment of capital receipts;
- iii) to note that further reports on the use of capital receipts in 2020/21 will be brought for approval as the details of the Improvement and Modernisation Programme are developed; and
- iv) to approve the use of £30,000 from the ear-marked reserve of £2,000,000 set aside to fund Council priorities to facilitate the development of the Council's Climate Change Strategy and Action Plan.

## **12. Housing Revenue Account Budget 2020-21**

A report by the Depute Chief Executive (Economy, Environment and Finance) presented the Housing Revenue Account (HRA) Budget and Housing Investment Plan for 2020/21 to the Council for approval.

Following consideration the Council agreed to:

- i) the proposed HRA Budget (Appendix I) and Housing investment Plan (Appendix II);
- ii) Council house rents increase by 3% for 2020/21;
- iii) garage rents are increased by 7% (this is a two yearly increase);
- iv) service developments at a cost £50k;



v) grass cutting charges being increased by 3.5%; and

vi) note the three year projection to 2023 (Appendix III).

### **13. Political Balance - Appointments to Committee**

A report by the Depute Chief Executive (Education, Communities and Organisation Development) invited the Council to consider proposals regarding political balance allocations for Committees.

Councillor Leadbitter moved to increase the main Committees from 13 to 14 with a political balance of 5 SNP, 5 Conservatives, 2 COG, 1.5 MAG and 0.5 Labour. Councillor Leadbitter further explained the 1.5 MAG and 0.5 Labour allocation. This results in 12 places between the 4 Councillors on the 6 main Committees and it would be for the MAG and Labour representatives to discuss and allocate the places as they see fit. This would also bring the Audit and Scrutiny Committee political balance in line with the other main Committees.

He further added that his motion also sought to increase the remaining Committees which currently have 7 members, increase to 9 with a political balance of 3 SNP, 3 Conservative, 2 COG and 1 MAG.

With regards to the Licensing Board, there is a statutory training requirement to sit on the Board and therefore was happy to leave the membership as currently is. The motion was seconded by Councillor A McLean.

In response Councillor Eagle welcomed the fact that this had been openly discussed in depth prior to the meeting and proposed, seconded by Councillor Gatt, reducing the main Committees from 13 to 11 with a political balance of 4 SNP, 4 Conservatives, 2 COG and 1 MAG. He further added that this proposal did not include representation from Labour but suggested that all groups be open to speaking with Councillor Divers to discuss what Committees groups want to be on to ensure that no-one is excluded and feels there are ways to include him. Councillor Eagle further added that he was happy to increase the Committees with 7 members to 9 with the political balance as detailed by Councillor Leadbitter.

Councillor Brown sought clarification on the implications for the Grampian Valuation Joint Board (GVJB) membership with Councillor Leadbitter's motion.

In response, Councillor Leadbitter said that GVJB is an outside body and outwith the discussion of this paper today and it would be unfair for members to consider without any background information.

The Head of Governance, Strategy and Performance further added traditionally a separate report is brought to Council to consider outside body attendance and that he was happy to bring a report to the next meeting of the Council for consideration.

On the division there voted

For the motion (13) Councillors Leadbitter, A McLean, Alexander, Bremner, Coull, Cowe, Cowie, Coy, Creswell, Laing, Morrison, Taylor and Warren

For the Councillors Eagle, Gatt, Allan, Brown, Edwards, Feaver, M  
Amendment (11) McLean, R McLean, Macrae, Powell and Ross

Abstentions (0)

Accordingly the motion became the finding of the meeting and Council agreed to:

increase Audit and Scrutiny, Children and Young People's, Communities,  
i) Economic Development and Infrastructure, Licensing, Planning and Regulatory,  
Policy and Resources Committees to 14 members with a political split of 5 SNP,  
5 Conservatives, 2 COG, 1.5 MAG and 0.5 Labour.

increase the Appeals Committee, Moray Local Review Body and Police and Fire  
ii) Committee to 9 members with a political split of 3 SNP, 3 Conservatives, 2 COG  
and 1 MAG;

iii) membership and political balance of the Licensing Board remains as it currently  
stands;

iv) nominations from Group Leaders on which Councillors will sit on each  
Committee and sub Committee; and

v) a further report being presented to the next meeting of Moray Council regarding  
the Outside Bodies membership for consideration.

#### **14. Adjournment of Meeting**

In terms of Standing Order 25, the Meeting agreed to adjourn at 12:35pm for lunch  
and reconvene at 2.00pm.

#### **15. Resumption of Meeting**

##### **PRESENT**

Councillors Alexander, Allan, Bremner, Brown, Coull, Cowe, Cowie, Coy, Eagle,  
Edwards, Feaver, Gatt, Laing, Leadbitter, Macrae, A McLean, M McLean, R  
McLean, Morrison (Chair) Powell, Ross, Taylor and Warrant

##### **APOLOGIES**

Apologies were intimated on behalf of Councillors Creswell, Divers and Edwards.

##### **IN ATTENDANCE**

In attendance at the afternoon session of the meeting were the Chief Executive,  
Depute Chief Executive (Education, Communities and Organisational  
Development), Head of Housing and Property Services, Head of Environmental and  
Commercial Services, Chief Financial Officer, Head of Governance, Strategy and  
Performance, Head of Economic Growth and Development, Estates Manager,

Acting Housing Strategy and Development Manager, Environmental Protection Manager and Tracey Sutherland, Committee Services Officer.

## **16. Constitutional Documents Review**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) invited the Council to consider a strategic operating model as part of the Governance Review and to consider and approve changes to Council's constitutional documents following the recent management restructure.

The Head of Governance, Strategy and Performance highlighted an amendment on Page 117, the last 3 lines of the table should refer to page 156, he further added that on page 155 48(d) 'authority is required to be sought from the Council's Policy and Resources Committee for all sales in excess of £10,000' should have been removed as it refers to the Scheme of Administration and not the Scheme of Delegation.

Councillor Gatt sought clarification on page 145 (24) to maintain the register of gifts and hospitality received by Employees in terms of the Employee's Code of Conduct and could the register be published publicly.

In response the Head of Governance, Strategy and Performance advised that there is a Code of Conduct for Officers who are subject to restrictions on what hospitality and gifts they are allowed to accept and if they do accept that it is recorded. Elected members are accountable to the public and it is appropriate to publish their expenses whereas Officers are employees and ultimately accountable to the Chief Executive and disciplinary measures can be put in place if the Code of Conduct is breached and the rules currently in place are proportionate.

Councillor Gatt sought advice on whether there is any legal impediment should the Council be minded to publish the information. In response the Head of Governance, Strategy and Performance advised that if the Council were minded he would want to look into the data protection issues around the issue and also look at comparators with other local authorities to see whether any other authorities publish the information.

Councillor Warren sought clarification on how scrutiny and accountability within Children's Services will be carried out when the Service is moved to the Moray Integration Joint Board.

In response the Chief Officer, Moray Integration Joint Board confirmed that this is the due diligence that the Council and NHS Grampian will be working through in the next few months as the integration scheme is reviewed.

Councillor Leadbitter confirmed that the Admin Group consensus would be that the current Committee structure is the preferred way forward.

Councillor Feaver was concerned that there had been a few instances recently where Councillors had found out information through the press and not informed prior and therefore requested that the Protocol on Consultation, Access to Information and Councillor's Involvement in Council Business be circulated.

In response the Head of Governance, Strategy and Performance agreed to circulate the protocol to all members and relevant officers.

Councillor Gatt moved an addition to page 135 (5) and page 136 (10) to include the wording 'after agreement with Council Group Leaders'.

In response, the Head of Governance, Strategy and Performance advised that his preference would be to leave to Officers and have discretion to ensure protection of the Council.

The Chief Executive added that his role is always to act in the best interest of the Council and in his view the additional wording would not always be in the best interest of the Council in terms of matters of urgency or particularly sensitive and his practical experience of the previous administration which was equally finally balanced, hours and days can be lost in negotiation with the political groups, so to have some discretion is important if it ensures the best interests of the Council is protected at all times. The Chief Executive offered to meet with the Councillor Gatt to discuss some examples of some of the issues he'd had to deal with as Chief Executive by the very nature are confidential or sensitive.

Councillor Gatt thanked both the Chief Executive and the Head of Governance, Strategy and Performance for their responses and confirmed that he was happy to have the discussion with the Chief Executive and withdrew his motion.

Councillor Eagle confirmed that the Conservative Group were not averse to continuing the Committee structure.

Councillor Macrae moved that in reference to page 135 (5) in the Scheme of Delegation 'in consultation with Group Leaders' is added to the paragraph, this was seconded by Councillor R McLean.

Councillor Morrison proposed seconded by Councillor A McLean the wording of the Scheme of the Delegation is agreed as is stated in the report.

Prior to the vote the Chief Executive asked the Clerk that his concerns regarding Councillor Macrae's motion be recorded. In clarifying his motion, Councillor Macrae asked that it be recorded his dismay at the Chief Executive's comments.

On the division there voted:

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

For the Amendment (13) Councillors Morrison, A McLean, Alexander, Bremner, Coull,  
the Cowe, Cowie, Coy, Edwards, Laing, Leadbitter, Taylor and  
Warren

Abstentions (0)

Accordingly the amendment became the finding of the meeting and Council agreed to:

i) approve the amendments to the Scheme of Delegation detailed in Appendix 1

remove 48(d) 'authority is required to be sought from the Council's Policy and  
ii) Resources Committee for all sales in excess of £10,000' as it refers to the Scheme of Administration and not the Scheme of Delegation.

iii) the current traditional Committee structure continuing; and

iv) note the next steps for progressing the Governance Review detailed in paragraph 5.5 of the report.

Councillor M McLean left the meeting at the end of this item.

## **17. Approved Minutes of Moray Integration Joint Board**

A report by the Chief Officer, Moray Integration Joint Board informed the Council of the latest approved minutes of the meetings of the Moray Integration Joint Board.

Following consideration the Council agreed to note the contents of the report.

## **18. Question Time \*\*\***

Under reference to Paragraph 8 of the minute of the special meeting of Moray Council on 17 December 2019, Councillor Warren sought an update on the installation and commissioning of the ice plant at the Fishmarket Building, Buckie.

In response the Head of Environmental and Commercial Services advised that the mandate for the work had been circulated on 31 January 2020 but would check on the status of the consultation and confirm in an email to Elected Members.

Councillor Gatt sought clarification from the Head of Governance, Strategy and Performance in respect of standing order 28, there is no reference to the resolution and therefore would like to know why Item 17 cannot be heard in the open section of the meeting.

In response, the Head of Governance, Strategy and Performance said that if there was a gap in the Council's standing orders he was happy to look into that. The second issue regarding the confidentiality of Committee papers would need to be checked against the Local Government Act 1973 and also Access to Information Act 1985 to see if the determination of the decision on confidential papers sits with the officers or Elected Members.

He further added that at the previous point in the meeting when members were asked to agree the resolution at item 3 on the Agenda and consideration was given to Item 17, the decision to consider items 18 - 20 in confidence had not been taken.

The Convener sought agreement from Member's agreement to discuss Items 18 – 20 in confidence. This was duly agreed.

Councillor Alexander asked which secondary school in Moray would be next in priority to be replaced.

In response the Depute Chief Executive (Education, Communities and Organisation Development) confirmed that the decision would lie with Elected Members and the

decision would be based on criteria set before them. A paper on the school estate strategy will be presented to the next meeting of Moray Council on 8 April 2020 which will allow the Council to take a strategic approach to make decisions in each school area.

Councillor Alexander further asked that from the answer given that there is no list of priorities.

The Depute Chief Executive (Education, Communities and Organisational Development) confirmed that any list of priorities would be determined by the Council and as yet no decisions have been made, so yes that is correct.

Councillor Macrae sought assurance that plans and procedures were in place should an outbreak of Coronavirus be diagnosed in the area.

In response the Convener confirmed that NHS Grampian has a robust plan in place to deal with any outbreak. There are also social media information posts available.

The Head of Environmental and Commercial Services further added that the Grampian Resilience Partnership, which is multi agency, will also have plans which can be put in place should an outbreak happen.

The Head of Economic Growth and Development confirmed that the Environmental Health Team also receive regular updates from the Government and NHS Grampian.

#### **19. Proposed Restructure of Property Services and Building Service (DLO) [Para 1]**

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to consider the proposed structure changes to Property Services and Building Services (DLO) to enable the Housing and Property Service to manage the landlord functions for the Learning Estate and improve housing services.

Following consideration the Council agreed to:

- i) approve the new staffing structures and the grades for the Property Asset Manager and Design and Construction Manager;
- ii) note that consultation with staff and Trade Unions commenced on 25 January 2020 and will conclude on 21 February 2020;
- iii) agrees to grant delegated authority to the Head of Housing and Property to make any appropriate adjustments and proceed with implementation unless a matter arises that the Head of Housing and Property considers should be reported to the Council before proceeding;
- iv) fund any budget shortfall of £88k required to implement the proposed Asset Management Structure from savings;
- v) fund the £58k required to implement the Building Services (DLO) Change Management Plan from the Housing Revenue Account; and

that the Head of Housing and Property will review the new structures within 12 vi) months of implementation to establish if any further savings can be delivered from the merging services.

## **20. Financial Planning [Para 1]**

A report by the Depute Chief Executive (Economy, Environment and Finance) reported to the Council a savings proposal aimed at reducing the predicted budget gap for 2020/21.

Following consideration, Councillor Leadbitter moved to agree the recommendations as printed in the report and this was seconded by Councillor A McLean.

Councillor Eagle, seconded by Councillor Ross proposed that the Council agree:

i) to keep the current toilets open;

to a report to the next meeting of the Moray Council on the cost of re-opening  
ii) Fiddich Park, Craigellachie, West Dunes (South), Findhorn and Reidhaven Square, Keith; and

a further report to Moray Council by September 2020 which reports on  
iii) discussions with the new tourism body, continuing discussion with Communities as well as the potential external funding and options around income generation.

On the division there voted:

For the Motion Councillors Leadbitter, A McLean, Alexander, Bremner, Coull, (12) Cowe, Cowie, Coy, Laing, Morrison, Taylor and Warren

For the Councillors Eagle, Ross, Allan, Brown, Edwards, Feaver, Gatt, Amendment (10) Macrae, Powell and R McLean

Abstentions (0)

Accordingly the motion became the finding of the meeting and Council agreed:

subject to consultation in terms of paragraph 3.1 (ii) below, the Council agrees to the closure of those public conveniences listed in paragraph 4.3 of this report, with effect from 1 October 2020, after consideration of the Equalities Impact Assessment included as Appendix 1 to the report and noting the recent launch of a Comfort Scheme for Moray, whereby local businesses and other organisations make facilities available for use by members of the public; and  
i)

staff consultation is undertaken for the saving and thereafter as the scale of change proposed is at a level normally dealt with through service level Change Management Plans, that authority is delegated to service managers to consider responses, make any necessary adjustments and then proceed with implementation in accordance with the Council's agreed policies and procedures.  
ii)

Councillors Brown and Allan left the meeting following the discussion of this item.

## **21. Moray Growth Deal - Progress Update [Para 9]**

A report by the Depute Chief Executive (Economy, Environment and Finance) provided a progress update on the development of a growth funding proposal for Moray since the previous formal update report was provided on 8 May 2019.

Following consideration the Council agreed to:

- i) note the progress made on the Moray Growth Deal since 9 May 2019;  
  
note that on 28 June 2019 authority was delegated to progress negotiations
- ii) towards Heads of Terms based on an agreed prioritisation of projects, subject to a final report to Council if possible;  
  
agrees that this is the final report and that Heads of Terms may now be agreed as set out in the report, the Depute Chief Executive (Economy, Environment and
- iii) Finance) being delegated authority to make such final adjustments as maybe necessary in discussion with Group Leaders and as agreed by the Negotiating Team; and
- iv) note the next stage of the process.

## **22. Moray Affordable Housing Programme - Council Land Aquisition [Para 9]**

A report by the Depute Chief Executive (Economy, Environmental and Finance) asked Council to agree to purchase a site at Banff Road, Keith for development for new Council housing.

Following consideration the Council agreed to:

- i) the Council's purchase of the site detailed at Section 3.1; and
- ii) remit the Legal Services Manager to conclude the purchase of the site.

## **23. Land at Station Road, Portessie [Para 9]**

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to approve the sale of the Council's land at Station Road, Portessie.

Following consideration the Council agreed to:

- i) approve the proposed sale on the main terms set out in paragraph 5.1 of the report; and



- ii) refer the matter to the Estates Manager and Legal Services Manager to conclude the transaction.