

MORAY COUNCIL

Minute of Meeting of the Moray Council

Wednesday, 02 September 2020

Remote Locations via Video Conference

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 John Divers, 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 Shona Morrison, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren, Councillor Walter Wilson

APOLOGIES

Councillor Ray McLean

IN ATTENDANCE

The Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Head of Housing and Property Services, Head of Economic Growth and Development, Chief Financial Officer, Head of Governance, Strategy and Performance, Mr P Connor, Principal Accountant, Economic Growth and Regeneration Manager, Energy Officer and Mrs Rowan, Committee Services Officer as Clerk to the Council.

1 Chair

Councillor Morrison, being Convener and Chair of the Moray Council, chaired the meeting.

2 Declaration of Group Decisions and Members Interests

The Chair stated that, as Councillors Eagle and Feaver had indicated their intention to withdraw the Notice of Motion at agenda item 3b), she would no longer be declaring an interest as a Board Member of NHS Grampian.

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no other 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 Written Questions

The meeting noted that no written questions had been submitted.

4 Information Reports

Under reference to paragraph 9 of the Minute of the Meeting of Moray Council dated 17 June 2020, the Chair reminded the Council that, at this meeting, a trial procedure for Information Reports had been agreed and invited the Head of Governance, Strategy and Performance to provide further information in this regard.

The Head of Governance, Strategy and Performance confirmed that a trial of a procedure to consider Information Reports had been agreed by Moray Council on 17 June 2020 with a call in procedure if required. He suggested that the Council agree to treat call in reports through a Notice of Motion as detailed in Standing Order 34 which should be submitted in writing to Committee Services at least 14 days in advance of the Meeting or by means of a Written Question as in Standing Order 35 which should be submitted to Committee Services no less than 2 days prior to the meeting, and that this could be reviewed along with the Committee Structure on or before the end of February 2021.

This was agreed.

5 Emergency Notice of Motion - Councillors Eagle and Allan

An Emergency Notice of Motion was submitted by Councillor Eagle, seconded by Councillor Allan in the following terms:-

This motion is submitted as an emergency notice of motion given the exceptional concerns raised by Audit Scotland in the recently published Best Value Report. It also takes into account the two reports from the Scottish Public Service Ombudsman (SPSO) in April 2020 and August 2020. Given the very significant findings of these reports it is vital Council act immediately to ensure corrective action is being taken.

Following the publication of the Best Value Report from Audit Scotland and two Scottish Public Service Ombudsman reports in April 2020 and August 2020 –

- That Council calls for a special meeting of Full Council to be called as soon as possible for the explicit purpose of discussion and debate on the three reports as mentioned above, in order to determine what action Council requires the Chief Executive to take as a consequence.

The Chief Executive thanked Councillors Eagle and Allan for bringing the Notice of Motion to the Council for consideration and advised that the Council was required to consider the report and findings at a meeting within 3 months of receiving the Best Value Report and suggested the report and findings be considered at a special meeting of Moray Council on Wednesday 7 October 2020, as this is the most reasonable and practical date to allow the necessary preparation of the report.

In relation to the two SPSO reports, the Head of Governance, Strategy and Performance advised that these reports would usually be reported to the relevant Service Committee although Moray Council do have call in powers. As the Chief Social Work Officer and the Head of Service are not available at the next meeting

of the Education, Communities and Organisational Development Committee on 23 September 2020, he suggested that these reports also be considered at the special meeting of Moray Council on 7 October 2020.

Their being no-one otherwise minded, the Council agreed that a special meeting of Moray Council be held on Wednesday 7 October 2020 for the explicit purpose of discussion and debate on the Best Value Report and the two reports from the Scottish Public Service Ombudsman in April 2020 and August 2020, in order to determine what action Council requires the Chief Executive to take as a consequence.

6 Emergency Notice of Motion - Councillors Eagle and Feaver

An Emergency Notice of Motion was submitted by Councillor Eagle, seconded by Councillor Feaver in the following terms:-

This motion is submitted as an emergency notice of motion given the exceptional circumstances currently facing Moray due to the on-going Coronavirus crisis. The nature of this motion reflects the fast pace of change and on-going questions over the response.

The Council notes that test and trace is a significant part of the on-going response to Coronavirus but recognises that currently people who require to have a test undertaken must travel to Aberdeen, Inverness, Peterhead or request a home test kit.

The Council recognises that the distance to travel is a barrier to many in Moray who require a test especially some of our most vulnerable residents.

With this in mind we ask the Council to –

- Write to NHS Scotland and the Scottish Government requesting that a more local testing location is offered in Moray for the benefit of local residents.

Councillor Eagle thanked NHS Grampian and Public Health for the recent positive meeting held with Group Leaders where assurances were given that the Mobile Testing Unit will alternate every other day between Elgin and Peterhead and also move around other areas as required. As a result of this meeting and assurance, Councillor Eagle withdrew his Notice of Motion, in conjunction with Councillor Feaver.

The Council Leader echoed the comments from Councillor Eagle and offered, in conjunction with other Group Leaders, to write to NHS Grampian thanking them for the informative briefing and offer any support the Council can provide with regard to the provision of testing facilities. This was agreed.

Councillor Edwards stated that he, as Joint Leader of the Moray Alliance Group, had not received an invitation to the briefing provided by NHS Grampian and asked that he be invited to future meetings. This was noted.

Thereafter, the Council agreed that the Council Leader, in conjunction with other Group Leaders, write to NHS Grampian thanking them for the informative briefing and offer any support the Council can provide with regard to the provision of testing facilities.

7 Draft Climate Change Strategy 2020 - 2030

A report by the Depute Chief Executive (Economy, Environment and Finance) asked that the Council agree the draft Climate Change Strategy for 2020-2030 for consultation.

Councillor Nicol, Chair of the Climate Change Working group, introduced the report and stated that the Covid-19 pandemic had forced the population to change how they live in terms of shopping locally and working from home. She further stated that the Council had declared an ecological emergency on 27 June 2019 and had set a target to have zero carbon emissions by 2030. The Climate Change Strategy aims to help the Council achieve this target with an action plan being brought forward following the public consultation. Councillor Nicol took the opportunity to thank the Energy Officer and Heads of Service who had participated in the Working Group for their work in completing the draft Climate Change Strategy, as well as Members who had participated.

Whilst the Council supported the contents of the Climate Change Strategy, concern was raised as to how the Council would be able to fund the proposals found in the draft action plan given the Council's financial circumstances.

In response, the Depute Chief Executive (Economy, Environment and Finance) advised that, following the public consultation, a detailed action plan would be brought before the Council which would outline financial implications however reminded the Council that climate change was a key priority in the Council's Corporate Plan 2019-24 and also encompassed within the Recovery and Renewal Strategic Framework, a guiding principle of which was sustainability.

Following consideration, the Council agreed:

- i. the draft Climate Change Strategy 2020 -2030 as set out in Appendix 1 for public consultation and engagement from 3 September to 30 October 2020;
- ii. to note the draft Action Plan as set out in Appendix 2 which gives an early indication of the actions currently proposed to implement the strategy, noting that these require further development and to be reviewed in light of the consultation feedback on the strategy itself; and
- iii. to note that a final Strategy and Action Plan will be presented to Council on 20 January 2021.

8 Rural Tourism Infrastructure Fund and Coastal Communities Fund Proposal

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the Rural Tourism Infrastructure Fund and of Scottish Ministers' arrangements for Scottish Crown Estate net revenue allocations for 2020-2021 to coastal local authorities for funding coastal community benefit.

The Council welcomed the report, particularly as it was recognised that Moray is a popular tourist location to visit which had been evident recently given the increased number of tourists visiting the area as a result of travelling restrictions placed upon members of the public due to the Covid-19 pandemic. It was recognised that this

increase in tourism was beneficial to the economy of Moray however appropriate infrastructure had to be in place to meet this increase in tourism and it was hoped that the Council would be successful in being awarded the funding.

Following consideration, the Council agreed:

- i. to note the Moray Coast to Country proposal and for the submission of an Expression of Interest on behalf of the partnership to the Rural Tourism Infrastructure Fund;
- ii. subject to the project being accepted to proceed to the next stage, to instruct officers to prepare a stage 2 application for consideration at the meeting of Economic Growth, Housing and Environmental Sustainability on 6 October 2020;
- iii. to note Scottish Crown Estate net revenue allocations for 2020-2021 as Moray's Coastal Community Fund; and
- iv. to approve the reallocation of this year's Coastal Community Fund of £138,192 from the participatory budgeting framework to provide match funding for the coastal area of this proposal.

9 2019/20 Revenue Out-turn 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 2019/20 and sought approval of adjustment to the budget for 2020/21 where income and expenditure trends are forecast to continue into 2020/21.

Following consideration, the Council agreed to:

- i. note the major variances from those anticipated when the budget for 202/21 was approved, as summarised in Appendix 1 of the report;
- ii. note the major variances from the approved budget for 2019/20 totalling £7,672,000 as summarised in Appendix 2 of the report; and
- iii. approve adjustments amounting to net savings of £156,000 for variances which are anticipated to continue into 2020/21, as detailed in the table in paragraph 3.24 of the report.

10 Report on Treasury Management Performance and Treasury and Capital Investment Prudential Indicators for 2019/20

A report by the Depute Chief Executive (Economy, Environment and Finance) provided the Council with the annual outturn report on Treasury Management and details of the Council's Prudential Indicators for Treasury Management and Capital Investment for the year ended 31 March 2020.

Following consideration the Council agreed to note the Treasury Management Performance and the Council's Treasury Management and Capital Investment Prudential Indicators for 2019/20 as set out in Appendix 2 of the report.

11 Short Term Financial Planning

Under reference to paragraph 11 of the Minute of the Meeting of the Emergency Cabinet dated 1 July 2020, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the updated financial projections for 2020/21 and 2021/22 and asked the Council to consider the approach for the development of proposals to reduce the budget pressure in 2020/21 and budget gap in 2021/22.

Following consideration, the Council agreed:

- i. to note the revised budget estimates for 2020/21 and 2021/22 as a result of the COVID-19 pandemic;
- ii. to note the requirement to deliver savings in 2021/22;
- iii. to note that a further update on the financial impact of the pandemic will be brought to the meeting of Council on 25 November 2020; and
- iv. that the focus in 2020/21 should be on the potential to redesign services during service recovery.

12 Participatory Budgeting

Under reference to paragraph 16 of the Minute of the Meeting of the Policy and Resources Committee dated 14 January 2020, a report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Council of the current progress in developing Participatory Budgeting (PB) within Moray, including work by officers on an initiative with COSLA and the Alan Turing Institute regarding the use of the next generation of the digital platform Consul, as a pilot study.

Following consideration the Council agreed:

- i. to note the delay caused by the COVID-19 Pandemic upon the development of Participatory Budgeting within Moray;
- ii. to note the initial exploratory work on the enhanced Artificial Intelligence (AI) module of Consul and instruct Officers to continue to progress this work with the intention of running a pilot PB exercise on the platform as outlined in para 5.3 of the report;
- iii. that representatives from Money For Moray (M4M) are to be involved as part of the delivery team for a pilot PB exercise run on the enhanced AI module of Consul;
- iv. to the use of £50,000, Scottish Government funding to support Care Experienced Children and Young People to be allocated via Participatory Budgeting using a method suitable for this ring-fenced funding stream.

13 Appointments to Outside Bodies/Partnerships and Boards

Under reference to paragraph 13 of the Minute of the Meeting of Moray Council dated 12 February 2020, a report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Council of the current appointments to outside bodies/partnerships/boards and asked the Council to consider if there is a need to review these appointments in light of the political balance allocations for Committees.

At the invitation of the Chair, the Head of Governance, Strategy and Performance advised that at the meeting of Moray Council on 12 February 2020 the Council had agreed a change to the number of members and political balance on each committee and that, consequently, both the Moray Integration Joint Board (MIJB) and the Grampian Valuation Joint Board (GVJB) should also be reviewed to reflect political balance.

The Council Leader agreed with the Head of Governance, Strategy and Performance and confirmed that the membership on the GVJB should be 1 member from each of the SNP, Conservative and Independent/Labour groups and as such, the SNP group would relinquish one seat on the GVJB. With regard to membership of the MIJB, the Council Leader advised that a report was due to be brought to a future meeting of the MIJB to consider increased membership from both the NHS and the Council on the Board therefore suggested that changes to the council membership on the MIJB be considered at a future meeting of the Council. This was agreed.

Councillor Brown nominated Councillor Ross to replace one of the SNP councillors on the GVJB. This was seconded by Councillor Wilson.

There being no-one otherwise minded, the Council agreed:

- i. that Councillor Ross would replace one of the SNP councillors on the Grampian Valuation Joint Board; and
- ii. that changes to the council membership on the Moray Integration Joint Board would be considered at a future meeting of the Council.

14 Question Time

Councillor A McLean took the opportunity to thank the members of staff in Ward 6 at Dr Grays Hospital following his short admission.

Councillor A McLean further expressed his continued condolences, along with Councillors Alexander, Gatt and the other Council Members, to the friends and families of those lost on board the Nimrod crashes XV239 and XV230 which happened on 2 September, 11 years apart.

Councillor Creswell sought an update on the recent LGIU article on "Trials for Travellers".

In response, the Depute Chief Executive (Economy, Environment and Finance) advised that a report had been submitted to the Communities Committee stating how the Council would participate in the pilot as each local authority had been

encouraged to try a different approach and, in light of the Council's current protocol, the Council already takes a very discursive negotiating position in dealing with gypsy traveller encampments by ensuring facilities are in place and that their needs are being met.

Councillor Creswell further asked how communities had responded to the consultation on the recovery and renewal strategy framework.

In response, the Depute Chief Executive (Economy, Environment and Finance) advised that virtual meetings had taken place with community bodies where members of the Corporate Management Team (CMT) had participated and that the outcomes of these meetings would be collated and reported along with the information received from the current survey asking for people's experiences through the COVID-19 pandemic.

Councillor Eagle sought an update as to when sport and leisure facilities would be fully open.

In response, the Chief Executive advised that an update on sport and leisure facilities was being prepared and would be provided to Members next week.

In relation to the point Councillor Edwards had made earlier in the meeting on how he had not been invited to the briefing from NHS Grampian, the Chief Executive apologised for this and explained that this had been an administrative error for which he took full responsibility and that he would ensure that Councillor Edwards was invited to future Group Leader meetings.

Councillor Alexander asked how the absence level of staff and pupils over the last 2-3 weeks had compared with previous years.

In response, the Chief Executive advised that he would circulate this information to Members following the meeting.

Councillor Leadbitter sought an update on Brexit preparedness.

In response, the Chief Executive advised that a 3 minute brief had been requested by CMT, the contents of which will be circulated to members if relevant. He further advised that a bid had been made to the Scottish Government via COSLA asking that funding for Brexit Officers be continued beyond 31 December 2020 however a response was awaited from the Scottish Government in this regard.