

MORAY COUNCIL

Minute of Meeting of the Moray Council

Wednesday, 06 April 2022

Remote Locations via Video Conference

PRESENT

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

APOLOGIES

Councillor John Cowe, Councillor Tim Eagle, Councillor Maria McLean, Councillor Ray McLean, Councillor Walter Wilson

IN ATTENDANCE

Also in attendance at the above meeting were the Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Chief Officer Health and Social Care Moray, Head of Financial Services, Acting Head of Environmental Services and Commercial Services, Head of Economic Growth and Development, Head of Housing and Property, Acting Head of Children, Families and Justice Social Work, Legal Services Manager, Consultancy Manager, Principal Climate Change Strategy Officer, Principal Planning Officer, Senior Officer, Economic Strategy and Development, Interim Strategy and Planning Lead (Health and Social Care Moray), Emma Gordon, Planning Officer 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, Councillors, Morrison, Coull, Warren, Brown, Divers and Nicol declared an interest in Item 7 as members of the Moray Integration Joint Board.

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. 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
21	8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority
22	9 Information on terms proposed or to be proposed by or to the Authority
23	8 and 11 Information on the amount of any expenditure proposed to be incurred by the Authority Information relating to any consultations or negotiations in connection with any labour relations
24	3 and 5 Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the Authority. Information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement.

4. Final Meeting

The Chair acknowledged that this was the final meeting of Moray Council for this election term and wished all those standing again good luck and wished all those who were stepping down well for their future.

5. Pre- Election Period

The Legal Services Manager reminded all Members about the pre-election publicity restrictions and guidance received by members and re-iterated the advice previously given by the Head of Governance, Strategy and Performance at the previous meeting of Moray Council on 15 March 2022.

She further reminded members that the meeting must not be used to foster support for a political party or be seen to influence the outcome of the election in any way.

The Chair also reminded Members to be mindful of their conduct.

6. Condolences

Members of the Council joined the Convener in offering their sincere condolences to Councillor Coull and her family following the death of her mother.

7. Minute of Meeting of 22 February 2022

The minute of the Special Meeting of Moray Council on 22 February 2022 were submitted and approved.

8. Minute of Meeting of 23 February 2022

The minute of the meeting of Moray Council on 22 February 2022 was submitted and approved.

9. Minute of Meeting of 15 March 2022

The minute of the Special Meeting of Moray Council on 15 March 2022 was submitted and approved.

10. Written Questions **

The Council noted that no written questions has been submitted.

11. Children and Families Social Work Services Revenue Budget Monitoring Report to 31 December 2021

A report by the Chief Officer, Health and Social Care Moray informed the Council of the budget position for Children and Families Social Work Services as at 31 December 2021.

Following consideration the Council agreed to note the budget position at 31 December 2021.

12. Proposed Delegation of Children and Families and Justice Social Work

A report by the Chief Officer, Health and Social Care Moray asked the Council to consider the outcomes of the business case on the proposed delegation of Children and Families and Justice Social Work to the Moray Integration Joint Board.

Following consideration the Council agreed:

- i) to approve the Business Case for delegation of Children's and Families and Justice Social Work to MIJB attached as Appendix 1 to the report;
- ii) to note that the Business case is being submitted to MIJB and Grampian NHS Board for their respective approvals;

- iii) that financial accountability for the service remains with the Council for a period of 18 months up to 31 March 2024;
- iv) that Officers enter into dialogue with the Scottish Government (as the statutory approval body) over the formal amendments required to the Integration Scheme to enable the delegation; and
- v) to note the final version of the Scheme will come to a future meeting of the Council for approval.

13 Edinburgh Declaration

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to sign the Edinburgh Declaration and note potential future actions to assist in halting biodiversity decline.

Councillor Brown sought clarification, following the pre-election guidance at the start of the meeting on whether this paper should be discussed as he felt the paper was quite political.

In response the Legal Services Manager confirmed that elements of the paper were political however it had previously been discussed at the Service Committee, albeit that was prior to the pre-election period.

Following further consideration, Councillor Brown moved to defer the discussion on the report until after the election. This was seconded by Councillor Gatt.

As there was no one otherwise minded, the Council agreed to defer the consideration of the report until a later meeting of Moray Council following the Local Government Elections in May 2022.

14. Renewables Income Fund

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to participate in an exercise to identify economic opportunity and methods of maximising local income associated with renewables.

Following consideration the Council agreed to approve the provision of a one off £5k budget to facilitate a contribution towards consultancy work on a renewables income fund report for the Highlands and Islands Region with other HIREP partners.

15. Covid Economic Recovery Fund

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the recently announced Covid Economic Recovery Fund and sought approval for the proposed Council allocations.

Following consideration the Council agreed:

- i) £400,000 for the extension of the Flexible Food Fund;
- ii) £400,000 for the Discretionary Business Support Fund; and

- iii) £410,000 for Town Centre Capital business improvements and start-up grants.

16. Strategic Tourism Infrastructure Development Plan

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the recently opened Rural Tourism Infrastructure (RTIF) for Strategic Infrastructure Development Plans and sought permission to accept the grant offer.

Following consideration the Council agreed to accept the grant offer for the Moray Routes Strategic Infrastructure Development Plan.

17. Scotland Loves Local Moray Gift Card

A report by the Depute Chief Executive (Economy, Environment and Finance) updated the Council on progress for the Scotland Loves Local Moray Gift Card scheme and highlighted opportunities for development.

In welcoming the report, Councillor Warren moved the recommendations as printed in the report as she felt it was a great way of keeping money in Moray and boosting trade for local businesses . This was seconded by Councillor Coull.

Councillor Gatt sought clarification on the advantage of the Scotland Loves Local Moray Gift card as opposed to members of the public using their own debit or credit card.

In response, the Head of Economic Growth and Development confirmed that the intention around the Scotland Loves Local Scheme is to help economic recovery and to encourage people back out and shopping in their own area, using their local high streets and it also brings in the community wealth building approach and keeping more spend local.

Councillor Brown sought clarification on why an additional officer is required as the Council already has a Commercialisation Officer and asked if the promotion of the card could be carried out by the member of staff already in post.

In response, the Head of Economic Growth and Development re-iterated that there is no current capacity within the team to take on this additional work and therefore an additional member of staff is required. He further added that the money to fund the post is coming from the Covid Recovery Fund and should members not wish to agree the recommendations, they would need to determine which of the 3 funds agreed in the previous report the money should be added to as the money needs to be spent this year.

Following further consideration, Councillor Gatt, seconded by Councillor Brown proposed agreeing recommendation (i) and (iii) and to remove the appointment of a temporary Development Officer post from recommendation (ii) and return £45,000 of the proposed £70,000 to the Discretionary Business Support Fund.

On the division there voted:

For the Motion (12)	Councillors Warren, Coull, Alexander, Allan, Bremner, Divers Cowie, Leadbitter, Macrae, A McLean, Morrison and Nicol
For the Amendment (7)	Councillors Gatt, Brown, Creswell, Edwards, Feaver, Powell and Ross
Abstention (1)	Councillor Taylor

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

- i) to note the progress of the Scotland Loves Local Moray Gift Card Scheme rollout and potential for development;
- ii) £70,000 from the Economic Recovery Fund to create a temporary Development Officer post, provide promotional budget and administration cost to continue the scheme; and
- iii) noted the report in conjunction with the Covid Economic Fund report presented to the meeting earlier on the agenda.

18. Route Map to Net Zero Carbon Emissions

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to approve the Route Map to Net Zero (RMNZ), approve in principle an updated climate change action plan subject to consideration as part of the financial planning process, and note progress with the consultancy studies approved within the Climate Change Strategy (CCS) for 2022-2030.

Councillor Brown expressed concern about the lack of external funding which, so far has been available for the Council to assist in the development of the RMNZ and moved to agree recommendation (i) to (iv) and (vii) and to change recommendations (v) and (vi) to read as follows:

- v) notes the indicative additional budget pressure from 2023/24 onwards arising from new statutory climate change measures for which external funding from Government is essential
- vi) notes the additional actions and proposals as set out in section 5.4 for which external funding from government will be essential.

This was seconded by Councillor Gatt.

The Depute Chief Executive (Economy, Environment and Finance) expressed concern that Councillor Brown's motion may remove the opportunity for the Council to spend already money already allocated in the budget for the RMNZ, she further added that not all possible income streams will come from the Government and suggested that it may be advisable to remove the word Government from the motion.

The Head of Economic Growth and Development also added that there was a need to retain the words 'These will require to be worked up etc' to ensure projects go through the financial process/asset management to get agreement at a strategic level.

In response Councillor Brown, with the agreement of Councillor Gatt, agreed to amend his motion as follows:

- v) notes the indicative additional budget pressure from 2023/24 onwards arising from new statutory climate change measures for which significant external funding is essential
- vi) notes the additional actions and proposals as set out in section 5.4 below. These will required to be worked up and considered through the Council's financial process and for which significant external funding is essential.

In terms of Standing Order 83 the Chair sought approval of the Council to suspend Standing Order 75 to continue the meeting after 12.45pm to complete the discussion on this item. This was unanimously agreed.

Councillor Leadbitter in response said that whilst he shared Councillor Brown's concerns about making decisions which tied in the next Council, he added that by determining the next Council cannot afford projects is also tying in the Council in so he proposed amending recommendations (v) and (vi) as follows and this was seconded by Councillor Warren:

- v) notes the indicative additional budget pressure from 2023/24 onwards arising from new statutory climate change measures for which external funding will be a significant component;
- vi) notes the additional actions and proposals as set out in section 5.4 below. These will required to be worked up and considered through the Council's financial process and for which significant external funding will be a significant component;

On the division there voted:

For the motion (6)	Councillors Brown, Allan, Gatt, Feaver, Powell and Ross
For the Amendment (11)	Councillors Leadbitter, Warren, Bremner, Coull, Cowie, Divers, Macrae, A McLean, Morrison, Nicol and Taylor
Abstentions (3)	Councillors Alexander, Creswell and Edwards

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

- i) approve the RMNZ as set out in Appendix 1;
- ii) note that in 2020/21 the Council recorded a 17% reduction in its annual carbon emissions reported. These annual greenhouse gas reports will be incorporated into an annual update of the RMNZ to improve accuracy of carbon emissions projections;
- iii) notes that the current pathway the Council is on means that 2030 remains in the range of possible dates when net zero will be met. The RMNZ

contains three pathways to help show options available for climate change actions as well as assumptions on which emissions will have to be considered in the definition of net zero. There is still insufficient data to guarantee that the actions the Council is taking to reduce carbon emissions will meet the 2030 target with minimal carbon sequestration;

- iv) note that decisions around rationalisation of building assets, as well as progress on the decarbonisation of heating and fleet, and progress on improvements to associated depot infrastructure, must be made by 2023-24 to allow for a more accurate estimate of the level of carbon sequestration to meet net zero in 2030 to be determined;
- v) note the indicative additional budget pressure from 2023/24 onwards arising from the new statutory climate change measures for which external funding will be a significant component;
- vi) notes the additional actions and proposals as set out in section 5.4 below. These will require to be worked up and considered through the Council's financial planning process and for which external funding will be a significant component; and
- vii) note the progress of the consultancy studies approved within the CCS as set out in Appendix 2.

Following the conclusion of the item, the meeting adjourned for lunch and resumed at 2.00pm

RESUMPTION OF MEETING

PRESENT

Councillor George Alexander, Councillor James Allan, Councillor Frank Brown, Councillor Theresa Coull, Councillor Gordon Cowie, Councillor Lorna Creswell, Councillor John Divers, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Shona Morrison, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren

APOLOGIES

Councillor David Bremner, Councillor John Cowe, Councillor Tim Eagle, Councillor Maria McLean, Councillor Ray McLean, Councillor Walter Wilson.

ALSO IN ATTENDANCE

Also in attendance at the above meeting were the Chief Executive, Depute Chief Executive (Education, Communities and Organisational Development), Chief Officer Health and Social Care Moray, Acting Head of Environmental Services and Commercial Services, Head of Economic Growth and Development, Head of Housing and Property, Legal Services Manager, Consultancy Manager, Principal Planning Officer, Senior Officer, Economic Strategy and Development, Interim Strategy and Planning Lead (Health and Social Care Moray) and Tracey Sutherland, Committee Services Officer.

19. Review of Council Response into Storm Arwen

A report by the Depute Chief Executive (Economy, Environment and Finance) advised the Council of the outcome of the reviews of the Council response to storm Arwen and sought approval of the recommendations of the improvement actions arising from these reviews.

Following consideration the Council agreed to approve the action plan as contained in paragraph 4.2 of the report.

20. Question Time ***

The Council noted that no further questions had been asked.

21. Land at Commercial Road, Buckie

A report by the Depute Chief Executive (Economy, Environment and Finance) updated the Council on the Place Based Investment Programme spend for 2021/22 and sought approval to conclude property acquisition and sale.

Councillor Warren moved the recommendations and this was seconded by Councillor Cowie. As there was no one otherwise minded the Council agreed to:

- i) approve the purchase of properties as detailed in para 5.5 - 5.14 of this report;
- ii) give delegated authority to the Legal Services Manager to conclude the purchase of property as contained in paras 5.5 - 5.14 of this report; and
- iii) approve the sale of property detailed in para 5.15 on terms set out in and authorises the Estates Manager and the Legal Services Manager to finalise detailed terms and conditions and conclude the transaction.

22. Property Acquisition - Moray Growth Deal

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to authorise officers to negotiate and conclude conditional missives for the acquisition of two properties in Central Elgin, in order to secure them for the delivery of Moray Growth Deal projects.

Following consideration the Council agreed:

- i) to delegate authority to the Head of Economic Growth and Development, in conjunction with the Head of Housing and Property to negotiate provisional terms for the acquisition of properties in Elgin, subject to a back to back legal agreement with Moray College to locate the Business Enterprise Hub at this location, the resolution of issues identified at para 5.2 and at a price to be negotiated as set out in paragraph 6(c) of the report; and
- ii) that a further report to Council be considered at the earliest opportunity addressing the issues set out in para 5.2 and seeking confirmation as to whether the acquisition may be concluded on behalf of the Council on the terms proposed.

23. Moray Education Early Learning and Childcare - External Consultant

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought approval for budget to appoint an external consultant to support full service review of Early Learning and Childcare (ELC).

Councillor Warren moved the recommendations as printed in the report and this was seconded by Councillor Leadbitter.

In response, Councillor Brown confirmed that he had voted in favour of contracting an external consultant when the issue had been discussed at Education, Children's and Leisure Services Committee however having read the report he was now not in favour of procuring an external consultant and was of the view that the work should be carried out in-house.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) expressed concern about capacity within the already stretched service and a lack of expertise from Officers in carrying out a task like this. Officers had already identified some savings but do not have the knowledge or skills to look at the service more holistically, which is the reason an external consultant was identified as the preferred option. The Chief Executive, as Head of the Paid Service, also expressed concern about capacity within an already stretched service

Councillor Gatt expressed concern about using the identified budget to appoint an external consultant and proposed to not appoint an external consultant and to ask officers to come to a future meeting of the Council before the Summer recess with proposals on how to reduce the deficit. This was seconded by Councillor Feaver.

On the division there voted:

For the Motion (14)	Councillors Warren, Leadbitter, Alexander, Allan, Coull, Cowie, Creswell, Divers, Macrae, A McLean, Morrison, Nicol, Ross and Taylor
For the Amendment (4)	Councillors Gatt, Feaver, Brown and Powell.
Abstentions (0)	

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

- i) note ongoing work, as highlighted in 4.11-4.13, that the ELC service are completeing in attempts to streamline the service to reduce budget pressures; and
- ii) the allocation of up to £50,000 from the earmarked transformation reserves for the appointment of an external consultant to assist Officers with the full service review of ELC. This would enable the Council to make an informed decision on streamlining and reducing cost pressures within the service.

24. Refugee, Resettlement and Relocation Schemes [Para 3 and 5]

A report by the Chief Executive sought approval to participate in the Ukrainian Refugee Scheme and to subsequently advise the Convention of Scottish Local Authorities (CoSLA) of Moray Council's commitment.

Following consideration the Council agreed to:

- i) participate in the Ukrainian Refugee Scheme and the Afghan Citizen Scheme;
- ii) note the updates on the Afghan Resettlement and Relocation Scheme, National Transfer Scheme (NTS) for Unaccompanied Asylum-Seeking Children and the Recruitment of a resettlement team;
- iii) delegate authority to the Head of Housing and Property to negotiate and agree terms for the lease of Ministry of Defence (MOD) housing stock;
- iv) note the precedent for any allocations of social housing under related schemes to be made by the Housing Needs Review Group; and
- v) note the verbal update given at the meeting.