

# MORAY COUNCIL

## Minute of Special Meeting of the Moray Council

Tuesday, 30 November 2021

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 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 Ray McLean, Councillor Shona Morrison, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren, 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), Head of Governance Strategy and Performance, Head of Financial Services, Consultancy Manager and the Senior Engineer - Flood Risk Management 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, Councillor Leadbitter stated that the Admin Group had discussed item 5 on the agenda (River Spey Flood Mitigations) and collectively worked out their stance. He further added that the Administration Group had also agreed to maintain their original voting positions with regards to Item 4 on the agenda.

There were no further 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.

Councillor Macrae stated that he would not participate in the consideration of Item 7 (Moray Growth Deal) as he had only received the papers the day before the meeting and had not been able to read them fully.

### 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 Item 7 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
9	Para 8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority

### 4. Order of Business

The Chair asked the Council to note that item 6a had been withdrawn from the agenda.

### 5. Regional Economic Partnership

A report by the Chief Executive sought agreement to participate in the Regional Economic Partnership for the Highlands and Islands with the Council Leader acting as the Council's representative in this partnership, supported by the Chief Executive.

Following consideration the Council agreed to:

- i) participate in the Highlands and Islands Regional Economic Partnership (HIREP); and
- ii) appoint the Council Leader as the Council's representative on the HIREP, supported by the Chief Executive.

### 6. Remit of the Audit and Scrutiny Committee

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Council that following the outcome of the vote taken at the meeting of the Council on 10 November in relation to the approval of the scrutiny remit of the Audit and Scrutiny Committee and of a Scrutiny Guide, it was noted that the outcome of the vote was declared before all Councillor votes had registered on the system.

Following consideration the Council agreed to re-run the vote from the meeting on 10 November.

Councillor Leadbitter moved that the Council agree recommendation (i), (ii) and (iii) as printed, to reduce the frequency of meetings of the Audit and Scrutiny Committee to quarterly and for there to remain 14 members on the Committee. This was seconded by Councillor Warren.

In response, Councillor Gatt, seconded by Councillor Brown proposed that the remit of Audit and Scrutiny Committee remain as is currently constituted in the Scheme of Administration for the remainder of the Council term, the frequency of meetings remain at 8 weekly and for there to continue to be 14 members on the Committee.

On the division their voted:

For the motion (10)	Councillors Leadbitter, Warren, Alexander, Bremner, Coull, Cowe, Creswell, A McLean, Morrison and Nicol
For the amendment (13)	Councillors Gatt, Brown, Allan, Divers, Eagle, Feaver, Macrae, M McLean, R McLean, Powell, Ross, Taylor and Wilson
Abstentions (2)	Councillors Cowie and Edwards

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

- i) the remit of Audit and Scrutiny Committee remain as is currently constituted in the Scheme of Administration for the remainder of the Council term;
- ii) the frequency of meetings remain at 8 weekly; and
- iii) there continue to be 14 members on the Committee.

## **7. River Spey Flood Mitigation Proposals**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of issues related to flood risk from the River Spey at Garmouth, as set out in the Notice of Motion agreed at the meeting of Moray Council on 15 September 2021 (paragraph 5 of the minute refers).

Following consideration the Council agreed:

- i) to note the history of the investigations since 2007 and Moray Council Policy on Flood Risk Management, outlined in paragraph 3.8, including the reasons why this Policy was agreed in 2016;
- ii) to propose items 2 and 6 as per paragraph 3.12 in principle for further investigations as to method and costs; and
- iii) that if proposals put forward by the Community is to be progressed, they should be progressed by the Community, as outlined in paragraph 3.23.

## **8. Short Medium Term Financial Planning**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the updated financial projections for 2021/22, 2022/23 and 2023/24 and to consider the factors underpinning the indicative capital plan for 2022 - 2032.

Following consideration the Council agreed to:

- i) note the revised budget estimates for 2021/22, 2022/23 and 2023/24;
- ii) note the emerging budget pressures summarised in paragraph 3.2;

- iii) note the requests for service redesign and realignment summarised in paragraph 3.8;
- iv) note the recent capital plan review as described in paragraphs 3.17 to 3.37;
- v) approve funding for small scale service improvements as set out in paragraph 3.11;
- vi) approve further use of covid ear-marked reserves as set out in paragraph 3.12; and
- vii) approve savings of £73,000 for 2022/23 as set out in paragraph 3.16.

## **9. Moray Growth Deal - Business Case and Documentation Approval and Update**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of the progress of the Moray Growth Deal and, more specifically, seek approval of the full business case for the Digital Health Project, approval of outline business cases for Housing Mix Delivery, Business Enterprise Hub, Early Years Stem, Manufacturing and Innovation Centre for Moray, Cultural Quarter, Bus Revolution and Moray Aerospace and Advanced Technology Centre and approval of the full deal document suite.

Following consideration the Council agreed to:

- i) note the overview of all the projects within the Moray Growth Deal at Appendix 1;
- ii) approve the Full Business Case for the Digital Health Project V3.3 in Appendix 2;
- iii) approve the Outline Business Cases for Housing Mix Delivery V11 (Appendix 8); Early Years Stem V2.0 (Appendix 9); Business Enterprise Hub V7.7 (Appendix 3); Manufacturing and Innovation Centre for Moray V6 (Appendix 4); Cultural Quarter V1.8 (Appendix 6); Bus Revolution V1.6 (Appendix 7) and Moray Aerospace, Advanced Technology and Innovation Campus V11.6 (Appendix 5);
- iv) note the shared responsibility associated with the Business Enterprise Hub between Moray College UHi, Moray Council and Highlands and Islands Enterprise to support the project development and help to mitigate capital budget risk as set out in section 7 of the report;
- v) approve appointment of project officers and programme management staff as set out in the staffing section;
- vii) approve the suite of final deal documents summarised in section 14 and provided in Appendices 10 to 16; and
- vii) delegate authority to the Depute Chief Executive (Economy, Environment and Finance) Moray Council in their role as Senior Responsible Officer for the Growth Deal in consultation with Council Group Leaders to make final

adjustments to the suite of final deal documents and Outline Business Cases as may be necessary for final approval and deal signing.