

# MORAY COUNCIL

## Minute of Meeting of the Policy and Resources Committee

Tuesday, 04 June 2019

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

### PRESENT

Councillor George Alexander, Councillor Frank Brown, Councillor John Divers, Councillor Tim Eagle, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Aaron McLean, Councillor Shona Morrison, Councillor Sonya Warren

### APOLOGIES

Councillor John Cowe, Councillor Lorna Creswell, Councillor Ryan Edwards

### IN ATTENDANCE

Also in attendance at the above meeting were the Chief Executive, Corporate Director (Corporate Services), Head of Financial Services, Frances Garrow and Phil McDonald (Joint Acting Heads of HR and ICT), Design Manager, Estates Manager, Asset Management Co-ordinator and the Democratic Services Manager.

#### 1. Chair

The meeting was chaired by Councillor A McLean.

#### 2. Declaration of Group Decisions and Members Interests \*

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillors the meeting noted that 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

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 during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	of Paragraph Number of Schedule 7A and reason
3	6 & 9 Information relating to the financial or business affairs of any particular person(s)

Information on terms proposed or to be proposed by or to the Authority

14

6

Information relating to the financial or business affairs of any particular person (s)

#### **4. Minute of Meeting dated 9 April 2019**

The minute of the meeting dated 9 April 2019 was submitted and approved.

#### **5. Written Questions \*\***

The Committee noted that no written questions had been submitted.

#### **6. Improvement and Modernisation Programme Update**

A report by the Corporate Director (Corporate Services) informed the Committee of the progress made in developing the projects set out in the Council's Improvement and Modernisation Programme (IMP).

Following consideration the Committee agreed to note the progress made in the development of the projects in the Improvement and Modernisation Programme.

#### **7. Community Asset Transfers - Common Good Halls**

A report by the Corporate Director (Corporate Services) brought forward proposals of expediting the statutory consultation requirements of section 104 of the Community Empowerment (Scotland) Act 2015 in relation to the potential transfer of three common good properties.

The Committee joined the Chair in thanking all the effort that Officers have put in to bringing forward this piece of work to ensure the halls are sustainable.

Following consideration the Committee agreed to delegate authority to the Corporate Director (Corporate Services) to undertake the statutory consultations required by section 104 of the Community Empowerment (Scotland) Act 2015 in respect of three halls held on common good titles, being Buckie Fishermen's Hall, Findochty Town Hall and Forres Town Hall.

#### **8. Community Asset Transfers - Annual Report**

A report by the Corporate Director (Corporate Services) updated the Committee on the reporting requirements of section 95 of the Community Empowerment (Scotland) Act 2015 in relation to Community Asset Transfer requests for the period up to 31 March 2019.

Following consideration the Committee agreed to note:

- the asset transfer provisions contained in Part 5 of the Community Empowerment (Scotland) Act 2015 (the Act) do not apply to land held by the Council under a Public Trust;
- (i)
  - (ii) during the year ending 31 March 2019 no valid asset transfer requests were made to the Council under Part 5 of the Act;
- during the same period four asset transfer requests were dealt with outside of the provisions of the Act, details of which are set out in the Appendix of this report;
- (iii)
  - (iv) all community groups submitting a formal Expression of Interest in a Council property asset are signposted to both internal and external sources of additional guidance and support;
- a series of targeted training and workshop events have been delivered to community groups by the Community Support Unit over the reporting period; and
- (v)
  - (vi) in the event of a formal review request being received in respect of a decision made by this Committee in relation to an asset transfer request made under the Act, further training will be made available to Elected Members prior to its consideration.

## **9. Health and Safety Annual Report 2018**

A report by the Corporate Director (Corporate Services) asked the Committee to consider the annual Health and Safety report and approve the progress noted, proposed future actions and carry forward actions for the next year.

Following a discussion on the number of incidents of violence and aggression involving school pupils/students, Councillor Eagle sought an additional recommendation be added requesting a progress report being provided to the next meeting of this Committee on the outcomes and improvement actions arising from the survey undertaken to quantify the scope and scale of the situation in relation to the number of incidents of violence and aggression involving school pupils/students. As there was no one otherwise minded the Committee unanimously agreed to include the additional recommendation.

Thereafter the Committee agreed to:

- (i) note the content of the annual health and safety report, as set out in Appendix 1, and the progress towards the outcomes established in the last report;
- (ii) approve the carry forward of outstanding actions and proposed future actions for 2018, and
- (iii) a progress report being provided to the next meeting of this Committee on the outcomes and improvement actions arising from the survey undertaken to quantify the scope and scale of the situation in relation to the number of incidents of violence and aggression involving school pupils/students.

## **10. Digital Public Services - End of Project Report**

A report by the Corporate Director (Corporate Services) provided Committee with a report on progress against the Digital Services project and to seek approval to formally close the project.

Following consideration the Committee agreed to:

- (i) note the progress made against the Digital Services project contained within the end of project report set out in Appendix I

- (ii) note that outstanding work not accomplished as part of the project will be transferred to the Improvement and Modernisation Programme where appropriate; and

- (iii) approve the closure of the Digital Services project.

## **11. Complaints Annual Report 2017-18**

A report by the Chief Executive asked Committee to consider the Complaints Annual Report 2017-18.

Following consideration the Committee agreed to approve the Complaints Annual Report 2017-18 for submission to the Scottish Public Sector Ombudsman.

## **12. Question Time \*\*\***

Under reference to paragraph 10 of the Minute of the meeting of this committee dated 19 April 2019 in relation to the Community Asset Transfer Request – Lesser Borough Briggs, Councillor Brown asked how the public consultation was progressing and if account were being taken of the points he raised earlier in the meeting?

In response the Asset Management Co-ordinator advised that the public consultation had not yet commenced and that the points raised will be taken into consideration and the consultation will be appropriate to the circumstances.

Under reference to paragraph 14 of the Minute of the meeting of this committee dated 19 April 2019 Councillor Laing asked for an updated on her question regarding the number of FOI requests submitted to the council over the last 12 months.

In response the Chief Executive advised that he had the information and would circulate it to Members and thanked her for the reminder.

## **13. Clock Tower, The Square, Dufftown [Paras 6 & 9]**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) asked Committee to consider the results of a public consultation, seek court authority to dispose of the Clock Tower, The Square, Dufftown and approve main terms for the sale of the property.

Following consideration the Committee agreed to:

- (i) note the results of the public consultation in relation to the proposed sale of The Clock Tower, Dufftown;
- (ii) authorise the Legal Services Manager to apply to Elgin Sheriff Court for permission to proceed to sell the property;
- (iii) approve the sale of the property on the main terms detailed in Section 5.2 of this report; and
- (iv) authorise the Estate Manager and the Legal Services Manager to finalise the detailed terms and conditions and conclude the transaction.

#### **14. 14/16 Reidhaven Street, Cullen [Para 9]**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) asked Committee to consider the results of a public consultation and approve proposals for the sale of 14/16 Reidhaven Street, Cullen.

Following consideration, the Committee agreed to:

- (i) note the results of the public consultation in relation to the proposed sale of 14/16 Reidhaven Street, Cullen;
- (ii) authorise the Legal Services Manager to apply to the Elgin Sheriff Court for permission to proceed to sell the property; and
- (iii) authorise the Estates Manager to market the property for sale on the basis that Court consent is granted without any significant conditions.