

# **MORAY COUNCIL**

## **Minute of Meeting of the Corporate Committee**

**Tuesday, 14 June 2022**

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

### **PRESENT**

Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Sandy Keith, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Paul McBain, Councillor Neil McLennan, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson

### **APOLOGIES**

Councillor Christopher Price

### **IN ATTENDANCE**

Also in attendance at the above meeting were the Chief Executive, Depute Chief Executive (Education, Communities and Organisational Development), Depute Chief Executive (Economy, Environment and Finance), Chief Financial Officer, Head of Governance, Strategy and Performance, Head of HR, ICT and Organisational Development, Building Standards Manager, Sport and Culture Manager, Property Asset Manager, and Mrs L Robinson, Committee Services Officer as Clerk to the Committee.

#### **1. Chair**

Councillor Bridget Mustard, being Chair of the Corporate Committee, chaired the meeting.

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

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillors Mustard and Robertson both declared a personal interest in item 11 'Instrumental Music Tuition Funding Allocation'. 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.

#### **3. Resolution**

The Meeting resolved that under 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 16 and 17 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.

Paragraph Number of Minute	Paragraph number of Schedule 7A and reason
16 and 17	1 - Information relating to staffing matters

#### **4. Minute of Meeting 15 March 2022**

The Minute of the meeting of the Corporate Committee dated 15 March 2022 was submitted and approved.

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

The Committee noted that no written questions had been submitted.

#### **6. Discretionary Charging - Planning Fees**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of The Town and Country Planning (Fees Applications) (Scotland) Regulations 2022 that came into force on 1 April 2022 and sought authorisation for new discretionary fees for services and surcharges to be applied to retrospective planning applications.

Following consideration, the Committee agreed:

- i) the discretionary charges for providing pre-application written advice, non-material variations and considering a request for written confirmation of compliance/discharge of conditions and exemptions as set out in Appendix 1 to come into effect on 20 June 2022; and
- ii) a surcharge of 25% to be imposed on all retrospective planning applications to come into effect from 1 October 2022.

#### **7. Regeneration Capital Grant Fund**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the Regeneration Capital Grant Fund (RCGF) invitation for stage 1 applications deadline of 17 June 2022. As only Local Authorities can apply to this, the Tomintoul and Glenlivet Development Trust, Lossie 2-3 Group and Forres Area Community Trust requested that the Council be the lead applicant on their behalf.

During discussion Councillor Dunbar, in regard to the provision of funding, asked that future reports include reference as to which Government provided the funding i.e. Westminster or Scottish Government. This was agreed.

Thereafter, the Committee agreed:

- i) to the request by the Tomintoul and Glenlivet Development Trust to act as lead applicant to the Regeneration Capital Grant Fund with no financial implications to the council; and
- ii) to approve the submission of stage I application and if successful stage II application.

- iii) to the request by the Lossie 2-3 Group to act as lead applicant to the Regeneration Capital Grant Fund with no financial implications to the council; and
- iv) to approve the submission of stage I application and if successful stage II application.
- v) to the request by the Forres Area Community Trust to act as lead applicant to the Regeneration Capital Grant Fund with no financial implications to the council; and
- vi) to approve the submission of stage I application and if successful stage II application.
- vii) that in regard to government funding received, clarification is provided in future reports in respect of which government has provided the funding.

## **8. Corporate Asset Management Plan**

Under reference to paragraph 6 of the Minute of the Policy and Resources Committee dated 23 September 2008 and paragraph 5 of the Minute of the Economic Growth, Housing and Environmental Sustainability Committee dated 13 April 2021, a report by the Depute Chief Executive (Economy, Environment and Finance) provided the Committee with the progress made against the Corporate Asset Management Plan for 2021/22 and asked the Committee to consider targets for 2022/23.

During consideration, Councillor McLennan stated that from the report it appeared that the asset management plans are reported to a number of different committees and asked if it would be prudent for all the asset management plans to be reported to one single committee and suggested that this Committee would be the appropriate mechanism for that.

In response, the Chief Executive advised that the service committees had a number of functions and that it was important to take account of the service element in a property or asset management decision which is why there is a mixture of governance arrangements but he would be happy to undertake a review of the governance around the asset management plan with a view to streamlining this.

The Head of Financial Services further advised that the reason for reporting asset management plans to individual service committees was in order to link in with the responsibility of the individual service committees to oversee the asset management plans e.g. the roads asset management plan being reported to the Economic Development and Infrastructure Services Committee so that members have a complete overview of any service issues.

Thereafter, the Committee agreed to:

- i) note the work done to date to meet the targets set in the Corporate Asset Management Plan for 2021/22 as set out in paragraphs 4.1 to 4.9 of the report;
- ii) note the status of Asset Management Plans for each type of asset as set out in appendix 2;

- iii) approve the actions included in the Corporate Asset Management Plan for 2022/23 as set out in paragraph 5.1 of the report; and
- iv) approve the revised remit of the Asset management Working Group as laid out in paragraph 4.5 of the report;
- v) that the Chief Executive, in response to query raised in relation to the reporting of the asset management plan, undertake a review of the governance around the asset management plan with a view to streamlining this.

## **9. Community Asset Transfer Request Garmouth Water Tower**

A report by the Depute Chief Executive (Economy, Environment and Finance) invited the Committee to consider an asset transfer request made in respect of the former Water Tower, Standing Stones Park, Garmouth.

Following consideration, the Committee agreed to:

- i) approve the request to transfer ownership of the Garmouth Water Tower to the Garmouth and Kingston Community Association subject to the terms and conditions set out in paragraph 5.1 of the report; and
- ii) authorise the Asset Manager (Commercial Buildings) and the Legal Services Manager to finalise detailed terms and conditions and complete the transfer.

## **10. Leases with Concessionary Rents**

Under reference to paragraph 8 of the Minute of the Policy and Resources Committee held on 1 September 2015 and paragraph 22 of the Minute of the Council held on 25 May 2016, a report by the Depute Chief Executive (Economy, Environment and Finance) invited the Committee to consider the level of rental support awarded to voluntary and community organisations occupying Council property under various legacy arrangements and under the Council's Scheme of Delegation for short-term low-value concessions, and to agree proposals for the review of the level of support provided.

Following consideration, the Committee agreed to:

- i) note that the leases listed in Appendix 1 do not involve the provision of rental support and, as such, can be excluded from future reports on concessionary rents;
- ii) note the extent of ongoing rental support provided under various legacy arrangements as set out in Appendices 2 and 3;
- iii) note the extent of support agreed under the Scheme of Delegation for short-term low-value rental concessions as set out in Appendix 4; and
- iv) authorise the Property Asset Manager to proceed as set out in section 4 of the report in relation to reviewing the level of support provided by the Council.

## **11. Instrumental Music Tuition Funding Allocation**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of additional funding available to the Council for 2022/23 for the Instrumental Music Tuition Programme and asked the Committee to agree the recommendation from the meeting of the Education, Children's and Leisure Services Committee held on 8 June 2022 on how the additional funding be allocated

Having previously declared their interest in this item, Councillors Mustard and Robertson left the meeting for the discussion of this report.

Councillor McLennan, in the absence of Councillor Mustard took the chair for this item.

Following consideration, the Committee agreed the recommendation from the Education, Children's and Leisure Services Committee, to allocate the additional funding of £35,000 from the Scottish Government for Instrumental Music tuition programme expansion to utilise during academic year 2022/23.

## **12. Performance Report (Financial Services) Period to March 2022**

Under reference to paragraph 5 of the minute of Moray Council dated 7 August 2019, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the performance of the service for the period to 31 March 2022.

During discussion Councillor McBain sought clarification as to why there was no reference within the report in relation to non-payment of rents and stated that he was of the opinion that as this was a performance report this aspect should be included within the report.

In response the Head of Financial Services advised that there was a debt management process that was followed and that debts were regularly pursued and an annual report on this was produced and reported separately.

Councillor McBain further asked that this information be included in future performance reports and this was agreed.

Following consideration, the Committee agreed to:

- i) note performance in the areas of Service Planning, Service Performance and other related data to the end of March 2022; and
- ii) note the actions being taken to improve performance where required.
- iii) information relating to debt management being included in future reports.

## **13. Performance Report (Human Resources, Information Communications Technology and Organisational Development) Period to March 2022**

Under reference to paragraph 5 of the minute of Moray Council dated 7 August 2019, a report by the Depute Chief Executive (Education, Communities and

Organisational Development informed the Committee of the performance of the service for the period to March 2022.

Following consideration, the Committee agree to:

- i) note performance in the areas of Service Planning, Service Performance and other related data to the end of March 2022; and
- ii) note the actions being taken to improve performance where required.

#### **14. Performance Report (Governance, Strategy and Performance) Period to March 2022**

Under reference to paragraph 5 of the minute of Moray Council dated 7 August 2019, a report by the Depute Chief Executive (Education, Communities and Organisational Development informed the Committee of the performance of the service for the period to 31 March 2022.

Following consideration, the Committee agreed to:

- i) note performance in the areas of Service Planning, Service Performance and other related data to the end of March 2022; and
- ii) note the actions being taken to improve performance where required.

#### **15. Question Time \*\*\***

Under reference to paragraph 16 of the Minute of the Meeting of this Committee dated 15 March 2022, Councillor Robertson sought clarification on the question raised by former Councillor Alexander with regard to charging for brown bins being false economy.

In response, the Depute Chief Executive (Economy, Environment and Finance) advised that the briefing note sent out to Elected Members at the time would be recirculated.

Councillor McLennan sought clarification on whether Elected Members could get an action log to accompany the minutes from the meeting so that they could monitor progress on any actions.

In response, the Chief Executive advised that this was an operational matter and he would be happy to discuss this with Councillor McLennan out with the meeting.

Councillor McBain asked if relevant officers names and job titles could be listed on the sederunt and a list provided of any officers mentioned within the reports.

In response, the Chief Executive advised that an A-Z guide for the Councillors was about to be produced and that as it was an operational matter he would be happy to discuss it with senior Councillors out with the meeting.

#### **16. Trade Union Facility Time [Para 1]**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to approve the continuation of

extended trade union facility time and to allocate budget from ear-marked reserves to cover backfill costs for the extended trade union facility time.

Following consideration, the Committee agreed to continue the extended trade union facility time on an ongoing basis until 31 March 2023 with review to be undertaken in Quarter 4 and allocate budget from ear-marked reserves for backfill costs arising from this.

#### **17. Restructure of Property Services and Building Services DLO [Para 1]**

Under reference to paragraph 4 of the minute of the special meeting of Moray Council dated 12 February 2020 a report by the Depute Chief Executive (Economy, Environment and Finance) provided the Committee with an update on the restructure of Property Service and Building Services (DLO) since being approved by the Council on 12 February 2020 and sought approval for changes arising from the subsequent establishment of the Education Resources and Communities Service.

Following consideration, the Committee agreed to:

- i) note the update on the implementation of the Property Services and Building Services (DLO) restructure since being approved by the Council on 12 February 2020;
- ii) note the changes arising from the subsequent establishment of the Education Resources and Communities Service, approved by the Council on 9 October 2020;
- iii) approve the transfer of two posts from Property Services to Education Resources and Communities detailed in paragraph 5.5 of the report;
- iv) note the resultant disestablishment of the post details in paragraph 5.2 of the report, and the changes in reporting within Property Services detailed in paragraphs 5.3 and 5.4 of the report;
- v) approve the regrading of the management post detailed in paragraphs 5.6 and 5.7 of the report, further to evaluation; and
- vi) note that the budget associated with the posts detail in paragraph 5.5 of the report and ongoing monitoring of the Learning Estate Capital programme will transfer to Education Resources.