

THE MORAY COUNCIL
MINUTE OF MEETING OF THE MORAY COUNCIL
28 MAY, 1998
COUNCIL HEADQUARTERS, ELGIN

PRESENT

Councillors G. McDonald (Convener), E. Aldridge, M. Anderson, D. Crawford, A. Farquharson, M. C. Howe, T. A. Howe, W. Jappy, A. Keith, R. J. Laing, H. McDonald, P. Mann, R.L. Patterson, C. D. Scaife, A. M. Scott, J. M. Shaw and J. Stewart.

IN ATTENDANCE

The Depute Chief Executive (Corporate Services), the Depute Chief Executive (Finance & I.T.), the Director of Community Services, the Director of Technical and Leisure Services, the Legal and Administration Services Manager, the Development Manager, Mr D. Duncan, Principal Planning Officer, the Corporate Liaison Officer and the Principal Administration Officer, Clerk to the Meeting.

APOLOGY

An apology for absence was intimated on behalf of Councillor H. M. Cumiskie (Vice-Convener).

1. CHAIR

The Chair was taken by the Convener, Councillor G McDonald.

2. BEST VALUE SUBMISSION

The Convener intimated that The Scottish Office had agreed the Council's Best Value Implementation Plan and Service Review Schedule and in so doing had confirmed that the Council would be given a further one year exemption from CCT to 1st July, 1999.

The Convener expressed on behalf of Members, his thanks to Council Staff for their co-operation towards the Council achieving Best Value.

3. RESIGNATION OF CORPORATE LIAISON OFFICER

The Convener advised that Mrs Barbara Smith, Corporate Liaison Officer was attending her last meeting of the Council prior to her leaving the employment of the Authority.

The Convener paid tribute to Mrs Smith for the manner in which she had undertaken her duties and wished her every success for the future.

The Meeting concurred with the sentiments expressed by the Convener.

4. ARRANGEMENT OF BUSINESS

The Convener advised that Agenda Items 26. (Refurbishment of Council Chamber) and 26(a). (Office Accommodation – Corporate Services Department) had been deferred and that Item 28. (Interim Arrangements for Appointment of Returning Officer) had been withdrawn.

5. ADDITIONAL BUSINESS

In terms of the relevant Standing Order, the Meeting agreed to accept as an Additional Item of Business to be transacted at the Meeting, consideration of a Report by the Depute Chief Executive (Corporate Services) in regard to attendance at a forthcoming COSLA Seminar to be held in Edinburgh on 17th June, 1998 on the theme

“The Information Revolution” on the Convener certifying that, in his opinion, it required to be considered on the grounds of urgency having regard to the date of the Seminar.

6. VISIT OF DANISH CULTURAL INSTITUTE

There was circulated to Members for noting, copy letter from the Director, The Danish Cultural Institute thanking the Council for the warm welcome extended to a group of Danish Chief Executives from the County of Ribe during their visit to Elgin of Thursday 7th May, 1998.

7. EMERGENCY NOTICE OF MOTION

Proposed Changes to Blood Transfusion Service

The Meeting agreed to accept as an Emergency Notice of Motion, the following Motion by Councillor Jappy, seconded by Councillor Scaife:-

“In view of the announcement by The Scottish National Blood Transfusion Service to consult on proposed changes to the structure of The Scottish National Blood Transfusion Service which would, under the proposals, see the processing and testing of all blood products to be concentrated in Edinburgh and Glasgow and the facilities in Aberdeen, Inverness and Dundee discontinued, it was imperative that notwithstanding that COSLA would be consulted on this matter, the Moray Council should undertake it’s own consultations with Local GPs, the Health Trust, the Trade Unions and other interested organisations before determining its response to the Consultation Document”.

Following consideration the Meeting approved the terms of the foregoing Motion.

8. VISIT TO BAVARIA – STATEMENT BY THE VICE-CONVENER, COUNCILLOR CUMISKIE

Councillor Crawford read out a statement on behalf of the Vice- Convener, Councillor Cumiskie, who was unable to attend the Meeting due to other commitments, in regard to her visit to Bavaria at the beginning of May when she was accompanied by the Director of Economic Development and Planning, Mr Robert McBain and Aileen Innes of the Keith Kilt School and Piper, Sandy Gerrard.

In her statement Councillor Cumiskie indicated that during her visit she had visited the County of Kronach which first developed links with Banffshire some twenty-five years ago and Hersbruck which had even longer links with the Town of Lossiemouth.

Councillor Crawford thereafter presented to the Convener on behalf of the Vice- Convener, a Charter of Partnership and a gift of the Kronach Flag.

The Convener accepted the gifts on behalf of the Council and expressed his thanks to Councillor Cumiskie and the other representatives for undertaking the visit and developing Moray’s links with Bavaria.

9. EXEMPT INFORMATION

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.

<u>Para. No. of Minute</u>	<u>Para. No. of Schedule 7A</u>
37	6, 8 & 9
38	8 & 9
39	8 & 9

10. PRIOR MINUTES

(i) Minute of Meeting of Council dated 23rd April, 1998

There was submitted the Minute of the Meeting of The Moray Council dated 23rd April, 1998.

The Meeting agreed that subject to paragraph 9. (i) (Minute of Meeting of Social Work Committee dated 26th March, 1998) being amended to record that the Chairman had requested Councillor Keith to retract a statement which he had made personally attacking Councillor T. A. Howe, the Minute be otherwise approved.

(ii) Minute of Special Meeting dated 23rd April, 1998

The Minute of Special Meeting of The Moray Council dated 23rd April, 1998 was submitted and approved.

11. MINUTES OF MEETINGS OF HOUSING COMMITTEE

(i) Minute of Meeting dated 28th April, 1998

The Minute of Meeting of the Housing Committee dated 28th April, 1998 was submitted.

The Meeting agreed that subject to the deletion of the word "informal" on line 9 of paragraph 16. (Strategic Agreement with Scottish Homes: Review of Projects 1997/98), the Minute be otherwise approved.

(ii) Minute of Meeting of the Sub-Committee dated 28th April, 1998

The Minute of Meeting of the Housing Sub-Committee dated 28th April, 1998 was submitted and approved.

12. MINUTES OF MEETINGS OF ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

(i) Minute of Meeting of the Services Committee dated 21st April, 1998

The Minute of Meeting of the Economic Development and Planning Services Committee dated 21st April, 1998 was submitted and approved.

(ii) Minute of Meeting dated 5th May, 1998

The Minute of Meeting of the Economic Development and Planning Committee dated 5th May, 1998 was submitted and approved subject to the deletion of Paragraph 13 (iii) (Railway Transport Working Party).

13. MINUTE OF MEETING OF LICENSING COMMITTEE

The Minute of Meeting of the Licensing Committee dated 7th May, 1998 was submitted and approved.

14. MINUTE OF MEETING OF TECHNICAL AND LEISURE SERVICES COMMITTEE

The Minute of Meeting of the Technical and Leisure Services dated 14th May, 1998 was submitted and approved.

15. MINUTES OF MEETINGS OF EDUCATION COMMITTEE

(i) Minute of Meeting dated 19th May, 1998.

The Minute of Meeting of the Education Committee dated 19th May, 1998 was submitted.

The Meeting agreed that subject to the deletion of the fifth paragraph of Paragraph 5. (Proposal to Educate S3 and S4 Pupils at Tomitoul on the Speyside High School Site), the Minute be otherwise approved.

(ii) Minute of Meeting of General Purposes Sub-Committee dated 23rd May, 1998.

The Minute of Meeting of the Education General Purposes Sub-Committee dated 23rd April, 1998 was submitted and approved.

16. MINUTE OF MEETING OF POLICY AND RESOURCES COMMITTEE

The Minute of Meeting of the Policy and Resources Committee dated 21st May, 1998 was submitted.

The Meeting agreed that subject to the following amendments, the Minute be otherwise approved:-

Paragraph 11. (Concessionary Rail Travel for the Visually Impaired) – the final paragraph thereof being amended to include the registered blind in addition to those registered as visually impaired.

Paragraph 21. (Public/Local Holidays for Employees) being amended by the addition after “Option 1” of the words “as recommended at 8.1 (ii) of the Report”.

Paragraph 36. (Additional Business)

Councillor T. A. Howe, seconded by Councillor G. McDonald, moved that the Minute be amended to record that Councillor Farquharson had been advised by the Chairman of the Committee to submit a written Notice of Motion if he wished the matter to be considered by the Full Council.

As an amendment, Councillor Farquharson moved that the Minute was correct to the extent that the Chairman of the Committee had advised him that he could raise the matter at the Full Council.

On a division of Members present at the Meeting of the Policy and Resources Committee on 21st May, 1998 and entitled to vote, there voted:-

For the Motion (5)

Councillors T.A. Howe, G. McDonald, D. Crawford, M.C. Howe. J. Stewart.

For the Amendment (3)

Councillors E. Aldridge, A. Farquharson, W. Jappy.

Abstentions (0)

The Motion became the finding of the Meeting and it was agreed to amend the Minute accordingly.

The said Minute was otherwise approved.

17. MINUTE OF MEETING OF WARRANT SALES SUB-COMMITTEE

The Minute of the Meeting of the Warrant Sales Sub-Committee dated 23rd April, 1998 was submitted and approved.

18. THE MORAY COUNCIL – ACCOUNTS FOR THE PERIOD 1ST APRIL, 1996 TO 31ST MARCH, 1997

There was submitted and noted the Annual Report and Financial Statement for The Moray Council for the period 1st April, 1996 to 31st March, 1997.

19. THE MORAY COUNCIL – 1996/97 DLO/DSO AUDITED FINAL ACCOUNTS

There was submitted and noted the Annual Report and Financial Statement for the Direct Labour Organisation (DLO) and Direct Services Organisation (DSO) for the period 1st April, 1996 to 31st March, 1997.

20. PROPOSAL TO EDUCATE S3 AND S4 PUPILS AT TOMINTOUL ON THE SPEYSIDE HIGH SCHOOL SITE

There was submitted a Report by the HSA (Depute) Planning and Resources inviting the Council to consider a proposal recommended by the Education Committee to educate Tomintoul Pupils at S3 and S4 on the Speyside High School Site with a revised staffing and curriculum model being introduced for S1 and S2 at Tomintoul which would provide equity of access to the curriculum thereby ensuring that Tomintoul S1 and S2 Pupils would share the same opportunities at that stage as their fellow pupils in Speyside High School; that the Director of Education be instructed to undertake an early review of proposed transport arrangements with a view to reducing time pupils spent away from home; and to seek the approval of the Secretary of State to proceed with the implementation of the proposal to educate Tomintoul S3 and S4 pupils on the Speyside High School Site.

Following discussion Councillor M. C. Howe, seconded by Councillor Crawford, moved that the recommendations of the Education Committee be approved.

As an amendment Councillor Farquharson, seconded by Councillor Keith, moved for the retention of the status quo.

On a division, there voted:-

For the Motion (9)

Councillors G. McDonald, Anderson, Crawford, M. C. Howe, T. A. Howe, Laing, H. McDonald, Patterson and Stewart.

For the Amendment (6)

Councillors E. Aldridge, A. Farquharson, W. Jappy, A. Keith, P. Mann and D. Scaife.

Abstentions (2)

Councillors Scott and Shaw.

Accordingly the Motion became the finding of the Meeting and it was resolved to educate Tomintoul S3 and S4 pupils on the Speyside High School Site with revised staffing and curriculum model being introduced for S1 and S2 which would provide equity of access to the curriculum thereby ensuring that Tomintoul S1 and S2 pupils would share the same opportunities at that stage as their fellow pupils in Speyside High School; that the Director of Education be instructed to undertake an early review of proposed transport arrangements with a view to reducing time pupils spent away from home; and to seek the approval of the Secretary of State to proceed with the implementation of the proposal to educate Tomintoul S3 and S4 pupils on the Speyside High School Site.

21. NHS REFORMS

There was submitted a Report by the Director of Community Services advising the Meeting of further information which had been made available by the Grampian Health Board in respect of a number of matters which had arisen following a presentation by representatives of the Health Board to a meeting of the Full Council on 19th April, 1998 in regard to the reconfiguration of Health Services within Grampian.

There was also submitted for approval a draft response to the Health Board's proposals which had been prepared in consultation with the Leaders of the Groups on the Council.

The Meeting noted that Grampian Health Board had indicated in its Consultation Paper that it would guarantee to continue to fund services provided by Dr Gray's Hospital and it was agreed to seek clarification from the Health Board as to the nature of services which would be provided by Dr Gray's Hospital under the proposed reforms.

Following consideration the Meeting approved the Council's submission to Grampian Health Board in response to its proposals for the reconfiguration of Health Services within the Grampian Area.

22. CANCER AND PALLIATIVE CARE SERVICES IN MORAY

There was submitted a Report by the Director of Community Services advising the Meeting of a recent Report published by Grampian Health Board in regard to the provision of Cancer and Palliative Care Services in Moray.

The Meeting noted that Grampian Health Board had commissioned Scottish Health Feedback to undertake a user based needs assessment exercise for Moray to determine from the perspective of service users, providers and relative interest groups what the key issues were in relation to cancer and palliative care in the Community in Moray and how these issues were currently being addressed from the various perspectives and identifying any gaps which existed.

The Meeting noted that the Social Work Committee at its meeting on 19th February, 1998 had affirmed its support for the Hospice in Moray Campaign and expressed a desire to assist the Campaign with their objective of achieving a Day Hospice in Moray to compliment and enhance the existing provision for Cancer and Palliative Care Services.

Following consideration the Meeting agreed to note the Scottish Health Feedback Report published by Grampian Health Board and agreed to seek further discussions with the Health Board as regards the improvement of Cancer and Palliative Care Services in Moray.

23. NEW DEAL: IMPLICATIONS FOR THE MORAY COUNCIL

There was submitted a Joint Report by the Director of Economic Development and Planning and the Director of Technical and Leisure Services regarding the Council's participation in conjunction with Moray Training in the Welfare to Work – New Deal Initiative (Environmental Option) and recommending the Council to agree in principle to become involved in the New Deal Employer Option on a trial basis subject to discussion with the Trade Unions.

The Report also advised of progress in regard to establishment of a Environmental Task Force under the New Deal Arrangements.

Following consideration the Meeting agreed to note the progress being made in the establishment of a Environmental Task Force and to agree in principle to become involved in the New Deal – Employer Option on a trial basis, subject to discussion with the Trade Unions and subject also to a further detailed Report being submitted to the Council for consideration.

24. GRAMPIAN JAPAN TRUST – APPOINTMENT OF NAMED SUBSTITUTE

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider appointing a Member to act as a Substitute to attend meetings of the Grampian Japan Trust in the absence of the Council's nominated representatives.

Following consideration the Committee approved the appointment of Councillor Stewart as a Substitute Member to attend meetings of the Grampian Japan Trust.

25. RESPONSE TO THE CONSULTATION STEERING GROUP CONSULTATION ON HOW THE SCOTTISH PARLIAMENT SHOULD WORK

There was submitted a Report by the Corporate Liaison Officer recommending approval of a Draft Response to a Scottish Office Constitution Group Consultation Paper on how the Scottish Parliament might operate.

Following consideration the Meeting approved the Draft Response for submission to the Scottish Office and copied to COSLA for its information.

26. CHILDREN'S SERVICES STRATEGY GROUP: REMIT, PRIORITIES AND CYCLE OF MEETINGS

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider the recommendations of the Children's Services Strategy Group to amend it's Remit and to approve a set of Priorities and Cycle of Meetings.

Following consideration the Meeting agreed that the Remit of the Children's Services Strategy Group be revised as follows:-

- (i) to promote and co-ordinate Council policies and strategies which deal with the needs of children and young people;
- (ii) to advise the relevant Committees of the Council on matters related to provision for children and young people; and
- (iii) to identify ways in which the Council could meet the demands of children and young people and make recommendations thereon to the relevant Council Committees.

The Meeting also agreed to approve the following Priorities of the Group in line with the proposed new Remit:-

- (a) to monitor and evaluate implementation of the Children's Plan and identify information required for this purpose;
- (b) to consider the outcome of consultative meetings with young people and undertake the production of a Youth Strategy for the Council;
- (c) to identify the implications for children and young people arising from Service Plans and recommend action which requires to be taken to ensure the interests of children are protected;
- (d) to consider reports on policy issues which affect children and young people and make recommendations to the relevant Committees on dealing with these;
- (e) to consider issues relating to the implementation of the Children Act; and
- (f) to consider issues relevant to the Pre-5s and Under 8s.

The Meeting also agreed to note that future meetings of the Group would be scheduled for the Tuesday(pm) on the week following scheduled meetings of the Social Work Committee.

27. CASTLEREAGH BOROUGH COUNCIL – NOTICE OF MOTION

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider a request from Castlereagh Borough Council, Northern Ireland to support a Motion approved by that Council urging the Government to formally and officially recognise the presence of Gulf War Syndrome.

Following consideration the Meeting agreed to support the Motion by Castlereagh Borough Council in it's efforts to persuade the Government to formally and officially recognise the presence of Gulf War Syndrome.

28. FORESTRY IN THE NORTH EAST OF SCOTLAND – STUDY TOURS

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider an invitation from the Forestry Contracting Association Limited to attend a One-Day Study Tour being arranged by the Association on either 16th or 17th June, 1998.

Following consideration the Meeting agreed that the invitation from Forestry Contracting Association Limited to participate in the One-Day Study Tour be open to all Members.

29. CITIZENS ADVICE SCOTLAND ANNUAL CONFERENCE

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider attendance at the Annual Conference of Citizens Advice Scotland to be held in the Strathclyde University, Glasgow on 2nd and 3rd September, 1998.

Following consideration the Meeting agreed to authorise the attendance at the Annual Conference of one of the two Council Appointees to the Moray Citizens Advice Bureau Board of Management, Councillor H. McDonald or Councillor Patterson.

30. UNISON FUEL POVERTY CONFERENCE – GLASGOW

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider attendance at a Conference on Fuel Poverty being arranged by UNISON in Glasgow on 26th June, 1998.

Following consideration the Meeting agreed not to be represented at the Conference.

31. ELECTION OF COSLA VICE PRESIDENT

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider nominating a Member for election to the post of Vice-President of COSLA following the recent resignation of Councillor Peter Peacock of Highland Council.

Following consideration Councillor G McDonald, seconded by Councillor Crawford, moved that the Council support the nomination of Councillor R. Murray, Angus Council.

As an amendment, Councillor Farquharson, seconded by Councillor Keith, moved that the Council take no action.

On a division, there voted:-

For the Motion (10)

Councillors G. McDonald, Anderson, Crawford, M. C. Howe, T. A. Howe, Laing, H. McDonald, Patterson, Scott, Stewart.

For the Amendment (3)

Councillors Farquharson, Keith, Mann.

Abstentions (4)

Councillors Aldridge, Jappy, Scaife, Shaw.

Accordingly the Motion became the finding of the Meeting and it was resolved to support the nomination of Councillor R. Murray, Angus Council for the office of Vice-President of COSLA.

32. CENTRE FOR SCOTTISH PUBLIC POLICY: THE NEW SCOTLAND

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider attendance at a Discussion about the Cultural, National, Political and Social possibilities for Scotland with a Parliament of its own, being organised by the Centre for Scottish Public Policy in Glasgow on 29th - 31st May, 1998.

Following consideration the Meeting agreed not to be represented at the Event.

33. DEVELOPING AN ENTREPRENEURIAL SOCIETY

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider attendance at a Conference entitled Developing an Entrepreneurial Society being held in Glasgow on 11th June, 1998.

Following consideration the Meeting agreed not to be represented at the Conference.

34. CONFERENCE: CHILDREN'S SERVICES – THE WAY AHEAD

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider attendance at a One-Day Conference organised jointly by Children in Scotland, COSLA and the City of Edinburgh Council to be held in Edinburgh on 5th June, 1998 entitled Childrens Services – The Way Ahead.

Following consideration the Meeting authorised the attendance of an Officer at the Conference.

35. SCOTTISH OFFICE/COSLA SEMINAR – “HIGHER STILL – PARTNERSHIP IN IMPLEMENTATION”

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider appointing delegates to attend a Joint Scottish Office/COSLA Seminar to be held in Edinburgh on 12th June, 1998 on the theme “Higher Still-Partnership in Implementation”.

Following consideration the Meeting approved the attendance of the Chair of the Education Committee.

36. COSLA SEMINAR: THE INFORMATION REVOLUTION

There was submitted a Report by the Depute Chief Executive (Corporate Services) inviting the Meeting to consider attendance at a COSLA Seminar to be held in Edinburgh on 17th June, 1998 on the theme “The Information Revolution”.

Following consideration the Meeting authorised the attendance of an Officer at the Seminar.

37. ELGIN CENTRAL RE-DEVELOPMENT SITE: ANALYSIS OF INITIAL SUBMISSIONS

There was submitted a Report by the Director of Economic Development and Planning detailing an analysis of initial submissions received from Developers in response to the Council's Guidelines on Initial Submissions for the development of the Elgin Central Redevelopment Site and recommending approval of a short list of four Companies which should be invited to respond to a Development Brief.

The Report also recommended that the Legal and Administration Services Manager be authorised to proceed with a Petition to the Court of Session concerning land held in Trust and for the common good.

Following consideration the Meeting agreed to invite the four Companies recommended in the Report to submit responses to a Development Brief for the Site and to authorise the Legal and Administration Services Manager to proceed with a Petition to the Court of Session concerning land held in Trust and on the Common Good.

38. REFURBISHMENT OF ACADEMY STREET OFFICES ELGIN

There was submitted a Report by the Director of Economic Development and Planning regarding proposals for the refurbishment of the Council's Academy Street Office, Elgin in the light of the transfer of Roads Department staff from Highfield House to Academy Street.

Following consideration the Meeting approved the refurbishment proposals for the Academy Street Offices, Elgin, to accommodate Roads Department staff.