

THE MORAY COUNCIL
MINUTE OF MEETING OF THE POLICY COMMITTEE
WEDNESDAY 19 DECEMBER 2007
COUNCIL OFFICE, ELGIN

PRESENT

Councillor G S Coull, J S Cree, J Hamilton, B Jarvis, G Leadbitter, G McDonald, P B Paul, M Shand, R H Shepherd, A G Wright and I R Young.

IN ATTENDANCE

The Chief Executive, Chief Financial Officer, Director of Educational Services, Director of Environmental Services, Chief Legal Officer, Director of Community Services, Corporate Policy Unit Manager, Head of Personnel Services, Community Planning and Development Manager, Public Relations Co-ordinator, Head of Community Care (in respect of item 21) and Mrs C Carswell Committee Services Officer as Clerk to the meeting.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors L A Bell, and E M McGillivray (Chair) (Remit 2)(Community Planning).

1. CHAIR

In terms of Standing Order 6 the Chief Executive, invited nominations to Chair the meeting. Councillor Hamilton was proposed by Councillor Young and seconded by Councillor Shepherd. There being no one otherwise minded the Chair was taken by Councillor Hamilton.

2. MESSAGE OF CONDOLENCE

The Chair invited the Convener to speak. Councillor McIntyre called for a minutes silence to commemorate the passing of Councillor A Bisset. Councillor McIntyre stated that Elgin and Moray had lost a great ambassador and he would be sadly missed by friends and colleagues. Councillors' Hamilton, Paul and Young also expressed their sense of loss and extended their sympathies to the family.

3. DECLARATION OF GROUP DECISIONS AND MEMBERS INTERESTS

In terms of Standing Order 20 and the Councillors' Code of Conduct 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 nor any declarations of Members Interest in respect of any Item on the Agenda.

4. 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.

Para. No. of Minute**Para. No. of Schedule 7A**

29	6 & 9
30	6 & 9
31	8 & 9
48	8
49	8 & 9

5. ORDER OF BUSINESS

In terms of Standing Order 25 the meeting agreed to vary the order of business set down on the Agenda and take item 43 "Health and Safety Management System Developments" under Remit 1 item 10 (c). The Chair also advised the Committee that they should have a paper in front of them, which refers to item 24.

The Committee also agreed to accept, an additional item of business, to be transacted at the meeting, which was a report by the Head of Estate Services in regard to a Site at Land Street, Rothes as it was required to be considered on the grounds of urgency in order to confirm to the two house owners the terms upon which the Council would be prepared to dispose of a site and enable the two house owners to withdraw their objections to the Rothes Flood Prevention Order.

Further to a request from the Chief Financial Officer, the Committee agreed to withdraw item 22 regarding "Cash Collection Review " and that under section 12 of the Admin Scheme this report would now go to Full Council on 30 January 2008.

6. WRITTEN QUESTIONS

In response to a question from Councillor Paul regarding clarification on a road safety scheme for a lay-by in North Street, Rothes which had been under investigation by Roads and the meeting was advised that Transportation staff had investigated parking previously with a report to Economic Development and Planning Committee; March 1999. This had sought to introduce additional no waiting restrictions, giving the reason for the introduction as "part vehicles were forcing vehicles to approach the roundabout from the north on the wrong side of the carriageway thus creating the potential for a collision with a vehicle entering North Street from the roundabout". The restrictions extend in front of 3 of these 6 properties.

The waiting restrictions were agreed and the traffic order relating to the "double yellow" lines in North Street came into force in October 1999. Subsequent to the introduction of the restrictions there were no recorded accidents at the roundabout or on North Street over its complete length as far as the demolished railway bridge. Observations have shown that no parking currently takes place on the yellow lines and the Roads Inspector of Grampian Police supports this.

Based on this information, it was concluded that any potential hazard associated with parked cars had already been satisfied by the introduction of the current yellow lines and that there is no remaining road safety concerns to justify the promotion of a relatively expensive capital roads safety scheme at this location. Nevertheless, were it necessary to promote a safety scheme, the cost-effective solution would be to introduce a further extension the length of waiting restrictions at this location. There would be sufficient capacity on North Street for residents to park safely albeit not always directly outside of their properties.

Of the 6 properties "10 to 20 North Street" adjacent to this area, only 2 remain in Council ownership. Investigations into the construction cost of a parking lay-by for 6 vehicles indicate that the cost would be in the order of £38,000. A principle reason for the high cost of the works is the amount of underground services that would have to be diverted to allow any construction to take place. This represents a high capital cost for the amount of Council involvement. While there is a budget identified within the Housing Revenue Account to deal with requests for parking etc there are a number of potential projects yet to be progressed. It is intended that a report on this matter will be prepared for a future Housing Sub-Committee meeting, in the first instance. This was noted. There would be nothing to stop the private owners constructing driveways from the public road toward their

properties to allow them off-street parking. This would be at their cost, and require them to first obtain all necessary permissions.

In response to a supplementary question from Councillor Paul, the Director of Environmental Services advised that if following the Housing Sub-Committee there was no satisfactory resolution then he would submit a report on the matter to the Environmental Services Committee for consideration.

7. SERVICE IMPROVEMENT PLANS 2008-09

There was submitted a report by the Chief Executive asking the meeting to agree to carry out shortened reviews of the 2008-09 Service Improvement Plans to ensure that time is dedicated to incorporating the priorities in the Scottish Government outcome agreements in the 2009-10 Service Improvement Plans.

Following consideration the meeting agreed to shortened reviews of the 2008-09 Service Improvement Plans be carried out to enable work to be undertaken to incorporate the outcomes into the 2009-10 Service Improvement Plans.

8. PERFORMANCE INDICATOR TARGETS

There was submitted and approved a report by the Chief Executive asking the meeting to approve the proposed revisions to performance indicator targets and thresholds for the last quarter of 2007/2008 and for 2008/2009.

9. "MORE CHOICES MORE CHANCES" STRATEGY

There was submitted a report by the Chief Executive asking the meeting to approve the draft "More Choices, More Chances" Strategy and Action Plan and to approve the spending plan of the "More Choices, More Chances" Strategy Group.

The meeting noted the concerns raised by Members with regard to how the monies were spent on reducing the number of young people in Moray who are not in education, employment or training. The Community Planning and Development Manager advised the Strategy is responding to what the Government has asked for in getting young people ready for work by helping with their self esteem and confidence and he further advised that when he had met the Directorate from the Scottish Government they had been satisfied that Moray was on the "right track" and reminded the meeting that there was a time limit as to when the monies had to be spent by.

Following consideration the meeting agreed to delegate this matter to the Chief Executive to ensure, in consultation with Group Leaders, that the monies were utilised in the current financial year being the time limit in question.

10. EMPLOYMENT APPEALS PROCEDURES

There was submitted a report by Head of Personnel Services asking the Committee to agree the most appropriate means of considering the various employment related appeals.

The meeting noted the concerns raised by Members that there should be Councillor involvement with the appeals process with the exception of grading appeals as elected members may not have the time to become experts in the same. The Committee also agreed that training should take place for substitutes as to ensure that there are no delays in cases being heard.

Thereafter the Committee agreed: -

- (i) That relevant employment related appeals (i.e. disciplinary and grievance matters) would be considered by an Appeals Committee comprising of elected Members.
- (ii) that grading appeals would be dealt with at officer level and elected Members would not be involved

11. GRADING REVIEW POLICY AND PROCEDURE

There was submitted a report by the Head of Personnel Services asking the Committee to agree a new Policy and Procedure for the review of grades of Scottish Joint Council (SJC) jobs within the Council.

Following consideration the Committee agreed the proposed Policy and Procedure for the review of grades of SJC jobs and in particular agreed the revised appeal arrangements which end at the level of an Appeals Panel made up of management and Trade Union Panel members.

12. REVIEW OF DISCIPLINARY PROCEDURES

There was submitted a report by the Head of Personnel Services inviting the Committee to approve the revised disciplinary procedures which had been amended to take account of the revisions to national conditions of service, best practice developments and experience in this area.

Following consideration the Committee agreed to approve the revised disciplinary procedures subject to the appeals procedure being amended for Member involvement in the same at the appropriate stage.

13. WORKFORCE PLANNING STRATEGY

There was submitted a report by the Head of Personnel Services informing the Committee of the workforce profiling information which has been gathered and the issues that can be identified from it on which to base the development of a Workforce Plan and Strategy.

The meeting noted the issues raised by Members with regard to the concerns felt by staff that they would not recommend the Moray Council as an employer.

The Head of Personnel Services advised the meeting that the issues raised by staff were largely due to the timing of a staff survey. A staff survey had been undertaken during the implementation of the Single Status Agreement. Independent analysis of the survey had otherwise confirmed the concerns of staff were not far from the norm.

She also advised that the staff survey takes place every 2 years and in the intervening years a less extensive survey and other exercises take place. The company, which carries out the surveys, are looking for example at arranging focus groups in January 2008 and for a further a full survey to take place around October 2008.

She went on to advise the meeting that the purpose of the report was to present a range of issues which had been identified from which to base the development of the Plan Strategy and to have Members confirm that development is going in the right direction.

The meeting noted the preliminary issues identified included issues such as an ageing workforce and difficulties in recruiting to professional and managerial posts. More work needs to be done on detailed planning within the Departments and this would be a stage in the development of the Plan and Strategy.

Further to a request by Councillor Coull the Chief Legal Officer advised that the staff survey results would be made available to all Members. Further to a question from Councillor McDonald regarding trends the Chief Legal Officer advised that performance information on staffing along with other Central Services performance information was being reviewed by the Audit and Performance Review Committee. A date for review previously agreed in December had been postponed until early January.

Thereafter the meeting agreed to note the preliminary issues identified from the workforce profiling information to date; that this information be used to base the development of a Workforce Plan and Strategy on and that a further report would be submitted to future meetings of this Committee to consider a Workforce Plan and Strategy following consultation with the Central Management Team, Departmental Managers and Trade Unions

14. VACANCY MANAGEMENT

There was submitted a report by the Chief Financial Officer advising the Committee of the arrangements in place for vacancy management.

The Committee agreed to note the arrangements previously approved by the Council relating to vacancy management.

15. HEALTH AND SAFETY MANAGEMENT SYSTEM DEVELOPMENTS

There was submitted a report by the Head of Personnel Services seeking the Committee's approval on procedures to define how the Council would protect staff from the harmful effects of vibration, ensure that people driving on Council business do so safely and protect staff who may require to work in isolation.

The meeting noted the concerns raised by the Members in regard to the Members use of mobile phones and driver maintenance risk and the responses from the Head of Personnel Services and the Senior Health and Safety advisor who advised that the driver maintenance checks were based on those for HGV vehicles and would be reviewed. The Chief Executive advised that separate advice would be issued to elected Members.

Thereafter the meeting approved the procedure on hand-arm vibration, driving and lone working.

16. PROGRESS ON EQUALITIES SCHEMES

There was a report submitted by the Chief Executive asking the meeting to scrutinise the progress to date with regard to the Equalities Schemes.

In response to Members questions, the Chief Legal Officer advised that the Council is trying to resolve a number of compliance issues with the Equality and Human Rights Commission and there are other Public Authorities in the same situation. The Council is trying resolve these issues by re-prioritising the various tasks required in terms of the Schemes. He also advised that the Council staffing structure would also require to be looked at as equalities does not correspond with any one service and this issue is being addressed by the Chief Executive through the current Budget process. The Chief Executive advised the meeting that the Council is meeting it's statutory obligations but unfortunately it is not meeting a number of deadlines. There needs, in his opinion, to be some investment made in this area as there is only one officer dealing with equalities throughout the whole Council currently.

Thereafter the Committee agreed the progress to date with regard to the Equalities Schemes.

17. REVENUE BUDGET MONITORING TO 31ST OCTOBER 2007

There was submitted a report by the Chief Financial Officer advising the Committee of the Revenue Budget Monitoring position for 2007/08 as at 31st October 2007, to identify allocations to departmental budgets from provisions for general and specific purposes and to report on the estimated actuals expenditure for 2007/08.

Councillor Paul asked that a report should come to the Policy Committee regarding the anticipated overspend on transportation revenue support and the Chief Financial Officer advised that if the Environmental Services Committee cannot resolve the same then it would be referred to the Policy Committee.

Thereafter the Committee agreed to note; -

- (i) the current budget monitoring position for 2007/08 as at 31st October 2007;
- (ii) the allocations from provisions;
- (iii) the estimated actual position for 2007/08; and
- (iv) that the Director of Environmental Services would arrange for a report to be provided to the Environmental Services Committee regarding the overspend referred to in para 5.12 in the report.

18. CAPITAL PLAN 2007/08 MONITORING TO 31ST OCTOBER 2007

There was submitted and noted a report by the Chief Financial Officer asking the Committee to note the expenditure of the Capital Plan for Financial Year 2007/2008 to 31st October 2007 of 9.1 million and the remaining provisional projects in the Capital Plan for 2007/2008.

19. CORPORATE AND CENTRAL SERVICES REVENUE BUDGET MONITORING TO 31ST OCTOBER 2007

There was submitted and noted a report by the Chief Financial Officer advising the Committee of the current expenditure and budget to 31st October 2007 for Corporate and Central Services.

20. CORPORATE AND CENTRAL SERVICES CAPITAL BUDGET MONITORING TO 31ST OCTOBER 2007

There was submitted and noted a report by the Chief Financial Officer advising the committee of the capital, expenditure and budget to 31st October 2007 for Corporate and Central Services.

21. EFFICIENCY SAVINGS MONITORING – FINANCE AND ICT

There was submitted a report by the Chief Financial Officer providing members with a monitoring report on the efficiency savings approved by the Council for Finance and ICT.

Further to a question from Councillor Hamilton the Chief Financial Officer advised that time scales would be included in the table before the next Committee.

Thereafter the Committee agreed to note:-

- (i) progress made towards achieving the target efficiency savings; and
- (ii) the identification of further potential efficiency savings.

22. EFFICIENCY SAVINGS – CENTRAL SERVICES

There was submitted a report by the Chief Legal Officer providing the Committee with a monitoring report on the efficiency savings approved by the Council for Central Services.

In response to a question from Councillor Paul, the Chief Legal Officer advised that there are some Solicitors posts that have proven difficult to fill. He confirmed that there have been ongoing discussions with senior staff to prioritise the work load of Legal Services.

Thereafter the Committee agreed to note that the Service is otherwise on track to deliver its efficiency savings.

23. EFFICIENT GOVERNMENT UPDATE

There was submitted a report by the Chief Financial Officer updating the Committee regarding the progress of the Efficient Government Working Group and also in relation to the shared services review.

Following a question from Councillor G McDonald the Chief Financial Officer advised that Chairs of the Service Committees are invited to the Efficient Government Working Group and the situation may be reviewed should the Council want further representation involved. He also advised that the Minutes are on the Council intranet site and could also be put on the Members information site. The Chief Executive also agreed that Minutes of the Service Development Group should go to Councillors but that they would not get the full Minute of the budget discussions until the budget process is finalised.

Thereafter the Committee noted the progress in relation to efficient government and that the Council had been successful in it's application for funding to undertake a shared services review.

24. DEMONSTRATING COMPETITIVENESS

There was submitted a report by the Chief Financial Officer providing the Committee with the work plan for the current year relating to demonstrating competitiveness, for consideration.

Councillor Wright suggested that online booking of facilities could be done more centrally by the Councils' Call Centre and the Chief Financial Officer advised if this were not already included on the review list then he would arrange for this to be done.

25. CENTRAL SERVICES (COMMITTEE, ESTATES, LEGAL & PERSONNEL) – PROGRESS REVIEW AGAINST PERFORMANCE INDICATORS 2ND QUARTER 2007/08

There was submitted a report by the Chief Legal Officer providing the Committee with a progress report on performance indicators for the service for the period from July to September 2007.

In response to a question from Councillor Jarvis regarding the definition of "accident" the Chief Legal Officer advised that this would be the last time the statistical information and definitions contained in the report would appear in this format. Performance information is currently being reviewed by the Audit and Performance Review Committee. Councillor Wright observed that consideration could be given to Council Minutes only recording the decision now that the webcam is in place recording meetings verbatim.

The meeting noted that the figure given in para. 5.1.4 of the report regarding members of staff who had left the Council's employment was inaccurate and noted that the Committee would be given the correct figure by the Head of Personnel Services. The meeting was assured by the Head of Personnel Services that the figure was in any event below average. The meeting further agreed that the heading at 5.2 of the report should read "Areas for Improvement".

Thereafter the Committee agreed with the contents of the Performance Indicators as reported.

26. SOCIAL WORK REVENUE AND CAPITAL BUDGET MONITORING 2007/08

There was submitted a report by the Director of Community Services informing the Policy Committee of the current position relating to the existing FTE Senior Community Care Officer post.

The Committee was advised that this report had been referred from the Education and Social Services Committee as there had been some debate regarding NHS funding of the post. The Head of Community Care advised the Committee that the post was permanent and would be covered by the Community Care budget and this had been agreed with NHS Grampian.

In response to Councillors' comments regarding accountability and governance where the Council is working in partnership with other bodies the Chief Legal Officer advised that this arrangement with the Health Service required to be seen in the context of an increasing range of partnership working across the public sector in terms of the Community Planning agenda. The Chief Executive has been tasked with providing Members with a report on Community Planning and related issues and Members concerns regarding accountability and governance would be best addressed in their consideration of the terms of this report.

Councillors' Shand and Coull left the meetings at this juncture.

Following consideration the Committee agreed; -

- (i) that the existing FTE Senior Community Care Officer Post would be met from the current Community Care budget; and
- (ii) that all future agreements with partners for joint funding would be approved and signed by both partners.

27. INCREASED DEMAND ON THE EDUCATIONAL SUPPORT AND SERVICES BUDGET

There was submitted a report by the Director of Educational Services informing the Committee of increased demand on the Educational Support Services Budget in relation to resources required to support pupils with level 5 additional support needs for financial year 2007-08. A report in relation to this subject was considered by Educational and Social Services Committee on 28 November 2007 (Para 25 of the minute refers) and it was agreed that the matter be referred to Policy Committee for consideration.

Councillor Coull re-entered the meeting at this juncture.

In response to a question from Councillor Paul, the Chief Financial Officer advised that this should not be looked at in isolation as the Council need to amend a lot of ring-fenced budgets for the 2008/09 budget. He also advised with regard to ring-fenced budgets that an exercise had commenced across all Departments of the Council to identify what services are being delivered currently from ring-fenced funding and a report on the outcome of the exercise would come before Members in due course.

Following consideration the Committee agreed to note; -

- (i) the increased pressure on the level 5 additional support needs budget; and
- (ii) the anticipated overspend and considered the budget requirement for 2008/09 in light of the current position.

28. NUCLEAR FREE LOCAL AUTHORITIES

There was submitted a report by the Chief Legal Officer inviting the Committee to consider affiliate membership of the Nuclear Free Local Authorities (Scotland).

Councillor Hamilton, seconded by Councillor Young, moved that he felt that it did not fit within the Council remit and it was inappropriate for this Committee to consider membership of the Nuclear Free Local Authorities (Scotland) and that the money could be better spent elsewhere.

As an amendment Councillor Paul, seconded by Councillor Leadbitter moved that the Council should become an affiliate member of the Nuclear Free Local Authorities (Scotland) as there were a number of issues put forward in the report regarding the services of the organisation and that it had been reported in the past couple of years that Moray has potential storage areas for nuclear waste and it might be worth the Council benefitting from the knowledge and expertise of this organisation.

Further to a request from Members the Chief Legal Officer gave the Committee a brief background on the role of the Nuclear Free Local Authorities (Scotland).

On a division there voted for the motion (6) Councillors Cree, Hamilton, Jarvis, Shepherd, Wright and Young

For the amendment (4) Councillors Coull, Leadbitter, McDonald and Paul.

Abstentions (0)

Accordingly the motion became the finding of the meeting and it was agreed that the Council would not become a member of the Nuclear Free Local Authorities (Scotland).

29. QUESTION TIME

Councillor Coull in raising an issue regarding the amount of reports which Members are required to study stated there appeared to be a report missing from the Agenda regarding public toilets and expressed his disappointment as he had advised a number of his constituents that the matter would be considered at this meeting of the Committee. In response to a question from Councillor G. McDonald it was agreed that an answer to Councillor Coull's question be sought for the afternoon of the meeting.

30. RESPONSE TO SJC TRADE UNION SIDE PAY CLAIM 2008-01-07

There was submitted a report by the Head of Personnel Services asking the Committee to agree the Council's response to the national SJC Trade Union Side Pay Claim for 2008 in order that this could be submitted to the Employers organisation (COSLA) by 31st December to inform national negotiations on pay.

Following consideration the Committee agreed the Council's response to the National SJC Trade Union Side Pay Claim for 2008.

31. EQUAL PAY

There was submitted a report by the Head of Personnel Services updating the Committee on the outstanding equal pay employment tribunal claims against the Council and seeking the Committee's approval for the proposed means of dealing with various types of cases.

Following consideration the Committee approved the proposed means of dealing with the various types of cases and that a small group consisting of 7 members be set up to deal with the same.

32. SITE AND PREMISES AT 239 HIGH STREET, ELGIN – ELGIN COMMON GOOD ACCOUNT

There was submitted a report by the Head of Estates Services asking the Committee to note that NHS Grampian had withdrawn its interest in acquiring the 0.09 hectare site adjacent to 239 High Street, Elgin in order to provide a 6 surgery NHS dental unit.

Following consideration the Committee agreed to:

- (i) note that NHS Grampian had withdrawn its interest in acquiring the 0.09 hectare site adjacent to 239 High Street, Elgin and now proposed to provide its dental unit development at Spynie Hospital;
- (ii) declare the shop/office premises at 239 High Street, surplus to requirements; and
- (iii) instruct the Head of Estates Services to proceed to market the 2 properties for sale subject to no other Council partner or department wishing to lease the properties.

33. SUSPENSION OF STANDING ORDERS

In terms of Standing Order 66 the Committee agreed to suspend Standing Orders to allow for the completion of business pertaining to Remit 1 on the Agenda.

34. VOLUNTARY EARLY RETIREMENT APPLICATION – ENVIRONMENTAL SERVICES

There was submitted a report by the Head of Personnel Services inviting the Committee to consider a recently submitted application under the discretionary Early Retirement Scheme, to a member of staff within the Environmental Services Department.

Following consideration the Committee approved the early retirement application from the member of staff within the Environmental Services Department.

ADJOURNMENT OF MEETING

Meeting adjourned for lunch at 12.55pm and re-convened at 2.00 pm.

RESUMPTION OF MEETING

The meeting resumed at 2.00 pm.

PRESENT:

Councillors J S Coull, J S Cree, J Hamilton, B Jarvis, J Leadbitter, J McDonald, P Paul, R H Shepherd and AG Wright.

IN ATTENDANCE

The Chief Housing Officer, The Chief Legal Officer, the Public Relations Co-ordinator, the Community Planning and Development Manager, The Director of Environmental Services, and Mrs C Carswell, Committee Services Officer as Clerk to meeting.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors E M McGillivray and I R Young.

35. VOLUNTEERING POLICY

There was submitted a report by the Chief Executive inviting the Committee to consider and approve the Volunteering Policy of the Moray Council pending a review of the costs of implementation of the policy.

Following consideration the Committee agreed to: -

- (i) approve in principle the draft Moray Council Volunteering Policy and Best Practice guidelines pending a review of the issue of expenses for volunteers; and
- (ii) to the formation of a Working Group to establish the costs of implementing the Volunteering Policy and to establish clear financial systems for the monitoring and management of volunteer expenses.

36. COMMUNITY SAFETY STRATEGY

There was submitted a report by the Chief Executive asking the Committee to approve the extension of the deadline to the development of the Community Safety Strategy 2008-2011, which was due in December 2007.

Following consideration the Committee agreed to approve a new deadline of May 2008, for completion of the Community Safety Strategy 2008-2011.

37. SOCIAL INCLUSION STRATEGY

There was submitted a report by the Chief Executive advising the Committee of the progress of the Community Planning Partnership Social Inclusion Strategy and to consider the draft strategy put out by the partnership for consultation.

Following consideration the Committee agreed to: -

- (i) note the progress of the Moray Community Planning Partnership Social Inclusion Strategy;

- (ii) consider the draft Social Inclusion Strategy as part of the consultation process; and
- (iii) agree that a final version of the Social Inclusion Strategy would be brought back to this Committee for approval.

38. STRATEGIC HOUSING INVESTMENT PLAN

There was submitted a report by the Director of Community Services presenting the Council's Strategic Housing Investment Plan for approval.

In response to a question from Councillor Coull, the Chief Housing Officer advised that since the Council does not have a large land bank they are very much reliant on affordable housing through planning "gain". The proposals for affordable housing therefore represent what developers themselves have indicated what they plan for their long-term developments and this is amended on a rolling basis annually. Councillor Wright advised that the Local Plan would be amended on an annual basis after the new one is implemented.

In response to Councillor Leadbitter's concern that work on the condition of private sector properties is not done systematically on a basis of need or where the coldest areas are with regard to fuel poverty, the Chief Housing Officer advised that there would be logic in this approach if the Council owned all the properties but since this is in the private sector it is dependent on the numbers that come forward from the private sector and in the past, the balance of the programme has been spread out this way rather than targeting specific types of improvement work. With the 2006 Housing Act now in place she is unsure how it will impact on grant activity and may well drift away from grants to some other form of assistance but she is still awaiting guidance from the Scottish Government. She also advised that with regard to reducing fuel poverty the Council currently work with the Moray Energy Project and she is unsure as to how to target the coldest areas but that she could have discussions with them to investigate to what extent that would be possible.

In response to Councillor Coull's question regarding whether there were consequences for the Council if it cannot discharge its statutory duties towards the homeless, the Chief Housing Officer advised that this referred to a piece of work just recently completed by consultants and she had hoped to present this to the Committee today but would be presented to the next Committee. She confirmed there are implications for the Council if it is unable to fulfil this function and highlighted past and current difficulties in meeting the needs of the homeless.

Following consideration the Committee agreed: -

- (i) the Strategic Housing and Investment Plan be submitted to Community Scotland;
- (ii) note that this would be submitted to the Housing Sub-Committee in January 2008 for its interests; and
- (iii) that further reports be presented to the Policy Committee on the Strategic Housing Investment Plan, as required.

39. AFFORDABLE HOUSING IN RURAL AREAS

There was submitted a report by the Director of Community Services detailing the work that is being proposed to identify new affordable housing in the countryside and seeking approval to pilot a Rural Housing Project in Moray.

Councillor G McDonald left the meeting at this juncture.

Councillor Hamilton advised that this report fitted in with the Administration's priorities, which were published last week. Councillor Paul welcomed the report and was delighted that rural areas should be entitled to have the opportunity for affordable housing.

Councillor Shand entered the meeting at this juncture.

Councillor Wright also welcomed the report and assured the Committee of the co-operation from the Environmental Services Committee.

Thereafter the Committee agreed: -

- (i) to note that approaches proposed to address housing needs in rural areas;
- (ii) to pilot the Rural Housing Project in Moray for one year; and
- (iii) that a further report would be provided after the project has been running for 9 months.

40. "FIRM FOUNDATIONS – THE FUTURE FOR HOUSING IN SCOTLAND" – DISCUSSION PAPER

There was submitted a report by the Director of Community Services summarising the main points detailed in the Scottish Government's discussion paper on housing and setting out the proposed process for responding to the paper.

Following consideration the Committee agreed: -

- (i) that the Full Council meeting on 30 January 2008 would consider the Council's response to the housing discussion paper;
- (ii) that the Housing Sub-Committee would be asked to comment on the housing discussion paper at its meeting on 15 January 2008; and
- (iii) Members should comment to the Chief Housing Officer by 4 January 2008 on the content of the discussion paper.

41. LOCAL HOUSING STRATEGY UPDATE – COMMUNITIES SCOTLAND ASSESSMENT

There was submitted a report by the Director of Community Services informing the Committee of Community Scotland's Assessment of the Council's Local Housing Strategy (LHS) update for 2006/07 and the proposed response by the Council to the assessment.

In response to a question from Councillor Coull, the Chief Housing Officer advised that the Council had been without a Housing Strategy Officer until August 2007 and had not been in a position to provide a mid-term review and had discussed the same with Community Scotland who had advised that the existing guidance was to change at this stage and there was a limit on the value of doing one.

In response to a question from Councillor Leadbitter as to whether a report on gypsy travellers would be going to the Housing Sub-Committee in January, the Chief Housing Officer advised that this does not fall within the remit of the Housing Sub-Committee and that a sub-group had been established to look at sites and there would be a multi-agency meeting in the future and a report brought forward to the Policy Committee.

Following consideration the Committee agreed: -

- (i) to note Community Scotland's assessment of the Council's Local Housing Strategy Update for 2006/07; and
- (ii) the actions proposed in response to the assessment.

42. HOUSING REVENUE ACCOUNT AND OTHER HOUSING BUDGET MONITORING 2007/08

There was submitted and noted a report by the Director of Community Services presenting the budget monitoring information for the period to 31 October 2007 in respect of the Housing Revenue Account (HRA) and other housing.

43. HOUSING INVESTMENT 2007/08

There was submitted and noted a report by the Director of Community Services informing the Policy Committee of the position to 31 October 2007 for the housing investment programme 2007/2008.

44. REGULATION OF PRIVATE LANDLORDS UNDER THE ANTI-SOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004

There was submitted a report by the Director of Community Services informing the Committee of the progress of the implementation of the Registration of Private Landlords Scheme in terms of the anti-social behaviour etc (Scotland) Act 2004.

The meeting noted that the Council are now 9th out of the 32 authorities and this should be commended and that long term the appointment of staff would be considered under delegated authority and this could be funded from the Scottish Government and income received from registration fees.

In response to a question from Councillor Leadbitter, the Chief Housing Officer advised that she was not aware of RAF personnel having issues with their details being on the database and being discouraged from letting their properties but she would look into this situation and correspond with him direct.

Following consideration the Committee agreed: -

- (i) to note progress in terms of the implementation of the scheme; and
- (ii) the development of policy, procedures and protocols.

45. HOUSING APPEALS SUB-COMMITTEE

There was submitted a report by the Director of Community Services identifying the requirement for a Sub-Committee to hear housing appeals. It proposed a means of identifying Members for such a Sub-Committee and seeking the agreement of the Policy Committee to proceed in the establishment of the Sub-Committee.

Following consideration the Committee agreed to: -

- (i) the establishment of a Housing Appeals Sub-Committee;
- (ii) invite group leaders to nominate Members to serve on the sub-committee drawing down 3 from existing Panel membership of the Housing Sub-Committee; and
- (iii) seek homologation of these actions from the Full Council on 30 January 2008.

46. NORTH SCOTTISH BOYS' BRIGADE CONFERENCE

There was submitted a report by the Chief Legal Officer inviting the Committee to consider a request to host a Civic Reception on behalf of the Moray Battalion of the Boys' Brigade.

Following consideration the Committee agreed; -

- (i) to the request from the 1st Buckie Company Boys' Brigade for financial assistance to host a Civic Reception; and
- (ii) that the Convener would address the conference and that local Councillors be invited to attend the conference.

47. SCOTTISH LICENSED TRADE ASSOCIATION ANNUAL CONFERENCE

There was submitted a report by the Chief Legal Officer inviting the Committee to consider a request for a financial contribution towards the conference dinner and ball for the Scottish Licensed Trade Association.

Following consideration the Committee agreed to the request from the Moray District License Trade Association for a financial contribution towards the conference dinner and ball which was to be held at Glenmoray distillery. The Committee also agreed that authority be delegated to the Chief Executive and Chief Legal Officer in consultation with the Vice Chair of the Board to discuss the details of the conference in consultation with the Convener, group leaders and Moray Licensed Trade in order to maximise the benefit to Moray of this event.

48. INVERNESS AND ABERDEEN JUNCTION RAILWAY – 150 YEARS

There was submitted a report by the Director of Environmental Services advising Members of a request received by the Council from Highland Railway Heritage to participate in celebrating the 150th anniversary of completion of the railway line, and it's opening in August 1858.

Following consideration the Committee: -

- (i) noted the proposal to celebrate the 150th anniversary of the opening of the railway line by Highland Railway Heritage at a number of locations along the route;
- (ii) supported the principle of the event; and
- (iii) agreed that final details would be submitted to a future meeting of this Committee.

49. QUESTION TIME

Following Councillor Coull's question in the morning regarding the closure of public toilets, the Director of Environmental Services advised that a report could go up to the next meeting of the Full Council to ensure that there was no delay.

50. BUILDING SERVICES TRADING OPERATION BUDGET 2007/08 – BUDGET MONITORING

There was submitted and noted a report by the Director of Community Services presenting Budget monitoring information for the period to 31 October 2007 for the Building Services trading operation.

51. SITE AT LAND STREET, ROTHES

There was submitted a report by the Head of Estates Services asking the Committee to approve the terms for the sale of a 0.1 hectare site at Land Street, Rothes to the two house owners whose properties would be demolished as a consequence of the Rothes Flood Alleviation Scheme.

Following consideration the Committee to agreed to: -

- (i) approve the terms provisionally agreed between the 2 house owners and the District Valuer for the sale of the 0.1 hectare site at Land Street, Rothes; and
- (ii) instruct the Principal Solicitor (Commercial and Conveyancing) to conclude the transactions.