

THE MORAY COUNCIL
MINUTE OF MEETING OF THE POLICY & RESOURCES COMMITTEE
TUESDAY 30 JUNE 2009
COUNCIL OFFICE, ELGIN

PRESENT

Councillors A. Wright, (Chairman), J. S. Cree, B. Jarvis, G. Leadbitter, G. McDonald, E. McGillivray, P. Paul, J. Russell, M. Shand and R. Shepherd

ALSO IN ATTENDANCE

Councillor Ross was in attendance in respect of Items 3 & 4.

APOLOGIES

Apologies were received from Councillor G. McIntyre (Deputy Chairman)

IN ATTENDANCE

Chief Executive, Chief Financial Officer, Chief Legal Officer, Director of Community Services, Head of Personnel (in respect of Items 4 & 5), Mr D Morris, Senior Programme Manager (DBS) (in respect of Item 7), Mr M Whelan, Senior Project Officer (DBS) (in respect of Item 7), Mr S Forsyth, Senior Project Officer (DBS) (in respect of Item 7), Mrs Marion Kessack, Programme Manager Business Change (DBS) (in respect of Item 7), Mr P Jones (DBS Communication Lead) (in respect of Item 7), Mr S Beveridge, Estates Surveyor (in respect of Item 12 & 14), Mr B Anderson, Energy Officer (in respect of Item 11) and Mrs C Carswell, Committee Services Officer as Clerk to the meeting.

1. 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 member interest in respect of any item on the agenda.

2. 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

14

Para. No. of Schedule 7A

8 & 9

3. WRITTEN QUESTIONS

A written question was submitted from Councillor Ross “Can you tell me the cost to date and the estimated future cost to the Council in defending equal pay appeals and also the total cost broken down by category, i.e. unhappy with settlement offered or unhappy with grading, etc, should the Council lose all cases against it”.

The Council response was “The Council has incurred legal fees of £30,000 in relation to equal pay employment tribunal claims. Estimates of future costs and a breakdown of the nature of the claims are contained in a report to Policy & Resources Committee of 19 December 2007, which has been provided to Councillor Ross on a confidential basis along with a further report of 30 April 2008 updating the Council's approach to these cases. It is not possible to say how many claimants were unhappy with the settlement offered or with grading as these issues are not matters specifically dealt with by the tribunal claims, which are stated in terms of the Equal Pay Act.”

As a supplementary question, Councillor Ross stated that since the reports which he had received were confidential, he could not ask the question which he had wished to but would ask whether discussions had been held with staff who were currently negotiating claims through a tribunal as many felt that there had been little or no feedback from the Council as to the progress of their claims. The Head of Personnel Services advised that these were legal proceedings which employees were taking against the Council and therefore it was for the employees’ representatives to keep them informed as to how their cases were proceeding through the tribunal, as it would be difficult for the Council to contact the staff whilst going through the legal action.

4. FLEXIBLE WORKING POLICY

There was submitted a report by the Head of Personnel Services seeking approval for a flexible working policy for implementation across the Council.

The meeting noted the following answers from the Head of Personnel Services in response to members questions:-

- a) that flexible working would be based on service needs. It would be for managers to look at how their service operates as to whether flexible working would be suitable.

- b) there would be an outcome focussed approach. Managers would focus on what was required to be done during working time and agree parameters which would ensure that employees were implementing tasks which the Council required them to do.

Following consideration, the committee agreed to:-

- (i) approve a flexible working policy to introduce flexible working patterns as widely as practicable across the Council to provide efficiency savings and improve service delivery;
- (ii) to note the definitions that have been used for the various types of flexible working, namely fixed; flexible; mobile and home; and
- (iii) note that this policy is a key element in the DBS programme by enabling other projects to realise their potential benefits.

5. CRAFT WORKERS TERMS AND CONDITIONS

With reference to paragraph 13 of the minute of this committee dated 5 May 2009, there was submitted and noted a report by the Head of Personnel Services informing Committee that an agreement had been reached with the Trade Unions on a revised package of pay and conditions of service for Craft Workers following a favourable outcome from a period of formal consultation with Trade Unions and employees

The Committee agreed that formal implementation of these proposals be delegated to the Head of Personnel Services to take effect from the 13 August 2009.

6. NON-DOMESTIC RATES: SUMMARY OF DISCRETIONARY RATES RELIEF POLICY

There was submitted a report by the Chief Financial Officer fulfilling an undertaking given at the meeting of this committee on 10 February 2009 (para 12 of the minute refers), to summarise the current policies for the disposal of applications for Non-Domestic Ratepayers for discretionary awards of rates relief.

Councillor Bell moved that there be limited relief where there is a bar in sports premises.

The committee noted report and there being no-one otherwise minded, agreed that a report be brought back to committee about whether to limit the amount of relief which could be awarded if there was a bar on a sport's club premises.

7. DESIGNING BETTER SERVICES - APPROVAL OF CUSTOMER & WORKFORCE DESIGN MANDATES

With reference to paragraph 4 of the minute of this committee dated 2 June 2009, there was submitted a report by the Chief Financial Officer reporting on the design mandates for the Customer Services & Workforce Deployment themes of the Designing Better Services (DBS) programme.

The Meeting noted the following responses from the Chief Financial Officer to members questions:-

- a) some of the ideas, although not new to implement them in Moray would require transformational change and that required significant investment to enable a new way of operating in Moray.
- b) that the options to be developed for access points as presently concentrated on existing access points at Elgin, Buckie, Forres and Keith.
- c) that the Designing Better Services (DBS) programme was one strand in modernisation of Council's services in terms of "Moray Performs"
- d) that the Council's investment of £800,000 indicated the level of commitment by the Council to this programme

Following consideration the meeting agreed the DBS Programme Board proceed with detailed designs and implementation plans:-

- (i) for managing customer services in terms of:-
 - a) an enhanced Contact Centre that is open outwith office hours, including Saturday mornings and significantly fewer published telephone numbers for contacting the Council;
 - b) access points in main towns where it should be possible to deal with a wide range of services with specialist or professional staff on hand through appointment and duty arrangements and appointments outwith normal opening hours may be possible;
 - c) maximum use of electronic forms and workflow and the subsequently reduced reliance on paper;
 - d) as many services electronically enabled or self service;
 - e) a workflow document management system to electronically allocate work and transfer information;
 - f) the public being encouraged to post mail to a central point;
 - g) post scanned and transferred electronically;
 - h) documents being accessible from all locations;
 - i) to make estimated savings across all projects within the theme amounting to £970K (gross) with implementation costs being in the region of £500K, leaving a net saving of £470K in one year;

- (ii) for Mobile ICT and Flexible Working, in terms of:-
 - a) the introduction of automated workforce scheduling
 - b) the introduction of automated data capture
 - c) the rationalisation of the Council's property portfolio by reduced number of workstations and increased productivity and accessibility to Council's services.
- (iii) the estimated savings across all projects within the theme amounting to £970,000 cross with implementations being in the region of £500,000 leaving a net saving of £470,000

8. REVENUE BUDGET MONITORING TO 31 MARCH 2009

There was submitted a report by the Chief Financial Officer advising committee of the Revenue Budget outturn for 2008 / 09 and to identify allocations to departmental budgets from provisions for general and specific purposes.

The Chief Financial Officer spoke to the report and advised that the £2million overspend was of great concern as only £600,000 overspend had been forecast in February 2009 (para 9 of the minute refers). The main variances were in terms of Educational Services, Children & Families and Direct Services.

In response to a question as to why managers appeared to have been so out with their figures and how long it would be before the reserves were depleted, the Chief Financial Officer advised that to date he had not received substantive answers from budget managers and he would be investigating as to whether it was a lack of communication or if there were underlying concerns.

The committee agreed to note the:-

- (i) final budget monitoring position for 2008/09; and
- (ii) allocation from provisions.

9. CAPITAL PLAN 2008 / 09 MONITORING TO 31 MARCH 2009

There was submitted a report by the Chief Financial Officer asking committee to note the final expenditure under the Capital Plan for financial year 2008 / 09 to 31 March 2009.

The committee noted:-

- (i) a query with regard to the £30,000 allocated to Newmill, Keith for flooding which to date had not been used would be raised with the Director of Environmental Services; and

- (ii) the capital expenditure to 31st March 2009 of £29.9 million.

10. ASSET MANAGEMENT PLANNING

There was submitted a report by the Chief Financial Officer providing Members with a report on the work undertaken across the Council to develop asset management planning in 2008 / 09.

The committee:-

- (i) noted that the review of properties within Cullen was a pilot scheme and if it was deemed worthwhile would be rolled out to other towns'
- (ii) noted the reports of work done during 2008/09 to develop asset management planning; and
- (iii) approved the updated Corporate Asset Management Plan for 2009/10.

11. CARBON REDUCTION COMMITMENT

There was submitted a report by the Head of Estates Services informing the committee on the implications of the Carbon Reduction Commitment and how it will affect the council.

Following consideration, the committee agreed to:-

- (i) note the position of the Council in regard to Carbon Reduction Commitment and the implications of participation in this scheme; and
- (ii) achieve the Carbon Trust Standard to improve the league position of the Council.

12. PROPOSED CHANGING & SHOWER FACILITIES IN THE MAIN COUNCIL OFFICES, HIGH STREET, ELGIN

There was submitted a report by the Head of Estates Services recommending the committee to incorporate the provision of new changing and showering facilities into the design of the new corporate offices in Elgin being progressed as part of Designing Better Services although this would mean that the showers would not be available until 2011.

Following consideration the committee agreed to approve the provision of new changing and showering facilities in Headquarters, comprising female facilities and option 2 (2 showers) in respect of male facilities.

**13. “FORRES IN BLOOM” – RECEPTIONS FOR ENTENTE FLORALE EUROPE
ON 27TH & 28TH JULY 2009**

There was submitted a report by the Chief Legal Officer inviting the committee to consider a request for financial assistance.

The committee agreed to award £1,300.

14. QUESTION TIME

There were no questions raised at the committee.

**15. SALE OF UNITS 20 & 21 TYOCK INDUSTRIAL ESTATE, ELGIN (Paras 8 &
9)**

There was submitted a report by the Head of Estates Services inviting Committee to approve terms for the sale of each of the properties to the respective tenants.

The committee agreed the terms of sale to the Woodcentre Ltd and G & A Barnie Building Services Ltd and to remit the Principal Solicitor (Commercial & Conveyancing) to conclude the transactions.