

**THE MORAY COUNCIL**  
**MINUTE OF MEETING OF THE POLICY & RESOURCES COMMITTEE**  
**TUESDAY 20 OCTOBER 2009**  
**COUNCIL OFFICE, ELGIN**

**PRESENT**

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

**APOLOGIES**

Apologies were received from Councillor G. McIntyre and P. Paul.

**IN ATTENDANCE**

The Chief Executive, the Director of Community Services, Director of Educational Services, Director of Environmental Services, Head of Direct Services (in respect of Item 4), the Chief Financial Officer, the Chief Legal Officer, Principal Personnel Adviser, Mr N. Carlton, Estates Surveyor and Mrs C. Carswell, Committee Services Officer, Clerk to the Meeting.

**1. DECLARATION OF GROUP DECISIONS AND MEMBERS INTERESTS**

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillor McGillivray declared an interest in Item 11(a) on the agenda as the Chair of the Highlands & Islands Film Commission Board and Councillor G McDonald declared an interest in Item 13 as the representative for the Council on the Pension Advisory Group. 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 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**

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

13	6&9
14	9
15	9
16	9

**3. WRITTEN QUESTIONS**

The committee noted that no written questions had been submitted.

**4. DESIGNING BETTER SERVICES PHASE 2: ASSET AND FACILITIES MANAGEMENT THEME; GENERAL UPDATE**

There was submitted a report by the Chief Financial Officer updating the committee on progress to date and asking the committee to authorise the Design Mandate for the Transport, Asset and Facilities Management theme to proceed to detailed design.

Following consideration, the committee agreed to :-

- (i) note the revised reporting schedule for the Programme Business Case; and
- (ii) authorise the design mandate for the Asset & Facilities Management theme to proceed into the detailed design phase.

**5. ALLOTMENTS**

There was submitted a report by the Chief Executive identifying existing demand for allotments in Moray; identifying possible council owned sites suitable for allotments and proposing that a draft allotments policy be approved for consideration.

Following discussion Councillor Bell proposed a number of changes, these were agreed as follows:-

- (i) page18 para 7.7 : plot size changed from 251m<sup>2</sup> to 162m<sup>2</sup> and to be consistent throughout the policy
- (ii) page 28 para 3.12.15 : 5 beehives to be amended to a maximum of 3
- (iii) page 28 para 3.12.15 : 30 chickens to be amended to a maximum of 6
- (iv) the issue with regard to open fires and barbecues on individual plots be raised as a concern but to be left to the individual communities to deal with.

Thereafter following consideration, the committee:-

- (i) noted the current demand for allotments;

- (ii) instructed officers to carry out further investigations into the suitability and status of the sites identified, continue to identify new sites and to bring back the results of that investigation back to a future Policy and Resources Committee;
- (iii) agreed that further work be done on budget negotiations and to look at a reasonable figure to set aside for further development of allotments; and
- (iv) approved the draft policy, subject to amendments noted regarding plot sizes, number of poultry, beehives and fires on plots, and lease template for consultation and instructed officers to bring the results of this consultation back to a future Policy and Resources Committee including more clarity required regarding the council's responsibilities in terms of legislation and the allotment association's responsibilities.

## **6. TREASURY MANAGEMENT - MONITORING REPORT FOR THE PERIOD 1 JULY 2009 TO 30 SEPTEMBER 2009**

There was submitted and noted a report by the Chief Financial Officer advising the committee on matters relating to the Treasury Management function for the second quarter of the 2009/10 financial year.

## **7. ASSET MANAGEMENT PLANNING**

There was submitted a report by the Chief Financial Officer providing the committee with a report on progress against the actions included in the Corporate Asset Management Plan for 2009/10.

Following consideration, the committee:

- (i) noted the reports of work done during 2009/10 to date to develop asset management planning; and
- (ii) noted the links between the Single Outcome Agreement and the Asset Management process.

## **8. ASSET MANAGEMENT PERFORMANCE**

There was submitted and noted a report by the Chief Financial Officer comparing the current performance of the Council's operational properties in 2008/09 with performance in 2007/08.

## **9. PROCUREMENT BEST PRACTICE INDICATORS**

There was submitted a report by the Chief Financial Officer providing the committee with a progress report on Procurement Best Practice Indicators and their implementation.

Following consideration the committee noted the Council's progress on the implementation of the Procurement Best Practice indicators.

## **10. PRIVATE SECTOR HOUSING REVISED GRANTS BUDGET 2009/10**

There was submitted a report by the Director of Community Services inviting the committee to consider a recommendation from the Communities Committee on 6 October 2009 (para 9 of the minute refers) seeking approval for a revised Private Sector Housing Grant Budget for 2009/10 and approval to forward commit expenditure to this budget into 2010/11.

Following consideration the committee:

- (i) approved the revised Private Sector Housing Grants Budget as detailed in Appendix I to the report; and
- (ii) agreed to forward commit this budget into 2010/11 as detailed in the report.

## **11. SCOTTISH HIGHLAND AND ISLANDS FILM COMMISSION - MORAY LIAISON**

There was submitted a report by the Director of Environmental Services requesting that the Council's and Elected Members' membership of the Scottish Highlands Film Commission ceases on 31 March 2010 and asking the committee to consider the benefit of continuing The Moray Council's commitment to promote Moray as a film location by creating a Moray Film Liaison Service.

Following consideration the committee agreed not to renew its membership as from 1 April 2010 and continue to promote Moray as an independent Moray Film Liaison Service.

## **12. QUESTION TIME**

There were no questions submitted to the committee

## **13. DISCRETIONARY FUNCTIONS - LOCAL GOVERNMENT PENSION SCHEME [Paras 6&9]**

There was submitted a report by the Head of Personnel Services asking the committee to consider and review the Council's policy decisions in respect of the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998 (the Regulations).

Following consideration the committee:

- (i) considered and approved the recommended Policy Statements outlined within this report;
- (ii) endorsed the current Policy Statements as detailed in Appendix A of the report; and
- (iii) deferred consideration of the Policy Statement in relation to Regulation 30 (5) "Request for early payment of benefits on compassionate grounds", until the outcome of an outstanding appeal is known.

#### **14. VOLUNTARY SEVERANCE AND VOLUNTARY EARLY RETIREMENT ARRANGEMENTS [Para 9]**

There was submitted a report by the Head of Personnel Services asking the committee to consider the terms of severance to be made available to employees who leave council service in order to effect budget savings.

Following consideration the committee agreed to set up a short term cross party working party to make recommendations to Full Council on 4 November 2009. It was further agreed that Councillors Wright, Cree, McGillivray, Paul, G McDonald and Jarvis be appointed to the working party.

#### **15. REVIEW OF STAFF STRUCTURES IN DEVELOPMENT MANAGEMENT, PLANNING AND DEVELOPMENT [Para 9]**

Under reference to paragraph 28 of the Minute of the Meeting of this Committee dated 25 August 2009, there was submitted a report by the Director of Environmental Services advising on the outcome of consultations with staff on proposals to review staff structures in the Development Management and Planning and Development Teams within the Department of Environmental Services.

Following discussion, Councillor Russell, seconded by Councillor Cree moved to agree the recommendations contained within the report.

As an amendment Councillor G McDonald, seconded by Councillor Leadbitter moved to continue with the structure as is and ask Designing Better Services in the future to look at the structure of the whole Environmental Services department.

On a division there voted:

For the Motion (7)                      Councillors Bell, Cree, Jarvis, McGillivray, Russell,  
Shepherd and Wright

For the Amendment (4)      Councillors Leadbitter, G McDonald, Shand and Stewart

Abstentions (0)

Accordingly the motion became the finding of the meeting and it was agreed that:-

- (i) the proposed management structure for a Planning and Economic Development Section as set out in Appendix 2 of the report and with the proposed salary grades described in Section 7 (c) of the report and the job descriptions attached to the report; and
- (ii) the details of the roles for Principal and other officers be reviewed when the Planning and Economic Development Manager is in post.

#### **16. PROPOSED LEASE OF OFFICE PREMISES AT 31 TYOCK INDUSTRIAL ESTATE, ELGIN [Para 9]**

There was submitted a report by the Head of Estates Services asking the committee to approve the Council taking a temporary lease of office premises at 31 Tyock Industrial Estate, Elgin which will enable the Council to relinquish the hire of portacabin offices at Hamilton Drive, Elgin and to dispose of the site.

Councillor Russell moved, that given the level of investment made in the site and the offices and an analysis of its investment with costs and benefits of a move to Tyock Industrial Estate, the portacabins remain in situ subject to officers seeking a reduction in the rental costs. Councillor Cree seconded the motion.

There being no-one otherwise minded the motion was carried unanimously.