

**THE MORAY COUNCIL**  
**MINUTE OF MEETING OF THE POLICY & RESOURCES COMMITTEE**

**TUESDAY 2 FEBRUARY 2010**

**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, R. Shepherd and D. Stewart

**APOLOGIES**

Apologies were received from Councillors G. McIntyre and L. Bell

**IN ATTENDANCE**

Chief Executive, Chief Financial Officer, Chief Legal Officer, Director of Community Services, Director of Educational Services, Director of Environmental Services, Senior Estates Surveyor (in respect of Item 13), Educational Resources Manager (in respect of Item 11) and Mrs C Carswell, Committee Services Officer as Clerk to the meeting.

**1. MEMBERS**

The meeting noted that the Convener, Councillor McIntyre had now resumed his Council duties following his recent absence and had submitted his apologies for this meeting as he was taking part in the official start on site of the work on the Fochabers Bypass.

The meeting was further advised by Councillor Paul that, after suffering complications arising from recent surgery, Councillor McConachie had been transferred to hospital in Aberdeen and that there were signs of improvement but he remained in a critical condition.

The meeting joined the Chairman in wishing Councillor McConachie well.

**2. ADDITIONAL BUSINESS**

In terms of Standing Order 25 the meeting agreed to take as an additional item a report entitled "International Games and 'A Games Legacy for Scotland' as Item 11(a) on the Agenda as a matter of urgency due to a deadline of 12<sup>th</sup> February 2010 for a response to be made on the Council's level of involvement.

### 3. DECLARATION OF GROUP DECISIONS AND MEMBERS INTERESTS

In terms of Standing Order 20 and the Councillors' Code of Conduct, the meeting noted that the Administration Group had discussed and taken a view on the additional urgent paper, thereafter 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.

Councillor G. McDonald declared an interest in Item 10 "Small Grants Budget (Section 20) – Application for Financial Assistance – "Buckie 150" Steering Group" as a member of this group thereafter there were no further declarations of member 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

15

#### Para. No. of Schedule 7A

9

### 5. WRITTEN QUESTIONS

The committee noted that there were no written questions submitted.

### 6. REVIEW OF EXTERNAL HOUSING SUPPORT (LEARNING DISABILITY SERVICE)

There was submitted a report by the Director of Community Services asking the committee to approve the review of identified external Housing Support Services for adults with learning disabilities to ensure the most effective and efficient use of this funding and to authorise the recruitment of 1.5 WTE temporary Community Care Officers to undertake this review for a period of 5 months.

Following discussion, during which the Director of Community Services responded to Members questions relating to the justification for the recruitment temporary staff, the committee approved the:

- (i) review of identified external Housing Support Services for adults with learning disabilities;

- (ii) recruitment of 1.5WE temporary reviewing Community Care Officers to the Community Learning Disability Team for a period of 5 months; and
- (iii) use of the information gathered to adjust packages of support to individuals and, in the longer term, to consider the re-tender of Learning Disability Supported Accommodation services.

## **7. REVENUE BUDGET MONITORING TO 31 DECEMBER 2009**

There was submitted a report by the Chief Financial Officer advising the committee of the current Revenue Budget Monitoring position for 2009/10, identifying allocations to departmental budgets from provisions for general and specific purposes and advising of the revised estimations outturn for 2009/10.

Following lengthy discussions, during which Officers responded to Members questions, the committee agreed to note the:-

- (i) current Budget Monitoring position for 2009/10 as at 31 December 2009;
- (ii) allocations from provisions; and
- (iii) revised estimated outturn for 2009/10.

## **8. RISK MANAGEMENT**

There was submitted a report by the Chief Financial Officer providing the committee with an updated Corporate Risk Register for review and comment.

During discussion the meeting agreed to the suggestion that the wording at paragraph 3.5 of Risk 3 Human Resources (People) Risks be amended and that the words 'Lack of' be substituted by the word 'Effective'.

Thereafter, the committee agreed to:

- (i) note the content of the latest corporate risk register;
- (ii) note as part of the process of embedding risk management into the council's governance arrangements, that this updated register has been aligned to the plans and priorities of the council as disclosed in the "Moray Performs" action plan; and
- (iii) the amended wording at paragraph 3.5 of Risk 3 and that the words 'Lack of' be substituted by the word 'Effective'.

## **9. TREASURY MANAGEMENT - MONITORING REPORT FOR THE PERIOD 1 OCTOBER 2009 TO 31 DECEMBER 2009**

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

Following consideration, the committee:-

- (i) noted the contents of the report; and
- (ii) approved the revised Counterparty List as detailed in Appendix 3.

## **10. CAPITAL PLAN 2009/10 MONITORING TO 31<sup>ST</sup> DECEMBER 2009**

There was submitted a report by the Chief Financial Officer asking committee to note the expenditure under the Capital Plan for financial year 2009/10 to 31<sup>st</sup> December 2009.

Following consideration, the committee:

- (i) noted the expenditure to 31<sup>st</sup> December of £21.0 million and the remaining provisional projects at that date; and
- (ii) approved the fire risk assessment project, as detailed in Paragraph 3.9 of the report.

## **11. SMALL GRANTS BUDGET (SECTION 20) - APPLICATION FOR FINANCIAL ASSISTANCE – “BUCKIE 150” STEERING GROUP**

Prior to consideration of this item Councillor G McDonald stated that on the advice of the Chief Legal Officer he could take part in the discussion of this item and any subsequent vote should that arise.

The meeting thereafter took up consideration of a report by the Chief Legal Officer inviting the committee to consider a request for a grant of £855 for the “Buckie 150” Steering Group to host a civic reception for the 150<sup>th</sup> anniversary of the RNLI.

Following lengthy discussion during which reference was made to:

- (i) funding which had already been granted to mark the Anniversary;
- (ii) the source of the funding and what the money had been spent on; and
- (iii) whether or not to award the grant applied for would constitute multiple funding by the Council of the RNLI Anniversary.

The meeting noted:-

- (iv) there was no Council policy, in terms of Section 20 Grants to legislate for multiple funding, even if this were the case and this was debatable as each application required to be dealt with on its individual merits.

Following further discussion during which reference was made to savings proposals in the Council's 2010/11 budget (details of which had been published as part of a public consultation exercise) the Chief Legal Officer reminded the meeting as a matter of procedure that whilst indications may have been given publicly by various political and other groups on the Council as to these proposals no decision had been made on the budget and therefore the 2010/11 budget was not a relevant consideration. He also reminded Members of the purpose of Section 20 Grants as outlined in Para 3.1 of the report and the need for Members to consider the application on its merits.

Thereafter Councillor G. McDonald, seconded by Councillor Shepherd, moved that the Group be awarded £855 as requested.

As an amendment, Councillor Wright, seconded by Councillor Cree stated that as a compromise he would move that £480 be awarded to the Group.

On a division there voted:-

For the motion (7) - Councillors Jarvis, Leadbitter, G. McDonald, Paul Shand, Shepherd and Stewart.

For the amendment (4) - Councillors Cree, McGillivray, Russell and Wright

Abstentions (0)

Accordingly the motion became the finding of the meeting and it was agreed to award a grant of £855.

## **12. INTEGRATED LIBRARIES PROGRAMME**

There was submitted a report by the Director of Educational Services inviting committee to note the costs of the integrated libraries programme, enhanced by European Funding and with the addition of Lossiemouth Library can be met from within the Capital Programme allocation.

Following consideration, the committee noted that the Libraries Integration Programme, enhanced by European Funding and with the addition of the upgrading of Lossiemouth Library could be met from within the capital programme allocation as summarised in Appendix 1 to the report.

### **13. INTERNATIONAL GAMES AND 'A GAMES LEGACY FOR SCOTLAND': LEVEL OF COUNCIL INVOLVEMENT**

There was submitted a report by the Director of Educational Services inviting the committee to consider the level of this authority's involvement in preparatory activities associated with the 2011 International Children's Games, 2012 London Olympics and 2014 Commonwealth Games, Glasgow.

During discussion the Educational Resources Manager provided the meeting with a brief background to his involvement as the council's nominated Games Legacy Lead Officer and responded to Members questions.

Following further discussion the committee agreed to the first of the three options as detailed in the report (para 3.5) namely, to minimise involvement in Games Legacy and individual games activities at this time by Officers maintaining awareness of Games and Legacy initiatives and activities to enable Council involvement where additional cost could be incurred.

The meeting noted an observation by the Chair that were Moray competitors to seek financial assistance, this would be considered by the Council on its merit.

### **14. QUESTION TIME**

There were no questions raised.

Councillor A. McKay left the meeting at this juncture.

### **15. PROPOSED LEASE VARIATIONS / ARRANGEMENTS (PARA 9)**

There was submitted a report by the Head of Estates Services and Director of Environmental Services seeking approval to proposals to vary the leasing and rent collection arrangements in respect of a council owned property.

Following consideration, the committee approved the proposed lease variations and rent collection arrangements as detailed in paragraph 4.13 of the report and remit the Principal Solicitor (Commercial and Conveyancing) to conclude the legal documentation.