

THE MORAY COUNCIL
MINUTE OF MEETING OF THE POLICY & RESOURCES COMMITTEE
TUESDAY 15 DECEMBER 2009
COUNCIL OFFICE, ELGIN

PRESENT

Councillors A. Wright, (Chairman), L. Bell, 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 Councillor G. McIntyre (Deputy Chairman)

IN ATTENDANCE

Chief Financial Officer, Chief Legal Officer, Director of Community Services (in respect of the presentation), Community Planning and Development Manager, Senior Estates Surveyor, Head of Personnel Services, Head of Direct Services and Consultancy Manager (in respect of Item 11), Principal Committee Services Officer (in respect of Item 18) and Mrs C Carswell, Committee Services Officer as Clerk to the meeting.

ALSO PRESENT

Councillor G. Coull

ALSO IN ATTENDANCE

Mr Richard Fowles, Acting Depute Chief Inspector, Social Work Inspection Agency

1. PRESENTATION ON “BEST VALUE 2” RISK ASSESSMENT

Prior to the commencement of the business of the Meeting, on the invitation of the chairman, Mr Richard Fowles, Acting Depute Chief Inspector, Social Work Inspection Agency gave a presentation on the Shared Risk Assessment process detailing the background to process and providing information regarding the purpose of the assessment. Following the presentation he responded to questions from members and officers and thereafter the chairman thanked him for his presentation.

2. 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 the confidential items namely Item 16 “Application of Voluntary Severance & Voluntary Early Retirement Schemes”, Item 17 “Equal Pay” and Item 18 “Update on Outcome of Employee Assistance Service Procurement Scheme” following Item 4(a) “Internal Audit Investigation - Deanshaugh, Elgin”.

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 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.

<u>Para. No. of Minute</u>	<u>Para. No. of Schedule 7A</u>
6	1
7	9
8	6 & 9
9	9

5. WRITTEN QUESTIONS

The meeting noted that there were no written questions submitted.

6. INTERNAL AUDIT INVESTIGATION – DEANSHAUGH, ELGIN (Para 1)

There was submitted a joint report by the Chief Executive and Chief Legal Officer reporting on the implications, in terms of governance, of an Internal Audit investigation regarding Deanshaugh, Elgin.

Following consideration, the committee agreed that in regard to:

- (i) Scheme of Delegation - to add at Section 1.5 an additional safeguard that where there are material and substantive changes to be made to a project "the Director shall, prior to the decision or action being taken, consult the Chief Executive, Chief Legal Officer and Chief Financial Officer as appropriate";
- (ii) Financial Regulations – to amend Section 22.3 as follows “Where it appears that the actual cost of any project or group of projects included in the Capital Plan is likely to exceed the estimated cost, it shall be duty of the Chief Officer concerned, after consultation with the Chief Financial Officer, to seek instructions from the relevant Service Committee and the Policy and Resources Committee or Community Services (as appropriate) as soon as possible”
“Where officers are able to identify modifications to a Scheme to contain costs within the approved allocation a Report should be provided to the relevant Services Committee if the modifications have a material effect on the project”; and
- (iii) Project management arrangements - to be enhanced as a matter of good management practice to be incorporated into management guidance being developed by CMT

7. APPLICATION OF THE VOLUNTARY SEVERANCE AND VOLUNTARY EARLY RETIREMENT SCHEMES (Para 9)

There was submitted a report by the Head of Personnel Services asking the committee to consider whether the terms of the recently agreed Voluntary Severance and Voluntary Early Retirement Schemes should be extended to a small group of staff currently facing redundancy.

Following consideration, the committee agreed not to extend the terms of the recently approved Voluntary Early Retirement / Voluntary Scheme to a small group of employees currently facing redundancy from their employment with the Council.

8. EQUAL PAY (Para 6 & 9)

There was submitted a report by the Head of Personnel Services updating the committee on the current situation regarding outstanding equal pay employment tribunal claims against the Council and seeking the Committee's approval to proceed to negotiate settlement of the cases.

Following consideration, the committee agreed:-

- (i) to instruct the Chief Legal Officer to enter into negotiations to settle the equal pay claims against the Council at a percentage of the estimated potential value of each claim as set out within the overall financial limits contained in the report and in accordance with a strategy to be agreed by CMT; and

- (ii) that a report would be brought back to this committee on progress.

9. UPDATE ON OUTCOME OF EMPLOYEE ASSISTANCE SERVICE PROCUREMENT EXERCISE (Para 9)

There was submitted and noted a report by the Head of Personnel Services asking the committee to note the outcome of the joint procurement exercise with Aberdeen City and Aberdeenshire Councils for an Employee Assistance Service.

10. SCHOOLS PPP: PROJECT MANAGEMENT (Para 1 & 8)

The Chief Financial Officer advised the Committee that discussions had been held with the Director of Educational Services, the Head of Financial Services and the Project Consultants as to what cover could be provided during a period of absence of the PPP Project Manager and sought the Committee's approval grant delegated authority to the Director of Educational Services and the Chief Financial Officer to commit up to an additional £55,000 in order for the consultants to provide the cover necessary to continue the co-ordination of the project.

Following discussion the Committee agreed to grant delegated authority as requested and joined the Chairman in passing on its best wishes to the PPP Project Manager.

11. CAPITAL PLAN - REVIEW OF MINOR FLOOD ALLEVIATION SCHEMES AND COASTAL PROTECTION

There was submitted a report by the Chief Financial Officer providing Members with the opportunity to formally consider the inclusion of minor flood alleviation works and the Lossiemouth break water in future years capital plans.

Following lengthy discussion during which officers responded to Members' questions as follows:-

- a) that in future any projects that were being removed from the Capital Programme be indicated with a (d) which will indicate that this is to be deleted from the programme;
- b) with regard to Garmouth & Kingston that this report was identifying the need for the issue to be revisited and information would come back in due course;
- c) that in regard to timescale relating to the smaller works, the proposal was to allocate monies for the next financial year as this would be when the works would start as there were residual works to be done in a number of areas within the current financial year and these required to be completed with the finances currently in place. The Flood Alleviation Team's view was that the major schemes were their priority and building the business case for Newmill would require to fit in with these;

- d) that some schemes will require further investigation works to be carried out and the figures in the report were indicative sums against the capital plan, and further approval would be required if the works could not be contained within the budgets and reports brought back to the appropriate committee; and
- e) with regard to the breakwater in Lossiemouth, there was never an intention to carry out emergency works. When reported to the service committee previously it was stated that within the ongoing investigations by officers to the repair, part of that work was to indicate that part of that preparatory work could be actioned as emergency should the need arise. There was a balance of risk to be considered as there was local concern that the breakwater was giving protection to the shore line and there was a possibility that if the sand to the east of the river were to drift further and block the mouth, then there would be potential for a lagoon to be formed upstream potentially causing drainage problems. The question was whether there was merit in trying to protect the structure which was damaged in a cost effective manner because to leave it until it was completely damaged would be far more expensive.

Thereafter, the committee agreed the inclusion of the minor flood alleviation works and the Lossiemouth breakwater referred to in the report.

12. CENTRAL SERVICES PERFORMANCE REPORT - QUARTER 2 JULY - SEPTEMBER 2009

There was submitted a report by the Chief Legal Officer asking the Committee to scrutinise progress made against priority areas and targets detailed in Central Services' Service Improvement Plan to the end of quarter 2, September 2009 and to scrutinise progress against Performance Indicators and Complaints to the end of quarter 2, September 2009.

Following consideration, the committee agreed to note:

- (i) performance against Central Service's Performance Indicators at the end of Quarter 2 2009/10, September 2009;
- (ii) progress against priorities identified in the Central Services' Service Improvement Plan 2009-2010, at the end of Quarter 2 2009/10, September 2009;
- (iii) performance in achieving the Central Services' Complaints Targets, at the end of Quarter 2 2009/10, September 2009, and
- (iv) that a report on Energy Strategy would be submitted to committee in the next cycle.

13. SINGLE OUTCOME AGREEMENT - QUARTERS 1 AND 2 MONITORING STATEMENTS

There was submitted and noted a report by the Chief Executive asking Committee to consider progress against completion of Key Actions for which the underlying milestones were due to have been completed in quarters 1 and 2 that address Single Outcome Agreement Local and National Outcomes.

14. FINANCE AND ICT SERVICES - PERFORMANCE MANAGEMENT REPORT - APRIL - SEPTEMBER 2009

There was submitted a report by the Chief Financial Officer asking Committee to scrutinise progress made against priority areas and targets detailed in Finance and ICT Services' Service Improvement Plan to the end of quarter 2, September 2009. Committee is also asked to scrutinise progress against Indicators and Complaints to the end of quarter 2, September 2009

Following consideration, the committee agreed to:

- (i) note the progress achieved, as at the end of Quarter 2 2009/10 in implementing the improvements identified in the Finance and ICT Services Improvement Plan 2009-2010;
- (ii) note the progress made in achieving, as at the end of Quarter 2 2009/10, the Finance and ICT Service Outcomes and Service Standards;
- (iii) note the progress made, as at the end of Quarter 2 2009/10, in achieving the Finance and ICT Complaint Targets;
- (iv) note the revised timescales for two priority actions from the Service Improvement Plan namely Priority 1.1 actions 2 and 3 detailed in sections 5.3.1; and
- (v) approve the format of this quarterly report.

15. DESIGNING BETTER SERVICES - PROCUREMENT UPDATE

There was submitted a report by the Chief Financial Officer providing members with a progress report on Designing Better Services Procurement Project.

Following consideration, the committee agreed to note the Council's progress on the implementation of the Procurement Project and approve the change to the Implementation plan and in particular the rescheduling of staff savings to be achieved by moving departmental work to the new unit.

16. DESIGNING BETTER SERVICES PHASE 2 (DESIGN): CUSTOMER THEME - FULL BUSINESS CASE; WORKFORCE THEME - FULL BUSINESS CASE; DBS PROGRAMME - GENERAL UP DATE

There was submitted a report by the Chief Financial Officer considering the recommendations detailed in the business cases for the DBS Customer and Workforce themes and approve progression to implementation for these themes and to up date the Committee on progress for other areas of the DBS programme.

Following lengthy discussion, during which concern was raised regarding the number of layers of staff proposed for a customer services structure, the Chief Executive suggested that the business cases and appointment of a Customer Services Manager could be agreed and in the interim before moving to Phase 1, which was likely to be in March 2010, a report to be brought back to this committee with a detailed flowchart, job descriptions and explanation of what was involved in the whole structure which as it includes not only a contact centre but also all of the access points and the website. This would allow the programme to move ahead without losing any time.

Thereafter, the committee agreed to:-

- (i) approve the 2 business cases and move to appoint a Customer Services Manager and in the interim, before moving to Stage 1 that a report come back to committee with a detailed flowchart, job descriptions and explanations of the whole structure; and
- (ii) note progress in all other areas of the DBS programme.

17. CHIEF EXECUTIVE'S PERFORMANCE MANAGEMENT - PROGRESS AGAINST SERVICE IMPROVEMENT PLAN AND PERFORMANCE INDICATORS FOR PERIOD 1 APRIL TO 30 SEPTEMBER 2009

There was submitted a report by the Chief Executive advising the committee of the progress made against the targets laid down in the Chief Executive's Service Improvement Plan, providing the Committee with an update of Service Performance against performance indicators relating to the Chief Executive's Office and providing an update of progress on complaints relating to the Chief Executive's Office.

In response to concerns raised regarding the target of answering a call within seven seconds the Chief Executive advised that there are issues regarding the reality of the target of answering a call within seven seconds in terms of resources available. There are several hundred telephones within the Council and when officers are out of their offices it would be impossible in these circumstances for phones to be answered within seven seconds. He further advised that members had agreed that there will be a major theme within the Designing Better Services programme to look at this and that will restrict the number of telephone numbers available to the public and they would be answered within a short timescale and officers are moving forward to improve this on that basis.

In response to a query raised regarding the completion of The Corporate Plan, the Chief Executive advised that for the last year resources have effectively been concentrated on the production of the Single Outcome Agreement. However, there were other outcomes other than these national ones, and service issues raised by departments which need to be included in a Corporate Plan. These outcomes and issues were being collated currently by CMT into a Corporate Plan.

Thereafter, the committee agreed:

- (i) to note the progress of the Chief Executive's Office Service Improvement Plan 2008 / 099 detailed;
- (ii) to note the update on Performance Indicator data or the Chief Executive's Office detailed;
- (iii) to note the update on Complaint data for the Chief Executive's Office detailed;
- (iv) to approve the format of the quarterly report.

18. THE MORAY REGISTRATION SERVICE

There was submitted a report by the Chief Legal Officer informing the Committee of the outcome of the formal consultation with staff, trade unions and other stakeholders in respect of the review of the operation of the Moray Registration Service.

Following discussion, Councillor G McDonald, seconded by Councillor P. Paul moved that the opening hours for Buckie, Forres and Keith should remain status quo.

As an amendment Councillor A. Wright, seconded by Councillor L. Bell moved to accept the recommendations contained within the report.

On a division, there voted:-

For the motion (5) - Councillors Leadbitter, G. McDonald, Paul, Shand and Stewart

For the amendment (7) - Councillors Bell, Cree, Jarvis, McGillivray, Russell, Shepherd and Wright.

Absentions (0)

Thereafter, the motion became the finding of the meeting and it was agreed:-

- (i) to note the outcome of the formal consultation with staff, trade unions and other stakeholders in respect of the review of the operation of the Moray Registration Service;
- (ii) the revised opening hours for the Buckie, Forres and Keith Registration Officers with effect from 1 January 2010; and
- (iii) the re-introduction of the Career Progression Scheme for the Registration Service.

19. PROPOSED DEVELOPMENT OF CHILD PROTECTION UNIT, HAMILTON DRIVE, ELGIN

There was submitted a report by the Head of Estates Services seeking Committee approval to provisionally agree terms for the ownership, development and occupation of a new Child Protection Unit in conjunction with Grampian Police and the occupation of office space in the facility by NHS Grampian.

Following consideration, the committee agreed:

- (i) to approve the provisionally agreed terms for the joint ownership development and occupation of the facility by Grampian Police and Moray Council as detailed in APPENDIX 2 of this report;
- (ii) to approve the provisionally agreed terms between the Moray Council and Grampian Police as landlords and NHS Grampian as tenants, for the lease of an office in the Child Protection Unit as detailed in APPENDIX 3; and
- (iii) to remit the Principal Solicitor (Commercial and Conveyancing) to conclude the transactions on the conditions outlined and such other conditions as the Principal Solicitor (Commercial and Conveyancing) thinks appropriate.

20. SCOTTISH LOCAL AUTHORITIES REMUNERATION COMMITTEE - ANNUAL REVIEW OF REMUNERATION FOR LOCAL AUTHORITY COUNCILLORS

There was submitted a report by the Chief Legal Officer inviting the committee to consider and note recommendations from the Scottish Local Authorities Remuneration Committee's Annual Review.

During discussion, Councillor Wright proposed that the Committee agree the summary of recommendations as it was important to set an example in the current financial climate and freeze their pay for the next two years. This was agreed.

Thereafter, the committee noted the outcome of the review and agreed the summary of recommendations by the Scottish Local Authorities Remuneration Committee.

21. QUESTION TIME

There were no questions raised at the committee.