

THE MORAY COUNCIL

MINUTE OF SPECIAL MEETING OF THE MORAY COUNCIL

WEDNESDAY 16 DECEMBER 2009

COUNCIL OFFICE, ELGIN

PRESENT

Councillors A Wright (Depute Convener), S Cree, J Divers, J Hogg, B Jarvis, G Leadbitter, J MacKay, M McConachie, A McKay, E McGillivray, F Murdoch, I Ogilvie, P Paul, J Russell, M Shand, J Sharp, R Shepherd D Stewart and I Young.

IN ATTENDANCE

The Chief Executive, Director of Community Services (Items 2 and 3), the Chief Housing Officer (Item 3), the Chief Legal Officer (Item 2 – 4), the Head of Personnel Services and the Principal Committee Services Officer, Clerk to the Meeting.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors G McIntyre (Convener), A McDonald and D Ross,

1. CHAIR

Due to the absence of Councillor McIntyre (Convener), Councillor Wright (Depute Convener) took the chair.

2. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillors' Code of Conduct the meeting noted 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.

2. EXEMPT INFORMATION

Para No of Minute

12
1

Para No of Schedule 7A

5
7

3. STATEMENT BY DEPUTE CONVENER – FUTURE OF RAF KINLOSS

The Meeting noted a statement by the Depute Convener on the outcome of a meeting held earlier in the day at RAF Kinloss. He stated that the Station Commander of RAF Kinloss had advised that he was confident that the new Nimrod aircraft would be insitu in February 2010 and that there would be 3 new aircraft at RAF Kinloss by the end of 2010 with the existing Nimrod aircraft being decommissioned in March 2010. The full compliment of 9 aircraft would be reached over the next 4 years. There would be a reduction in the number of air and ground crew personnel from 700 to 450. The current number of personnel employed at RAF Kinloss was 2000, however he advised that this number would reduce.

4. UPDATE ON SOCIAL WORK INSPECTION REPORT

The Director of Community Services provided the Meeting with an update on the SWIA inspection report. He advised the meeting that the report issued was very positive and showed steady progress. He also advised that further reports on the inspection report will be submitted to the relevant service committees and the Audit and Performance Review Committee during the next cycle of meetings.

5. APPLICATION FOR SCOTTISH GOVERNMENT PHASE 2 NEW BUILD RESOURCES – UPDATE

The Chief Housing Officer provided the Meeting with an update on the outcome of the Council's bid for funding from Phase 2 of the Scottish Government's new build resources which had been unsuccessful. She advised the Meeting that the bid had failed in terms of deliverability but that the Scottish Government had accepted that there was a need in Moray and is therefore in a strong position in the future. It is expected that there will be a further phase 3 in 2010. The Meeting noted that a full report on the decision will be presented to the Communities Committee in February 2010.

6. ELGIN FLOOD ALLEVIATION SCHEME : COUNCIL RESPONSE TO REPORTER'S INTERIM REQUEST [PARA 12]

There was submitted a report by the Chief Legal Officer asking the Council to consider a response to an important development in the Public Inquiry process for the Elgin Flood Prevention Scheme.

Following discussion the Council agreed:-

- (i) to note the terms of the letter received from the Directorate of Planning and Environmental Appeals dated 1 December 2009, and
- (ii) the Council's response as detailed in Appendix 2 to the Report.

7. MANAGEMENT ARRANGEMENTS

Under reference to paragraph 12 of the Minute of the Meeting of The Moray Council dated 4 November 2009, there was submitted a report by the Chief Executive inviting the Council to:-

- (i) note the responses to the management structure and consider the various issues raised;
- (ii) consider the arrangements for filling of posts for senior members of staff;
- (iii) review the salary levels for senior members of staff, and
- (iv) note the job descriptions for the Corporate Director and Head of Service posts

During discussion concern was raised in regard to the issues emerging from the budget consultation process which related to the combining of Education and Social Services.

The Chairman suggested that this element of the management structure be deferred for a further report on the issues raised.

Following further discussion clarification was sought in regard to whether the proposed management structure had been decided. In response the Chief Executive advised that it had been agreed subject to consultation but what was not agreed was the implementation date.

Thereafter, Councillor Paul seconded by Councillor Leadbitter, moved that the management arrangements be deferred and that the status quo remain meantime.

As an amendment, Councillor Wright seconded by Councillor Cree, moved that the first three elements of the management structure be approved and that the combining of Education and Social Services be deferred for a further report on the issues raised.

On a division there voted:

For the Motion: (13)	Councillors Paul, Leadbitter, Coull, Divers, Jarvis, J Mackay, McConachie, G McDonald, Murdoch, Ogilvie, Shand, Sharp and Stewart
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For the Amendment: (10) Councillors Wright, Cree, Bell, Hamilton,
Hogg, McGillivray, A McKay, Russell,
Shepherd and Young

Abstentions: (0)

Accordingly the Motion became the finding of the meeting and it was agreed that the management arrangements be deferred and that the status quo remain meantime.

8. APPLICATION FOR VOLUNTARY EARLY RETIREMENT [PARA 1]

This item was withdrawn from the Agenda.