

THE MORAY COUNCIL
MINUTE OF MEETING OF THE MORAY COUNCIL

WEDNESDAY 22 MAY 2013

COUNCIL OFFICE, ELGIN

PRESENT

Councillors J S Cree (Convener), A G Wright (Council Leader), G G Alexander, J S Allan, G S Coull, J Cowe, L Creswell, J A Divers, P Gowans, M Howe, B Jarvis, G Leadbitter, J Mackay, M J McConachie, G McDonald, E M McGillivray, A C McKay, A J McLean, S M Morton, F Murdoch, P Paul, , D G Ross, M Shand, R H Shepherd, A A Skene and C P Tuke.

IN ATTENDANCE

The Chief Executive, the Corporate Director (Corporate Services), the Corporate Director (Environmental Services), the Corporate Director (Education and Social Care) the Head of Legal and Democratic Services, the Head of Financial Services, the Head of Human Resources and ICT, the Head of Housing and Property, the Head of Direct Services, the Senior Engineer (Design), A McEachan, Legal Services Manager (Property and Contracts), the Consultancy Manager and the Democratic Services Manager as Clerk to the Meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillor's Code of Conduct Councillor Leadbitter declared a personal interest in Item 9 "Elgin Western Link Road, Compulsory Purchase Order 2013" (paragraph 10 of the Minute refers). The Meeting noted that there were no other 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. RESOLUTION

The meeting resolved that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Items 14 of business on the grounds that they involve the likely disclosure of exempt information of the class described in Paragraph 1 of Part 1 of Schedule 7A of the Act.

<u>Para No of Minute</u>	<u>Para No of Schedule 7A</u>
13	1 & 9

3. MINUTES

The following Minutes were submitted and approved:

(a) THE MORAY COUNCIL – MINUTE OF MEETING DATED 27 MARCH 2013

The Minute of the meeting of the Moray Council dated 27 March 2013 was submitted and approved subject to the word 'services' being removed on the last line of the fifth paragraph of Item 14.

Under reference to Paragraph 15(b) of the minute the Meeting noted the following appointments to the service committees and sub committees:

Appeals Committee	Councillor P Gowans
Audit & Performance Review	Councillor M Howe
Children & Young People's Services	Councillor J Divers
Children & Young Peoples' Appointments	Councillor G Alexander
Communities	Councillor S Morton
Economic Development & Infrastructure	Councillor J Cowe
Health & Social Care Services	Councillors B Jarvis and G Leadbitter
Health & Social Care Appointments	Councillor L Creswell
Planning & Regulatory Services	Councillors J Cowe and A McLean
Policy & Resources	Councillor J Cowe
Flood Alleviation Sub Committee	Councillor A Wright
Landfill Tax Sub Committee	Councillor J Cowe
Social Work Complaints Review	Councillor P Gowans

(b) LOCAL REVIEW BODY – MINUTE OF MEETING DATED 28 MARCH 2013

The Minute of the meeting of the Local Review Body dated 28 March 2013 was submitted and approved.

(c) POLICY AND RESOURCES COMMITTEE – MINUTE OF MEETING DATED 9 APRIL 2013

The Minute of the meeting of the Policy and Resources Committee dated 9 April 2013 was submitted and approved.

(d) HEALTH AND SOCIAL CARE SERVICES COMMITTEE – MINUTE OF MEETING DATED 10 APRIL 2013

The Minute of the meeting of the Health and Social Care Services Committee dated 10 April 2013 was submitted and approved.

(e) PLANNING AND REGULATORY SERVICES COMMITTEE – MINUTE OF MEETING DATED 16 APRIL 2013

The Minute of the meeting of the Planning and Regulatory Services Committee dated 16 April 2013 was submitted and approved.

(f) PLANNING AND REGULATORY SERVICES COMMITTEE – MINUTE OF SPECIAL MEETING DATED 16 APRIL 2013

The Minute of the special meeting of the Planning and Regulatory Services Committee dated 16 April 2013 was submitted and approved.

(g) POLICY AND RESOURCES COMMITTEE – MINUTE OF SPECIAL MEETING DATED 18 APRIL 2013

The Minute of the special meeting of the Policy and Resources Committee dated 18 April 2013 was submitted and approved.

(h) COMMUNITIES COMMITTEE – MINUTE OF MEETING DATED 23 APRIL 2013

The Minute of the meeting of the Communities Committee dated 23 April 2013 was submitted and approved.

(i) CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE – MINUTE OF MEETING DATED 24 APRIL 2013

The Minute of the meeting of the Children and Young People's Services Committee dated 24 April 2013 was submitted and approved.

(j) LOCAL REVIEW BODY – MINUTE OF MEETING DATED 25 APRIL 2013

The Minute of the meeting of the Local Review Body dated 25 April 2013 was submitted and approved.

(k) POLICE AND FIRE AND RESCUE SERVICES COMMITTEE – MINUTE OF MEETING DATED 25 APRIL 2013

The Minute of the meeting of the Police and Fire and Rescue Services Committee dated 25 April 2013 was submitted and approved subject to the wording at the beginning Item 9 paragraph 14 being amended to read Superintendent Cooper.

(l) ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE – MINUTE OF MEETING DATED 30 APRIL 2013

The Minute of the meeting of the Economic Development and Infrastructure Services Committee dated 30 April 2013 was submitted and approved subject to the wording at line six of paragraph 4 relating to the reference to Standing Order (X) being amended to read Standing Order 78.

(m) LICENSING COMMITTEE – MINUTE OF MEETING DATED 1 MAY 2013

The Minute of the meeting of the Licensing Committee dated 1 May 2013 was submitted and approved subject to Councillor A McKay's details being removed as being present and to paragraph 10 being amended to record Councillor M Howe as having voted for the motion and not Councillor A McKay.

(n) FLOOD ALLEVIATION SUB-COMMITTEE – MINUTE OF MEETING DATED 1 MAY 2013

The Minute of the meeting of the Flood Alleviation Sub-Committee dated 1 May 2013 was submitted and approved.

(o) POLICY AND RESOURCES COMMITTEE – MINUTE OF MEETING DATED 7 MAY 2013

The Minute of the meeting of the Policy and Resources Committee dated 7 May 2013 was submitted and approved.

(p) AUDIT AND PERFORMANCE REVIEW COMMITTEE – MINUTE OF MEETING DATED 8 MAY 2013

The Minute of the meeting of the Audit and Performance Review Committee dated 8 May 2013 was submitted and approved.

4. WRITTEN QUESTIONS

The meeting noted the following written question submitted by Councillor Ross and the response thereto:

To ask how many senior management and supervisory posts have been identified as 'at risk' by the Chief Executive, as Lead Officer of the review of management and supervisory arrangements, in the five months since Moray Council agreed on the 20th December 2012 to look into this as part of the strategic proposals in relation to financial planning, particularly the comment in the paper of 20th December 2012 which stated future management models would see a "management structure based on minimising the number of management and supervisory levels".

RESPONSE

Shortly after the council had agreed the 2013/14 budget the Service Development Group prepared a list of ongoing business which included reference to management structures. The Chief Executive provided the group with a report on the approach to be taken and a timetable for initially reviewing the management structures across the council's three departments from April to June 2013. As has been explained in previous reports, the council is in the process of identifying the fundamental changes necessary to enable it to

sustain a balanced financial position whilst at the same time aiming to improve outcomes for the local area. The group has recently agreed to transfer responsibility for overseeing this change programme to the Area Based Review Working Party.

The council established the Area Based Review Working Party at its last meeting and it is clear from the initial meetings of the working party, including 4 workshops, that completing the review work necessary to prepare an assessment of public service provision for 2023 and a 4 year plan to take us a long way along that journey is going to need a greater investment in time than originally anticipated. A report on the planning framework being used by the working party and timescales for completing the 4 year plan will be provide to the council meeting on 3 July 2013.

The council has reduced the number of managers it employs (e.g. directors and heads of service have reduced by 18.75% since 2011 and 50% since the council was created in 1996) and the next stage is about aligning management resources to enable the council to meet the twin objectives of reducing costs whilst improving outcomes. We will most certainly be aiming to continue to keep management and administration costs to a minimum.

As a supplementary question Councillor Ross stated that in his opinion it appeared that no progress had been made in regard to the review of management structures over the past five months and asked, that now the work has been passed to the Area Based Review Working Party, what the timescale was for Members to be advised of what the reduction in management for the Council will be.

In response the Chief Executive advised that the Service Development Group has been advised of the timescale and that Councillor Ross was fully aware of what has been happening over the last five months.

5. NOTICE OF MOTION

There was submitted a Notice of Motion by Councillor Ross, seconded by Councillor Allan in the following terms:

“That Moray Council agrees to submit a planning application for scenario C as detailed in Item 12(a) of the committee papers to Full Council on the 27th March 2013. This option is referred to as “High School and Low Cost Access to Affordable Housing” and provides the cheapest option to access to Elgin High School and affordable housing.

If this motion is agreed it would see an application for access to Elgin High School and the affordable housing only, submitted at the same time as an application for the Western Link Road.”

Under the terms of Standing Order 85, the Chairman confirmed following legal advice that as the Notice of Motion seeks to alter a decision of the Council within six months of its adoption, a relevant and material change in circumstances was required to be identified and a vote taken.

Councillor Ross stated that although he felt there was no need to suspend standing orders, in his opinion the recent discussions by the Elgin High School Strategy Group where it was stated that the planning application in respect of the new school, that includes the new access road, was to be submitted in July 2013 and the recent announcement made by the Scottish Government in relation to a by-pass for Elgin as part of the duelling works for the A96, constituted a material and relevant change in circumstances and moved that the Council agree to suspend standing orders.

The Chairman stated that in accordance with Standing Orders, the Meeting should now vote on the issue of the suspension of standing orders and if it is decided to suspend standing orders the Meeting can continue the debate in regard to the Notice of Motion and therefore no amendment was required and sought legal confirmation in respect of this course of action.

In response, the Head of Legal and Democratic Services advised that a vote for or against the suspension of standing orders was the correct course of action with the reasons for suspension being those outlined by Councillor Ross representing the motion and the amendment being against suspension. She further advised that a two thirds majority would be required in order for the suspension to be carried, which would be eighteen in this instance.

Thereafter, the Chairman asked that the vote be taken.

On a division, there voted:

For the Motion (17)	Councillors Ross, Allan, Coull, Divers, Gowans, Howe, Jarvis, Leadbitter, J. Mackay, McConachie, McDonald, McGillivray, McLean, Morton, Paul, Shand and Tuke
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For the Amendment (9)	Councillors Cree, Wright, Alexander, Cowe, Creswell, A. McKay, Murdoch, Shepherd and Skene
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Abstentions (0)

Accordingly, in terms of Standing Order 86, the Committee agreed not to suspend Standing Order 85 as two-thirds of the members of the Council present did not agree the matter merited a suspension and thereby the Motion fell.

6. TARGETED BEST VALUE AUDIT 2012/13 AND SHARED RISK ASSESSMENT ASSURANCE AND IMPROVEMENT PLAN 2013-15

There was submitted a report by the Chief Executive asking the Council to consider the targeted Best Value Audit Report and the Assurance and Improvement plan Update 2013-2016 as detailed in Appendices 1 and 2 of the report respectively.

The Chief Executive advised the Meeting that this was a positive report and plan following on from the Best Value Audit undertaken in November 2012, with Audit Scotland having concluded that, whilst there are areas requiring improvement, there are encouraging signs of progress and accordingly, other than participating in national scrutiny plans, there is to be no further scrutiny of the Council.

Councillor Wright stated that he was grateful to all those who had contributed to the Best Value Audit and welcomed the fact that the council would not face any further scrutiny other than in national scrutiny plans. He stated that in regard to the issue raised relating to the Moray Community Planning Partnership, he was of the opinion that since the inspection was undertaken, the community planning structure was being reviewed and revised and that this now effectively illustrates the partnership working and the community leadership that is required and a structure is now in place that will take the Community Planning Partnership forward for at least the next ten years.

The Chairman stated that whilst he endorsed all that had been said, he still had some concerns on equalities, and whilst he was grateful for the progress that had already been made, he was aware of the comments at paragraph 52 of the report relating to the poor up take by elected members to training on equalities and in order to demonstrate commitment to the equalities agenda by members would seek to encourage those members who had not yet undertaken the on-line equality training package to do so and he would personally be happy to provide any assistance that members may require.

During discussion, clarification was sought in regard to the future of the Moray Performs Board and in response Councillor Wright advised that the original focus of the Moray Performs Board was around Public Sector Improvement Framework (PSIF) where individual services undertook self assessments that were then followed through a planned programme of follow up meetings with the Board. He referred to the new framework for community planning and performance management framework along with the remit of the Audit and Performance Review Committee and stated that he in his opinion the Board was no longer required.

Following further discussion, Councillor McDonald, in his capacity as Chairman of the Audit and Performance Review Committee, stated that both the council and the Scottish Government are putting in place benchmarking in a more constructive and useful way and that the Audit and Performance Review Committee has asked that training be provided to the Members of that committee on the wider use of and interpretation of performance indicators, and suggested that this may be something that the other service committees may wish to consider.

In response, the Chairman stated that this suggestion would be taken on board by the Chief Executive.

In response to a request for assurance that reporting on equalities will be undertaken, the Chief Executive advised that since the inspection was undertaken in November 2012, there have since been reports on equalities

providing an understanding of where the Council is going and what needs to be done and that he would be happy to circulate this report to Members.

In conclusion, the Chairman stated that he would wish to reiterate the fact that for some time the council has been subject to regular and continual review in relation to issues that have arisen in previous inspections and the most important thing in this report is that the council will now move out of that incessant round of inspections and free up officer time to get on with dealing with the significant issues facing the Council in terms of the funding etc.

Thereafter, the Council agreed to note:-

- (i) the Best Value Audit Report and the Assurance and Improvement Plan update; and
- (ii) that actions will be developed to respond to the areas identified for improvement in the Report and will be reported to the meeting of Full Council on 3 July 2013.
- (iii) that the Audit and Performance Review Committee had requested training for its members on benchmarking and the wider use of and interpretation of performance indicators, and that the Chief Executive had noted the comments regarding a wider implementation of this training across other Service committees.

7. ORDER OF BUSINESS

In terms of Standing Order 28, the meeting agreed to vary the order of business set down on the agenda and take Agenda Item 11 "Performance Management" as the next item of business (paragraph 8 of the minute refers)

8. PERFORMANCE MANAGEMENT

There was submitted a report by the Chief Executive asking the Council to note the progress in the Corporate Review of Performance Management and agree the revised Performance Management Framework for Moray.

During discussion, concern was expressed that the information relating to those indicators reported on an annual basis would result in a lack of robust, up to date information being available and an assurance sought that where possible, consideration would be given to information relating to annual Performance Indicators being reported on a 6 monthly basis and that information be included in performance reports showing the direction of travel i.e. whether it is improving or deteriorating. This was agreed.

It was further suggested that consideration be given to providing Members with access to the covalent system used in the collation of the performance statistics.

In response, the Corporate Director (Corporate Services) advised that whilst he could see no reason why access could not be given he would need to investigate the licence arrangements and any cost implications that may arise from this and would report back should there be any issues.

Following discussion, it was agreed that following on previous comments regarding the Moray Performs Board that reference to the Moray Performs Board be removed from the performance management framework.

Following further discussion, relating to the target figures on the Community Care and Criminal Justice SS603 as detailed in Appendix 1 of the report Councillor Shand sought clarification in regard to formulae used in these calculations and it was agreed that an explanation would be provided to him following the meeting.

Thereafter, the Council agreed:-

- (i) to note the progress made to date in the review of the Council's Performance Management strategy, including the revised suite of performance indicators approved at the relevant service committees and produced in Appendix 1 to the report;
- (ii) the appropriate reporting frequencies for these indicators as outlined in the table at page 11 of Appendix 2;
- (iii) to approve the revised Performance Management Framework produced in Appendix 2 to this report, to be adjusted as required to incorporate the agreed reporting frequencies subject to the description of the Service Development Group at page 12 being amended to read "(members of the Administration Group)".
- (iv) to note the further activity planned in the area;
- (v) that, as far as possible, information relating to annual Performance Indicators be reported on a 6 monthly basis and that information be included in performance reports showing the direction of travel i.e. whether it is improving or deteriorating;
- (vi) that the Corporate Director (Corporate Services) investigate the licence arrangements to allow access by Members to the covalent system and report back on issues if any;
- (vii) to remove the column relating to Moray Performs Board, and
- (viii) that an explanation be provided to Councillor Shand following the meeting regarding the formulae used in the calculations relating to the Community Care targets SS603.

9. BT HIGHLANDS AND ISLANDS BROADBAND PROJECT

There was submitted a report by the Chief Executive inviting the Council to formally note the launch of a project to provide an estimated 84% broadband coverage of the Highlands and Islands of Scotland and to invite representatives of BT to give a presentation on this project to Elected Members.

Following consideration, the Council agreed to:-

- (i) note the launch of the project; and
- (ii) authorise the Chief Executive to invite representatives of BT to address Members on the scope and scale of this project as it affects Moray.

Councillor Leadbitter left the meeting at this juncture.

10. ELGIN WESTERN LINK ROAD, COMPULSORY PURCHASE ORDER 2013

There was submitted a report by the Corporate Director (Corporate Services) asking the Council to authorise the making of a Compulsory Purchase Order (CPO) to facilitate the compulsory acquisition of interests in land or buildings for the Elgin Western Link Road Scheme ("the Scheme") as recommended by Economic Development and Infrastructure Committee on 23 October 2012 and 18 December 2012, and associated actions.

Following lengthy discussion and a short adjournment to seek clarification on the process that would be required to be undertaken by the Council in regard to the making of a Compulsory Purchase Order, Councillor Ross, seconded by Councillor Allan, moved that the council do not proceed with the making of a Compulsory Purchase Order at this time but defer the matter until the planning application in respect of the Elgin Western Link Road has been determined.

As an amendment, Councillor Morton, seconded by Councillor Wright, moved approval of the recommendations to proceed with the making of a Compulsory Purchase Order subject to authorisation of general vesting of the Land in the Council as required to effect compulsory transfer being brought back to the Council for final approval.

On a division, there voted:

For the Motion (10)

Councillors Ross, Allan, Coull, Gowans, Howe, McConachie, McDonald, McLean, Paul and Shand

For the Amendment (15) Councillors Morton, Wright, Alexander, Cowe, Cree, Creswell, Divers, Jarvis, J Mackay, McGillivray, A McKay, Murdoch, Shepherd, Skene and Tuke

Abstentions (0)

Accordingly, the Amendment became the finding of the Meeting and the Council agreed:-

- (i) the justification for, and authorised the making of a CPO under Sections 103, 104, 105, 106 and 110 of the Roads (Scotland) Act 1984 in relation to the 23 separate plots detailed in Appendix 1 to the Report in respect of Elgin Western Link Road;
- (ii) to authorise the Head of Direct Services to make reductions in the areas of any of the plots included in the order, or remove any plots from the order, as a result of ongoing detailed design work and negotiations with affected landowners and to determine the date of the making of the CPO;
- (iii) to authorise the Head of Legal and Democratic Services to prepare and sign all CPO documentation and to take all necessary steps, including publication of all statutory notices, and to secure confirmation of the Order by the Scottish Ministers subject to authorisation of general vesting of the Land in the Council as required to effect compulsory transfer being brought back to the Council for final approval;
- (iv) to authorise the Estates Manager to arrange for the onward sale or conveyance of any of the CPO subjects required to achieve the Scheme; and
- (v) to authorise the transfer of the land shown on the plan at Appendix 3 from the Housing Revenue Account to the General Services Account for no value, subject to approval of the Scottish Government.

Councillor Leadbitter rejoined the meeting at this juncture.

11. PROTOCOL ON QUESTIONS ON COUNCIL MINUTES AND OTHER RELEVANT QUESTIONS AND PROTOCOL ON NOTICES OF MOTION

There was submitted a report by the Corporate Director (Corporate Services) asking the Council to consider and approve a revised Protocol on Questions on Council Minutes and other relevant Questions and also a newly framed Protocol on Notices of Motion as detailed in the Appendices to the report.

During discussion, Councillor Ross, seconded by Councillor Jarvis, moved that the Council undertake a review of Standing Orders to consider re-introducing question time at full council meetings.

Following lengthy discussion, during which Members expressed various views on the protocol and its bearing on issues relating to Standing Orders, it was suggested that the matter be deferred in order for a more detailed review of Standing Orders be undertaken and that this be delegated to Group Leaders in consultation with the Head of Legal and Democratic Services.

In response, the Head of Legal and Democratic Services advised the Council that a full review of Standing Orders was already listed in the Legal and Democratic Services Service Plan with a target date of March 2014.

In terms of Standing Order 25, the meeting agreed to suspend Standing Orders and continue beyond 12.45pm in order to conclude the consideration of this item.

Councillor Ross, in agreement with Councillor Jarvis, agreed to withdraw his motion on condition that the review was undertaken sooner than March next year.

The Head of Legal and Democratic Services advised that she would undertake to carry out a review of Standing Orders as rapidly as possible but could not guarantee to conclude this as promptly as Councillor Ross wished given other workload commitments including the review of the scheme of delegation. In response, the Chairman confirmed acceptance of the undertaking by the Head of Legal and Democratic Services to bring this review forward as far as possible.

Thereafter, the Council agreed to:-

- (i) defer consideration of this matter in order that a detailed review of Standing Orders can be undertaken and that this commence with a meeting of Group Leaders in consultation with the Head of Legal and Democratic Services to identify areas for consideration, and
- (ii) note that this work will be undertaken as quickly as practicable although the deadline against this piece of work in the Legal and Democratic Services Service Plan is March 2014.

ADJOURNMENT OF MEETING

In terms of Standing Order 25, the Meeting agreed to adjourn at 12.54 pm for lunch and reconvene at 2.00 pm.

RESUMPTION OF MEETING

PRESENT

Councillors J S Cree (Convener), A G Wright (Council Leader), G G Alexander, J S Allan, G S Coull, J Cowe, L Creswell, J A Divers, P Gowans, M Howe, B Jarvis, G Leadbitter, J Mackay, M J McConachie, G McDonald, A C McKay, A J McLean, S M Morton, F Murdoch, P Paul, D G Ross, M Shand, R H Shepherd, and C P Tuke.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors E McGillivray and A A Skene

IN ATTENDANCE

The Chief Executive, the Corporate Director (Corporate Services), the Corporate Director (Environmental Services), the Corporate Director (Education and Social Care) the Head of Legal and Democratic Services, the Head of Financial Services, the Head of Human Resources and ICT, the Head of Direct Services, the Transport Manager and the Democratic Services Manager as Clerk to the Meeting.

12. APPOINTMENT TO NHS GRAMPIAN BOARD

There was submitted a report by the Corporate Director (Corporate Services) inviting the Council to note the desire of Councillor Anne McKay to resign from her appointment as The Moray Council representative on the NHS Grampian Board and to appoint a replacement representative.

The Meeting noted that appointment to this Board is restricted to the Leader, Depute Leader or Chairperson of the Health and Social Care Services Committee.

Following consideration, Councillor A McKay, seconded by Councillor Wright, moved that Councillor Cree be appointed to the NHS Grampian Board. There being no one otherwise minded, this was unanimously agreed.

13. QUESTIONS ON COUNCIL MINUTES

Minute of the Moray Council dated 27 March 2013

Under reference to paragraph 8(iii) of the Minute, Councillor Coull asked when a copy of the revised school roll projections would be provided to all Members.

In response, the Corporate Director (Education and Social Care) advised that he will ensure that this is actioned.

Minute of the Policy and Resources Committee dated 9 April 2013

Under reference to paragraph 15 (iii) of the Minute, Councillor McLean sought an update regarding the progress relating to an offer for property at Greshop Industrial Estate, Forres.

In response, the Corporate Director (Environmental Services) advised that a productive meeting had taken place between the Estates Staff and the bidder and would wish to consult with the Chairman of the Policy and Resources Committee as to how the matter can be taken forward if a satisfactory solution can be obtained.

Minute of the Children and Young People's Services Committee dated 24 April 2013

Under reference to paragraph 10 of the Minute, Councillor Howe sought an update on when Members would receive updates on projects in respect of Speyside High, Lossiemouth High, Milne's Primary School, Lhanbryde Primary School and Forres Academy.

In response, the Corporate Director (Education and Social Care) advised that the Educational Resources Manager had been asked to look at providing updated information on projects in respect of these schools within reports and that this information would also be made available on the Members Portal.

Minute of the Economic Development and Infrastructure Services Committee dated 30 April 2013.

Under reference to paragraph 6 of the Minute, Councillor McDonald sought confirmation in relation to the carry forward in respect of the dredger which was to be reported to the Policy and Resources Committee.

In response, the Corporate Director (Corporate Services) advised that a report was due to be submitted to the Policy and Resources Committee on 4 June 2013

14. PROFESSIONAL FEES (PARAS 1 & 9)

There was submitted a report by the Corporate Director (Corporate Services) asking the Council to agree the proposals for ceasing payment of professional fees to solicitors.

The Head of Legal and Democratic Services left the meeting prior to the discussion of this item.

During discussion, Councillor Ross moved that the Council do not agree with the proposals and maintain the Council decision taken at the special budget meeting on 13 February 2013. On failing to find a seconder, the Motion fell.

Following further discussion, Councillor Morton, seconded by Councillor Cree, moved that the Council agreed the proposals in the report in order to

implement the removal of payment of professional fees for solicitors by agreement, subject to the indication shown against the employee contribution relating to Trainee's being amended to read 0%.

As an amendment, Councillor Ross, seconded by Councillor Tuke, moved that the Council agree the proposals subject to the removal of the requirement for a review of the arrangements after 5 years.

On a division, there voted:

For the Motion (20) Councillors Morton, Cree, Alexander, Coull, Cowe, Creswell, Divers, Gowans, how, Jarvis, Leadbitter, J Mackay, McDonald, A McKay, McLean, Murdoch, Paul, Shand, Shepherd and Wright.

For the Amendment (4) Councillors Ross, Tuke, Allan and McConachie.

Abstentions (0)

Accordingly, the Motion became the finding of the Meeting and the Council agreed the proposals in the report in order to implement the removal of payment of professional fees for solicitors by agreement subject to the indication shown against the employee contribution relating to Trainee's being amended to read 0%.

Councillor Ross asked that his dissent be recorded.