

MORAY COUNCIL
MINUTE OF MEETING OF MORAY COUNCIL
WEDNESDAY 27 SEPTEMBER 2017
COUNCIL CHAMBERS, ELGIN

PRESENT

Councillors J Allan (Convener), G Alexander (Council Leader), D Bremner, T Coull, J Cowe, G Cowie, P Coy, L Creswell, J Divers, T Eagle, R Edwards, C Feaver, D Gatt, L Laing, G Leadbitter, M Macrae, A McLean, M McLean, S Morrison, A Patience, R Shepherd, S Warren and W Wilson.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors F Brown, R McLean and D Ross.

IN ATTENDANCE

The Chief Executive, the Acting Corporate Director (Corporate Services), the Corporate Director (Economic Development, Planning & Infrastructure), the Chief Officer Health and Social Care, the Head of Development Services, the Head of Legal and Democratic Services, the Head of Financial Services, the Head of Integrated Children's Services, the Head of Schools and Curriculum Development, the Head of Lifelong Learning, Culture and Sport, the Legal Services Manager (Litigation and Licensing), the Transportation Manager, the Senior Engineer Transport Development, the Housing Strategy and Development Manager, the Housing Services Manager, the Business Support Team Manager, Karen Lees Quality Improvement Officer Joanna Shirriffs Senior Project Manager, Principal Officer Economic Development, the Equal Opportunities Officer, and the Democratic Services Manger as Clerk to the Council.

ALSO IN ATTENDANCE

Maggie Bruce External Auditor.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillors' Code of Conduct, 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 or any declarations of Member's interests in respect of any item on the agenda.

2. EXEMPT INFORMATION

The Council 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>Paragraph Number of Minute</u>	<u>Paragraph Number of Schedule 7A</u>
19	1
20	8

3. MINUTES

(i) MORAY COUNCIL – MINUTE OF MEETING DATED 17 MAY 2017

The minute of the meeting of the Moray Council dated 17 May 2017 was submitted and approved subject to minor spelling corrections and to the wording in the second paragraph of Item 8 (iii) being amended to read “ Grampian NHS Board” and the appointment to HITRANS at Item 8(iv) being noted as Councillor Cowe with Councillor Cowie as substitute member.

(ii) MORAY COUNCIL – MINUTE OF SPECIAL MEETING DATED 27 JUNE 2017

The minute of the special meeting of the Moray Council dated 27 June 2017 was submitted and approved.

(iii) MORAY COUNCIL – MINUTE OF SPECIAL MEETING DATED 29 JUNE 2017

The minute of the special meeting of the Moray Council dated 29 June 2017 was submitted and approved.

(iv) MORAY COUNCIL – MINUTE OF SPECIAL MEETING DATED 9 AUGUST 2017

The minute of the special meeting of the Moray Council dated 9 August 2017 was submitted and approved.

4. WRITTEN QUESTIONS

The Council noted the following written question submitted by Councillor Warren and the response thereto:-

Following the sudden and unexpected closure of the long-standing BABS Dial-a-Bus service in the Buckie area, what initial assessment has the Council made of the impact of the loss of this service, particularly for the elderly and vulnerable in Buckie and the surrounding area and what options are available to the Council to mitigate against the loss of this important service?

RESPONSE

It is with regret that the Council hear of the winding up of BABS Dial-a-Bus service, and the community benefit delivered by all the people involved in BABS over the years should be acknowledged. The Council does not have any specific information about the number of residents who will be impacted by the cessation of service, as this is the information held only by BABS. On Tuesday 26 September, the Banffshire Partnership – community transport organisation based in Boyndie, advised the Moray Forum Transport Steering Group and council officers that they were keen to explore opportunities to serve the communities that BABS had previously worked with. Whilst there is no firm commitment at this stage, the steering group and officers will be active in supporting the Banffshire Partnership. As ever, the Buckie Dial M service continues to be available for residents who have no access to public transport.

As a supplementary question Councillor Warren asked whether the Dial M Service had the capacity to take up all of the extra demand from the BABS Dial a Bus service and will there be an option available to take people to the station in Keith and return to allow them to attend hospital outpatient appointments in Aberdeen and are there other options available to the Council such as expanding the Dial M Service in Buckie?

In response the Transportation Manager advised that as previously stated the Council had no information from BABS in regard to the number of people affected and therefore the impact in terms of resource requirement on Dial M or any other service. She further stated that the Council was keen to support any community transport organisation that wished to operate in the area. In regard to the Dial M resource she advised that this is available and an increase in bookings is anticipated. All buses are operating at maximum and there is no additional resource within the council however staff will continue to monitor the situation and will report any further information that changes the current position.

5. NOTICE OF MOTION

A Notice of Motion was submitted by Councillor Bremner, seconded by Councillor Leadbitter in the following terms:-

“That Council, in light of comments made by Moray MP Douglas Ross with reference to the Gypsy & Traveller community in Core Politics ‘Meet the MPs’ interview, upholds & reiterates its legal commitments to Equality & Diversity as they are governed by the various acts of Parliament in relation to any & all groups of people who comprise this county & nation, by distancing Moray Council from, and condemning the comments of, the former member of this council & current MP for Moray.”

Following discussion Councillor Alexander stated that he would be happy to support a motion that states that this Council upholds and reiterates its legal commitments to Equality and Diversity as they are governed by the various acts of Parliament in relation to all groups of people who comprise this county and nation and moved as an amendment that this Council demonstrates to the people of Moray that it will not be distracted from its duty and will wholeheartedly carry out its legal commitments to

Equality and Diversity as they are governed by the various acts of Parliament in relation to all groups of people who comprise this county and nation. Councillor Gatt seconded the amendment.

On a division there voted:

For the Motion (9): Councillors Bremner, Leadbitter, Coull, Coy, Laing, A McLean, Morrison, Patience and Warren

For the Amendment (14): Councillors Alexander, Gatt, Allan, Cowe, Cowie, Creswell, Divers, Eagle, Edwards, Feaver, M McLean, Macrae, Shepherd and Wilson

Abstentions (0):

Accordingly the amendment became the finding of the meeting and it was agreed that this Council upholds and reiterates its legal commitments to Equality and Diversity as they are governed by the various acts of Parliament in relation to all groups of people who comprise this county and nation and moved as an amendment that this Council demonstrates to the people of Moray that it will not be distracted from its duty and will wholeheartedly carry out its legal commitments to Equality and Diversity as they are governed by the various acts of Parliament in relation to all groups of people who comprise this county and nation.

6. NOTICE OF MOTION

A Notice of Motion was submitted by Councillor Leadbitter, seconded by Councillor Warren in the following terms:-

“Review of Moray Council’s Licensing Service

Council recognises the significant changes that have occurred in Licensing in recent years, which have come as a result of primary legislation, changes in Moray Council licensing policies and changes in demand.

Council further notes that these changes, in particular the introduction of Licensing Standards Officer, could potentially increase license fees substantially for many customers of Moray Council’s Licensing Service.

Council therefore agrees that, as a result of these significant changes in the licensing system that is now an appropriate time to fully review both the staffing structures and processes used in the provision of Moray Council’s licensing service. Such a review should include the core service provided by Legal Services, the role of the Council’s customer service teams in both the call centre and in access points in relation to the licensing service, the licensing related work provided by Moray Council’s Environmental Health, Trading Standards & Fleet Services sections, the IT solutions currently being used and any other areas of work that the Corporate Management Team considers relevant and appropriate.

Council instructs the Corporate Management Team to conduct such a review and report back to the Council in January 2018 with appropriate recommendations, including public consultation and direct consultation with licence holders where that may be relevant.”

Following discussion Councillor Cowie, as Chairman of the Licensing Committee and Board, stated that he would agree that there have been several changes in relation to licensing legislation and licensing policies and in the council processes and that there have been a number of reports to the Licensing Board and Committee dealing with these changes. He further stated that the latest report relating to increased fees to meet Licensing Standard Officer costs was the subject of ongoing consultation with the licensing trade with meetings being held throughout Moray. As Chairman of both the Licensing Committee and Board, he was confident with the work that was ongoing with the licensing trade on these issues and did not think that the radical overhaul suggested in the terms of the Notice of Motion was needed at this time. He further stated that he was satisfied that Legal and Democratic Services were aware of and are dealing with any operational issues and therefore proposed as an amendment that no review be undertaken. Councillor Edwards seconded the amendment.

On a division there voted:

For the Motion (9): Councillors Leadbitter, Warren Bremner, Coull, Coy, Laing, A McLean, Morrison and Patience

For the Amendment (14): Councillors Cowie, Edwards, Alexander, Gatt, Allan, Cowe, Creswell, Divers, Eagle, Feaver, M McLean, Macrae, Shepherd and Wilson

Abstentions (0):

Accordingly the amendment became the finding of the meeting and it was agreed that no review be undertaken.

7. A96 DUALLING HARDMUIR TO FOCHABERS

A report by the Corporate Director (Economic Development, Planning and Infrastructure) summarised the route options for dualling the A96 trunk road between Hardmuir and Fochabers and proposing the Council’s response in the form of a series of “considerations”.

Following consideration the Council agreed:

- (i) to note the route options published for dualling the A96 between Hardmuir and Fochabers;
- (ii) the proposed response on the route options set out in Appendix 3;
- (iii) to request regular engagement at senior management level between Council officers and Transport Scotland/Mott MacDonald Sweco to discuss the route options as they develop, their interface and impact on the local public road

network and future use/maintenance of the existing road as the project progresses;

- (iv) to request that Transport Scotland/Mott MacDonald Sweco work with the Council's Equal Opportunities Officer to prepare an Equalities Impact Assessment for each of the route options;
- (v) to request that route options are discounted and a preferred option is selected by Transport Scotland as soon as possible to minimise uncertainty for communities and businesses in Moray; and
- (vi) to congratulate officers in producing a very good response.

8. WORKLOAD AND BUDGET PRESSURES FOR CHILDREN AND FAMILIES SOCIAL WORK

Under reference to paragraph 16 of the Minute of the Meeting of the Children and Young People's Services Committee dated 27 August 2017 a report by the Corporate Director (Education and Social Care) informed the Council of the pressures affecting children and families social work services in relation to both workload and budget.

The report also asked that the Council consider a recommendation from the Children and Young People's Service Committee to approve to increase the overall budget for Children and Families Social Work by £78,000 per year for four years, increasing thereafter to £100,000 per year to fund 2 additional permanent Social Worker posts and enable the Head of Integrated Children's Services to develop the service further by creating 4 Social Worker in Training posts to be recruited from existing staff who would be supported to complete the social work degree and be employed as social workers upon completion.

During discussion clarification was sought in regard to the reasons for the increasing demand on the children and families social work services.

In response the Head of Children and Families and Social Work advised that there were a variety of factors contributing to the increase which was also being experienced in additional support needs and that this was not unique to Moray.

The Chief Executive further advised that this was an issue that he and the Chief Officers from Police Scotland and NHS Grampian have asked for information on and suggested that once that information was available a briefing could be arranged for Members as to why there has been a spike in some of these areas. This was agreed.

Thereafter the Council agreed:-

- (i) to approve to increase the overall budget for children and families social work by £78,000 per year for four years, increasing thereafter to £100,000 per year to fund 2 additional permanent Social Worker posts and enable the Head of Integrated Children's Services to develop the service further by creating 4

Social Worker in Training posts to be recruited from existing staff who would be supported to complete the social work degree and be employed as social workers upon completion, and

- (ii) that a briefing on the issues relating to the reasons for the increasing demand for the children and families social work services be arranged for members.

9. CLASS SIZES IN PRIMARY 3

Under reference to paragraph 7 of the Minute of the Meeting of Moray Council dated 4 March 2015 a report by the Corporate Director (Education and Social Care) informed the Council of the need to increase class sizes in P3 at New Elgin Primary School for a further school session and engage 2 classroom assistants.

Following consideration the Council agreed to:

- (i) approve the increase of P3 classes in New Elgin Primary School for a further school session; and
- (ii) allocate an additional budget of £23,000 for the school session 2017/18 to provide additional classroom assistants to mitigate the impact of the increased class sizes.

10. RESTRUCTURING OF THE SECONDARY SCHOOL WEEK

Under reference to paragraph 13 of the Minute of the meeting of the Children and Young People's Services Committee dated 23 August 2017 a report by the Corporate Director (Education and Social Care) informed the Council regarding an intention to restructure the secondary school week to support the improvement and development and delivery of Curriculum for Excellence across Moray's Secondary Schools.

Following consideration the Council agreed to implement the new structure in secondary schools during session 2018/19 and also agreed to the associated increase in costs associated with this new curriculum structure.

11. EXTERNAL AUDIT – ANNUAL REPORT TO COUNCIL ON 2016/17 AUDIT

Councillor Warren left the meeting during discussion of this item.

A report by the Acting Corporate Director (Corporate Services) providing the Council with a copy of the External Auditor's report to Council on the 2016/17 Audit was noted.

Councillor Cowie left the meeting at this juncture.

12. MORAY COUNCIL'S AUDITED ANNUAL ACCOUNTS FOR THE PERIOD 1 APRIL 2016 TO 31 MARCH 2017

A report by the Acting Corporate Director (Corporate Services) submitted to the

Council the Audited Annual Accounts for the Moray Council for the year ended 31 March 2017.

Following consideration the Council agreed:

- (i) to note the Audited Annual Accounts for the financial year 2016/17; and
- (ii) that the Annual Accounts are signed, having regard to the Annual Report from the external auditor considered earlier at the meeting.

Councillor Cowie re-joined the meeting at this juncture.

13. MORAY COUNCIL'S CONNECTED CHARITIES' AUDITED ANNUAL ACCOUNTS FOR THE PERIOD 1 APRIL 2016 TO 31 MARCH 2017 AND EXTERNAL AUDITOR'S REPORT TO TRUSTEES

A report by the Acting Corporate Director (Corporate Services) submitted to the Council the audited Annual Accounts for Moray Council's Connected Charities for the year ended 31 March 2017.

Following consideration the Council agreed to:-

- (i) approve the audited Annual Accounts for the Connected Charities for the financial year 2016/17, and
- (ii) note that a report will be submitted to the next meeting of the P&R Committee on the ongoing work in relation to trusts.

14. REPORT ON TREASURY MANAGEMENT PERFORMANCE AND TRESURY AND CAPITAL INVESTMENT PRUDENTIAL INDICATORS FOR 2016/17

Councillor Warren re-joined the meeting during discussion of this item.

A report by the Acting Corporate Director (Corporate Services) provided Council with the annual outturn report on Treasury Management and details of the Council's Prudential Indicators for Treasury Management and Capital Investment for the year ended 31 March 2017.

Following consideration the Council agreed to:

- (i) note the Treasury Management Performance and the Council's Treasury Management and Capital Investment Prudential Indicators for 2016/17 as set out in the appendix, and
- (ii) commend the Head of Financial Services and her team for the work they have undertaken in producing the report.

15. MORAY INTEGRATION JOINT BOARD ANNUAL PERFORMANCE REPORT 2016/17

A report by the Chief Officer Health and Social Care Integration presenting the Moray Integration Joint Board's Annual Performance Report 2016/17 published in July 2017 was noted.

16. MUSEUMS SERVICE – ANNUAL REPORT

Under reference to paragraph 13 of the Minute of the Meeting of Moray council dated 28 May 2014 a report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Council of the work by the Museums Services and sought approval for exploring all options to create a sustainable future of the service, this may include possible sales of items of the collection.

The Chief Executive advised that letter had been received late on the afternoon of 26 September 2017 from Museums Galleries Scotland in relation to the report and this was circulated to the meeting. It was noted that some Members had received a copy of the direct.

The Corporate Director (Economic Development and Infrastructure) advised that she had also received a copy of the letter and advised that whilst she was content for the meeting to consider its content she cautioned that it addressed specific stages of the process that the council had not currently reached and which would only be relevant if the terms of the current report were agreed and had progressed to a further stage in the process.

A short adjournment was agreed to allow Members to read the contents of the letter.

During discussion Councillor A McLean in referring to the letter received from Museums Galleries Scotland stated that he would wish to include an amendment to recommendation 2.1 (ii) of the report that it read “approve the development of options to create a sustainable future for the service, in conjunction with Museums Galleries Scotland, including the engagement of auction houses to explore possible sales of items from the collection”.

This was agreed.

Councillor McLean, in referring to attracting grant funding, further asked that in responding to the letter, reference also be made to welcoming the assistance of Museums Galleries Scotland in navigating the future of the museums service in both an ethical and sustainable way.

In response the Head of Development Services advised that this would be included in the response.

Thereafter the Council agreed to:

- (i) note the achievements of the Museums Service contained in the Annual report 2016;

- (ii) approve the development of options to create a sustainable future for the service, in conjunction with Museums Galleries Scotland, including the engagement of auction houses to explore possible sales of items from the collection;
- (iii) that a response to the Museums Galleries Scotland include an invitation for that organisation to be included in the development of options to create a sustainable future for the service and the provision of assistance in navigating the future of the museums service in both an ethical and sustainable way, and
- (iv) granted delegated authority to the Head of Development Services in consultation with the Chief Financial Officer and Chair to authorise grant applications supporting the work of the Museums Service.

17. APPOINTMENTS TO OUTSIDE BODIES AND CHANGES TO COMMITTEE APPOINTMENTS

A report by the Acting Corporate Director (Corporate Services) advised the Council of a number of “outside bodies” on which the previous Council was represented and to which the Council is entitled to appoint nominees.

The report also advised of the Administration Group committee nominee changes following the by-election in Elgin North.

During discussion Councillor Divers stated that whilst the Northern Community Justice Authority had ceased to exist from 31 March 2017, the responsibilities had been transferred to the Moray Community Justice Partnership with effect from 1 April 2017 and he was aware from his attendance at the meetings of the Northern Community Justice Authority that elected member representation would still be required on the Moray Community Justice Partnership and questioned why this was not included on the list of appointments.

In response the Democratic Services Manager advised that no representation had been received from the Moray Community Justice Partnership seeking representation which was why it had not been included on the list.

The Head of Legal and Democratic Services advised that, if the Council was minded, this could be included as part of the consideration at this meeting and added to the end of the list.

It was agreed that this be added to the end of the list and that two representatives be sought.

Thereafter the Council agreed:

- (i) appointments to the outside bodies as detailed in paras (ii) – (xxix) with the exception of the undernoted to which it was agreed no appointments be made;
 - (a) Aberdeen City Council Pension Fund – Joint Investment Advisory Committee – replaced by North East Scotland Pension Fund – Pensions Board
 - (b) Earnhill Trust
 - (c) Moray Waste Busters (Board)

- (d) Out of Darkness Theatre Company
- (e) Scottish Councils' Committee on Radioactive Substances
- (f) Spey Fishery Board
- (g) Tomintoul & Glenlivet Landscape Partnership

(ii) ARMED FORCES AND VETERANS CHAMPION

Councillor W Wilson
Substitute: Councillor J Cowe

(iii) AUCHERNACK TRUST

Councillors G Alexander, L Creswell, C Feaver and A McLean

(iv) BANFFSHIRE EDUCATIONAL TRUST JOINT BOARD OF GOVERNORS

Councillor Allan seconded by Councillor Feaver moved that Councillors Shepherd, Gatt and Ross be appointed to the Board

As an amendment Councillor Morrison, seconded by Councillor Leadbitter moved that Councillors Laing, Warren and Coull be appointed to the Board

Councillor A McLean suggest that if the Administration Group were minded, that consideration is given to the representation consisting of two from the Administration Group and one from the SNP Group.

Councillor Eagle stated that this was acceptable and nominated Councillors Ross and Shepherd along with one representative from the SNP Group.

Councillor Morrison stated that Councillor Warren would be the SNP Group representative.

It was therefore agreed that Councillors D Ross, R Shepherd and S Warren be appointed to the Banffshire Educational Trust Joint Board of Governors.

(v) BOARD OF BUSINESS LOANS SCOTLAND

Councillor J Cowe

(vi) BUSINESS GATEWAY

Councillor J Cowe

(vii) CASTLE TO CATHEDRAL

Councillor R McLean

(viii) CITIZENS ADVICE BUREAU (CAB) BOARD OF DIRECTORS (ADVISERS)

Councillors J Divers and S Morrison

(ix) CITY OF ELGIN BUSINESS IMPROVEMENT DISTRICT (BID)

Councillor Allan seconded by Councillor Eagle moved that Councillor Divers be appointed to the Board and Councillor M McLean as Observer

As an amendment Councillor Morrison, seconded by Councillor A McLean moved that Councillor Leadbitter be appointed as Observer.

On a division there voted:

For the Motion (11): Councillors Allan, Eagle, Alexander, Cowie, Edwards, Feaver, Gatt, M McLean, Macrae, Shepherd and Wilson

For the Amendment (11): Councillors Morrison, A McLean, Bremner, Coull, Coy, Creswell, Divers, Laing, Leadbitter, Patience and Warren

Abstentions (1): Councillor Cowe

There being equality of votes, and in terms of Standing Order 62(e), the Chairman cast his casting vote in favour of the motion.

Accordingly the motion became the finding of the meeting and Councillor M McLean was appointed as Observer.

Thereafter it was agreed that Councillor Divers be appointed to Board and Councillor M McLean be appointed as Observer.

(x) CONVENTION OF THE HIGHLANDS & ISLANDS

Councillor G Alexander

(xi) COUNTY OF BANFF BURSARY FUND: BOARD OF GOVERNORS

Councillor Allan seconded by Councillor Macrae moved that Councillor Shepherd be appointed to the Board

As an amendment Councillor Morrison, seconded by Councillor A McLean moved that Councillor Warren be appointed to the Board

On a division there voted:

For the Motion (14): Councillors Allan, Macrae, Alexander, Cow, Cowie, Creswell, Divers, Eagle, Edwards, Feaver, Gatt, M McLean, Shepherd and Wilson.

For the Amendment (9): Councillors Morrison, A McLean, Bremner, Coull, Coy, Laing, Leadbitter, Patience and Warren.

Abstentions (0):

Accordingly the motion became the finding of the meeting and Councillor Shepherd was appointed to the Board.

(xii) DICK BEQUEST TRUST SCHEME

Councillor D Ross

(xiii) ELGIN CARS

Councillors J Divers, G Leadbitter and M McLean

(xiv) EQUALITIES CHAMPION

Councillor Allan seconded by Councillor Gatt moved that Councillor Edwards be appointed as Equalities Champion.

As an amendment Councillor Morrison, seconded by Councillor Leadbitter moved that Councillor Coy be appointed as Equalities Champion

On a division there voted:

For the Motion (14): Councillors Allan, Gatt, Alexander, Cowe, Cowie, Creswell, Divers, Eagle, Edwards, Feaver, M Mclean, Macrae, Shepherd and Wilson.

For the Amendment (9): Councillors Morrison, Leadbitter, Bremner, Coull, Coy, Laing, A McLean, Patience and Warren

Abstentions (0):

Accordingly the motion became the finding of the meeting and Councillor Edwards was appointed as Equalities Champion.

(xv) FINDHORN BAY LOCAL NATURE RESERVE MANAGEMENT COMMITTEE

Councillor C Feaver

(xvi) FORRES GOLF COURSE: BOARD OF TRUSTEES

Councillors L Creswell and A McLean

(xvii) FOUNDATION OF THE UNIVERSITY OF THE HIGHLANDS & ISLANDS (UHI)

Councillor Allan seconded by Councillor Wilson moved that Councillors R McLean and Feaver be appointed to the Foundation of the UHI.

As an amendment Councillor Leadbitter, seconded by Councillor Warren moved that Councillors Morrison and Patience be appointed to the Foundation of the UHI.

On a division there voted:

For the Motion (13): Councillors Allan, Wilson, Alexander, Cowe, Cowie, Creswell, Eagle, Edwards, Feaver, Gatt, M Mclean, Macrae and Shepherd.

For the Amendment (9): Councillors Morrison, Leadbitter, Bremner, Coull, Coy, Laing, A McLean, Patience and Warren

Abstentions (1): Councillor Divers

Accordingly the motion became the finding of the meeting and Councillors R McLean and C Feaver were appointed.

(xviii) GRAMPIAN VENTURE CAPITAL FUND LIMITED

Councillors J. Cowe and D Bremner

(xix) HIGHLAND AND MORAY AREA SUPPORT TEAM

Councillor F Brown and S Warren

(xx) HIGHLAND RESERVE FORCES & CADETS ASSOCIATION – NORTHERN AREA COMMITTEE

Councillor W Wilson

(xxi) HIGHLANDS AND ISLANDS EUROPEAN PARTNERSHIP

Councillor G Alexander

(xxii) HIGHLANDS AND ISLANDS TERRITORIAL COMMITTEE

Councillor G Alexander

(xxiii) JOINT ENERGY FROM WASTE PROJECT - ELECTED MEMBERS ENGAGEMENT GROUP

Councillors J Cowe, J Divers and G Leadbitter
Substitute – Councillor G Cowie

(xxiv) KNOCKANDO WOOLMILL TRUST

Councillor L Laing

(xxv) MORAY CHAMBER OF COMMERCE

Councillor J Cowe

(xxvi) MORAY ECONOMIC PARTNERSHIP

Councillor Allan seconded by Councillor Cowie moved that Councillor Cowe be appointed to the Moray Economic Partnership.

As an amendment Councillor Morrison, seconded by Councillor Warren moved that Councillor Leadbitter be appointed to the Moray Economic Partnership

On a division there voted:

For the Motion (13): Councillors Allan, Cowie, Alexander, Cowe, Creswell, Divers, Eagle Feather, Gatt, McLean, Macrae, Shepherd and Wilson.

For the Amendment (10): Councillors Morrison, Warren, Bremner, Coull, Coy, Edwards, Laing, Leadbitter A McLean and Patience.

Abstentions (0):

Accordingly the motion became the finding of the meeting and Councillor Cowe was appointed

(xxvii) MORAY LOCAL OUTDOOR ACCESS FORUM (LOAF)

Councillor L Laing

(xxviii) MORAY TWINNING ASSOCIATION

Councillor J Allan

(xxix) MORAY WOMEN'S AID - BOARD OF DIRECTORS

Councillors G Leadbitter
Substitute: Councillor P Coy

(xxx) NORTH EAST SCOTLAND AGRICULTURAL ADVISORY GROUP

Councillor Allan seconded by Councillor Gatt moved that Councillors Eagle and Feaver be appointed to the North East Scotland Agricultural Advisory Group.

As an amendment Councillor Morrison, seconded by Councillor Leadbitter moved that Councillors Bremner and Eagle be appointed to the North East Scotland Agricultural Advisory Group.

On a division there voted:

For the Motion (11): Councillors Allan, Gatt, Alexander, Cowie, Eagle, Edwards, Feaver, M McLean, Macrae, Shepherd and Wilson.

For the Amendment (11): Councillors Morrison, Leadbitter, Bremner, Coull, Cowe, Coy, Creswell, Laing, A McLean, Patience and Warren.

Abstentions (1): Councillor Divers.

There being equality of votes, and in terms of Standing Order 62(e), the Chairman cast his casting vote in favour of the amendment.

Accordingly the amendment became the finding of the meeting and it was agreed that Councillors Bremner and Eagle be appointed.

(xxxii) NORTH EAST SCOTLAND FISHERIES DEVELOPMENT PARTNERSHIP STRATEGY GROUP

Councillor Allan seconded by Councillor Macrae moved that Councillors Edwards and Cowie be appointed to the North East Scotland Fisheries Development Partnership Strategy Group.

As an amendment Councillor Morrison, seconded by Councillor Coull moved that Councillor Warren and one other from the Administration be appointed to the North East Scotland Fisheries Development Partnership Strategy Group.

On a division there voted:

For the Motion (10): Councillors Allan, Macrae, Cowie, Eagle, Edwards, Feaver, Gatt, M McLean, Shepherd and Wilson.

For the Amendment (12): Councillors Morrison, Leadbitter, Alexander, Bremner, Coull, Cowe, Coy, Creswell, Laing, A McLean, Patience and Warren.

Abstentions (1): Councillor Divers.

Accordingly the amendment became the finding of the meeting and it was agreed that Councillors Cowie and Warren be appointed.

(xxxii) NORTH EAST SCOTLAND PENSION FUND – PENSIONS BOARD

Councillor Allan seconded by Councillor Wilson moved that Councillor Cowe be appointed to the North East Scotland Pension Fund – Pensions Board.

As an amendment Councillor Morrison, seconded by Councillor Coy moved that Councillor Leadbitter be appointed to the North East Scotland Pension Fund – Pensions Board.

On a division there voted:

For the Motion (13): Councillors Allan, Wilson, Alexander, Cowe, Cowie, Creswell, Eagle, Edwards, Feaver, Gatt, M McLean, Macrae and Shepherd.

For the Amendment (9): Councillors Morrison, Coy, Bremner, Coull, Laing, Leadbitter, A McLean, Patience and Warren.

Abstentions (1): Councillor Divers.

Accordingly the motion became the finding of the meeting and it was agreed that Councillor Cowe be appointed.

(xxxiii) NORTH EAST SENSORY SERVICES (OBSERVER)

Councillor T Coull

(xxxiv) NORTHERN ROADS COLLABORATION COMMITTEE

Councillor Allan seconded by Councillor Edwards moved that Councillors Cowie and Macrae be appointed to the Northern Roads Collaboration Committee.

As an amendment Councillor Morrison, seconded by Councillor A McLean moved that Councillors Leadbitter and one other be appointed to the Northern Roads Collaboration Committee.

On a division there voted:

For the Motion (13): Councillors Allan, Edwards, Alexander, Cowe, Cowie, Creswell, Eagle, Feaver, Gatt, M McLean, Macrae, Shepherd and Wilson.

For the Amendment (9): Councillors Morrison, A McLean, Bremner, Coy, Coull, Laing, Leadbitter, Patience and Warren.

Abstentions (1): Councillor Divers.

Accordingly the motion became the finding of the meeting and it was agreed that Councillors Cowie and Macrae be appointed.

(xxxv) SCOTLAND EXCEL JOINT COMMITTEE

Councillor M Macrae

(xxxvi) SCOTTISH JOINT COUNCIL FOR LOCAL GOVERNMENT EMPLOYEES

Councillor Allan, seconded by Councillor Cowe, moved that Councillor Divers be appointed to the Scottish Joint Council for Local Government Employees.

As an amendment Councillor Morrison, seconded by Councillor Leadbitter, moved that Councillor Warren be appointed to the Scottish Joint Council for Local Government Employees

On a division there voted:

For the Motion (12): Councillors Allan, Cowe, Wilson, Alexander, Cowie, Creswell, Divers Eagle, Feaver, M McLean, Macrae and Shepherd.

For the Amendment (9): Councillors Morrison, Leadbitter, Coy, Bremner, Coull, Laing, A McLean, Patience and Warren.

Abstentions (2): Councillors Edwards and Gatt

Accordingly the motion became the finding of the meeting and it was agreed that Councillor Divers be appointed.

(xxxvii) SCOTTISH NATIONAL WAR MEMORIAL

Councillor W Wilson

SUSPENSION OF STANDING ORDERS

In terms of Standing Order 25, the Committee agreed to suspend Standing Orders and continue beyond 12.45 pm in order to conclude the business in the public section of the Agenda.

(xxxviii) SPEY FISHERY BOARD

During discussion Councillor Edwards moved that he would wish to nominate Councillor Macrae for appointment to the Spey Fishery Board.

As an amendment Councillor Morrison moved that Councillor Bremner be appointed.

Councillor Alexander stated that he could not see the relevance of the council being represented at this Board and moved that no appointment be made,

Councillor Morrison stated that she would be happy to withdraw her amendment and second the amendment put forward by Councillor Alexander.

The Democratic Services Manager advised that in terms of Standing Order 62 (d) as the amendment put forward by Councillor Alexander, seconded by Councillor Morrison, was in effect the direct negative not to appoint as opposed to appointing, a vote on whether to appoint or not to appoint would be required to be taken in the first instance. The outcome of the vote would determine whether any appointment is then made.

For clarification she advised that the motion would be to appoint and the amendment would be not to appoint.

On a division there voted:

For the Motion (7): Councillors Eagle, Edwards, Feaver, Gatt, Macrae, Shepherd and Wilson.

For the Amendment (15): Councillors Alexander, Morrison, Allan, Bremner, Coull, Cowe, Coy, Creswell, Divers, Laing Leadbitter, M McLean, Patience and Warren.

Abstentions (1): Councillor Cowie

Accordingly the amendment became the finding of the meeting and it was agreed that no appointment be made.

(xxxix) VICTIM SUPPORT

Councillor P Coy

(xl) MORAY COMMUNITY JUSTICE PARTNERSHIP

Councillor Alexander, seconded by Councillor Eagle moved that Councillor Divers be appointed to the Moray Community Justice Partnership.

As an amendment Councillor A McLean, seconded by Councillor Warren, moved that Councillors Divers and Morrison be appointed to the Moray Community Justice Partnership.

As a further amendment Councillor Cowie, seconded by Councillor Feaver moved that Councillors Divers and Shepherd be appointed to the Moray Community Justice Partnership.

Following discussion, Councillor Alexander, with the agreement of Councillor Eagle as seconder, withdrew his motion.

Accordingly the amendment by Councillor A McLean, seconded by Councillor Warren became the motion.

On a division there voted:

For the Motion (10): Councillors A McLean, Warren, Bremner, Coull, Coy, Creswell, Laing, Leadbitter, Morrison and Patience.

For the Amendment (13): Councillors Cowie, Feaver, Alexander, Allan, Cowe, Divers, Eagle, Edwards, Gatt, M McLean, Macrae, Shepherd and Wilson

Abstentions (0):

Accordingly the amendment became the finding of the meeting and it was agreed that Councillors Divers and Shepherd be appointed.

- (ii) noted the Administration Group committee changes following the by-election in Elgin North as detailed in Section 5 of the report.

18. QUESTION TIME

Under reference to paragraph 8(ii) of the minute of the meeting of Moray Council dated 17 and 24 May 2017 Councillor Creswell sought clarification on the CoSLA appointments which appeared to differ from those mentioned at a recent meeting she had attended at CoSLA. She further queried where criminal justice sat locally as it did not appear on the list contained within the Minute but was included in the CoSLA meeting of the Community and Wellbeing Committee she had attended.

In response the Chief Executive advised that the minute is consistent with the new CoSLA arrangements and it may be a little confusing as there is now a Convention, Leaders Meeting and Boards and there are 3 tiers with the Convention meeting quarterly, the Leaders meeting monthly and the Boards meeting on another cycle. He advised that he would double check.

He further advised that criminal justice is a dimension to the governance of

Community Planning that was still to be finalised and that officers were currently working on the Local Outcome Improvement Plan which the Community Planning Partnership will be required to deliver and until that is signed off and there is a clearer understanding of the priorities in terms of that Outcome Agreement then some of the detail around not only criminal justice arrangement but also for issues such as poverty and inclusion can then be finalised. He further advised that this had been discussed at the meeting of the Community Planning Board on 26 September 2017 and a link had been made between criminal justice and the Community Planning Partnership and was work in progress.

Under reference to paragraph 15 of the minute of the meeting of Moray Council dated 29 June 2017 Councillor Warren sought an update on when a report on the use of CCTV in dog fouling hotspots would be submitted and for confirmation that all notices had been updated in relation to the VAT issue raised.

In response to the question regarding the report in respect of dog fouling, the Corporate Director (Economic Development, Planning and Infrastructure) advised that she would check what was happening in regard to the report and circulate the response to Members.

In response to the question regarding the VAT issue the Head of Legal and Democratic Services advised that he did not have the information to hand but would check and advise Cllr Warren accordingly out with the meeting.

Councillor Alexander sought an update on the situation in regard to the proposed traffic lights at the junction of Orchard Road and St Catherine's Road, Forres

In response the Corporate Director (Economic Development, Planning and Infrastructure) advised that she would investigate and advise Councillor Alexander.

Councillor Warren sought an update in regard to the issue of lead in the water at some of the council's primary schools.

In response the Corporate Director (Economic Development, Planning and Infrastructure) advised that she would circulate updated information to all Members and that it was her understanding that there was discussions relating to one school where there was the potential of replacing water mains arrangements for that school and that there was further testing ongoing in two others.

ADJOURNMENT OF MEETING

In terms of Standing Order 25 the Meeting agreed to adjourn at 13.00 pm for lunch and reconvene at 14.00 pm.

RESUMPTION OF MEETING

PRESENT

Councillors J Allan (Convener), G Alexander (Council Leader), T Coull, J Cowe, G Cowie, P Coy, L Creswell, J Divers, T Eagle, D Gatt, L Laing, G Leadbitter, M Macrae, A McLean, M McLean, S Morrison, A Patience, R Shepherd, S Warren and W Wilson.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors D Bremner, F Brown, R Edwards, C Feaver, R McLean and D Ross.

IN ATTENDANCE

The Chief Executive, the Corporate Director (Economic Development, Planning & Infrastructure), the Head of Legal and Democratic Services, the Housing Strategy and Development Manager, the Housing Services Manager and the Democratic Services Manger as Clerk to the Council.

19. REVIEW OF HOUSING MANAGEMENT SERVICES [PARA 1]

A report by the Corporate Director (Economic Development, Planning and Infrastructure) reported proposed changes to the management structure for housing services and housing needs.

Following consideration the Council agreed to:

- (i) note and agree the proposed staffing restructure with an annual saving to the Housing Revenue Account (HRA) of £28k;
- (ii) implement the proposed change effective from 3 January 2018; and
- (iii) commend the staff for the work that had gone into the review.

20. EARLY LEARNING & CHILDCARE EXPANSION [PARA 8]

A report by the Corporate Director (Education and Social Care) presented Moray Council's initial Delivery Plan for the expansion of Early Learning and Childcare provision across Moray.

Following consideration the Council agreed to:

- (i) approve the initial Early Learning & Childcare Expansion Delivery Plan for submission to the Scottish Government by 29 September 2017 as set out in Appendix 1;
- (ii) approve indicative spend for the Early Learning & Childcare ring-fenced revenue and capital grants for 2017-18 as set out in paragraphs 4.5 and 4.6 of the report; and
- (iii) grant delegated authority to the Head of Lifelong Learning, Culture and Sport to authorise payments from the indicative grant funding of £100,000 (£80,000 for infrastructure improvement projects and £20,000 for training and development) to funded providers for projects which meet the criteria set out in paragraph 4.5 of the report, with payments:

- (a) being made on a priority basis determined by the Head of Lifelong Learning, Culture and Sport;
- (b) subject to such conditions as the Head of Lifelong Learning, Culture and Sport consider appropriate; and
- (c) being reported periodically to the Children and Young People's Services Committee.