

THE MORAY COUNCIL
MINUTE OF MEETING OF THE POLICY & RESOURCES COMMITTEE
TUESDAY 18 MARCH 2014
COUNCIL OFFICE, ELGIN

Present

Councillors A. Wright (Chair), S. Cree (Deputy Chair), G. Coull, J. Cowe, L. Creswell, J. Divers, G. Leadbitter, E. McGillivray, P. Paul, R. Shepherd and A. Skene.

Also Present

Councillors J. Allan, M. McConachie and C. Tuke.

Apologies

Apologies for absence were intimated on behalf of Councillors P. Gowans and M. Shand.

In Attendance

The Chief Executive, the Corporate Director (Corporate Services), the Acting Corporate Director (Environmental Services), the Head of Financial Services, the Head of Legal and Democratic Services, the Head of Human Resources and ICT, the Head of Lifelong Learning, Culture and Sport, the Head of Direct Services, the Acting Head of Housing and Property, the Estates Manager, the Property Resources Manager, the Housing Strategy & Development Manager, the Planning & Economic Development Manager, the Customer Services Manager, the Democratic Services Manager, the Legal Services Manager (Licensing and Litigation), Mr A. McEachan, Legal Services Manager (Property and Contracts), Mr P. Nevin, Senior Solicitor (Property and Contracts), Mrs L. Paisey, Principal Accountant, the Sports Development Officer, the Asset Management Coordinator and Mr D. Westmacott, Committee Services Officer, as Clerk to the meeting.

1. ORDER OF BUSINESS

The Chair advised that Item 16 'Community Asset Transfer: Aberlour Community Association' had been withdrawn to allow for an accurate valuation of the property to be obtained and clarity to be provided on the proposed rental figure.

2. ADDITIONAL ITEM OF BUSINESS

In terms of Standing Order 28 (d), the Committee agreed to accept, as an additional item of business to be transacted at the meeting and taken as Item 18 (a) on the Agenda, a report by the Corporate Director (Corporate Services) in regard to the broadband service on the basis of the Chairman certifying that, in his opinion, it required to be considered on the grounds of urgency in order to give early

consideration to the Council drawing down services from the national Scotland Wide Area Network (SWAN).

3. DECLARATION OF GROUP DECISIONS AND MEMBERS INTERESTS

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 Members' 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>Paragraph No. of Minute</u>	<u>Paragraph No. of Schedule 7A</u>
21	2
22	6
23	6 & 9
24	6
25	1
26	8
27	6

5. WRITTEN QUESTIONS

The Committee noted that no written questions had been submitted.

6. CHARGING FOR SERVICES

There was submitted a report by the Corporate Director (Corporate Services) requesting that the Committee approve the revised Charging for Services Policy and approve fees and charges for Council services for 2014/15. A copy of the revised Charging for Services Policy was provided as Appendix 1 to the report.

Following consideration, the Committee agreed:-

- (i) to approve the Charging for Services Policy, as set out in Appendix 1 of the report;
- (ii) the charges set out in Appendices 2 and 3 of the report;
- (iii) to note that the licence fees approved by the Licensing Committee on 3 December 2013 are the subject of a separate report on the agenda;

- (iv) to note that all other charges within the control of the Council were approved by The Moray Council at its' special meeting on 11 February 2014, either individually or as being increased by inflation (2.5%); and
- (v) to note that a full list of Council Charges for 2014/15 will be posted on the Members Portal and online.

7. REVIEW OF LICENSING FEES INCLUDING APPLICATIONS MADE UNDER THE CIVIC GOVERNMENT (SCOTLAND) ACT 1992 AND OTHER ACTS

Under reference to paragraph 3 of the minute of the special meeting of the Licensing Committee dated 11 February 2014, there was submitted a report by the Corporate Director (Corporate Services) inviting the Committee to consider and approve the licensing fees agreed by the Council's Licensing Committee on 11 February 2014.

Following consideration, the Committee approved the proposed changes to the licensing fees, as set out in Appendix 1 of the report.

8. MERGING OF CUSTOMER SERVICES AND THE REVENUES SECTION

Under reference to paragraph 15 of the minute of The Moray Council dated 28 September 2011, there was submitted a report by the Corporate Director (Corporate Services) seeking approval from the Committee for the project plan detailing the merger of Customer Services, the Benefits Section and the Taxation Service (Council Tax and Non-Domestic rates).

Following consideration, the Committee agreed to:-

- (i) approve the Project Plan, as set out in Appendix 3 of the report, detailing the merger of Customer Services, the Benefits Service and the Taxation Service (Council Tax and Non-Domestic Rates); and
- (ii) receive progress reports on completion of the 4 tranches referred to in paragraph 6.2 of the report.

9. FORRES OUT OF SCHOOL CLUB BUDGET REQUEST

Under reference to paragraph 25 of the minute of the Children and Young People's Services Committee dated 5 March 2014, there was submitted a report by the Corporate Director (Education and Social Care) inviting the Committee to consider creating a budget to act as a subsidy against the loss for the Forres Out of School Club should it fail to achieve full cost recovery status following the decision of the Children and Young People's Services Committee of 5 March 2014 not to close the Club.

The Chair, seconded by Councillor McGillivray, moved that the Committee do not create a budget to allow The Moray Council to continue to subsidise the Forres Out of School Club.

As an amendment, Councillor Skene moved that the Committee agree to create a budget to allow The Moray Council to continue to subsidise the Forres Out of School Club. This was seconded by Councillor Divers.

On a division, there voted:-

For the Motion (8): Councillors Wright, McGillivray, Coull, Cowe, Cree, Leadbitter, Paul and Shepherd.

For the Amendment (3): Councillors Skene, Divers and Creswell.

Abstentions (0)

Accordingly, the motion became the finding of the meeting and the Committee agreed not to create a budget to allow The Moray Council to continue to subsidise the Forres Out of School Club.

The Head of Legal and Democratic Services advised that by agreeing not to create a budget to allow The Moray Council to continue to subsidise the Forres Out of School Club and in view of the lengthy history of this matter, the matter would be referred to The Moray Council for resolution under Section II Paragraph 7 of the Council's Administrative Scheme on the grounds that the decision is in conflict with that made by another Committee of the Council.

Thereafter, the Committee agreed:-

- (i) not to create a budget to allow The Moray Council to continue to subsidise the Forres Out of School Club; and
- (ii) to note that, in agreeing (i) above, the matter would be referred to The Moray Council for resolution under Section II Paragraph 7 of the Council's Administrative Scheme on the grounds that the decision is in direct conflict with that made by another Committee of the Council.

10. ECONOMIC DEVELOPMENT BUDGET

Under reference to paragraph 13 of the minute of the Economic Development and Infrastructure Services Committee dated 11 March 2014, there was submitted a report by the Acting Corporate Director (Environmental Services) seeking approval from the Committee for funding contributions in 2015/16 and 2016/17 that will support economic development in Moray. A copy of the business cases for Tourism Development (Moray Chamber of Commerce) and Economic Research Intelligence Unit (University of Highlands and Islands) were provided as Appendix 1 and 2 respectively.

Following consideration, the Committee agreed to contribute:-

- (i) £20,000 per annum towards Tourism Development (Moray Chamber of Commerce) for financial years 2015/16 and 2016/17; and

- (ii) £5,000 per annum towards the establishment of an Economic Research Intelligence Unit (University of Highlands and Islands) for financial years 2015/16 and 2016/17.

11. EMPLOYMENT POLICY FRAMEWORK REVIEW

There was submitted a report by the Corporate Director (Corporate Services) requesting that the Committee consider and approve the revised Recruitment and Selection Policy.

Following consideration, the Committee agreed to approve the revised Recruitment and Selection Policy, as set out in Appendix 1 of the report, which has been amended to incorporate and reflect other policy and practice changes over time.

12. GENERAL PROPERTY PORTFOLIO – REPAIRS AND MAINTENANCE

Under reference to paragraph 5 of the minute of this Committee dated 8 October 2013, there was submitted a report by the Acting Corporate Director (Environmental Services) presenting the Committee with proposals for the Repairs and Maintenance programme to the General Property Portfolio for financial year 2014/15.

Following consideration, the Committee agreed to approve the proposals for Repairs and Maintenance expenditure on the General Property portfolio for financial year 2014/15, as detailed in Appendix 1 of the report.

13. CUSTOMER SATISFACTION INFORMATION

There was submitted a report by the Corporate Director (Corporate Services) to enable the Committee to consider the results of a series of surveys conducted at each of the Local Access Points during the week commencing 7 October 2013.

Following consideration, the Committee agreed to note the:-

- (i) results of the customer satisfaction surveys undertaken at each of the Local Access Points, as detailed in Appendix 1 of the report; and
- (ii) actions planned to address issues raised in the survey, as set out in Appendix 4 of the report.

14. CUSTOMER SATISFACTION RESULTS FOR DEMOCRATIC SERVICES AND THE REGISTRATION SERVICE 2013

There was submitted a report by the Corporate Director (Corporate Services) requesting that the Committee consider the results of the Customer Satisfaction Surveys undertaken for Committee Services, Members Support and the Registration Service.

Following consideration, the Committee agreed:-

- (i) to note the contents of the report in relation to customer satisfaction results for Democratic Services and the Registration Service, as detailed in Section 4 and Appendix 1 of the report;
- (ii) to note the proposed service improvements, as detailed at paragraphs 4.5.1, 4.5.2 and 4.5.3(f) to (h) of the report; and
- (iii) the proposals for Centralisation of the Registration Service, as set out in paragraphs 4.5.3 (i) to (o) of the report.

15. SUMMARY OF AUDIT SCOTLAND'S REPORT – SCOTLAND'S PUBLIC SECTOR WORKFORCE

There was submitted a report by the Corporate Director (Corporate Services) advising the Committee of the findings from Audit Scotland's Report "Scotland's Public Sector Workforce".

Following consideration, the Committee agreed:-

- (i) to note the contents of the report in relation to the findings from Audit Scotland's report 'Scotland's Public Sector Workforce'; and
- (ii) the proposed actions, as set out in Section 4 of the report:-
 - (a) that services use a consistent approach and template as a base point for workforce planning;
 - (b) that Workforce planning will be reviewed annually by services as part of service plan preparation; and
 - (c) that service plans will highlight any areas identified from workforce planning that require particular action.

16. SINGLE OUTCOME AGREEMENT – COMMUNITY PLAN MONITORING

There was submitted a report by the Chief Executive requesting that the Committee consider and scrutinise progress against completion of key actions and underlying milestones that address Community Plan outcomes as at Quarter 3 (December 2013).

Following consideration, the Committee agreed to note progress against completion of the Community Plan key actions and milestones as at Quarter 3 (December 2013), as detailed in Section 4 of the report.

17. FUNDING FOR COMMUNITY COUNCILS, LOCAL AREA FORUMS AND OTHER COMMUNITY GROUPS

Councillor Cowe left the meeting during deliberation of this item.

There was submitted a report by the Corporate Director (Corporate Services) providing the Committee with an opportunity to review the basis upon which grant funding is provided to support community councils, local area forums and other community groups.

During discussion, and in response to advice from the Corporate Director (Corporate Services), the Chair moved that arrangements for the future funding administration grants to community councils, local area forums and other community groups, remain as at present for financial year 2014/15 and consultation be held with community groups – including community councils, local area forums and community associations– and tsiMoray on alternative mechanisms for providing administration funding and report back to the Committee accordingly.

There being no one otherwise minded, the Committee agreed:-

- (i) that arrangements for the future funding administration grants to community councils, local area forums and other community groups, remain as at present for financial year 2014/15; and
- (ii) to consult with community groups – including community councils, local area forums and community associations– and tsiMoray on alternative mechanisms for providing administration funding and report back to the Committee accordingly.

18. COMMUNITY ASSET TRANSFER: JAMES MILNE INSTITUTE, FINDHORN

There was submitted a report by the Head of Community Care seeking approval from the Committee to a Community Asset Transfer (CAT) of the former Street Cleaner's Store in Findhorn to James Milne Institute at nil consideration.

Following consideration, the Committee agreed to:-

- (i) approve the Community Asset Transfer of the former Street Cleaner's Store in Findhorn to the James Milne Institute at nil consideration; and
- (ii) remit the matter to the Legal Services Manager (Property and Contracts) to effect the transfer.

19. QUESTION TIME

There were no questions raised.

20. COUNCIL BROADBAND SERVICE [PARAS 8 AND 9]

There was submitted a report by the Corporate Director (Corporate Services) updating the Committee on securing the future of the Council's broadband service and seeking approval for this to be delivered by drawing down services from the national Scotland Wide Area Network (SWAN).

Following consideration, the Committee agreed:-

- (i) to note that the Detailed Business Case confirms that procuring broadband for the Council through the Scotland Wide Area Network (SWAN) is the best value solution for the Council;
- (ii) to provide for the future delivery of the Council's broadband service by drawing down services from the national SWAN via formal engagement with Capita through signing-up to an appropriate contract;
- (iii) to enter into membership of SWAN through an appropriate Membership Agreement that will include a level of contributions towards shared service cost; and
- (iv) that Pathfinder North (PfN) extends their successful Partnership with Highland Council in the role of Lead Partner; maintains their position as a Key Vanguard Partner and completes a revised Pathfinder North Minute of Agreement.

21. TRUST PROPERTIES IN ELGIN [PARA 2]

There was submitted a report by the Head of Legal and Democratic Services providing the Committee with options for the future management of Elgin trust cottages.

Following consideration, the Committee agreed:-

- (i) to note the options for the future management of the Elgin trust cottages, as set out in Section 7 and 8 of the report; and
- (ii) that Option J1, as detailed in paragraph 7.1, and Option L1, as detailed in paragraph 8.1, are the preferred options and that officers report back to Policy and Resources Committee with detailed proposals on these options.

22. MORAY LEISURE CENTRE: MANAGEMENT FEE 2014 [PARA 6]

There was submitted a report by the Corporate Director (Corporate Services) requesting that the Committee consider the management fee and contribution towards capital expenditure, requested by Moray Leisure Limited for the financial year 2014/15.

Following consideration, the Committee agreed to the requests from Moray Leisure Limited:-

- (i) to increase their annual management fee for 2014/15; and
- (ii) for a contribution in 2014/15 to assist Moray Leisure Limited to undertake capital expenditure projects.

23. PURCHASE OF LAND AT ALEXANDRA ROAD, KEITH [PARAS 6 & 9]

Under reference to paragraph 19 of the minute of the Communities Committee dated 4 March 2014, there was submitted a report by the Acting Corporate Director (Environmental Services) asking the Committee to approve the purchase of a site at Alexandra Road, Keith to facilitate its future development for affordable housing.

Following consideration, the Committee agreed to:-

- (i) acquire the land at Alexandra Road, Keith on the main terms as detailed in paragraph 5.1 of the report; and
- (ii) remit the matter to the Legal Services Manager (Property and Contracts) to conclude the purchase of the property.

24. INSURANCE PREMIUM TENDER [PARA 6]

Councillor Cowe re-joined the meeting.

There was submitted a report by the Corporate Director (Corporate Services) asking the Committee to consider the tender for the Council's Insurance contract.

During discussion, the Chair moved that the Committee agree to instruct officers to investigate the feasibility and merits of self-insuring. This was unanimously agreed.

Following consideration, the Committee agreed to:-

- (i) accept the tender received, as detailed in Section 4 of the report, for the Council's insurance contract, lasting 3 years with the option to extend for a further 2 years; and
- (ii) instruct officers to investigate the feasibility and merits of self-insuring.

25. SERVICE REDESIGN – HARBOURS [PARA 1]

Under reference to paragraph 18 of the minute of the Economic Development and Infrastructure Services Committee dated 11 March 2014, there was submitted a report by the Acting Corporate Director (Environmental Services) asking the Committee to consider a recommendation from the Economic Development and Infrastructure Services Committee to approve a proposal for a new job profile and specification for a 'Development and Operations Manager – Harbours' to manage the harbours.

Following consideration, the Committee agreed to approve the recommendation of the Economic Development and Infrastructure Services Committee on 11 March 2014 to change the remit of the post that currently has responsibility for the harbours to support the potential development opportunities for the Council's harbour operations.

26. GLASGOW 2014 CEREMONY OPPORTUNITIES [PARA 8]

There was submitted a report by the Corporate Director (Education and Social Care) inviting the Committee to consider the level of this authority's involvement in attending various ceremonies planned that are associated with the 2014 Commonwealth Games in Glasgow.

The Chairman moved that authority be delegated to the Corporate Director (Education & Social Care), in consultation with Group Leaders, to determine the appropriate gift to present to each of the Council's assigned second teams; the Committee agree to send representatives to the Glasgow 2014 Village Welcome Ceremonies and Opening Ceremony and delegate authority to the Corporate Director (Education & Social Care), in consultation with Group Leaders, to determine appropriate representatives and agree the additional budget required.

There being no one otherwise minded, the Committee agreed to:-

- (i) delegate authority to the Corporate Director (Education & Social Care), in consultation with Group Leaders, to determine the appropriate gift to present to each of the Council's assigned second teams;
- (ii) send representatives to the Glasgow 2014 Village Welcome Ceremonies and Opening Ceremony and delegated authority to the Corporate Director (Education & Social Care), in consultation with Group Leaders, to determine appropriate representatives; and
- (iii) the additional budget required, as detailed in paragraph 5 (c) of the report.

27. ROTHES FLOOD SCHEME COMPENSATION ISSUE [PARA 6]

There was submitted a report by the Acting Corporate Director (Environmental Services) seeking authorisation from the Committee for payment of compensation to a resident couple in Rothes.

Following consideration, the Committee, agreed to pay compensation to a resident couple in Rothes, as recommended.