



Leaders Item 02

MINUTE OF MEETING OF LEADERS (DRAFT)

Friday, 30 October 2020 at 1310hrs
Microsoft Teams

Present

COSLA President	Councillor Alison Evison
COSLA Vice President	Councillor Graham Houston
Aberdeen City Council	Jonathan Belford (Substitute)
Aberdeen City Council	Councillor Douglas Lumsden
Aberdeenshire Council	Jim Savege
Aberdeenshire Council	Councillor Jim Gifford
Angus Council	Mark Armstrong (Substitute)
Angus Council	Councillor David Fairweather
Argyll and Bute Council	Pippa Milne
Argyll and Bute Council	Councillor Robin Currie
City of Edinburgh Council	Andrew Kerr
City of Edinburgh Council	Councillor Claire Miller
City of Edinburgh Council	Councillor Adam McVey
Clackmannanshire Council	Nikkie Bridle
Clackmannanshire Council	Councillor Ellen Forson
Comhairle nan Eilean Siar	Malcolm Burr
Comhairle nan Eilean Siar	Councillor Roddie Mackay
Dumfries and Galloway Council	Gavin Stevenson
Dumfries and Galloway Council	Councillor Rob Davidson
Dumfries and Galloway Council	Councillor Gail Macgregor
COSLA Spokesperson	David Martin
Dundee City Council	Councillor John Alexander
Dundee City Council	Councillor Douglas Reid
East Ayrshire Council	Councillor Elena Whitham
East Ayrshire Council	Gerry Cornes
COSLA Spokesperson	Councillor Vaughan Moody
East Dunbartonshire Council	Councillor Andrew Polson
East Dunbartonshire Council	Monica Patterson
East Dunbartonshire Council	Councillor Stuart Currie
East Lothian Council	Councillor Norman Hampshire (Substitute)
East Lothian Council	Lorraine McMillan
COSLA Spokesperson	
East Lothian Council	
East Renfrewshire Council	

East Renfrewshire Council	Councillor Tony Buchanan
Falkirk Council	Kenneth Lawrie
Falkirk Council	Councillor Cecil Meiklejohn
Fife Council	Steve Grimmond
Fife Council	Councillor David Alexander
Fife Council	Councillor David Ross
Glasgow City Council	Annemarie O'Donnell
Glasgow City Council	Councillor Susan Aitken
Highland Council	Donna Manson
Highland Council	Councillor Margaret Davidson
Inverclyde Council	Aubrey Fawcett
Inverclyde Council	Councillor Stephen McCabe
COSLA Spokesperson	Dr Grace Vickers
Midlothian Council	Councillor Russell Imrie (Substitute)
Midlothian Council	Councillor Kelly Parry
COSLA Spokesperson	Roderick Burns
Moray Council	Councillor Graham Leadbitter
Moray Council	Russell McCutcheon (Substitute)
North Ayrshire Council	Councillor Joe Cullinane
North Ayrshire Council	Des Murray
North Lanarkshire Council	Councillor Paul Kelly (Substitute)
North Lanarkshire Council	John Mundell
Orkney Islands Council	Councillor Steven Heddle
Orkney Islands Council	Councillor James Stockan
COSLA Spokesperson	Karen Reid
Orkney Islands Council	Councillor Peter Barrett
Perth and Kinross Council	Councillor John Duff (Substitute)
Perth and Kinross Council	Laura McIntyre (Substitute)
Perth and Kinross Council	Councillor Iain Nicolson
Renfrewshire Council	David Robertson (Substitute)
Renfrewshire Council	Councillor Shona Haslam
Scottish Borders Council	Maggie Sandison
Scottish Borders Council	Councillor Steven Coutts
Shetland Islands Council	Eileen Howat
Shetland Islands Council	Councillor Peter Henderson
South Ayrshire Council	Clealand Sneddon
South Ayrshire Council	Councillor John Ross
South Lanarkshire Council	Kevin Kelman (Substitute)
South Lanarkshire Council	Councillor Scott Farmer
Stirling Council	Joyce White
Stirling Council	Councillor Jonathan McColl
West Dunbartonshire Council	Graham Hope
West Dunbartonshire Council	Councillor Lawrence Fitzpatrick
West Lothian Council	
West Lothian Council	

Apologies

Aberdeen City Council	Angela Scott*
Angus Council	Margo Williamson*
East Ayrshire Council	Fiona Lees
East Lothian Council	Councillor William Innes*
Midlothian Council	Cllr Derek Milligan*
North Ayrshire Council	Craig Hatton*
North Lanarkshire Council	Councillor Jim Logue*
Perth and Kinross Council	Councillor Murray Lyle*
Renfrewshire Council	Sandra Black*
Scottish Borders Council	Tracey Logan*
Stirling Council	Carol Beattie*

**Denotes substitute provided
Apologies were recorded where notified in advance*

Public Session

1. Introduction

The President welcomed those present and provided guidance on how the meeting would be conducted remotely using Microsoft Teams. Apologies and substitutes had been noted separately for the Minute.

2. Draft Minutes of Leaders' Meetings held on 25 September and 26 October 2020 (papers)

The draft Minutes of the COSLA Leaders' meetings held on 25 September and 26 October 2020 were accepted as a true record.

3. EU Exit Update (paper)

Leaders were updated on progress and the potential implications of the ongoing negotiations around the future partnership between the European Union and the United Kingdom. The paper took Leaders through some of the priority areas for Scottish Local Government on which COSLA continued to apply significant ongoing effort.

COSLA officers recognised the comments and concerns raised by Leaders e.g. in relation to UK Internal Market Bill, Fisheries, Migration, Freeports, Environmental Health, and Border Infrastructure at ports. Leaders were assured that these concerns would continue to be fed into ongoing discussions with UK and Scottish Governments and other relevant bodies.

Leaders:

- (i) noted the updated positions on the key areas of interest and the on-going dialogue in which COSLA politicians and officers were engaged;
- (ii) noted particularly that we were now actively preparing for No Deal at the end of the Transition Period;
- (iii) welcomed the additional funding provided to create Compliance/Technical Officer posts to support the work of Environmental Health Officers, but agreed the work continue to seek adequate resourcing for increased demands on the service; and
- (iv) agreed that Leaders and councils be kept updated on key developments.

4. Social Renewal Advisory Board (paper)

The paper updated Leaders on Phase Two of the work of the Social Renewal Advisory Board and sought agreement on COSLA's continued manner of involvement, as members of the Board began the process of drafting final recommendations and a report. The paper also gave a summary of the work of the Social Renewal Advisory Board to date and the approach to drafting the final report, proposed by Cabinet Secretaries at a meeting of the Board earlier in October 2020.

Leaders noted that COSLA's response would be prepared in consultation with local authorities but that the report itself would be written independently of Scottish Government or COSLA politicians.

Leaders:

- (i) noted the Social Renewal Advisory Board's proposed 'Reporting Approach and Framework', as outlined at paragraphs 7-10 in the paper, and the potential implications for Local Government of this process; and

- (ii) agreed that Cllr Alison Evison and Cllr Elena Whitham continue to represent COSLA on the Social Renewal Advisory Board, but without any direct involvement in drafting the final report, and now withdrawing from the supporting Policy Circles.

5. Trauma Informed Workforce Elected Members' Briefing (paper)

The paper outlined a proposed Elected Members' briefing regarding the shared ambition to take trauma informed approach to recovery in Scotland. The aim of this work was to ensure services were delivered in ways which prevented further harm or re-traumatisation for those who had experienced psychological trauma or adversity at any stage in their lives. The paper sought Leaders' commitment to support awareness raising and understanding across all elected members in Scotland as part of achieving this goal.

Leaders highlighted the significant amount of work that would be necessary to deliver on these aims and noted that resourcing would be a key part of discussions.

Leaders:

- (i) committed to sharing the briefing locally and encouraging Elected Members to help achieve the ambition of a trauma-informed approach to recovery.

6. COSLA Annual Conference 2021 (paper)

Leaders were aware that the COSLA Annual Conference normally took place in and around this time of year. The report provided Leaders with an update on revised arrangements under consideration for the Annual Conference 2020/21. In light of the COVID-19 pandemic, and having taken into account political soundings, and views from COSLA's sponsorship and commercial partners, an Annual Conference in its traditional sense or indeed any form within the current financial year was not considered to be the way forward.

Leaders acknowledged that the timeframe to host an Excellence Awards Ceremony in March 2021 would be too tight given the significant amount of time and effort involved. In the absence of this year's event, it was suggested that COSLA's Communications Team might consider other ways to celebrate how successful the workforce in Scottish Local Government had been.

Leaders:

- (i) agreed to miss a year and bring the COSLA Annual Conference and the Excellence Awards back in October/November 2021; and
- (ii) agreed that COSLA officers further explore options for an online mini-conference with speakers centred around the framework of the Convention in March 2021.

Private Session

7. Local Government Finance Update (paper)

The report sent to Leaders earlier in the week had presented the current situation as far as COSLA knew. It had provided Leaders with an update at that point in time on the fiscal flexibilities, the loss of income scheme for councils, latest position in relation to consequential, and follow up actions from the last meeting of Leaders. It also provided an update on funding for Health and Social Care, and the most recent announcements and developments in relation to additional business grant support.

However, things were moving quickly in relation to the commitments made in the Scottish Government's Strategic Framework around support for businesses, and Local Government's

key role. An Addendum to the paper had therefore been issued to ask Leaders to consider an additional recommendation, noting that there were still discussions required at officer level.

Leaders were advised that COSLA had just heard that the Cabinet Secretary for Finance had written to the Finance and Constitution Committee to propose that the Scottish Budget be announced the first week in February 2021. In this letter, the Cabinet Secretary had outlined her position and the reasons for this timing. The request obviously needed to be considered by the Committee, but would mean a Parliamentary timetable during February, concluding first week of March. Whilst later than Local Government would ideally like, it did at least provide some certainty in an otherwise uncertain landscape. Cllr Gail Macgregor commented that the Cabinet Secretary hoped to speak to her shortly on this.

Several points were discussed in relation to the information presented and COSLA officers responded to a range of Leaders' questions. The main areas discussed were covered within the recommendations.

Amendment

An amendment to the recommendations was proposed by Cllr Peter Kelly and seconded by Cllr Lawrence Fitzpatrick, which was unanimously agreed as shown in italics (viii) below.

Accordingly, Leaders:

- (i) agreed the Principles (appended at Annex A in the paper) that would guide the loss of income scheme for councils and their ALEOs;
- (ii) confirmed that Cllr Gail Macgregor meets with the Cabinet Secretary for Finance as soon as possible to ensure that Local Government in Scotland was supported in an equivalent way to English councils (i.e. through consequentials equivalent to the £1b announced on 22 October 2020);
- (iii) agreed formally that Local Government would deliver the additional £20m business support to soft play businesses, nightclubs and businesses with furloughed employees as set out at paragraphs 28 and 29;
- (iv) in relation to any previous business grants surplus and cultural funding, agreed whether or not any further action was required at this time;
- (v) provided a view on actions that should now be taken to encourage early decisions by Scottish Government that provided certainty and stability for at least the next financial year, including around the setting of Council Tax;
- (vi) agreed that the revenue funding "ask" for 21/22 was constructed using the various elements set out in paragraph 51, with a similar approach taken for capital;
- (vii) in relation to a Fiscal Framework for Local Government, agreed that:
 - (a) work on a Council Tax replacement and work on returning Non-Domestic Rates to local control be deferred until later in 2021;
 - (b) starting with the basis for fair funding set out in paragraph 50, officers seek to work jointly with the Scottish Government at pace on a base budget for Local Government (including principles and rules) which ensured stability as a starting point and sustainable funding going forward; and
 - (c) from April 2021 onwards, officers recommence discussions on:
 - discretionary taxes as a means of raising revenue to support economic investment locally; and

- the development of tangible, workable options for councils and their partners around innovative investment for inclusive economic recovery and engage the Scottish Government in this work.

(viii) *agreed in relation to the response to the COVID pandemic, Leaders:*

- (a) *note the significant level of consequentials yet to be allocated;*
- (b) *express their concerns that many businesses and individuals would be adversely affected by the restrictions introduced under the new strategic framework of tiers without adequate financial support that would help keep people in employment and businesses viable; and*
- (c) *agree to request that the Scottish Government, as a matter of urgency, reviews the financial support framework in the context of the new strategic framework of tiers and engages with Local Government, to ensure as many businesses and individuals as possible were adequately supported.*

Additional Recommendation as outlined in Addendum

Further, Leaders agreed in principle that Local Government delivers this ongoing support for business subject to the following:

- (a) Scottish Government provides local authorities with detailed guidance on eligibility criteria grants;
- (b) further work was done with local authorities to minimise the additional administrative burden on councils; and
- (c) Grant offers were made to each local authority in advance of payments being made to businesses.

8. Independent Review of Adult Social Care (paper)

The paper updated Leaders on the Independent Review of Adult Social Care which had been announced as part of the Programme for Government. It also provided a note of strategic positions and principles on which COSLA could provide a submission to the Review.

Leaders:

- (i) agreed the principles outlined in paragraph 10 in the paper as those which would underpin the COSLA submission to the Review of Adult Social Care; and
- (ii) agreed that the COSLA President would submit a written response to the Chair of the Review based on these principles.

9. Delay in Devolving Non-Domestic Rates Empty Property Relief (paper)

The report sought Leaders' agreement to delay the devolving of Non-Domestic Rates Empty Property Relief by one year to 1 April 2023. It explained the rationale for the delay which was to ensure a meaningful and stable baseline could be set for the funding to be devolved, given the impact of the COVID-19 pandemic on market conditions and to allow for the effects of this to work through.

Leaders:

- (i) agreed to delay the devolving of Non-Domestic Rates Empty Property Relief to Local Government until the 2023 rates revaluation, coming into effect for financial year 2023/24; and

- (ii) agreed that COSLA's Resources Spokesperson writes to the Cabinet Secretary for Finance to convey this decision.

10. Local Government Pension Scheme – Addressing Age Discrimination Consultation (paper)

The report sought Leaders' agreement to COSLA's draft response to the Scottish Public Pensions Authorities (SPPA) consultation on addressing age discrimination in the Local Government Pension Scheme. The draft response broadly welcomed the proposed changes but highlighted the financial and administration implications for Local Government in implementing the changes.

Leaders:

- (i) agreed the draft response which would be submitted to SPPA; and
- (ii) agreed that COSLA officers would continue to engage with SPPA to understand its intended response and to bring any issues back to Leaders where appropriate.

11. Local Government Settlement and Distribution (paper)

The report to Leaders was presented in two sections.

Section A covered areas relating to the Local Government Finance Settlement and general distribution of funding, which were recommended to be implemented for the next Local Government Settlement. Section B sought Leaders' agreement to the Settlement and Distribution Group's recommendations on eight funding distributions.

Following requests for points of clarification, Leaders agreed the following.

Section A: Changes to Distribution Methodologies

Leaders agreed the Settlement and Distribution Group recommendations as set out in Annex A of the paper for the following areas:

- School Meals
- Dual Indicator Review
- Mergers and Formularisation of Lines
- Effect on SINA of Merging Redeterminations onto Grant Aided Expenditures (GAEs)
- Data Issues

Section B: - Distribution

Leaders agreed the recommendations from the Settlement and Distribution Group in relation to eight specific distribution areas:

- Future Distribution of the Strategic Waste Fund
- Young Person's Guarantee
- Further Discretionary Housing Payment (DHP) Funding
- Environmental Health Officer Support Funding
- Community Mental Health and Wellbeing Supports for 5-25 year olds
- Access to Counselling in Schools
- Addressing Future Need to Support Individuals at Financial Risk
- Administration Funding for £500 Self-Isolation Support Grants – *for noting only*

Section B – Distribution Addendum

In addition to those areas listed above, Leaders also agreed the Settlement and Distribution Group recommendation in relation to the following distribution area as detailed in the addendum.

- COVID-19 Local Self-Isolation Assistance Service and Support for People Teams.

12. Maximum Charge for Providing a DOCAS Service (paper)

Councils were required to provide a DOCAS (Deductions of Contributions at Source) service. This was the mechanism for deducting union dues directly from payroll. Through the Scottish Joint Council (SJC), the unions had sought agreement to limit the amount that a council may charge for administering a DOCAS service.

The paper invited Leaders to consider the proposals put forward.

Leaders:

- (i) agreed a proposal that the Red Book, which determined the conditions of the SJC workforce, should include a provision that in addition to providing a DOCAS service the maximum deduction from the amount collected to cover the costs of administration should be 2.5%; and
- (ii) agreed a proposal that councils could agree a different amount, as appropriate, with a local branch where this was clearly linked to the provision of union facilities in excess of those required by legislation and good practice.

13. Any Other Competent Business

Leaders noted that a statement had just been given by the Economy Secretary, Fiona Hyslop, at a media briefing on Covid-19. Within that statement, she confirmed that hardship grants (outside the central belt) and closure grants (inside the central belt) would be paid to bowling and other sports clubhouses which were licenced to service alcohol, and were therefore equivalent to bars that must close or modify their operations.

14. Date of Next Meeting

The next meeting would be held at 1100hrs on Friday, 27 November 2020 via Microsoft Teams.

Close

The President closed the meeting at 1430hrs by thanking Members for their attendance.

