

MORAY COUNCIL

MINUTE OF MEETING OF THE ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE

TUESDAY 14 AUGUST 2018

COUNCIL CHAMBERS, ELGIN

PRESENT

Councillors Graham Leadbitter (Chair), Theresa Coull (Depute), David Bremner, John Cowe, Gordon Cowie, John Divers, Ryan Edwards, Claire Feaver, Graham Leadbitter, Marc Macrae, Maria McLean, Shona Morrison, Ron Shepherd and Sonya Warren.

ALSO PRESENT

Councillors George Alexander and Derek Ross.

IN ATTENDANCE

The Corporate Director (Economic Development, Planning and Infrastructure); the Head of Direct Services; the Head of Development Services; the Transportation Manager; the Estates Manager, the Roads Maintenance Manager; the Environmental Protection Manager; the Acting Consultancy Manager; the Principal Officer (Economic Development); Mr K Major, Senior Traffic Engineer; the Legal Services Manager (Property and Contracts); and Mrs L Rowan, Committee Services Officer as Clerk to the Meeting.

1. EVENTS

The Chair took the opportunity to announce the following events due to take place in the coming weeks in Moray and commended local volunteers who make these events possible:

- (i) 18 August 2018 – Elgin Food and Drink Festival;
- (ii) 31 August – 1 September 2018 – Spirit of Speyside Distilled;
- (iii) 26 August 2018 – Classic Car Show, Buckie;
- (iv) 18 August 2018 – Elgin and District Pipe Band competing in the Pipe Band World Championships;
- (v) 26 September – 1 October 2018 – Findhorn Bay Arts Festival; and
- (vi) September 2018 – Speyside Whisky Festival.

2. 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 interests in respect of any item on the agenda.

3. 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>Para Number of Minute</u>	<u>Para Number of Schedule 7A</u>
17	8 & 9

4. MINUTE OF THE ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE DATED 15 MAY 2018

Under reference to paragraph 11 of the Minute of this Committee dated 15 May 2018, Councillor Divers stated that he believed he had raised a question in relation to an on-street parking review. In response, the Chair stated that the Clerk would review the webcast and make an amendment to the Minute if necessary.

Under reference to paragraph 11 of the minute of this Committee dated 15 May 2018, Councillor Feaver queried whether an update had been provided in relation to progress of the Industrial Estate at Buckie.

In response the Corporate Director (Economic Development, Planning and Infrastructure) advised that an update had been provided to Councillor Warren which stated that the property had been marketed and negotiations with a company were at an advanced stage.

The Estates Manager further advised that these negotiations had fallen through and that the property was being marketed at present.

Councillor Divers highlighted that the minute stated that the update would be circulated to all members and asked that this be observed in future.

In response, the Corporate Director (Economic Development, Planning and Infrastructure) agreed to note this in future.

Thereafter, the Minute of the meeting of this Committee dated 15 May 2018 was submitted and approved.

5. WRITTEN QUESTIONS

The Committee noted the following written question submitted by Councillor Ross and the responses thereto:-

Given the fact that Fiddich Park is still being used as a campsite, is it possible to re-open the toilets for the rest of the tourist season, on environmental grounds?

RESPONSE

There are no powers available to Environmental Health to force the reopening of these public toilets. If a regulated campsite closed the WC facilities then the enforcement would be to close the campsite.

This area has never been an official campsite and although it may be used as a wild campsite, wild campsites do not have any facilities.

In order for this to be an official campsite then planning permission would be required which will dictate the boundaries and amount of tents that can be accommodated within these boundaries. A site licence will be required which will dictate the number of WCs, showers and laundry facilities required. The extent of the facilities is dictated by the maximum occupancy as identified in the planning consent. If this is an official campsite the campers would also expect some more facilities and staffing on site. It should also be noted that WC provision only is not sufficient for campsites.

Given that the site is not licensed staff has been instructed to remove the "CAMPING" sign.

Councillor Ross stated that he had observed that the sign had only recently been removed and that the campsite still featured on various websites and was still being used and asked, as a supplementary question, that re-opening of the toilets be reconsidered to safeguard against environmental pollution.

In response, the Head of Direct Services advised that he would ensure that websites were updated to reflect that Fiddich Park was not an official campsite and that there was no intention of applying for a licence to make it an official campsite due to the associated costs.

The Head of Development Services further advised that an Environmental Health Officer had inspected the site and confirmed that there was no evidence of human excrement around the site at that time.

6. MORAY EMPLOYMENT LAND AUDIT 2018

A Report by the Corporate Director (Economic Development, Planning and Infrastructure) provided the Committee with a summary of the key findings of the Moray Employment Land Audit 2018 and asked that the Committee note the Moray Employment Land Audit 2018 which has already been considered and approved at the Planning and Regulatory Services Committee on 19 June 2018.

During discussion surrounding the Barmuckity Development in Elgin, it was queried whether an update could be provided in relation to the roundabout access to the development and whether the Committee could be kept updated with regard to progress.

In response, the Head of Development Services advised that the development was progressing well however the Developer was awaiting confirmation from Scottish Water in relation to the diversion of a water main

which would allow access to the development to progress and agreed to keep the Committee updated in this regard.

Thereafter, the Committee agreed to:

- (i) note the findings of the Moray Employment Land Audit 2018, as summarised in Section 4 and Appendix 1 of the report;
- (ii) note that the Moray Employment Land Audit 2018, set out at Appendix 2 of the report, has been agreed by the Planning and Regulatory Services Committee on 19 June 2018; and
- (iii) keep the Committee updated in relation to progress of the roundabout access to the Barmuckity Development.

7. WASTE STRATEGY - CONSOLIDATION OF WASTE MANAGEMENT FACILITIES - UPDATE

Under reference to paragraph 9 of the Minute of this Committee dated 11 November 2015, a report by the Corporate Director (Economic Development, Planning and Infrastructure) asked that the Committee note the increase in projected spend of £49K against the previous reported budget spend of £3.3M, which is still within the agreed budget of £3.474M in the capital plan, for the Integrated Waste Management facility at Moycroft.

Following consideration, the Committee agreed to note:

- (i) the increase in projected spend of £49K against the previous reported spend; and
- (ii) the savings exercise being carried out to bring the costs back into budget, as detailed in section 3.5 of the report.

8. DIRECT SERVICES - IMPROVEMENT ACTIONS - SERVICE PLAN 2018-19

A report by the Corporate Director (Economic Development, Planning and Infrastructure) asked that the Committee consider Direct Services Service Plan - Actions for Improvement for 2018/19. The plan takes into account the Council priorities, budget pressures, risk, self-evaluation, customer satisfaction survey results, staff engagement and explores ways of delivering services more efficiently and effectively whilst facing the challenges of declining budgets and demands for the services.

During his introduction, the Head of Direct Services highlighted that, although the Improvement Action Service Plan stated that a Burials Strategy would be brought before the Committee in August 2018, this would now be presented in December 2018. This was noted.

During discussion surrounding the maintenance of an efficient road network, in particular the reporting of highway defects, it was queried whether Councillors could have access to the information collected by Highway Inspectors which is then forwarded on to frontline operation teams so that Councillors know

whether a defect has already been reported should a Constituent report the defect directly to their Councillor.

In response, the Roads Maintenance Manager advised that the project was at an early stage however once completed, it would have a public interface that would allow members of the public to report and track progress on road defects and that this would also be available to Elected Members.

During further discussion surrounding the implementation of electric vehicles, it was stated that hydrogen powered vehicles were being developed in the Far East which was forecasted to be very cost effective.

In response the Head of Direct Services advised that the majority of grants available from the Scottish Government were for electric vehicles however agreed to explore the feasibility of hydrogen powered vehicles should grant funding become available.

In response to concern raised in relation to the condition of some of the public toilets in Moray, specifically regarding 24 hour flushing systems and leaking taps and how this wastes water, the Environmental Protection Manager agreed to liaise with colleagues in Property Services to explore the use of flush sensors and general maintenance of tap seals.

Thereafter, the Committee agreed:

- (i) to approve Direct Services Service Plan – Actions for Improvement 2018/19 subject to noting that a report on the Burials Strategy will be brought to a future meeting of this Committee in December 2018;
- (ii) to note that the system for reporting highway defects would have a public interface that would allow members of the public to report and track progress on road defects and that this would also be available to Elected Members; and
- (iii) that Officers explore the feasibility of hydrogen powered vehicles should grant funding become available from the Scottish Government
- (iv) that the Environmental Protection Manager liaise with colleagues in Property Services to explore the use of flush sensors and general maintenance of tap seals in public toilets in Moray.

9. CAPITAL AND REVENUE BUDGET MONITORING - DIRECT SERVICES AND DEVELOPMENT SERVICES

Under reference to paragraph 10 of the Minute of Moray Council dated 14 February 2018, a report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the current position regarding Direct Services and Development Services (Economic Development) Capital and Revenue Budgets. The report set out the budget monitoring position and commented on variances for the Direct Services and Development Services (Economic Development) Capital and Revenue Budget for the period to 30 June 2018 with a view to a full budget statement, including projections, being reported later in the year.

Following consideration, the Committee agreed to note the budget monitoring report for the period to 30 June 2018.

10. DIRECT SERVICES PERFORMANCE REPORT - HALF YEAR TO MARCH 2018

Under reference to paragraph 12 of the Minute of the Policy and Resources Committee dated 27 April 2010, a report by the Corporate Director (Economic Development, Planning and Infrastructure) outlined the performance of Direct Services for the period from 1 October 2017 to 31 March 2018.

Prior to discussion of the report, the Chair advised that the report's author, Bob Ramsay, had sadly and tragically died unexpectedly last week.

Bob had spent over 10 years carrying out Research and Information work within the Chief Executive's section and was a significant contributor to the effective governance and performance monitoring of the Council. He was the author of numerous performance and statistical reports that have been considered by many Councillors over the years which have helped guide numerous decisions.

The Chair had been advised that Bob very much enjoyed his work with Moray Council and the company and friendship of the team of colleagues that he worked with and that it was clear from speaking with Council staff that he was well liked and will be very sadly missed. The Committee joined the Chair in passing on their deepest condolences to Bob's family and friends.

Following consideration, the Committee welcomed the good performance as indicated in the report and thereafter agreed to:

- (i) note performance against Economic Development, Planning and Infrastructure Performance Indicators, Service Plan and Complaints to the end of March 2018 as outlined;
- (ii) note the actions being taken to improve performance where required; and
- (iii) approve the changes to the Direct Services' performance indicators, as detailed in Section 6 of the report, which are reported to this Committee.

11. INDUSTRIAL PORTFOLIO ANNUAL REPORT 2017-18

Under reference to paragraph 12 of the Minute of this Committee dated 5 September 2017, a report by the Corporate Director (Economic Development, Planning and Infrastructure) set out the annual performance of the Council's Industrial Portfolio in 2017/18. The report stated that the Industrial Portfolio had exceeded the targets set for rental income, rate of return and occupancy levels with high occupancy levels expected to continue.

During discussion surrounding the rate of return of 7.10% on the industrial portfolio, it was noted that this return did not take into consideration borrowing and some staff costs and it was queried whether a true rate of return could be circulated to the Committee following the meeting.

In response, the Estates Manager agreed to check with Colleagues in Financial Services as to whether this information could be made available.

Thereafter, the Committee welcomed the good performance of the Council's Industrial Portfolio and thereafter agreed:

- (i) to note the Annual Report for 2017/18 as set out in Appendix 1 of the report; and
- (ii) that, if available, a true rate of return on the properties be circulated to members of the Committee taking into consideration borrowing and all staffing costs.

12. MARINE SAFETY REPORT - QUARTER 1 2018

Under reference to paragraph 6 of the Minute of this Committee dated 20 March 2018, a report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee with regard to matters of Marine Safety and compliance with the Port Marine Safety Core (PMSA) for the first quarter of 2018.

The report stated that the Council is currently deemed to be compliant with the PMSA however work continues in order to stabilise the Council's position in relation to marine safety, which will be evidenced through reporting to this Committee for scrutiny as Duty Holder.

Following consideration, the Committee agreed to note the safety performance fulfilling their function as Duty Holder under the Port Marine Safety Code.

13. USE OF PLASTIC BASED MATERIALS IN ROAD CONSTRUCTION

Under reference to paragraph 9 of the Minute of this Committee dated 20 March 2018, a report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the potential benefits and drawbacks of considering using this type of material in future works within Moray.

The report stated that, while early indications looked promising it was felt that, presently, there was insufficient evidence to support the use of the material in road construction within the Council's road infrastructure, particularly in relation to long term financial benefits and environmental impact.

Following consideration, the Committee agreed to note:

- (i) the contents of this report; and
- (ii) that further evidence is required before committing to using recycled plastic in road construction within Moray, as outlined in paragraph 5.8 of this report.

14. LOSSIEMOUTH A941 ELGIN ROAD SCHOOL BRAE JUNCTION IMPROVEMENT

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of a safer routes to school scheme at the junction of Elgin Road/School Brae/Clifton Road, Lossiemouth. The scheme requires the signalisation of the junction to control vehicle movements and improve the crossing points for pedestrians.

Following consideration, the Committee agreed to:

- (i) approve the project to upgrade the junction of A941 Elgin Road and School Brae to a signalised junction; and
- (ii) note that consultation will be undertaken with the local community once a scheme design has been finalised.

15. MAINTENANCE OF SUDS UNDER SECTION 7 OF THE SEWERAGE (SCOTLAND) ACTION 1968

A report by the Corporate Director (Economic Development, Planning and Infrastructure) asked that the Committee consider changes to the SuDS arrangements.

The report stated that Local Authorities were being encouraged to enter into a collaborative framework with Scottish Water for the maintenance of SuDS for new development which would allow Moray Council to have more control over future SuDS and help to reduce future flood risk.

Following consideration, the Committee agreed:

- (i) to sign up to the principles set out in the Memorandum of Understanding for shared maintenance of SuDS for new development under Section 7 of the Sewerage (Scotland) Act 1968, as set out in the Appendix to the report;
- (ii) the policy which states that above ground components of SuDS for new development will be maintained by the landowner/s; and
- (iii) to note that a further report will be submitted to a future meeting of this committee outlining the governance arrangements for the Section 7 agreements.

16. CASTLE TO CATHEDRAL TO CASHMERE

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the successful outcomes of the Castle to Cathedral to Cashmere, Elgin Conservation Area Regeneration Scheme and Heritage Experience projects.

The Committee joined the Chair in commending Mr Jim Royan, Chair of Castle to Cathedral to Cashmere project, Moray Council staff, partnering agencies and the many volunteers who had been involved in the project that had resulted in a

significant improvement to the High Street in Elgin and was an excellent example of partnership working.

Thereafter, the Committee agreed to note the report.

17. QUESTION TIME

There were no questions raised.

18. DREDGER COLLABORATION [PARA 8&9]

Under reference to paragraph 11 of the Minute of Moray Council dated 12 October 2016, a report by the Corporate Director (Economic Development, Planning and Infrastructure) sought approval from the Committee to enter into discussion with partnering authorities of the Northern Roads Collaboration Joint Committee to share the use of the Moray Council's dredger.

Following consideration, the Committee agreed to:

- (i) enter into discussion with partnering authorities in the Northern Roads Collaboration Joint Committee (NRJCC) to use the Council's dredger by reference to the options outlined in paragraph 4 of this report; and
- (ii) note that a report will be brought back to a future meeting of this Committee on the outcome of those discussions including a response to other issues raised with regard to the Dredger.