

MORAY COUNCIL

Minute of Meeting of the Economic Development and Infrastructure Services Committee

Tuesday, 07 February 2023

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor Peter Bloomfield, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor David Gordon, Councillor Juli Harris, Councillor Sandy Keith, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Shona Morrison, Councillor John Stuart, Councillor Draeyk Van Der Horn, Councillor Sonya Warren

APOLOGIES

Councillor Paul McBain

IN ATTENDANCE

Chief Executive, Head of Environmental and Commercial Services, Head of Economic Growth and Development, Head of Housing and Property, Roads Maintenance Manager, Mrs D Anderson, Senior Engineer (Transportation), Consultancy Manager, Property Asset Manager, Harbour Development and Operations Manager, Open Spaces Manager, Mr C Muir, Senior Officer (Economic Strategy and Development), Legal Services Manager and Mrs L Rowan, Committee Services Officer as Clerk to the Committee.

1 Chair

Councillor Macrae, being Chair of the Economic Development and Infrastructure Services Committee, chaired the meeting.

2 Declaration of Group Decisions and Members Interests

In terms of Standing Order 21 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.

Councillor Dunbar did however state that, in relation to item 7 "Electric Vehicle Infrastructure Fund Strategy and Expansion Plan" she is Vice-Chair of HITRANS as the report details HITRANS Officer involvement. This was noted.

3 Withdrawal of Item 14 - Land at Commercial Road Buckie

The Chair stated that Item 14 "Land at Commercial Road Buckie" had been withdrawn from the agenda and was being replaced with a revised report "Land at

Commercial Road Buckie” which would be circulated to the Committee and uploaded to CMIS. This was noted.

4 Resolution

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>
20	8 and 9

5 Minute of Meeting dated 15 November 2022

The Minute of the meeting of the Economic Development and Infrastructure Services Committee dated 15 November 2022 was submitted and approved.

6 Written Questions

The Committee noted that no written questions had been submitted.

7 Notice of Motion - Levelling Up Fund

The following Notice of Motion was submitted by Councillor Leadbitter and seconded by Councillor Stuart:

Levelling Up Fund

Committee regrets the UK Government’s decision to allocate £0 of its £2.1 billion Levelling Up Fund Round 2 to Moray.

Committee commends the work of Council officers in submitting a strong and ambitious bid for funding that would have stimulated the regeneration of the Elgin town centre and created jobs in the area.

Committee instructs the Chair of Economic Development and Infrastructure Services to write to the Secretary of State for Levelling Up to express its dismay at the decision to not allocate any funding to Moray and to ask that it be reversed.

The Chair stated that there were 529 bids for the funding with 111 successful and stated that a further round of funding was expected in the future. He further stated that he had received a letter from Douglas Ross MP sharing the concern and frustration of the Council that there was not a successful outcome to its bid however pledged to support Moray’s bid in future funding rounds. Douglas Ross further stated that he had secured meetings with the Secretary of State for Levelling Up, The Rt Hon Michael Gove MP, to discuss Moray’s bid and where improvements can be made going forward.

Councillor Dunbar stated that she shared the disappointment felt by other Councillors on hearing that the Council had been unsuccessful in its bid for levelling up funding however stated that it was not fair on other local authorities to ask for a reversal of the decision. She welcomed the assurance from Douglas Ross to support Moray in its bid in future funding rounds and moved as an amendment to the motion that, instead of asking for the decision to be reversed, the Committee ask that feedback be given on the application. This was seconded by Councillor Gordon.

On a division there voted:

For the Motion (7):	Councillors Leadbitter, Stuart, Harris, Keith, Morrison, Van Der Horn and Warren
For the Amendment (6):	Councillors Dunbar, Gordon, Bloomfield, Cowe, Divers and Macrae
Abstentions (0):	Nil

Accordingly, the Motion became the finding of the Meeting and the Committee commended the work of Council officers in submitting a strong and ambitious bid for funding that would have stimulated the regeneration of the Elgin town centre and created jobs in the area and agreed to:

- (i) note the UK Government's decision to allocate £0 of its £2.1 billion Levelling Up Fund Round 2 to Moray; and
- (ii) instruct the Chair of Economic Development and Infrastructure Services to write to the Secretary of State for Levelling Up to express its dismay at the decision to not allocate any funding to Moray and ask that it be reversed.

8 Roads Asset Management Planning

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the latest road network condition information.

Following consideration, the Committee agreed:

- (i) to note the latest Road Condition Indicator (RCI) results for Moray Council;
- (ii) that the RCI results continue to be monitored and reported back on an annual basis to this committee; and
- (iii) to note the clear commitment to the use of Road Asset Management Planning in Moray Council.

9 Electric Vehicle Infrastructure Fund Strategy and Expansion Plan

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of proposals for the future operation and expansion of the publicly available electric vehicle charging infrastructure in Moray. It was noted that the report covers publicly available charging infrastructure only and that the decarbonising of the Moray Council's fleet and the requirements for supporting

electric vehicle infrastructure to service the fleet will be the subject of a separate report to this Committee.

During discussion surrounding the provision of electric vehicle charging infrastructure in rural areas, it was noted that this would be considered at the second stage of the strategy and that this would involve considering land that the Council does not own.

The Chief Executive advised that the Council has a positive relationship with the Crown Estate and that he would be willing to raise any issues that may arise in relation to the installation of electric vehicle charging points in rural locations not owned by the Council with them directly. This was noted.

Thereafter, the Committee agreed to:

- (i) note that the availability of future grant funding for the expansion of the electric vehicle charging infrastructure is subject to having an approved Strategy and Expansion Plan which meets the criteria set by Scottish Government;
- (ii) approve the draft Electric Vehicle Infrastructure Strategy and Expansion Plan attached as set out in Appendix 1 of the report and grant delegated authority to the Head of Environmental and Commercial Services to approve the final version following any feedback received from Scottish Futures Trust and Transport Scotland; and
- (iii) to note the Council's positive relationship with the Crown Estate and the willingness of the Chief Executive to raise any issues that may arise in relation to the installation of electric vehicle charging points in rural locations not owned by the Council.

10 Update on Zero Emission Fleet Replacement Strategy

Under reference to paragraph 18 of the Minute of the meeting of Moray Council dated 6 April 2022, a report by the Depute Chief Executive (Economy, Environment and Finance) provide the Committee with an update on the approach and progress to date in decarbonising the Council's fleet.

During discussion surrounding aligning Moray Council targets for fleet decarbonisation with the Scottish Government targets to phase out light commercial vehicles by 2030 and heavy duty vehicles by 2040, Councillor Bloomfield was of the view that phasing out light commercial vehicles by 2030 would be challenging and moved that this be changed to 2040 in line with heavy duty vehicles.

The Head of Environmental and Commercial Services advised that the targets referred to by Councillor Bloomfield were Scottish Government targets and pointed out that if this amendment were carried then that would put the Council out of line with Scottish Government targets.

On considering the advice from the Head of Environmental and Commercial Services, Councillor Bloomfield withdrew his motion.

Thereafter, the Committee agreed to:

- (i) note the progress being made by Fleet Services to contribute to the Council meeting its ambitious net zero targets;
- (ii) note the challenges faced within the transport sector as outlined in this report means it is highly unlikely that Moray Council will be able to remove all of its fleet carbon emissions by 2030;
- (iii) align Moray Council targets for fleet decarbonisation with the Scottish Government targets to phase out light commercial vehicles by 2030 and heavy duty vehicles by 2040 which will allow Moray Council to replace vehicles with low energy alternatives as soon as is practically feasible;
- (iv) note that adopting this approach may save money by delaying purchase of certain vehicles until the market has stabilised, but will still require capital investment which will be subject to consideration as part of the standard financial planning process going forward; and
- (v) note that implications on any delay in reducing Moray Council carbon emissions from fleet vehicles will be worked into the update of the Moray Council's Route Map to Net Zero (RMNZ) which is being reported to this Committee in May 2023.

11 Cloddach Bridge Structural Assessment

Under reference to paragraph 6 of the Minute of the meeting of this Committee dated 6 September 2022, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the structural condition of Cloddach Bridge which is currently closed in the interest of public safety and advised on the options available for the future operation of this bridge and provide an update on the meeting held with community representatives.

Councillor Morrison stated that she had attended the meeting with other Councillors, Officers and residents where residents had asked for support from the Council to raise funds to keep the bridge open and moved that the Committee agree recommendation (i) and (iii) in the report. This was seconded by Councillor Warren.

Councillor Macrae recognised the impact that the closed bridge was having on local residents and expressed a strong desire to support the community in their attempts to raise external funding to keep the bridge open however after considering the current financial state of the Council could not justify a spend of £30,370 for investigative works that may not result in the bridge re-opening. He moved that the Committee agree options (i) and (ii) in the report with a commitment, in conjunction with his Group, to pursue alternative funding sources with a view to keeping Cloddach Bridge open. This was seconded by Councillor Bloomfield.

Councillor Cowe shared Councillor Macrae's desire to help the community raise the funds however also shared his concern with regard to the financial position of the Council and also noted that there was no budget for staff resource to support the community in this regard and moved a second amendment that the Committee

agree options (i) in the report with a further recommendation to support potential options for the community to keep the bridge open, at no cost to the Council.

The Chair reiterated his motion and pledge as Chair of the Economic Development and Infrastructure Services Committee and member of the Conservative Group to pursue alternative funding sources with a view to keeping Cloddach Bridge open and hoped that other Councillors would do likewise.

After considering the Chair's comments, Councillor Cowe withdrew his amendment and stated that he, in conjunction with his fellow Heldon and Laich Councillors, would also pursue alternative funding sources with a view to keeping Cloddach Bridge open.

On a division there voted:

For the Motion (5):	Councillors Morrison, Warren, Harris, Leadbitter and Stuart
For the Amendment (8):	Councillors Macrae, Bloomfield, Cowe, Divers Dunbar, Gordon, Keith and Van Der Horn
Abstentions (0):	Nil

Accordingly, the Amendment became the finding of Meeting and the Committee agreed:

- (i) to keep Cloddach Bridge closed to vehicular traffic but open to pedestrians and cyclists with regular inspections to monitor the condition of the bridge;
- (ii) when bridge condition deteriorates further and it is not safe for any user, this route is closed permanently and the bridge is removed; and
- (iii) to note the Chair's commitment, in conjunction with his Group, to pursue alternative funding sources with a view to keeping Cloddach Bridge open.

12 Suspension of Standing Orders

The Chair sought the agreement of the Committee to suspend Standing Order 77 to allow the meeting to progress beyond 12:45 pm. This was agreed.

13 Port Marine Safety Code Quarterly Report - Quarter 3

Under reference to paragraph 6 of the Minute of the meeting of this Committee dated 20 March 2018, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee on matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for the period Q3 year 2022/23.

During discussion surrounding lights at the pier in Buckie Harbour, it was noted that harbour users disembarking their boats when it was dark had to walk in the dark to obtain the spotlight and it was queried whether consideration could be given to lighting the pier to ensure the safety of harbour users.

In response, the Harbour Development and Operations Manager advised that he would explore a solution to ensure the safety of Buckie Harbour users disembarking their boats onto the pier when it is dark.

During further discussion surrounding the Council's harbour dredging programme, it was queried when dredging would be carried out at Hopeman Harbour.

In response, the Harbour Development and Operations Manager advised that he would provide an action plan for dredging Hopeman Harbour at the next meeting of this Committee.

In response to a query in relation to the number of planned and unplanned maintenance days for the Selkie, the Harbour Development and Operations Manager agreed to provide this information to the Committee following the meeting.

The Committee joined the Chair in thanking the Buckie Harbour Staff for their patience and flexibility during the office move and thereafter agreed:

- (i) to note the safety performance, fulfilling its function as Duty Holder under the Port Marine Safety Code;
- (ii) that Officers explore a solution to ensure the safety of Buckie Harbour users disembarking their boats onto the pier when it is dark;
- (iii) that an Action Plan for dredging Hopeman Harbour would be provided at the next meeting of this Committee; and
- (iv) to provide the Committee with the number of planned and unplanned maintenance days in Quarter 3.

14 Use of Glyphosate to Control Weeds in Open Spaces

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the legally approved use of Glyphosate to control weeds in open spaces.

Councillor Van Der Horn, having considered the report, was of the view that there was not enough information within the report for the Committee to agree the recommendations. He stated that he would like to see more information in relation to costings for an alternative to glyphosate and asked for more research to be carried out in relation to the link of glyphosate to some forms of cancer. He further raised concern on the implications on biodiversity as glyphosate is considered to be harmful to pollinators. Councillor Van Der Horn moved that the Committee agree to defer consideration of the report until this information is available. This was seconded by Councillor Harris.

In response, the Head of Environmental and Commercial Services advised that she did not have the staff resource to undertake this level of research and that if Committee were minded to ask for this information then further staffing budget would be required.

The Legal Adviser further advised that, should the Committee agree to ask for this additional information, given that further budget would be required then this would have to be agreed by either the Corporate Committee or Full Council.

Councillor Bloomfield noted that the Council is reducing its use of glyphosate and further noted that it is legally approved for use until December 2025 and moved that the Committee agree the recommendations in the report. This was seconded by Councillor Dunbar.

The Chief Executive advised that the report included actions to reduce the use of glyphosate and noted that the Head of Environmental and Commercial Services had advised that there was no budget to carry out further research in this regard however suggested that the Committee may find it helpful if a report detailing how the Council plans to phase out the use of Glyphosate by 2025 is brought to a future meeting of this Committee with the understanding that if obtaining this information required further budget, this would have to be agreed at either the Corporate Committee or Full Council.

On considering the advice from the Chief Executive, Councillor Van Der Horn and Bloomfield agreed to withdraw their motions. Accordingly, Councillors Harris and Dunbar withdrew their seconds.

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

- (i) note that, although there are public concerns, Glyphosate is legally approved for use in Great Britain until December 2025 and that it continues to be the most cost effective and efficient method of managing weeds;
- (ii) approve the proposals to reduce the use of Glyphosate through a managed approach in certain settings as outlined in paragraph 6.3, and note that, whilst these can be introduced without additional cost, a greater presence of weeds and longer vegetation would need to be accepted and tolerated within the environment;
- (iii) note that Officers will continue to monitor the cost and effectiveness of alternative approaches of weed control; and
- (iv) that a further report be brought to a future meeting of this Committee detailing how Glyphosate will be phased out by 2025.

15 Resumption of Meeting

PRESENT

Councillor Peter Bloomfield, Councillor John Divers, Councillor Amber Dunbar, Councillor David Gordon, Councillor Juli Harris, Councillor Sandy Keith, Councillor Graham Leadbitter, Councillor Marc Macrae, , Councillor John Stuart, Councillor Draeyk Van Der Horn, Councillor Sonya Warren

APOLOGIES

Councillor John Cowe, Councillor Paul McBain and Councillor Shona Morrison

16 Moray Routes - Bright Futures

Under reference to paragraph 16 of the Minute of the meeting of Moray Council dated 6 April 2022, a report by the Depute Chief Executive presented to Committee the Strategic Tourism Infrastructure Development Plan, Moray Routes: Bright Futures and sought permission to approve the plan and its proposals.

During discussion, the Moray Routes: Bright Futures Plan was welcomed however it was noted that there was no route passing through Elgin and it was queried whether consideration could be given to including a route through Elgin in future plans.

In response, Mr Muir, Senior Officer (Economic Strategy and Development) advised that the routes in the plan were taken from existing routes however agreed to explore a route through Elgin in future plans.

During further discussion surrounding the Fish Wives Path linking Buckie to Keith, it was noted that this was not included in the plan and, as it is a significant route in the area, it was queried if it could be included.

In response, Mr Muir, Senior Officer (Economic Strategy and Development) advised that this had not been included due to land owner restrictions preventing access on the route however agreed to look into this further and provide further information in this regard to the Committee following the meeting.

Thereafter, the Committee agreed:

- (i) subject to the qualification at para 4.6 of the report, to approve the Moray Routes: Bright Futures plan and authorise officers to prepare (subject to staffing capacity) subsequent applications to future rounds of the Rural Tourism Infrastructure Fund, once announced, to progress the Tier 1 and selected Tier 2 projects referenced in the report;
- (ii) that consideration would be given to including a suitable route passing through Elgin in future plans; and
- (iii) that further information in relation to land owner restrictions preventing the Fish Wives Path from being included in the Moray Routes: Bright Futures plan be provided to the Committee.

17 Environmental and Commercial Services and Economic Growth and Development Services Capital and Revenue Budget Monitoring to 30 September 2022

Under reference to paragraph 4 of the Minute of the meeting of Moray Council dated 22 February 2022, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the current position regarding Environmental and Commercial Services and Economic Growth and Development Services (Economic Development) Capital and Revenue Budgets and long term financial plans.

Following consideration, the Committee joined the Chair in commending the Lands and Parks Service for the work that they do with a small team of people and agreed to note the budget monitoring report for the period to 30 September 2022.

18 Energy Consumption Action Options and Decarbonisation of Corporate Buildings

Under reference to paragraph 11 of the Minute of the meeting of this Committee dated 15 November 2022, a report by the Depute Chief Executive (Economy, Environment and Finance) sought Committee authority to progress with appropriate actions to reduce energy consumption in the Council's Corporate Buildings in the short term and note longer term projects which will be developed and brought back to Committee as appropriate. The report also apprised Committee of the proposed methodology for phasing the decarbonisation of Moray Council Buildings, taking account of current financial resources and corporate priorities.

During discussion it was noted that various funding opportunities are available to eligible local authorities to deliver energy efficient projects and the Head of Housing and Property Services sought delegation from the Committee to apply for such funding opportunities if eligible. This was agreed.

Following consideration, the Committee agreed to:

- (i) approve the further reduction in the heat set point within our properties to 18 degrees which coincides with the school Easter break;
- (ii) instruct officers to progress the development of spend to save energy proposals (LED lighting and Solar PV) which will be presented to future meetings of the Asset Management Working Group for approval, subject to payback period for each project;
- (iii) note the link between energy consumption, decarbonisation strategies and the ongoing development of a Heat in Buildings Strategy;
- (iv) note the financial challenges arising from the conversion of our property estate to non-carbon based heating systems and the proposed methodology for determining affordability and value for money in appraising options in the interim;
- (v) note that officers will prepare detailed information to assist the budget setting process as outlined in paragraph 5.7 of the report; and
- (vi) to grant delegated authority to the Head of Housing and Property Services to apply for funding opportunities if eligible as set out in para 7.2 of the report.

19 Question Time

Under reference to paragraph 5 of the Minute of this Committee dated 15 November 2022, Councillor Warren queried whether any Active Travel Groups had been set up in Communities in Keith and Buckie with a view to spending the funding.

In response, the Head of Environmental and Commercial Services advised that Communities would be consulted with as part of the implementation of the Active Travel Strategy and that input from any Community based Active Travel Group would be welcomed.

Under reference to paragraph 18 of the Minute of this Committee dated 15 November 2022, Councillor Warren queried where Action Logs and Minutes from Harbour Advisory Committee meetings could be found.

In response, the Head of Environmental and Commercial Services advised that, following discussion with Committee Services, these would be uploaded to CMIS and the Clerk confirmed that this would be in the Councillor Document section of CMIS.

With regard to the Dial M Service, Councillor Warren sought further clarification on how this service could be accessed as, in her capacity as Older Person Champion, it appears that many older people are not aware of this.

In response, the Head of Environmental and Commercial Services advised that promotional activity and marketing is underway as Dial M transitions to M-Connect.

Councillor Warren further stated that Age Scotland are willing to promote the M-Connect service through their platform.

Under reference to paragraph 9 of the Minute of this Committee dated 15 November 2022, Councillor Harris queried whether money from the Nature Restoration Fund could be used to help with the reduction in the use of Glyphosate.

In response, the Head of Economic Growth and Development advised that the key projects were identified at the meeting of this Committee in November, one of which included an action for the reduction in the use of glyphosate.

Under reference to paragraph 5 of the Minute of this Committee dated 15 November 2022, Councillor Van Der Horn sought an update in relation to the survey of on carriage cycle paths.

In response, the Head of Environmental and Commercial Services advised that this information had been uploaded to CMIS as an Action Response and the Clerk agreed to send Councillor Van Der Horn the link to this information.

Councillor Warren noted that Electricians from Aberdeen were currently carrying out work in HQ and asked how the Council tendered for tradesmen as using local tradesmen would lessen the Council's carbon footprint.

In response, the Property Asset Manager advised the Council uses a framework for contractors and that local contractors were encouraged to tender for Council contracts through the framework.

Councillor Gordon stated that he had recently undertaken work with the Moray Reachout Team at Moycroft Depot and paid tribute to the staff there. He noted that some items were being added to recycling bins that were not recyclable and asked that further information be circulated to members of the public in this regard and asked what happened to our waste once recycled.

In response, the Head of Environmental and Commercial Services advised that the Council's waste was recycled by reputable contractors and pointed out that Moray currently performs well with regard to recycling being ranked 4th for recycling

amongst other Scottish Local Authorities and confirmed that promotional material with regard to recycling is regularly issued.

Councillor Keith highlighted a recent news article which stated that whisky tourism was at risk due to a crackdown on alcohol advertising and asked that, as whisky tourism contributed significantly to the economy of Moray, the Chair instruct Officers to respond to the consultation which is due to close on 9 March 2023 and that this response be brought to Group Leaders for approval before submission.

The Chair agreed to take this action forward with the relevant officer and report back through Group Leaders.

Councillor Warren noted that a recent salt delivery for Moray had come after being delivered in bulk to Aberdeenshire Council and asked that consideration be given to future deliveries coming direct to Moray to reduce the Council's carbon footprint.

In response, the Head of Environmental and Commercial Services advised that this was a one off incident where the Council had been able to obtain some salt delivered to Aberdeenshire at a reasonable cost.

20 Land at Commercial Road Buckie [Para 8 and 9]

Under reference to paragraph 20 of the Minute of the Meeting of Moray Council dated 10 August 2022, a report by the Deputy Chief Executive (Economy, Environment and Finance) updated the Committee on the Place Based Investment Programme spend for 2022/23 and sought approval to conclude a property acquisition and approval in principle for a related sale of property.

The Committee noted that this report had been brought to Committee in terms of the Local Government (Access to Information) Act 1985, the Chair certifying that, in his opinion it required to be considered on the grounds of urgency in order to give early consideration to decision making in line with grant funding timescales and the emerging property market position.

Following consideration, the Committee agreed to:

- (i) approve the purchase of land in the vicinity of Buckie Harbour with strategic fit for harbour and supply chain development;
- (ii) give delegated authority to the Legal Services Manager to conclude the purchase of property for a price within the available funding envelope; and
- (iii) approve in principle the sale of land at Rothes Industrial Estate as set out in para 5.5, delegating authority to the Property Asset Manager and Legal Services Manager to finalise terms acceptable to the Council.