

# **MORAY COUNCIL**

## **Minute of Meeting of the Economic Growth, Housing and Environmental Sustainability Committee**

**Tuesday, 24 August 2021**

### **Various Locations via Video-Conference**

#### **PRESENT**

Councillor David Bremner, Councillor Theresa Coull, Councillor John Cowe, Councillor Gordon Cowie, Councillor John Divers, Councillor Donald Gatt, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Maria McLean, Councillor Louise Nicol

#### **ALSO PRESENT**

Councillor Warren

#### **APOLOGIES**

Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Ray McLean, Councillor Walter Wilson

#### **IN ATTENDANCE**

Chief Executive, Chief Financial Officer, Head of Environmental and Commercial Services, Head of Housing and Property Services, Head of Economic Growth and Development, Consultancy Manager, Environmental Protection Manager, Harbours Development and Operations Manager, Transportation Manager, Building Services Manager, Legal Services Manager and Mrs L Rowan, Committee Services Officer as Clerk to the Committee.

### **1 Chair**

Councillor Leadbitter, being Chair of the Economic Growth, Housing and Environmental Sustainability Committee, chaired the meeting.

### **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 Member's interests in respect of any item on the agenda.

### **3 Resolution**

The Meeting resolved that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Items 18, 19 and 20 of business on the grounds that

it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7a and Reason
18	8 and 9
19	8 and 9
20	9

#### **4 Minute of Meeting of 8 June 2021**

The Minute of the meeting of the Economic Growth, Housing and Environmental Sustainability Committee dated 8 June 2021 was submitted and approved.

#### **5 Written Questions**

The Committee noted that no written questions had been submitted.

#### **6 Revenue Budget Monitoring 30 June 2021**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the revenue budget monitoring position to 30 June 2021.

During discussion in relation to recommendation 2.2 (i) in the report, Councillor Gatt queried whether it should refer to paragraph 8.4 in the report and not 8.3 as printed and asked for further clarification in relation to the approval being sought for £100,000 for ear-marked reserves for transformation of Council services.

In response to Councillor Gatt's first point, the Chief Financial Officer advised that this was a typo and the recommendation should refer to paragraph 8.4. The Chief Financial Officer further explained that this small fund would be helpful for small scale service improvements which, once identified, would be brought to the Committee for approval.

Having considered the Chief Financial Officer's response, Councillor Gatt understood the sentiment behind the recommendation however suggested that wording be included so that this agreement was in principle.

The Chair sought the agreement of the Committee to amend the wording of recommendation 2.2 (i) to reflect that the Committee agree to approve the use of ear-marked reserves for transformation of Council services to create a bid pot of £100,000 for service improvement proposals to be considered against, as detailed in paragraph 6.3 and use of free general reserves of £30,373 as detailed in paragraph 8.4 of the report. This was unanimously agreed.

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

- (i) note the budget monitoring position of £1,123,000 over budget for 2021/22 as at 30 June 2021;

- (ii) note that this position consists of an underspend on Devolved School budgets of £434,000, an underspend of £728,000 on Children's services, an overspend on Social Care services delivered on behalf of the Moray Integration Joint Board (MIJB) of £761,000 and an overspend on other services of £1,524,000;
- (iii) note movement of £3,578,000 in the General Revenue Grant, as detailed in paragraph 3.4 of the report;
- (iv) note emerging budget pressures as summarised in paragraph 6.1 of the report; and
- (v) approve the use of ear-marked reserves for transformation of Council services to create a bid pot of £100,000 for service improvement proposals to be considered against, as detailed in paragraph 6.3 and use of free general reserves of £30,373 as detailed in paragraph 8.4 of the report.

## **7 Capital Plan 2021-22**

A report by the Depute Chief Executive (Economy, Environment and Finance) advised the Committee of the expenditure to 30 June 2021 under the capital plan for financial year 2021/22 and of estimates of projected expenditure profiled into quarters.

During discussion, the Committee noted the explanation for the delays in the Meikle Cantlay Landslip project however it was queried whether a press release could be issued in this regard so that members of the public are made aware.

In response, the Head of Environmental and Commercial Services agreed to liaise with the Public Relations Team to issue a press release updating the public as to the reason for the delays in the Meikle Cantlay Landslip project.

Following consideration, the Committee agreed to:

- (i) note expenditure to 30 June 2021 of £5,481,000;
- (ii) note the current projected expenditure of £43,663,000 for 2021/22 profiled into quarters, as set out in Appendix 1 of the report;
- (iii) note the projected overall expenditure for projects spanning more than one financial year, as set out in Appendix 2 of the report;
- (iv) approve amendments to the 2021/22 and 2022/23 capital plan as detailed in section 6.1 of the report; and
- (v) that the Head of Environmental and Commercial Services liaise with the Public Relations Team to issue a press release updating the public as to the reason for the delays in the Meikle Cantlay Landslip project.

## **8 Marine Safety Q1 2021-2022**

Under reference to paragraph 6 of the Minute of the meeting of the Economic Development and Infrastructure Services Committee dated 20 March 2018, a report by the Depute Chief Executive (Economy, Environment and Finance)

informed the Committee with regard to matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for the first quarter of 2021/22.

During discussion, it was noted that a Water Safety Group had been formed and further clarification was sought in this regard.

In response, the Harbours Development and Operations Manager advised that there had been an increase in water activity, such as wild swimming and paddle boarding, which had highlighted a number of safety issues and it had been suggested that a group be formed with other agencies, including the Scottish Fire and Rescue Service and the Royal National Lifeboat Institution, to provide education to members of the public in relation to water safety, both inland water ways as well as coastal areas, which would highlight any dangers and ways to keep safe in the water.

The Chair welcomed this initiative and asked the Committee how they wished to be kept informed of the progress of the Water Safety Group.

In response, it was suggested that all Elected Members receive copies of the Minutes taken at meetings of the Water Safety Group as it was recognised that this is an area that all Elected Members would have an interest in. This was agreed.

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

- (i) to note the safety performance, fulfilling their function as Duty Holder under the Port Marine Safety Code; and
- (ii) that minutes from the newly formed Water Safety Group will be circulated to all Elected Members for information.

## **9 Free After 3**

Under reference to paragraph 9 of the Minute of the meeting of the Economic Development and Infrastructure Services Committee dated 8 March 2016, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the opportunity to provide a Free after 3 parking promotion in December 2021.

During discussion, Councillor Divers stated that the Christmas lights are to be switched on earlier this year on 20 November 2021 and moved that the Committee agree the recommendations as printed recognising this and in relation to recommendation 2.1 (ii) that this be amended to reflect that, going forward, the Committee agree to implement Free After 3 from the switch on of the Christmas lights until the first Saturday in January. This was seconded by Councillor Leadbitter.

Councillor Gatt agreed with recommendation 2.1 (i) however was of the view that the implementation of Free After 3 should be considered year on year by the Committee and moved that the Committee agree recommendation 2.1 (i) only. This was seconded by Councillor Macrae.

On a division there voted:

For the Motion (7): Councillors Divers, Leadbitter, Bremner, Coull, Cowe, Cowie and Nicol

For the Amendment (3): Councillors Gatt, Macrae and M McLean

Abstentions (0): Nil

Accordingly, the Motion became the finding of the meeting and the Committee agreed:

- (i) the provision of 'Free After 3' parking in the St Giles Centre Multi Storey Car Park from the switching on of the Christmas lights on Saturday 20 November 2021 to Saturday 1 January 2022 (inclusive); and
- (ii) to give delegated authority to the Head of Environmental and Commercial Services to implement Free After 3 from the switch on of the Christmas lights until the first Saturday in January (inclusive) for future years as outlined in this report, unless Officers consider that circumstances have changed which would then prompt a report to this Committee for reconsideration.

## **10 Flood Risk Management Strategies and Plans**

Under reference to paragraph 20 of the Minute of the meeting of this Committee dated 1 December 2020, a report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the proposed response to the consultation on the Flood Risk Management Strategies and Plans for Cycle 2 and Flood Risk Management funding issues.

During discussion, the Committee noted the large amount of homes and properties at risk of flooding, and it was queried whether consideration could be given to the Council keeping a provision of flood prevention equipment which can be sold to members of the public at cost price if required.

In response, the Head of Environmental and Commercial Services advised that this had been raised in the past however agreed to look into this further and give consideration as to whether the Council can sell flood prevention equipment to members of the public at cost price and advise the Committee accordingly.

Following consideration, the Committee agreed:

- (i) the proposed consultation response on the draft Flood Risk Management Strategies and Plans for Cycle 2;
- (ii) to note the position on grant funding for Flood Protection Schemes planned for Cycle 2; and
- (iii) that the Head of Environmental Services will consider whether the Council can sell flood prevention equipment to members of the public at cost price and advise the Committee accordingly.

## **11 Population Analysis**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of the most up to date population projections for Moray, aligning different sources of information and examined the confidence decision makers can have in the projections when developing strategy. The report did not examine in detail the implications of the projections for Moray Council Services and the wider economy.

Following consideration the Committee agreed to note:

- (i) that the inherent flaws in the methodology for population projections mean they can only be relied upon to inform policy and decision making following publication of the next census;
- (ii) local knowledge related to MOD activities and the housing market can help to provide a better context of the local forecasts; and
- (iii) the actions outlined in paragraphs 3.3-3.6 of the report.

## **12 Moray Start-Up Grants**

A report by the Depute Chief Executive (Economy, Environment and Finance) sought approval from the Committee to launch a Business Start-up Grant fund for small businesses to aid the economic recovery.

Following consideration, the Committee agreed:

- (i) to authorise the launch of a Moray Business Start-up grants scheme for this financial year;
- (ii) that savings from the Business Gateway services are utilised to fund this scheme, resulting in no additional cost to the Council; and
- (iii) note the offer of match grant funding from Highlands and Islands Enterprise.

## **13 Scotland Loves Local**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee about the Scotland Loves Local Gift Card initiative and sought approval to participate by creating a Moray wide gift card scheme. The report further sought approval to submit an application to the complementary Scotland Loves Local Fund.

Following consideration, the Committee agreed to:

- (i) note the scope of the Scotland Loves Local gift card campaign;
- (ii) participate in the first year at no cost to Council with a review on future participation if any;
- (iii) authorise the signing of the concordat agreement with the Scotland Towns Partnership; and

- (iv) delegate authority to submit a potential application to the Scotland Loves Local Fund in a consultation with Group Leaders.

#### **14        Housing and Property Services - Unaudited Outturn as at 31 March 2021**

Under reference to paragraph 12 of the Minute of the meeting of Moray Council dated 12 February 2020, a report by the Depute Chief Executive (Economy, Environment and Finance) presented the unaudited outturn position for the Housing Revenue Account (HRA) and General Reserves Other Housing Budget for the period up to 31 March 2021.

Following consideration, the Committee agreed to note the unaudited outturn for 2020/21 for the period to 31 March 2021.

#### **15        Housing and Property Services Budget Monitoring - 30 June 2021**

Under reference to paragraph 7 of the Minute of the meeting of Moray Council dated 18 February 2021, a report by the Depute Chief Executive (Economy, Environment and Finance) presented the budget position for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period up to 30 June 2021.

Following consideration, the Committee agreed to note the budget monitoring report for the period to 30 June 2021.

#### **16        Question Time**

Councillor Cowie sought clarification as to whether the Council can enforce the trimming of hedges that are affecting visibility splays.

In response, the Head of Economic Growth and Development advised that if this was a condition of a planning consent that was not being adhered to then enforcement action could be taken.

The Head of Environmental and Commercial Services further advised that, in terms of his Service, he would liaise with his colleagues and provide a full response to Councillor Cowie.

#### **17        Thanks**

The Chair noted that this was the last meeting of the Economic Growth, Housing and Environmental Sustainability Committee given that the Council had agreed a new Committee structure and thanked Members and Officers for their contribution to the Committee over the last 10 months.

#### **18        Learning Estate Improvement Programme - Phase 3 Submission                  Consultancy Support [Para 8&9]**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought budget approval from the Committee for a

proposal to engage external consultancy from Hub North Scotland Limited (HNSL) to develop detailed business cases in preparation for a bid to the Scottish Government Learning Estate Investment Programme (LEIP) phase 3, as set out in Appendix 1 to the report

Following consideration the Committee agreed to bring forward capital budget for schools (£25,000) to fund HNSL support to the LEIP Phase 3 submission process.

## **19 Sale of Land Buckie [Para 8 and 9]**

Under reference to paragraph 29 of the Minute of the meeting of this Committee dated 1 December 2020, a report by the Depute Chief Executive (Economy, Environment and Finance) asked Committee to consider the results of a public consultation, seek court authority to dispose of land at March Road West, Buckie and approve main terms for the sale of the property.

Following consideration, the Committee agreed to:

- (i) note the results of the public consultation in relation to the proposed sale of land at March Road West, Buckie;
- (ii) authorise the Legal Services Manager to apply to Elgin Sheriff Court for permission to proceed to sell the property;
- (iii) approve the sale of the property on the main terms detailed in Section 6.2 of the report; and
- (iv) authorise the Estates Manager and the Legal Services Manager to finalise the detailed terms and conditions and conclude the transaction.

## **20 Building Services Trading Operation Budget 2021/22 – Budget Monitoring [Para 9]**

Under reference to paragraph 21 of the Minute of the meeting of this Committee dated 8 June 2021, a report by the Depute Chief Executive (Economy, Environment and Finance) presented the budget monitoring information for the period to 30 June 2021 for the Building Services Trading Operation.

Following consideration, the Committee agreed:

- (i) the financial information for the period to 30 June 2021, as detailed in section 5 and Appendix I of the report; and
- (ii) Building Services operating performance for the period to 30 June 2021, as set out in section 6 of the report.