



Economic Development and Infrastructure Services Committee

Tuesday, 06 February 2024

SUPPLEMENTARY AGENDA

The undernoted reports have been added to the Agenda for the meeting of the **Economic Development and Infrastructure Services Committee** to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Tuesday, 06 February 2024** at **09:30**.

BUSINESS

- | | | |
|-----|---|----------------|
| 5a) | Parking Enforcement | 3 - 8 |
| | Report by Depute Chief Executive (Economy, Environment and Finance) | |
| 5b) | Pavement Parking | 9 - 22 |
| | Report by Depute Chief Executive (Economy, Environment and Finance) | |
| 5c) | M.Connect Expansion | 23 - 36 |
| | Report by Depute Chief Executive (Economy, Environment and Finance) | |
| 5d) | Budget for External Consultancy Services - Phasing out
the use of Glyphosate by 2025 | 37 - 46 |
| | Report by Depute Chief Executive (Economy, Environment and Finance) | |

Summary of Economic Development and Infrastructure

Services Committee functions:

Roads Authority; Lighting Authority, Reservoirs Act 1975, Public Passenger Transport; Flood Prevention; Twinning; Piers and Harbours and Coast Protection; Industrial and Commercial Development; Environmental Protection; Burial Grounds; Assistance to Industry or Commerce; Public Conveniences; Council Transportation; Catering & Cleaning; Land Reform (Scotland) Act 2003; Countryside Amenities; Tourism, monitoring funding from European Programmes, youth training and employment creation scheme and provide Architectural, Quantity Surveying, Maintenance and Allied Property Services.



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 6 FEBRUARY 2024

SUBJECT: PARKING ENFORCEMENT

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT, AND FINANCE)

1. REASON FOR REPORT

- 1.1 To discuss parking concerns in Elgin Town Centre and inform the Committee of options for short term parking enforcement in Elgin Town Centre.
- 1.2 This report is submitted to Committee in terms of Section III (F) (16) of the Council's Scheme of Administration relating to exercise the functions of the Council under the Road (Scotland) Act 1984 and other relevant legislation and to deal with traffic and transport management functions, including the preparation and implementation of traffic management schemes.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) note the contents of the report and consider the interim options outlined in Section 4;**
- (ii) agree a preferred interim option for progression – including further reporting and financial approvals if required; and**
- (iii) agree the long term solution is traffic control through the Levelling Up Fund Elgin Town Centre Masterplan project.**

3. BACKGROUND

- 3.1 Council Officers are aware of continued concerns around non-compliant parking behaviour in Elgin town centre. At the car parking stakeholder consultation held in April 2023, it was clearly acknowledged by all parties that the pedestrianised areas of the Plainstones and Batchen Street are being misused for access and parking by drivers on an increasing basis. This situation appears to be continuing into 2024.

- 3.2 The ability to put in any specific controls is limited by the current closure of North Street for the rebuilding of the “Poundland” building which necessitates the use of Batchen Street for through traffic. This is an exceptional situation exacerbated by current works which have taken longer to complete than originally anticipated.
- 3.3 The long term solution for this area has been put forward as traffic control (rise/fall bollards) as part of the wider Elgin Town Centre Masterplan project as part of the Levelling Up Fund. Further information on locations of these and the wider project can be found here.
<https://storymaps.arcgis.com/stories/46a13bef59ed4293921e40d274963e5b>. This solution was also welcomed by the stakeholder group for the 2023 Elgin Parking Review.
- 3.4 This report is to consider whether interim short term solutions to alleviate concerns may be suitable and achievable until the long term solution which is focussed on changing driving behaviour and controlling traffic, rather than enforcement, can be implemented.
- 3.5 The responsibility for enforcement of on street parking offences remains with Police Scotland, in line with the Council’s Parking Strategy (meeting of this Committee 31 October 2017, paragraph 7 of the minute refers) and the review of the strategy in 2023 as approved by this Committee on 5 September 2023 (para 4 of the minute refers). Ten local authorities, including Moray, do not currently have decriminalised parking in Scotland. As such, Decriminalised Parking Enforcement, which would be a permanent change in position is not considered as part of this report.
- 3.6 Council Officers meet regularly with colleagues in Police Scotland to discuss priorities and issues relating to enforcement. This partnership working is positive and acknowledges relative priorities and resourcing pressures.

4. OPTIONS

Do nothing / status quo

- 4.1 Continue with the current situation. To do so would leave the current level of illegal parking unaddressed, and has consequent reputational risks. As with any non-compliant parking, this raises road safety risks. The introduction of the new pavement parking legislation through the Transport (Scotland) Act 2019 has raised awareness of wider parking compliance issues and expectations of solutions to these issues.

Communication campaign

- 4.2 Work with partners to produce and implement a campaign about safe and considerate parking. This could be done via social media and paid for advertising. Costs would vary depending on the scale of the campaign and the media used for any advertising. Whilst small scale activity could potentially be carried out unfunded, this would need managing in the context of existing work priorities and pressures. Around £10k could be an appropriate amount to do an Elgin focussed campaign. The benefits of this are encouraging

compliance and increasing understanding of why parking restrictions are in place and promoting the location of the current car parks, to ensure the town centre is accessible for all users. This would help to demonstrate that the Council is listening and responding to concerns raised. If this option was preferred, this committee would have to refer the resulting funding recommendation to Full Council for consideration and constitutes a budget pressure as there is no existing funding stream.

Special Constables

- 4.3 Council Officers have been asked to consider whether Special Constables could carry out parking enforcement. Special Constables are volunteer Police Officers, with the same powers as regular officers. These volunteers must undergo a similar application, security vetting and training process to regular Police Officers. This process includes, application, security vetting, initial Police exam, interview, medical and extensive training, prior to becoming a Special Constable.
- 4.4 Dialogue with Police Scotland has been clear that, as such, Special Constables are not recruited to undertake one task (such as parking enforcement) but any task that would be required as part of being a Police Officer. Most notably, Special Constables by their volunteer nature are also often in employment and generally available in evenings, weekends and holidays, when the parking issues in Elgin are reduced. Further information on becoming a Special Constable and their role is available here. <https://www.scotland.police.uk/recruitment/special-constables/>

Funded Police Officer time

- 4.5 Moray Council could provide funding to Police Scotland to fund additional (overtime) hours as part of a memorandum of understanding or service level agreement to undertake parking enforcement. This would be undertaken on the understanding that it would be required to be done along with other Policing priorities ie not limiting the requirement to respond to an emergency situation, however, the tasking would be on a dedicated basis with an agreed programme of activity. In that vein the Council would not pay for any hours of enforcement activity not carried out if there had been the need for officers to be redeployed to an emergency situation.
- 4.6 At a headline level, an indicative proposal has been discussed with Police Scotland, which would provide for an 18 month agreement, broken into three 6-month periods to allow for mutual review. The proposal sets out an average of 25 hours of enforcement per month, which would be weighted towards the beginning of the agreement to encourage compliant behaviour as soon as possible. There would be an agreed programme of activity, with monthly reviews on practical delivery, output measures (number of tickets issued) and perceived behaviour change in terms of observations of vehicles parked illegally in the core town centre area – particularly focussed on Batchen Street and the Plainstones area of the High Street. This is likely to cost £20k. If this option was preferred, this committee would have to refer the resulting funding recommendation to Full Council for consideration and constitutes a budget pressure as there is no existing funding stream.

Contract with council to undertake Police Scotland traffic warden duties

- 4.7 Police Scotland are permitted to sub contract certain functions to third party providers, and this includes the traffic warden duties. Although Police Scotland withdrew the provision of a Traffic Warden Service in 2014, the statutory powers of traffic wardens still exist for utilisation by the Police. As with the option to fund police officer time, Moray Council as a public sector body could enter into an agreement with the Police to fund specific activities – in this instance the employment of temporary staff to carry out traffic warden duties. Combining these factors could see an option whereby the Police contract with the Council to provide specific traffic warden functionality on a short term basis in the town centre of Elgin with Police Scotland still administering the process centrally. Initial work on this option would indicate a higher base cost to the council than the funding of officer time set out in 4.5 above, but would have provided a greater number of hours of enforcement cover.
- 4.8 Dialogue with partners in Police Scotland have established that this option is not aligned to the Divisional or National position of Police Scotland in relation to parking offences, which is that these should be pursued by local authorities taking on enforcement powers through DPE.
- 4.9 Given the position of Police Scotland on this matter this option is not recommended for further exploration, however, should Committee be minded to have further discussions on this the matter could be referred to Police & Fire & Rescue Services Committee.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The report encompasses the main aims of the Economic Development programme by maintaining suitable transport facilities and infrastructure designed for their intended use.

(b) Policy and Legal

There are legal implications depending on which option members would like Council officers to progress with. The relevant legislation is:-

Road (Scotland) Act 1984

The Transport (Scotland) Act 2019

The Functions of Traffic Wardens (Scotland) Order 1999

(c) Financial implications

There would be additional costs to the Council from the options for additional action outlined in this report, which would require budget approval from Full Council.

Funding Police Scotland officers to do additional hours would depend on the number of hours members wish to fund. The option set out above has a likely cost of £20k. If this option is preferred it would require referral to Full Council as there is no existing budget provision.

Communication Campaign could cost £10,000 depending on the media chosen and amount of paid advertising used. This would need to be approved by Full Council as there is no existing budget provision.

When the Council approved the budget for 2023/24 on 1 March 2023 (paragraph 5 of the Minute refers) it balanced only by using reserves and one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make savings in the order of £20 million in the next two years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved

(d) Risk Implications

There are reputational risks to the Council by doing nothing. These risks will be reduced once the current street works are completed and when the traffic control measures are implemented. The Levelling Up Fund project should be completed by March 2026.

(e) Staffing Implications

There would be staffing implications should there be any progression of the option relating to taking on traffic warden duties, however, this option is not supported by Police Scotland.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

There may be some impacts on the grounds of disability. Enforcing the restrictions which are already in place may affect people with a disability as they may not be able to get directly to the location they wish, but this is deemed justified as a proportionate way of ensuring safety and accessibility for pedestrians.

(h) Climate Change and Biodiversity Impacts

There are no Climate Change or Biodiversity Impacts.

(i) Consultations

The Depute Chief Executive (Economy, Environment & Finance), head of Environmental and Commercial Services; Chief Financial Officer, Legal Services Manager, Equal Opportunities Officer, Climate Change Strategy Officer, Police Scotland and Committee Services Officer (L Rowan) have been consulted and any comments taken into consideration.

6. CONCLUSION

- 6.1 This is a short term problem due to current street works and there will be a delay before implementation of the Levelling Up Fund Elgin Town Centre Masterplan project, which once completed should greatly improve the traffic movement and parking situation in Elgin.**
- 6.2 There are a number of potential short term options for parking enforcement. These options will require additional revenue expenditure, communication of the changes and working collaboratively with partners and stakeholders.**
- 6.3 The long term solution is focussed on changing driving behaviour and controlling traffic, to encourage compliance, rather than enforcement.**

Author of Report: Kelly Wiltshire, Strategic Transport Services Manager

Background Papers: [Elgin Parking Review September 2023](#)
[Elgin Parking Strategy 2017](#)

Ref: SPMAN-524642768-1022



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 6 FEBRUARY 2024

SUBJECT: PAVEMENT PARKING

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT, AND FINANCE)

1. REASON FOR REPORT

- 1.1 To inform the Committee of progress for the new Pavement Parking legislation which came into effect on 11 December 2023 as part of the Transport (Scotland) Act 2019. This gave local authorities the power to enforce a ban on pavement parking, double-parking (more than 50cm from the edge of a carriageway) and parking at dropped kerbs installed for pedestrian or cycle usage.
- 1.2 This report is submitted to Committee in terms of Section III (F) (16) of the Council's Scheme of Administration relating to exercise the functions of the Council under the Road (Scotland) Act 1984 and other relevant legislation and to deal with traffic and transport management functions, including the preparation and implementation of traffic management schemes.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) note the updates in the report relating to the statutory powers on pavement parking; and**
- (ii) agrees option B, the promotion of key messages and continued partnership working with Police Scotland and others as a proportionate response to pavement parking issues in Moray.**

3. BACKGROUND

- 3.1 At the meeting of this Committee on 20 June 2023, this Committee agreed to approve a Pavement Parking Exemption order for some exemptions to the pavement parking legislation where for example the pavement was too narrow for cars to park and emergency vehicles to pass (para 7 of the Minute refers). These orders are now complete and the relevant signage and road markings should be in place by Mid-February (subject to weather conditions).

- 3.2 This is a nationwide ban and as such some key messages, advertisements and marketing materials have been prepared at a national level for local authorities and others to use. These are available to view at <https://roadsafety.scot/campaigns/pavement-parking/>
- 3.3 The statutory powers and accompanying regulations came into force on 11 December 2023 as part of the Transport (Scotland) Act 2019. This gives local authorities the power (but not duty) to enforce a ban on pavement parking. A statutory duty means that the Council must comply with the requirements of the relevant legislation. A statutory power, as is the case with this legislation, means that the Council has discretion whether to exercise the power.
- 3.4 Whilst pavement parking is an issue in some locations in Moray, it is not the main parking enforcement issue. There are wider concerns about parking enforcement in Elgin in particular, which is being considered in a separate report to this Committee.
- 3.5 Options in response to the new power are – A) do nothing, B) promote key messages and liaise with the Police in relation to parking that is dangerous / causing an obstruction, C) employ officers and outsource processing to another authority, which has decriminalised parking in place.

(A) Do nothing

- 3.6 Continue with the current situation whereby the local authority takes no role in pavement parking matters. This is not recommended due to equality and reputational risks.

(B) Promote Key Messages and liaise with Police

- 3.7 This approach is recommended by officers as it would be beneficial and proportionate to the scale of the issue. Promoting these messages will help to increase the awareness of the new legislation, promote understanding of why the parking ban has come into place and reinforce the need for our pavements to be accessible for all users and in particular our more vulnerable road users.
- 3.8 Council Officers continue to work closely in partnership with Police Scotland and have a good positive relationship acknowledging each other's priorities and limitations on resources. Police Scotland do respond to calls for parking that is dangerous or causing an obstruction.
- 3.9 The key messages of a communications campaign would be that:
- Many people face daily difficulties with pavement parking. It is dangerous and frustrating, especially for those with impairments, wheel chair users or those with limited mobility and those with mental health challenges.
 - People walking with young children should not be forced onto the road to avoid vehicles parking on the footway.

- Pavement parking can have serious consequences and can force people to take unnecessary road safety risks.
- Complying with the pavement parking restrictions ensures our pavements and roads are safer and more accessible to all.
- If a vehicle is parked dangerously or is causing an obstruction, Police Scotland should be contacted via 101 to respond, as they do currently.

(C) Employ officers to enforce legislation with processing outsourced

- 3.10 This would involve employing dedicated officers, training, uniform, equipment as well as contributing to the costs of a further local authority which already had decriminalised parking powers to undertake processing of Penalty Charge Notices. It is likely that at least two officers would be required to cover for shift patterns and annual leave. This staff cost would be in the region of £65,000 and there is no budgetary provision for this.
- 3.11 At present, whilst there are wide spread concerns about wider parking issues and enforcement in Elgin town centre, the parking enforcement concerns relate to a variety of issues, not just pavement parking, and are explored further in the separate report on parking enforcement for consideration by Committee on this agenda.
- 3.12 As the legislation confers a specific power to enforce pavement parking on Local Authorities, this option could be pursued in isolation to Decriminalisation of Parking Enforcement, but is not advised as a proportionate response to the scale of illegal pavement parking in Moray. If members wish to go ahead with this option, a further report would be required to go to a future meeting of this committee with more detailed costs on staffing, equipment required and potential neighbouring authorities who may provide the processing and their costs.
- 3.13 In contrast, on street parking enforcement in Moray is still the responsibility of Police Scotland. Ten local authorities including Moray, do not currently have decriminalised parking in Scotland. Decriminalised Parking Enforcement is a regime that enables a local authority to enforce its own parking policies, including the issuing of Penalty Charge Notices to motorists breaching parking controls in specified areas. This was discussed at a meeting of this committee on 5 September 2023 as part of the Elgin Car Parking Review (para 8 of the Minute refers) and as part of the Elgin Parking Strategy report on 31 October 2017 (Para 7 of the Minute refers) and this report does not seek to amend the current position of council.

4 SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The report encompasses the main aims of the Economic Development programme by maintaining suitable transport facilities and infrastructure designed for their intended use.

(b) Policy and Legal

Pavement parking legislation which started on 11 December 2023 as part of the Transport (Scotland) Act 2019. This give local authorities the power (but not duty) to enforce a ban on pavement parking. Moray Council has criminalised parking, so enforcement of on street parking is required to be undertaken by the Police Scotland. A statutory duty means that the Council must comply with the requirements of the relevant legislation. A statutory power, as is the case with this legislation, means that the Council has discretion whether to exercise the power.

(c) Financial implications

There are no financial implications arising from this report unless Option (C) is preferred and this would require additional revenue budget of around £65,000 per annum for staff. Processing costs from another local authority are still to be determined and would likely be on the basis of numbers of tickets. If members wish to go ahead with this option, a further report would be required to Full Council and a future committee with more detailed costs and options/availability of neighbouring authorities.

When the Council approved the budget for 2023/24 on 1 March 2023 (paragraph 5 of the Minute refers) it balanced only by using reserves and one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make savings in the order of £20 million in the next two years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved

The Scottish Government provided a grant of £42,000 in preparation for the introduction of the Transport (Scotland) Act 2019 and the introduction of the new parking restrictions that were introduced as part of this act. The funding was for the road assessment and promotion of exemption order and implementation of these orders through the provision of road signs and road markings. There was also capital signs and road markings budget available to support the implementation of the exemption orders.

(d) Risk Implications

There is a reputational risk to the Council if option (A) do nothing is agreed and pavement parking messaging around the reasons why compliance is important is not carried out.

(e) Staffing Implications

There are no staffing implications arising from this report unless option (C) is agreed in which case there would be staffing implications such as additional staff required. This is likely to be two staff based on our current car park attendant roles.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

Vehicles parking either partially or wholly on the public footway can present an obstruction to pedestrians and present a hazard to those with restricted mobility and/or visual impairments. Promoting compliance of this should help raise awareness of these issues and promote compliance. The guidance provided to support the parking assessments included a requirement to undertake Equalities Impact Assessment for the locations where an Exemption order was promoted. An integrated Impact Assessment has been carried out for the recommended proposal and is available in (**Appendix A**).

(h) Climate Change and Biodiversity Impacts

There are no climate change and biodiversity implications arising from this report.

(i) Consultations

The Depute Chief Executive (Economy, Environment & Finance), head of Environmental and Commercial Services; Chief Financial Officer, Legal Services Manager, Equal Opportunities Officer, Climate Change Strategy Officer, Police Scotland and Committee Services Officer (L Rowan) have been consulted and any comments taken into consideration.

5. CONCLUSION

5.1 The focus for pavement parking compliance should be on the reasons why the ban was put in place and promoting these messages.

5.2 The key messages are:

- **Many people face daily difficulties with pavement parking. It is dangerous and frustrating, especially for those with impairments, wheelchair users or those with limited mobility and those with mental health challenges.**
- **Pavement parking has serious consequences and can force people to take unnecessary risks.**
- **People walking with young children should not be forced onto the road to avoid vehicles parking on the footway.**
- **The Pavement Parking marketing campaign aims to inform the public of the changes to ensure our pavements and roads are safer and more accessible to all.**

Author of Report: Kelly Wiltshire, Strategic Transport Services Manager

Background Papers: [Pavement Parking Exemption Order – June 2023](#)
[Elgin Car Parking Review - September 2023](#)
[Elgin Car Park Strategy – October 2017](#)

Ref: SPMAN-524642768-1016

INTEGRATED IMPACT ASSESSMENT COVERING

- EQUALITIES & SOCIO ECONOMIC DUTIES
- HUMAN RIGHTS AND RIGHTS OF THE CHILD

STAGE 1 - DO I NEED AN INTEGRATED IMPACT ASSESSMENT?

Name of policy or proposal: Pavement Parking	
Is this a	Mark X below
New activity, programme or policy?	x
Change to an existing activity, programme or policy?	
Budget proposal?	

Duties: tick the boxes you think apply	No	Maybe	Yes
<p>Equalities: Will your proposal have an impact on groups with protected characteristics?</p> <p><i>Consider the impact of your proposal on people and how they access your services and information without barriers.</i></p>			<p>X</p> <p>In a positive way. Pavement parking ban has been introduced to help people with disabilities or other impairments to be able to access pavement</p>

			ments safely.
Socio-economic	x		
<i>Not every person/family has access to regular income or savings. Will your proposal have an adverse impact on them</i>			
Does your proposal impact on the human rights of people?	x		
Does your proposal impact on the rights of children and young people	x		

Reasoning
Briefly describe your reasoning for the responses given above:

The report relates to the nationwide pan on pavement parking. This should help people with disabilities In a positive way. Pavement parking ban has been introduced to help people with disabilities and/or other impairments to be able to access pavements safely. The report going to ED&I committee proposes to promote these key messages and to encourage compliance with the new ban.

If you have answered “maybe” or “yes” to any of the Stage 1 questions above then proceed to complete the Stage 2 Integrated Impact Assessment questions below.

If you have answered “no” to the Stage 1 questions above then provide the details below and submit to [email]	
Lead Officer for developing the contract	Kelly Wiltshire
Other people involved in the screening (this may be council staff, partners or others i.e. contractor or community)	Council staff, Police Scotland, Scottish Government.

Date	21/12/2023
------	------------

STAGE 2: INTEGRATED IMPACT ASSESSMENT

Brief description of the affected service

1. Describe what the service does: This is a new nationwide ban on pavement parking (with some exemptions) to encourage people not to park on footways and allow people to access pavements without having to go round vehicles
2. Who are your main stakeholders? Members of the public
3. What changes as a result of the proposals? Is the service reduced or removed? Service is not reduced or removed it is complying with new legislation.
4. How will this affect your customers? Drivers will not be allowed to park on pavements (unless in areas with exemption orders). This should bring benefits to people who use pavements that they can access these safely without having to go round vehicles and potentially having to go onto a live carriageway. This will particularly benefit wheelchair users, people with visual impairments and families with pushchairs.
5. Impact on staff providing the service. No

6. Please indicate if these apply to any of the protected characteristics	
Protected groups	Potential impacts and considerations
Race	No
Disability	Yes
Carers (for elderly, disabled or minors)	Yes
Sex	yes
Pregnancy and maternity (including breastfeeding)	Yes
Sexual orientation	
Age (include children, young people, midlife and older people)	Yes
Religion, and or belief	No
Gender reassignment	No
Inequalities arising from socio-economic differences	Yes

Human rights

List of convention rights	Describe, where applicable, if and how specific rights are engaged
Article 5: Right to liberty and security	No
Article 6: Right to a fair trial	No
Article 8: Right to respect for private and family life, correspondence and the home	No
<i>Article 10: Freedom of expression</i>	No
<i>Article 11: Freedom of assembly and association</i>	No
<i>Article 12: Right to marry</i>	No
<i>Article 14: Prohibition of discrimination (in relation to the convention rights)</i>	No
<i>Article 1 of Protocol 1: Protection of property</i>	No
<i>Article 2 of Protocol 1: Right to education</i>	No
<i>Article 3 of Protocol 1: Right to free elections by secret ballot</i>	No

Children's Rights and Wellbeing

Relevant articles – UNCRC	
Article 2 – Non discrimination	no
Article 12 – Respect of the views of the child	no
Article 3.1 – Best interest of the child	no
Article 6.2 – Right to survival and development	no

7. Evidence. What information have you used to make your assessment?

Performance data	
Internal consultation	
Consultation with affected groups	
Local statistics	
National statistics	The Scottish Government have prepared marketing material to support the introduction of the pavement parking ban.

	https://roadsafety.scot/wp-content/uploads/2023/11/Pavement-Parking-Toolkit.pdf
Other	

8. Evidence gaps

Do you need additional information in order to complete the information in the previous questions?

No

9. Mitigating action

Can the impact of the proposed policy/activity be mitigated? Please explain

Promote the reasons why the pavement parking ban has been introduced and do traffic order exemptions in locations where the road is too narrow and cars need to park on the pavement to allow emergency vehicles to pass (this has already been done – See June 2023 ED&I committee paper which outlined the proposed exemptions

10. Justification

If nothing can be done to reduce the negative impact(s) but the proposed policy/activity must go ahead, what justification is there to continue with the change?

New Pavement Parking legislation which started on 11 December 2023 as part of the Transport (Scotland) Act 2019.

SECTION 3 CONCLUDING THE IIA

Concluding the IIA

1. No potential negative impacts on any of the protected groups were found.	agreed
2. Some potential negative impacts have been identified. The impacts relate to:	no
Reducing discrimination, harassment, victimisation or other conduct prohibited under the Equality Act 2010	n/a
Promoting equality of opportunity	yes
Fostering good relations	yes
3. The proposals interfere with human rights and/or the rights of the child	no
4. Negative impacts can be mitigated the proposals as outlined in question 9.	yes
5. The negative impacts cannot be fully mitigated but are justified as outlined in question 10.	yes
6. Further consultation with affected groups is needed.	no
7. It is advised not to go ahead with the proposals.	no

Decision

Set out the rationale for deciding whether or not to proceed with the proposed actions:

This is a nationwide ban on pavement parking which should help to reduce inequalities and make pavements more accessible for all

Date of Decision: 21/12/2023

Sign off and authorisation:

Service	Economy, Environment and Finance
Department	Transportation
Policy/activity subject to IIA	Pavement Parking Ban
We have completed the integrated impact assessment for this policy/activity.	Name: Kelly Wiltshire Position: Strategic Transport Services Manager Date: 21/12/2023
Authorisation by head of service	Name: Nicola Moss Position: Head of Service Date: 10.1.24
Permission to publish on website -	
Please return this form to the Equal Opportunities Officer, Chief Executive's Office.	



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 6 FEBRUARY 2024

SUBJECT: M.CONNECT EXPANSION

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT, AND FINANCE)

1. REASON FOR REPORT

- 1.1 To inform the Committee of operational plans in relation to expanding m.connect services into weekends and exploiting opportunities to support the work place journey in Moray, all of which is included in the project plans within the Moray Growth Deal.
- 1.2 This report is submitted to Committee in terms of Section III (F) (18) to exercise the function of the council in relation to public passenger transport under the Transport Act 1985.

2. RECOMMENDATION

- 2.1 **It is recommended that committee grant delegated authority to Head of Environmental and Commercial Services in consultation with the Chair of this Committee and the Chief Financial Officer to introduce additional bus service routes and, or resources, supporting major events (Whisky festival etc.) and the workplace journey in Moray through evidenced need and demand by event organisers and local employers on a cost neutral basis as set out in paras 3.10-3.11.**

3. BACKGROUND

- 3.1 The Bus Revolution project is part of the Moray Growth Deal and aims to improve public transport connectivity across Moray by providing additional demand responsive transport, improving the ease of use of public transport by the introduction of app based technology, and reducing carbon emissions by the use of fully electric bus vehicles.

- 3.2 The project builds on the previous Dial M demand responsive service (now m.connect), to extend hours of operation, and particularly aims to tackle transport barriers to employment. There will be three key funding phases throughout the 10 year span of the Growth Deal, each giving the opportunity to provide additional vehicle resource for expanding service provision, with a long term aim of providing services seven days per week from early morning to late evening. However, expansion of services is anticipated on an incremental basis to enable deliverable growth.
- 3.3 Phase 1 of project delivery, introduced m.connect services across Moray on the 2 May 2023, which included the implementation of a real-time booking and management system and the release of a passenger app for customers to plan, book, pay and manage their journeys. Initial service expansion (through extended operating hours) was focussed in Buckie, Keith and Speyside, providing on-demand bus services from 0630-2030hrs Monday to Friday. The introduction of service 309, linking Cullen, Buckie and Keith to the rail network was also introduced alongside an enhanced 366 service that serves Aberlour, Knockando and Archiestown into Elgin Monday to Friday (formerly Mondays and Wednesdays only).

Progress to date

- 3.4 Since the introduction of the enhanced m.connect services, passenger growth has already surpassed the annual growth target set within the Full Business Case Investment objective 1: *Increase public transport passenger journeys by 30,000 per annum by 2030, (4286 additional journeys for FY23-24)*. To date journey growth has increased by 7685 journeys (May-Dec) with over a third of customers using the passenger app to manage their journey needs. Investment objective 2: *To reduce the environmental impact of transport in the area by 30t CO₂e p.a. by 2030, has also surpassed the annual target for CO₂e reductions (4.3tCO₂e reduction target for FY 23-24), creating a saving of 7.6 tCO₂e to date*. The final project objective, *20% reduction in number of people facing transport barriers to employment, education or recreation by 2030*, continues as work in progress and forms part of the reason for this report. Target income on bus service provision directly addressing the journey to work via employers has not been met as the original opportunities anticipated with specific employers have not come to fruition, however, specific actions to address this aspect of the project are being developed by the project board.
- 3.5 As part of the phased approach to continued expansion to meet the full project objectives, further service expansion is currently being analysed and considered. This will be subject to future reports to this committee.

Demand Analysis

- 3.6 In looking at the next phase of service expansion, evening and weekend operating hours have been considered (both being part of the long term proposed development of m.connect bus services). The m.connect booking and management system provider (Liftango) prepared an analysis document of service performance to date, showing detailed analytics of demand profile, ride sharing, vehicle utilisation, trip location and booking success rates. This information, along with survey responses and benchmarking Forres Saturday on-demand service information has generated confidence in weekend service expansion proposals.
- 3.7 A review of existing weekend bus services available in Buckie, Keith and Speyside at present evidences further that there is a need for m.connect expansion to provide public bus service supporting those accessing employment and /or recreational facilities. The community engagement conducted prior to phase one delivery also remains relevant with regards to weekend bus service developments within the project scope. This serves to provide an update to members on project progress and as background information prior to any future committee reports.

Potential Further Flexible Service Expansions

- 3.8 The project team have been engaging with local employers and event organisers in Moray to evaluate if current service designs support event timings, shift patterns, demand and need. This work helps evidence reducing those existing barriers that m.connect can mitigate now and in future phases. It has also allowed m.connect to assess the use of existing resource to meet rapidly developing opportunities to support major events and local business in Moray. This can be achieved by either enhancing existing provision through additional vehicle deployment on a particular service, or design of bespoke public service routes through consultation. This would help events and employers be better connected while assisting with the environmental challenges faced to reduce carbon emissions and encouraging modal shifts from the routine car journey to use of public transport in line with the expectations of the full business case.
- 3.9 In this vein, the organisers of the Spirit of Speyside whisky festival have requested m.connect support for this year's event – this would see weekday utilisation of the service, but also a first step into weekend operations at the time of the festival. This would be in line with the budget neutral terms of the delegated authority request.
- 3.10 Allowing the Head of Environmental and Commercial Services delegated authority to use available resources to introduce smaller scale additional bus service routes in response to well evidenced demand and need would not only help the local business community meet environmental commitments, it would create additional income for m.connect services, improve confidence in the local bus network and connect residents of Moray with major events and employment opportunities through improved connectivity.

- 3.11 All additional service route opportunities brought forward using this flexible approach would be consulted on with the Chief Financial Officer and Chair of this committee, and assurance given that additional services would only be activated on a cost neutral basis, where the predicted income is commensurate with the uplift in operational costs, limiting financial risk to the council.

Regulatory Application Process

- 3.12 Bus services are governed by regulatory permissions via the Traffic Commissioners office, which have a lead in time of 10 weeks to gain consents. With this time frame in mind, this report seeks approval of the above delegated authority request to allow for timely completion of service registration processes in relation to the whisky festival.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The proposals, which fit within the inclusive economic growth principles of the Growth Deal support the council's priority for a growing and diverse economy, as well as supporting health and wellbeing through access to services.

(b) Policy and Legal

The proposed amendments fit within the Scottish Government's transport policy priorities, and the objectives established in Moray's Growth Deal. Bus services operated by the council are regulated through s19 and s22 permits and registration of services with the Traffic Commissioner. Future services may utilise the powers in the Transport (Scotland) Act 2019 which allow use of O Licensed operations, however, this statutory power has still to be enabled. Both s19 & s22 and O Licensed operations still require registration of local bus services, and the Traffic Commissioner holds the regulatory role in all these regards

(c) Financial implications

Any financial implications of this report are on a budget neutral basis.

(d) Risk Implications

The principal commercial and reputational risks have been evaluated as part of the Full Business Case. There are reputational risks around service development that is not in line with community expectations, and this has been mitigated by detailed service analysis and previous community engagement activity. Risks around growth in passenger numbers and income will be monitored through the Project Board and performance reporting.

(e) Staffing Implications

There are no staffing implications arising from this report.

(f) Property

There are no property implications relating to this report.

(g) Equalities/Socio Economic Impact

The project aims to reduce inequalities through the provision of accessible and affordable transport options, particularly tackling barriers to employment. A full Equalities Impact Assessment has been carried out as part of the project.

(h) Climate Change and Biodiversity Impacts

The project has established objectives and measurements relating to a positive impact on the environment and a reduction in carbon emissions.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), Head of Environmental and Commercial Services, Legal Services Manager, Chief Financial Officer, Community Support Unit Manager, Equalities Officer and L Rowan, Committee Services Officer have been consulted and their comments incorporated into this report.

5. CONCLUSION

5.1 This report seeks approval to grant delegated authority to the Head of Environmental and Commercial Services to introduce additional bus service routes, supporting the workplace journey in Moray through evidenced need and demand by local employers.

Author of Report: Stevie Robertson Senior Project Officer (Bus Revolution)

Background Papers:

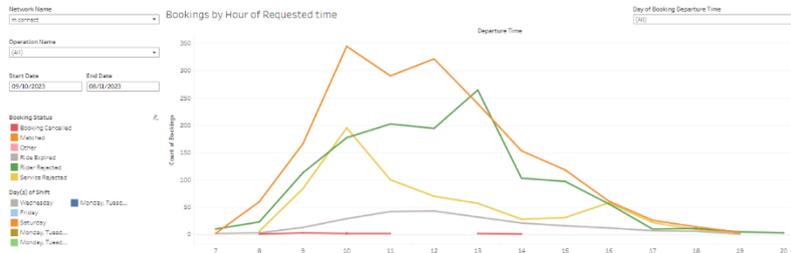
Ref: SPMAN-524642768-1027

Bus Revolution - Phase 1a Weekend service option appraisal

Speyside 691 Service

Project Board to consider the m.connect analysis provided by Liftango when deciding number of vehicles to operate a Saturday service in the 5 on-demand areas in Moray (Speyside, Buckie, Keith, Egin & Forres).

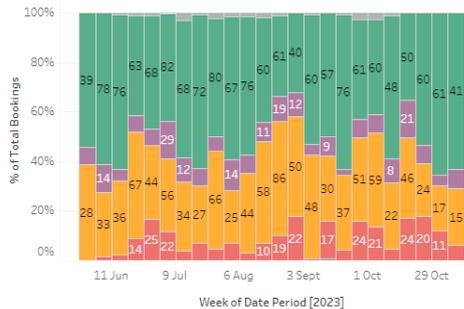
Current demand profile:



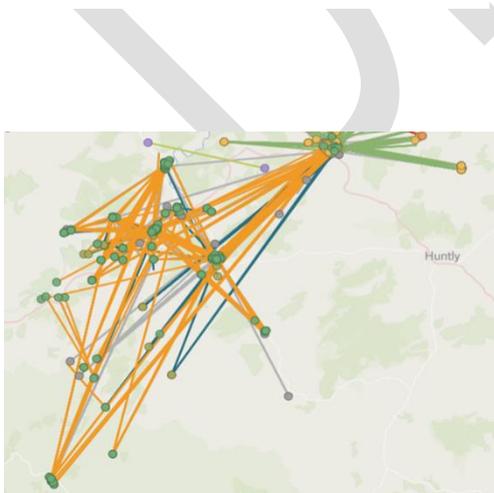
The balance of supply and demand is reflected somewhat in the trip acceptance and rejection statistics. The image above shows that the “service rejected” peak, i.e. unavailability of trips, is between 9-11am. This

implies a lack of capacity available at this time, which is further reflected by very strong utilization in the Elgin and Keith services during this period. The “rider rejected” peak is between 10am and 1pm and increases towards 1pm, as supply is being removed from the service. This implies that passengers are being offered alternative trips which do not suit their travel needs. In the late afternoon demand is lower however “service rejected” is on a 1:1 basis implying that a lack of capacity occurs again at this time.

Bookings by Status Percentage



Each zone has its own characteristics. Forres for example is relatively small and has higher convergence of trip requests than Speyside which is larger and less dense, particularly at the core of the zone. This leads to differences in trip booking success. Keith and Speyside consistently have the highest booking success rate.



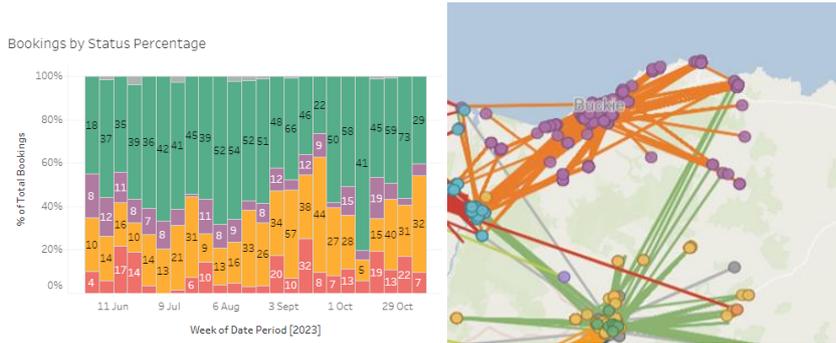
The image to the left shows the trip paths over a multi-month period. Quick visual analysis shows the difference in movement patterns of the Speyside service. In Speyside there is sufficient supply of vehicles from Mon-Fri, yet at peak times of demand (see demand profile above) the zone structure works against booking success.

Speyside has 3-4 vehicles available with plenty capacity, has low demand with a complex zone. All factors that have led to high booking success rate in general.

Current Speyside (Mon-Fri Service) monthly average passenger figures sit at 395, equating to an average of 19 passengers a day.

Buckie 694 Service

Current booking success in Buckie is the lowest in Moray alongside Elgin.

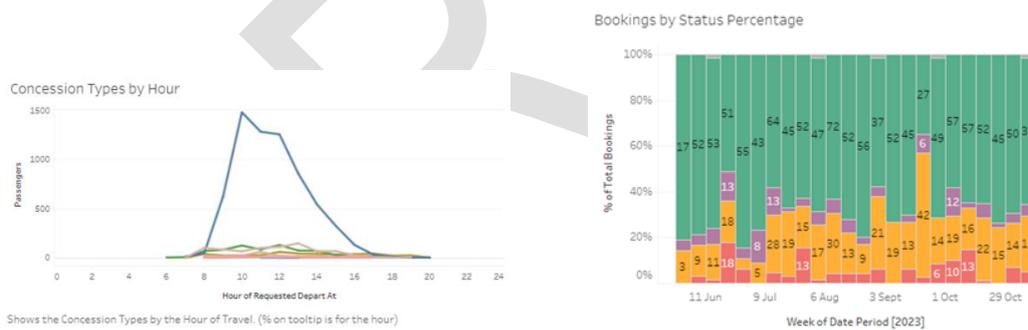


The image above right shows the trip paths over a multi-month period in Buckie and Keith. Again, the movement patterns for Mon-Fri Buckie service are spread meaning that the current 2 vehicles need to cover a broader range of movements and limit ride sharing opportunities and thus reducing booking success.

Demand profile follows the same pattern as identified for Speyside.

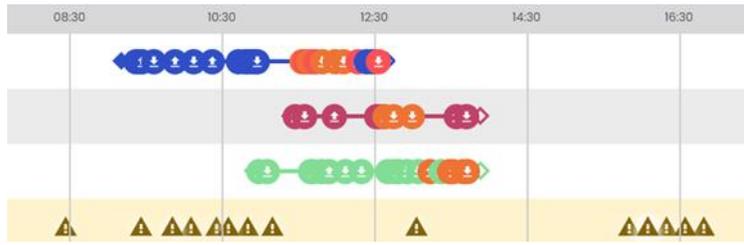
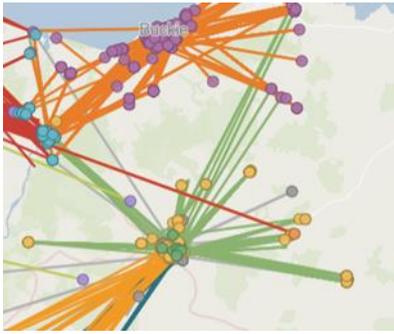
Current Buckie (Mon-Fri Service) monthly average passenger figures sit at 242, equating to an average of 12 passengers a day.

Keith 696 Service



Shows the Concession Types by the Hour of Travel. (% on tooltip is for the hour)

Demand for the service overall is strongest in the morning across all categories and tapers through the afternoon. This may be a reflection of true demand; however, it is important to note that supply in the highest demand locations (Elgin and Keith) is heavily skewed to the morning.

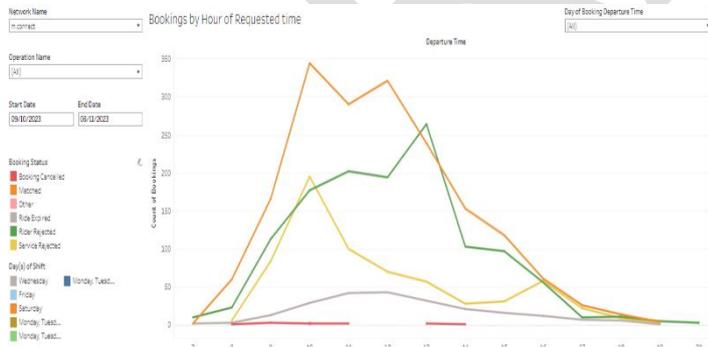


The image above left shows the trip paths over a multi-month period in Keith. This is movement patterns for Mon-Fri Keith service and has demand in Cullen, Rothiemay, Mulben and Dufftown, all of which is over and above the journeys within the Keith and Fyfe Keith. This spread shows that the current 1 vehicle set up works very hard and misses demand as shown in the image to the right (Warning Triangles within the yellow band is unallocated journeys that have been requested but can't be matched to available capacity).

Analysis of unallocated rides indicates a consistent pattern of rides being unfulfilled in Forres, Elgin and Keith regions. In each of these zones, bus availability windows are quite small, meaning that demand must be forced into the available periods. Particularly in periods with a single vehicle operating, the ability to serve these trips is much lower due to a combination of low capacity, and dissimilar ride requests (1 vehicle can't be in 2 places).

Current Keith (Mon-Fri Service) monthly average passenger figures sit at 233, equating to an average of 11 passengers a day.

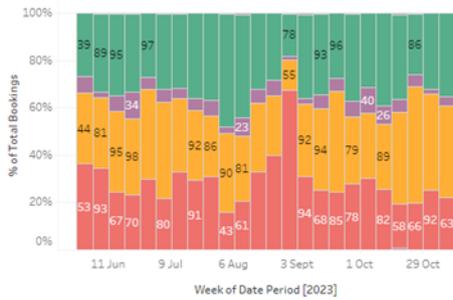
Elgin 697 Service



This balance of supply and demand is reflected somewhat in the trip acceptance and rejection statistics. The image above shows that the “service rejected” peak, i.e. unavailability of trips, is between 9-11am. This implies a lack of capacity available at this time, which is further reflected by very strong

utilisation in the Elgin and Keith services during this period. The “rider rejected” peak is between 10am and 1pm and increases towards 1pm, as supply is being removed from the service. This implies that passengers are being offered alternative trips which do not suit their travel needs. In the late afternoon demand is lower however “service rejected” is on a 1:1 basis implying that a lack of capacity occurs again at this time

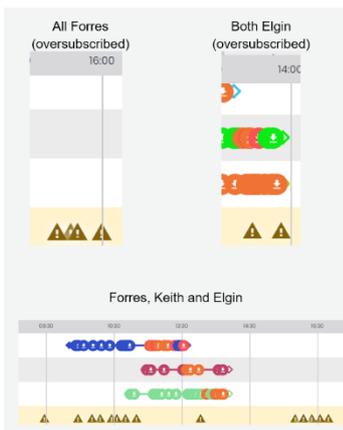
Bookings by Status Percentage



Current booking success in Elgin is the lowest In Moray alongside Buckie.

Visual analysis shows the difference in movement patterns between the Forres service and Elgin service. The Elgin service has 4 larger groupings, meaning that vehicles need to cover a broader range of movements in a larger zonal area.

The Zone set up along with the limited vehicle hour’s impacts on the ability to meet current demand and reduces the booking success rate as shown in the booking status chart above.



Analysis of unallocated rides show a consistent pattern of rides being unfulfilled in Elgin. Vehicle availability windows are quite small, meaning that demand must be forced into the available periods.

Particularly in periods with a single vehicle operating, the ability to serve these trips is much lower due to a combination of low capacity, and dissimilar ride requests (1 vehicle can’t be in 2 places).

Current Elgin (Mon-Fri Service) monthly average passenger figures sit at 420, equating to an average of 20 passengers a day.

m.connect Scheduled services

The board may also wish to consider introducing service routes into weekend service operation as an alternative solution or as part of a scheduled and on-demand service mix. All service costs based on Diesel vehicle use due to the current timetable commitments (does not accommodate charging time). Four service routes have been identified for consideration; these are:

Service 309 – Cullen-Buckie-Keith

The existing timetable, as shown below; can be replicated or amended to accommodate an alternative service pattern.

Service 309 Cullen - Buckie - Keith

Monday to Friday

	1	2	3	4	5	6	7	8	9	10	11
CULLEN (Square)	0515	0615	0715	0850	1015	1150	1335	1535	1715	1900	2015
Portknockie (Spar)			0720	0855	1020	1155	1340	1540	1720	1905	2020
Findochty (Seaview Road)			0725	0900	1025	1200	1345	1545	1725	1910	2025
Portessie (Old Post Office)			0729	0904	1029	1204	1349	1549	1729	1914	2029
BUCKIE (East Church Street)	0525	0625	0733	0908	1033	1208	1353	1553	1733	1918	2033
Portgordon (Post Office)			0738	0913	1038	1213	1358	1558	1738	1923	
Enzie Crossroads			0741	0916	1041	1216	1401	1601	1741	1926	
Aultmore	0541	0641	0751	0926	1051	1226	1411	1611	1751	1936	
Newmill (Mill Brae)			0756	0931	1056	1231	1416	1616	1756	1941	
KEITH (Railway Station)	0549	0649	0801	0936	1101	1236	1421	1621	1801	1946	
Train Depart for Aberdeen	0558	0653	0817	1013	1159	1345	1534	1640	1819		
Train Arrives from Aberdeen		0725	0825	0929	1118	1304	1452	1644	1829	1925	
Bus departs for Cullen	0550	0650	0817	0940	1123	1310	1500	1650	1835	1950	
A96/Church road on request											
Grange Cross roads	0559	0659	0826	0949	1132	1319	1509	1659	1844	1959	
CULLEN (Square)	0612	0712	0849	1002	1145	1332	1522	1712	1857	2012	
Hail and ride between stops											

Timetable above effective from 02 May 2023

Service will not operate on the following days: May Day bank holiday, 25 & 26 December, 01 & 02 January



Current 309 (Mon-Fri Service) monthly average passenger figures sit at 510, equating to an average of 24 passengers a day.

Service 314 – Forres Town service

One of the authority's most popular services. Existing timetable displayed below but can be amended to remove current schedule gaps for Home to School Transport (HTS).

Service 314 - Forbeshill-Forres Town Service

Monday to Thursday

	1	2	3	4	5	6	7	8	9
Forres St Leonards Church	0840	0930	1020	1110	1200	1340	1430	1630	**
Forbeshill Top End	0843	0933	1023	1113	1203	1343	1433	1633	**
Forbeshill Carisbrooke	0845	0935	1025	1116	1205	1345	1435	1635	**
Forres Tolbooth	0848	0938	1028	1118	1208	1348	1438	1638	**
Lidl Car Park	0850	0940	1030	1120	1210	1350	1440	1640	**
Nairn Road Tesco	0852	0942	1032	1122	1212	1352	1442	1642	**
Forres Medical Centre	0855	0945	1035	1125	1215	1355	1445	1645	**
Forres Dental Centre	0857	0947	1037	1127	1217	1357	1447	1647	**
Mannachie Road – Falconer Road Junction	0859	0949	1039	1129	1219	1359	1449	1649	**
Mannachie Road – Meadowlark Nursing Home	0901	0951	1041	1131	1221	1401	1451	1651	**
Mannachie Road – Allan Drive Junction	0903	0953	1043	1133	1223	1403	1453	1653	**
Lidl Car Park	0908	0958	1048	1138	1228	1408	1458	1658	**
Nairn Road Tesco	0910	1000	1050	1140	1230	1410	1500	1700	**
Forres Tolbooth	0912	1002	1052	1142	1232	1412	1502	1702	**
Forres St Leonards Church	0915	1005	1055	1145	1235	1415	1505	1705	**



Fridays Only

	1	2	3	4	5	6	7	8	9
Forres St Leonards Church	0840	0930	1020	1110	1200	**	1430	1520	1610
Forbeshill Top End	0843	0933	1023	1113	1203	**	1433	1523	1613
Forbeshill Carisbrooke	0845	0935	1025	1115	1205	**	1435	1525	1615
Forres Tolbooth	0848	0938	1028	1118	1208	**	1438	1528	1618
Lidl Car Park	0850	0940	1030	1120	1210	**	1440	1530	1620
Nairn Road Tesco	0852	0942	1032	1122	1212	**	1442	1532	1622
Forres Medical Centre	0855	0945	1035	1125	1215	**	1445	1535	1625
Forres Dental Centre	0857	0947	1037	1127	1217	**	1447	1537	1627
Mannachie Road – Falconer Road Junction	0859	0949	1039	1129	1219	**	1449	1539	1629
Mannachie Road – Meadowlark Nursing Home	0901	0951	1041	1131	1221	**	1451	1541	1631
Mannachie Road – Allan Drive Junction	0903	0953	1043	1133	1223	**	1453	1543	1633
Lidl Car Park	0908	0958	1048	1138	1228	**	1458	1548	1638
Nairn Road Tesco	0910	1000	1050	1140	1230	**	1500	1550	1640
Forres Tolbooth	0912	1002	1052	1142	1232	**	1502	1552	1642
Forres St Leonards Church	0915	1005	1055	1145	1235	**	1505	1555	1645

Timetable above effective from 02 May 2023

Service will not operate on the following days: May Day bank holiday, 25 & 26 December, 1 & 2 January.



Current 314 (Mon-Fri Service) monthly average passenger figures sit at 1122, equating to an average of 53 passengers a day.

Service 334 – Elgin-Lhanbryde-Kingston

Another popular service provided. Existing timetable would generate familiarity with existing customer base, but here is a real opportunity to review and develop the timetable to accommodate additional rotations within the operating period covered.

Service 334 Elgin - Kingston

Monday to Friday

	1	2	3	4	5	6	7
Tesco Haugh Road	****	****	****	****	****	****	****
Elgin Bus Station	****	1030	****	****	1340	1615	1800
Ashgrove Park	****	1033	****	****	1343	1618	1803
Linkwood College	****	1035	****	****	1345	1620	1805
Bain Avenue	****	1037	****	****	1347	1623	1808
Pinegrove	0704	1040	****	****	1350	1625	1810
Lhanbryde Post office	0709	1045	****	****	1354	1630	1815
Lhanbryde Templand Road	0712	1048	****	****	1356	1633	1818
Urquart Beils Brae	0716	1053	****	****	1401	1640	1825
Garmouth High Street	0727	1104	****	****	1412	1651	1834
Kingston Beach Road	0733	1108	****	****	1416	1655	1838
Kingston Beach Road	0734	1110	****	****	1417	1700	1839
Garmouth High Street	0740	1114	****	****	1421	1706	1845
Urquart Beils Brae	0750	1124	****	****	1431	1716	1855
Lhanbryde Templand Road	0757	1131	****	****	1438	1723	1902
Lhanbryde Post office	0802	1136	****	****	1444	1727	1906
Pinegrove	0807	1141	****	****	1449	1733	****
Bain Avenue	0809	1143	****	****	1452	1735	****
Linkwood College	0812	1146	****	****	1455	1738	****
Ashgrove Park	0814	1148	****	****	1457	1740	****
Elgin Bus Station	0817	1151	****	****	1500	1743	1910
Tesco Haugh Road	0821a	1155a	****	****	1504a	1747a	1914a

Code:

a – Continues to Tesco Haugh road, on request.

Timetable above effective from 02 May 2023

Service will not operate on the following days: May Day bank holiday, 25 & 26 December, 1 & 2 January.



Current 344 (Mon-Fri Service) monthly average passenger figures sit at 1130, equating to an average of 54 passengers a day.

Service 366 – Aberlour-Knockando-Elgin

Added to consider the U22 working and leisure market from Speyside. The 5 days service has yet to yield stronger patronage since the service uplift, however, a weekend service may well improve this. The current timetable may require a review and include additional evening journeys.

Service 366 Aberlour - Elgin via Marypark, Knockando and Archiestown

Monday - Thursday					Friday						
	1	2	3	4	5		1	2	3	4	5
Aberlour Square	****	0900	1140	1640	1920	Aberlour Square	****	0900	1140	1700	1940
Carron Road End	****	0903	1143	1643	1923	Carron Road End	****	0903	1143	1703	****
Glenfarclas Dist Road End	****	0906	1146	1646	1926	Glenfarclas Dist Road End	****	0906	1146	1706	****
Marypark	****	0910	1150	1650	1930	Marypark	****	0910	1150	1710	****
Knockando	****	0920	1200	1700	1940	Knockando	****	0920	1200	1720	****
Carron	****	0931	1211	1711	1951	Carron	****	0931	1211	1731	****
Archiestown	****	0936	1216	1716	1956	Archiestown	****	0936	1216	1736	****
Macallan Distillery	****	0943	1223	1723	2003	Macallan Distillery	****	0943	1223	1743	****
Rothies	****	0948	1228	1728	2008	Rothies	****	0948	1228	1748	1950
Fogwatt	****	0956	1236	1736	2016	Fogwatt	****	0956	1236	1756	1958
Edgar Road	****	1002	1242	1742	2022	Edgar Road	****	1002	1242	1802	2004
Elgin Railway Station	****	1006	1246	1746	2026	Elgin Railway Station	****	1006	1246	1806	2008
Dr Grays Roundabout	****	1010	1250	1750	2030	Dr Grays Roundabout	****	1010	1250	1810	2012
Elgin Bus Station	****	1015	1255	1755	2035	Elgin Bus Station	****	1015	1255	1815	2017

Timetable above effective from 02 May 2023

Service will not operate on May Day bank holiday, 25-26 December, 01 - 02 January.



Service 366 Elgin - Aberlour via Archiestown, Knockando and Marypark

Monday - Thursday					Friday						
	1	2	3	4	5		1	2	3	4	5
Elgin Bus Station	****	1020	1300	1800	****	Elgin Bus Station	****	1020	1540	1820	****
Dr Grays Roundabout	****	1025	1305	1805	****	Dr Grays Roundabout	****	1025	1545	1825	****
Elgin Railway Station	****	1029	1309	1809	****	Elgin Railway Station	****	1029	1549	1829	****
Edgar Road	****	1033	1313	1813	****	Edgar Road	****	1033	1553	1833	****
Fogwatt	****	1039	1319	1819	****	Fogwatt	****	1039	1559	1839	****
Rothies	****	1047	1327	1827	****	Rothies	****	1047	1607	1847	****
Macallan Distillery	****	1052	1332	1832	****	Macallan Distillery	****	1052	1612	1852	****
Archiestown	****	1059	1339	1839	****	Archiestown	****	1059	1619	1859	****
Carron	****	1104	1344	1844	****	Carron	****	1104	1624	1904	****
Knockando	****	1115	1355	1855	****	Knockando	****	1115	1635	1915	****
Marypark	****	1125	1405	1905	****	Marypark	****	1125	1645	1925	****
Glenfarclas Dist Road End	****	1129	1409	1909	****	Glenfarclas Dist Road End	****	1129	1649	1929	****
Carron Road End	****	1132	1412	1912	****	Carron Road End	****	1132	1653	1932	****
Aberlour Square	****	1135	1415	1915	****	Aberlour Square	****	1135	1655	1935	****

Timetable above effective from 02 May 2023

Service will not operate on May Day bank holiday, 25-26 December, 01 - 02 January.



Current 366 (Mon-Fri Service) monthly average passenger figures sit at 211, equating to an average of 10 passengers a day.



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 6 FEBRUARY 2024

SUBJECT: BUDGET FOR EXTERNAL CONSULTANCY SERVICES – PHASING OUT THE USE OF GLYPHOSATE BY 2025

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT, AND FINANCE)

1. REASON FOR REPORT

- 1.1 To ask the Committee to consider options relating to the Council's current methods of weed control and phasing out the use of Glyphosate, as requested by this Committee on 7 February 2023.
- 1.2 This report is submitted to Committee in terms of Section III (F) (11) of the Council's Scheme of Administration relating to exercising functions in relation to parks, open spaces and woodland management and maintenance.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) note the contents and wider context of the report;**
- (ii) consider whether to pursue option 1 or option 2 at para 3.8;**
- (iii) If option 2 is preferred:**
 - a. consider whether the project specification in the appendix meets the requirements of the Committee and;**
 - b. if the specification is agreed, agree to recommend to Full Council that an allocation of a budget of £50k from reserves is approved, to fund external consultancy services to review the Council's current weed control methods and detail, through a report and costed action plan, how the Council can phase out the use of Glyphosate by 2025.**

3. **BACKGROUND**

3.1 On 7 February 2023, this Committee considered a [report](#) on the Use of Glyphosate (weed killer) in open spaces (Paragraph 14 of the minute refers) and agreed to:

- 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;
- approve the proposals to reduce the use of Glyphosate through a managed approach in certain settings as outlined in the report, 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;
- note that Officers will continue to monitor the cost and effectiveness of alternative approaches of weed control;

An agreed amendment to the recommendations requested:

- **that a further report be brought to a future meeting of this Committee detailing how Glyphosate will be phased out by 2025.**

3.2 The Head of Environmental and Commercial Services advised the Committee that a budget would be required to resource the preparation of a report detailing how Glyphosate will be phased out by 2025, and that approval would need to be sought from Full Council given that there is no allocated budget to do this nor any internal capacity or expertise to undertake such a study.

3.3 The proposed scope of external services is outlined at **APPENDIX A**. Whilst the cost for this service will not be known until a tender is produced and published to the external market to achieve best value, it is estimated that a budget of £50k would be required to deliver this scope of work. This is based on previous scopes of work issued by both this Council and other authorities.

3.4 Following the report to this Committee on 7 February 2023 the Open Spaces team amended its working practices throughout the spring/summer of 2023 to reduce the amount of glyphosate used on Council open spaces. This resulted in a reduction of 993.5 litres equating to a 49% reduction. The alternative practices included:

- ceasing application of glyphosate around the base of trees;
- ceasing application of glyphosate around obstacles (benches, signs);
- ceasing application in play areas where grass matting and rubber crumb surfacing are installed.

3.5 As reported to this Committee on 7 February 2023 there are a number of alternatives to the use of herbicides containing glyphosate including: thermal controls (flame, hot water and/or foam), acetic acid (active ingredient in vinegar), manual controls (hand, tool or machinery removal), fatty acids

(pelargonic acid) and electricity. As previously reported each alternative method has their pros and cons with none currently considered suitable as a direct cost effective or efficacious replacement for glyphosate based herbicides.

3.6 APSE advice is that the use of alternatives to Glyphosate will add to revenue costs for weed control (including labour, materials, vehicles, and fuel), with many requiring capital investment. Officers continue to monitor experiences of other local authorities through the APSE member network and trade journals and have noted to date that in general others have found alternatives to be less effective, more costly and labour intensive, and that alternative methods of control could increase labour and costs manifold.

3.7 As reported to this Committee on 7 February 2023 the Open Space team does not have the capacity, information or full knowledge of the alternatives to glyphosate in order to produce an action plan for removing the use of glyphosate. The services of an external consultant are therefore required to produce a developed and fully costed action plan. The plan would include addressing the following headline areas:

- review the Councils current methods of weed control;
- use of Herbicides with Glyphosate;
- review of potential alternatives to replace the use of herbicides;
- develop and cost an integrated weed management action plan for Moray detailing how it can phase out the use of Glyphosate by 2025.

3.8 Giving consideration to the information contained within this report Committee has a number of options available with regards how to progress with regards reducing the use of glyphosate. The options are detailed below:

- Option 1: Recognise the significant progress that has been made with regards reducing the usage of glyphosate, and that there are challenges with making further progress, and as such defer further action until November 2024 to review the regulatory landscape (ie to see whether there is the potential for an extension to licensed use beyond 2025 as is now the case in Europe) and progress made by other organisations which will inform our working practices, costs to determine our own pathway to cease use and decision making. In the intervening period Officers will continue to work proactively across its partner networks to keep abreast of alternative methods and encourage collaboration on the alternative solutions.
- Option 2: Make further progress on a costed action plan, recognising the resourcing and expertise issues previously set out to Committee, and approve the commissioning of an external provider to produce fully developed and costed action plan for review by Committee

4. **SUMMARY OF IMPLICATIONS**

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Enhancing biodiversity delivers a wide range of social and environmental benefits that will support corporate and community planning objectives.

Environment – looking after the world we live in to protect it for the future. We want to encourage everyone to take small steps to preserve and protect our environment as we go about our daily activities

(b) Policy and Legal

The Council's Open Space Strategy aims to ensure public open spaces in Moray are of sufficient quality and distribution to meet the needs of local communities and local biodiversity.

There are no direct legal implications. Glyphosate is currently legally approved for use in Great Britain

(c) Financial implications

There is currently no budget allocated or available to procure external services to undertake this work. It is currently estimated that a budget of £50k is needed to deliver this scope of work.

When the Council approved the budget for 2023/24 on 1 March 2023 (paragraph 5 of the Minute refers) it balanced only by using reserves and one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make savings in the order of £20 million in the next two years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved.

It is anticipated that there will also be an on-going budget pressure from additional cost of alternative methods of weed control but this will be dependent on the options developed by the consultant, if approved.

(d) Risk Implications

Given increasing public concerns over the use of Glyphosate to control weeds in open spaces there is a potential reputational risk to not considering further approaches to reduce or eliminate its use. There is however a risk to biodiversity by phasing out glyphosate too soon if there is no effective alternative for control of invasive non-native species

The Association of Public Sector Excellence (APSE) have advised local authorities that alternative methods of weed control are more expensive and sometimes not as effective than the current method of control and therefore there is a risk that additional revenue and capital budgets for

labour, plant and equipment will be required to implement the costed action plan resulting from this scope of work, and to achieve the objective of phasing out the use of Glyphosate by December 2025.

In terms of option 1, there is a risk that the Councils implementation of alternative working practices from December 2025 could be delayed, were it necessary to procure equipment to facilitate the alternative working methods which have extended lead times for delivery. However, at this stage this risk cannot be quantified.

If an extension to licensed use is granted, then spend in terms of option 2 would be discretionary rather than essential at this point. Should Moray not then cease all use by December 2025 on a discretionary basis, there is a risk that products and practices have moved on by the revised statutory deadline such that the approach per the specification would then require further review.

(e) Staffing Implications

There is no available staff capacity or budget to research or adopt alternative methods of control.

(f) Property

Weed control around fixed infrastructure and buildings is currently in place to help reduce damage to infrastructure.

(g) Equalities/Socio Economic Impact

The recently agreed reductions in the use of Glyphosate helps to support increasing biodiversity and contribute to community health and wellbeing by reducing inequalities of access to nature.

(h) Climate Change and Biodiversity Impacts

Reduction in the use of herbicides including Glyphosate support mitigation of, and adaptation to, the climate and biodiversity crisis. The Council has recognised the biodiversity crisis through the Climate Change Strategy, Nature Emergency, and its support of the Edinburgh Declaration on Biodiversity. The negative impact of glyphosate is particularly relevant to pollinators, especially bees, which are under a number of growing pressures and the resulting pollinator decline will have risks to human food systems. Flowering 'weeds' are an important food source for pollinators which in turn hold up human food systems and much more, so there is benefit from leaving them to grow wherever possible. Therefore, attempts to reduce the use of glyphosate should be supported. However it is important to acknowledge the role glyphosate plays in managing invasive non-native species (INNS) – particularly Japanese Knotweed and Giant Hogweed. A balance needs to be struck as INNS have significant negative effect on biodiversity which is likely to worsen with climate change. The costs of dealing with INNS are currently £343 million per year in Scotland alone. Properly applied, glyphosate is one of the few really effective way to treat these plants.

(i) Consultations

Depute Chief Executive (Economy, Environment and Finance), Head of Environmental & Commercial Services, Principal Climate Change Strategy Officer, Legal Services Manager, Chief Financial Officer, Committee Services Officer (L Rowan), Head of Housing and Property, Roads Maintenance Manager and Equal Opportunities Officer have been consulted and comments received have been incorporated into the report.

5. CONCLUSION

5.1 The Environmental Protection Service does not have an allocated budget or resource to review the Council's current weed control methods and detail how the Council can phase out the use of Glyphosate by 2025 as requested by the this Committee on 7 February 2023.

5.2 An estimated budget of £50k would need to be approved from reserves to procure external professional services to undertake this action.

5.3 Alternative methods of weed control are anticipated to be more expensive and would therefore likely require a future increase in revenue and capital budgets to implement the findings from this scope of work.

5.4 Against this background, there may be benefits in waiting for larger better resourced authorities to lead developments in response to the 2025 deadline from which Moray could learn, as well as deferring non-essential spend until it is clear whether the UK will follow Europe in extending licensed use.

Author of Report: James Hunter, Open Space Manager

Background Papers: [Use of Glyphosate to Control Weeds in Open Space Report](#)

Ref: SPMAN-524642768-1014

Appendix A**Scope – Weed Control Review****Background**

Moray Council's Economic Development and Infrastructure Committee of 7 February 2023 considered a [report](#) on the Council's use of Glyphosate to control weeds in open spaces and accepted the recommended proposals to reduce the use of Glyphosate in certain settings through a managed approach without additional cost to the Council.

Following consideration, 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, 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.

Also, on 3 February 2023 Moray Council declared a Nature Emergency. The declaration recognises the current state of nature, its intrinsic value to society and highlights the urgent need to aid its recovery and restoration, which in turn plays a part in recognising climate targets. The Council also welcomed the Scottish Biodiversity Strategy, which brings statutory targets for public authorities, to meet the challenges of the nature crisis.

In addition, the Council's Economic Development & Infrastructure Committee agreed a [Nature and Biodiversity Position Statement](#) at its meeting on 2 May 2023. This includes an action to increase nature positive management of council land.

The Council's Environmental Protection/Open Space service manages and maintains parks, amenity green spaces, core paths, woodlands, and burial grounds. This includes circa: 65 Schools, 74 football pitches, 700 hectares of grass, 105,000 m² shrub beds, 11,000 m² rose beds, 5,000 m² annual flower beds, 60,000 m² hedges, 964 core paths totalling over 1,000 kilometres of path, 260 litter bins, 1000 park benches, 120 picnic benches, 118 fixed outdoor play areas, 19,000 m² woodchip safety surfacing, 210 hectares of community/amenity woodlands, control of non-native invasive species, 65 Burial grounds and 44 war memorials.

Brief

Moray Council wishes to procure external services to:

1. Review the Council's current methods of weed control:

- Identify and quantify the range of weed control processes (sweeping, herbicide applications, manual removal etc.) being undertaken by the Council's operational services, including Open Space Operations and Waste Services Operations
- Outline the benefits, challenges and risks with the current processes.
- Identify any improvements relating to the processes
- Undertake an Environmental Impact Assessment of the current processes used. This should include carbon emissions, waste production and biodiversity and climate change impacts

2. Use of Herbicides with Glyphosate

- Carry out a review of the current position regarding products containing Glyphosate and detail the benefits, challenges and risks of using this type of product

3. Review of potential alternatives to replace the use of Glyphosate

- Identify measures currently being applied by other local authorities within Scotland and outline any benefits, challenges and risks
- Identify measures currently being applied outwith Scotland and outline the benefits, challenges and risks
- Undertake a cost comparison between each method, broken down into plant, labour and materials for each option and including both revenue and capital costs
- Undertake an Environmental Impact Assessment of the potential alternative methods of control. This should include carbon emissions, waste production and biodiversity and climate change impacts

4. Develop and cost an integrated weed management action plan for Moray detailing how it can phase out the use of Glyphosate by December 2025:

- Outline the benefits, challenges and risks with this alternative approach
- Develop a costed action plan to identify and detail the actions and changes the Council must make to phase out the use of Glyphosate by December 2025. To include options for managing invasive non-native species.
- Costs must include all capital costs and annual revenue costs to clearly detail the financial benefits and / or implications compared to current costs and methods of control – this should include costs for labour, vehicles, plant, fuel and material
- Undertake an Environmental Impact Assessment for the integrated weed management action plan and approach. This should include carbon emissions, waste production and biodiversity and climate change impacts
- Set out key information on risks/benefits of removing the use of all herbicides for weed control

Note:

- It is anticipated that a committee report covering all areas of the review scope would be developed as a result of this study. This would likely be reported to a future council / management meeting for consideration
- Sources for references made to other case studies should be included along with scientific data to objectively demonstrate the effectiveness and success rates for each of the options. The inclusion of visuals to illustrate the methods of control and before, during and after treatments is expected to be included.
- Proposals must align with national policies and legislation, including the Scottish Biodiversity Strategy
- Risks should include the link to some forms of cancer, impacts on biodiversity including pollinators

