

# MORAY COUNCIL

## Minute of Meeting of the Economic Development & Infrastructure Services Committee

Tuesday, 11 June 2019

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

### **PRESENT**

Councillor David Bremner, Councillor Gordon Cowie, Councillor John Divers, Councillor Ryan Edwards, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Maria McLean, Councillor Shona Morrison, Councillor Ron Shepherd, Councillor Sonya Warren

### **APOLOGIES**

Councillor Theresa Coull, Councillor John Cowe, Councillor Claire Feaver

### **IN ATTENDANCE**

Head of Direct Services, Transportation Manager, Roads Maintenance Manager, Consultancy Manager, Environmental Protection Manager, Legal Services Manager and Mrs Lissa Rowan, Committee Services Officer as Clerk to the Meeting.

#### **1 Chair**

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

#### **2 Declaration of Group Decisions and Members Interests**

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Members interests in respect of any item on the agenda.

### **3 Resolution**

The Committee resolved that, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7A and Reason
15	6 and 8 - Information relating to proposed terms and/or expenditure to be incurred by the Authority and information relating to the financial or business affairs of any particular person(s)

### **4 Written Questions**

The Committee noted that no written questions had been submitted.

### **5 Minute of Meeting dated 16 April 2019**

The minute of the meeting of the Economic Development and Infrastructure Services Committee dated 16 April 2019 was submitted and approved.

### **6 Staff Car Parking**

Under reference to paragraph 6 of the minute of Moray Council dated 26 September 2018, a report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the responses to the advertisement of the Car Park Order Amendment relating to Grayfriars Street Car Park and The Annexe Car Park.

During discussion surrounding the consultation process, concern was raised that members of the public had found it difficult to take part in the consultation as the detail as to how the charging would be administered was not available.

In response, the Legal Services Manager advised that the purpose of the statutory consultation was based on the Car Park Order Amendment however it had been advertised that the means by which the charging would be administered would be by a season ticket and that this had been a budget decision.

The Chair, having considered the responses to the statutory advertisement of the Car Park Order Amendment, moved that the Committee approve the implementation of the Order as advertised. This was seconded by Councillor Morrison.

Councillor Macrae was of the opinion that administering car park charges by means of a parking permit would place a considerable administrative burden on the Council and moved that the Committee do not approve the implementation of the order and pursue an alternative solution.

In response, the Legal Services Manager advised that the recommendation from Officers was to approve the implementation of the Order and that Councillor Macrae's motion not to approve implementation of the Order and pursue an alternative solution would have to be more specific so that Officers knew what the view of the Committee was.

Councillor Macrae stated that, in his opinion, it would be less burdensome for the Council if the machines in the car parks were programmed to collect a charge of £1 per day, Monday-Friday between the hours of 8:00 am - 6:00 pm.

In response the Transportation Manager advised that this had been considered by Officers however in choosing that method of charging, there were implications in terms of equalities and the Car Park Order Amendment.

The Legal Services Manager further advised that if the Committee were minded not to approve the Car Park Order Amendment, the process would have to be stopped and a new Car Park Order Amendment advertised on the basis of £1 per day, Monday-Friday between the hours of 8:00 am - 6:00 pm. She further advised that the consultation had raised some issues in terms of equalities in that people who cannot start work early are disadvantaged as the parking spaces would be on a first come first served basis. Furthermore, as Moray Council had agreed to the administration of staff car parking charges by way of a parking permit then a report would require to be brought to a future meeting of Moray Council to vary this decision.

On hearing the advice from the Legal Services Manager, Councillor Macrae amended his motion to reflect that a further report be submitted to a future meeting of Moray Council recommending that further consultation be carried out on a new Car Park Order Amendment based on charging £1 per day, Monday-Friday, 8:00 am – 6:00 pm for Moray Council staff. This was seconded by Councillor M McLean.

On a division there voted:

For the Motion (4) Councillors Leadbitter, Morrison, Bremner and Warren

For the Amendment (6) Councillors Macrae, M McLean, Cowie, Divers, Edwards and Shepherd

Abstention (0) Nil

Accordingly, the amendment became the finding of the Committee and it was agreed that:

- i. the process to approve the current Car Park Order Amendment is stopped; and
- ii. a further report be submitted to a future meeting of Moray Council recommending that further consultation be carried out on a new Car Park Order Amendment based on charging £1 per day, Monday-Friday, 8:00 am – 6:00 pm for Moray Council staff.

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee with regard to matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for 2018/19. The report stated that the Council is currently considered to be compliant with the PMSC, however work is still required to stabilise the Council's position in relation to marine safety, which will be evidenced through future reports to, and scrutiny from, this Committee.

During discussion surrounding incident statistics and lessons learned, attention was drawn to the incident that had occurred at the harbour at Buckie on the 6 August 2018 where an angler had lost their balance and slipped and it was queried why the report stated that no lessons had been learned from this incident.

In response, the Transportation Manager advised that the harbour staff had been the first responders to this incident however the floatation devices used were not suitable for rescue as they were too bulky and that a slimmer device would have been more suitable therefore additional, more suitable floatation devices had been purchased should these be required in the future. The Transportation Manager agreed that this was a lesson learned and should have been included in the report.

During further discussion surrounding the increased use of harbours during the summer months, it was queried whether consideration had been given to promoting harbour safety via social media platforms?

In response, the Transportation Manager advised that the Council worked closely with the Coastguard and the Royal National Lifeboat Institution (RNLI) on a number of safety issues and agreed to share coastal safety information via the Council's social media forum to promote harbour safety.

Thereafter, the Committee agreed:

- i. to note the safety performance for 2018/19, fulfilling their function as Duty Holder under the Port Marine Safety Code; and
- ii. that coastal safety information be promoted online via the Council's social media forum.

## **8 Sanquhar Loch and Woodland Management Plan**

Under reference to paragraph 12 of the minute of this Committee dated 20 March 2018, a report by the Corporate Director (Economic Development, Planning and Infrastructure) asked the Committee to approve the Sanquhar Loch and Woodland Management Plan and agree to fund the improvements from revenue reserves. The report stated that the Management Plan will provide a medium to long term vision for the important open space asset and benefit the local community and visitors whilst building on the strong partnership with the volunteers known as the Sanquhar Dam Restoration Group.

The Committee joined the Chair in commending the work undertaken by the volunteers known as the Sanquhar Dam Restoration Group for their valuable contribution and dedication to Sanquhar Loch and thereafter agreed:

- i. to approve the Management Plan as set out in Appendix 1 of the report: and
- ii. that £ 30,000 of the £53,938 legacy funding which is classed as revenue

reserves that have been earmarked for the upkeep of the Sanquhar Estate may be accessed over a five year period between 2019 and 2024 to be spent on the recommendations of the Management Plan for the Loch & Woodland including associated upgrade and maintenance measures.

## **9 Pilmuir Pump Station Operation and Maintenance**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the proposed changes to the scope of operation and maintenance of Pilmuir Pump Station. The report stated that the current operation and maintenance of Pilmuir Pump Station is undertaken in line with the Operation and Maintenance Manual for the Forres (River Findhorn and Pilmuir) Flood Alleviation Scheme at a cost of £40,000 per year, and that the proposed changes could save the Council up to £20,000 per year.

Following consideration the Committee agreed the proposed change to the scope of operation and maintenance of Pilmuir Pump Station, as set out in paragraph 3.5 of the report.

## **10 Lossiemouth Seatown and Portgordon Flood Studies**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of progress on the proposed Flood Protection Schemes at Lossiemouth Seatown and Portgordon. The report stated that, following completion of the studies the proposed Flood Protection Scheme at Lossiemouth Seatown has a strong business case and would consist of a flood retaining embankment between the estuary and the properties and caravan park at Seatown. No positive business case had been identified to reduce wave overtopping at Portgordon therefore the Flood Protection Scheme at Portgordon was not recommended for progression.

During discussion surrounding the estimated cost detailed in the report of between £18m-£26m to build a rock armour embankment, a stepped revetment and new wave return wall at Portgordon, clarification was sought as to whether an actual quote had been received for this work as concern was raised that the Committee was making a decision based on an estimated cost.

In response, the Consultancy Manager advised that the estimated cost of between £18m-£26m was based on current market value.

Following consideration, the Committee agreed:

- i. to take forward development of the proposed Flood Protection Scheme at Lossiemouth Seatown as detailed in paragraph 3.3-3.7 of the report; and
- ii. that a Flood Protection Scheme for Portgordon is not progressed further as detailed in paragraphs 3.8-3.11 of the report.

## **11 Moray Employment Land Audit 2019**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the key findings of the Moray Employment Land Audit 2019 and asked that the Committee agree the Moray Employment Land

Audit 2019. The audit identified that there is 79.84 hectares (net) of marketable/effective employment land, of which 39.15 hectares (net) is immediately available and that it had identified issues with the restricted choice of sites across settlements and a shortage of industrial land in Forres and Speyside.

Following consideration, the Committee agreed to note:

- i. the employment land supply in Moray, as summarised in Section 4 and Appendix 1 of the report; and
- ii. that the Moray Employment Land Audit 2019 at Appendix 2 has been agreed by the Planning and Regulatory Services Committee on 21 May 2019.

## **12 Direct Services and Development Services (Economic Development) Capital and Revenue Budget Monitoring to 31 March 2019**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the current position regarding Direct Services and Development Services (Economic Development) Capital and Revenue Budget Monitoring to 31 March 2019.

During discussion surrounding council car parks, the car park income surplus was noted however concern was raised that council car parks still appeared to be under occupied therefore it was queried whether future reports could include vehicle movement and ticket sales information.

In response, the Transportation Manager assured the Committee that, in budget terms, all of the car parks were performing well and that there were no significant changes in terms of usage and agreed that future reports would include the number of tickets sold, where this information is available.

During further discussion surrounding the Elgin Parking Strategy and the ongoing issue with on street parking, concern was raised that there was no mention of this in the report.

In response, the Head of Direct Services advised that a new Transportation Bill was currently being considered by the Scottish Parliament which would address issues such as double parking and pavement parking and that a report would be brought to a future meeting of this Committee, in terms of implications the Bill will have to the Council, once the new Transportation Bill has progressed through the Scottish Parliament.

The Committee joined the Chair in commending Officers for their effort in providing a closely balanced budget on a considerable budget line and thereafter agreed:

- i. to note the budget monitoring report for the period to 31 March 2019;
- ii. that, in terms of car park income, future reports include the number of tickets sold, where this information is available; and
- iii. that a further report be brought to a future meeting of this Committee in relation to parking enforcement, once the new Transportation Bill has progressed through the Scottish Parliament.

### **13 Performance Report (Direct Services) - Half Year to March 2019**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the performance of the service for the period from 1 October 2018 to 31 March 2019. The report stated that at the end of March 2019, 69% of Direct Services performance indicators have shown good performance against target and that the Service Plan for 2018/19 is currently 79% complete with only 3 actions overdue by the end of the year.

During his introduction, the Head of Direct Services advised that further analysis had been carried out on the performance indicator that measured waste management which revealed that the recycling rate is actually 57.4% and not 53.1% as stated in the report. This was noted.

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

- i. the performance against Economic Development, Planning and Infrastructure Performance Indicators, Service Plan and Complaints to the end of March 2019 as outlined within the report;
- ii. the actions being taken to improve performance where required; and
- iii. that the recycling rate detailed at paragraph 5.24 of the report should be 57.4% and not 53.1%.

### **14 Question Time**

There were no questions raised.

### **15 Buckie Development [Para 6 & 8]**

A report by the Corporate Director (Economic Development, Planning and Infrastructure) advised the Committee of an offer which had been received to purchase the North part of Buckie shipyard.

Following consideration, the Committee agreed:

- i. the sale of the north part of the Buckie Shipyard site as shown in red in Appendix 1 of the report for £65K as detailed in Section 5 of the report; and
- ii. to delegate to the Legal Services Manager, in consultation with the Acting Head of Housing and Property and Head of Direct Services, to conclude missives and conditions of sale as described in this report.